

THE BOOK OF THE HUNDREDS

*Fourth Edition
Revised - With Updates*

containing

Prolegomena to Current Martial Rule
Matters concerning His Lawful assembly
The Non-Statutory Abatement Handbook

Written by
the several bondmen and unprofitable servants
of our Lord and Saviour Jesus the Christ

Dedication and Acknowledgment

*Published under the Authority of our Lord and Saviour Jesus the Christ
to edify His whole Lawful assembly,
on this Glorious day of His Eternal Reign*

We give thanks to our Lord and Saviour Jesus the Christ for showing us the Way for us to walk in; for being, expressing and revealing the Truth in Love to us; for being the Life and revealing to all what it means to live for our Father, Abba; and confirming all of the foregoing by paying the ultimate price for all of us who believe on Him, Who now has made manifest all Righteous Judgment of and by the Father. We also give thanks to Him for the diligent labors of our fellow-servants -- our Brothers and Sisters of His assemblies throughout His Everlasting Kingdom -- who, without their vast and continuing fellowship, exhortation, and knowledge concerning His Word and the Power thereof, this book would not otherwise be. We also give thanks to Him for their loving and supporting wives and little ones, for without their support and love for their husbands and fathers, the house is divided and cannot stand. Glory be to God for having them maintain their houses under the Blessed Lordship of Jesus the Christ. They are truly a sanctified and peculiar people worthy of the High and Noble calling of "the Christ's bondmen and unprofitable servants." We give thanks to God our Father and His Anointed One for bringing to us His children's love and fellowship, and ask that His called-out ones keep us in their prayers, as we keep them in ours.

We know the battle is the Lord's, and that all time, space, and reality is in His Mighty Hand to command as He sees fit. Who can stay it? or who commands Him Who holds the worlds, and their destinies, in His Righteous Hand? Now unto the King Eternal, Immortal, Invisible, the only Wise God, be Honour and Glory for ever and ever. So be it, so be it.

Preface

concerning
"The Hundreds"
of England and America

It is from "the Hundreds" of ancient England that the title of this book is derived. It is only the title and this Preface that directs its attention to the Hundreds for the purpose of demonstrating the fact that when our Father's "old paths" are abandoned, all of His children (as it was with the children of Israel) fall into captivity under the lordship and despotism of merchandising men.

Long ago in England, while that remote island, at large, was under the rule of the Anglo-Saxon kings of the earth, small groups of Godly men and their families gathered together within their *shire* (later, the king's *county*) to deal with that which they knew is upon our Lord's shoulder -- government. Within these shires, groups of families called *tithings* (ten families) further united into *ten tithings* under the Lordship of the Christ to form what we know today as "the Hundred." In this, they were aware of our Father's Proverb, "*Many wait on the favor of rulers, but justice comes to a man from the Lord*" *Proverbs 29:26 (LXX)*. Therefore, the members of each Hundred, as a whole, took responsibility for the crimes and defaults of each and every one of its members, and were therefore **diligent** as to who remained within their Hundred and who did not belong. With each and every member involved, they formed their own *hundred* and *shire courts*, chose their own *constable of the hundred* and *reeve of the shire* (later, the king's *constable and sheriff*), etc., all independent of the so-called "king's prerogative," and dispensed justice as The Word directed.

That was the way it was for several centuries, until the subsequent generations composing the Hundred began "to look to the favor of rulers." Though there is little known concerning the specifics of the change that came about, we must recognize that those subsequent generations must have forgotten, as their forefathers **never forgot**, that their lives were not their own but belonged to the King of Kings, and not to the merchant kings of the earth and their swarms of officers.

Hereafter within this Preface is a short history of what is known today of the transition from a government that was upon the Christ's shoulder (the light yoke), to a government that joined itself to the kings and merchants of the earth (the heavy yoke), and took on the burdens that men put upon other men's backs. In its transition, we see how and why we are left with still another history of the un-Godly governments of men contained in the next 92 pages of this book. In Truth, we but only need to look to The Word to know these things, and thereby avoid them before they come about:

"If thou sit to sup at the table of a **prince**, [*Satan is the **prince** of this world] consider attentively the things set before thee: and apply thine hand, knowing that it behooves thee to prepare such: but if thou art very insatiable, **desire not** his provisions; for these belong to a **false life**." *Proverbs 23:1-3 (LXX)*

The following condensed history of the transition from a Godly government within the Hundreds, to a false life under the rulership of earthly kings, and their merchant churches, governors, presidents, etc., is from a book titled "The Hundred and The Hundred Rolls" (1930) 296 pp., by Helen Cam:

"Superseded by the Poor Law Union and the Urban and Rural District, the Hundred has receded so rapidly into the mists of the past that the first associations to be called up by its name are likely to be those of remote antiquity--of the Germany of Tacitus, the Gaul of Clovis or the England of Edgar the Peaceable.

Both the hundred and the shire courts were held at stated intervals (once a month) during the time of the Anglo-Saxons. Before the Norman conquest of 1066 judicial activities, both secular and spiritual, had been concentrated in these local assemblies, at which the local custom was declared and enforced, titles to property were established, and violence condemned, if not

punished. Justice was administered and law declared by those who attended the court. The shire-moot (shire court) and hundred-moot (hundred court) met in the open air.

By declaring custom and determining procedure in doubtful cases these courts were in effect making law, though law of only local application; in the Middle Ages no clear dividing line could be drawn between jurisdiction and legislation. The shire-moots of the tenth and eleventh centuries are sometimes referred to as the *witan* of such or such a shire; they were indeed as organs of self-government of far more practical importance than the *central witan*--that indeterminate collection of nobles and clergy whose powers varied inversely with those of the Anglo-Saxon kings. Out of the early hundreds came the office of constable who was responsible for keeping the peace, the maintenance of watches, and, for the mustering of the armed men of the hundred. And, while the shire itself did not escape its share of public duties, the men of the hundred had personal status that was outside the purview of the king's law.

Then after 1066, William the Conqueror called on the shire-moot for co-operation. For a king who had from the first steadily maintained that he was the lawful heir of the Confessor, and who stood for the principles of justice in accordance with the laws of God and of man, the shire-moot was bound to be the tribunal for settling controversies as to the claims of Norman bishops and earls who had been granted all the lands and the rights of English predecessors. Not only the Archbishop of Canterbury but many other men between 1066 and 1087 made good their claims in a shire court by the witness of the good men, or, more particularly, the old men, of the shire, a specially appointed royal delegate presiding to see that justice was done and to record the judgment. By 1086 the shires must have been used to the sight of the king's justice sitting in their court, and to the new procedure of the sworn inquest as a means of getting definite answers to definite questions. William's successors continued to use the hundred-moot and shire-moot for their own purposes.

With the advent of Henry I, it was decided by royal proclamation that it was necessary to forbid sheriffs to summon extraordinary shire-moots and hundred-moots without royal warrant. Under Henry I, as visits of royal justices became more regular, the transformation of shire-moot into king's court must have become a stereotyped process. At a special joint assembly of the counties of Norfolk and Suffolk before a royal steward in 1148, or thereabouts, the old knight whose testimony settles the matter observes incidentally that for fifty years he has been attending shire courts and hundred courts, since before the days of King Henry, when peace and justice flourished in the land.

But Henry II did more than return to his grandfather's tradition: he took the decisive step which drew the courts of the shire into the main stream of constitutional development. It was not merely to use its old procedure on the king's behalf; it was to be taught a new procedure: the suitors of the court were to become not only judges but jurors. The king's justice's, now sitting in the shire court, were to call upon the knights of the shire and the men of the hundred to give answer, in sworn dozens, to questions put to them--not only to specific questions as to royal dues, but to sweeping questions such as: 'Is there anybody in your hundred whom you suspect to be a thief or a receiver of thieves?' Gradually there opened up by means of these juries of presentment a way for the complaints and wishes of the country-side to reach the king. The demand for information was in effect transformable into an invitation to complain; and complaints came to the king's court of a fullness that would have been embarrassing if they had been seriously taken as a programme for action. The contact was established, not merely a personal but an official contact, between the courts of the shire and the king's court.

By 1258, the king was far off; the earls and barons were usually absentees, represented in the county by their stewards; it was the knights who ran the local government, both as holders in turn of the post of sheriff as coroners, and as suitors and controllers of the county court, where their duties were steadily increasing as the century advanced. Here they were required to discuss taxation, to hear the king's letters and ordinances, to elect the county coroners, to serve on special juries and inquests, and to appoint plenipotentiaries to speak for the whole county in the

king's court, both on fiscal and on political matters. Alongside the sheriff and his clerk, concerned with the batch of writs to be dealt with, of legal business to be got through, of criminal inquiries to be made, of debts to be collected, if possible before the court broke up, and of royal proclamations to be published, we can see the body of knights, jealous for the custom of the county and their own rights as suitors, not above bribing the sheriff to favour their individual causes, but ready in a moment to sink their differences in defense of the vested interests of their body, and to draft common petitions or representations to the king if any magnate or official had attacked those interests. Thus we find the gentlemen of Devon drawing up the list of charges still preserved at Oxford against their sheriff, Roga of Pridias, in 1272, accusing him of oppression of both rich and poor and of invasion of the liberties of the shire, winding up with the complaint that he is not a native of the county and a demand for his dismissal. The shire courts, in becoming an agent of the central government, had not ceased to be the articulate embodiment of local *esprit de corps*.

As for the hundreds, royal proclamations became the recognized law, and it was the sheriff's business to summon twice a year each hundred to the great court, or tourn, where a much larger attendance was exacted; and it was an event of some importance to the central government, for it produced a good deal of revenue. But the outstanding significance of the tourn is that it linked up the hundred to the royal system of police and criminal law, just as the local inquests in land cases linked it to the new royal justice in civil matters." *The Hundred and Hundred Rolls, excerpts from pages 1-19.*

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Part One

Prolegomena to Current Martial Rule

This Work is written for those Good and Lawful Christian Men and Women who have spent the time in court, paid the price behind bars, survived the beatings, false arrests, and harassment; and those who are victims of patriot¹ remedies, common law court scams, Uniform Commercial Codes, Title 42 suits, and many others. It seems that not a day goes by before a new "silver bullet," "some hot new process" "that's got'em runnin' scared" comes down the road. It may be called by some unfamiliar *legal* sounding name, like a '*cancellatura*,' or it may have a very legal sound, such as a 'Notice of Refusal for Fraud', '*pro se*' litigation, 'The Flag of Peace,' 'Bill of Particulars' and many rescission packages that never affect the public record; and of course, the secular 'jural' societies [which are *persona non standi in judicio*]. The ignorant, unsuspecting and all too trusting fail to look behind these "processes" at the trail of bodies left behind by these *illusions* of Law, based on *natural* reason.

All of these, like so many in the past, will, in a few weeks or months, be seen for what they are. Meanwhile, the people of God will get burned again for their ignorance and continue to suffer for their lack of any real knowledge of Law. Just to avoid any confusion about which Law we refer to, it is God's Law manifested and revealed in our Sovereign Lord and Saviour Jesus, the Christ, upon whose shoulder the real and Lawful government rests.

Many are under the gun as they read this and are frustrated and impatient to get to the meat. We understand this. But, the Prolegomena is important for many reasons, of which the most important of all is, understanding how modern government works. Most, if not all Christians in America, have no *working* or *workable* knowledge or concept of what *constituted* government is supposed to be under God. Much has been written about this ignorance and malaise:

After the Civil War the new northern business class developed a new body of anti-governmental ideas. Typically, William Graham Sumner used social Darwinism as the theoretical basis for an attack on government, oblivious of the fascist implications of his program for suppression of the economically unsuccessful.

* * *

Throughout American history, economy has been equated with virtue and spending with sin. This is the hostile intellectual environment in which the American Leviathan has grown up, the bastard offspring of anti-governmentalism and world politics.

* * *

The uneasiness of people about the growth of the government is related to the inadequacy of public explanations of the phenomenon. Public men have risked their necks in the process. They have been denounced as thieves, enemies of the people, spend-thrifts, socialists, communists, and subverters of the Republic, as bit by bit they backed into the future amid warnings of bankruptcy, scandal, and ruin. [*The author recalls President Taft saying fifty years ago that he anticipated with foreboding a future Congress that might spend a billion dollars.]

Americans have been surprised and confused about the growth of their government because *they have been watching the wrong set of facts*. They have been obsessed with the introverted view of government and did not see the exterior factors that stimulate government most powerfully.

The impact of war on government is evident throughout American history.

Each war enlarged the capacity of the government to do things. Thereafter the enlarged capacity of the government turned out to be too useful to be given up.²

1. "**PATRIOT. Mistakenly** (with possessive) as if = upholder, devotee: mid-C 17. Weever, 1631 'A Patriot of Truth.' O.E.D." *A Dictionary of Slang and Unconventional English* (1961), p. 610. [Emphasis added.]

2. *Two Hundred Million Americans in Search of a Government* by E.E. Schattschneider (1969), p. 32. [*Insertions in brackets added].

For a moment, let us look at the Budget numbers of the Federal government receipts after its wars.

Years	Average Annual Receipts	War	..% annual increase
1789-1812	\$ 869,000	After the Colonial War	
1813-1865	3,226,526	War of 1812	371%
1861-1865	32,181,400	Lincoln's War	997%
1866-1898	73,277,090	Pre-Spanish-American War	228%
1898-1900	86,863,000	Spanish-American War	19%
1899-1917	193,626,811	World War I	226%
1918-1945	6,371,213,400	Thru World War II	3,290%
1945-1950	39,645,600,000	Up to the Korean War	622%
1951-1965	62,927,550,000	To the Viet Nam War	159%
1966-1976	197,988,000,000	The Viet Nam War	315%
1977-1987	622,211,675,405	Post Viet Nam	314% ³

The Chart speaks for itself. Obviously, the Humanist knows the significance of the Biblical mandate to build: line upon line, precept upon precept, etc. This is how they build budgets and the Tower of Babel. Note that the greatest increases came under two Presidents; Lincoln (a 997% increase) in Federal Receipts, and Roosevelt with a whopping 3,290% increase in Federal Receipts.

We need only add that the above do not reflect the beginning of the P.B.D.S.⁴, which Lincoln started with a deficit of \$2.7 billion deficit at the end of his war.

"... What does the budget say? Normally about 75 percent of the federal budget is spent for defense and defense related activities. The ratio of defense to non-defense expenditures holds in Republican as well as Democratic administrations, in wartime as well as peace. Congress passes defense appropriation bills by overwhelming bipartisan votes — not like other appropriations. How can we say that we know what government is, if we do not listen to what the budget says? [*Indeed this testifies to the fact that Christians do not follow the Scriptural prohibition against putting their faith in man.]

Defense is the biggest industry in the country. Education is second. That is what the oyster is like, hard on the outside and soft on the inside.

The most potent stimulus to the growth of government comes from the outside, and a hundred governments can generate tensions for which there are no easily imagined physical equivalents. [*In one estimate, 14,513 wars were fought in the past five thousand years.]⁵

It is true that the government is very much more than a defense organization. It is extremely *multi-functional*. Nobody has ever established a government to lay a sidewalk, but once people have a government they find that it can be used to do many things. Governments pick up a multitude of assignments because as guardians of the community they have the prestige, the organization, and the resources to do things that no one else can do.

Among all of the other advantages they have, governments, unlike business corporations, do not need to make a profit [*because of their inherent taxing power]. So governments are used to do most of the unprofitable work of the community. The great administrative establishment developed for military purposes can be used for civil purposes, as the Army engineers were used to dig the Panama canal [*and they were used for a number of domestic civil projects, the building of the Sepulveda dam project in the San Fernando Valley in California for example]. The civil functions of government expand with the defense establishment, because the general capacity of the government is enlarged every time the defense organization expands.

3. Compiled from data in *The World Almanac and Book of Facts*, 1993, at page 127.

4. Perpetual Budget Deficit Syndrome.

5. Letter dated December 6, 1967, by Andrew W. Cordier of the Fund of Education in World Order.

Thus the tensions that *make* governments also make governments grow.

It follows from the foregoing discussion that *it is impossible to understand politics until we know what government is*. The introverted view of government confuses all concepts of politics. If we misunderstand government we are likely to misconceive the whole game. The *cause* of government does not cease working once a government has been formed, and a cause potent enough to make a government is strong enough to play a role in its politics.

* * *

[*Thus] This growth has taken place in spite of a structure that hobbled and handcuffed it [*The previous Constitution]. *The fact that the government has survived and has grown powerful is due to factors not to be found in the language of the Constitution nor the political theory behind it.*

* * *

The theories of politics growing out of the introverted view of government neglect the role of world tensions in the formation, strength, growth, and behavior of government. Charles Beard, starting with an introverted view of government, saw no difficulty in explaining the work of the Constitutional Convention of 1787 as a successful effort of the commercial and financial interests in the country to take over the government. Beard neglected the likelihood that the hard-headed revolutionaries who organized the Convention wanted a government able to defend the new country in its infancy. *The sleeper in the new constitution was the war power.*⁶

The new war power is open and obvious for all who have eyes to see. It is this war power that is examined herein. It is a full-orbed power today, but it was not the war power delegated to the office holders of government by the original Constitution. It is power based on presuppositions that are utterly separate, distinct, foreign and strange to the presuppositions of the Framers.

This work gives a historical overview of what has happened to Our system of laws since the early 1800's, and it documents the true nature of the current "legal" system in America that must be understood before one studies the remedies in Parts Two and Three. It was, after all, the change in the legal system that permitted annual Federal Receipts to go out of control after Lincoln's War.

The Glossary deals with the meaning of specific words and phrases as used by the system. We may use the same words as those in the system, but, Our meaning and the public's perception of the same words' meaning - are never the same. The Reader must know the difference so that he or she does not argue at cross presuppositions and thus make the same mistakes as thousands of others in the past.

The system used by the *provisional* governments today is the old Roman Imperial system of law. If the Reader does not understand the meaning and significance of this, he or she will not understand why we've written this book, why we encourage Christian reform and reconstruction in Christian Jural Societies under Christ Jesus, or why Non-Statutory Abatements have been so successful over the past three and a half years. In this Fourth Edition of the Book of the Hundreds, removing 'Our Sovereign Lord and Saviour Jesus, the Christ' from the Abatements *will result in failure*, and rightly and deservedly so, for Law does not exist without the sanctioning Authority of its Sovereign. And if the Law does not exist without the Authority of its Sovereign, then the protection afforded by that Law does not exist.

Thus, it is suggested that you study and know Part One before your first popular assembly to form a Christian Jural Society. And, most certainly before you write and serve your first Non-Statutory Abatement. Especially is this true in this Edition. You must know the Gospel of Christ and see it as a manual of Law to see through the 'illusions of the world' and to find your way out of Babylon. We will all see beyond all reasonable doubt, that "without Christ ye can do nothing."

We pray earnestly that you will see that you are not alone, and that we at the *Press* are not criticizing your present viewpoint or the quality of your Christian knowledge and commitment to Christ. It is our earnest hope you will either verify what is in these pages, or disprove it with solid proof of the same or improved quality to what is offered here, all for the edification and understanding of the Christian church.

6. *Two Hundred Million Americans in Search of a Government*, by E.E. Schattschneider (1969), pp. 33-34. [*Emphasis and insertions added].

The Overview

Many ideas led up to and ended in Lincoln's War Against All Christian States. They were *anti-Christian* and constituted a radical shift from the Christian Customs and Usages that founded America. In summary, these were:

a. A decline of the intellectual power of Christian thought and work, and a lapse into subjective emotionalism and pietism, that manifest itself as a kind of feminization of the church.

b. The rise of Humanism to fill the intellectual void left by retreating Christians, that ended in the loss of Christian control in all areas of life - by 1860. For example, between the Colonial War and Lincoln's War, Christians lost control of more than one hundred fifty of the top universities and colleges.

c. The decline of cottage industry and rise of big business as small de-centralized manufacturing in the home and small shops was replaced by massive centralized manufacturing in factories. The demand for more capital to finance bigger business led to an increase in the number and size of commercial banks and stock corporations, and enormous pressure on the Federal and State governments to enact laws that would assist the growth of commerce. The consequent rise in Federal power and spending meant the decline of local self-government. Voids in leadership were filled by the State and Federal powers, but in order to do this, a change in the Constitutional idea of civil government changed from a consociation of Christian states to a national union wherein the federal power is supreme over all others.

d. The centralization of power in the President was uncontrollable because of the clear lack of specific Constitutional restraints. Congress acquiesced and aided Northern commercial interests, crippled by Jefferson's seizure of power in New England. The Northern secessionist movement, however, needed the South to secede as well in order to get the two-thirds vote necessary to end the binding effect of the Constitution.

e. Lincoln took the lack of restraints on Presidential power to its logical conclusion, and seized total power when Congress adjourned *sine die* on March 28th, 1861. This ended the original *de jure* government under the Constitution. No one, especially the Christian church, did anything to stop Lincoln, who initiated the War against the South without the slightest Constitutional, legal, or lawful authority. He created the debt funding system used by every President since, to increase the national debt and fund a further expansion of Federal power - while in bankruptcy. This, coupled with the Reconstruction Acts as **continuing war measures**, have produced the current Martial Rule government with its administrative codes, rules, regulations, etc., and culminated in the present Federal power.

f. After Lincoln's New World model was firmly in place, every President after him found the allure of his new powers too strong to resist. It appears that none sought to roll back these powers and there came about the usual power conflicts between the President and Congress which always seemed to settle on the side of the President. With the advent of Franklin D. Roosevelt, a quantum increase in the President's power took place and our current government, the very perfection of the New World Order, was completed.

g. The Christian church went corporate and thereby placed itself in an inferior position which meant that the New Church was powerless to raise its voice against the new government created by Lincoln and continually sustained by every administration and party from that day to this.

Lincoln's War was the bloodiest war in the history of the several united States of America. He engineered the destruction of the last remnants of the Christian idea of law and civil government. He replaced God's Law with Caesar's law and re-installed the old Roman Imperial system. The brutally excessive, unnecessary, unlawful, *anti-Christian*, and unconstitutional acts of Lincoln set all the precedents needed by Franklin D. Roosevelt to create a permanent state of national emergency amounting to a state of war.

It is not our intent herein to offer an exhaustive history, but to present the evidence that relates directly to the current system of 'law' used in America.

We present life to you as a battle, and the figure is aptly used. It is a battle; God has made it so... The clash of opposing forces all about us makes it a battle. The din of conflict fills this whole universe. All intelligences are engaged. The Almighty wars against Satan, and Satan wars against God. On opposite sides are massed the good and bad angels. The great principle of wrong constantly antagonizes the mightier principle of right.

These aspects of the conflict we do not see; they are spiritual and invisible. But enough of this tug of war we do see to make the battle intensely real, and the necessity for taking part in it both clear and urgent... a generation ago, the crisis of war sent a line of division through this great Republic. Everybody then took sides. The heart in every case went one way or the other. Those who seemed to be neutral were not so in reality, and some of these had a harder time, with less to compensate them, than those who stood up boldly for their convictions. So in the battle of life. Our first duty, upon entering the arena, is to determine which side we will espouse.

That each must serve on one side or the other, is beyond question. Not only must the heart incline toward one or other of these two sides, but to one or the other will the service of the life be given. ... this conflict is not confined to a few localities; it is raging constantly all about us, and, whether he will or not, every man has a part in it. ...

The undertow of life is toward evil and ruin. **To lose the good and secure the evil, you need only to neglect to choose the good.** The sad wail of all lost souls, and of all ruined lives is like the never-ceasing lament of that man who lost his reason because one night, as the express came dashing along, he neglected to turn the switch, and thus allowed the train, with its living freight, to dash forward to an awful destruction, his bitter deprecation, until he died, saying, 'O that I had! O that I had!' Yes, it would indeed have been better had he done his duty, inestimably better; but he had not, and hence the frightful consequences.⁷

The premise in this book has never changed, and is only confirmed by new and expanding research by the King's Men in these several states. Our object is not to bring down the house of Caesar, for that will happen according to God's plan; but to leave to our Posterity a record upon which they can, in accordance with the Will of God, stand in His presence worthily claiming all the Inheritance Christ has given us and them.

To many Christians, the facts in these pages will be *shocking* and hard to swallow. This is the reason we offer so much evidence. To help your understanding we must begin with what is the Source, Cause, and Origin of Lawful Government from a *Good and Lawful Christian* perspective. This we can gather from the records of those who landed on the shores of America in the early seventeenth century and carved out a government most fit for themselves *as they found it in God's Word*.

7. *Forward March! Through Battle to Victory*, by Henry Tuckley (1890), pp. 27-30. [Emphasis added].

Riches to Rags: The Decline of the Power of the Church

We begin with a short statement of what early Christians in America believed about the nature of civil government. This starting point is necessary in order to set in stark relief the changes that came later.

“For the word of the LORD *is* right; and all his works *are done* in truth.”⁸

“All scripture *is* given by inspiration of God, and *is* profitable for doctrine, for reproof, for correction, for instruction in righteousness: That the man of God may be perfect, thoroughly furnished unto all good works.”⁹

Read carefully part of a speech by John Winthrop, Governor of Massachusetts Bay:

“...The great questions that have troubled the country, are about the authority of the magistrates and the liberty of the people. It is yourselves who have called us to this office, and being called by you, we have our authority from God, in way of an ordinance, such as hath the image of God eminently stamped upon it, the contempt and violation whereof hath been vindicated with examples of divine vengeance. I entreat you to consider, that when you choose magistrates, you take them from among yourselves, men subject to like passions as you are. Therefore when you see infirmities in us, you should reflect upon your own, and that would make you bear the more with us, and not be severe censurers of the failings of your magistrates, when you have continual experience of the like infirmities in yourselves and others. We account him a good servant, who breaks not his covenant. The covenant between you and us is the oath you have taken of us, which is to this purpose, that we shall govern you and judge your causes by the rules of God's Laws and our own, according to our best skill. When you agree with a workman to build you a ship or house, etc., he undertakes as well for his skill as for his faithfulness, for it is his profession, and you pay him for both. But when you call one to be a magistrate, he doth not profess nor undertake to have sufficient skill for that office, nor can you furnish him with gifts, etc., therefore you must run the hazard of his skill and ability. But if he fail in faithfulness, which by his oath he is bound unto, that he must answer for. If it fall out that the case be clear to common apprehension, and the rule clear also, if he transgress here, the error is not in the skill, but in the evil of the will: it must be required of him. But if the case be doubtful, or the rule doubtful, to men of such understanding and parts as your magistrates are, if your magistrates should err here, yourselves must bear it.

For the other point concerning liberty, I observe a great mistake in the country about that. There is a twofold liberty, natural (I mean as our nature is now corrupt) and civil or federal. The first is common to man with beasts and other creatures. But this, man as he stands in relation to man simply, hath liberty to do what he lists; it is a liberty to do evil as well as to good [*Knowledge of Good and Evil]. This liberty is incompatible and inconsistent with [*Christian] authority, and cannot endure the least restraint of the most just authority [*of God through our Lord and Saviour Jesus, the Christ]. The exercise and maintaining of this liberty makes men grow more evil, and in time to be worse than brute beasts: *omnes sumus licentia deteriores*. [*"Without restraint we are all worse" (than beasts).] This is that great enemy of truth and peace, that wild beast, which all the ordinances of God are bent against, to restrain and subdue it. The other kind of liberty I call civil or federal, it may also be termed moral, in reference to the covenant between God and man, in the moral law, and the politic covenants and constitutions, amongst men themselves. This liberty is the proper end and object of authority, and cannot subsist without it; and it is a liberty to that only which is good, just, and honest. This liberty you are to stand for, with the hazard (not only of your goods, but) of your lives, if need be. Whatsoever crosseth this, is not authority, but a distemper thereof. This liberty is maintained and exercised in a way of subjection to authority; it is of the same kind of liberty wherewith Christ hath made us free. The woman's own choice makes such a man her husband; yet being so chosen, he is her lord, and she is to be subject to him, yet in a way of liberty, not of

8. Ps 33:4. **Note:** All Scriptural quotes are from The Authorized 1611 King James Version.

9. 2 Tim 3:16-17.

bondage; and a true wife accounts her subjection her honor and freedom, and would not think her condition safe and free, but in her subjection to her husband's authority. Such is the liberty of church under the authority of Christ, her king and husband; His yoke is so easy and sweet to her as a bride's ornaments; and if through frowardness or wantonness, etc., she shake it off, at any time, she is at no rest in her spirit, until she take it up again; and whether her lord smiles upon her, and embraceth her, she apprehends the sweetness of his love in all, and is refreshed, supported, and instructed by every such dispensation of his authority over her. On the other side, ye know who they are that complain of this yoke, and say, let us break their bands, etc., we will not have this man to rule over us. Even so, brethren, it will be between you and your magistrates. If you stand for your natural corrupt liberties, and will do what is right in your own eyes, you will not endure the least weight of authority, but will murmur, and oppose, and be always striving to shake off that yoke; but if you will be satisfied to enjoy such civil and lawful liberties, such as Christ allows you, then will you quietly and cheerfully submit unto that authority which is set over you, in all the administrations of it, for your good. Wherein, if we fail at any time, we hope we shall be willing (by God's assistance) to hearken to good advice from any of you, or in any other way of God; so shall your liberties be preserved, in upholding the honor and power of authority amongst you..."¹⁰

Winthrop's speech has been called the greatest ever speech on Christian government. We do well to take to heart all he says. Later, we will return to his writings when we discuss Christian Jural Societies.

In the beginning, there was no Sovereign in America but Christ and the church was free. It never saw a need to enter into an alliance with the State by incorporating, although some early charitable corporations¹¹ did follow Christians to America, the churches themselves did not incorporate until much later.¹²

During its first century in America, the Christian church drew the faithful from England and Europe and the growth of Christian dominion was phenomenal. The church in America had to resort to Scripture for everything it did because there was no other real authority in America to whom the church could turn for leadership but Christ.

By the end of the seventeenth century, the Salem witch trials had dampened the spirit of the founders and England began to exert more control over her very profitable colonies in the New World. Many Puritans began to doubt their missionary purpose in America and an early form of withdrawal from "worldly affairs," called pietism, began to set in. This was aggravated by the very real perception that the Christian colonies were being over-run by non-believers and heresy.

About this time, the Christian church began to ally itself with Colonial governments and some began to incorporate. But, the Great Awakening put a temporary brake to this.

"The Great Awakening gave rise to popular forms of church government and thus accustomed people to self-government in their religious habits. The alliance of church and state, the identification of religious with civil institutions, was found to be detrimental to the cause of religion. Wherever revivalism spread, especially in Virginia, Baptists increased, colliding with the moribund establishments that feebly relied on political support for their defense. In Virginia, for example, the activities of itinerant preachers who refused to list their meeting houses led, between 1768 and 1776 to the imprisonment of nearly fifty for 'disturbing the peace' or refusing to give bond to keep the peace in the future."¹³

Where incorporation was allowed, however, it was not for everyone.

10. John Winthrop, speech to the General Court of Massachusetts, July 3, 1645, from *Democracy Liberty and Property* (Macmillan, 1942 & 1955), pp. 292-294. [*Insertions added]

11. Thus, for example, "The Society for the Propagation of the Gospel" was an early eleemosynary corporation that bears little resemblance to today's 501(c)3 not-for-profit corporations used by modern churches.

12. For a complete work on the rise of 501-(c)3 Church Corporations and how this corrupted the Gospel message, see, *How the Church Fell from Grace*, by John William and The King's Men, published by The Christian Jural Society Press, 1998.

13. *Protestant Concepts of Church and State*, by Sanders. Holt, Rinehart and Winston, 1964, page 82.

"During the colonial period religious societies, if part of the established church, had been freely incorporated by royal governors and colonial assemblies. It was more difficult for other denominations. Religious bodies were the first kind of organization to receive the special treatment of the general corporation statutes, and not merely because of the number of charter applications they occasioned. The device of a general corporation statute was seen as a means of implementing ... equal rights for all churches, an essential feature of the political philosophy of the new nation."¹⁴

The Great Awakening of the early 1740's, involved important Christian leaders such as Jonathon Edwards, and great preachers from England, such as George Whitfield. But, the revival did not bring about long-term change in the church, but, it did put backbone in the resistance to the ever increasing strangle-hold of the King and Parliament on the colonies. This resistance led, of course, to the Colonial War and the framing of the Constitution for the united States of America.¹⁵

The cost of the Colonial War on the Christian church was devastating in that many Pastors, teachers, and other leaders of the church were murdered in cold blood by the British, if they were captured. Remember, the British were aided in their efforts by seizing the official rolls of church corporations in which they found the Christians they were after. The effect of the genocide, however, was to further deplete the intellectual quality of Christian thought. This aspect of American history has been called the Genocide of the Black Brigade, without whom, the Colonials would have lost the war.

By the early 1800's, the power of the Christian church was in clear decline in many ways.

First, we have already mentioned the growing tendency of the churches to use the power of the State by incorporating. Except for New England Baptists led by Isaac Backus, and Virginians under John Leland, nearly all church **denominations** began to incorporate, primarily at the urging of the pastors. Backus tells us why the pastors led the way.

"...To use the state to collect salaries [*for pastors] was as wrong for the Baptists as for the Congregationalists.¹⁶ [*And further that] " ... incorporation acknowledged the right of the state to decide which churches could and which could not be chartered. In addition, incorporation gave all persons in the congregation the right to vote on building or repairing a meeting-house as well as paying the minister's salary. The unconverted members might then be able to out vote the converted, thereby allowing the worldlings to lord it over the saints. Baptist societies, acting like Congregational parishes, would face the same bitter conflict between church and congregation.

"Some Baptists argued that incorporation was necessary to hold property or endowment funds in the name of the church. But Backus pointed out that the law [*and God's Law] gave the deacons, or any other suitably appointed persons, the power 'to receive and hold estates or donations which are given for religious purposes, and to manage the same at the direction and for the good of the church or society.' This device was wholly sufficient to meet the needs of the Baptists in this respect..."¹⁷

Second, was the problem of segregation in the churches which, from the beginning, in both the North and South, were integrated, in a narrow sense. Of interest is Weatherford's study.¹⁸ But...

Let us start with the fact that there was integration of Negroes and whites in Christian churches from the beginning of slavery until a year following the Civil War.The First Baptist Church in Norfolk, Virginia, was a mixture of black and white in 1800. White members withdrew in 1817 to form the Cumberland Street Baptist Church, a mixed church thus being parent to a white church.¹⁹ 'In Richmond... numbers of free Negroes attended the white First Baptist Church (1802), ... which became exclusively Negro (now First African Baptist Church) in 1841, when another building was erected for whites alone.'²⁰

14. 34 Emery Law Journal, 617, at 630, by James J. Fishman, Professor of Law, Pace University School of Law.

15. The lower case 'u' in united is deliberate.

16. *Isaac Backus and the American Pietistic Tradition*, by William G. Loughlin. Little, Brown and Co., Boston, 1967, ppg. 220-221.

17. *Ibid.* pg. 222-223. [*Insertion added].

18. *American Churches and the Negro*, by W.D. Weatherford (1957), The Christopher Publishing House, p. 17.

19. *The Negro in Virginia* (1940), Writers' Program of the W.P.A., Hastings House, New York, pp. 103-104.

20. *Ibid.*, 104.

In Georgia ...in 1750, Negro slaves were allowed or compelled to attend Christian services under the direction of a Protestant minister. ...On the roll of members of the Sardis Baptist Church, Wilkes County, (Georgia) there was a 'list of the Black Brethren in fellowship from 1805-1824....'²¹ ... there were white and mixed congregations served by Negro ministers in the days of slavery. In Virginia, for example, the Gloucester Baptist Church (white), losing its white pastor by death, called Rev. William Lemon in 1776, 'not white in complexion though he had been washed in the laver of regeneration.'²²

[But] ... however many and casual were the physical and social relationships which prevailed between Negroes and whites in the South in ante-bellum days ... they prevailed in a master-slave setting. The associations were paternalistic and largely contemptuous of the personality of the Negro; the Negro remained subordinate, subservient, and dependent.

* * *

Secondly,... [*To prevent a Negro conspiracy] *The Laws Concerning Servants and Slaves*, a revision for the colony of North Carolina read: 'Be it further enacted, That if any master, or owner of Negroes, or slaves, or any other person or persons whatsoever in the government shall permit or suffer any Negro or Negroes to build on their or either of their lands or any part thereof any house under pretense of a meeting house upon account of worship or upon any pretense whatsoever, and shall not suppress and hinder them, he, she, or they so offending shall for every default forfeit and pay fifty pounds,...'²³ Such stringent codes were later ignored or relaxed and Negroes were permitted the right to assemble in worship, but usually under the watchful eye of at least one white attendant. But after the Vesey Plot in Charleston, South Carolina, in 1822, and the Nat Turner Rebellion in Southampton County, Virginia, in 1831, the assembling of purely Negro congregations and the use of Negro preachers were forbidden. 'The Christianizing influence had seemingly been too effective. Negro preachers had 'distorted' the Bible into a guide to freedom [*just as the white colonists did against King George III], and the safety of the institution [*of slavery] was seen to hinge on the purging of such 'heresy' from the minds of slaves. The legislature [*of Virginia] decreed that 'no slave, free Negro, or mulatto shall preach, or hold any meeting for religious purposes either day or night.'²⁴

So what appears on the surface to be 'the very best tradition of the old South' proves upon examination to be a diplomacy by which the Christian could ease his conscience by giving the Negro the Gospel while at the same time preventing an insurrection against slavery. But it could hardly be expected that a church, preaching a gospel which declared the Negro essentially inferior to the white man and slavery a divine decree and using a Biblical basis for such arguments, would at the same time welcome and entertain the Negro even on the basis of spiritual equality.

What is of more interest to us is ... that segregation of races had its beginning in the church quite as early as its emergence in secular society. ... One of the earliest dates gives the distinction to Savannah by George Liele in 1779. This church later became a mixed church, then reverted to being a Negro church, and thus became the beginning of Negro Baptist work in Georgia.²⁵ ...An important point is that while the South ... continued to include its slaves in common worship, the North began to segregate free Negroes from whites in public worship during Colonial days. Where a master-slave relationship did not exist to maintain status between Negroes and whites within the same church, artificial distinctions arose; and they arose first, not between masters and slaves, but between whites and freedmen.

C. Vann Woodward, in a book called *The Strange Career of Jim Crow*, has firmly established the fact that segregation, as we know it today, is of rather *recent* origin. He cites a series of interesting and significant facts: 'More than a decade was to pass after Redemption (the end of reconstruction) before the first Jim Crow law was to appear upon the law books of a Southern state.'²⁶ In 1879 Sir George Campbell, a member of Parliament, traveling in the South, commented 'with particular surprise on the equality with

21. *Plantation slavery in Georgia*, by Ralph Betts Flanders (1933), Univ. of North Carolina Press, Chapel Hill, p. 174.

22. *The Negro in Virginia*, p. 104.

23. *Slavery and Servitude in North Carolina*, by John S. Bassett (1896), Johns Hopkins University Studies, vol. XIV, p. 50 (quoted from *Laws of 1715*, Ch. 46, sect. 18).]

24. *The Negro in Virginia*, p. 105. [*Insertions added]

25. *From Slavery to Freedom*, by John Hope Franklin (1948), Alfred A. Knopf, New York, p. 161.

26. *The Strange Career of Jim Crow*, by C. Vann Woodward (1955), Oxford University Press, New York, p. 16.

which the Negroes shared public facilities.²⁷ In 1898 the Charleston, South Carolina, *News and Courier* ridiculed the suggestion that the Negro be segregated, pointing out the impracticalities involved; but within ten years after the dawn of the present century nearly all the Southern states had perfected in custom and law an almost complete ostracism of the Negro. The earliest date established by Woodward for the beginning of racial segregation in the South was 1877, with the withdrawal of the Federal troops and 'the acquiescence of the rest of the country in the South's demand that the whole problem be left to the disposition of the dominant Southern white people.'²⁸ His thesis, well argued, is that systematized *social segregation as we know it today is a relatively new thing in American culture.*

What needs to be emphasized, however, is that the segregation of the races had occurred in the Christian churches at least as early as it had appeared in its secular forms. Woodward is aware of the fact that the racial division of the Protestant churches had already come about before the end of Reconstruction,²⁹ but he is referring here not to segregation within the churches but to the separation of the churches. What we must see is that discrimination against the Negro, free and slave, had begun in the North and in the South nearly a century earlier and that the 'voluntary' withdrawal of the Negro had been forced by the embarrassments to which he had been put in mixed churches, an evidence that the church did not merely inherit or absorb the patterns of an evil society but in fact helped provide those patterns...

* * *

Long before the little signs—'White Only' and 'Colored'—appeared in the public utilities *they had appeared in the church.* ... In 1795 the John Street Methodist Episcopal Church in New York City, a mixed church including Negroes under the leadership of a former slave, Peter Williams, who had purchased his freedom through the church's aid, withdrew to form the African Methodist Episcopal Zion Church. [But] ...as the Negro membership grew in number, education, spirit, and independence, the color line was introduced. Negroes were assigned pews in the rear marked 'B.M.,' meaning black members, and there were discriminations at communion and baptismal font.'³⁰

The point is to show that the problems between whites and blacks in both the North and South had existed in the Christian church before they existed in society. From its own history and the teaching of Scripture and God's Law, the church should have known better and acted accordingly.

The church should have known what the historic church and the Scripture has always taught.

Now, there is no distinction between Jew or Greek, between bond or free, and further, the church should have championed the right of all men to be free after they had served six years as a slave. Scripture itself demands the death penalty for any slave-master to hold a Christ-believing slave beyond six years, and such a slave must be compensated for his time in slavery.

Instead, the Christian church, once it had become inundated with non-believers, it compromised its basic doctrines and the Law of God.

Third, was the problem of church-state relations in the states themselves. No nation in history has ever fallen solely from the invasion of a foreign power. It fell first, from an invasion of the mind from within, to prepare the way for the final onslaught, from without. To effectively conquer any people, first seek to change thinking before taking action overtly. While this approach takes longer, its effects last far longer. To see this all one need do is look at the legislation of record to see what changes were being wrought right under the nose of the church. First, in Virginia:

27. Ibid.

28. Ibid.

29. Ibid.

30. *Black Odyssey*, by Roi Ottley (1948), Charles Scribner's Sons, New York, p. 88; and, *The Racial Problem in Christian Perspective*, by Haselden (1959), pp. 24-30.

An Act for Establishing Religious Freedom

Section 1. Whereas Almighty God hath created the mind force that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his Almighty power to do; that the impious presumption of Legislators and rulers, civil as well as ecclesiastical, who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavouring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time; that to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern, and who powers he feels most persuasive to righteousness, and is withdrawing from the ministry those temporary rewards, which proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labours for the instruction of mankind; that our civil rights have no dependence on our religious opinion, any more than our opinions in physics or geometry; that therefore the proscribing any citizen as unworthy the public confidence, by laying upon him an incapacity to be called to the offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which in common with his fellow-citizens he has a natural right; that it tends only to corrupt the principles of that religion it is meant to encourage, by bribing with a monopoly of worldly honours and emoluments, those who will externally profess and conform to it; that though indeed these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that to suffer the civil Magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being of course a judge of that tendency will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or differ from his own; that it is time enough for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against peace and good order; and finally, that truth is great and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons, free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them:

Section 2. *Be it enacted by the General Assembly,* That no man shall be compelled to frequent or support any religious worship, place, or Ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

Section 3. *And,* though we well know this Assembly elected by the people for the ordinary purposes of legislation only, have no power to restrain the Acts of succeeding Assemblies, constituted with powers equal to our own, and that therefore to declare this Act to be irrevocable, would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted, are of the natural rights of mankind, and that if any Act shall be hereafter passed to repeal the present, or to narrow its operation, such Act will be an infringement of natural right.³¹

Note the change of the Source of the right from God to nature — from the Highest Source to the earth. Also note the **apparent lack** of mentioning the Great Mediator, our Sovereign Lord and Saviour Jesus the Christ. Without connection to God through Him, there is no Inheritance, and government is no longer on His shoulder. This is a sign of **rebellion** — the children no longer recognized their Father. The church should have had and held the political sway at this early date. The point is, when the Source changes, so does the law. Scripture puts it this way:

31. Chapter XXXIV of Acts Passed at a General Assembly of the Commonwealth of Virginia, October session, 1785 (Richmond, 1786).

“Now the Lord is that Spirit: and where the Spirit of the Lord *is*, there *is* liberty.”³²

The converse is, "where the Spirit of the Lord is not, there is slavery." A simple premise, with a significant impact in Law. This is a **core** idea of this part and will be developed as we continue. Remember the maxim of Scripture; "As a man thinketh so is he."

Fourth, is the problem of denominationalism - within the context of law. The significance is, the law is based upon Christianity, not on denominations. The maxim of law is, "the cause of the church is a public cause." But, when the church becomes a denomination, its cause is no longer public, but private. Thus, it no longer pursues a Christian purpose, but a denominational (creating division) one. Scripture says;

"He that is not with Me is against Me; and, he that gathereth not with Me, scattereth abroad."³³

And again,

"Now I beseech you, brethren, by the name of our Lord Jesus Christ, that ye, all speak the same thing, and **that there be no divisions among you**; but, that **ye be perfectly joined together in the same mind and in the same judgment**. For it hath been declared unto me of you, brethren, by them which are of the house of Chloe, that there are contentions among you. Now this I say, that everyone of you saith, I am of Paul; and I of Apollos; and I of Cephas; and I of Christ. Is Christ divided? Was Paul crucified for you? Or were ye baptized in the name of Paul? I thank God that I baptized none of you, but Crispus and Gaius;"³⁴

Just to make sure that the specter of ecumenism is not raised against us, we know that there can never be a complete unity of all the different Christians **forms** (denominations) of worship. That is not our point. Our point is not to force a union of churches into a mega-church, but to point out the importance of **being non-denominational in works**, and thereby nullify the presumptions in Law that:

- one is something other than purely Christian.
- one is engaging in 'willful intent' (a criminal act), and
- the presumption of 'privacy' in law (separating the denomination from the Body of Christ)
- the denomination has a "legal personality," that is prosecutable.

By conquering the will to be prideful, one eliminates the obvious denominational trappings and then appears - for purposes of Law - to be non-denominational and thus can take full advantage of standing in Christ and God's Law, and eliminates the binding restrictions of man's law. We cannot go into details of this here, for the subject is beside our point. (For an extended explanation of this problem for the church, see ³⁵).

What happens when a Church disguises itself as Christian in the form of a denomination? The Law sees the Church as a denomination, separate from Christ and Christianity and Christendom. The Church thus, cannot avail itself of the protection of God's Law, i.e., the asylum state, but must be judged by man's law - as a denomination, i.e., as a fiction of law, "Having a form of godliness, but denying the power thereof: from such turn away."³⁶ Further, numerous verses of Scripture speak to this issue. "He that honoureth not the Son [*but his denomination], honoureth not the Father which hath sent him."³⁷ And, "No man can serve two masters, for either he will hate the one or love the other; or else he will hold to the one and despise the other. Ye cannot serve God and mammon"³⁸ And so on.

32. 2 Cor 3:17.

33. Matthew 12:30.

34. 1 Corinthians 1:10-14. [**Emphasis added**].

35. See, *How the Church fell from Grace*, supra.

36. 2 Timothy 3:5.

37. John 5:23. [*Insertion added]

38. Matthew 6:24. See also, Tiffany on Agency.

Last, we have mentioned above and will mention again, the problem of creeping pietism within the church. Do not confuse piety with pietism.

PIETY, n. [L. pietas, from pius, or its root, probably a contracted word.] 1. Piety in principle, is a compound of veneration or reverence of the Supreme Being and love of his character, or veneration accompanied with love; and piety in practice, is the exercise of these affections in obedience to his will and devotion to his service.³⁹
Pietism, on the other hand is, "Extremely strict devotion, or affectation of piety."⁴⁰

In practice, pietism separates the inner and outer man and places each under a different alleged authority. Thus, Christians commonly assume that they are "born again" on the inside, but on the outside, "We're forced to live in the world by man's law." In fact, this is merely a convenient excuse to justify antinomianism, and it works hand in glove with 'we live under grace, not under law.'

The point is, in practice, pietism is always accompanied by withdrawal from pressing the Crown Rights of King Jesus in every area of life and giving up Christian Dominion over many aspect of life, whether we speak of Law, Science, Art, or Engineering.

Thus, in conclusion, by the beginning of the early 1800's, and in some cases much earlier, it was already evident that the Christian church was already in decline, being corrupted from within its doctrine, and compromising with the world outside.

The Rise of Humanism

As the church retreated in principle (theologically) and in fact, the Humanists began to advance, and since the non-believing mind always resorts to the centralization of power in the hands of the State, they began almost immediately to exploit the lack of controls on the President's power in the Constitution. The obvious way in which to do this was to exploit the emergency powers of the President.

One of the first exercises of emergency power came in the summer of 1792 when the people of western Pennsylvania, Virginia, and the Carolinas began to oppose Federal excise taxes on whiskey. Anticipating rebellious activity, Congress enacted legislation providing for the calling forth of the militia to suppress insurrections and repel invasions.⁴¹ Section 3 of this statute required that a presidential proclamation be issued to warn insurgents to cease their activity; if hostilities persisted, the militia would be activated. On August 7, 1794, Washington issued the proclamation, then followed up by commanding forces to put down the Whiskey Rebellion.⁴² Later, he pardoned two leaders of the insurgents who had been tried, convicted, and sentenced to be hanged.⁴³

More emergency authority was granted the President in 1798 in The Alien Act:

By the Alien Act of 1798 Congress delegated to the President virtually unlimited power to "direct the conduct" of nationals of hostile countries whenever the United States should be engaged in a declared war or its territory threatened with invasion, and this enactment, somewhat amended, still remains on the

39. *An American Dictionary of the English Language*, by Noah Webster (1828).

40. *Ibid.*

41. 1 Stat. 264-265.

42. *A Compilation of the Addresses and Papers of the Presidents*, James D. Richardson, Vol. I. New York: Bureau of National Literature, 1897, pp. 149-154.

43. See *Ibid.*, p. 181

statute books. Indeed, for nearly one hundred and twenty years it was almost the only provision of its kind.⁴⁴ The Alien Act obligated the President **to make a proclamation to the public declaring a state of war or threatened invasion** and this action entitled him to powers in the statute.

Jefferson and Madison enlarged the scope of Presidential **discretion**. Jefferson took action in May 1803, to buy the Louisiana Territory from the French subject to congressional approval. The **Constitution and statutes provided no specific authority or congressional guidance on the purchase**. As early as January 1803, Jefferson wrote Treasury Secretary Albert Gallatin that, "There is no constitutional difficulty as to the acquisition of territory, and whether, when acquired, it may be taken into the Union by the Constitution as it now stands, will become a question of **expediency**."⁴⁵

Note what Jefferson is really saying is, he made the Louisiana Purchase⁴⁶ because it was 'expedient.' At the use of the word "expediency" Christians should have been alarmed — note *John 11:49-50* and *18:14*. In his Third Annual Message to Congress (Oct. 17, 1803) he gave the reasons for the purchase:

Congress witnessed, at their last session, the extraordinary agitation produced in the public mind by the suspension of our right of deposit at the port of New Orleans, no assignment of another place having been made according to treaty. They were sensible that the continuance of that privation would be more injurious to our nation than any consequences which could flow from any mode of redress, **but reposing just confidence in the good faith of the government** whose officer had committed the wrong, friendly and reasonable representations were resorted to, and the right of deposit was restored.

Previous, however, to this period, we had not been unaware of the danger to which our peace would be perpetually exposed while so important a key to the **commerce** of the western country remained under foreign power. Difficulties, too, were presenting themselves as to the navigation of other streams, which, arising within our territories, pass through those adjacent. Propositions had, therefore, been authorized for obtaining, on fair conditions, the sovereignty of New Orleans, and of other possessions in that quarter interesting to our quiet, to such extent as was deemed practicable; and the provisional appropriation of two millions of dollars, to be applied and accounted for by the president of the United States, intended as part of the price, was considered as conveying the sanction of Congress to the acquisition proposed. The enlightened government of France saw, with just discernment, the importance to both nations of such liberal arrangements as might best and permanently promote the peace, friendship, and interests of both; and the property and sovereignty of all Louisiana, which had been restored to them, have on certain conditions been transferred to the United States by instruments bearing date the 30th of April last. When these shall have received the constitutional sanction of the senate, they will without delay be communicated to the representatives also, for the exercise of their functions, as to those conditions which are within the power vested by the constitution in Congress. While the property and sovereignty of the Mississippi and its waters secure an independent outlet for the produce of the western States and an uncontrolled navigation through their whole course free from collision with other powers and the dangers to our peace from that source, the fertility of the country, its climate and extent, promise in due season important aids to our treasury, an ample provision for our posterity, and wide-spread field for the blessings of freedom and equal laws.

With the wisdom of Congress it will rest to take those ulterior measures which may be necessary for the immediate occupation and temporary government of the country; for its incorporation into our Union; for rendering the change of government a blessing to our newly-adopted brethren; for securing to them the rights of conscience and of property; for confirming to the Indian inhabitants their occupancy and self-government, establishing friendly and commercial relations with them, and for ascertaining the geography of the country acquired. Such materials for your information, relative to its affairs in general, as a short space of time has permitted me to collect, will be laid before you when the subject shall be in a state for your consideration.

44. *The President: Office and Powers, 1787-1957*. By Edward S. Corwin, Fourth Rev. Ed. N.Y., N.Y. Univ. Press, 1957., p. 158.

45. See, *Ibid*, p. 181. [**Emphasis added**].

46. The Louisiana Purchase money, however, never reached France because the ship carrying the money was captured by the pirate, Juan Gaspar, off the coast of Florida.

Similarly, President Madison's efforts toward and subsequent proclamation regarding the United States possession of West Florida could, for reasons of maintaining national security and sovereignty, **be regarded as an emergency action**. Madison's proclamation read in part: "Whereas **a crisis** has at length arrived subversive of the order of things under the Spanish authorities, whereby a failure of the United States to take the said territory into its possession **may lead** to events ultimately contravening the views of both parties, whilst in the meantime the tranquility and security of our adjoining territories are endangered and new facilities given to violations of our revenue and commercial laws of those prohibiting the introduction of slaves."⁴⁷

The Federal power acquired no title to land in Florida or Louisiana, only a custodial interest, waiting for proper claimants, i.e., Good and Lawful Christian people to occupy the land, form a government, etc. This is the only Lawful way a government can be formed, **via a Christian people who can acquire, display, and evidence a lineage traceable to the Tree of Life and the government resting on Christ's shoulder**:

"For unto us a Child is born, unto us a Son is given: and **the government shall be upon His shoulder**: and His Name shall be called Wonderful, Counsellor, The mighty God, The everlasting Father, The Prince of Peace."⁴⁸

The State is a person, and possesses as its property one territory. As **this one civil person consists of all the citizens**, so its property consists of all the individual property of the citizens. It is *una persona, unicum patrimonium*. This unity of the person and property of the state is expressed by the Common Law maxim, that **all lands were originally granted out by the sovereign** [*God, our Father, through His Son, Jesus the Christ], **and are therefore holden, either mediately or immediately, in fee**. In apprehension of [*Christian and Biblical] law, the [*Christian] state holds the soil of the whole territory as one estate [*in Christ].⁴⁹

Without that evidence, the government is not Lawful, but is a usurper of Christ's Kingdom — His church and state — which is the Inheritance of our Father. Governor Winthrop quoted earlier said as much.

"Blessed *is* the nation whose God *is* the LORD; *and* the people *whom* He hath chosen for His own inheritance."⁵⁰

Keep in mind this verse when we cover the court decisions concerning the nature of martial law. Keep in mind the religious liberty act above, for **martial rule is also a form of 'religious' expression**.

Emergency statutes in the Wars of 1812 and 1847⁵¹ dealt with shipping, trading with the enemy, import regulation, foreign vessel control in U.S. waters, and compensation for property lost and destroyed during military service.

In the War of 1812, a stewardship view of Presidential authority was argued before the Supreme Court,⁵² that justified emergency actions by the Chief Executive. Corwin observed:

As early as 1818 it ... the Court ... had, in the absence of statutory provision to the contrary, a common law right to sue on a bill of exchange endorsed to the Treasurer of the United States;⁵³ and a few years later the broad general doctrine had been laid down "that the United States, being a body politic, as

47. *Ibid.*, Messages and Papers of The Presidents, by J.D. Richardson. pp. 465-466. [**Emphasis added**].

48. Is 9:6. [**Emphasis added**].

49. *Theory of the Common Law* (1849), by James Walker, p. 2. [Emphasis and *insertions added].

50. Ps 33:12.

51. See, J. Reuben Clark, Jr., Emergency Legislation Passed Prior to December, 1917, dealing with the Control and Taking of Private Property for the Public Use, Benefit, or Welfare; Presidential Proclamations and Executive Order of Analogous Legislation Since 1775. Washington: U.S.G. Print. Off., 1918, pp. 990-1026.

52. A Brief History of Emergency Powers In The United States. A Working Paper, Prepared for the Special Committee on National Emergencies and Delegated Emergency Powers; U.S. Senate. U.S.G. Print. Off., Wash. July, 1974, p. 8.

53. Dugan's Executors v. United States, 3 Wheat. 172 (1818)

an incident to their general sovereignty, have a capacity to enter into contracts" "within the general sphere of their constitutional powers" through the instrumentality of the appropriate executive department "whenever such contracts...are not forbidden by law"⁵⁴ In the latter case, moreover, the Court had listened to argument by the Attorney General that in the performance of the trust enjoined on him by the "take care" clause, the President "**not only may, but...is bound to avail himself of every appropriate means not forbidden by law;**" and, while the Court does not avert to this contention, the immediate and inevitable result of its holding was the location in the executive department of the power that it ascribed to the United States Government in its corporate capacity.⁵⁵

The Court cannot inquire into the exercise of Executive discretionary authority because Mandamus does not lie in such cases. Mandamus lies only in enforcing ministerial duties. Mandamus is never used, and can never be used, to enforce an act where discretion of the officer is involved:

The execution of a power can be compelled only where the power is mandatory, or **is a power in trust;**⁵⁶ **that is a power held in trust, without any discretion as to its exercise, and in which the donee has no beneficial interest,** will be enforced **in equity** in conformity with the trust, although not executed by the donee of the power. Thus where there is a power given to trustees to sell property and apply the proceeds upon trusts, and the trustees die without executing the power, the court will order a sale, and compel the heirs to join in the conveyance.⁵⁷ **A court of equity will not execute or control a discretionary power.**⁵⁸

...Wilkes was not acting here in a private capacity and for private purposes; but, .. the responsible duties he was performing were imposed upon him by the government as a public officer....those duties were not voluntarily sought or assumed, but met and discharged in the routine of his honorable and gallant profession, and under high responsibilities for any omission or neglect on his part, instead of being a volunteer, as in most of the cases of collectors and sheriff's made liable.⁵⁹ Now, in respect to those compulsory duties, ... **a public officer, invested with certain discretionary powers, never has been, and never should be, made answerable for any injury when acting within the scope of his authority,** and not influenced by malice, corruption, or cruelty.

Nor will a mandamus issue to such an officer, if he is intrusted with discretion over the subject matter.⁶⁰

Thus, a Ministerial Act is:

One in which a person performs in a given state of facts in a prescribed manner in obedience to the mandate of legal authority, **without regard to or the exercise of his own judgment** upon the propriety of the act being done.⁶¹

A Ministerial Duty is:

One regarding which nothing is left to discretion ... imposed by law, and arising under conditions admitted or proved to exist.⁶² It arises when an individual has a legal interest in its performance that neglect of performance becomes a wrong to such individual.⁶³

54. United States v. Tingy, 5 Pet. 115 (1831).

55. Corwin, op. cit., p. 149. [Emphasis added]

56. Smith v. Kearney, 2 Barb.(N.Y.) 533; Doe v. Ladd, 77 Ala. 223. [Emphasis added]

57. Sugden, *Powers*, 588. [Emphasis added]

58. Sugden, *Powers*, 258, 659. See also *Hopkins on Real Property* (1896), p. 318. [Emphasis added]

59. 2 Strange. 820; 6 D.& E. 443.

60. Paulding v. Decatur, 14 Peters, 497; Brashear v. Mason, 6 How. 102. [Emphasis added]

61. State Tax Commission of Utah v. Katsis, 90 Utah 406, 62 P.2d 120, 123, 107 A.L.R. 1477. *Black's Law Dictionary* (4th ed., 1968), p. 1148. [Emphasis added]

62. City of Tacoma v. Peterson, 165 Wash. 461, 5 P.2d 1022, 1024. Mott v. Hull, 51 Okl. 602, 152 P. 92, L.R.A.1916B, 1184.

63. Morton v. Comptroller General, 4 S.C. 473. *Black's Law Dictionary* (4th ed., 1968), p. 1148.

Thus, it is up to **you** to put yourself into the **proper set of facts** that removes discretion from the officer, and allows him to act ministerially. The Strictly Ministerial Duty is:

One that is absolute and imperative, requiring neither the exercise of official discretion nor judgment.⁶⁴

The Ministerial Office is:

One which gives the officer no discretion as to the matter to be done, and requires him to obey mandates of a superior.⁶⁵ It is a general rule that a judicial office cannot be exercised by a deputy, while a ministerial office may.⁶⁶

The Ministerial Officer is:

One whose duties are purely ministerial, as distinguished from executive, legislative, or judicial functions, requiring obedience to the mandates of superiors and not involving the exercise of judgment or discretion.⁶⁷

All ministerial offices, duties, etc., are **political questions**, that relate directly to the control of government officers, and come under the people's authority whose court is the **superior court** of the **county**,⁶⁸ the at-Law court in which writs of *habeas corpus*, *mandamus*, prohibition, etc., are heard. In all other cases, changes in the conduct of a ministerial duty or office requires legislative action that controls all political questions. Thus, when it involves a Constitutional office:

The Constitutional Convention is the representative of sovereignty **only in a very qualified sense**, and for the specific purpose, and with the **restricted** authority, to put in proper form the questions of amendment upon which the People are to pass; **but the changes in the fundamental law of the State must come from the People themselves.**⁶⁹

Any exercise of legislative power within its limits involves a legislative [*political], and not a judicial question.⁷⁰

The courts are not the guardians of the rights of the people of the State, unless those rights are secured by some constitutional provision which comes within the judicial cognizance. The remedy for unwise or oppressive legislation, within constitutional bounds, is by an appeal to the justice and patriotism of the representatives of the people. If this fails, the people in their sovereign capacity can correct the evil; **but the courts cannot assume their rights.**⁷¹

When the legislature, within the powers conferred by the constitution, has declared the public policy, and fixed the rights of the people by statute, the courts cannot declare a different policy or fix different rights. In this regard the legislature is supreme, and the presumption is that it will do no wrong, and will pass no unjust laws. **The remedy, if any is needed, is with the people and not with the courts.**⁷²

64. *State ex. rel. Heller v. Thornhill*, 174 Mo.App. 469, 160 S.W. 558, 559. *Black's Law Dictionary* (4th ed.1968), p. 1591.

65. *Yose v. Deane*, 7 Mass. 280; *Savacol v. Boughton*, 5 Wend.(N.Y.) 170, 21 Am.Dec. 181; *Waldo v. Wallace*, 12 Ind. 569.

66. *Black's Law Dictionary* (4th ed., 1968), p. 1234.

67. *U.S. to Use of Kinney v. Bell*, C.C.Pa., 127 F. 1002; *State v. Loechner*, 65 Neb. 814, 91 N.W. 874, 59 L.R.A. 915; *Reid v. Hood*, 2 Nott & McC., S.C., 169, 10 Am.Dec. 582. *Black's Law Dictionary* (4th ed., 1968), p. 1148.

68. Note the lower case spelling on 'superior court' and 'county.'

69. See *Jameson on Constitutional Conventions*, §§ 415-418 and pp. 479-520. [Emphasis added]

70. *United States v. Rhodes* (1866), 27 Fed. Cas. (Case No. 16,151) 785, 793. [*Insertion added]

71. *Cooley's Constitutional Limitations* (1868), p. 168, citing Perkins, J., in *Madison & Indianapolis Railroad Co. v. Whiteneck*, 8 Ind. 222. See also *Probasco v. Raine* (1893), 50 OhioSt. 387, 391. [Emphasis added]

72. *Probasco v. Raine* (1893), 50 OhioSt. 387, 391. [Emphasis added]

Note the distinctions in 'S'tate and 's'tate, above. What the court says does not apply to county superior courts, the court in which Good and Lawful Christians determine questions of Law (based on God's Law) and fact, in the cases brought before them for adjudication:

By the word State is meant one of the States of the American Union. Spelled otherwise, it refers to **political societies** or states in general.⁷³

Good and Lawful Christian people, in where ever they dwell, temporarily or permanently, whether organized as a government or united by looser and less definite relations, constitute the state.⁷⁴

It [*the word "state"] may mean an organized political community.⁷⁵

States before Lincoln were political societies with Christianity as the paramount Law; not corporations under the Roman Imperial Law. Christian Jural Societies are similar political societies but the **Source, Cause, Origin, and Law** are radically different. This is obvious if we look at the land question.

The Supreme Court cannot look into the affairs of the other two branches of government because: One, branches are co-equal under their organic law; and, Two, the other departments are **political** in nature. The only ones who can inquire into the affairs of the Federal government are those who create the offices, i.e., those with the Truth in Law — Good and Lawful Christian people by exercising a "visitorial power" appertaining to the high and Sacred Office of Christ.

The superior courts, in their Christian capacity, are the courts in which the Christian people exercise ministerial and visitorial powers to inquire into matters of public property.

The inhabitants of the city of New York have a vested right [*incorporeal property right] in the city hall, markets, water works, ferries, and other public property, which cannot be taken from them, any more than their individual dwellings, or store-houses. Their rights, in this respect, rest not merely upon the constitution, but the great principles of Eternal Justice, which lie at the foundation of all free governments.⁷⁶

The words "eternal justice" are specific to God alone.

Presidential power expanded more in Opinions by Attorney General Caleb Cushing (1853-54):

One of these claimed for the President the power, as growing out of his duty to "take care that the laws be faithfully execute," to institute investigations and incur expenditures thereof which it became the moral obligation of Congress to meet.⁷⁷ Another held that although no statute made it the duty of the United States to assume the legal defense by counsel of marshals and other ministerial officers of the law when they were sued for their official acts, yet it was within the discretion of the President to do so if he was persuaded that such officers were being harassed by suits on this account.⁷⁸ Pertinent too was Cushing's holding a little later that a marshal of the United States when opposed in the execution of his duty by unlawful combinations, had authority to summon the entire able-bodied force of his precinct as a *posse comitatus*, comprehending not only bystanders and citizens generally but any and all organized armed forces, whether militia of the states, or officers, soldiers, sailors, and marines of the United States.⁷⁹

73. *Robinson's Elementary Law* (1882), note, p. xxxiv. [**Emphasis added**] Note: William C. Robinson, LL.D., was a law professor of elementary law in Yale University.

74. 59 C.J. 18 citing *Texas v. White* 7 Wall. 700.

75. 59 C.J. 18 quoting *Silver Bow County v. Davis*, 6 Mont. 306, 12 P. 688, 690, aff'd. 139 U.S. 438, 11 S.Ct. 594, 35 L.Ed. 210. [*Insertion added]

76. *Benson v. The Mayor & c. of New York* (1850), 10 Barb. 223, 244-245. [*Insertion added]

77. 6 Opins. Atty.-Gen. 28.

78. 6 Opins. Atty.-Gen. 220.

79. 6 Opins. Atty.-Gen. 466 cited in Corwin, p. 142.

... President Lincoln would rely upon the *posse comitatus* argument in justification of his call for volunteers in April of 1861.[*made under Exec. Ord. No. 1] Cushing's opinion would also be ... [*used] in *In re Neagle* (1890) and *In re Debs* (1895), both of which resulted in **broader Presidential discretion in the exercise of implied emergency power**.⁸⁰

Two acts of Jefferson relate to a larger picture. First, he signed into law an Act to bring international law into his office. Since this act and others governed the conduct of the armies and navies, their use came solely under the discretion of the President as Commander-in-Chief. The Act was **The Articles of War**.⁸¹

Second, was a series of acts defining his foreign policy with England and France, which led to the War of 1812. Though this War did not take place under Jefferson, it was still caused by his foreign policy. It began with Jefferson's embargo on shipping to England and France during the war in Europe.

Jefferson's embargo led to a devastating economic depression in New England. His new power alarmed the North and led to The Hartford Convention years later, which sought to find ways of curbing the President's power in times of war and crisis. The Conventions recommendations⁸² were utterly ignored. To fully understand the issues, The History of the Hartford Convention should be studied fully. As a prologue to it, the following is offered:

... history [shows] the causes of the "Civil War" to have been in existence during the Colonial era, and to have cropped out into full view in the debates of the several State Assemblies on the adoption of the Federal Constitution, in which instrument Luther Martin, Patrick Henry, and others, insisted that they were implanted. African slavery at the time was universal, and ... was due to economic reasons alone.

The first serious difficulty of the Federal Government arose from the attempt to lay an excise on distilled spirits. The second arose from the hostility of New England traders to the policy of the Government in the war of 1812, by which their special interests were menaced; and **there is now evidence to prove that, but for the unexpected peace, an attempt to disrupt the Union would then have been made.**

The "Missouri Compromise" of 1820 was I... a truce between antagonistic revenue systems [commerce], each seeking to gain the balance of power. For many years subsequently, slaves - as domestic servants - were taken to the Territories without exciting remark, and the "Nullification" movement in South Carolina was entirely directed against the tariff.

Anti-slavery was agitated from an early period, but failed to attract public attention for many years. At length, by unwearied industry, by ingeniously attaching itself to exciting questions of the day with which it had not natural connection, it succeeded in making a lodgment in the public mind, which, like a subject exhausted by long effort, is exposed to the attack of some malignant fever, ... The common belief that slavery was the cause of civil war is incorrect, and Abolitionists are not justified in claiming the glory and spoils of the conflict and in pluming themselves as "choosers of the slain."

The vast immigration that poured into the country between the years 1840 and 1860 had a very important influence in directing the events ... States in the West were controlled by German and Scandinavian voters, while the Irish took possession of the seaboard towns. ... the balance of party strength was not much affected by [them] ... modes of political thought were seriously disturbed, and a tendency was manifested to transfer exciting topics from the domain of argument to that of violence.⁸³

80. *A Brief History of Emergency Powers in the United States*, p. 9. [**Emphasis** and *insertions in brackets added]

81. 2 Stat. 259, April 10, 1806.

82. See, *The History of the Hartford Convention, with a Review of the Policy of the United States Government which led to the War of 1812*, by Theodore Dwight, Secretary of the Convention, Published by N. & J. White, New York: 1833. Available from The Christian Jural Society Press.

83. *Destruction and Reconstruction* (1879), by Taylor, pp. 9-10. [**Emphasis added**]

From Cottage to Factory

Business in its simplest form means the exchange of one service or commodity for another. In its broadest sense the word includes all forms of activity that human beings carry on **for profit** in ways that are permitted [*licensed] by law. **Business has gone through greater changes since the War between the North and the South than in all the 250 years of our previous history.** Both in volume and in complexity the changes stagger our imagination.⁸⁴

Christianity and God's Law does not hold with engaging in any activity '**solely for profit.**'⁸⁵ Commerce is based on **covetousness**. The rise in the level of commerce in New England marks the beginning of the churches abandonment of the Christian Calling under God's Law and Christian common Law.

During the colonial period business differed little from that of biblical days. It was conducted on a small scale, and was carried on almost wholly by individuals, rather than by companies or corporations. For a quarter century after the close of the Revolutionary War⁸⁶ there was little change in the character of American business. Agriculture [incorrect term] continued to be the largest industry. Men worked on farms [*commercial term] not only from force of habit, but because farming was profitable and because it seemed a good way of life. Manufacturing remained largely a household occupation, carried on by the family at odd hours snatched from other employment [*commercial term]....A few banks were organized, ...not numerous enough or large enough to change the old ways of doing business [*commercial term].

About 1808, however, a transformation began to take place in American business. The factory began to displace household manufacturing. Commerce was influenced by the same conditions....by 1860, business took on many of the modern aspectslargely due to the use of mechanical inventions; the discovery of new natural resources; improved methods of transportation; **and to the development of banking and the use of stock companies and corporations for financing large enterprises.** At the same time came faint beginnings of governmental regulation and supervision of business in the interests of society.

...factory manufacturing gained a foothold in the northern states during the period of 1808 to 1814, when European markets (primarily English and French) were closed against American foodstuffs and raw materials, ...the Industrial Revolution began in the cloth making and iron industries. Encouraged by a high tariff and by an expanding home market, manufacturing developed rapidly. In 1810 the value of products manufactured in the United States was about 200 million dollars. By 1860 their value had increased to almost 2 billion dollars, ...[1000%]

* * *

A banking system was created to serve the needs of business. The rapid growth of industry and of foreign and domestic commerce made necessary the establishment of banks to assist the exchange of money and credit.... When the first bank of the United States was established, in 1791, there were only three other banks in the entire country (Philadelphia, New York (Chase) and Boston (Boston Five Cent Bank)) .

* * *

Corporations were created to finance large enterprises. But banks alone were not sufficient to finance the expansion of business by loans. New forms of business organizations had to be developed. The cost of building turnpikes, canals, railroads, telegraph lines, and other large enterprises was beyond that of any thing heretofore undertaken by American business.... [*They were] financed in two ways by the formation of companies and by government aid.

84. *Our Nation* (1942), by Barker and Commager, pp. 579-581. [Emphasis and *insertion added]

85. Matt 4:8 and Luke 12:15 and the many verses related to commercial practices by the merchants, merchantmen, etc.

86. What has been called the Revolutionary War, is more properly the Colonial War, since 'revolution' was foreign to the founders and did not come into use until after the Constitution. Revolution was purely French and originated in Diderot's Encyclopedia. It means, the violent overthrow of an existing power. The Founders were not trying to overthrow an existing power, but preserving that which was being taken away from them.

The joint-stock company, could finance large undertakings. Granted a charter by a legislature, it became a corporation. [*The descent into commerce accelerates]

The government gave aid to transportation companies. Even in the colonial period it had been thought proper for the government to aid private business in constructing roads, bridges, or ferries. In the nineteenth century government aid for the city, county, state, and federal took the form of purchasing stock in turnpike or canal companies.⁸⁷

In 1847 Congress began the practice of giving public land to canal companies, and three years later extended the practice to railroads by a generous grant to the Illinois Central, which was building a railroad from Chicago to New Orleans. By 1860 Congress had granted more than 30 million acres to various states, to be re-granted by them to railroad and canal companies. Counties frequently gave right of ways, and towns generally granted land for stations and yards.

... By 1860 nearly all the basic elements of modern 'big business' had come into operation. The agricultural yield had been greatly enlarged by increased population, increased acreage, and improved farm implements. Manufacturing had passed definitely into the factory state, and the output of American factories was supplying the greater part of the domestic need, as well as the foreign demand for ... sewing machines and harvesting machinery. Commerce and trade in the products of farm and factory were stimulated and made easy by the opening up of more extensive transportation systems, by the rapid spread of the telegraph system, by the increasing formation of stock companies to finance large enterprises, and by the multiplication of banks.

The War between the North and the South aided business. As we have already seen the War between the North and the South caused great and rapid expansion in all forms of industry and business in the North. Farms and factories had to supply the needs of the armies. Mines and furnaces had to furnish material for building engines and rolling stock and for the rapidly lengthening railroad mileage.

The national banking system was inaugurated by Congress in 1863 chiefly to restore order to the [*paper] currency. By this law, a bank wishing to issue notes must first buy government bonds and deposit them with the Treasurer of the United States. It could then issue bank notes to the value of the bonds, which were held by the government as security. Thus the notes were safe. In order to make them more secure and give them ready circulation, the law required each bank to keep in its vaults a certain amount of specie with which to redeem its notes on demand.⁸⁸

It is clear why Jefferson's embargo shocked New England, who was leading the nation down a commercial sewer pipe. He made it clear to all by his acts that directly affected New England's commerce, that in a crisis, real or imagined, a President's power was uncontrolled by nothing but his own, vain natural reason when he felt the urge to use it.

Then, Congress began to regulate where tax monies were to be spent to aid commerce:

In 1833 there was a surplus revenue of many millions in the public treasury which by an act of legislation unparalleled in the history of nations **was distributed among the Northern States** to be used for local public improvements.⁸⁹

At this point in time U.S. Senators were appointed by State legislatures because the States who created the Constitution wanted a means of protecting State interests. The incident above over-turned the Constitutional doctrine of "equal standing" fundamental to the tranquility, harmony, and the more perfect Union of the Constitution was subverted. States were no longer equal before the law and the growing movement in the North to terminate the Constitution by secession, was used more and more to 'encourage' the South to secede. After Lincoln, all pretense was dropped as the South was raped and plundered to benefit the North:

87. Thus, government begins to enter commerce instead of regulating it.

88. *Our Nation* (1942), pp. 579-581. [*Insertions added]

89. *Origin of the Late War*, by G. Lunt. [**Emphasis** added]

Before the Revolution (the South) was the seat of wealth, as well as hospitality....Wealth has fled from the South, and settled in regions north of the Potomac: and this in the face of the fact, that the South, in four staples alone, has exported produce, since the Revolution, to the value of eight hundred millions of dollars; and the North exported comparatively nothing. Such an export would indicate unparalleled wealth, but what is the fact?...**Under Federal legislation, the exports of the South have been the basis of the Federal revenue.**...Virginia, the two Carolinas, and Georgia, may be said to defray three-fourths of the annual expense of supporting the Federal Government; and of this great sum, annually furnished by them, nothing or next to nothing is returned to them, in the shape of Government expenditures. That expenditure flows in an opposite direction — it flows northwardly, in one uniform, uninterrupted, and perennial stream. ... **Federal legislation does all this.**⁹⁰

Before 1833 secession from the union was a well recognized Right that applied to all States. After 1861 it suddenly become 'illegal' — though not un-Lawful — for a State to secede:

The attempted secession of eleven of the states from the Union...gave rise to many important decisions affecting the mutual relations of the national and state governments, and the rights of citizens under contracts made before and during the war.

William Rawle,⁹¹ in treating the guarantee of the constitution to every state in the Union of a republican form of government, expressed the opinion that a state had the right to withdraw from the Union. He said:

"If a faction should attempt to subvert the government of a state for the purpose of destroying its republican form, the paternal power of the Union could thus be called forth to subdue it. Yet it is not to be understood that its interposition would be justifiable, if the people of a state should determine to retire from the Union, whether they adopted another or retained the same form of government."⁹²

"The states, then, may wholly withdraw from the Union, but while they continue, they must retain the character of representative republics."⁹³

The secession of a state from the Union depends on the will of the people of such state.⁹⁴

The editor of this Revision of Bouvier (1914 revision) found among the papers of William Rawle, some years ago his 'Notes on the Constitution' evidently intended to be used in the preparation of a third edition. Apparently they were prepared during the Nullification excitement; President Jackson's Nullification Proclamation was issued December 10, 1832. [Rawle] died in 1836 without completing the third edition. He says in these notes:

"The distressing agitation of the public mind now prevailing in two of the Southern States (S. Carolina and Georgia) has induced the author carefully to review this chapter with much anxiety to discover whether his opinions on this important subject are correct and with a full determination candidly to avow any error which he should find in them. The exact question is whether the people of one state may withdraw that state from the Union without the consent of the other states, or the rest of the People of the Union." And he concludes: "Very gratifying would it have been to the author of this work had his reconsideration of this most interesting question terminated in a different conviction, but he cannot retract in this edition what he continues to think nor expunge what has already been laid before the public."

Among the same papers was a letter from Mr. Justice Story, written to Mr. Rawle soon after the publication of his first edition, in which he expressed his dissent from Mr. Rawle's view of the right of secession, and accepted an invitation to visit him in Philadelphia on his way from Washington to Boston, after the adjournment of the Supreme Court, to discuss the subject. Unfortunately this letter has been mislaid.

90. Senator Thomas H. Benton, cited in *Memoirs of Service Afloat*, p. 60. [Emphasis added.]

91. *View of the Constitution*, (Philadelphia, 1825, 2d Ed.1829)

92. *Bouvier's Law Dictionary* (1914), pp. 3029 3030. The reader is referred to Charles F. Adams', '*Studies Military and Diplomatic*,' and '*Trans Atlantic Historical Solidarity*,' for his consideration of this subject.

93. *Ibid.*, p. 297.

94. *Ibid.* p. 302.

Charles Francis Adams, in a letter to the editor of May 18, 1914, from which the editor is authorized to quote, refers to the 'crystallization of United States nationality.' He says:

"As you, doubtless, know, I have made rather a specialty of this subject. The result has left my mind perfectly clear. Your grandfather's statement is correct both historically and legally. When approached with an open mind his position is unassailable."

"He wrote of a condition of affairs, and of a law, prevailing anterior to the year 1830. I do not think that his statement and conclusions admit of question. The process of crystallization, or, to put it in other terms, the growth of the idea of nationality may be dated from that time. It is a most interesting historical development. Story initiated it in his Comments [Commentaries] on the Constitution. Webster developed it in his debate with Hayne. The Nullification Question presented it as a concrete fact at issue to the community at large. The result was apparent in the growth of the generation which grew up, and took control of public affairs in 1860.

Lawyers and judges, as a result of a profession living by contention, are always disposed to stand for a written law, everlasting, fixed and invariable. The historian, seeing things from a different point of view, recognizes growth and elasticity. These two elements of law had in my judgment curious exemplification in the case of the constitution; and in this connection the record contained in Rawle's Commentaries has in my judgment great historic value. But it needs to be developed historically; and people should be made to understand the process of crystallization which went on in this country from 1642, when the New England Confederacy was formed, and which reached its final climax at Appomattox, some 220 years later. The last pretense of the right of secession then was reluctantly abandoned, as something outgrown.

I hope, therefore, you will not hesitate to revive what I consider by no means a dead question, but, on the contrary, an historical fact of great constitutional moment.

It may be added that the question of whether this work on the Constitution was used as a text book and the right of secession was ever taught at the West Point Military Academy has received much discussion in the last few years. The evidence is not conclusive; the last and fullest treatment of the question is by James W. Latta, a member of the Philadelphia Bar and a student of military affairs, in a paper read before the Loyal Legion in 1909. He reaches the conclusion that Rawle on the Constitution (pub. 1825) could not have been used as a text book at West Point for more than two years from the date of its publication, that it may have been so used during that period, and that constitutional law was a part of the course of only the graduating class.⁹⁵

Robert Edward Lee wrote to Lord Acton:

"I need not refer one so well acquainted as you are with American history, to the State Papers of Washington and Jefferson, the representatives of the federal and democratic parties, denouncing the consolidation and centralization of power as tending to the subversion of State Governments and to despotism. The New England States, whose citizens are the fiercest opponents of the Southern states, did not always avow the opinions they now advocate. Upon the purchase of Louisiana by Mister Jefferson, they virtually asserted the right of secession through their prominent men; and in the convention which assembled at Hartford in 1814, they threatened the disruption of the Union unless the War [of 1812] should be discontinued."⁹⁶

Story⁹⁷ and Webster favored a national union even with considerable history against them down to 1861. The issue directly affects the State and Federal relationship, which, as a 'national' government, rather than a federation of states, makes the 'national' government superior to States, rather than a creation of the states. These ideas would not agree with Isaiah 9:6, and would be a fundamental flaw in early American thought. because the national government could never show that it had a lineage traceable to the Tree of Life. Again, the Source,

95. Ibid. , pp. 3029, 3030. The reader is referred to Charles F. Adams', '*Studies Military and Diplomatic*,' and '*Trans Atlantic Historical Solidarity*,' for his consideration of this subject.

96. Letter from General Robert Edward Lee to Lord Acton, 15 December, 1866. From *General Robert E. Lee After Appomattox*, ed. By Franklin L. Riley, Macmillan Company publisher, 1922. p. 240-241.

97. See, Charles Warren, *The Supreme Court and Sovereign States*, Appendix One. At the time Story wrote his commentaries, and Webster debated Hayne, Madison's Notes on the Federal Convention had not yet been published. Thus both were unaware of the true meaning of 'We the People.' *See also David Hawke, *The Colonial Experience* (1966, The Bobbs-Merrill Co.), p. 673.

Cause, and Origin of Law come into play.

In 1861, Attorney General John Black wrote:

Whether Congress has the constitutional right to make war against one or more States, and require the Executive of the Federal Government to carry it on by means of force to be drawn from the other States, is a question for Congress itself to consider. **It must be admitted that no such power is expressly given; nor are there any words in the Constitution which imply it.** Among the powers enumerated in Article I., section 8, is that, "to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water." This certainly means nothing more than the power to commence and carry on hostilities against the foreign enemies of the nation. Another clause in the same section gives Congress the power "to provide for calling forth the militia," and to use them within the limits of a State. But this power is so restricted by the words which immediately follow, that it can be exercised only for one of the following purposes: 1. To execute the laws of the Union, that is, to aid the Federal officers in the performance of their regular duties. 2. To suppress insurrections against the States; but this is confined by Article IV., section 4, to cases in which the State herself shall apply for assistance against her own people. 3. To repel the invasion of a State by enemies who come from abroad to assail her in her own territory. All these provisions are to protect the States, not to authorize an attack by one part of the country upon another; to preserve their peace, and not lunge them into civil war. Our forefathers do not seem to have thought that war was calculated to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.' There was undoubtedly a strong and universal conviction among the men who framed and ratified the Constitution that military force would not only be useless but pernicious as a means of holding the States (Union) together.

If it be true that war cannot be declared, nor a system of general hostilities carried on by the Central Government against a State, then it seems to follow that an attempt to do so would be ipso facto an expulsion of such State from the Union. And if Congress shall break up the Union by unconstitutionally putting strife and enmity and armed hostility between different sections of the country, instead of the domestic tranquility' which the Constitution was meant to insure, will not all the States be absolved from their Federal obligations? Is any portion of the people bound to contribute their money or their blood to carry on a contest like that?

The right of the Central Government to preserve itself in its whole constitutional vigor by repelling a direct and positive aggression upon its property or its officers cannot be denied. But this is a totally different thing from an offensive war to punish the people for the political misdeeds of their State government, or to prevent a threatened violation of the Constitution, or to enforce an acknowledgment that the Government of the United States is supreme. The States are colleagues of one another, and if some of them shall conquer the rest and hold them as subjugated provinces, it would totally destroy the whole theory upon which they are now connected.⁹⁸

This opinion by Black immediately cost him his job under Lincoln. Thus, from the founding era to 1861 States had the right to secede, and if Congress or anyone else tried to stop them, by force or otherwise, it would radically change the relationship of the states to each other and **to** the Federal government. This last relationship was purportedly settled solely by A. Lincoln out of the barrel of a gun.

In further consideration of this proposition, we note later that this war never ended; but is continued to this day with the Reconstruction Acts under various and sundry titles. These are evidence of the change of relationship as well as of religion. We would also add that there never was a treaty of peace signed by and between the belligerent parties.

98. Attorney-General John Black, in an opinion quoted in the *Annual Cyclopaedia* (1861), p. 698. [**Emphasis** added]

Before Lincoln's War, the consensus on the relationship of the state to the federal power was:

“...the state governments are ... essential constituent parts of the general government. **They can exist without the latter, but the latter cannot exist without the former.** Without the intervention of the state legislatures, the president of the United States cannot be elected at all; and the senate is exclusively and absolutely under the choice of the state legislatures. The representatives are chosen by the people of the states. Every where the state sovereignties are represented; and **the national sovereignty**, as such, **has no representation.** How is it possible, under such circumstances, that the national government can be dangerous to the liberties of the people, unless the states, and the people of the states, **conspire together for their overthrow?** If there should be such a conspiracy, is not this more justly deemed an act of the states through their own agents, ... rather than a corrupt usurpation by the general government?”⁹⁹

After Lincoln's War, however, the whole issue was turned on its head..

“All these challenges from various parts of the country were disposed of peaceably, except for the slavery controversy. Over that issue and secession the North, behind Lincoln's leadership, **finally settled by force the ultimate issue of National supremacy** (under the person posing as president). **After the war it could no longer be maintained that the Union was only a creature of the States, or a compact between them, liable to be thwarted or dissolved at the will of any of them. From then on, the interpretation of National powers was to be determined, in the main, by some National authority.**”¹⁰⁰

And, further:

The adoption of the first eleven amendments to the Constitution so soon after the original instrument was accepted, shows a prevailing sense of danger at that time from the Federal power. And it cannot be denied that such a jealousy continued to exist with many patriotic men until the breakout of the late civil war. **It was then discovered that the true danger to the perpetuity of the Union was in the capacity of the State organizations to combine and concentrate all the powers of the State, and of contiguous States, for a determined resistance to the General Government.**¹⁰¹

The implications then, are clear:

“Unquestionably this has given great force to the argument, and added largely to the number of those who believe in the necessity of a strong National government.”¹⁰²

Thus, *commercial* nationalism, a heresy in respect to Christianity, triumphs by force of arms at the expense of the States and states, and Christianity. The Constitution is no longer enforceable by states **against** the Federal government as it was **before** Lincoln's War. The new policy created solely by Lincoln and his cohorts in treason, became the sole judge of the extent of its own authority. The horse thief in charge of the corral. **This is, and always will be, a political question which can never be decided judicially.**

No doubt many will say that we are without "remedy" because the Supreme Court never listened to the South when it brought cases there seeking relief from the Reconstruction Acts. Nothing could be further from the Truth. The reason: these cases were heard in **equity**. Hello? Are you listening? **The political remedy is still available, where equity does not reach.** To make this point clear:

99. Joseph Story's *Commentaries on the Constitution of the United States* (1833), §510, Vol. 1, p. 488. For further evidence on this, see The Charge to the Grand Jury, Fed.Cas.No. 18,274, 30 Fed.Cas. 1042, 1045, 2 Spr. 292. [Emphasis added]

100. Report of the Commission of Intergovernmental Relations (1955), p. 22. Formed by Public Law 109, 83rd Cong. [Emphasis added]

101. Slaughterhouse Cases (1873), 16 Wall. 36, p. 82. [Emphasis added]

102. Ibid.

These rights can be destroyed only by destroying the [*Christian based] communities which have inherited them. To destroy communities for the enjoyment of their inherent rights, is a crime of nameless atrocity.¹⁰³

Thus, as we have said above, the war was and still is, a religious war:

“The traditional symbols of community in the West, the traditional images and metaphors, have been above all religious and legal. In the twentieth century, however, for the first time, religion has become largely a private affair, while **law has become largely a matter of practical [economic] expediency**. The connection between the religious metaphor and the legal metaphor has been broken. Neither expresses any longer the community's vision of its future and its past; neither commands any longer its passionate loyalty.”¹⁰⁴

And the Humanist, through war, has done something separate, distinct, foreign and strange to the Christian, to fill the void left by the Christian church:

INSTITUTION. The commencement or inauguration of any thing. The first establishment of a law, rule, rite, etc. Any custom, system, organization, etc., firmly established. An elementary rule or principle. An establishment, specially one of public character or **one affecting a community**.¹⁰⁵ An established or organized society or corporation. It may be private in its character, designed for profit to those composing the organization, or public and charitable in its purposes.¹⁰⁶ A foundation; as, a literary or charitable institution.¹⁰⁷

The term 'institution' is sometimes used as descriptive of an establishment or place where the business or operations of a society or association is carried on; at other times it is used to designate the organized body.¹⁰⁸

* * *

Civil Law. The appointment of an heir; the act by which a testator nominates one or more persons to succeed him in all his rights active and passive.¹⁰⁹

Political Law. A law, rite, or ceremony enjoined by authority as a permanent rule of conduct or of government. *Webster.* An organized society, established either by law or the authority of individuals, for promoting any object, public or social.¹¹⁰

A system or body of usages, laws, or regulations of extensive and recurring operation, containing within itself an organism by which it effects its own independent action, continuance, and generally its own further development. Its object is to generate, effect, regulate, or sanction a succession of acts, transactions, or productions of a peculiar kind or class. We are likewise in the habit of calling single laws or usages 'institutions,' if their operation is of vital importance and vast cope, and if their continuance is in a high degree independent of any interfering power.¹¹¹

"Public institution. One which is created and exists by law or public authority, e.g., an asylum, charity, college, university, schoolhouse, etc."¹¹²

103. *Crimes of the Civil War* (1868), by Judge Henry Clay Dean, p. 27. [**Emphasis** and *insertion added]

104. *Law and Revolution* (1983), by Berman, p. vi.

105. *State v. Clausen*, 85 Wash. 260, 148 P. 28, 32, Ann.Cas.1916B, 810. [**Emphasis** added]

106. *In re Peabody's Estate*, 21 Cal.App.2d 690, 70 P.2d 249, 250.

107. *Prescott Courier v. Board of Sup'rs of Yavapai County*, 49 Ariz. 423, 67 P.2d 483, 486.

108. *Benjamin Rose Institute v. Myers*, 92 Ohio St. 252, 110 N.E. 924, 926, 926, L.R.A.1916D, 1170; *Barting v. Wait*, 96 Neb. 532, 148 N.W. 507, 509.

109. *Halifax, Anal.* 39; Pothier, Tr. des Donations testamentaires, c. 2, s. 1, sec. 1; Dig. 28. 5; 1, 1; 28. 6. 1, 2, sec. 4.

110. *Dodge v. Williams*, 46 Wisc. 70, 1 N.W. 92, 50 N.W. 1103; *State v. Edmondson*, 88 Ohio St. 625, 106 N.E. 41, 44.

111. Lieb. Civil Lib. 300.

112. *Henderson v. Shreveport Gas, Electric Light & Power Co.*, 134 La. 39, 63 So. 616, 618, 51 L.R.A.N.S. 448; *Black's Law Dictionary* (4th ed. 1957 & 1968), p. 941.

“...In the sense of the constitutional guarantee of a republican form of government, the term 'state' is used to express the idea of a people or political community, as distinguished from the government;...”¹¹³

The bureaucratic system, administrators of Lincoln's religious rites, had a predictable end and source in foreign law, as evidenced by the Dean of Harvard Law School, Roscoe Pound:

Law has another meaning, however, to administrative officials who exercise wide undifferentiated powers of rule making, application of rules, and determination of controversies. To them, law is whatever is done officially, and so administrative law is whatever is done by administrative agencies. **What they do is law because they do it.** Whereas we had understood that officials should act according to law, but might act without law or even against law, and the common law afforded remedies to those aggrieved by official action without or against law, yet today there are many who teach that **the administrative official, as one recent writer put it, has the touch of Midas. What he touches becomes law when he touches it.**

Such ideas come to us chiefly from the modern Roman administrative regime of continental Europe. In the polity of the eastern Roman empire which was set forth in the law books of Justinian, **the emperor was free from laws and his will had the force of a statute.**¹¹⁴ [* Note: This describes the military "character" of administrative procedure.]

Thereby evidencing the humanist's "religious principles" in martial rule and military governance:

POLICY. The general principles by which a government is guided in its management of public affairs, or the legislature in its measures.

This term, as applied to a law, ordinance, or rule of law, denotes its general purpose or tendency considered as directed to the welfare or prosperity of the state or community.

* * *

Policy of a statute, or legislature. As applied to a penal or prohibitive statute, means the intention of discouraging conduct of a mischievous tendency.¹¹⁵

Policy of the law. By this phrase is understood the disposition of the law to discountenance certain classes of acts, transactions, or agreements, or to refuse them its sanction, because it considers them immoral, detrimental to the public welfare, subversive of good order, or otherwise contrary to the plan and purpose of civil regulations.

Public policy. That principle of law which holds that no subject can lawfully do that which has a tendency to be injurious to the public or against public good.¹¹⁶ The principles under which the freedom of contract or private dealings is restricted by law for the good of the community.¹¹⁷ The term 'policy,' as applied to a statute, regulation, rule of law, course of action, ... refers to its **probable effect**, tendency, or object, considered with reference to the social or political well-being of the state. Thus, ... acts are said to be 'against public policy,' when the law refuses to enforce ... them, [because] they have a mischievous tendency, ... injurious to the interests of the state, apart from illegality or immorality.¹¹⁸

113. Texas v. White, 7 Wall. 700; Bowyer's Law Dictionary (1914), "State," p. 3124. [Government is a different State from the state.]

114. Roscoe Pound, Administrative Agencies and the Law, American Affairs Pamphlets, April 1946, p. 5. [**Emphasis** and *insertion added]

115. See L.R. 6 P.C. 134; 5 Barn. & Ald. 335; Pol.Cont. 235.

116. 4 H.L.Cas. 1; Greenh. Pub.Pol. 2.

117. Wharton.

118. Egerton v. Brownlow, 4 H.L.Cas. 235; Smith v. R.R. Co., 115 Cal. 584, 47 P. 582; Workmen's Comp. Bd. of Kentucky v. Abbott, 212 Ky. 123, 278 S.W. 533, 536, 47 A.L.R. 789; Driver v. Smith, 89 N.J.Eq. 339, 104 A. 717, 725; Nashville Ry. & Light Co. v. Lawson, 144 Tenn. 78, 229 S.W. 741, 743; American Nat. Ins. Co. v. Coates, 112 Tex. 267, 246 S.W. 356, 359; People v. Herrin, 284 Ill. 368, 120 N.E. 274, 275; Fidelity & Deposit Co. of Maryland v. Moore, D.C.Or., 3 F.2d 653. [**Emphasis** added]

'Public policy' is the community common sense and common conscience extended and applied throughout the state to matters of public morals, public health, public safety, public welfare, ...it is that general and well-settled public opinion relating to man's plain, palpable duty to his fellow men having due regard to all the circumstances of each particular relation and situation.¹¹⁹ Public policy properly cognizable by the courts is that derived or derivable by clear implication from its constitution, statutes, and judicial decisions.¹²⁰ 'Public policy is a **variable** quantity; it must and does vary with the habits, capacities, and opportunities of the public.'¹²¹

The only Law capable of overriding and superseding this military public policy is Christian common Law. Nevertheless, the problem for secessionists before Lincoln's War was, even though states had a right to secede, **none would do so** — easily — because the people held so strongly to the Constitution's sanctity. Any politician stupid enough to propose secession would commit political suicide. Thus, factions in the North worked in less 'public' ways to achieve the same end.

Northerners thought secession would take hold naturally in the South. When it did not, and because they could not go public, they went underground with other methods and special agents. Typical of such agents were The Knights of the Golden Circle, a secret organization which,

...very coincidentally began in Cincinnati, Ohio, in 1854. It was called the Knights of the Golden Circle, and it utilized very un-Ohioesque mummeries such as the Maltese Cross by way of symbolism. We would still know very little about this Scottish Rite (of Freemasonry) front organization, if its official founder, George W. L. Bickley, had not talked after being put in the Ohio State Prison by military authorities during the Civil War.

The Knights of the Golden Circle was the military organization of what was to become the Confederate States of America.

After the first 'castles' of the Knights were set up in Cincinnati ... the new order sent organizers and recruiters **southward** to the Gulf Coast and eastward to Washington, D.C. Recruits signed up in Mississippi, Alabama, Louisiana, and in Texas all along the Rio Grande river bordering on Mexico. General P. T. Beauregard, brother in law of Louisiana's political boss John Slidell, joined the order; Beauregard was to be in command of the South Carolina troops in 1861 to supervise the attack on Fort Sumter which started the Civil War.

By the time the Civil War started, the Knights of the Golden Circle claimed at least 65,000 armed and drilled recruits in the deep South, and in the area of the nation's capital. The order gradually stepped up its **molding of Southern 'public opinion'** toward the necessity of secession from the Union. At the point secession was being resolved upon, it was of great value to the leaders of the insurrection to have an armed secret organization numbering in the thousands, **to enforce 'unanimous' public support for their actions.**¹²²

Now, where did the Knights get the funds to conduct what are obviously, very widespread operations?

The Swiss master of the Scottish Rite (Masons) in the Northern Jurisdiction, J. J. Gourgas du Pan de Rengers, set in motion to blow up the United States....Gourgas delegated Killian Henry Van Rensselaer — a "patroon" of the old unreconstructed Dutch feudal lords in New York — to take personal charge of initiating a military organization with insurrectionary potential in the heart of the country.

119. Pittsburgh, C. C. & St. L. Ry. Co. v. Kinney, 95 OhioSt. 64, 115 N.E. 505, 506, Ann.Cas.1918B, 286.

120. Brown v. American Ry. Express Co., 128 S.C. 428, 123 S.E. 97, 98; In re Ralin's Estate, 316 Mo. 492, 291 S.W. 120, 122, 51 A.L.R. 877; Hogston v. Bell, 185 Ind. 536, 112 N.E. 883, 886; New York Life Ins. Co. v. Hamburger, 174 Mich. 254, 140 N.W. 510, 512.

121. 38 Ch.Div. 359; Chaffee v. Farmer's Co-Op Elevator Co., 39 N.D. 585, 168 N.W. 616, 618; *Black's Law Dictionary* (4th ed. 1957 & 1968), pp. 1317-1318. [Emphasis added]

122. *Treason in America*, by Anton Chaitkin, published by New Benjamin Franklin House, New York, 1982, (2d. ed., 1985), pp.223 225. [Emphasis added]

In 1851 K. H. Van Rensselaer was named Deputy to the Northern Supreme Council for the states of Pennsylvania and Ohio. Over the next two years, he made his way westward, carefully probing for local openings, testing the political waters. In 1853 he set up the First Consistory, or regional headquarters west of New York — in Cincinnati, Ohio.¹²³

Thus, Nathaniel Beeman, a radical abolitionist, became the conduit for funding to the Knights. But, while the Knights had their own agenda, there were others that sought to create incidents that would spark a war. This group backed the infamous John Brown and his incompetent raid on the Harper's Ferry Armory:

As the Kansas violence was increasing, Samuel Cabot (grand-nephew of George Cabot and grandson of opium syndicate founder Thomas H. Perkins) and Amos A. Lawrence, a principle stock-holder in the Emigrant Aid Society, sent four thousand dollars worth of Sharp rifles into Kansas. The exact nature of John Brown's direct Cabot connection may never be known, because all but one of his sponsors burned their papers immediately after John Brown's capture. But this much is certain: when Brown failed at an earlier attempt to establish himself as a wool merchant, Perkins' syndicate member John Murray Forbes donated a chunk of cash to keep Brown going; and the Cabot Bank loaned Brown \$57,000; how or whether this was repaid is unknown.¹²⁴

The arms went to Kansas to fuel violence and insurrection and spark a war between the North and the South, from which the Northeastern banks would profit in the purchase of war bonds at high interest. Cash donated by Forbes and the 57,000 dollar loan by the distinguished Cabot Bank kept Brown's gang of twenty-one thieves, murderers, and terrorists going after the operations in Kansas failed. These funds brought John Brown to Harper's Ferry on Sunday, October 16, 1859.

The Abolitionists movement was a principal factor in initiating Lincoln's War. It was largely motivated by ideas that could only be classified as misguided religious fanaticism:

That this anti-slavery constitutional theory was extremely heterodox [*heretical] is clear. It was not primarily the product of minds trained in vigorous case analysis or statutory construction. It confused moral with civil and constitutional rights. It made the Declaration of Independence the basic constitutional document...the Federal Bill of Rights a **source** rather than a **limitation** of federal power.¹²⁵

The Abolitionist religion was Unitarian. Unitarians hated Southerners because some held slaves. But, the Unitarians view of Southern slavery was something akin to a fantastic illusion of distortions and half-truths. Second, was the South's devotion to Orthodox Christianity, especially Presbyterianism.

Note the direction of the flow of law after Lincoln's War — man's creation, the Bill of Rights, is now the source of rights, not God through Our Sovereign Lord and Saviour Jesus Christ. This changes the presumption of innocence by law and the character of the rights exercised. It is idolatry, a religion,¹²⁶ and the Reconstruction Acts, principally the Civil Rights Acts, as amended, and the Voting Rights Acts, as amended, are the 'Bible.' Plainly, the Abolitionists sought to set up a pagan religion and conquer Christianity and the states — *crimen laesae majestatis* — high treason against King Jesus. Those looking to such acts as a source are pagans and infidels, and thus oppose God, Christ, and all Good and Lawful Christians:

PAGAN. *n.* 1. One who does not worship the true God; a heathen; one not a Christian, Mohammedan, or Jew; formerly, one not a Christian. 2. An irreligious person. —*a.* 1. Of or pert. to pagans; heathen; idolatrous. 2. Irreligious; heathenish.

123. Ibid., pp. 221-222.

124. Ibid. at p. 228 quoting Steven B. Oates, *To Purge this Land with Blood: a Biography of John Brown*, p. 158.

125. Graham, *Everyman's Constitution* (1968), pp. 237-238, quoted in *Government by Judiciary* (1977), p. 231, ft.note 6.

126. Mulford, *Republic of God* (1881), p. 49. See also Rosenberg, *Bureaucracy, Aristocracy, and Autocracy: The Prussian Experience 1660-1815* (1958), pp. 40-41.

Syn. Pagan, heathen. In modern usage, that is **pagan** which is not Christian, Jewish, or Mohammedan; the word refers esp. to past customs, sentiments, beliefs, or their survivals, and frequently implies contrast with Christianity rather than opposition to it; **heathen** commonly suggests polytheism or idolatry, esp. of uncivilized peoples.¹²⁷

INFIDEL. *a.* 1. Not holding to the faith; esp., not Christian; also opposing or (regarded as) traitorous to Christianity. 2. Of or pertaining to infidels or infidelity.

—*n.* 1. A disbeliever; esp.: a One not a Christian. b One not a Mohammedan. 2. One who does not believe (in something understood or specified); as, an *infidel* as regards spirit writings.

Syn. Infidel, freethinker, skeptic, agnostic, unbeliever, atheist. **Infidel** in modern popular usage is a term of reproach for one who avowedly denies the tenets of Christianity and the truth of the Scriptures. **Freethinker** varies, and may imply warranted freedom of thought or pernicious license of opinion. **Skeptic** emphasizes the suggestion of doubt; **agnostic**, that of suspended judgment. **Unbeliever** is commonly opposed to *believer*; and is virtually equivalent to *disbeliever*; it suggests more a personal, less a purely intellectual, attitude toward Christianity than *skeptic*, *agnostic*, or *freethinker*. An **atheist** is one who denies the existence of God.¹²⁸

Abolitionists were propagandists of the first rank and actively promoted violence as a tool of social cleansing and regeneration, especially in the case of John Brown. The use of subversion, terror, murder, and insurrection to advance the Abolitionist cause is seen in the Emigrant Aid Societies, whose initial goal was to encourage settlement in Kansas of those who would make it a Free State, i.e. an anti-slavery state. These efforts were championed by Horace Greeley and his *New York Tribune* newspaper and the *Daily Advertiser*, in Boston, among many others.¹²⁹

Those aiding Brown formed a committee of six, The Massachusetts Kansas Aid Committee, that armed and funded all of Brown's murder and violence in Kansas and at Harper's Ferry. These New Englanders were:

a. Dr. Samuel Gridley Howe, a famous physician and hero of the Greek War of Independence. He acquired his wealth and influence by marrying Julia Ward, a woman whose fame rivaled that of any of the literati of Massachusetts and New England.¹³⁰

b. Rev. Thomas Wentworth Higginson, rejected Christianity in favor of Unitarianism. As a literary critic he altered Emily Dickinson's poems "to make them suitable for publication," and became an advocate of women's rights, Prohibition, and Socialism.¹³¹

c. Rev. Theodore Parker, was the most famous preacher in his day and turned against Christianity in favor of Unitarianism. He died in Rome of tuberculosis after the Harper's Ferry raid but before Lincoln's War. He organized the Unitarian churches to support the radical abolitionist committees and societies that supported men such as John Brown.

d. Gerrit Smith, inherited vast holdings from his father, who had been a partner of John Jacob Astor. When Brown was arrested after Harper's Ferry, this former member of Congress fled to Canada and later had himself admitted to an insane asylum to avoid being included with Brown's activities at Harper's Ferry.¹³²

e. Franklin Benjamin Sanborn, a former schoolmaster, married an invalid heiress on her death-bed and inherited her fortune eight days later when she died.¹³³ After the War he became a powerful governmental official in Massachusetts, promoting State control of education and philanthropy (social welfare).

127. *Webster's Collegiate Dictionary* (1927), p. 691.

128. *Webster's Collegiate Dictionary* (1927), p. 511.

129. *The Secret Six: John Brown and the Abolitionist Movement*, by Otto J. Scott. Published by Uncommon Books, P.O. Box 2033, Murphys, California [95247] p.23

130. *Ibid.*, p.192.

131. *Ibid.*, p. 191.

132. *Ibid.*, p. 71

133. *Ibid.*, p. 70.

f. George Luther Stearns, was a wealthy Boston manufacturer of lead pipe who, after the raid at Harper's Ferry, became a major in the Union Army.

Indirectly, Brown was aided by Ralph Waldo Emerson and a public "pacifist," Henry David Thoreau, who secretly supported violence against the South. Others, included many New England Congressmen. All had much to hide and burnt all evidence of the Committee's support for Brown. The Secret Six as **accessories before the fact** in Brown's murders were never prosecuted. Congress' investigation of Brown's raid was a white-wash controlled by Northern Congressmen. Brown was convicted of murder and treason against the state of Virginia and hanged after a trial in which his testimony reads like a man on drugs.¹³⁴ Eventually, the South succumbed to all the pressure from Congress, Brown's raid, the inequitable tax money distribution collected by the Federal government, and the forces of subversion. But,

Whatever errors in policy they may have committed, ...their real object ...was not to overthrow the Government of the United States; but to perpetuate the principles upon which it was founded. The object in quitting the Union was not to destroy, but to save the principles of the Constitution. The form of Government therein embodied, I did think, and do still think, the best the world ever saw, and I fear the world will never see its like again.

But, with the election of Lincoln, the proverbial straw was laid on the South's back and instantly, the South began to secede in self-defense after resisting it for more than twenty years.

Enter the Dragon

Ten years before Lincoln took office, Congress passed the Limited Liability Act (1851), which is, in many ways, a watershed bill because it marks the point in the Legislative history of Congress where that body made a clear determination to depart from Christian law and opt to legislate the Humanist religion. Before this Act, Congress passed legislation that was often questionable or, in part contrary to God's Law. In this there was no doubt. The Act directly impacted on Christian churches who had incorporated, in that, it provided limited liability for any who incorporated, i.e., it created a veil of protection between the creators of a corporation and fictional corporation itself. In truth, it allowed incorporators to avoid the consequences of unlawful or illegal acts by the corporation. A Christian pastor, for example, was not liable for some act done by his church corporation which violated the civil law. The same was true for the incorporators of regular 'for profit' corporations. The Law of God, of course, demands that all men be held accountable for their actions that are contrary to His Law.

We also mention here, in passing, that the level of intensity and violence in the Abolitionist camp seemed to grow almost exponentially during the decade that preceded Lincoln's election. As was noted above, where ever the Abolitionists had access to the media, they were connecting the cause of Abolition to every possible issue to the point where, the entire public agenda was colored in every phase by Abolitionism.

About 1854, two men engineered the destruction of the Whig party and out of its ashes created the Republican party. These men were A. Lincoln and Gould.

It seems appropriate at this time, to present a part of the evidence for the character of A. Lincoln.

First, it is clear that Lincoln's efforts in helping to found the Republican Party were entirely in his own self-interest. By the time he ran for the Presidency, he had sought public office thirteen times. He lost almost every time, except for his election to Congress and the Presidency. Seldom, in American politics, is there an example of such a clear, all-consuming obsession with political power.

134. The complete transcript of The Trial of John Brown is available from *The Christian Jural Society Press*.

Second, is the question of Lincoln's religious views and his method of dealing with public charges concerning his religion. It seems word had gotten around that he was not a Christian, and since, in the middle of the 19th century no man could run for office without at least paying lip-service to Christ, Lincoln wrote and circulated the following handbill throughout his district:

TO THE VOTERS OF THE SEVENTH CONGRESSIONAL DISTRICT:
FELLOW CITIZENS:

A charge having got into circulation in some of the neighborhoods of this district in substance that I am an open scoffer at Christianity, I have by the advice of some friends concluded to notice the subject in this form. **That I am not a member of any Christian church is true**; but I have never denied the truth of the Scripture; and I have never spoken with intentional disrespect of religion in general, or of any denomination, of Christians **in particular**. It is true that in early life I was inclined to believe in what I understand is called the 'Doctrine of Necessity,'— that is, that the human mind is impelled to action or held in rest by some power over which the mind itself has not control; and I have sometimes (with one, two, or three, but never publicly) tried to maintain this opinion in argument. The habit of arguing thus, however, I have entirely left off for more than five years; and I add here I have always understood this same opinion to be held by several of the Christian denominations. The foregoing is the whole truth, briefly stated in relation to myself on this subject.

I do not think I could myself be brought to support a man for office whom I knew to be an open enemy of, and scoffer at, religion. Leaving the higher matter of eternal consequences between him and his Maker, I still do not think that any man has the right thus to insult the feelings and injure the morals of the community in which he may live. If then I was guilty of such conduct, I should blame no man who would condemn me for it; but I do blame those, whoever they may be, who falsely put such a charge in circulation against me.¹³⁵

Reread the above and notice that Lincoln only **appears** to deny the charges against him as he tries to turn the charges against him in his favor. But, a careful reading shows that the handbill is really a good deal of smoke and mirrors. What denominations of Christians hold a doctrine of forces "by necessity"? The group of "Christians" Lincoln referred to are Unitarians, who have been called, 'Atheists in evening clothes.' As to the statement that he has never 'denied the truth of religion,' or spoken with 'intentional disrespect,' there is considerable evidence to the contrary, from his law partner of nearly two decades up to the time of Lincoln's death.

Lincoln would come into the clerk's office, where I and some young men...were writing or staying, and would bring the Bible with him; would read a chapter; [and] argue against it. ...Lincoln often, if not wholly, was an atheist; at least bordered on it. Lincoln was enthusiastic about his infidelity. As he grew older, he grew more discreet, didn't talk much before strangers about his religion; but to friends, close and bosom ones, he was always open and avowed, fair and honest; but to **strangers he held them off from policy**.¹³⁶

Lincoln wasn't stupid. He hid his atheism from all but 'bosom' buddies. He knew it would destroy his chances politically, to publicize his atheism:

Lamon tells in detail¹³⁷ of the writing and the burning of a 'little book,' written by Lincoln with the purpose to disprove the truth of the Bible and the divinity of Christ, and tells how it was burned without his consent by his friend Hill, lest it should ruin his political career before a Christian people. He says that Hill's son called the book 'infamous,' and that 'the book was burnt, but **he never denied or regretted its composition; on the contrary, he made it the subject of free and frequent conversations with his friends at Springfield**, and stated with much particularity and precision the origin, arguments, and object

135. Abraham Lincoln, in a handbill dated August 11, 1846. [Emphasis added]

136. Lamon, *Life of Lincoln*, p. 488. [Emphasis added]

137. Lamon, *Life of Lincoln*, p. 157, *et seq.*

of the work.' Rhodes¹³⁸ tells the same story, with confirmation in another place.¹³⁹

Lincoln's first law partner knew more of Lincoln's religious views before he became President.:

"...[Lincoln] was an avowed and open infidel, and sometimes bordered on atheism;...[He] **went further against Christian beliefs and doctrines and principles than any man I ever heard; he shocked me.**...Lincoln always denied that Jesus was the Christ of God — **denied that Jesus was the Son of God** as understood and maintained by the Christian Church."¹⁴⁰

And, again, from Herndon:

Mr. Lincoln had no faith and no hope in the usual acceptance of those words. He never joined a church; but still, as I believe, he was a religious man by nature. He first seemed to talk about the subject when our boy Willie died, and then more than ever about the time he went to Gettysburg. But it was a kind of poetry in his nature, and **he was never a technical Christian.**¹⁴¹

"As to Mr. Lincoln's religious views, *he was an infidel, was a universalist, was a unitarian, a theist. He did not believe that Jesus was God nor the son of God*, etc., was a fatalist, denied the freedom of the will, wrote a book in 1834 or 5—*just after the death of Anne Rutledge*, as I remember the facts *as to time*. He then became more melancholy, a little crazed, etc.; was always skeptical, read Volney in New Salem and other books. **Samuel Hill of Menard was the man who burned up Lincoln's little infidel book. Lincoln told me a thousand times that he did not believe that the Bible, etc., were revelations of God, as the Christian world contends**, etc. Will send you a printed letter soon on this subject. You have Mr. Hill's statement as well as Bale's, which see. See A. Y. Ellis and J. H. Matheny's testimony in your possession. **The points that Mr. Lincoln tried to demonstrate are, first, that the Bible was not God's revelations; and, secondly, that Jesus was not the son of God.** I assert this on my own knowledge, and on my own veracity, honor, or what not. Your own father-in-law, Mr. T. J. Stuart, James H. Matheny, etc., etc., will tell you the truth. I say they will confirm what I say, with this exception, they will all make it blacker than I remember it. Joshua F. Speed of Louisville, I think, will tell you the same thing. I think the book of Lincoln was written in *1834 or 5, just after the death of Ann Rutledge—I know it was after that event.*

* * *

"What I stated to Arnold was and is true. Mr. Lincoln loved Ann Rutledge to his death, make no mistake. He next courted Miss Owens, and next Mary Todd, and while so doing he lit on Miss Edwards's face. Lincoln never loved, i.e., dearly loved, his "Mary"—he was engaged to her when Miss Edwards ran across his path. His vow to Ann Rutledge's love and death, his promise to Mary and their engagement, and Miss Edwards flitting across the path, etc., made Lincoln crazy the *second time*—see Judge Logan's (in a little book I last sent you), see Stuart's, Miss Edwards's, and other testimony in your records. *You must read over and over again the records.* If any thing is proved, what I say to Arnold is proved. I know many if not all the facts my self. Lincoln, Speed, and I slept together for two or three years, i.e., slept in the same home, I being Speed's clerk; and Lincoln sleeping with Speed. I have heard Lincoln talk about the matter, and from what I know and from what I have been told by others in whom I have implicit confidence and trust, I say, if what I told Arnold is not proved, *nothing can be proved.* You may reduce the elements of causation this way: say that Lincoln's honor was pledged to Miss Todd, that he saw and loved another woman, Miss Edwards, and that he desired to break away from Miss Todd and to join Miss Edwards, and that the struggle caused the second crazed spells, and yet — I know that the Ann Rutledge element entered as strong as any element. His vow to her or her memory, etc., was as strong as his honor at any other time. Do you see? Read over your records again and again. It will save you much trouble and me too. The two suppositions of which you speak are not [undeciphered]. Co-existing, do co-exist nevertheless. The second insanity springs from his old love of Ann Rutledge. His engagements with his

138. *History of the United States*, Vol. IV, p. 213, and in Vol. III, p. 368, in a note. [Emphasis added]

139. Minor, *The Real Lincoln* (1928), p. 28.

140. John T. Stuart, Lincoln's first law partner in a letter to John Herndon, cited in Herndon's *Life of Lincoln*, p. 356. [Emphasis added]

141. Herndon's *Life of Lincoln*, pp. 359-360. (Da Capo Reprints, 1977) [Emphasis added]

"sweet Mary," and his determination to break that engagement off, and to marry Miss Edwards if he could, I repeat, was the cause of his second insanity. I hate to differ from you, but I can't avoid it, nor see the difficulty you do. Excuse me. Read your records closely again and again."¹⁴²

Lincoln never recanted or withdrew his statements on Christ or the Scripture.

Lamon further says, at page 499,: 'The following extract from a letter from Mr. Herndon was extensively published throughout the United States about the time of its date, February 18, 1870, **and met with no contradiction from any responsible source**: 'When Lincoln was a candidate for our [*Illinois] Legislature, he was accused of being an infidel; of having said that Jesus Christ was an illegitimate child. **He never denied the opinions or flinched from his religious views.**'¹⁴³

So who did Abraham Lincoln worship **as** his god? Let us have him tell us in his own words:

Washington is the mightiest name on earth—long since mightiest in the cause of civil liberty, still mightiest in moral reformation. On that name no eulogy is expected. It cannot be... To add brightness to the sun or glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce the name, and, in its naked, deathless splendor, leave in shining on.¹⁴⁴

Let us believe, as in the days of our youth, that **Washington was spotless**; it makes human nature better to believe that one human being was perfect; that human perfection is possible.¹⁴⁵

Is Washington mentioned any where in the Bible? Does it depict the "spotless" Washington as Messiah, who will come to save us from our sins? Lincoln's religious thought clearly bordered on Caesar worship which fits his idea of the government he created.

THE NEW NATIONALISM

...Our interest is primarily in the application to-day of the lessons taught by the contest of half a century ago [*Lincoln's War*]. It is of little use for us to pay lip loyalty to the mighty men of the past unless we sincerely endeavour to apply to the problems of the present precisely the same qualities which in other crises enabled the men of that day to meet those crises. It is half melancholy and half amusing to see the way in which well-meaning people gather to do honor to the men who, in company with John Brown, and under the lead of Abraham Lincoln, faced and solved the great problems of the nineteenth century, while, at the same time, these same good people nervously shrink from, or frantically denounce, those who are trying to meet the problems of the twentieth century in the spirit which was accountable for the successful solution of the problems of Lincoln's time.

Of that generation of men to whom we owe so much, the man to whom we owe the most is, of course, Lincoln. Part of our debt to him is because [*of the national banking acts*] he forecast our present struggle and saw the way out He said:

"I hold that while man exists it is his duty to improve not only his own condition, but to assist in ameliorating mankind."

And again:—

"Labor is prior to, and independent of, capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration."

142. Herndon's Letter to Ward Lamon dated February 25, 1870, cited in *The Hidden Lincoln* (1938), by Emanuel Hertz, pp. 65-66. [**Emphasis** added]

143. *The Real Lincoln* (1928), by Minor, p. 29. [**Emphasis** and *insertion added]

144. From Lincoln's speech before Washingtonian Temperance Society, Springfield, Illinois, February 22, 1842--*Complete Works*, I, p. 209, cited in *The Lincoln Treasury* (1950), p. 344.

145. Circa 1856 from *Life on the Circuit with Lincoln*, by Henry Clay Whitney, (Caldwell, Idaho: Caxton Printers, Ltd., 1940), p. 66, cited in *The Lincoln Treasury* (1950), p. 344. [**Emphasis** added]

If that remark was original with me, I should be even more strongly denounced as a communist agitator than I shall be anyhow. It is Lincoln's. I am only quoting it; and that is one side, that is the side the capitalist should hear. Now, let the working man hear his side.¹⁴⁶

Theodore Roosevelt implies — **the man Lincoln was a communist!**

Yet, the rumor continued to assert 'his Christianity' and recent conversion after his youngest son died. A letter was circulated to that effect, **after** Lincoln's death by one of his most devoted followers. This is the only 'evidence' of Lincoln's so-called conversion and it has since been proven to be a forgery. Again, after he died, another rumor spread of his conversion just before his assassination:

“EXECUTIVE MANSION, WASHINGTON, May 27, 1865.

Friend [*William Henry] Herndon:

Mr. Lincoln did not to my knowledge in any way change his religious ideas, opinions, or beliefs from the time he left Springfield [*Illinois] to the day of his death. I do not know just what they were, never having heard him explain them in detail; but I am very sure he gave no outward indication of his mind having undergone any change in that regard while here [*in Washington].

Yours truly, Jn. G. Nicolay."¹⁴⁷

John George Nicolay, Lincoln's senior private secretary, knew Lincoln intimately from 1861-1865.

The *Cosmopolitan*, of March, 1901, says that Nicolay 'probably was closer to the martyred President than any other man;...that he knew Lincoln as President and as man more intimately than any other man.
...¹⁴⁸

An example of Lincoln's 'gentle and compassionate' heart is found in the Arlington National Cemetery affair which, before the War, was Robert E. Lee's front yard. While Lee was away fighting in Lincoln's War, Lincoln buried Northern dead in Lee's yard to embarrass and inflict pain on Mrs. Lee, who still lived in the house. In a case filed after the War, Lee's son sued to recover the unlawfully used land and won, then sold it to the Federal government to get it out of the family. On this case, the Court said:

Under our system, the People, who are there called subjects, are the Sovereign. Their Rights, **whether collective or individual**, are not bound to give way to a sentiment of loyalty to the person of the monarch. The Citizen here knows no person, however near to those in power, or however powerful himself, to whom he need yield the Rights which the Law secures to him when it is well administered. When he, in one of the courts of competent jurisdiction, has established his Right to property, there is no reason why deference to any person, natural or artificial, not even the United States, should prevent him from using the means which the Law gives him for the protection and enforcement of that Right.¹⁴⁹

And now, we must examine Lincoln's real view of the black man. First, there is his understanding of the Dred Scott decision. This case set the stage for Lincoln to wage his war, and bring in the purported *post*-bellum amendments:

That decision declares two propositions—first, that a Negro cannot sue in the United States courts; and secondly, that Congress cannot prohibit slavery in the Territories. It was made by a divided court—dividing differently on the different points...

146. Theo. Roosevelt, in a speech before the "Grand Army of the Republic" at Osawatomie, Kansas, August 31, 1910; in *Democracy Liberty and Property* (Macmillan, 1942), pp. 679-683. [*Insertion added.]

147. Herndon's *Life of Lincoln*, p. 357. [*Insertion added.]

148. Minor, *op. cit.*, p. 30.

149. *United States v. Lee*, 106 U.S. 196, 251. [**E**mp~~h~~asis added]

Judicial decisions have two uses—first, to **absolutely determine** the case decided, and, secondly, to indicate to the public how other similar cases will be decided when they arise. ... Judicial decisions are of greater or less authority ... according to circumstances [*necessity and humanistic situation ethics]. ... If this decision had been made by the unanimous concurrence of the judges, and without any apparent partisan bias, and in accordance with legal public expectation, and with the steady practice of the departments throughout our history, and had been in no part based on assumed historical facts which are not really true or, of wanting in some of these, it had been before the court more than once, and had there been affirmed and re-affirmed through a course of years, it then might be ... factious, nay, even revolutionary, not to acquiesce in it „. But when ... we find it wanting in all these claims to the public confidence, it is not resistance, it is not factious, it is not even disrespectful, to treat it as not having yet quite established a settled doctrine for the country.¹⁵⁰

From the outset, Lincoln was wrong. The court never said a Negro could not sue in the United States courts and never mentioned **free persons of color**. It said slaves, black or white, lacked standing to bring an action against the master, because **slavery was not a federal judicial question, it was a State question**. The court could not take any case where one party lacks standing, because such an issue is political, not judicial. Congress' hands were and are tied because the law establishing it and the Territories are the common property of all the states of both classes. Second, slavery is a state question, not a federal question. Congress could do nothing about slavery in a Territory until it became a state. This neither the Abolitionists nor Lincoln wanted.

Note, in the last phrase, Lincoln's lack of respect for the court. Yes, the court erred, but did it err according to Law? Certainly not. The court never decided the case on its merits, and merely turned down a hearing. Each justice gave an opinion why the court could not hear the case and that is all they did. They never had jurisdiction because the case came from the Missouri Territory. But, the court had jurisdiction only over cases from the States only.¹⁵¹

Most of the propaganda on Lincoln centers around his image as the Great Emancipator. An honest view of Lincoln, however, will show that this title is mere propaganda.

First, there is Lincoln's debates with Douglas in 1858 during Lincoln's run for Congress:

“...I will say then, that I am not nor ever have been in favor of bringing about in any way, the social and political equality of the white and black races; that I am not, nor ever have been in favor of making voters of the free Negroes, or jurors, or qualifying them to hold office, or having them to marry with white people. I will say in addition, that there is a physical difference between the white and black races, which I suppose, will forever forbid the two races living together upon terms of social and political equality, and inasmuch as they cannot so live, that while they do remain together there must be the position of superior and inferior; and I as much as any other man am in favor of the superior position being assigned to the white man.”¹⁵²

Again, from his conversations with black leaders in the White House where he said:

“...Even when you cease to be slaves, you are yet far removed from being placed on an equality with the white race. you are cut off from many of the advantages which the other race enjoys. The aspiration of men is to enjoy equality with the best when free, but on this broad continent not a single man of your race is made the equal of a single man of ours. Go where you are treated the best, and the ban is still upon you.”¹⁵³

150. Lincoln's speech at Springfield, Illinois, June 26, 1857--*Complete Works*, II, p. 319, cited in *The Lincoln Treasury* (1950), pp. 61-62. [**Emphasis** and *Insertion added.]

151. See Article III of the Constitution for the united States of America where this point is made clear.

152. Speech made in Charleston, Illinois September 18, 1858, from 3 Illinois Historical Collection 267, and cited by Douglas in his rejoinder with Lincoln at page 415.

153. Speech to deputation of free colored men, Aug. 14, 1862, from *The Lincoln Encyclopedia* (1950), compiled by Archer W. Shaw, p. 264, citing vol. 8, p. 2 of Nicolay and Hay's work.

But, what about the Emancipation Proclamation. In fact and in law, the Emancipation Proclamation did not free slaves. It was the birth of the dream of one power-crazed and lustful man. It merely transferred them from Southern plantations, to the Federal plantation, because Lincoln needed assets to guarantee the loans he was creating to fight 'his war.' This is seen in how Lincoln perceived the proclamation, the wording in the proclamation itself, and the act of Congress which allowed for its creation:

...The original proclamation has no...legal justification **except as a military measure**....If I take the step, must I not do so without the argument of military necessity, and so without any argument except... that I think the measure...expedient...? Would I not thus be in the boundless field of absolutism?...Could it fail to be perceived that without any further stretch I might do the same in Delaware, Maryland, Kentucky, Tennessee, and Missouri, **and even change any law in any State?** Would not many of our own friends shrink away appalled? **Would it not lose us the elections, and with them the very cause we seek to advance?**¹⁵⁴

The final proclamation was not intended as a moral political act by Lincoln ... to free slaves, as has often been credited since by public sentiment and taught in Northern schools. The President never had such constitutional power. **It was an act of war** by the President as Commander-in-Chief of the Army and Navy to break the military power of the rebellion which was [*thought to be] based on slavery. It declared that 'all persons held as slaves' in rebellious states or parts of states as designated 'are and shall henceforward be free.' Although it did not state that they were 'forever free' as the preliminary proclamation [*September 22, 1862], it implied that these slaves would continue to be free after their former owners restored allegiance to the Union, and/or the governments of their states resumed normal functions in the Union, and it declared that liberated Negroes would be **enrolled in the military service**.¹⁵⁵

And by virtue of the power and for the purpose aforesaid, **I do order and declare that all persons held as slaves within said designated States and parts of States are**, and henceforward shall be, **free; and that the Executive Government of the United States**, including the military and naval authorities thereof, **will recognize and maintain the freedom of said persons.**

* * *

And I further declare and make known that **such persons** [*of African descent] of suitable condition will be received into the armed service of the United States, to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.¹⁵⁶

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed [*despite constitutional prohibitions] and observed as such:

"Article—. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor, who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

"Sec. 2. *And be it further enacted*, That this act shall take effect from and after its passage."¹⁵⁷

154. Letter from Abraham Lincoln to Salmon P. Chase, dated September 2, 1863, from *The Civil War and Reconstruction* (1951), by J. G. Randall, p. 494, citing Works, vol. II, pp. 402-403. Also cited in *The Lincoln Treasury* (1950), pp. 89-90. [Emphasis added]
155. *Abraham Lincoln's Philosophy of Common Sense* (1965), part III, p. 1176. [Emphasis and *insertions added]
156. *Emancipation Proclamation*, January 1, 1863. [Emphasis and *insertions added]
157. An Act making an additional article of war, enacted March 13, 1862, quoted by Lincoln in his proclamation of September 22, 1862. [*Insertion added]

The Humanism of Congress is seen in its new oath:

Sec. 3. *And be it further enacted,* That all commissioned and non-commissioned officers and privates, who are or shall be in the service of the United States, shall take the following oaths or affirmations, to wit: 'I, A. B. Do solemnly swear or affirm (as the case may be) that I will support the constitution of the United States.' 'I, A. B. Do solemnly swear or affirm (as the case may be) to bear true allegiance to the United States of America, and to serve **them** honestly and faithfully against all **their** enemies or opposers whatsoever, and to observe and obey the orders of the President of the United States of America, and the orders of the officers appointed over me.'¹⁵⁸

From the oaths of allegiance themselves, the soldier had no choice but to protect all the states, the "them," and their domestic laws against those who opposed them, **whether they, the President, or members of Congress agreed with those laws or not.** Note, the soldier serves the states first — not bondholders, bankers, abolitionists or; the President; and finally the officers who are appointed over him. This is the "chain of command." The oath is given to states, **not the President or Congress.** Deceit, i.e. lying, used against states was **criminal** because this is and was where the Christian common Law was found. Only the orders of a President and Congress of the united States of America in compliance with the will of the Christian states were to be observed, all other acts not with standing.

At the end of the act, Congress gives itself an out:

Sec. 6. *And be it further enacted,* That this act shall continue and be in force **until the next session of Congress, and no longer.**¹⁵⁹

This section, or one similar in operation to this one, is conspicuously **missing** in the Civil Rights Acts, as amended, and all the other war measures that were taken in the extraordinary sessions called by Lincoln. In other words, once a war has started by the government against its licenser the licenser must terminate the license to restore peace.

When slaves were transferred to **military jurisdiction** from private Southern plantations, they unknowingly took the benefit of "the protection of the military power of the Union." Since Congress and Lincoln went into bankruptcy to secure this "protection," there was and still is a price to pay. It is acceptance of the benefit which binds performance to those who partake of it. Thus, claiming any "civil rights," puts one under the protection of the military power, which you must pay for — in taxes — plus, pay for the war debt Lincoln and Congress contracted for, to give you that "protection":

American citizenship implies not only rights but also duties, not the least of which is the payment of taxes.¹⁶⁰

The taxpayers enjoy the benefits and protection of the laws of the United States. They are under a duty to support the government and are not beyond the reach of its taxing power.¹⁶¹

Accordingly, in Cook v. Tait, ... the District Court held that the Federal income tax could constitutionally be imposed upon a United States citizen residing abroad with respect to income derived solely from sources within a foreign country. **It is the citizenship of the person which subjects him to the obligation to his sovereign** [*either God or man], not his residence [*not true — for such is the citizen's mark], nor the location of his property [*not true — this marks the character of the citizen].¹⁶²

158. 1 Stat. 95 (1789), p. 96. [**Emphasis** added]

159. *Ibid.* [**Emphasis** added]

160. U.S. v. Lucienne D'Hotelle de Benitez Rexach (1977), 558 F.2d 37. See also Cook v. Tait (1924), 265 U.S. 47, 44 S.Ct. 444, 68 L.Ed. 895 & United States of America v. Slater (1982), 545 F.Supp. 179, 182.

161. Helvering v. Gerhardt (1938), 304 U.S. 405, 58 S.Ct. 969, 82 L.Ed. 1427.

162. The Confiscation of Enemy Private Property (1923), 3 Bos.U.L.R. 156, 170. [**Emphasis** and *insertions added]

Experience has given to history this one truth, which will never change its force among men; that funded debts and standing armies will enslave any people. **These evils are inseparable.** A standing army will necessitate a funding debt, to support it; and a funding debt will require a standing army to collect it.¹⁶³

In the Proclamation, note the glaring lack of termination of military jurisdiction over those 'emancipated' by or through the proclamation. Note further, that there never was a treaty signed between the two warring parties, though Johnson declared hostilities ended, August 20, 1865. War is never terminated by mere proclamation, armistice, or surrender. It can be terminated only by a treaty of peace.

Lincoln was a man who knew how to use words, depending on who he was speaking to, and whether or not he was speaking publicly or privately. He believed in a god of forces that compelled him to do the things he did. Clearly, this god is not the God of Scripture revealed by and through Jesus, the Christ. His god was that god described in Daniel, to wit:

...**Neither shall he regard the God of his fathers**, nor the desire of women, nor regard any god: for he shall magnify himself above all. But **in his estate** [*administration] **shall he honour the god of forces: and a god whom his fathers knew nor** shall he honour with gold, and silver, and with precious stones, and pleasant things [*revenues]. Thus shall he do in the most strong holds [*legislated military courts] with a strange god, whom he shall acknowledge and increase with glory: and he shall cause them to rule over many, and shall divide the land for gain [*into revenue districts].¹⁶⁴

And what better proof of this can we offer than the following:

Lincoln remembered his old friend, Robert Lewis, circuit-court clerk, story teller, and wit of De Witt County, Illinois, and he told them about Bob Lewis' going to Missouri to look up some Mormon lands that belonged to his father. Bob found among his father's papers a number warrants and patents for lands in northeast Missouri, and he concluded the best thing he could do was to go to Missouri and investigate the condition of things. He rode horseback for days till he located what seemed to be his piece of land. On it was a cabin where a lean, lanky, leathery-looking man was making bullets preparatory to a hunt. Lewis showed his title papers and finished with saying, 'No, that is my title, what is yours?'

The pioneer pointed a long finger at a rifle hanging from buck horns over the fire: 'Well,' came the spitfire words, 'that is my title, and if you don't get out of here pretty damned quick you will feel the force of it.' Bob Lewis got on his horse and galloped down the road, the rifle snapping at him twice before he could turn a corner of safety.

Now, the military authorities have the same title [*by gun barrel] **against** the civil authorities that closed out Bob's Mormon title in Missouri. You may judge what may be the result in this case.¹⁶⁵

Christianity is and was the basis of all Law in the states. By holding a gun to the instruments forged from that Law, Lincoln made war against the Law that forged them. The record speaks for itself and the man.

We now begin with Lincoln's first year in office.

When seven Southern states walked out of Congress March 27, 1861,¹⁶⁶ the quorum to conduct business under the Constitution, was lost. The only votes Congress could take under its own rules and parliamentary law, were; to set a time to reconvene, take a vote to get a quorum, and vote to adjourn with a specific date, time, and

163. *Crimes of the Civil War* (1868), p. 495. [**Emphasis** added]

164. Daniel 11:37-39. [**Emphasis** and *insertions added]

165. *Reminiscences of Abraham Lincoln*, by Allen Thorndike, quoting Rice, 1863 (New York: Harper & Bros., 1885, 1888, and 1909), p. 168, cited in *The Lincoln Treasury* (1950), pp. 327-328. [**Emphasis** and *insertion added]

166. See, The Journal of the Senate of the United States of America Being the Second Session of the Thirty-Sixth Congress; Begun and Held at the City of Washington, December 3, 1860, in the Eighty Fifth Year of the Independence of the United States. Published at Washington: by George W. Bowman, Senate Printer, 1860-61.

place to reconvene.¹⁶⁷

Instead, Congress adjourned *sine die* (see-na dee-a), i.e., 'without day,' that not only closes the session, but if no provision is made to reconvene at a specific day and time, such an adjournment dissolves the assembly in the absence of contrary Constitutional provisions or by-laws of the assembly.¹⁶⁸

Thus, Congress ceased to exist as a lawful legislative authority.¹⁶⁹ The only lawful Constitutional power who could declare war on the South, was no longer lawful. Congress did not re-convene until Lincoln ordered it under **his usurped military authority** as Commander-in-Chief.

Lincoln funded the War entirely by debt financing with bond issues, T-Bills, and by other means that put the U.S. in bankruptcy by 1863¹⁷⁰ when the Comptroller of the Treasury office was created.

Precisely what is the nature and duties of the Comptroller of the Treasury?

COMPTROLLER. A public officer of a state or municipal corporation, charged with certain duties in relation to the fiscal affairs of the same, principally to examine and audit the accounts of collectors of the public money, to keep records, and report the financial situation from time to time. There are also officers bearing this name in the treasury department of the United States.¹⁷¹

COMPTROLLER IN BANKRUPTCY. An officer ... whose duty it is to receive from the trustee in each bankruptcy his accounts and periodical statements showing the proceedings in the bankruptcy, and also to call the trustee to account for any misfeasance, neglect, or omission in the discharge of his duties.¹⁷²

The Federal government has been in Chapter 11 bankruptcy from 1863 to the present, in which the Congress sit as trustees. Thus, the following from the 1993 Congressional Record.:

Mr. TRAFFICANT asked and was given permission to revise and expand his remarks.

Mr. TRAFFICANT. Mr. Speaker, we are here now in chapter 11.

Members of Congress are official trustees presiding over the greatest re-organization of any bankrupt entity in world history, the U.S. Government.

We are setting forth hopefully a blueprint for our future. There are some who say it is a coroner's report that will lead to our demise.¹⁷³

The problem for Congress is, in bankruptcy Congress is "civilly dead," and cannot make true Law,

Debitor non praesumitur donare — A debtor is not presumed to make a gift.¹⁷⁴

Extra legem positus est civiliter mortuus—He who is placed out of the law [*of their creation] is civilly dead. A bankrupt is, as it were, civilly dead.¹⁷⁵

167. *Robert's Rules of Order*, Revised, Seventy-Fifth Anniversary Edition, by General Henry M. Robert, Scott, Foresman and Company, Publisher, 1915, pages 257-261.

168. *Robert's Rules*, supra, page 62.

169. *Robert's Rules*, supra, page 63.

170. See, 12 Stat. 665; Repealed and replaced by 13 Stat. 99, The National Banking Act.

171. See 13 Stat. 99 (1864). Beneficial Loan Soc. of New Orleans v. Strauss, La.App., 148 So. 85, 87. Cited in *Black's Law Dictionary*, 4th Edition, 1968.

172. Robs.Bankr. 13; Bankr.Act 1869, §55. *Black's Law Dictionary* (4th ed., 1968), p. 359.

173. The Congressional Record, for March 17, 1993. P. H1303.

174. *Bouvier's Law Dictionary* (1914), "Maxim," p. 2131.

175. International Bank v. Sherman, 101 U.S. 406, 25 L.Ed. 866; and see *Black's Law Dictionary* (4th ed., 1957 & 1968), p. 697.

[*Insertion added]

Thus, Congress can make no law for all Law is a gift of the Lawgiver. The "civilly dead" cannot be Resurrected except by the Power of Christ. The inability of Congress to make law is seen in official sets of the Titles and Codes. In the Index of Titles in Volume One finds that either;

a. Title II, The Congress is marked with an asterisk which means that Congress exists by Resolution, not positive law, or;

b. All positive law titles are marked by asterisk and Title II, "The Congress" has no asterisk. A footnote states that those marked with an asterisk exist by virtue of positive law.

This is because of the following proclamation made in 1861 by Lincoln:

Deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, in virtue of the power in me vested by the Constitution, convene both Houses of Congress. Senators and Representatives are therefore summoned to assemble at their respective chambers, at twelve o'clock, noon, on Thursday, the fourth day of July next, then and there to consider and determine such measures as, in their wisdom, the public safety and interest may seem to demand.¹⁷⁶

In the margin of the above it is stated that Lincoln convened an **extraordinary session** of Congress in his capacity of Commander-in-Chief, and not President of the united States of America. Thus, Congress sits at the pleasure of the Commander-in-Chief in a Roman imperial style government; not by the pleasure of the Good and Lawful Christians in the several states. This is a clear statement of a change in the relation of the "government" to the style of "government." **Lincoln continued to call extraordinary sessions throughout his war.**¹⁷⁷ Thus, the sleeping war power in the Constitution was usurped by one man who put himself outside it. All he ever created is "civilly dead" in relation to Good and Lawful Christians living in Christ.

The point is, the standing or status or condition of Congress is different from that of the President and the Courts and this change occurred at the beginning of Lincoln's War. Congress does not sit by Constitutional positive law but by a mere resolution, which is merely advisory, not compulsory. They merely indicate what policy may be, but they carry no force of law with them. This is a key to military government. Unless government is permanently established **by those who have Law**, there is no state of peace. The only ones with Law are Good and Lawful Christians — not Humanists. The reason is plain: only Christians have a consistent record of success and construction; secular humanists have a consistent record of failure and destruction. This is evident from the definition of Truth, which Law seeks out:

TRUTH. There are three conceptions as to what constitutes 'truth': Agreement of thought and reality; eventual verification; and consistency of thought with itself.¹⁷⁸ [*Christ manifests all three requirements.]

The South, as members of the original union, by virtue of their secession, ceased to exist *sine die*, as did state legislatures in the Northern bloc. This occurred in California, April 27, 1863,¹⁷⁹ and in Connecticut in 1853,¹⁸⁰ who was a leading secessionist states in the North.

The adjournment *sine die* in 1861 had the same effect as that of the Continental Congress that adjourned *sine die* to dissolve and terminate its existence before the Constitutional Convention and birth of a new Constitutional Congress. Otherwise, two Congress would have existed simultaneously. Thus, the *sine die* adjournment of Congress of 1861 cleared the way for the new Federal government created in 1871 by incorporation of the District of Columbia as a municipal corporation.¹⁸¹ This incorporation put the District on the

176. Proclamation of Abraham Lincoln on April 15, 1861 which also called out seventy-five thousand militiamen.

177. See Proclamation of February 28, 1863.

178. Memphis Telephone Co. v. Cumberland Telephone & Telegraph Co., C.C.A.Tenn., 231 F. 835, 842; *Black's Law Dictionary* (4th ed. 1957 & 1968), p. 1685. [*Insertion added]

179. The California legislature was confused on what day to adjourn sine die. See, Statutes of California, 14th Session, 1868 at pp. 790-91. Published by Benjamin P. Avery, State Printer. 1863.

180. See, *Connecticut, Statutes at Large*, "Adjournment", 1853.

181. The District of Columbia was incorporated by 16 Statutes at Large, 419.

same level as the new governments of the States after Lincoln's War:

The government of the District of Columbia provided by the Act of February 21, 1871,¹⁸² is not a mere municipality ... but is to be placed upon the same footing with that of any of the States or Territories within the limits of the law from which it derives its existence.¹⁸³

Thus, the Attorney-General explains for Commanders in the Field, the new governments created in the States, and he relies on the Reconstruction Acts which are still in force and effect.¹⁸⁴

We see clearly enough that this act contemplates **two distinct governments** in each of these ten [*Southern] States; **the one military, the other civil**. The civil government is recognized as existing at the date of the act. **The military government is created by the act.**

Both are provisional, and both are to continue until the new State constitution is framed and the State is admitted to representation in Congress. When that event takes place, both these provisional government are to cease. In contemplation of this act, this military authority and this civil authority are to be carried on together. **The people in these States are made subject to both, and must obey both, in their respective jurisdictions.**

...There can be no doubt as to the rule of construction according to which we must interpret this grant of power. **It is a grant of power to military authority, over civil rights and citizens, in time of peace.** It is a new jurisdiction, never granted before, but which, in certain particulars and for certain purposes, **the established principle that the military shall be subordinate to the civil authority is reversed.**¹⁸⁵

Yet, the new State Constitutions merely retained the old form of government and the merely provisional government became permanent and the Reconstruction Acts remain in full force and effect today.¹⁸⁶ And all one need do is look at the post-bellum amendments and see who has "power to enforce this article by appropriate legislation." Further, there is no effective termination date for any of them. Thus, Workmen's Compensation Acts and unemployment acts are extensions of the Freedmen's Bureau act and are purely military in character and nature. Take special notice of the subject-matter following — the **same** subject-matter of Lincoln's Proclamations:

Regulation of Labor. The matter of the regulating of labor was mostly restricted to cases of freedmen or colored persons brought by the chances of war within **military protection and care**. The President, in freeing, by his Proclamation of January 1, 1863, all persons held as slaves in the insurrectionary States and districts, recommended to them "that, in all cases when allowed, they labor faithfully for reasonable wages," and further authorized that they be "received into the armed service of the United States." Under this proclamation and repeated legislation of Congress, a large number of such persons were employed in connection with our armies, and some one hundred and forty regiments of colored troops were organized. **It was ... mainly under the Act of March 3, 1865,** "to establish a Bureau for the relief of Freedmen and Refugees," by which abandoned and confiscated lands in the insurrectionary States were set apart and assigned "for the use of loyal refugees and freedmen," (and appropriated for the support of this Bureau until 1869,) **that the matter of the regulation of labor became an incident of military government.** In ...South Carolina, Georgia, and Florida ...such regulation directed by military commanders, and frequent General Orders were issued by them relating to the **government, subsistence and employment of the classes of persons indicated in the statute.**¹⁸⁷

182. 16 Stat. 419

183. *Grant v. Cooke* (1871), 7 D.C. 165.

184. Actually a series of Acts are subsumed under the heading of the Reconstruction Acts which began to be formulated in 1865 and continued through March 2 to July 17, 1867.

185. *12 Ops Atty.-Gen.* 182, pp 1-2, June 12, 1867. Available from The Christian Jural Society Press. [**Emphasis** and *insertion added]

186. See *House Report 262*, post.

187. *Winthrop's Military Law and Precedents*, Vol. II, pp. 1267-8.

Notice in the following who headed the bureau and the functions performed by the bureau:

In March 1865, the Congress created the Bureau of Refugees, Freedmen and Abandoned Lands, [*i.e.,] the Freedmen's Bureau. Set up under the *War Department*, the bureau was headed by General Oliver O. Howard, and it had as its primary mission the care and *welfare* of the thousands of Southerners, white and black, whose lives had been uprooted by the war. Being without precedent, the bureau was one of the most important agencies of the Civil War era. With branches in every southern state, it established free schools and hospitals [*benefits], relocated refugees under the provisions of the Homestead Act, distributed millions of food rations, provided legal assistance [*forerunner of the Civil Rights Commission], operated as an employment agency [*forerunner of Employment Development Department or unemployment agency], negotiated contracts for workers (making it the first national arbitration agency between labor and capital[*—a forerunner of the modern union]), and otherwise worked to facilitate the former slave's adjustment to his new status. The bureau was originally established to last just one year after the end of the war, but it was obvious that its services would be needed much longer.

* * *

In retrospect, the Freedmen's Bureau could have become, with public and government support, one of the most effective instruments for the extension of **human rights** in American history. But white America was not yet ready for that, and the bureau fell far short of its potential. To begin with, it was very underfinanced. Although the Congress appropriated funds for buildings and other facilities, most of the teachers and medical workers were supported by private **philanthropic** groups. Not only did white Americans acquiesce in—and sometimes vigorously support—the southern objections to the bureau, but the conduct and attitude of the men entrusted with its administration undermined its effectiveness...In removing subordinates charged with corruption, Howard was often guided by the complaints of influential southern whites that these officials had been doing too much to help the freedmen. In other words, it appears that the white South could have lived with a corrupt bureau, but it could not live with a **humanitarian** one.¹⁸⁸

The bureaus services are now furnished by the Departments of Labor and Health and Human Services. Is Reconstruction over? The Federal courts say that " ...the federal civil rights acts [*were] passed **during the Reconstruction**,...¹⁸⁹

President Andrew Johnson, who succeeded Lincoln, vetoed the unconstitutional Reconstruction Acts and the Congressional Record tells us why:

If ever the American citizen should be left to the free exercise of his own judgment, it is when he is engaged in the work of forming the fundamental law under which he is to live. That work is his work, and it cannot properly be taken out of this hands. **All this legislation proceeds upon the contrary assumption that the people of each of these States shall have no constitution, except such as may be arbitrarily dictated by Congress, and formed under the restraint of military rule.** A plain statement of facts makes this evident.

In all these States there are existing constitutions, framed in the accustomed way by the people. **Congress, however, declares that these constitutions are not "loyal and republican," and requires the people to form them anew.** What, then, in the opinion of Congress, is necessary to make the constitution of a State loyal and republican? The original act answers the question: It is universal Negro suffrage, a question which the federal constitution saves exclusively to the States themselves. All this legislative machinery of martial law, military coercion, and political disfranchisement is avowedly for that purpose and none other. The existing constitutions of the ten [*Southern] States conform to the acknowledged standards of loyalty and republicanism. Indeed, if there are degrees in republican forms of government their constitutions are more republican now, than when these States, four of which were members of the original thirteen, first became members of the Union.¹⁹⁰ [*And elsewhere he says] The veto of the original bill of the 2d of March was based on two distinct grounds, the interference of

188. Wood, *The Era of Reconstruction* (1975), pp. 26-27. [Emphasis and *insertions added]

189. *Baldwin v. Franks* (1887), 120 U.S. 678, 690-692, 75 S.Ct. 656, 32 L.Ed. 766.

190. *The Congressional Record - House*, June 13, 1967, page 15643. [Emphasis and *insertions added]

Congress in matters strictly appertaining to the reserved powers of the States, and **the establishment of military tribunals for the trial of citizens in time of peace.**¹⁹¹

A singular contradiction is apparent here. Congress declares these local State governments to be illegal governments, and then provides that these illegal governments shall be carried on by federal officers, who are to perform the very duties of its own officers by this illegal State authority. It certainly would be a novel spectacle if Congress should attempt to carry on a legal State government by the agency of its own officers. **It is yet more strange that Congress attempts to sustain and carry on an illegal State government by the same federal agency.**¹⁹²

Military government follows upon the conquest of one state by another.

1. Military Government is that which is established by a commander over occupied enemy territory. To entitle it to recognition it is necessary that the authority of the State to which the territory permanently belongs should have ceased there to be exercised.¹⁹³

The right of a military occupant to govern, implies the right to determine in what manner, and through what agency, such government is to be conducted. The municipal laws of the place may be left in operation, or suspended, and others enforced. The administration of justice, may be left in the hands of the ordinary officers of the law; or these may be suspended, and others appointed in their place. Civil rights and civil remedies may be suspended, and military laws and courts and proceedings, may be substituted for them, or new legal remedies and civil proceedings, may be introduced.¹⁹⁴

The power to create civil courts, exists by the laws of war, in a place held in firm possession by a belligerent military occupant; and if their judgments and decrees are held to be binding on all parties during the period of such occupation, as the acts of a *de facto* government, no valid ground can be assigned for refusing to them a like effect, when pleaded as *res judicata* before the regular judicial tribunals of the State, since the return of peace.¹⁹⁵

That the Reconstruction Acts were unlawful and unconstitutional has been recognized by Congress (in later years), the United States Circuit Court,¹⁹⁶ and Supreme Court along with the 14th Amendment¹⁹⁷ that covered and "legalized" the so-called Civil Rights Act of 1866.¹⁹⁸ The chronology of these Acts is very important, because the **subject-matter** never changed. Lincoln's proclamation of September 22, 1862 set the stage for the proclamation of January 1, 1863, the "Emancipation Proclamation." Two years later, "Congress" wrote their version of emancipation. A year later, "Congress" wrote and passed over Johnson's veto, the Civil Rights Act of 1866.¹⁹⁹ Clearly, the policy in the Civil Rights Act as amended, was carried out three years **before** its actual "enactment" into "law." This was Lincoln's method — give "Congress" a *fait accompli* and let them deal with it the best way they could — Congress gives in because it is already a done deed. The Circuit Court in Washington city fully backed Lincoln's style of administration:

... Congress has the constitutional power to legalize and confirm Executive acts, proclamations, and orders done for the public good, although they were not, when done, authorized by any existing laws; and such legislation by Congress may be made to operate retroactively to confirm what may have been done under such proclamations and orders, so as to be binding upon the Government in regard to contracts made, and the persons with whom they were made; and that the third section of an act of Congress of the

191. Ibid. [**Emphasis** and *insertions added]

192. Ibid. [**Emphasis** added]

193. *Military Government and Martial Law*, by William E. Birkhimer. 3rd Ed. Revised. Franklin Hudson Publishing Company, Kansas City, Missouri. 1914. P. 45. Available from The Christian Jural Society Press.

194. *Hefferman v. Porter* (1867), 6 Coldw.(46 Tenn.) 391.

195. Ibid., p. 391.

196. *3 Am. Law Rec.* 738.

197. See the detailed argument in *Dyett vs. Turner*, where is detailed the unconstitutionality of the 14th Amendment.

198. See, *THE 14TH AMENDMENT - EQUAL PROTECTION LAW OR TOOL OF USURPATION*, in The Congressional Record - House, June 13, 1967, pp. 15641-15646. Available from The Christian Jural Society Press.

199. *14 Stat. 27.*

6th day of August, 1861, legalizing the acts, proclamations, and orders of the President, after the 4th of March, 1861, respecting the army and navy, and calling out and relating to the militia and volunteers of the States, is constitutional and valid.²⁰⁰

"Congress" **imposed** the 14th Amendment on the States it created by the Reconstruction Acts. All the rest of the States passed constitutions that bowed to the supremacy of the new Constitution of the United States as the supreme law of the land, contrary to God's Law and the maxims of Law:

"In the beginning God created the heaven and the earth."²⁰¹

Le ley de Dieu et ley de terre sont tout un, et l'un et l'autre preferre et favour le commun et publique bien del terre—The law of God and the law of the land are all one; and both preserve and favor the common good of the land.²⁰²

These acts remain in full force and effect and neither Congress nor the Supreme Court can do anything about it, because, as the above makes clear, they were implemented under military and martial law authority, and the President, as Commander-in-Chief and Chief Executive is in Charge of Civil Affairs,²⁰³ **alone** has the power to change by Executive Order, even though Executive Orders are themselves unconstitutional as even the Court of Military Appeals admits.²⁰⁴ Note that the challenge to the power of the Commander-in-Chief to issue Executive Orders was made in a **military court**.

Thus, Senator Frank Church stated in 1974:

...it has been Congress' habit to delegate extensive emergency authority — which continues even when the emergency has passed — and not to set a terminating date. The United States thus has on the books at least 470 significant emergency powers statutes without time limitations delegating to the Executive extensive discretionary powers, ordinarily exercised by the Legislature, which affect the lives of American citizens in a host of all-encompassing ways. This vast range of powers, taken together, confer enough authority to rule this country without reference to normal constitutional processes. These laws make no provision for congressional oversight nor do they reserve to Congress a means for terminating the "temporary" emergencies which trigger them into use. No wonder the distinguished political scientist, the late Clinton Rossiter, entitled his post-World War II study on modern democratic states, "Constitutional Dictatorship." Emergency government has become the norm.²⁰⁵

Senator Church makes a very pregnant admission that is worthy of careful analysis. Congress has no one to blame but itself for its 'habit' of delegating emergency powers. Its all very convenient, isn't it? Church goes on to make an even more telling admission, still citing Rossiter speaking of Lincoln, he said:

The Constitution can be suspended after all — by any President of the United States who ascertains and proclaims a widespread territorial revolt. "In the Interval between April 12 and July 4, 1861 a new principle thus appeared in the constitutional system of the United States, namely, that of a temporary dictatorship."²⁰⁶

200. Justice Wayne, in the Circuit Court at Washington, quoted in the *Annual Cyclopedia*, 1861.

201. Genesis 1:1.

202. *Bouvier's Law Dictionary* (1914), "Maxim," p. 2142.

203. See below the definition of 'Civil Affairs.'

204. *United States vs. Sonnenschein*, 1 C.M.R. ,(1951)

205. *A Brief History of Emergency Powers In the United States, A Working Paper*, Prepared for the Special Committee on National Emergencies and Delegated emergency Powers, United States Senate.93rd Congress, Second Session. U.S. Government Printing Office, Washington, D.C., July 1974. P. v.

206. *Ibid.*, p. 15. From Rossiter, po. Cit., p. 230; the citation appearing in the quotation is from W.A. Dunning, *Essays on the Civil War and Reconstruction*. New York: Macmillan, 1898, p. 20.

Some assert that Lincoln's acts apply only to the South. But, under the doctrine of the Interstate Commerce clause,²⁰⁷ it says that:

No statute of the State of Arkansas prohibits the low and lawless forms of humanity from entering the State. Under the Interstate Commerce clause and the 14th Amendment, they now have that right.²⁰⁸

Thus, the acts apply to all the States where there are **civil rights** given by Congress, and are enforced by military authority in all courts that fly the gold-fringed flag of the United States. Some say the inferior courts where these flags fly are not military. But, Supreme Court Justice Field has said:

“The power and jurisdiction of these courts were the subject of frequent consideration during the late war by the Judge–Advocate–General of the army, and by him were brought to the attention of the Secretary of War and the President. His opinions upon these subjects, when approved by the Department of War, were adopted as directions of the executive head of the government for the guidance of the officers of the army. And it is impossible to read the opinions without perceiving in almost every line that the jurisdiction of the tribunals was limited to offenses of a petty character, and that the government intended that such jurisdiction should not in any case be enlarged. By them it was declared that a General commanding a department, in which the ordinary criminal courts were suspended, was authorized, **under circumstances requiring the prompt administration of justice**, to appoint a provost judge for the trial of minor offenses, but that the graver violations of the law should be referred to military commissions; that the provost court was a tribunal whose jurisdiction was derived from the customs of war, and was unknown to our legislation; that it had no jurisdiction of offenses of soldiers triable before a court–martial or military commission; and that the judgment of the Provost Court at New Orleans, directing the imprisonment of men at Ship Island and the Dry Tortugas for desertion, marauding, mutiny, robbery, and larceny, was without sanction of law and wholly void. 'The jurisdiction of a provost court,' said one of these opinions, 'should be confined to cases of police merely, to wit: such cases as are summarily disposed of daily by the police courts in our large cities, as, for instance, cases of drunkenness, disorderly conduct, assault and battery, and of violation of such civil ordinances or military regulations as may be in force for the government of the locality. The provost judge supplies the place of the local police magistrate in promptly acting upon the class of cases described, without, at the same time, being necessitated (as a formal military commission would be) to preserve a detailed record of the testimony and proceedings in each case.'

In another case, where an order of a commander of a department authorized a provost court to settle questions of title to personal property, it was declared that that was a subject of which no military court could properly take cognizance, and the department commander was advised that the jurisdiction of such tribunals such as provost courts, in time of war, could only be extended to matters of police.” [*See record of opinions in the office of the Judge–Advocate–General, vol. II, 14; vol. VI, 635, 639; vol. XII, 386, vol. XIII, 392, vol. XV, 519. An excellent digest of these opinions was prepared by Major W. Winthrop, of the United States Army, in 1868, and published by authority of the Secretary of War.]²⁰⁹

APPOINTMENT OF JUDGES AND CREATION OF COURTS. In the instance referred to in Leitensdorfer v. Webb, above cited, a part of the provisional government established in New Mexico by the commander of the invading army, and held legal and operative by the Supreme Court, was a 'judicial system' consisting of a superior or appellate court, and circuit courts, whose jurisdiction was also specifically defined.²¹⁰ In the late civil war there was established at New Orleans by the President, by an order of October 20, 1862, a civil court entitled the 'Provisional Court of Louisiana,' with both civil and

207. See, State of Arkansas v. Kansas & T. Coal Co., 96 F. 353.

208. *Ibid.*, this cite is found in the first headnote.

209. Field, dissenting opinion, Mechanics' and Traders' Bank v. Union Bank (1874), U.S. 276, 301-302. [**Emphasis** and *insertions added]

210. These courts 'displaced and superseded every previous institution of the vanquished or deposed political power which was incompatible with them.' Leitensdorfer v. Webb, ante. As to the courts established by the British upon their occupation of New York in 1776-7, see Jones, *History of New York*, vol. 2, p. 120.

criminal jurisdiction.²¹¹ The authority of this court to hear and determine a cause in admiralty was sustained by the U.S. Supreme Court in The Grapeshot,²¹² and its judgment for the recovery of a mortgage debt of 80,000, and execution issued for the sale of the mortgaged premises, were by the same court recognized as valid in Burke v. Miltenburger.²¹³ As to its jurisdiction of crimes, this appears maintained in an extended opinion of its judge, Hon. C. A. Peabody, in the cases of U.S. v. Reiter and Louis, charged with murder and arson.²¹⁴

... further, Mechs. & Traders' Bank v. Union Bank,²¹⁵ affirmed the legality of a judgment rendered by another war court—the 'Provost Court of New Orleans,' established by the Department Commander in 1862,²¹⁶ in an action for the recovery of a loan of \$130,000.

Other Provost Courts, with a jurisdiction assimilated in general to that of justices' or police courts, were established ... by military commanders during the war; as—for example—the 'Provost Court of the Department of the Gulf'²¹⁷ a 'Provost Court for the Department of Virginia,'²¹⁸ a 'Provost Court for the State of Texas,'²¹⁹ a 'Provost Court of the Department of Arkansas,'²²⁰ Provost Courts for the Posts of Vicksburg and Natchez,²²¹ 'Superior' and 'Circuit' Provost Courts in Sub-Districts of the Department of the South,²²² 'Post Provost Courts' in the Department of South Carolina,²²³ a Provost Court at Alexandria, Va., whose jurisdiction was confined to cases in which colored persons were interested.²²⁴

The proceedings in civil cases of a further war-court, established by the Department Commander in Memphis in 1863, designated a 'Civil Commission,' has been the subject of judicial examination, and its jurisdiction has been sustained by the courts of Tennessee.²²⁵

[In] a 'Court of Conciliation,' consisting of three 'Arbitrators,' was established by Maj. Gen. Halleck at Richmond in 1865,²²⁶ [which was] to adjudicate actions of debt 'where the contracts were made upon the basis of confederate currency,' which, it is added, 'now has no legal existence.'

As to this class of courts, it is to be said in general—that it is not only within the power of the commander, but, 'for the security of persons and property and for the administration of justice,'²²⁷ it often becomes his duty, to establish the same; that they are as legally authorized as any other courts of the land;

211. The order further appointed a person named judge of the court, and empowers him to appoint a prosecuting attorney, marshal and clerk and these appointments are 'to continue during the pleasure of the President, not extending beyond the military occupation of the city of New Orleans, or the restoration of the civil authority in that city and in the State of Louisiana.' An interesting account of this Court is to be found in *Moore's Rebellion Record*, vol. X, pp. 341-346.

212. 9 Wall. 129. And see New Orleans Steamship Co., ante.

213. 19 Wall. 519. And see Burke v. Tregre, 22 La. Ann. 629.

214. 13 Am. Law. Reg. 534. And see Hefferman v. Porter, 6 Coldw. (Tenn.) 391.

215. 22 Wall. 276, See this case also in 22 La. Ann. 387.

216. By G. O., Dept. Of the Gulf, of May 1, 1862.

217. G. O. 45, Dept. Of the Gulf, 1863.

218. G. O. 41, Dept. Of Va., 1863.

219. G. O. 6, Dept. Of the Gulf, 1864.

220. G. O. 12, Dept. Of Ark., 1865.

221. G. O. 31, Dept. Of Miss., 1865.

222. G. O. 102, Dept. Of the South, 1865; S. O. 9, State of So. Ca. 1866.

223. G. O. 37, Dept. Of So. Ca., 1866.

224. G. O. 103, Dept. Of Washington, 1865.

225. Hefferman v. Porter, 6 Coldw. (Tenn.) 391; State v. Stillman, 7 id. 341.

226. By G. O. 5, Div. Of the James, May 3, 1865. It is declared in this Order that--'The fees charged will be simply sufficient to pay its expenses. Any surplus will be given to the poor... No fees will be charged to the poor... In its decisions the court will be governed by the principles of equity and justice. ... white and colored, will be allowed the benefit of its jurisdiction. All proceedings will be simple and brief, and directed solely to ... securing exact justice.' By G. O. 10, id., the jurisdiction of the court was extended to the counties of Henrico and Chesterfield; and by G. O. 114, id., to the entire Dept. of Va., 'as to suits by loyal owners to recover possession of real and personal property, sold or disposed of by authority of the confiscation laws of the confederate government.' An instance of a similar court called a 'commission,' consisting of three Mexicans as 'Arbitrators,' to determine an old litigated controversy as to the rights of two citizens to certain land, was established, in the Mexican War, by Gen. Wool, in G. O. 516 of his command, of 1847.

227. The Grapeshot, 9 Wall. 129.

and that their orders, decrees and records are entitled to the same full faith and credit as those of any other lawfully constituted tribunals.²²⁸

As illustrating the authority and jurisdiction of the courts established by military power during the occupation of the enemy's country in the late war, the remarks of Chief Justice Chase in his Address to the Bar, at Raleigh, No. Ca., in June, 1867, may well be cited, as follows:—"The national military authorities took the place of all ordinary civil jurisdiction or controlled its exercise. All courts, whether state or national, were subordinated to military supremacy, and acted, when they acted at all, under such limitations and in such cases as the commanding general, under the directions of the President, thought fit to prescribe. Their process might be disregarded and their judgments and decrees set aside by military orders.... The military tribunals, at that time, and under the existing circumstances, were *competent to the exercise of all jurisdiction, criminal and civil, which belongs under ordinary circumstances to civil courts*."²²⁹

The civil court, as a branch of the civil government under the law of war and conquest, should — it need hardly be repeated — properly be established by the commander of the army of occupation. An *inferior* officer cannot in general be authorized to exercise such right of sovereignty.²³⁰

All this was done in the name of democracy. And in truth, history does not record a more drastic application of the democratic dogma. In addition to the sudden creation of the new Negro electorate, the Radicals set up new state constitutions...reformed judicial procedure, court organization, and county organization, and established, on paper at least, a broad conception of the government's responsibility for the people's welfare that was new to the South.²³¹

Thus, new courts were created as **military courts**. Why? This is a question that secular humanists can never answer because they have no Law. Only the Good and Lawful Christian has and can evidence Law, and it will be answered when they understand the Law, their relationship to that Law and its Giver.

Some say the gold-fringed flag in the courts is an admiralty flag. This is mere myth. The truth is, admiralty is limited only to certain cases. The following may help.

ADMIRALTY: A tribunal exercising jurisdiction over all **maritime** contracts, torts, injuries, or offences.²³²

The court of original admiralty jurisdiction in the United States is the United States District Court. From this court causes could formerly be removed in certain cases, to the Circuit and ultimately to the Supreme Court.²³³ [And, Admiralty law] ... extends to the navigable rivers of the United States, whether tidal or not, the lakes, and the waters connecting them;...to a stream tributary to the lakes, but lying entirely within one state;...etc.²³⁴

It is evident that land courts are not admiralty courts and the flag that flies therein **is not an admiralty flag either**. But, what does such a flag signify? Is fringe just decoration?

228. For further recognition of the authority of these war-courts, see Handlin v. Wickliffe, 12 Wall. 173; Lanfear v. Mestier, 18 La. Ann. 497; Taylor v. Graham, id. 656; Scott v. Billgerry, 40 Miss. 119; Murrell v. Jones, id., 565; also Cooley, Prins. Const. Law, 44, 87; Whiting, War Powers, 277.

229. *Chase's Decisions*, 133.

230. Snell v. Faussatt, 1 Washington, 271; 11 Opins. Atty-Gen. 86, 149. See also Winthrop, *Military Law and Precedents* (1920), pp. 803-805.

231. C. Vann Woodward, *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction* (1966), p. 14-15.

232. *Bouvier's Dictionary of Law*, by John Bouvier, Third Revision, by Francis Rawle, Vol. I, Vernon Law Book Co., Kansas City, Missouri and West Publishing Co., St. Paul, Minnesota. (1914), p. 149.

233. *Bouvier's Law Dictionary*, Third Revision, supra, p. 141.

234. *Ibid.*, p. 141.

To answer these questions we must consider President Dwight D. Eisenhower's, E.O.,²³⁵ the Code of Federal Regulations,²³⁶ and Codes:

...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.²³⁷

The President controls deviation from regular flags, by E.O., in his office as Commander-in-Chief. Thus:

"The Fringe is strictly within the discretion of the President as Commander-in-Chief of the Army and Navy."²³⁸

The continued use of fringe is prescribed in current Army regulations. And,²³⁹ "Ancient custom sanctions the use of fringe on regimental colors and standards, but there seems to be no good reason or precedent for its use on other flags."²⁴⁰

According to Army Regulations,

"...the Flag is trimmed on three sides with a Fringe of Gold, 2 ½ wide," and that,

"such flags are flown indoors, **only in military courtrooms.**"

And, further,

...the Gold Fringed Flag is not to be carried by anyone except units of the United States Army, and the United States Army division associations.²⁴¹

Why does this flag fly in all Federal, State, County, and City courts if they are not military courts? Why does the U.S. flag fly over, or above, all State flags. Why does this flag fly inland? This never happened before 1861. Does this specific year ring a bell with anyone? One remark must be made here that there is no mention of a gold fringe on the flag of the United States of America in the Regulations Governing the Armies of the United States, (1861), two years before Lieber's Code, i.e., "General Orders 100." The fringe also has to do with the outstanding debt of the U.S. corporation and the power of its military to make good on collecting the debt from those "enjoying the benefit of protection of their **civil rights.**" In other words, the bondholders bought and own the flag and what it represents so they can compel performance.

This explains the function of the local military court, i.e., municipal courts. These summary courts function not according to law but by local rules, and "The Manual of Courts Martial,"²⁴² as collectors on the debt. The law of such courts is The 1933 War Powers Act, which is admitted — even in ordinary newspapers.²⁴³ So much for the gold fringe on U.S. flags.

In all the Reconstruction Acts debate, the so-called guarantee of a republican form of government clause, in the Constitution,²⁴⁴ is ignored. Politicians today, never speak of the United States government as a republic, but as a democracy, albeit a "representative one." The reason is, a democracy is the highest form of government that can exist under military government and martial law. A republican form and a martial law government cannot

235. Executive Order No. 10834, August 21, 1959.

236. The Code of Federal Regulations at 24 C. F.R. 6865.

237. 4 U.S.C., Chap. 1, Secs. 1, 2, & 3.

238. 34 Ops. Atty Gen., 483

239. 34 Ops. Atty Gen., 483, at 485.

240. Adjutant General of the Army, March 28, 1924, (1925 Edition), and in 34 Ops, supra.

241. United States Army Regulations, AR 840-10, October 1, 1979.

242. Manual for Courts Martial, U.S., 1994 Ed., at Art. 99, (c)(1)(b), pg. IV-34, PIN 030567-0000, U.S. Government Printing Office, Wash. D.C.

243. See, "Militia leader goes to jail for contempt," in the *Valley Daily News*, Kent, Washington, Tuesday, May 7, 1996.

244. Article Four, Section Four.

co-exist because a military government comes into existence only when the republican form is lost and the courts of the republic cease to exist, or are impaired in their duties..

Question: Is the military established by the Organic Law empowered by that Law to impair the Lawful operation of the departments established by that Law? If so, then constitutions are not the answer. If not, then by what Law are they contained?

Clearly, all governments in America today, are under a military authority. Lincoln made that quite clear. Yet, such governments have no power to abolish the Lawful offices of the original governments, which still exist in a *de jure*, not *de facto*, state. That is, they still exist in Law but not in fact.

Thus, Presidents sit not only as President and Commander-in-Chief who in this capacity issues Executive orders²⁴⁵ which conduct Civil Affairs; but also as a Chief Executive, who issues proclamations.²⁴⁶ The Postmaster is not only the Postmaster over the Lawful postal venues such as general delivery, but he is also the Postmaster of the commercial side and Chief Executive Officer of the Postal Service. That such a thing is even possible may boggle the mind but:

Where a public officer is declared by law by virtue of his office *ex officio* - to be also the incumbent of another public office, the two offices are as distinct as though occupied by different persons.²⁴⁷

The case cited concerned the offices of county Clerk and the Clerk of the superior court, which is the general court that hears common law actions. Thus, the Clerk not only serves as County Clerk for the bankrupt local governments but he also serves as the county Clerk for At-law courts:

The constitution provides that the county clerks shall be *ex-officio* clerks of the courts of record in and for their respective counties or cities and counties.²⁴⁸ And the code provides that the county clerk is an *ex officio* clerk of the superior court, and shall perform the duties required of him by law; and such as may be prescribed in statute.²⁴⁹ Those provisions make it the duty of the county clerk to act as clerk of the superior court and thus combine the two offices.²⁵⁰

This is merely the Civil Affairs side of the military government in action:

CIVIL AFFAIRS. The activities of a commander that establish, maintain, influence, or exploit relations between military forces and civil authorities, both governmental and non-governmental, and the civilian populace in a friendly, neutral, or hostile area of operations in order to facilitate military operations and consolidate operational objectives. Civil affairs may include performance by military forces of activities and functions normally the responsibility of local government. These activities may occur prior to, during, or subsequent to other military actions. **They may also occur, if directed, in the absence of other military operations.**²⁵¹

Since Lincoln, all Presidents rule by Executive Order. Lincoln wrote only a few during his tenure. Executive Order No. 1,²⁵² was executed April 15, 1861. Other E.O's are issued under the Commander-in-Chief, Chief Executive, Adjutant General, Treasury, and others.

245. Smith, *Handbook of Elementary Law* (1939), p. 81.

246. *Ibid.*

247. *Union Bank & Trust Co. v. Los Angeles Co.* (1934), 2 Cal. App. 2d. 600 at 608.

248. *Constitution of California*, art. VI, sect., 14; *People v. Hamilton*, 103 Cal. 488, 37 Pac. 627.

249. *Political code of California*, Section 4152.

250. *5 California Jurisprudence*, Section 5, p. 222.

251. *Dictionary of Military Terms* (DOD pub. 1-02, Greenhill Publishing, 1995), p. 73. [**Emphasis added**]

252. See, *A Compilation of the Messages and Papers of the Presidents*, Lincoln Heading, by James D. Robinson, Vol. Vii. Published by the Bureau of National Literature, Inc., New York, 1897.

A distinction between the capacities attaching to the Office of President must be made at this point, because this is key to what follows, and your perception of what the government truly is today. By knowing this you will be able to penetrate the veil which gives the **illusion** of government:

Executive Regulations

By reason of the functional division of governmental power in the United States and the constitutional grants thereof to separate departments, the general principle is that Congress or the legislature of a state cannot transfer the legislative powers vested in them to the judicial or executive departments; but although a legislative body cannot delegate its power to make laws, 'yet, having enacted statutes, it may invest executive officers or boards or commissions created for the purpose with authority to make rules and regulations for the practical administration of such statutes in matters of detail and to enforce the same, and also to determine the existence of the facts or conditions on which the application of the law depends.'²⁵³

However, the President of the United States has authority to promulgate proclamations, either on his own authority or as authorized or directed by the Constitution or an act of Congress. While **they have not the force of law**, they are, in the latter case, of binding effect. [*How?] In English law, a proclamation is 'a notice publicly given of any thing whereof the king thinks fit to advertise his subjects.' In American law, it is a formal and official public notice, **issued by the chief executive in his own name**, intended for the notice of all persons who may be concerned [*those within the venue and jurisdiction], announcing some statute or treaty, or some public act or determination, or intended action, of the executive department, which otherwise might not be so widely or so quickly promulgated. **The making of proclamations is not an assumption of legislative powers...**The authority of the President to issue proclamations is sometimes derived from acts of Congress specifically empowering him to do so in relation to a particular matter, and in other cases appears to be derived from his duty to take care that the laws be faithfully executed.²⁵⁴

The President also has authority to issue executive orders and his subordinates have authority to promulgate rules for the regulation of the internal affairs and procedure of the executive department and its subdivisions; but the rules and orders promulgated by the President or by the heads of departments under his authority relating to the conduct of public business or to the civil service or other administrative matters **have not the force of law** and are not statutes in any sense; and although **they are effective for the internal control and government of the executive departments**, courts of equity have no jurisdiction or authority to enforce them.²⁵⁵

These proclamations and E.O.'s need some "court" for enforcement. The A.B.A. can help in understanding this. None of these "legal" acts have any thing to do with Good and Lawful Christians:

253. *Black on Interpretation of Laws*, §76, p. 108.

The Congress may not delegate its purely legislative power to a commission, but, having laid down the general rules of action under which a commission shall proceed, it may require of that commission the application of such rules to particular situations and the investigation of facts, with a view to making orders in a particular matter within the rules laid down by the Congress." Interstate Commerce Commission v. Goodrich Transit Co. (1912), 224 U.S. 194, 214, 32 S.Ct. 436, 441, 56 L.Ed. 729. Thus, "as to all of the following, the constitutionality of their creation and of the grants of powers to them has been sustained: The Interstate Commerce Commission, with control over all the railroads of the country doing an interstate business; the Federal Trade Commission, designed to stop unfair methods of competition in business; the Federal Reserve Board, unifying the banking system of the country and with a measure of control over the national banks; . . . various forms of industrial commissions in the several states administering workmen's compensation laws; boards and commissions authorized to fix minimum wages and maximum hours of labor for women and children in industry; state and national civil service commissions, prescribing rules for the appointment and removal of public officers; railroad boards, public service commissions or public utility commissions, with control over the various forms of public service corporations, the service they render, and the rates they may charge; state and local boards of health; commissions to regulate the sale to the public of stocks and bonds and enforce the 'blue sky' laws; boards of censors for moving pictures; and boards of examiners or commissioners having control over the licensing of persons desiring to practice as physicians, dentists, pharmacists, engineers, architects, or to engage in any one of a large number of occupations." Black, pp. 110, 111.

254. *Black...*, pp. 140, 141. [Emphasis and *insertions added]

255. *Black...*, p. 141. See also Smith, *Handbook of Elementary Law* (1939), pp. 80-81. [Emphasis added]

Executive Courts (Administrative Agencies) a conglomerate of which, according to the committee's [A.B.A. Rpt. of the Special Committee on Administrative Law] last count (as of January, 1935) consisted of 73 federal tribunals exercising judicial power in 267 classes of cases. These agencies vary in character over a wide range, from individuals (including the President and the several heads of departments) and bureaus in the executive branch of the government to independent boards and commissions. The tenure of their members is in **no case during good behavior** nor are they protected against diminution of compensation or abolition of their offices. The tenure varies from a definite term of years (subject to removal for grounds expressed in vague, general language) to a day-to-day employment held at the whim of executive officials. The method of appointment varies from nomination by the President, by and with the advice and consent of the Senate, to the uncontrolled hiring and firing of a subordinate by a superior. The functions exercised by these agencies run the whole gamut from the purely judicial, through doubtful zones in judicial-executive and the judicial-legislative borderlands, into undisputed provinces of the executive and the legislative. **Their distinguishing feature, from the point of view of the present study, is that, unlike the constitutional courts and the legislative courts, they represent combinations of prosecutor and judge, or of prosecutor, legislator, and judge, over the same subject matter.** The decisions of these agencies may be made subject to review on both the law and the facts by legislative courts,²⁵⁶ **but even in cases of an indubitably judicial character their decisions may not be reviewed by constitutional courts** except, generally speaking, as to questions of law (collateral attack).²⁵⁷

The law always requires notice of its promulgation. Where are proclamations and E.O.'s promulgated? In the "Federal Register," which operates more like a private newspaper than a general publication. This stems from the venue of proclamations and E.O.'s that apply only to "persons subject to the jurisdiction thereof," and are concerned with privileges offered by the Congress under legislative martial rule, and the policies governing them, they are in fact, **private law**:

In its 1934 report the committee [A.B.A. Spec. Com. on Admin. Law] undertook to list several desirable reforms of existing administrative machinery, among them being the following:

"Rules, regulations, and other exercises of legislative power by executive or administrative officials should be made easily and readily available at some central office, and, with appropriate provision for emergency cases, should be subjected to certain requirements by way of registration and publication as prerequisite to their going into force and effect. From 59 A.B.A.Rep. 540."

In 1935 Congress enacted a statute, known as the Federal Register Act,²⁵⁸ which, if properly administered, will meet the need. The Act established the Division of the Federal Register, administered by a director under the general superintendence of the Archivist of the National Archives. The director is charged with custody and (together with the public printer) with the printing and distribution of all documents²⁵⁹ required or permitted to be published under Section 5 of the Act.

Documents Subject to Publication.—Section 5 provides for publication in the Federal Register of the following:

1. **All Presidential proclamations and Executive Orders**, except such as **have no general applicability and legal effect or are effective only against federal agencies or persons in their capacity as officers, agents, or employees thereof.**

256. Federal Radio Comm. v. General Electric Co., 281 U.S. 464; Ex parte Bakelite Corporation, 279 U.S. 438; Postum Cereal Company v. California Fig Nut Co., 272 U.S. 693; Keller v. Potomac Electric Power Co., 261 U.S. 428, 444. [**Emphasis added**]

257. Murray v. Hoboken Land Co., 18 How. 284; Old Colony Trust Co. v. Commissioner of Internal Revenue, 279 U.S. 716. See also 61 Reports of the American Bar Assn. 723, 724 (1936). [**Emphasis added**]

258. 49 Stat. 500, 45 U.S.C.A. 301.

259. 'Document' means any order, regulation, rule certificate, code of fair competition, license, notice, or similar instrument presented by a federal agency; 'Federal agency' means President, executive department, independent board, establishment, bureau, agency institution, commission or separate office of the executive branch of the government.

2. Such documents or classes of documents as the President shall determine from time to time have general applicability and **legal** effect.

3. Such documents or classes of documents as may be required so to be published by Act of Congress.

4. Such other documents or classes of documents as may be authorized to be published pursuant to the act by regulations prescribed with the approval of the President.

Documents which are exempt from publication are (1) documents effective only against federal agencies or officers of the United States; (2) documents which the Administrative Committee [*of the Federal Register Division (executive branch)] determines to have no general applicability and legal effect; (3) treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President. The Federal Register is not permitted to publish any comments or news.

General Applicability and Legal Effect.—First, the Act mandatively provides that every document or order which prescribes a penalty is deemed to have general applicability and legal effect. Second, the Act authorizes the President **in his discretion** to determine what classes of documents have general applicability and legal effect.²⁶⁰

Privilegium est quasi privata lex—A privilege is, as it were, a private law.²⁶¹

A privilege is a grant of a special right and immunity.²⁶²

Generalized and divested of the special form which it assumes under a monarchical government based on feudal traditions, a franchise is a right, privilege, or power of public concern, which ought not to be exercised by private individuals at their mere will or pleasure, but should be reserved for public control and administration, either by the government directly, or by public agents, acting under such conditions and regulations as the government may impose in the public interest and for the public security. **No persons can make themselves a body corporate and political without legislative authority. Corporate capacity is a franchise.**²⁶³

Jus quo universitates utuntur est idem quod habent privati—The law which governs corporations is the same as that which governs individuals.²⁶⁴

Homo vocabulum est naturae; persona juris civilis—Man is a term of nature; person of civil law.²⁶⁵

This private law is a license, and **not a contract**, for the receiver of the privilege has no action enforceable against the giver of the privilege:

A dispensation or license properly passeth no interest, nor alters or transfers property in any thing, but only makes an action lawful which without it had been unlawful.²⁶⁶

A license is a mere **privilege without enforceable rights**, which distinguishes it from an easement giving definite property rights enforceable against all the world.²⁶⁷

A 'license' is not a contract between the state and the licensee, but is a mere personal permit.²⁶⁸

260. 61 Reports of the American Bar Assn. 780 (1936). [**Emphasis** and *insertion added]

261. *Bouvier's Law Dictionary* (1914), "Maxim", p. 2155.

262. *Ferrantello v. State*, 256 S.W.2d 587, 590.

263. Bradley, *California v. Central Pacific R. Co.*, 127 U.S. 1, at 40. [**Emphasis** added]

264. *Bouvier's Law Dictionary* (1914), "Maxim," p. 2141.

265. *Bouvier's Law Dictionary* (1914), "Maxim," p. 2136.

266. Lord C. J. Vaughan in *Thomas v. Sorrell*, Vaughan, 351. And see *Wood v. Leadbitter*, 13 M. & W. 838.

267. Walsh, *Law of Property* (1915), p. 699. [**Emphasis** added]

268. *Rosenblatt v. California Board of Pharmacy*, 69 Cal.App.2d 69, 158 P.2d 199, 203.

Neither is it property or a property right.²⁶⁹ **Nor does it create a vested right.**²⁷⁰

A sovereign [*the lawgiver] is exempt from suit, not because of any formal conception or obsolete theory, but on the logical and practical ground that there can be no legal right as against the authority that makes the law on which the right depends. *Car on peut bien recovoir loy d'austry, mais il est impossible par nature de se donner loy.*²⁷¹ *Nemo suo statuto ligatur necessitative.*²⁷²

So, whatever is established by the Commander-in-Chief or "Congress," is in **derogation** of the Christian common Law, and: One, is a privilege "protected by the military power of the Union"; and, Two, may be taxed constitutionally as an excise for revenue purposes:

An excise tax is an indirect or privilege tax.²⁷³

DEROGATION. The partial abrogation of a law. To derogate from a law is to enact something which impairs its utility and force; to abrogate a law is to abolish it entirely.²⁷⁴

All statutes are to be construed with reference to the provisions of the common law, and provisions in **derogation** of the common law are held strictly.²⁷⁵

The [*Federal] Civil Rights Act is in derogation of the common law and must be strictly construed.²⁷⁶

This has **everything** to do with exercising your traditionally vested **Right of Avoidance**.

Lincoln had no authority to issue E.O.'s that had effect in, or could be carried into, the States, and he knew it. Because he was an experienced lawyer, he knew such E.O.'s applied only to administrative details in the Executive department, and had no force of law any where in a State.²⁷⁷ He knew courts of equity could not enforce such orders for lack of jurisdiction or authority over them.²⁷⁸ Thus, in the statues we find that he issued **proclamations** for 75,000 **Federal Troops** and the extraordinary session of Congress, all of which were **issued in his own name**²⁷⁹ and applied only to certain classes of **persons—not** Good and Lawful Christians. Was the war his war? or was the war of that government "ordained and established" by the Christian people in the several united States of America against those states whose Lawful basis is Christianity? Thus, he commissioned a special code to 'govern' his acts under martial law. This code satisfied Lincoln's view of what martial law should be; not what in fact it was, before Lincoln.

This took place in spite of the fact that the Christian common Law of America, derived from England, prohibited the imposition of martial law on the people, because they are not impressed with a military character, but a Good and Lawful Christian character²⁸⁰ impressed by the seal of the Holy Spirit.

269. American States Water Service Co. of California v. Johnson, 32 Cal.App.2d 606, 88 P.2d 770, 774; Garford Trucking v. Hoffman, 114 N.J.L. 522, 177 A. 882, 887.

270. State ex rel. Biscayne Kennel Club v. Stein, 130 Fla. 517, 178 So. 133, 135; Asbury Hospital v. Cass County, 72 N.D. 359, 7 N.W.2d 438, 452. See also Black's Law Dictionary (4th ed., 1968), p. 1067. [**Emphasis** added.]

271. Bodin, *Republique*, 1, Chap. 8, ed. 1629, p. 132; Sir John Eliot, *De Jure Maiestitis*, chap. 3.

272. Baldus, *De Leg. et Const. Digna Vox*, 2 ed. 1496, fol. 51b, ed. 1539. See also Kawananakoa v. Polyblank (1907), 205 U.S. 349, 353, 27 S.Ct. 526, 527, 51 L.Ed. 834.

273. Bank of Commerce & Trust v. Senter (1923), 149 Tenn. 569, 571.

274. Bouvier's Law Dictionary (1914), p. 852.

275. Durham v. State, 117 Ind. 477, 19 N.E. 327; Brown v. Fifield, 4 Mich. 322; Powell v. Sims, 5 W.Va. 1, 13 Am.Rep. 62. See also Bouvier's Law Dictionary (1914), p. 1660. [**Emphasis** added.]

276. Grace v. Moseley, 112 Ill.App. 100. See also Bouvier's Law Dictionary, "Civil Rights," p. 500. [*Insertion added.]

277. Smith, *Handbook on Elementary Law* (1939), p. 81.

278. Ibid.

279. "He that speaketh of himself seeketh his own glory: but he that seeketh His [the Father's] glory that sent Him, the same is true, and no unrighteousness is in him. John 7:18.

280. Genesis 1:26-27.

This came by virtue of the judgment rendered on a Petition of Right issued in 1628 by Lord Coke against Charles I, who obeyed the writ and from that time on, martial law was prohibited in England and America.²⁸¹ This also did two other important things in Law: One, it did away with the "sovereign prerogative" of imposing martial rule on Good and Lawful Christian people at whim; and, Two, it ended the "sovereign immunity" of the king. Now he was subject to a writ issued against him from Law over which he had no jurisdiction, power, right, or authority. This is the basis of the Abatements in Part Three of the "Book of the Hundreds."

Lieber's Code sought to justify Lincoln's seizure of power and destruction of a Lawful judiciary in *ex parte Merryman*. The Lieber Instructions,²⁸² extended The Laws of War and International law beyond the borders of Washington, D.C. For the first time Lincoln imposed foreign law in the States, in spite of the fact that the states already had Christianity governing them. This has very significant implications as we will see later.

The corporate/military United States government created by the will and force of one infidel became the conqueror and all States of the Union were re-formed after the War as franchisees of the Federal government. The key to when the states became Federal Franchisees is tied to the date when such states enacted the Field Code as law. This Code was a codification of the commercial, civil, and common law, and was adopted first, by New York and then by all the States (except Louisiana). California adopted it in 1872.

Now, the key question here is, to whom would this new Code apply? The answer is, it applied to the new commercial 'persons' deemed "citizens" in the resurrected Roman "civil" law "created" in the aftermath of Lincoln's War.

But, what "law" is common to all these "citizens?" It is that law which "created" the "persons" made "citizens," in the image and likeness of the Field Code. And, the "common law" of these "persons" or "citizens" is none other than the Field Code, which is commercial from stem to stern.

Thus, in the new constitutions "created" in the aftermath of Lincoln's War when the States had been conquered we find that the "commercial common law" is styled as the "common law." Thus, in all State Codes today, we find a phrase such as the following:

The common law of England, so far as it is not repugnant to, or inconsistent with the Constitution of the United States, or the Constitution or laws of this State, is the rule of decision in all the courts of this State.²⁸³

The rule of the common law that statutes in derogation thereof are to be strictly construed, has **no application** to this Code. The Code establishes **the law of this State respecting the subjects to which it relates**, and its provisions and all proceedings under it are to be **liberally construed** with a view to effect its object and to **promote justice**.²⁸⁴

For anyone who has tried to use Christian common law in these "courts" you know all too well that the common law enforced by these "courts" is utterly foreign and entirely statutory.

We have said that the States are now slaves of the Federal power, or words to that effect. For those who doubt this, here is a cite from the current California Constitution:

The State of California is an inseparable part of the American Union, and the Constitution of the United States is the supreme law of the land.²⁸⁵

The Suffrage requirements to vote in State and Federal elections, are more evidence of the changed status of the States. Usually, this is worded something like,

281. See *Select Documents of English Constitutional History*, ed. By George Burton Adams, H. Morse Stephens, published by the Macmillan Co., 1906, p. 339.

282. The Lieber Instructions were promulgated as General Orders No. 100 by Lincoln, on April 24, 1863.

283. California Political Code, Section 4468. See also California Civil Code Section 22.2. For your State see, Sheppard's

284. California Political Code of 1872, Section 4. [**Emphasis** added.]

285. The Constitution of the State of California, 1879, 1912 Edition, Article One, Section Three. See also the Constitution of the State of South Carolina, 1868, and the State of Oklahoma, 1912. Who really won the War or did we all lose?

Every native **citizen of the United States**, etc.²⁸⁶

Notice the change of **status** of the voter. This is radically different from the idea of the framers who,

...intended the States to determine the qualifications of their own voters for state offices, because those qualifications were adopted for federal offices unless Congress directs otherwise under Article I, section 4. **It is a plain fact of history that the framers never imagined that the national Congress would set the qualifications for voters in every election from President to local constable or village alderman.** ...the whole Constitution reserves to the States the power to set voter qualifications in state and local elections, **except to the limited extent that the people through constitutional amendments have specifically narrowed the powers of the States. Amendments Fourteen, Fifteen, Nineteen, and Twenty-four, each of which has assumed that the States had general supervisory power over state elections, are examples of express limitations on the power of the States to govern themselves....**

Of course, the original design of the Founding Fathers was altered by the Civil War Amendments and various other amendments to the Constitution. The Thirteenth, Fourteenth, Fifteenth, and Nineteenth Amendments have expressly authorized Congress to 'enforce' the limited prohibitions of those amendments by 'appropriate legislation.'...

Above all else, the framers of the Civil War Amendments intended to deny to the States the power to discriminate against persons on account of their race.²⁸⁷

This is a repetition of what the United States Supreme Court said in Ex parte Yarbrough.²⁸⁸

Is this an admission or confession, or not? The election process has been changed, because it was, and still is, the will of the bondholders holding all of those 10-40 and 5-20 bonds from Lincoln's War vs. All Christian States. The bondholders now dictate a policy that ensures their getting a return on their investment in the blood shed during Lincoln's War, i.e., "...the borrower is servant to the lender." "Drivers," "brokers," "residents," "consumers" "taxpayers," "homeowners," "employees," "persons," and other *commercial* franchisees licensed by or under the rules of war, now have the power to elect "persons" in return for allegiance to, and payment of, the public debt owed to the financiers of Lincoln's War, which according to the purported 14th Amendment²⁸⁹ cannot be questioned by such "persons," etc., because they are the surety or guarantors of the debt payments to the collection agency under the guidance of the Federal Reserve Accounting House. For those of you who take the benefit of any war measure under Lincoln, see footnote²⁹⁰. Thus, the "United States" leaped from its Christian foundations to be **independent** of the states, and control was lost to an **anti-Christian**, secular government, resting in commerce. And, all this in a vain attempt to stay engaged in commercial enterprise to pay off its bloody war bonds.²⁹¹ If Lincoln issued proclamations in his own name and convened extraordinary sessions of Congress, who really owes that debt? Lincoln did, but those today who partake of those unlawful usurpations, and those who carry forward such usurpations in formulating policy or as beneficiary of such policy, are the true debtors.²⁹² Is it necessary to explain why it doesn't matter who you elect to office? The script doesn't change because the debt is larger — just the actors change. The secular form of worship, **not** a Christian form of worship, is what was implemented by the Lawless firm of A. Lincoln, F. Lieber, U.S. Grant, and W. T. Sherman.

286. *Ibid.*, Article Two, Section One. Note also State of California Political Code §1083. [**Emphasis added.**]

287. Oregon v. Mitchell (1970), 400 U.S. 112, 125-126, 27 L.Ed.2d 272, 282, 91 S.Ct. 260. [Emp. added.] See also, Loving v. Virginia (1967), 388 U.S. 1, 18 L.Ed.2d 1010, 87 S.Ct. 1817; Gomillion v. Lightfoot (1960), 364 U.S. 339, 5 L.Ed.2d 110, 81 S.Ct. 125; Brown v. Board of Education (1954), 347 U.S. 483, 98 L.Ed. 873, 74 S.Ct. 686, 38 ALR2d 1180; Slaughter House Cases (1873), 16 Wall. 36, 71-72, 21 L.Ed. 394, 407.

288. 110 U.S. 651, 4 S.Ct. 152, 28 L.Ed. 274 (1884)

289. See Section 4 of the "Amendment."

290. See Ashwander v. T.V.A. (1936), 297 U.S. 288, 346, 56 S.Ct. 466 482, 80 L.Ed. 688.

291. See Torcaso v. Watkins (1961), 367 U.S. 483.

292. "Woe unto you, scribes and Pharisees, hypocrites! because ye build the tombs of the prophets, and garnish the sepulchers of the righteous, And say, If we had been in the days of our fathers, we would not have been partakers with them in the blood of the prophets. Wherefore ye be witnesses unto yourselves, that ye are the children of them which killed the prophets. Fill ye up then the measure of your fathers." Mt 23:29-32.

Lincoln's income tax in 1863, the first ever, was not used to fund the war; but to make payments on the debt during a time of confusion, when no one, "in their right mind" would want to appear "unpatriotic" by not paying their "fair share" to Lincoln's cause of "maintaining the Union." This ruse of war has been used by every President since Lincoln. No one at that time realized that the war was to Reconstruct the Union, from a **voluntary consociation** of Christian states under God, to a federal corporation of franchisees under the President and his bondholders, nor that it would be debt financed through debasement, deceit and perversion.

The following²⁹³ makes full disclosure of the new voting laws created by The Reconstruction Acts:

This existing government (under presidential Reconstruction by Andrew Johnson) is not set aside; it is recognized more than once by the act. It is not in any one of its departments, or as to any one of its functions, repealed or modified by this act, **save only in the qualifications of voters, the qualifications of persons eligible to office, and the constitution of the State.** The act does not in any other respect change the provisional government, nor does the act authorize the military authority to change it.

* * *

Congress was not satisfied with the organic law or constitution under which this civil government was established. That constitution was to be changed in only one particular to make it acceptable to Congress, and that was **in the matter of the elective franchise. The purpose, the sole object of this [*the 2nd Reconstruction] act, is to effect that change,** and to effect it by the agency of the people of the State, or such of them as are made voters by means of elections provided for in the act, and in the meantime to preserve order and to punish offenders, if found necessary, **by military commissions.**

* * *

We see, first of all, that each of these States is "**made subject to the military authority of the United States**"—not to the military authority altogether, but with this express limitation—'as hereinafter prescribed.'

* * *

There can be no doubt as to the rule of construction according to which we must interpret this grant of power. **It is a grant of power to military authority, over civil rights and citizens, in time of peace. It is a new jurisdiction, never granted before, by which, in certain particulars and for certain purposes, the established principle that the military shall be subordinate to the civil authority is reversed.**²⁹⁴

Again, this did not apply only to the South. This is seen in the fact that in 1862, West Virginia was, by presidential proclamation, carved out of Virginia and admitted as a State *of* the Union aligned with Lincoln — and their constitution was dictated to them. And, in 1863, Lincoln ordered the **military governor** of Louisiana to call a constitutional convention to frame a new constitution embodying his infidel philosophy of fatalism, rationalism, and tribute to the Roman gods. What was wrong with their existing constitution? Nothing, as far as the Good and Lawful Christian people in that state were concerned.

All Northern States later changed their constitutions to fit better in Lincoln's New World of **heavy** commerce under licensure by the laws of war, and no mention is made of Biblical Christianity under the Law of Peace. Generally, wording in these constitutions is that of the oath of allegiance for granting amnesty.

To further implement secular, mundane and irreligious changes, North and South, the Voting Rights Acts, as amended, were passed and are operative in **all** States, not just Southern States.

If the original Union were intact, there would be no need for Reconstruction. Why would one reconstruct something that never was damaged or destroyed? If Lincoln's War was fought strictly "to save the Union," or as Lincoln says, 'to vindicate the rights of the Federal government,' then Reconstruction was not necessary. Vindicating the rights of a **fiction** is not tolerated in Christian states, for God's Law has no place for fictions. The States would have been left intact, and depending on their favor, the federal government would continue to exist as it did before — dependent on that favor. But as one writer put it in 1885:

293. At 12 Op. Atty-Gen. 182 (1867)

294. 12 Op. Atty.-Gen. 182 (1867), 185-186. [Emphasis added.]

Never till the days of reconstruction was it suspected that our system recognized any power outside the people of a state, the authority to organize a government for the state. That the judiciary established a view so entirely repugnant to all established precedent, is significant of the embarrassments with which eras of **political violence** must always surround the department closely bound to the past.²⁹⁵

Reconstruction established an Imperial, "provisional" regime as admitted by the Supreme Court in 1877:

We do not question the doctrines of public law which have been invoked, nor their application in proper cases; but it will be found, ... that there is an essential difference between the governments of the Confederate States and those de facto governments. The latter are of two kinds. **One of them is such as exists after it has expelled the regular government from the seats of power and the public offices, and established its own functionaries in their places, so as to represent in fact the sovereignty of the nation....**As far as other nations are concerned, such a government is treated as in most respects possessing rightful authority; its contracts and treaties are usually enforced; its acquisitions are retained; its legislation is in general recognized; and the rights acquired under it are, with few exceptions, respected after the restoration of the authorities which were expelled.²⁹⁶

"Can the Ethiopian change his skin, or the leopard his spots?"²⁹⁷

...in the choice of means for obtaining an end, however good, **congress cannot authorize the trial of any person, not impressed with a military character, for any infamous crime whatever, except by means of a grand jury first accusing, and a trial jury afterwards deciding the accusation. This prohibition is fatal to the military government of civilians,** wherever, whenever, and under whatever circumstances attempted. **Such a government cannot exist without military courts,** military arrests, and military trials.²⁹⁸

Thus, only those who have a military connection, i.e., take any benefit from any act done during Lincoln's War or if one otherwise accepts the fruits of it, have a "military character" impressed upon them which Judge Field argues gives the *de facto* government jurisdiction. And, those who sit in this *de facto* government have that same "military character" impressed on them. Now, read Christ's reply to the Pharisees in its proper light:

"Render to Caesar the things which are Caesar's [*the military character created in the image and likeness of Caesar]; and to God the things of God." *Mark 12:17* [*Insertion added]

If this has not brought home to you that today's 'government' is not based on Christ, the Dean of Harvard Law School, Roscoe Pound, in 1921, made this observation:

But there are two growing periods of our common law system; two periods in which rules and doctrines were formative, in which our authorities summed up the past for us and gave us principles for the future. These periods are (1) the classical common-law period, the end of the sixteenth and beginning of the seventeenth century, and (2) the period that some day, when the history of the common law as a law of the world comes to be written, will be regarded as no less classical than the first — **the period of legal development in the United States that came to an end with the Civil War.**²⁹⁹

Many so-called "patriots" demand the "rights of our forefathers," yet, deny the sole Source of those Rights - Almighty God through Our Lord and Saviour Jesus, the Christ and the Christian common Law which preserves them. If Christ is denied, then they are denied by Him to the Father. Hence, these 'patriots' have no Rights

295. Dunning's, *The Constitution of the United States in Civil War and Reconstruction* (1885), p. 120. [Emphasis added.]

296. *Williams v. Bruffy* (1877), 96 U.S. 176. [Emphasis added.]

297. Jeremiah 13:23.

298. David Dudley Field, argument for Lambdin P. Milligan, in the case of *Ex parte Milligan* (1866). [Emphasis added.]

299. *The Spirit of the Common Law*, by Roscoe Pound, (1921) p. 41. [Emphasis added.]

common in all Good and Lawful Christians, and for this reason have no standing in Law, because it is a venue separate and distinct from equity:

Every system of law known to civilized society generated from or had as its component one of three well known systems of ethics, pagan, stoic, or Christian. **The common law draws its subsistence from the latter, its roots go deep into that system**, the Christian concept of right and wrong or right and justice motivates every rule of equity. It is the guide by which we dissolve domestic frictions and **the rule by which all legal controversies are settled.**³⁰⁰

The Christian religion is the **established religion by our form of government** and all denominations [***not human relations**] are placed on an equal footing and equally entitled to protection in their religious liberty.³⁰¹

Just as the so-called "voting rights" of "persons" have a different source than Almighty God, they must also have a different form of government, which declares a different form of worship.³⁰²

By God's Law, a Republican form of government (*res communis*) is espoused — note Acts 2:44 and 4:32. By man's law, a democracy is espoused, because it gives the greatest confusion to the masses and allows the wielders of power the greatest freedom from restraint by the masses. And the form of law used to perform all this *deception* is Roman Imperial law. Remember, the outward forms may look the same, but inside the Roman system "...is a roaring lion.....seeking whom he may devour." *1 Peter 5:8*

With all this evidence on record, it is very clear that 'christian Amerika' today does not even remotely resemble the Christian America of the Puritans.

To participate in "voting" any longer is evidence of who you are owned by, and the god you worship:

“Neither yield ye your members as instruments of unrighteousness unto sin: but yield yourselves unto God, as those that are alive from the dead, and your members as instruments of righteousness unto God. For sin shall not have dominion over you: for ye are not under the law [*applicable to "persons"], but under grace. What then? shall we sin, because we are not under the law, but under grace? God forbid. Know ye not, that to whom ye yield yourselves servants to obey, his servants ye are to whom ye obey; whether of sin unto death, or of obedience unto righteousness?”³⁰³

Is it not unrighteous to vote for oppressors? Is it not unrighteous to vote for bonds which enslave your unborn children? Note the following scene:

“And his tail drew the third part of the stars of heaven, and did cast them to the earth: and the dragon stood before the woman which was ready to be delivered, for to devour her child as soon as it was born.”³⁰⁴

Is this not the same as giving birth to an infant and shackling them to a bonded debt you contracted for?

“If you love wealth more than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not your counsels or your arms. Crouch down and lick the hands which feed you. May your chains set lightly on you, and may [*your*] posterity forget that ye were our countrymen.” *Sam Adams*.

300. *Strauss v. Strauss* (1941), 3 So.2d 727, 728. [**Emphasis added.**]

301. *Runkel v. Winemiller et al* (1799), 4 H.&McH. [**Emphasis** and *insertion added]

302. See the *Handbook of the Law of Federal Courts*; Holland, *Jurisprudence*, pp. 139-140; and *State v. Felch* (1918), 105 A. 23, 92 Vt. 477.

303. Brother Paul to our Brothers at Rome, chapter six verses thirteen through sixteen. [*Insertion added.]

304. Revelation 12:4.

Later, the Lieber Code put the U.S. into the 1874 Brussels Conference (three years after Washington, D.C., became a corporation), and the Hague Conventions of 1899 and 1907 wherein Lincoln's military dictatorship is further evidenced by the Code:

“This important code has a significant history. Two men were especially active in its preparation - Henry W. Halleck, general in chief of the Union armies, and Francis Lieber, noted German-American expert in political science. Born in Germany, Lieber had served at Waterloo, lying all night on that battlefield (a fact he often recalled in later life), had been wounded at Namur (1815), had previously dreamed of assassinating Napoleon, had studied and traveled in Europe, and had come to the United States in 1827. He wrote elaborate treatises and became a distinguished authority on public law. After productive literary work at Boston and Philadelphia he served for twenty-one years as professor in South Carolina College at Columbia.³⁰⁵

With a friendliness towards the radical Republicans, a hatred of slavery, and a strong ethical sense, Lieber had a comprehensive understanding of law and government throughout the world and down the ages. Having three sons in the army (one in Confederate service), Lieber knew the agony of scanning casualty lists and the personal tragedy of learning that one of his sons was killed in the war and another severely wounded.³⁰⁶ His interest in (European) military practices was not merely academic as he observed the lack of adequate system concerning the usages of war. A variety and multiplicity of questions called for clarification: the distinction between soldiers and guerrillas or bushwhackers, the problem of runaway slaves (whose return by McClellan aroused Lieber's indignation), pillage, espionage, the proper penalty for spies (should it be death?), retaliation, flags of truce, treatment of prisoners of war, exchange of prisoners, stealing, burning of homes, attitude toward non-combatants, seizure and destruction of private property, compensation for such destruction, occupation of enemy territory, and — as a subject of special interest — the wartime problem of Negro emancipation.

Coming up through Lieber's elaborate study and his voluminous correspondence with Halleck, the military code took shape with the assistance of a special board of army officers headed by General E. A. Hitchcock, and was issued May 1863. It appeared as 'General Orders No. 100: Instructions for the Government of the [*presidential] Armies of the United States in the Field.'³⁰⁷

One may speak of this as an instance of presidential legislation. It is difficult to trace Lincoln's personal attention to the actual codification, but *here was an essentially legislative duty performed entirely within the executive domain*. The Lieber code could have been adopted by Congress and if so adopted it would have been considered a proper exercise of the congressional power, under the Constitution, to 'make Rules for the Government of the land and naval Forces.' *Congress, however, despite all its elaborate attention to the 'conduct' of the war, did not perform the task, or even undertake it. It was through the executive branch that the great talents of Lieber were utilized*, and thus one of the most important legal tasks of the war was accomplished by expert skill under *presidential* authority. Through the decades since the Civil War the code has undergone modification and development as regulations for the armies and manuals for service schools. Its basic principles have re-appeared in Hague conventions. The fact that military practices in 'World War I' and 'World War II' have departed from the declared standards of these conventions (though they have not been formally revoked) is no disparagement of the work of Lieber."³⁰⁸

The complaint has often been issued that there was no public proclamation of martial law. But, as the Lieber Instructions make clear, such a proclamation is not necessary.

305. His important works included his *Manual of Political Ethics* and, *On Civil Liberty and Self Government*. Cites above from *The Army Lawyer*, published by the U.S. Government Printing Office, Out of Print.

306. Note: One of his sons, Guido N. Lieber, was a Judge Advocate General of the Army after the war.

307. The Manual for Courts Martial is also an executive order issued by or under the same 'authority.' The Lieber code governs primarily those troops of the United States Army in domestic actions. [*Insertion added]

308. Randall's *Lincoln the President, Midstream* (Dodd, Mead, and Co., 1952), pp. 171-173.

“A place, district, or country occupied by an enemy stands, in consequence of the occupation, under the Martial Law of the invading or occupying army, **whether any proclamation declaring Martial Law, or any public warning to the inhabitants, has been issued or not.** Martial Law is the immediate and direct effect and consequence of occupation or conquest.”³⁰⁹

That a declaration of war was never declared is seen where, "A state of war may exist without a declaration on either side."³¹⁰ On Lincoln's licensing scheme:

“It being, then, settled that a war may exist, and yet that trading with the enemy, **or commercial intercourse**, may be allowable, it then became his duty as well as his right to direct how it should be carried on. In the exercise of this right, he was at liberty to allow or license intercourse; and his Proclamations, if they did not license it expressly, did, in our opinion, license it by very cogent implications. It is impossible to read them without a conviction that no interdiction of commercial intercourse, except through the ports of the designated States, was intended. The first was that of April 15, 1861. The forts and property of the United States had, prior to that day, been forcibly seized by armed forces. **Hostilities had commenced; and, in the light of subsequent events, it must be considered that a state of war then existed.** Yet the Proclamation, while calling for the militia of the several States, and stating what would probably be the first service assigned to them, expressly declared, that, 'In every event, the utmost care would be observed, consistently with the re-possession of the forts, places and property which had been seized from the Union, to avoid any devastation, destruction of or interference with property, or any disturbance of peaceful citizens in any part of the country.' Manifestly, this declaration was not a mere military order. It did not contemplate the treatment of the inhabitants of the States in which the unlawful combinations mentioned in the Proclamation existed, as public enemies. It announced a different mode of treatment—the treatment due to friends. **It is to be observed that the Proclamation of April 15, 1861 12 Stat. at Large 1258, was not a distinct recognition of an existing state of war.** The President had power to recognize it (*The Prize Cases*), but he did not prior to his second Proclamation, that of April 19, in which he announced the blockade. Even then, the war was only **inferentially** recognized; and the measures proposed were avowed to be 'With a view to the protection of the public peace and the lives and property of quiet and orderly citizens pursuing their lawful occupations, until Congress shall have assembled.' The reference here was plainly to citizens of the insurrectionary States; and the purpose avowed appears to be inconsistent with their being regarded as public enemies, and, consequently, debarred from intercourse with the inhabitants of States not in insurrection. The only interference with the business relation of citizens in all parts of the country, contemplated by the Proclamation, seems to have been such as the blockade might cause. And that it was understood to be an assent by the Executive to continued business intercourse may be inferred from the subsequent action of the government (of which we may take judicial notice) in continuing the mail service in Louisiana and the other insurrectionary States long after the blockade was declared. If it was not such an assent or permission, it was well fitted to deceive the public. But in a civil war, more than in a foreign war, or a war declared, it is imperative that unequivocal notice should be given of the illegality of traffic or commercial intercourse; **for, in a civil war, only the government can know when the insurrection has assumed the character of war.**"³¹¹

It now makes sense why the National Guard is Federalized³¹² and why all local police, the Sheriff's Department, and the highway patrol or state police, are placed under the authority of the National Guard, and further why, in all National Guard Armories there are Regular Army personnel on duty at all times. This is necessary in order to fulfill the requirements of international and military law, in that the conquering power must at all times maintain active and notorious, open occupation of the land in order to justify the imposition of martial law and a military government within a State.

309. Article 1, Section 1, of *The Leiber Instructions*. [Emphasis added] Available from The Christian Jural Society Press.

310. *Baker v. Gordon* (1864), 23 Ind. 204. [Emphasis added] In fact no declaration of war was ever issued by "Congress" during Lincoln's War. See *Mathews v. McStea*, *infra*.

311. *Mathews v. McStea* (1875), 91 U.S. 7, 23 L.Ed. 188. [Emphasis added]

312. See, The Dick Act, 1917.

The necessity to maintain active occupation of a State is to justify the use of military tribunals in the collection of revenue, as the Lieber Code goes on to say in the same Section, Article 10, that:

Martial Law affects chiefly the police and collection of public revenue and taxes whether imposed by the expelled government or by the invader, and refers mainly to the support and efficiency of the army, its safety, and the safety of its operations.³¹³

Is it mere 'coincidence' that the I.R.S. was born during Lincoln's War, in 1861 as the Internal Revenue Bureau? It collected war reparations from the conquered peoples in the South. Later, F.D. Roosevelt went Lincoln one better when he extended the same unconstitutional acts to all the states.

The Lieber Code then states that:

A victorious army appropriates all public money, seizes all public movable property until further direction by its government, and sequesters for its own benefit or that of its government all revenues of real property belonging to the hostile government or nation. **The title to such real property remains in abeyance during military occupation, and until the conquest is made complete.**³¹⁴

The distinction between public and private property is important in the Laws of War:

Private property on land, is now, as a general rule of war, exempt from seizure or confiscation; and this general exemption extends even to cases of absolute and unqualified conquest. Even where the conquest of a country is confirmed by the unconditional relinquishment of sovereignty by the former owner, there can be no general or partial transmutation of private property, in virtue of any rights of conquest.³¹⁵

[It] is very unusual ... for the conqueror to do more than to displace the sovereign and assume dominion over the country. The modern usage of nations, **which has become law** would be violated; that sense of justice and of right which is acknowledged and felt by the whole civilized world would be outraged, if private property should be generally confiscated and private rights annulled. The people change their allegiance; their relation to their ancient sovereign is dissolved; but their relations to each other and their rights or property remain undisturbed. If this be the modern rule, even in cases of conquest, who can doubt its application to the case of an amicable cession of territory?³¹⁶

Are Christians bound to obey the "law" of military authorities if it conflicts with God's Law?

Again it may be asked, what must be done when a human law does not agree with the Divine Law? Must such law be obeyed? Men have no right to make a law that is contrary to the Law of God; and we are not bound to obey it.³¹⁷

The reason is that pleading Christianity as Lawful justification for an act is a political question:

The highest glory of the American Revolution was this: it connected, in one indissoluble bond, the principles of civil government with the principles of Christianity...³¹⁸

...The Christian religion is, of course, recognized by the government, yet not so as to draw invidious distinctions between different religious beliefs, etc.;...³¹⁹

313. The Lieber Instructions, supra, p. 2. See also, Borchard, *State Insolvency and Foreign Bondholders*, 1951.

314. The Lieber Instructions, supra, p. 5. Section II, Article 31. [**Emphasis added**]

315. Halleck's *International Law*, p. 456.

316. *United States v. Percheman*, 7 Pet. 51. [**Emphasis added**]

317. *Young's Civil Government*, p. 5, published in 1877 by A. S. Barnes & Co.

318. John Quincy Adams quoted by Thornton, J. Wingate, *The Pulpit of the American Revolution*, (1860).

319. Cooley, *Const. Lim.* 206. See also *Bouvier's Law Dictionary* (1914), "Religion," p. 2865.

Military regulations, Lincoln's Proclamations, and Congress' Civil Rights Acts, all lose efficacy when they invoke a **political** question:

The belligerent occupant of a country has right to make regulations for protection of occupant's military interests and the exercise of police powers, with correlative duty of maintaining public order and providing for preservation of rights of inhabitants of territory occupied.³²⁰

In order for decrees and regulations of a belligerent occupant of another country's territory to be recognized as valid, such decrees and regulations must not be of a political complexion, but must be in the interest of the welfare of inhabitants of area occupied.³²¹

The allegiance of people and land to a specific law system is *always* a political question. (Note Georgia v. Stanton and Mississippi v. Johnson). Both these cases were brought in equity, and a political question is not decided on equitable principles. If it were, the strong could never invade the weak.

We come now to the means whereby Lincoln funded his war.

The means whereby Lincoln funded his War were unique to his time, but were originally developed in ancient Rome under the Caesar's. They have been used by all Presidents since then in more or less the same form, and for the same reasons. In speaking of the War Treasury, Randall says;

In struggling with the complications of wartime finance, the government of the United States found itself involved in four major problems; loans, taxes, the paper money problem, and the creation of a national banking system. Speaking broadly, the government financed itself during the war chiefly by loans, and paper money.³²²

The types of funding sources and the amount of money raised by each are revealing. From Treasury notes at various rates of interest Lincoln raised approximately \$800,000,000. From bonds of various types over \$900,000,000 was raised. The infamous "Greenbacks" brought \$450,000,00 to Lincoln's War Chest. The balance was raised in smaller amounts, such as the Thirty Year bonds sold to the Central Pacific Railroad at 6% interest which raised a paltry \$1,258,000. But, at the War's end, the total debt for Lincoln's War was **\$2,682,593,026.53**, a staggering sum in 1865.³²³

Few people imagined ... what the economic burden of the war would be. When, at the end of 1861, the customary national income of 80 million dollars a year was measured against an expense of 2 million dollars a day, men began to see what was involved. Against this unexpected burden President Lincoln had been authorized to issue 1 *billion* [*that's billion with a "b"] dollars in securities for sale upon the market. These promises to pay at once fell below par. Bankers raised the rate of interest on loans to the United States government 2 per cent higher than the usual commercial rate. [Making money the old fashioned way - gouging the government in a funds transfer scheme - became common practice.]³²⁴

But, one funding scheme used the so-called 1040 Bonds, which were to run not less than 10 nor more than 40 years at 7.13% interest, with a premium of 4.13% over face value, which was lower than the 7.30% paid on Treasury Notes.³²⁵ Now we know where the I.R.S. 1040 Form came from, to pay the interest on the 1040 Bond debt, which is still being "paid?" By 1864, these bond values dropped to 39 cents on the dollar, meaning, banks had to loan to the U.S. government at higher interest, namely 2% more. Pity.

After Lincoln's War, the South was punished by the U. S. government. It raped eleven states and 8,000,000 Good and Lawful Christian people still under military government and martial law.

320. Hague Regulations, art. 1, 42-56, 43, 36 Stat.2295. See also Aboitz & Co. v. Price (1951), 99 F. Supp. 602, 610.

321. Ibid.

322. *The Civil War and Reconstruction*, by J.G. Randall, D.C. Heath and Company, publishers, Boston. p. 444.

323. Randall, supra, p. 447.

324. Barker and Commager's *Our Nation* (1942), p. 405. [*Insertions added.]

325. Randall, supra, p. 446.

Some assert that there is no corporate "U.S. government," but, the District of Columbia can also be called the United States D.C. was incorporated in 1871.³²⁶

The government of the District of Columbia provided by the Act of February 21, 1871, is not a mere municipality in its restricted sense, but is to be placed upon the same footing with that of any of the States or Territories within the limits of the law from which it derives its existence.³²⁷

Further, one can find specific evidence for this in the electronic search of the Titles and Codes.

But, why did the Federal power need a corporation?

First, martial law governments are fictions created to manage civil affairs. Second, the doctrine of equal standing in law makes it clear that only parties of equal standing can communicate in law. The Maxim is: *Disparata non debent jungi* — Dissimilar things ought not to be joined.³²⁸ Third, since such governments are fictions, they can only deal with fictions and are thus, prohibited from re-creating lawful civil authority.

Now, if a fiction goes into debt, it can only pledge fictions as an asset for that debt. By incorporating the United States government, it protected the real, substantive assets, of the *de jure* Federal government.

Abolition of the debt and the restoration of the *de jure* government can only be done by a Good and Lawful Christian people, because only Christian people have the sole and exclusive right, power, and authority to alter, abolish, or create a Lawful civil government.³²⁹ They are the only ones who have access to real Law, God's Law. Since corporations are fictions, they are the logical alternative by which a new, competing form of government could carry on its business. Notice however, that One, the substance of the government is now gone, and it retains only the outward form and appearance; and, Two, the flow of law from the people is now directed at the people by the corporation. Further, corporations are the ideal way to carry on commerce, an unlawful activity, that also provides limited liability from prosecution for its commercial acts.

At any rate, martial law and its continued existence, justified by the Lieber Code, continued in effect without a public proclamation. More evidence for this is seen in Andrew Johnson's veto message of the Reconstruction Acts, which, seven years later, makes it clear that the nation was still under martial law:

War was continued in those States until the President's [Johnson] proclamation of August 20, 1865, proclaimed 'the insurrection at an end.' A '**state of war**' continued beyond this time, more or less extensive in its theater — '*non flagrante bello sed nondum cessante bello*.'³³⁰

As the 43rd Congress declared, a non-flagrant war, a.k.a. "Fabian warfare,"³³¹ continued after the flagrant war ended:

The existence of what is called 'a state of war' after flagrant war has ceased is recognized on the same principle as the personal right of self-defense. **This is not limited to the right to repel an attack; but so long as the purpose of renewing it remains** [*overthrowing the treacherous policy of the purported amendments] — the *animus revertendi* — **so long as the danger is imminent or probable, the party assailed** [*the bondholder or his debtor] **may employ reasonable force against his adversary to disarm and disable him** until the danger is past, and in doing this and judging of its necessity precise accuracy as to the means is not required, but only the exercise of reasonable judgment in view of the circumstances.³³²

326. See, 16 Stat. 419.

327. Grant v. Cooke (1871), 7 D.C. 165.

328. Bouvier's Law Dictionary and Concise Encyclopedia, by John Bouvier. 3rd Rev., 8th Ed., by Francis Rawle, in 3 Vols., published by William S. Hein Co., Buffalo, New York, 1984. See, Vol. II, "Maxims," p. 2131.

329. See, The Declaration of Independence for the brief version of the argument here. <*"Only a Good and Lawful Christian has this power vested in him by Christ. See Mt 16:17-19, 18:18-20; Jn 20:22-23.>

330. Mrs. Alexander's Cotton, 2 Wall. 419. [**Emphasis** added]

331. Named after general Quintus Fabius Maximus Verrucosus, who avoided decisive battles, contests, and the like but waged war silently through propaganda.

332. 1 Bish. Crim. Law, (5th ed.) secs. 301, 305, 838, and numerous authorities cited. See Stewart v. State, 1 Ohio St. Rep. 66-71. [**Emphasis** and *insertion added]

If after the forces under the command of Lee surrendered in April, 1865, the United States forces had been immediately withdrawn, the rebellion would possibly have resumed its hostile purposes.

It was upon this theory, coupled with the constitutional duty of Congress to 'guarantee to each State a republican form of government,' **that the reconstruction acts were passed, and military as well as civil measures adopted in pursuance of them.**³³³

Robert Edward Lee's comment on the government created by the Radical Republicans is worth noting.

Governor [*Rosecrans], if I had foreseen the use those people [*the Republicans] designed to make of their victory, **there would have been no surrender at Appomattox Courthouse**; no, sir, not by me. Had I foreseen these results of subjugation, I would have preferred to die at Appomattox with my brave men, my sword in this right hand.³³⁴

Mr. Lee knew, after the open hostile war, that the paper and propaganda 'war' was still going on. He knew because he was a Good and Lawful Christian Man, possessing that Godly gift of discernment. Yet, the above is merely suggestive of a much more extensive rape of the South

To think of the national banking system as a purely fiscal measure innocent of politics and free from exploitation would indeed be a naive assumption. Investigation shows that it "developed into something that was neither national nor a banking system. Instead it was a loose organization of currency factories designed to...[*serve] commercial communities and confined...almost entirely to the New England and Middle Atlantic States."³³⁵ One of the chief injustices of the system as actually administered was the favoritism shown after the war to the eastern states which received the lion's share of the \$300,000,000 of banknote circulation assigned by law as the maximum for the whole country. As explained by George LaVerne Anderson, each state in the New England and Middle Atlantic regions obtained an amount of banknotes in excess of its quota, while not a state in the South received an amount equal to its quota. "Massachusetts [*writes Anderson] received the circulation which would have been necessary to raise Virginia, West Virginia, North and South Carolina, Louisiana, Florida and Arkansas to their legal quotas. ...The little state of Connecticut had more national bank circulation than Michigan, Wisconsin, Iowa, Minnesota, Kansas, Missouri, Kentucky and Tennessee...Massachusetts had more than the rest of the Union exclusive of the New England and Middle Atlantic states."

Interesting comparison [*he continued] can be made between comparatively small New England towns and Southern states. Thus, Woonsocket, Rhode Island, had more national bank circulation than North and South Carolina, Mississippi and Arkansas; Waterville, Maine, had nearly as much as Alabama; New Haven, Connecticut, had more than any single Southern state. Bridgeport in the same state had more than North and South Carolina, Alabama and Texas. Similar comparisons could be made, but enough have been suggested to show the True nature of the question.

The per capita figures are just as astonishing. Rhode Island had \$77.16 for each inhabitant, Arkansas had 13 cents.

If it be said in answer to these facts that distributing circulation according to population is absurd...it should be kept in mind that not a single Southern state had obtained, by October, 1869, its legal share of the \$150,000,000 which was to have been apportioned according to existing banking capital, wealth and resources.³³⁶

The state of Georgia received less than 10% of its allotment and Louisiana less than 14%. This policy continued well into the 20th century. If anyone needs to ask why the South was 'historically' so poor, he need look no further than these numbers!

333. Report No. 262, House of Representatives, 43d Congress, 1st Session, March 26, 1874. [**Emphasis** added.]

334. From the Correspondence of General Robert Edward Lee in *The Life and Letters of Robert Lewis Dabney*. p. 497-500. [**Emphasis** and *insertions added]

335. George LaVerne Anderson, *Western Attitude toward National Banks, 1873-1874* (mss. article). Emphasis in original.

336. George LaVerne Anderson, *The National Banking System, 1865-1875: A Sectional Institution* (manuscript for doctoral dissertation, Univ. of Ill., 1933), 111ff. Cited in Randal, *The Civil War and Reconstruction*, p. 456-8.

...Though it had some merit [*bank note circulation], it created an inelastic currency, tended toward the concentration of bank resources in New York, opened the way for serious abuse in the speculative exploitation of bank funds, and contributed to the sharp financial flurry of 1907. Proving inadequate as a nationwide control of currency and banking, it was tardily superseded by **an improved plan** in the Federal Reserve Act of 1913.³³⁷

Presented on the following pages are a compilation of descriptive and telling historical facts resulting from A. Lincoln's War, beginning first with Rep. Dan Vorhees in The House of Representatives in 1872:

“From turret to foundation you tore down the government of eleven States. You left not one stone upon another. You not only destroyed their local laws, but you trampled upon their ruins. You called Conventions to frame new Constitutions for these old States, but you said who could elect them. You fixed the quality and the color of the voters. You purged the ballot box of intelligence and virtue, and in their stead you placed the most ignorant and unqualified race in the world to rule over these people.

Let the great State of Georgia speak first. You permitted her to stand up and start in her new career, but seeing some flaw in your handiwork, you again destroyed and again reconstructed her State government. You clung to her throat; you battered her features out of shape and recognition, determined that your party should have undisputed possession and enjoyment of her offices, her honors, and her substance. Then bound hand and foot you handed her over to the rapacity of her robbers. Her prolific and unbounded resources inflamed their desires.

In 1861 Georgia was free from debt. Taxes were light as air. The burdens of government were easy upon her citizens. Her credit stood high, and when the war closed she was still free from indebtedness. After six years of Republican rule you present her, to the horror of the world, loaded with a debt of \$50,000,000, and the crime against Georgia is the crime this same party has committed against the other Southern States. Your work of destruction was more fatal than a scourge of pestilence, war or famine.

Rufus B. Bullock, Governor of Georgia, dictated the legislation of Congress, and the great commonwealth of Georgia was cursed by his presence. With such a Governor, and such a legislature in perfect harmony, morally and politically, their career will go down to posterity without a rival for infamous administrations of the world. That Governor served three years and then absconded with all of the gains. The Legislature of two years spent \$100,000 more than had been spent during any eight previous years. They even put the children's money, laid aside for education of white and black, into their own pockets.

There is no form of ruin to which she has not fallen a prey, no curse with which she has not been baptized, no cup of humiliation and suffering her people have not drained to the dregs. There she stands the result of your handiwork, bankrupt in money, ruined in credit, her bonds hawked about the streets at ten cents on the dollar, her prosperity blighted at home and abroad, without peace, happiness, or hope. There she stands with her skeleton frame admonishing all the world of the loathsome consequences of a government fashioned in hate and fanaticism, and founded upon the ignorant and vicious classes of manhood. Her sins may have been many and deep, and the color of scarlet, yet they will become as white as snow in comparison with those you have committed against her in the hour of her helplessness and distress.

I challenge the darkest annals of the human race for a parallel to the robberies which have been perpetrated on these eleven American States. Had you sown the seeds of kindness and good will they would long ere this have blossomed into prosperity and peace. Had you sown seeds of honor, you would have reaped a golden harvest of contentment and obedience. Had you extended your charities and your justice to a distressed people you would have awakened a grateful affection in return. But as you planted in hate and nurtured in corruption so have been the fruits which you have gathered.³³⁸

337. *The Civil War and Reconstruction*, by J.G. Randall, with biblio. D.C. Heath and Co., Boston. p. 458. [**Emphasis** and *insertion added]

338. Rep. Dan Vorhees (D-Indiana), in the House of Representatives, Mar. 23, 1872.

Differences of opinion concerning the future status of the seceded states led to an open break between the President, Andrew Johnson, and the Radical Congressional leaders. The President's policy, which followed closely Lincoln's design to affect the reconstruction quickly and painlessly was sharply challenged by the vindictives and steps were quickly undertaken to divest the Chief Executive of all authority in this regard. After asserting that no State would be readmitted until Congress should have declared each State entitled to such consideration,³³⁹ the Radicals sought additional means to enhance their position. Seizing the opportunity afforded in their appropriating authority, on March 2, 1867 they attached to the Army Appropriation Act a provision aimed at curtailing the President's constitutional authority. Specifically, it provided that all orders issued to the Army would be made through the General in Chief, whose headquarters would be placed in Washington, and who could not be removed nor assigned to duty outside the Capital without the consent of the Senate.³⁴⁰ Because it was an appropriation bill, Johnson could not withhold his signature but he did call attention to the fact that Congress overstepped their legal prerogatives by depriving the President of his constitutional functions as Commander in Chief of the Army.³⁴¹

Under questionable interpretation of the law, the reconstruction of the South was conducted as a means of military occupation over a conquered province; and by this means, the Radicals perpetuated themselves in office for the next fourteen years. In three successive Acts, Congress abolished all legal government in the South and divided it into five military districts each under a military governor ³⁴² until such time as Congress was satisfied that all conditions for readmission were complied with. Thus the Congressional policy of military occupation of the South made the Army an instrument for carrying out the law as politicians saw it. Thus did the Army serve its masters, the sovereign People.³⁴³

No body, either corporate or incorporate, private or public, can do any legal act under the restraints of duress.

The nominal Congress was for five years under the most carefully ordered duress, the most exacting espionage, the most complete terror ever exercised over any deliberative body invested with law-making powers.

From the opening of the war until the conclusion of peace, Congress was surrounded with soldiers — menaced by an army, whose bristling bayonets gleaming in the sunlight, flashed upon the windows of the Capitol, and fell upon the eyes of this terrified body. The legislation was dictated by the commander-in-chief of the army, *who acted in advance of all legislation.*

The bold men of the opposition were in perpetual danger of assassination or death by the slow torture of the prison. Mobs were organized in every part of the country, and **members of Congress were in danger for every word spoken in conflict with the policy of the President, and were imprisoned at his will.**

Mr. [*Clement] Vallandigham [*Ohio Congressman] was arrested, imprisoned and banished by a mob of military idiots under the usurpation of a military commission. This was inflicted as a punishment for his bold, active, defense of the people whilst in Congress; as well as to intimidate others by the example of his punishment.

Mr. Wall, of New Jersey, was imprisoned and brutally treated because he was a prominent candidate for United States Senator, a gentleman of great independence and eminent ability.

Henry May, of Maryland, a member of Congress, was imprisoned whilst attending the funeral of an illustrious brother, who had died of disease contracted in the Mexican War, because he was the luminous mind of the Maryland College in Congress, and the leading spirit of her freemen who stood with undeviating devotion to the government.

339. Randall, *The Civil War and Reconstruction*, p. 570

340. 14 Stat. 486-487.

341. Richardson, *Messages and Papers of the Presidents*, vol. VI, p. 472.

342. Acts of March 2, 23, and July 19, 1867. Spaulding, *op. cit.*, p. 339; also *Army and Navy Journal*, March 9, 1867.

343. Bernardo and Bacon, *American Military Policy* (2d ed. published by the Military Service Div. of The Stackpole Company, 1961.), p. 237.

Willis J. Allen, a Congressman of Illinois, was kept in prison with felons, under no charge whatever, which an iniquitous Congress could make a pretext for his expulsion from that body, because an example was required to trample down the people of Southern Illinois, and form their acquiescence in the general usurpation.

In its legislation, the President neither consulted or awaited the action of Congress, but anticipated it; and accepted the ratification of their own debasement with avidity.³⁴⁴

Analyzing the President's war power further, we find that besides the executive power, which during the war expanded enormously, there was a considerable amount of 'presidential legislation' (for in many cases it virtually amounted to that), and there were also notable instances of presidential justice.

The subject of presidential legislation is difficult, because the President's power of issuing regulations and executive orders shades almost imperceptibly into the exercise of the legislative function itself. President Lincoln issued 'regulations' for the enforcement of the Militia Act of 1862 which established conscription for the first time during the war. The act itself did not specifically authorize conscription at all, and so far as the draft was used in 1862 (in Indiana, Wisconsin, and other States) it rested upon these executive regulations. What is more, these regulations permitted State governors to devise for their States compulsory systems of raising the militia if they preferred not to follow the plan included within the President's regulations. In another chapter this subject will be more fully discussed [Chapter XI], but for our present purpose it is important to notice that the President was accused of usurping the legislative power in promulgating such far-reaching regulations.

Other instances of presidential action resembling legislation were not lacking. On May 3, 1861, the President enlarged the army of the United States by his call for volunteers [None has ever claimed that the President could, by proclamation, increase the regular army.³⁴⁵], an act which is to be carefully distinguished from the earlier call, on April 15, for 75,000 militia. The May call was of the sort that usually follows congressional action authorizing the increase of the army. It was made in *anticipation* of congressional authority, which was later given in the short special session of '61. A still more striking instance, which was widely regarded as executive assumption of legislative power, was the proclamation of December 8, 1863, in which Lincoln promulgated a comprehensive plan of reconstruction, outlining in detail the method by which the States of the South were to be restored to the Union.³⁴⁶

One more example of presidential legislation may be noted. In issuing a 'general order' embodying the rules of war applicable to armies in the field, Lincoln was promulgating a code of laws. It could be argued with good reason that in so doing he was performing that function which the Constitution gives to Congress of making 'rules for the government of the land and naval forces.'³⁴⁷

In England such rules are established by Parliament, as in the Mutiny Act, while at various times our own Congress has put forth a military code in its 'Articles of War.' Though the code was derived from existing international law, its promulgation was none the less a truly legislative function.

Though the President did not hesitate to act if necessary without congressional authorization, it is also to be noted that, in part, the President's war power is derived from Congress. This fact is well expressed by Mr. Hughes in the following words:

"It is...to be observed that the power exercised by the President in time of war is greatly augmented outside of his functions as Commander-in-Chief through legislation of Congress increasing his administrative authority. War demands...efficient organization, and Congress in the nature of things cannot prescribe many important details as it legislates for the purpose of meeting the exigencies of war. Never is adaptation of legislation to practical ends so urgently required, and hence Congress naturally in very large measure confers upon the President the authority to ascertain and determine various states of fact to which legislative measures are addressed...We thus...find...a vast increase of administrative authority through legislative action springing from the necessities of war."³⁴⁸

344. *Crimes of the Civil War* (1868), p. 72-73. [**Emphasis** and *insertions added]

345. John Sherman in letter to *Cincinnati Gazette*, Aug. 12, 1861, *New York Tribune*, Aug. 23, 1861, p. 7.

346. Nicolay and Hay, *Works*, IX, p. 218.

347. U. S. Constitution, Art. I, sec. 8, par. 14.

348. Charles E. Hughes, op. cit., p. 9. Randall's *Constitutional Problems under Lincoln*, pp. 37-39.

The extent of that dominance [*military] of the President appears more fully when some of the half-forgotten procedures of the period are recalled. Such was the expansion of the executive power under Lincoln that, in addition to other wartime increases of authority within the executive branch, there were considerable instances when the legislative function was controlled by the President, and also **when judicial duties were taken over by the executive.**

In important respects the President got along without Congress, though this was perhaps overbalanced by the extent to which Congress thwarted him on the issue of reconstruction. So far did he take over legislative functions that one could speak of some of his acts as 'presidential legislation.'³⁴⁹ It is obvious that the two emancipation proclamations trespassed upon the legislative power. As another example, Lincoln issued a set of 'regulations' for the enforcement of the Militia Act of July 17, 1862. Actual conscription was not specifically provided for in the law as passed by Congress, yet conscription was used to raise troops. **It was done simply under executive regulations.** The matter went even further, for under these regulations governors of the states [*a trespass into the venue of the states] could set up their own systems of compulsory service as an alternative to following the President's orders. There has been considerable discussion of Lincoln's exercise of legislative power when, beginning in December 1863, he promulgated and later developed his presidential system of reconstruction.

The jurisdiction of United States courts-martial is limited to those serving in the armed forces, certain categories of reserve and retired personnel, prisoners of war (subject to applicable provisions of treaties, executive agreements, and international law), and persons employed by or accompanying the armed forces beyond the continental limits of the United States of America.³⁵⁰ Nevertheless, where martial law has been declared and the privilege of the writ of habeas corpus suspended, any civilian may find himself amenable to trial not before the regular civil courts, but by the order of or under regulations promulgated by a military commander, by one of a miscellany of *ad hoc* tribunals composed of officers of the armed services and usually designated as provost courts, military commissions, or military boards. The judgments of such military courts are not more subject to review in the regular civil courts than are those of courts-martial. Although it is highly exceptional for court-martial cases to raise serious constitutional issues touching the authority of the President, it is customary for cases involving the trial of civilians by military tribunals to bristle with such issues. The limited experience of Americans in such matters to date, however, affords no basis for optimism about the ability of the civil courts to intervene in or frustrate the administration of military justice. When direct conflict between the courts and the military arises — and this has rarely happened in the past — the judges must bow to superior force. It is the President and not the Supreme Court who is the Commander in Chief and in those rare instances in which he has yielded to the exigencies of the demands of the public safety, **due process of law and military expediency exhibited a notable tendency to coalesce.**

The action of the President in suspending the writ of *habeas corpus* during the Civil War, and his approval of suspension in Hawaii during World War II, led to direct challenges in the courts to the authority of the Commander in Chief to order the trial of civilians by military courts when the regular courts might have exercised jurisdiction. It is true that the Supreme Court has held both the Civil War and Hawaiian episodes to have been unconstitutional; but in each instance a successful challenge was possible only retroactively after the cessation of hostilities (not the war), which could under any circumstances have justified the judgment of the military. These matters have been so well and so recently discussed by Professor (Clinton) Rossiter that little needs to be added here.³⁵¹

These examples are simply evidence that the Supreme Court is a captive court whose rulings are routinely ignored by the Commander-in-Chief when it suits his purposes to ignore them:

The first of a succession of orders and proclamations by Lincoln suspending the writ covered originally only the critical main line of communications between Washington and Philadelphia and ran almost entirely through territory in which sympathy for the Confederacy was very high, but ultimately embraced all of the United States [of America]. It was challenged almost immediately and at the highest

349. Ibid. , p. 37

350. 50 U.S.C.A. 552. [These are "camp followers."].

351. Ex parte Milligan (1866), 4 Wall. 2; Duncan v. Kahanamoku (1946), 327 U.S. 304.

possible level of executive-judicial conflict in the celebrated case of *Merryman*. Here **President Lincoln personally directed** the commanding officer of Fort McHenry in Baltimore to refuse to deliver up the body of the petitioner to Chief Justice Taney, who retaliated by writing an opinion in which he explicitly ruled that 'the president has exercised a power which he does not possess under the constitution.'³⁵² The subsequent adverse decisions of several ... made abundantly clear in the *Merryman* case, that **the civil courts have no power to interfere with or control the actions of the Commander in Chief if he wills otherwise.**³⁵³

Throughout [Reconstruction], as James E. Sefton has noted, 'the Army was by far the most important instrument of federal authority in the South...and it was the only enforcer of **national reconstruction policy**, regardless of whether that policy was under executive leadership or congressional.'³⁵⁴ It was this role as the 'enforcer of national reconstruction policy' that shaped the Army's rules of engagement, so to speak, in handling civil disorders. And **they were likely to vary with the locality, depending on what the national Reconstruction was at the moment**, whether Congress or the president was directing it, and the inclinations of individual commanders. Suffice it to say here that, **even after the re-admission of the ex-Confederate states, the old pre-Civil War rules did not apply.**

... The instruments of military control during the war — marital law, arbitrary arrests, and trial by military commission — continued to be features of the first two periods of the Reconstruction Era, and to them could be added at times using provost courts to try minor civil offenses, overruling civil courts decisions, and removing civil officials.³⁵⁵ After the passage of the Reconstruction Acts, military commanders acted as civil governors of their 'provinces' for a time....

Before the Civil War, in both North and South, militia under state control, not federal troops, were almost always used to control local disorders where military intervention was necessary...³⁵⁶ Federal military force was the sole expedient to be relied upon either to protect the freedmen in their rights [granted by Exec. Proc. September 22, 1862] or to deal with disturbances when the civil authorities were either unable or unwilling to do so.³⁵⁷

The War ... injured education in the South but improved it in the North. The War ... and the period of Reconstruction which followed were disastrous to education in the South. Many schools were forced to shut down, funds were lost, appropriations dwindled, and the emancipation of Negro slaves placed new burdens upon southern school systems which they were ill prepared to assume. In the North, on the contrary, the war stimulated educational progress. The greatest advance was in the field of higher education. Congress, in 1862, granted to every state in the Union 30,000 acres of public land for each representative in Congress, the land to be used as an endowment for colleges teaching agriculture and mechanical arts.³⁵⁸ Under the terms of this act some 13 million acres of land were eventually given to the states for the establishment and maintenance of agricultural colleges. These grants were available to southern states after their re-admission into the Union.³⁵⁹

Lastly, the Court merged its Rules of Procedure and eliminated the only Federal way to check the power of the President:

352. *Ex parte Merryman* (1861), 17 Fed. Cas. 144, 148 (C.Ct.Md.), No. 9487.

353. Glendon A. Schubert, *The Presidency in the Courts* (1956, Univ. of Minn. Press; Da Capo Reprints, 1973.), pp. 184-185. Emphasis and insertions added. Thus, the Executive Power overrides and shuts down all civil courts at his will. All civil courts, whether state or federal, sit and serve at the pleasure of the President of the United States; therefore, Lincoln's War has never ended. The civil courts are hostages of the executive power, however it waxes or wanes.

354. James E. Sefton, *The United States Army and Reconstruction, 1865-1877* (Baton Rouge: Louisiana State University Press, 1967), p. ix.

355. All political actions interfering with the Christian's prerogative given by God.

356. See Sefton, chapter 5

357. Coakley, *The Role of Federal Military Forces in Domestic Disorders 1789-1877* (U.S.G.P.O., 1988), pp. 268-269

358. *The Morrill Act*.

359. Barker and Commager, *Our Nation* (1942), p. 814.

In 1934, Congress passed an enactment³⁶⁰ which authorized the United States Supreme Court to unite the rules governing suits in equity and actions at law in the federal courts; and pursuant to this statute 'the Court has united the general rules prescribed by it for cases in equity with those in actions at law so as to secure one form of **civil** action and procedure for both.'³⁶¹ These regulations, entitled the 'Federal Rules of Civil Procedure'³⁶² became effective September 16, 1938, and superseded all prior laws in conflict with them. 'These rules govern the procedure in the district courts of the United States [singular] in all suits of civil nature whether cognizable as cases at law or in equity'.³⁶³ Rule 2 provides that, "There shall be one form of action to be known as 'civil action'."³⁶⁴

The following warning from Judge Henry Clay Dean coincides with Judge Field's and capsulizes the situation today with regard to the funding system, standing armies and the tax-gatherers instituted by A. Lincoln in his war:

Experience has given to history this one truth, ...that funded debts and standing armies will enslave any people. These evils are inseparable. A standing army will necessitate a funding debt, to support it; and a funding debt will require a standing army to collect it.³⁶⁵

If Lincoln set aside the Constitution, Christian common Law, and the Law of traditionally vested rights in God, what was put in its place? In the history of law there are but two distinct kinds; God's Law; and man's law, as seen in the Roman civil code of Justinian.

The original Constitution (seriously flawed) was an instrument of common law procedure whose major influence was the Law of God through canon law and the customs and usages of the people in England and America. The genius of the Puritan mind, was the highpoint in American law. From there it started to degrade until Lincoln's War. Pound describes this very succinctly:

...the age of Coke was the age of the Puritan in England and the period that ends with our Civil War was the age of the Puritan in America.

...we may note that the typical exposition of the extreme individualist view as to the rights of adjoining owners in disposing of surface water came from Massachusetts. **Much of this has been done away with under modern Roman influence.**³⁶⁶

The three branches of the power with checks and balances reflected the colonial governments that existed before the Constitution, which were in turn, based on the dominant form of church government in a colony.

Thus, Congregational churches found expression in civil governments dominated by a legislature. Presbyterian churches dominated by the Massachusetts Puritans, fostered a civil government as a kind of judiciary, while Anglicans in Virginia, and Episcopalian forms favored the executive branch.

When Lincoln brushed all this aside, he replaced it with the only law available as a codified whole, i.e., the Code of Justinian I, a Byzantine emperor who reigned during the years 527-565. Some say Lincoln imported the civil law of Rome. But, any idea of Roman civil law is bogus because Rome was always under the god Mars, i.e., martial law, and was always a military state in which Roman Legions were used to expand and maintain control of Rome's insatiable commercial appetite. The vast number of parallels between the old Roman codes and modern codes are many, of which, the doctrine of Novation is typical. Novation, from the Latin, *novatio* is a

360. Act of June 19, 1934, c. 651, §§ 1, 2, 48 Stat. 1064, 28 U.S.C.A. §§723b, 723c.

361. From a letter by Mr. Charles Evans Hughes, Chief Justice of the United States, with which the Federal Rules of **Civil Procedure** adopted by the Supreme Court were transmitted to the Attorney General, who, under the Act of June 19, 1934, had the duty of reporting the rules to the Congress.

362. Rule 85, 28 U.S.C.A. following section 723c.

363. Rule 1, 28 U.S.C.A. following section 723c.

364. Smith's *Handbook of Elementary Law* (1939), pp. 67-68.

365. *Crimes of the Civil War* (1868), by Judge Henry Clay Dean, p. 495.

366. Roscoe Pound, *The Spirit of the Common Law* (1921), pp. 42-54. [Emphasis and insertions added.]

legal idea that did not exist in American law before Lincoln's War,

Novation is the extinguishment of a prior debt by a new debt obligation.³⁶⁷

The utility of Novation in governments funded by debt is an extended process used to create a fictional *persona* that stands as surety for the debt. Thus, if a baby is born in a commercial hospital, its footprint is placed on a Birth Certificate, recorded at a County Recorder,³⁶⁸ sent to the State Secretary of State, exported to the Federal Secretary of State, Dept. of Commerce, and Bureau of Census. The conversion of one's life, labor, and property to a U. S. government asset is in place but a baby is imperfectly bound until, as an adult, it voluntarily seeks a Federal benefit, etc., that makes him surety for the *purported* debt. *Rei interventus* can intervene though this process has never been properly challenged in court:

Rei Interventus. When the party is imperfectly bound in an obligation, he may, in general, annul such imperfect obligation; but when he has permitted the opposite party to act as if his obligation or agreement were complete, such things have intervened as to deprive him of the right to rescind such obligations: these circumstances are the *rei interventus*.³⁶⁹

Thus, if one acts in *rei interventus*, before seeking a benefit, etc., he annuls his implied suretyship. If he accepts the benefit, *rei interventus* is set aside. If one has no Birth Certificate, seeks no benefit from the D.M.V. or the S.S.A.; there is no novation or need for *rei interventus*. Novation converts one's life, labor, and property, to assets of the United States, a Corporation. It creates a new persona,³⁷⁰ i.e., a fiction, for which the God created man of substance, is surety. One's labor and property are the collateral for debts of the United States. The fiction is what the bondholder requires in order to loan credit, for the debt is based on fiction. Fiction for fiction!!!

Next, the *persona*, as a fiction, cannot think, speak, see, hear, or write, and thus must have an *advocatus*, an attorney-at-law, also a fiction, to speak for the persona.

The law of fictions is the *lex mercatoria*, the law of merchants and commerce is based on Roman law where the god of commerce, Mercury, presides. Mercury is also the god of traders and thieves.³⁷¹

Thus, Roman law served all the needs of those who opposed the constraints on commerce found in Christian common Law. But, since commercial law is not Law, being contrary to the Law of God, the power of the military is used to enforce all commercial edicts.

If this legal system appears tangled and confused, this is but the logical consequence of Roman law. Every President and Congress after Lincoln made it worse. In the history of American Presidents there is no record that any tried to campaign for a restoration. Sinful man will never go back so long as the Christian sleeps. If anyone learned well, however, the lessons that Lincoln taught, it was Franklin D. Roosevelt.

367. See, "Novation," in Bouvier's, *supra*, pages 2375-78.

368. A Federally mandated Office administered by the State, under the State's Secretary of State in the States.

369. *Bouvier's Dictionary of Law*, (1914), p. 2861.

370. *Persona*, lit., the mask of the actor... that covered his whole head. *Dict. of Latin Synonymes*, by Francis Lieber (Lincoln's man) translated from German by Lewis Ramshorn, pub. by Little, Brown and Co., Boston, 1854.

See *The Shorter Oxford English Dictionary*, Third Ed., Vol. II, Oxford at the Clarendon Press. It is clear the word applies to those in law whose designation is otherwise unqualified. It applies to a man, woman, or child, but not to one who is designated as a Good and Lawful Christian. It is also connected to human being, person, natural person, and natural man. The Latin derivation means "through" and "sona" is derived from "sonans," sound, i.e., to sound or speak through a mask. See *Webster's New Twentieth Century Dictionary, Unabridged* (1969), under "person."

371. Mercury, Shorter O.E.D., *supra*, v. I, pg. 1235. Mercury .. merchandise. A Roman deity, the god of eloquence, skill, trading and thieving, presider over roads, conductor of departed souls to the Lower World, and messenger of the gods.

A Newer, Even a Better Deal?

One of the problems with President Hoover was his attitude toward banks. In the early 1930's, U.S. banks were giving customers gold certificates (paper) in exchange for gold coin at \$22.00 an ounce and re-selling the coin to European bankers at \$34.00 an ounce, making a very tidy profit on each coin. People discovered this and started demanding coin back, but the banks, by this time, did not have sufficient reserves to meet demand. President Hoover declined to take Federal action and bail the banks out of trouble.

Enter F.D.R. who labels those who want coin as "hoarders." He declares a bank holiday, raises the gold price to \$34.00, and banks re-open. Bankers are happy, but Roosevelt extracts a price, that they can only do business — **only on the President's Signature !!!** Thus, all banks are controlled by one man, the President, who can close them in any so-called 'national emergency.' The Federal Reserve is reduced to a lackey of the President and bean-counters for the bondholders.

F.D.R. extended 'emergency powers' by E.O.s that were always afterwards made into law by Congress. His policy was identical to Lincoln's, in that he acted before he had the power to do so. Roosevelt's policy, however, resulted in the largest increase in Federal revenues in history.

He did it using very simple methods. By declaring that; all persons living in the States were **citizens of the United States**³⁷² (novators), to be enemies of the United States.³⁷³ Under the Trading with the Enemy Act of 1917, all persons doing business with an enemy of the United States, were required to be licensed, controlled, and regulated. This also meant that military protection (a benefit) was now extended to every American whether they wanted it or not. This is the cornerstone of all modern taxation, licensure, permitting, regulation, and commerce.

Thus, from 1932-44 the volume of Acts passed by Congress and State legislatures exploded. States did nothing to stop Roosevelt because they all benefited from massive increases in state and local taxes. This is the basis for the Department of Motor Vehicles, for example, in which the Federal government receives 61% of all revenues.³⁷⁴ It is the foundation of all State taxes, licensure, permits, special fees, and regulation, etc.

But, just to make sure there would be no court challenge to his acts, and like Lincoln, Roosevelt packed the Supreme Court with his men to secure the decisions that he wanted. And, all of a sudden, Executive Orders of the President now have equal standing with the Acts of Congress.

And, all this took place under the developing doctrine of "emergency powers."

Necessity gave birth to emergency powers that includes all forms of; martial law, martial rule (a more benign form of martial law), qualified martial rule, national emergencies, and state or regional emergencies. The only other law that is invoked is International and Municipal.

It frustrates, confuses, and angers the people that live under emergency powers. Eventually, the people rise up to overthrow such powers, either by concerted refusal to submit, or by a bloodbath as in France in 1790, which did not end until the mid-1800's. Further, emergency governments only operate as a democracy, not a republic. This is done to maintain the fiction that a lawful civil authority still exists. Democracies only stay in power as long as they can maintain the perception in a majority of the people, that the government is doing its job.

By definition, martial law and emergency powers exist in the second place because, lawful civil authority, process, and procedure have ceased to exist in the first place:

Martial law is built upon no settled principles, but is entirely arbitrary in its decisions, is in truth and reality no law, but something indulged rather than allowed as law. The necessity of order and discipline in an army is the only thing which can give it countenance, ... it ought not to be permitted in time of peace,

372. See the 14th Amendment and the various Civil Rights Acts to date.

373. This was done by the simple act of changing one word in The Trading with the Enemy Act (1917), 'without' the United States became 'within.' Congress rubber-stamped E.O.'s 2039 and 2040 into law without debate.

374. From a pie poster seen on the wall of the Department of Motor Vehicles.

when king's courts are open for all persons to receive justice according to the laws of the land.³⁷⁵

Martial law is neither more nor less than the will of the general who commands the army. It overrides and suppresses all existing civil laws, civil officers, and civil authorities, **by the arbitrary exercise of military power**.³⁷⁶

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

The law of the territory ... whenever the local civil authority is superseded ...by the military authority of the occupying power... includes local criminal law as adopted or modified by competent authority, and the proclamations, ordinances, regulations, or orders promulgated by competent authority of the occupying power.³⁷⁷

Today, the people do not remember what it was like, once upon a time in the west.

A majority of the people of the United States have lived all of their lives under emergency rule. For 40 years, freedoms and **governmental procedures guaranteed by the Constitution have, in varying degrees, been abridged by laws brought into force by states of national emergency.** ... And ... actions taken by the Government in time of great crises have - from, ... the Civil War - in important ways shaped the present phenomenon of a permanent state of national emergency.³⁷⁸

National emergencies are:

A state of national crisis; a situation demanding immediate and extraordinary national or federal action. Congress has made little or no distinction between a "state of national emergency" and a "state of war".³⁷⁹

We are told that America is the longest lasting Constitutional government in the history of the world. In fact, the Constitutional republic lasted from 1787 to 1861, less than seventy-five years!!!

F.D.R. developed emergency powers doctrine more than any other President, usually while Congress was in recess. Thus, on March 6, 1933,³⁸⁰ under the guise of a national banking crisis, which he, as President had fully exploited, all American banks came under the control of the President to the extent that:

... present law forbids member banks of the Federal Reserve System to transact banking business, except under regulations of the Secretary of the Treasury, during an emergency proclaimed by the President.³⁸¹

In less than two years, all States passed similar statutes. Because of 12 U.S.C.A, Sec. 95 every President reaffirms the state of national emergency, annually.³⁸²

The answer to the question "are we living under a military government, etc.," must be an emphatic, Yes!!! Where is Congress in the scheme of things? What sort of power does it have?

375. *1 Blackstone's Commentaries*, 413.

376. *In re Egan*, 5 Blatchford, 321, Federal Case No. 4,303. [Emphasis added]

377. *Manual for Courts Martial*, United States, 1984, Rules for Courts Martial, 201(f)(1)(B)(I)(b), page II-11.

378. Senate Report No. 93-549, supra. [Emphasis added]

379. *Brown vs. Bernstein*, D.C. pa., 49 F. Supp. 728, 732.

380. Bank Holiday Act of 1933, Executive Order No. 2039.

381. 12 U.S.C.A., Section 95

382. e.g., National Emergencies Act (1976), P.L. 94-412 [H.R. 3884], Sep. 14, 1976, 90 Stat. 1255.

Earlier, we pointed out that Congress is not a body that sits according to Law or positive Act, but by resolution.³⁸³ 'Resolution' is:

... a term ... employed for the adoption of a motion, the subject matter of which would not properly constitute a statute, such as a mere expression of opinion; an alteration of the rules; a vote of thanks or of censure, etc.. Such is not law, but merely a form in which a legislative body expresses an opinion.³⁸⁴ [And] The chief distinction between a 'resolution' and a 'law' is that the former is used whenever the legislative body passing its wishes merely to express an opinion as to some given matter or thing and is only to have a temporary effect on such particular thing, while by a "law" it is intended to permanently direct and control matters applying to persons or things in general.³⁸⁵

This is also one of the reasons why Congress adjourns every Session *sine die*.

During the Korean War, there was much publicity over the fact that Congress never declared war and charges were flung back and forth that the War was illegal. The same took place in Viet Nam and elsewhere.

This, in fact, is nothing less than sheer hype because the President, as Commander-in-Chief with emergency powers, never needs the approval of Congress to engage in 'peace actions,' or war. The truth is, Congress only makes "public policy" as trustees in bankruptcy.

Such Acts are officially called, "Public Law" but, they have no real substance because "Public Law" is really "Private Law," because it applies only to those who feed at the Federal trough. It is:

The principles under which the freedom of contract or private dealings is restricted by law for the good of the community.³⁸⁶

For those who moan, roll their eyes and beat their breasts each time Christians speak of Gods' Law, and claim that any Law based on Gods' Law "imposes morality" on the people, consider that:

The term 'policy,' as applied to a statute, regulation, rule of law, course of action, or the like, refers to its **probable effect, tendency, or object**, considered with reference to the social or political well being of the state. Thus, certain classes of acts are said to be 'against public policy,' when the law refuses to enforce or recognize them, on the ground that they have a mischievous tendency, so as to be injurious to the interests of the state, **apart from illegality or immorality**.³⁸⁷

In other words, legality and morality have nothing to do with public policy that protects the interests of the State, not the people. Whether it's legal or moral doesn't matter. If this is not a statement of immorality then the English language has no meaning. Further:

Public policy is a variable quantity; it must and does vary, with the habits, capacities, and opportunities of the public.³⁸⁸

Apparently, "Whatever Lola wants, Lola gets."

The real truth of the matter is very clearly given by R. J. Rushdoony:

Law is in every culture **religious in origin**. Because law governs man and society, because it establishes and declares the meaning of justice and righteousness, law is inescapably religious, in that it

383. See U.S. Titles and Codes, Vol. I, Table of Contents, Title II, note the asterisk and its meaning at the bottom of the page.

384. Baker vs. City of Milwaukee, 271 Or. 500; 552 P. 3rd 772, at 775.

385. Black's, 6th, supra, page 1319.

386. Black's, 6th, supra, page 1374.

387. Hartford F. Ins. Co., vs. Chicago, etc., R. Co., 175 U.S. 91; Brown vs. Brown, 88 Conn. 42; Hiroshima vs. Bank of Italy, 78 Cal.

App. 362; People vs. Herrin, 284 Ill., 368; Smith vs. DuBose, 78 Ga., 413; Smith vs. Railroad Co., 115 Cal. 584. [**Emphasis added**]

388. 36 CH. Div. 359; Chaffee vs. Farmers' Co-op Elevator Co., 39 N.D. 585.

establishes in practical fashion the ultimate concerns of a culture. Accordingly, a fundamental and necessary premise in any and every study of law must be, **first**, a recognition of this religious nature of law.

Second, it must be recognized that in any culture the source of law is the god of that society. If law has its source in man's reason, then reason is the god of that society.

Modern humanism, the religion of the state, locates law in the state and thus makes the state, or the people as they find expression in the state, the god of the system. ...In Western culture, law has steadily moved away from God to the people (or the state) as its source, although the historic power and vitality of the West has been in Biblical faith and law.

Third, in any society, any change of law is an explicit or implicit change of religion. Nothing more clearly reveals, in fact, the religious change in a society than a legal revolution. When the legal foundations shift from Biblical law to humanism, it means that the society now draws its vitality and power from humanism, not from Christian theism.

Fourth, no disestablishment of religion as such is possible in any society. A church can be disestablished, and a particular religion can be supplanted by another, but the change is simply to another religion. Since the foundations of law are inescapably religious, no society exists without a religious foundation or without a law system which codifies the morality of its religion.

Fifth, there can be no tolerance in a law-system for another religion. Toleration is a device used to introduce a new law-system as a prelude to a new intolerance.³⁸⁹

Thus, Rome's Imperial power is in full control and its continued existence is justified by the doctrines of necessity, the bankruptcy of the United States, and the acquiescence of Christian people. And, all this took place under the guise of 'enforcing the law under a Constitution' — that, in substance, does not exist.

One may scream to high heaven about this, and the courts, IRS, BATF, FBI, and rail at countless agencies, bureaus, departments, and other tentacles of Imperial government with charges of fraud, theft, and a host of other crimes but imperial governments only do what the people want. **Imperial governments obey their law, but we do not obey the Law we claim, the Law of God. We honor it with our lips and not with our hearts or actions.** We violate God's Commandments — daily. We do things we ought not, against God's Law, while demanding the benefits, privileges, and opportunities of ungodly governments.

"...Thou shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous."³⁹⁰ It is We who accept the benefits, privileges, and opportunities of the new Roman Imperial military system and its commercial legalisms. If we enter Imperial courts they cannot judge us by **Our** Law, but by **their** law. They have no option. Thus, the Lord has said: "Dare any of you, having a matter against another, go to law before the unjust, and not before the saints?"³⁹¹ Is this not a command to set up our own courts under Godly jural societies???

The Laws of War, International and Municipal Law, and Emergency Powers, are not real law and are arbitrary, capricious, and self-contradictory. The Supreme Court has ruled³⁹² that there is no stare decisis, i.e., no precedent binds any court, because **they have no law standard** of absolute right and wrong by which to measure a ruling. Why would any Christian want to do battle in a court where he is judged by man's law, especially when he doesn't have to. Such courts, as the Rod of God, will compel us to live under man's law only so long as Christians acquiesce - voluntarily. This may need some explanation.

First, the Roman Imperial Federal, State, County, and City powers have set up their system to distribute benefits and collect payments thereon, only for those who have voluntarily renounced the Law of God and have chosen the law of man.

Second, we know this because even in the current law of man there is no provision to compel anyone to accept a benefit, privilege, immunity, or commercial opportunity, of any kind. There are, in fact, countless court decisions which state precisely this point.

389. *The Institutes of Biblical Law*, by Rousas John Rushdoony, a Chalcedon Study with three appendices by Gary North. Published by The Presbyterian and Reformed Publishing Co., (1973) 15th Printing. pp. 4-5.

390. Exodus, 23:8.

391. First Corinthians, 6:1.

392. Erie Railroad v. Thompkins

Thus, one must voluntarily step into the Roman commercial arena in order for it to make a demand on us. But, one cannot accept the benefits of the Roman system and still retain standing as a Christian. Imperial courts will make certain that We strictly adhere to one law or the other. We must, therefore, either live according to God's Law, the Law of substance, liberty, peace and *constituted* Christian government, or We will be compelled to live by the law of a fictitious persona, without substance or liberty, and they will govern every move and punish all deviation from an arbitrary and capricious system that even they don't understand. And, they will seize Our lives, liberties and property so long as Christians will not make it crystal clear as to who they worship and act consistently with that premise.

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

Thus, if We claim to be at common Law, in a Christian venue, yet in fact live under the arbitrary, Non-Christian system, and daily engage in commerce forbidden by Scripture, We are punished for Our lies, contradictions, deceit and fraud that are not permitted under God's Law. If those that claim the benefits of God's Law and His Providence and still worship at Mercury's altar (in commerce), they deserve what they get. Defendants who sit on a fence deserve to be split asunder. Remember, God is long-suffering and takes His own time to punish evil, but man wants punishment now and he has created the courts to do just that.

But **"He that is surety for a stranger shall smart for it: and he that hateth suretyship is sure."**³⁹³ Everyone wants to know how it's all going to turn out. But, God has said: **"Therefore take no thought for the morrow, for the morrow shall take thought for the things of itself. Sufficient unto the day is the evil thereof."**³⁹⁴ We know that victory is assured to God's People. We know that when Israel was returned to the land after Babylon, Ezra re-discovered the Law and his first task was to re-form a lawful civil power, which is the point of Christian Jural Societies. The Lord says: **"If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven and will forgive their sin, and will heal their land."**³⁹⁵

Note that The Lord does not call for imperial powers to repent, but for His people called by His name. It is We, the slaves of Imperial Rome who are in sin, just as Israel did under Pharaoh, Nebuchadnezzar, and Caesar.

And if We will love the Lord Our God with all Our hearts, and with all Our Souls, and with all Our Minds, We will find the Crown of Victory at the end of the race, and Our Posterity will say of Us:

"And they that shall be of thee, shall build the old waste places: thou shalt raise up the foundations of many generations: and thou shalt be called, the Repairer of the breach; the Restorer of the paths to dwell in." *Isaiah 58:12*

393. Proverbs 11:15-16.

394. Matthew, 6:34.

395. II Chronicles, 7:14.

Final Remarks

Since military law only recognizes international, municipal, and the laws of war, states administer municipal courts to punish 'infractions' of Motor Vehicle Codes. "Infraction," along with "contempt of court" and "appeal" are military terms. This is why such terms are not defined in State Codes.³⁹⁶

Such courts fly the Commander-in-Chief's flag, (gold fringed) and are an extension of his power, for whom such courts collect war reparations in fines. All the inferior courts act as military courts in summary court martial proceedings against civilians,³⁹⁷ and only try matters of fact. Judges make and declare law on a case by case basis, **without** the control of precedent or constitutional restriction. The law is thus, that which comes out of the judges mouth.³⁹⁸ Cases are resolved for revenue purposes, by necessity, but not by law.³⁹⁹

Thus, do not be deceived if a judge lets one present a constitutional argument. Often bored, they will hear considerable argument and even *stare decisis*. But, this in no way affects a judges ruling.

Under emergency powers, final authority is always the Commander-in-Chief, i.e., the President in his military capacity. The Commander-in-Chief rules by Executive Order and though Lincoln issued very few E.O.s, subsequent President's issued no less than 30,000 in a 70 year period. The E.O. snow storms under F.D.R. and subsequent President's, in fifty years, exceeds 17,000. This is in spite of the fact that E.O.'s are unconstitutional.

President also has authority to issue executive orders and his subordinates have authority to promulgate rules for the regulation of the internal affairs and procedure of the executive department and its subdivisions; **but the rules and orders promulgated by the President or by the heads of departments under his authority relating to the conduct of public business or to the civil service or other administrative matters 'have not the force of law and are not statutes in any sense;** ...courts of equity have no jurisdiction or authority to enforce them.⁴⁰⁰

But, once published in the Federal Register,

Executive orders have the force and effect of law and in their construction and interpretation the accepted canons of statutory construction are to be applied.⁴⁰¹

Many believe in going into court and "beatin' 'em at their own game." But this is folly, because;

...a court cannot acquire jurisdiction to pronounce a personal judgment ... except by actual notice upon him within the state, **or by his voluntary appearance.**⁴⁰²

The process of all current courts **is perfected by personal appearance, special appearances, and any other form of appearance**, except when one appears by lawful process. All appearances in such courts are **voluntary**, but **one must respond**. Thus, if one appears, one loses, because one has waived his right to argue against the service of defective process,⁴⁰³ and has one is thus, denied the protections of Christian common law.

396. e.g. the current Codes, State of California as Amended through 1994, Bancroft & Whitney.

397. That is, civilians are those who are residents under Federal law.

398. This is precisely what was said by a County District Attorney to John William in one case.

399. The "law" of Municipal or Traffic Courts is The 1933 War Powers Act as amended.

400. Smith, *Handbook of Elementary Law* (1939), pp. 80-81. [Emphasis added]

401. *Brown v. J. P. Morgan and Co.* (1941), 31 N.Y.S.2d 323, 177 Misc. 626, 635.

402. *Shipman's Common Law Pleading* (1923), Benjamin J. Shipman, p. 23. [Emphasis added]

403. *Bacon, vs. Fed. Res. Bank of San Fran.* (D.C.) 289 F. 513 at 515; *Whitesides vs. Dreg*, 56 Ind. App. 679; *Brumleve vs. Cronan*, 176 Kentucky 818; *Louisville & N.R. Co., vs. Ind. Bd. of Illinois*, 282 Ill. 139.

Law does not seek to compel appearance, but if the defendant is properly served and neglects to appear and plead, the court will render judgment against him for default of appearance.⁴⁰⁴

The only process which effectively challenges a court's law or jurisdiction is lawful process, and this means that one must either demur or abate.⁴⁰⁵ If you demur you admit all the charges and submit yourself to the court for judgment. If one abates properly, there is no case on which a court can act because an abatement **served** on a defendant, exposes the defects in plaintiff's process. If one does anything else,

... he is held to submit himself to the authority of the court, and all defects of service of process, are cured.⁴⁰⁶

By necessity, field officers (judges, highway patrolmen, sheriffs, etc.) exercise powers of life and death to maintain authority given them by international and municipal law and the laws of war. And, constitutional and common law process are too restrictive for Federal, State, County, and City courts, because they hamper the collection of the war debt.

Military courts use the "benefit of discussion"⁴⁰⁷ to acquire jurisdiction as soon as the "accused" asks or answers any question posed by a judge or the prosecuting officer.

Arrest Warrants with a judge's signature in black ink and proper affidavits with true court seals, are instruments of lawful process and thus, are not used in martial law courts. Any argument, therefore, by a defendant on these grounds alone, will be ignored.

Martial law courts manipulate Rules of English grammar to protect themselves from fraud charges. Thus, states write their name as The State of California, instead of California State, or, California Republic, or print it in all caps as in THE STATE OF CALIFORNIA, instead of proper upper and lower case letters, and use abbreviations such as CA, TX, MT, KS, NY, NJ, and so on, *ad nauseum*, all of which are misnomers and no names at all. International law requires all parties to a case, to appear in some name other than their own lawfully spelled Christian appellation.

The real irony is, the United States and the States, created martial law courts to expand revenue collection. But by doing so, they became vulnerable — **to Lawful processes**. There is little they can do about it without violating international law. This is why the U.S. will not pull out of the United Nations, because the U.N. is the basis of the United States' authority under International Law.

A word of caution. One who hires an attorney-at-law cannot bring lawful process against emergency powers courts because all Bar attorneys are agents of the court and can only use processes allowed by the court that licenses the attorney to practice.⁴⁰⁸ One must not hire an attorney⁴⁰⁹ to appear in martial law courts because, doing so, automatically grants jurisdiction:

A plea to the jurisdiction of the person, must be pleaded in person, and not by attorney. If pleaded by attorney, it is a submission to the jurisdiction of the court."⁴¹⁰ [And] "A plea to the jurisdiction of the person by a corporation must be by attorney."⁴¹¹

404. *Handbook of Common Law Pleading*, by Henry Ballantine, Ed. by Benjamin J. Shipman, 3rd. Edition, 1923, West Publishing Co., St. Paul, Minnesota.

405. *Handbook of Common Law Pleading*, by Benjamin J. Shipman, Third Edition, by Henry Winthrop Ballantine, West Publishing Co., St. Paul, Minnesota. (1923).pp. 25-29.

406. *Hayes vs. Shattuck*, 21 Cal. 51; *Stockdale vs. Buckingham*, 11 Iowa 45; *Knight vs. Low*, 15 Ind. 374; *Scott vs. Hull*, 14 Ind. 136; *York vs. Texas*, 137 U.S. 15.

407. Black's, 6th, supra, page 467, under heading "discussion."

408. *Corpus Juris Secundum*, Vol. 7, Secs. 4 & 7, "attorney client privilege;" Black s, 3rd, supra under headings 'ward of the court' and 'non compos mentis.'

409. *Greer vs. Young*, 120 Ill. 184; *Willard vs. Zehr*, 215 Ill. 148.

410. *Pratt vs. Harris*, 295 Ill. 504; *Decentennial Digest* Pleading Section 104(l); *Mineral Point R. Co. vs. Keep*, 22 Ill. 9; *Davidson vs. Watts*, 11 Va. 394; *The Plea to the Jurisdiction*, by W. H. Moreland, 23 Va. Law. Reg. N.S., 249.

411. *Nispel vs. Western Union Railroad Co.*, 60 Ill. 311.

Without Lawful process, all constitutions are dead letters, manipulated at the *de facto* governments whim, because constitutions depend on Lawful process for their proper implementation.

If a Constitution or precedent gets in the way, it is ignored because they are merely optional.⁴¹² This is why Supreme Court cases⁴¹³ in which there is no right, constitutional or otherwise, are heard.. A 'social agenda' is impossible without Doctrines of Necessity and international or treaty law to justify imposition of martial law.

Remember, there was no Federal Social Security before passage of the International Labor Organizations Treaty (1935). It mandated a social consciousness and enfranchisement of the masses. It justified entitlement programs created in the New Deal that the people are burdened with, today. The hidden fact is, **constitutional rights are now deemed to be 'privileges'** that can be given or taken away, by necessity.

The [Supreme] Court remarked it had its origin in the lawful exercise of a belligerent right over a conquered territory. It had been instituted during the war by the command of the President ... It was the government when the territory was ceded as a conquest, and it did not cease ... as a necessary consequence of restoration of peace. The President might have dissolved it by withdrawing the [military] who administered. But, he did not do so. Congress could have put an end to it, but that was not done.... it was meant to be continued until it was legislatively changed.... it was to be presumed that the delay was consistent with the true policy of the government; as it was continued until the people of the territory met in convention to form a state government, which was subsequently re-organized by Congress under its power to admit new States into the Union. ... the so-called civil, but really military, government of California, organized as it was as a right of conquest, did not cease or become defunct in consequence of the signature of the treaty of peace with Mexico or from its ratification; and it was continued over a ceded conquest without any violation of the Constitution or laws of the United States.⁴¹⁴

Martial law powers are terminated in only three ways.

First, a Commander-in-Chief can end martial powers by Executive Order. But, a lawfully constituted authority must exist to which he may cede his power. But, if it ended tomorrow, it would make no difference in how the law is administered, until a lawfully constituted authority was in place.

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

Third, it can be ended by the people if they restore lawful courts, process, and procedure under the authority of the "inherent political powers"⁴¹⁵ of the people. Inherent powers are:

An authority possessed without its being derived from another. A right, ability, or faculty of doing a thing, without receiving that right, ability, or faculty, from another.⁴¹⁶ (and) Those which are enjoyed by the possessors of natural right, without having been received from another. Such are the powers of a people to establish a form of government, of a father to control his children. Some of these are regulated and restricted in their exercise by law, but they are not technically considered in the law, as powers.⁴¹⁷

This is the cornerstone of the Christian peoples' right to form Christian Jural Societies as discussed in Part Two of this work. If the people resist submission to martial law courts, process, and procedure, and respond with Lawful process, martial law is null and void, *ab initio, nunc pro tunc*, and the massive profits in martial law are greatly reduced. By this means, the people de-fund martial law.

412. See Title 28, U.S. Code, Section 453.

413. Right to Privacy, abortion, social security, etc.

414. Birkhimer, supra, page 363, Section 348, 16 Howard P. 190

415. See, Documents Illustrative of the Formation of the Union, U.S. Government Printing Office.

416. Black's, 3rd, supra, page 963.

417. Black's, 3rd, supra, page 1391, under heading 'power.'

Commerce vs. Unalienable Rights

Note: The following was researched and first printed in The Christian Jural Society News,⁴¹⁸ as a Multi-part Series by John Joseph. This reveals the vital importance of the Abatement process and the continuous formation of the Christ's assemblies everywhere.

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

Commerce. Trade on a large scale, or the exchange of commodities. (From the Latin *cum mercis*.)⁴¹⁹

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

Commerce. *Mercatura* (especially of the merchant: *mercatio* (commercial transaction, the buying and selling, Gell, 3, 3): *negotium*, or, plural *negotia* (the business which any body carries on, especially as corn-merchant and money-lender): *commercium* (commerce, commercial intercourse), Sal., Jug., 18, 6, Plin., 3, 1, 3; with any thing, *alicujus rei*, Plin., 12, 14, 30; then, also=the liberty of commerce): wholesale business, *mercatura magna et copiosa*: in retail, *mercatura tenuis* [Vide Trade]. The Roman merchants carry on a commerce with Gaul, *mercatores Romani ad Gallos commeant* (i.e., they visit Gaul with their merchandise, Caes., B. G., 1, 1). Social intercourse, *conversatio*, (Vell., Quint.): *usus: consuetudo* (of his service, &c.): *convictus* (in so far as one lives with any body). Vide Intercourse.⁴²⁰

Contrary to popular belief, the Latin language is not dead. It is carried forward in English today.

"Commerce" deals with the trade, buying, negotiating, profiting, benefitting, selling or exchange of commodities on a large scale between two separate and distinct venues, intercourse. The large scale aspect of commerce necessarily involves the public's (not necessarily Christendom's) participation in some way, either willingly or unwillingly. Profiting or benefitting at the expense of the public, or their government is what must be, and is, licensed, regulated, and taxed:

The term "commerce" as employed in U.S. Const. Art. I, 8, is not limited to exchange of commodities only, but includes, as well, "intercourse" with foreign nations, and between states [venues]; and term "intercourse" includes transportation of passengers.⁴²¹

The last phrase in Henius' work, "the exchange of commodities" concerns us the most, because "commodities" is another term which must be defined so we can come to a true and correct definition of what truly is and is not "commerce." And the last phrase in the Raymond decision gives a clue to removing and staying out of commerce: that being, conducting your affairs among those of like-mind in the state of Christendom, thereby not crossing venues.

418. The Christian Jural Society News may be found by writing to: Randy Lee, general delivery, Canoga Park Post Office, Canoga Park, California. All words in this location must be spelled as is **with no additions**.

419. Frank Henius, *A Dictionary of Foreign Trade* (1946), p. 116. [For those interested, Henius' book is available from Randy Lee.]

420. Riddle, *English-Latin Lexicon* (1849), p. 114.

421. People v. Raymond (1868), 34 C. 492. [Insertion added.]

Commodities are what we hear are being traded on many of the large exchanges in New York, Chicago, Los Angeles, London, Hong Kong, Frankfurt and others. But no where on news reports are you told what a "commodity" is. Consulting Henius' work:

Commodity. Something which affords convenience or profit, which can be exchanged for some other value. The commodity must be in such tangible form, whether goods and services, that it can be traded for something tangible (goods and services). Thus, a commodity becomes something that can be made the subject of trade, of acquisition as well as of an exchange offering; something possessing exchange value, that can be traded for something else.⁴²²

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

The word 'goods' has been interpreted generally as meaning tangible movable things, called 'chattels.' In the law of bailments, 'goods' includes money when treated as a commodity and not as a medium of exchange, and also documents and instruments whether representing goods (e.g., bills of lading and warehouse receipts representing goods) or representing intangibles (e.g., certificates of stock representing shares in a corporation, and negotiable and non-negotiable instruments representing rights of action, such as checks, promissory notes, insurance policies, and savings bank books).⁴²³

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

Commodity. What possesses the quality of ease, comfort: *commoditas: commodum: opportunitas* (convenience). ^aProfit, *commodum: emolumentum*, (advantage, opposed to *incommodum, detrimentum*): *lucrum: fructus* (gain: opposed to *damnum*): *questus* (gain, which one seeks, profit): *utilitas*, (general term for the use or serviceableness of any thing). Ware, or merchandise, *merx*. Commodities, *merces*.⁴²⁴

Benefit. *Beneficium*. To confer a benefit on any one, *beneficium alicui dare, tribuere, in aliquem conferre or deferre; beneficio aliquem afficere: benefacere alicui*. Your benefits to me, *tua in me officia; tua erga me merita*. As a benefit, *pro beneficio; in beneficium loco*. ^aUse, advantage, *utilitas, usus; commodum, emolumentum*.⁴²⁵

Notice, the same words describe "benefit" as a "commodity" or profit. Benefits as profits, if derived from public detriment, are commodities. A benefit received from the federal government is a commodity and thus subject to regulation under the interstate commerce clause. Benefits from a State government are subject to regulation of intrastate commerce. Remember, benefits cross the boundaries mapped out by the constitutions; thus, establishing a commodity moves one from one venue to another:

422. Frank Henius, *A Dictionary of Foreign Trade* (1946), p. 120.

423. Frascina, *Business Law* (1954), pp. 291-292.

424. Riddle, *English-Latin Lexicon* (1849), p. 115.

425. Riddle, *English-Latin Lexicon* (1849), p. 62.

But where the effect of intrastate transactions upon interstate commerce is merely indirect, such transactions remain within the domain of [that] state[s] power. If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by the sufferance of the federal government.⁴²⁶

Now what benefits are you receiving? The benefit of free mail delivery to your house? Please see Randy Lee's articles on the Post Office's 'general delivery.'⁴²⁷ Do you receive the benefit of "federal corporate employment?" Receipt of **any** benefit from **any** government changes your whole relation to the government. Why? Because it puts you on the government defined "fief" or "feud":

Fief. The right bestowed on any body, beneficium: *feudum (technical term).⁴²⁸

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

Statutory contract is a contract which the statute says shall be implied from certain facts [receipt of benefit], and is governed by the ordinary rules relating to contracts.⁴²⁹

A quasi contractual action presupposes acceptance and retention of a benefit by one party with full appreciation of the facts, under circumstances making it inequitable for him to retain the benefit without payment of its reasonable value.⁴³⁰

A debt resulting from a normal agreement or contract has always been the result of a promise to pay, and invoked a remedy in the form of assumpsit. However, an assumpsit cannot be applied to actions of debts where there is no agreement unless the court does so by means of a fiction, because in order to support assumpsit, it is necessary to allege a promise, and without agreement there is no promise. Historically, the courts have adopted the fiction of a promise, and it was declared that a promise was implied in law.⁴³¹

For the convenience of the remedy, they have been made to figure as though they sprang from contract, and have appropriated the form of agreement.⁴³²

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

"I am the Lord thy God, which have brought thee out of the land of Egypt, out of the house of bondage. Thou shalt have no other gods before me."⁴³³

Not only is it unscientific, and therefore theoretically wrong, but it is also destructive of clear thinking, and therefore vicious in practice. It needs no argument to establish the proposition that it is not scientific to treat as one and the same thing an obligation that exists in every case because of the assent of the defendant, and an obligation that not only does not depend in any case upon his assent, but in many cases exists without his assent.⁴³⁴

426. Schechter Poultry Corp. v. U.S. (1935), 295 U.S. 495, 55 S.Ct. 837, 79 L.Ed. 1570.

427. The Christian Jural Society News, the third, fourth, fifth, and ninth Issues, (1996), published by The Christian Jural Society Press, Canoga Park, California.

428. Riddle, English-Latin Lexicon (1849), p. 297.

429. Foley v. Leisy Brewing Co., 89 N.W. 230, 231, 116 Iowa 176. [Emphasis added.]

430. Major-Blakeney Co. v. Jenkins (1953), 121 C.A.2d 325, 263 P.2d 655, hear den.; Townsend Pierson, Inc. v. Holly-Coleman Co. (1960), 178 C.A.2d 373, 2 Cal. Rptr. 812.

431. Keener, Quasi-Contracts, pp. 4-5.

432. Anson, Contracts (8th Ed.), p. 362.

433. Exodus 20:2-3.

434. Keener, Quasi-Contracts, p. 3.

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

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

Again it may be asked, what must be done when a human law does not agree with the Divine

Law? Must such law be obeyed? Men have no right to make a law that is contrary to the law of God; and we are not bound to obey it.⁴³⁵

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

When performance of contract depends on continued existence of given person or thing [benefit], condition is implied that impossibility arising from perishing of person or thing [benefit] excuses performance.⁴³⁶

Where performance depends on existence of a given thing [consideration, benefit] assumed as the basis of the agreement, performance is excused to extent that the thing [benefit] ceases to exist or turns out to be non-existent.⁴³⁷

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

No man can be charged in equity as a partner [promisor, resident], and sued at law as a debtor [Christian Man] of the firm, for his adversary cannot place him in these incompatible legal attitudes.⁴³⁸

In the case of free mail delivery, removal of the post office box or sealing of the mail slot in your door is removal of the benefit. The returning of all forms of consideration, benefit, or *commodum* to the grantor or giver of such, is the answer. In addition, an abatement of the *persona designata/nom de guerre* further divides the Christian Man of Substance, from the Federal Plantation.

This raises the issue of "unalienable rights." No one has an unalienable right to receive any government "benefits" to the detriment of the public "commerce." This is easily seen:

Unalienable. Incapable of being transferred.

Things which are not in commerce (traditionally vested rights), as, public roads, are in their nature unalienable. The natural rights of life and liberty are unalienable.⁴³⁹

435. *Young's Civil Government*, published in 1877 by A. S. Barnes & Co.

436. *Field (A. B.) & Co. v. Haven* (1918), 36 C.A. 669, 173 P. 108.

437. *Dairy Food Store, Inc. v. Alpert* (1931), 116 C.A. 670, 3 P.2d 61; *Coulter v. Sausalito Bay Water Co.* (1932), 122 C.A. 480, 10 P.2d 780.

438. *Rheem v. Snodgrass*, et al. (1858), 2 Grant's Cases 379.

439. *Bouvier's Law Dictionary* (1914), p. 3350.

Unalienable. The state of a thing or right which cannot be sold.

2. Things which are not in commerce [traditionally vested rights], as public roads, are in their nature unalienable. The natural rights of life and liberty are unalienable.⁴⁴⁰

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

“Neither shalt thou steal. Neither shalt thou bear false witness against thy neighbor. Neither shalt thou desire thy neighbor's house, his field, or his manservant, or his maidservant, his ox, or his ass, or any thing that is thy neighbor's.”⁴⁴¹

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

Mercator, oris, m. [mercor], a trader, merchant, esp. A wholesale dealer (opp. Caupo): Caes., Cic., Juv.⁴⁴²

Mercabilis, e, adj. [mercor], that can be bought: Ov.⁴⁴³

Mercor, ari [merx]. I. To trade, traffic: Pl. II. To buy, purchase. 1. Lit.: hortos [*432] Hor.: aliquid ab aliquo, Cic.; fundum de pupillo, Cic.; quanti, Plin. 2. Transf.: ego haec officia mercanda vita puto, Cic. Ep.; hoc mango, Verg. Perf. Part. In Pass. Sense: Sail., prop.⁴⁴⁴

The god of commerce is the Roman god, Mercury:

Mercurius, I, m. The son of Jupiter and Maia, the messenger of the gods; as a herald. The god of eloquence; the god of traders and thieves; the presider over roads; conductor of departed souls to the Lower World; stella Mercuri, Cic.; Mercurialis, e, adj.; Mercuriales, ium, m. Pl. A corporation of traders at Rome.⁴⁴⁵

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

Speculate. To undertake a venture the results of which are undetermined and can only be conjectured, with the hope or idea of profiting thereby. The purchase or sale of stocks, commodities, metals, merchandise, or the like, in the hopes of making a profit [getting a benefit] on account of expected but not yet determined fluctuations of market situations or prices [inflation or deflation] at the time the speculation is entered into.⁴⁴⁶

440. *Bouvier's Law Dictionary* (1859), Vol. II, p. 610.

441. Deut. 5:19-21.

442. Chambers Murray, *Latin-English Dictionary* (1933), p. 431.

443. Chambers Murray, *supra*, p. 431.

444. Chambers Murray, *supra*, pp. 431-432.

445. Chambers Murray, *supra*, p. 432.

446. Frank Henius, *A Dictionary of Foreign Trade* (1946), p. 428. [Insertions added.]

Speculation. From the Latin *speculare*, to observe, to look around.' The buying or selling of something, or the venture in a transaction the profits [benefits] of which are uncertain and subject to change.⁴⁴⁷

Speculator. The person who buys or sells something, or enters into a transaction by which he hopes to profit [benefit] although at the time of buying, selling, or entering the transaction the chances of profit are uncertain and subject to change.⁴⁴⁸

The gambler [speculator] courts fortune [benefit, commodum]; the insured seeks to avoid misfortune. The contract of gambling tends to increase the inequality of fortune, while the contract of insurance tends to equalize fortune [communism].⁴⁴⁹

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

'Commerce' in the sense in which the word is used in the constitution is co-extensive in its meaning with intercourse.⁴⁵⁰

Commerce includes intercourse, navigation, and not traffic alone.⁴⁵¹

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

“Go to now, ye that say, To day or tomorrow we will go into such a city, and continue there a year, and buy and sell, and get gain: Whereas ye know not what shall be on the morrow. For what is your life? It is even a vapour, that appeareth for a little time, and then vanisheth away.”⁴⁵²

For this reason, when we all stepped into commerce, we all compromised our traditionally vested rights. You have only two absolute "unalienable rights": Life and Liberty. Everything else is conditioned on your conduct and consent. Your Life and Liberty are vested by God in Genesis 2:7. Dominion over property is conditional; this is the lesson of Adam in the garden. See also Lk 12:15 and Mt 4:8.

Just how did we all step into 'commerce'? Perhaps the easiest way to put this is: when we left the land seeking something that really never existed in the first place, except in our own minds, which can be manipulated. Now many of you will say, "We still have our farm." Not so, if it is registered in the county recorder, or if you are registered to vote, or if it has a mortgage, or if it is an asset of a trust, corporation, partnership, etc., or if it has ever been sold for commercial paper, or if its owner is receiving mail at that location. The status of the estate follows the status of its owner. This is what I mean about leaving the land. We were never to sell or compromise the land, because it is not ours: "The earth is the Lord's, and the fulness thereof." Psalm 24:1. See also Psalm 50:12. We were to occupy till He returns, when He comes to take back that which belongs to Him. Occupation is not buying and selling for profit, or speculating with our neighbor. The armies of the earth do not buy and sell; however, their sponsoring speculators do.

447. Frank Henius, *A Dictionary of Foreign Trade* (1946), p. 428. [Insertion added.]

448. Frank Henius, *A Dictionary of Foreign Trade* (1946), p. 428.

449. Vance, *Insurance* (1954), p. 93. [Emphasis and insertion added.]

450. *Carson River Lumbering Co. v. Patterson* (1867), 33 C. 334.

451. *Lord v. Goodall, Nelson & Perkins S. S. Co.* (1881), 102 U.S. 541, 26 L.Ed. 224.

452. James 4:13-14.

Just how dangerous can "harmless commerce" get? I believe the following remarks by Major General Butler in 1933 tell the story about the links between commerce and war:

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

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

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

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

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

The record of racketeering is long. I helped purify Nicaragua for the international banking house of Brown Brothers in 1909-1912. I brought light to the Dominican Republic for American sugar interests in 1916. In China, in 1927, I helped to see to it that Standard Oil went its way unmolested.⁴⁵³

"From whence come wars and fightings among you? Come they not hence, even of your lusts that war in your members? Ye lust, and have not: ye kill and desire to have, and cannot obtain: ye fight and war, yet ye have not, because you ask not. Ye ask, and receive not, because ye ask amiss, that ye may consume it upon your lusts."⁴⁵⁴

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

Funding System, Eng. law. The name given to a plan which provides that [*552] on the creation of a public loan, funds shall immediately be formed, and secured by law, for the payment of the interest, until the state shall redeem the whole, and also for the gradual redemption of the capital itself. This gradual redemption of the capital is called the sinking of the debt, and the fund so appropriated is called the sinking fund.⁴⁵⁵

Funding System. The practice of borrowing money to defray the expenses of government.

In the early history of the system it was usual to set apart the revenue from some particular tax as a fund to the principal and interest of the loan. The earliest record the funding system is found in the history of Venice. In the year 1171, during a war between the republic and the Byzantine emperor Manuel Commenas, a Venetian fleet ravaged the eastern coasts, but, being detained by negotiations at Chios, suffered severely from the plague. The remnant of the expedition, returning, took with it the frightful pestilence, which ravaged Venice and produced a popular commotion in which the doge was killed. To carry on the war, the new doge, Sebastianiani, ordered a forced loan. Every citizen was obliged to contribute one-hundredth of his property, and he was to be paid by the state five per cent interest, the revenues being mortgaged to secure the faithful performance of the contract. To manage the business, commissioners were appointed, called the Chamber of Loans, which after the lapse of centuries grew into the Bank of Venice. Florence and other Italian republics practiced the system; and it afterwards became general in Europe. Its object is to provide large sums of money for the immediate [*1324] exigencies of the state, which it would be impossible to raise by direct taxation.

453. Maj. Gen. Smedley Butler, 1933 Armistice Day speech in Philadelphia, cited in R. E. McMaster, *Wealth for All Religion, Politics and War* (1982) pp. 210-211. [Insertions added.]

454. James 4:1-3.

455. *Bouvier's Law Dictionary* (1859), vol. I, pp. 551-552.

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

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

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

The funding system enables the government to raise money in exigencies, and to spread over many years the taxation which would press too severely on one.⁴⁵⁶ It affords a ready method of investing money on good security, and it tends to identify the interest of the state and the people. But it is open to many objections, the principal of which is that it induces statesmen to countenance expensive and oftentimes questionable projects who would not dare to carry out their plans were they forced to provide the means from direct taxation.⁴⁵⁷

And, from Judge Henry Clay Dean in 1868:

But there is no fact in the history of this war debt more startling than this: that the great body of these bankers and bondholders were, at the beginning of the war, but poor men; many of them helpless bankrupts, and many of the pretended loans were mere collusions between bankers and government officers [actors], entered into for the purpose of creating money for the one [purported government] and power for the other [bankers], at the expense of the people, who would be required to raise standing armies from their children to support this [banking] power and contribute taxes from their labor to maintain the [government] funding system.

456. [see Const. U.S.A., Article I, section 8, clauses 1 & 2

457. McCulloch, *Dict. of Commerce*; Sewell, *Banking. Bouvier's Law Dictionary* (1914), pp. 1323-1324. [Emphasis and insertion added.] In other words, unless and until the loan is repaid, the property or works created by use of the loan are property of the lender.

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

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

In the history of insolvent estates, bankrupts, merchants, contested debts and repudiated obligations, which make up the assets of the last six years, it must not startle mankind that the honest people have thrown off the yoke rudely placed upon them by reckless and unscrupulous tyrants.⁴⁵⁸

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

By mere supineness, the people of the South have permitted the Yankees to monopolize the carrying trade, with its immense profits. We have yielded to them the manufacturing business, in all its departments, without an effort, until recently, to become manufacturers ourselves. We have acquiesced in the claims of the North to do all the importing, and most of the exporting business, for the whole Union. Thus, the North has been aggrandized, in a most astonishing degree, at the expense of the South. It is no wonder that their villages have grown into magnificent cities. It is not strange that they have merchant princes, dwelling in gorgeous palaces and reveling in luxuries transcending the luxurious appliances of the East! How could it be otherwise? New York city, like a mighty queen of commerce, sits proudly upon her throne, sparkling in jewels and waving an undisputed commercial scepter over the South. By means of her railways and navigable streams, she sends out her long arms to the extreme South; and, with an avidity rarely equaled, grasps our gains and transfers them to herself by taxing us at every step and depleting us as extensively as possible without actually destroying us.⁴⁵⁹

And, Congressman Reagan of Texas in 1861:

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

We do not intend that you shall reduce us to such a condition. But I can tell you what your folly and injustice will compel us to do. It will compel us to be free from your domination, and more self-reliant than we have been. It will compel us to manufacture for ourselves, to build up our own commerce, our own great cities, our own railroads and canals; and to use the tribute money we now pay you for these things for the support of a government which will be friendly to all our interests, hostile to none of them.⁴⁶⁰

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

458. Judge, Henry Clay Dean, 1868. [Insertions added.]

459. *Vicksburg Daily Whig*, January 18, 1860.

460. The Honorable John H. Reagan of Texas, January 15, 1861, *Congressional Globe*, 36th Congress, 2d session, p. 391.

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

It is no secret "harmless commerce" is dangerous, as John Adams clearly shows:

Principiis obsta [*oppose the first appearance of evil], nip the shoots of arbitrary power in the bud, is the only maxim which can ever preserve the liberties of any people. When the people give way, their deceivers, betrayers, and destroyers press upon them so fast, that there is no resisting afterwards. The nature of the encroachment upon the American constitution is such, as to grow every day more and more encroaching. Like a cancer, it eats faster and faster every hour. The revenue creates pensioners, and the pensioners urge for more revenue. The people grow less steady, spirited, and virtuous, the seekers more numerous and more corrupt, and every day increases the circles of their dependents and expectants, until virtue, integrity, public spirit, simplicity, and frugality, become the objects of ridicule and scorn, and vanity, luxury, foppery, selfishness, meanness, and downright venality swallow up the whole society.⁴⁶¹

“Because of unrighteous dealings, injuries, and riches got by deceit, the kingdom is translated from one people to another.”⁴⁶²

And again, Judge Henry Clay Dean:

For resistance to law, every government has ample powers to punish offenders; for usurpation, governments have provided no adequate remedy.⁴⁶³

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

Conclusion

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

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

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

In earlier versions of this work, we summarized things by asking a good many questions and providing a simple, yet, unsatisfying solution.

Subsequent research, based on a theory of the case that developed out of earlier versions of this work, now shows a clearer and more concise answer. Briefly it comes down to the following.

461. John Adams, Works IV, p. 43. [insertion added.]

462. Ecclesiasticus 10:8. (K.J.V.)

463. Judge, Henry Clay Dean, 1868

At least seven years before Lincoln's War, a number of states began to adjourn their state legislatures *sine die*.⁴⁶⁴ This discovery makes no sense until we realize that the U.S. Senators of these Northern states, appointed at that time by state legislatures,⁴⁶⁵ were the most radical proponents of policies that would drive the South out of the Union.

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

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

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

The answer is, the Christian under-pinnings and presuppositions embodied in the Constitution put too many restrictions on development of commerce between the states. With the Constitution gone, it was 'survival of the fittest',⁴⁶⁶ and with the money power held by Northern banks, it is likely that much of the Southern raw material production would have ended up in the hands of Northern industrialists at the price that the North wanted to pay for it.

The South would have been reduced to feudal states under control of the Northern commercial interests, and slavery would probably still exist as a matter of sheer economic necessity.

Then, along came Abe with a better idea.

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

Remember, at this time in our nation's history, the country was literally busting out at the seams with western expansion, discovery of gold in California, development of steam plants and engines, invention, and so on. Everyone was scrambling to get his piece of the pie, and with the Christian consensus greatly reduced, there was no one to sound the alarm from the pulpit.

We can now see that Lincoln's plan to put the nation under military law and resurrect the old Roman law with its heavy emphasis on commerce, satisfied all competing interests, except those of the South and the common people of America. More importantly, it got rid of the burdens of the Constitution and served notice on a Christian world that, the united States was no longer a Christian nation.

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

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

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

464. Connecticut, one of the 13 colonies that supported the Constitution began to adjourn *sine die* as early as 1853.

465. The election of Senators by the people, did not become a matter of Constitutional law until the 17th Amendment.

466. Charles Darwin's book, *On The Origin of Species or, The Survival of Favoured Races*, has been a popular justification for lawlessness and racism since its publication in 1857.

All this because Christians gave up the God who gave them life, liberty, and peace, for the gods of Mars and Mercury so they could engage in commerce and the 'privilege' of engaging in legalized theft, debt, and profit. We all became 'hooked' on commerce and the easy life and re-defined Our Christianity to justify it. Even our churches sit in commerce as 501(c)3 corporations.

Either We turn back to the God and obey His Laws, or God will grind us to dust, mixed Our own blood, on Our own land. But,

"If My people, which are called by My name, shall humble themselves, and pray, and seek My face, and turn from their wicked ways, then I will hear from Heaven and will forgive their sins, and will heal their land."⁴⁶⁷

"But if ye turn away, and forsake My statutes and My commandments, which I have set before you, and shall go and serve other gods, and worship them; then will I pluck them up by the roots out of My land, which I have given them; and this house, which I have sanctified for My name, will I cast out of My sight, and will make it to be a proverb and a by-word among all nations."⁴⁶⁸

Note: God is not speaking here to humanists but, to You and I, yesterday, today, and forever.

Even so, Come, Lord Jesus. Amen.

467. Second Chronicles 7:14.

468. Second Chronicles 7:19-20.

Part Two

Matters concerning His Lawful assembly

This section was formerly called "The Christian Jural Society Handbook" and is presented here in its place as a supplemental update for the "Prolegomena" (Part One) and the "Non-statutory Abatement" process until the completion and release of a Fifth Edition, according to our Father's will, takes place. It presents:

Various writings by the several bondmen and unprofitable servants of our Lord and Saviour Jesus the Christ, who are, by our Father's Grace, currently sojourning in Him.

The Simplicity as to the Christ

Part One

"But I fear, lest by any means, as the serpent deceived Eve in his craftiness, so should he corrupt your thoughts from the simplicity which is as to the Christ.

For if indeed he that comes proclaims another Jesus whom we did not proclaim, or ye receive a different spirit which ye did not receive, or different glad tidings, which ye did not accept, well were ye bearing with it." *2 Corinthians 11:3-4* [Interlinear Greek/ English, Stephanus Text, George Ricker Berry]

As we continue our exodus out of the house of bondage with the confusion and fascination that reigns therein, and reach His promised land of simplicity in and of Him, we continue to leave behind all of the dead ways of the world, thereby fulfilling His command to "come out of her My people." Consistent with this exodus and joyful fellowship with all called and assembled by Him in and to His Lawful assemblies, through His revealed knowledge and understanding we will continue to shed the dead errors of the past by the road, and by His Grace, never to return to those ways again; that we may, by His Grace, walk in newness of Life in faithfulness to Him. To enter in to this simplicity and to continue the separation of the bone from the marrow, a change of the name of the work (Christian Jural Society Handbook/Christian Jural Society News) many may have, or have had, in their possession is warranted.

To show where we have been led, we will break down the journey into two separate parts. This part will explain the change of the name of the 16 page letter available each month, and the elimination of the term "Christian Jural Society"; and, by the Grace of God through Christ Jesus, in the second part [which will appear on the following pages], we will share the recent research information relating to the "general post-office" and what this means to the executing bondman of Christ Jesus.

Note: The Christian Jural Societies throughout the land have been formed and assembled for His purposes. It is time to consider the shedding of the "legal personality" of the term "Christian Jural Society" and look to the Simplicity in Christ and the continual building up by Him of *His ekklesia*--His called-out ones--His remnant--*His Lawful assembly*.

Beginning with the former name of this work, "The Christian Jural Society Handbook," we see three key words. We ask that you take special note of the first word, "Christian." In all of the many epistles of Brothers

Peter, Paul, John, Jude, James, and in all the historical research on the early Lawful assemblies, we have never come across any of them referring to themselves by this **dead** moniker, but to that of substance:

"Paul and Timotheus, bondmen of Jesus Christ..." *Phillippians 1:1*

"James, bondman of God and of the Lord Jesus Christ..." *James 1:1*

"Simeon Peter, bondman and apostle of Jesus Christ..." *II Peter 1:1*

"Jude, bondman of Jesus Christ..." *Jude 1:1*

"Paul, bondman of Jesus Christ, a called apostle, separated to the glad tidings of God..." *Rom. 1:1*

"Paul, bondman of God, and apostle of Jesus Christ..." *Titus 1:1*

"Revelation of Jesus Christ, which God gave to Him, to shew to His bondmen..." *Revelation 1:1*

[The above verses are from the Interlinear Greek/English, Stephanus Text, George Ricker Berry].

The heathen at Antioch were the first users of the moniker, "Christians," to put a label on those who did not follow the ways of the world of Antioch. Labels are images, as was the superscription on the coin shown to Christ by the disciples of the Pharisees. It is one of those euphonious words to bring a bondman in and of the Christ into the house of bondage to the world. Just as Peter gave credence to the temple-tax and thereby was bound to pay it, those who give credence to the label "Christian" are bound to the service of those who use or make such labels of the world. This is why it is so important when remaining faithful to Christ Jesus, that you be able to know what words **and what evidence must be presently shown** to sanctify the Christ's bondman from the world's "christian." This is part of "running the race" set before us. For further information on the label "Christian," see "The Unincorporated Church so-called" article in this section of The Book of the Hundreds.

The second to take into consideration is the word "jural." "Jural" refers to natural "rights" or positive right, or to man's "doctrines" of rights and obligations. The bondmen in and of the Christ have no rights and obligations from or to the world, but only duties to Him who bought them for a price to **do** His Will and not their own self-aggrandizing will. In Him do they find their abode [their rest], their salvation, their Life, and their being. With the Law being an Image of Him, outside of Him there is only lawlessness, and "jural" has no Law, but has only "moral" rights and obligations (which are evolutionary) that describe the "moral persons" of that society. In short, all things relating to "jural" are the creations of the heathen world and are for the heathen only.

The third to take note of is "society." "Society" is just another word for "the world." It is not a word found anywhere to describe God's children, for it denotes "persons" gathered together according to **their own** will for **their own** purposes:

"Society. A number of persons associated for any temporary or permanent object; an association for mutual or joint usefulness, pleasure or profit." *Webster's New International Dictionary (1931), page 1987.*

The humanist James Ward best described the depravity of and anti-Christ purpose of "society" when he wrote:

"Without this intersubjective intercourse mankind would remain a herd; with it they become a society."

We, according to the Grace and Will of God our Father, will remain as sheep in His flock (not herd) under the Guidance of our Lord and Saviour Jesus, the Christ, our only Shepherd.

The Simplicity as to the Christ: Part Two - the general post-office

The point was made in the previous article concerning our leaving the Egyptian house of bondage and the Babylonian confusion that reigns therein, to diligently seek the simplicity in Christ. This instant work is to show that we continue to run that race set before us **from** the chains of servitude binding us to the prince of this world **to** the arms of our loving Master, to rest in Him and partake of His Peace and Victory over the prince of this world.

We have left the "general delivery" section in The Non-Statutory Abatement Handbook, not for anyone to look to, but for your edification of understanding how we can all be misled. We admit to all our Brothers and Sisters our errors concerning "general delivery," "General Delivery," "GENERAL DELIVERY SERVICE," and any other derivations of the same. We were deceived about its true nature, and learned, through talking to a postmaster to whom we were led, that it is a creation over which, originally, the Post Office Department and, by contract, the U.S. Postal Service has jurisdiction. It is their facsimile of the original station of the "general post-office." You can now replace the "general delivery" information with the "general post-office" information.

In the past, we were denied "general delivery" at Canoga Park. Now this would appear to be the end of the work we do for our Lord concerning postal matters. But, such is not the case. We now know that general delivery has been nothing more than a "stepping-stone" on the path back to where we all belong in fellowshiping through His post.

The Spirit through our Brother Paul, in writing to our Brother Timothy, said:

"Study¹ to shew² [*evidence-- John 3:21; 1 Thessalonians 5:21; James 2:22] thyself approved³ [*see Psalm 12:6 & 33:4; Romans 2:29; 2 Corinthians 5:5; Galatians 2:8] unto God, a workman⁴ that needeth not to be ashamed⁵, rightly dividing⁶ the word of truth." 2 Timothy 2:15.

The Greek word for "study" (*philotimeomai*) actually reads "be diligent" (*spoudazo*, *spoudason*) in the Greek text. The error by the King James "divines" in mistranslating it "study" limits the Word to systematized academics (see footnote {1} below). So we are instructed to "be diligent" to show ourselves a workman of God. How to do this? Exercise diligence in finding the old paths and returning to them. And this is what led us, by His Grace, to the "general post-office."

As many are aware, it was always our "impression" that the Post Office Department was the original earthly foundation of the current postal system. This impression was formed according to the many writings that have been published over the past 150 years, or so, concerning postal matters in the U.S. and abroad. What was not realized until recently was the fact that the true earthly foundation of the postal system known as 'the general

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1. G4704. σπουδάζω **spōudazō**, *spoo-dad'-zo*; from 4710; to use speed, i.e. to make effort, be prompt or earnest:- do (give) diligence, be diligent (forward), endeavor, labour, study. Strong's Greek Dictionary.
 2. G3936. παρίστημι **paristēmi**, *par-is'-tay-mee*; or prol. παριστάνω **paristanō** *par-is-tan'-o*; from 3844, and 2476; to stand beside, i.e. (tran.) to exhibit, proffer, (spec.) recommend, (fig.) substantiate; or (intr.) to be at hand (or ready), aid:- assist, bring before, command, commend, give presently, present, prove, provide, shew, stand (before, by, here, up, with), yield. Strong's Greek Dictionary.
 3. G1384. δόκιμος **dōkimōs**, *dok'-ee-mos*; from 1380; prop. acceptable (current after assay), i.e. approved:- approved, tried. Strong's Greek Dictionary.
 4. G2040. ἐργάτης **ērgatēs**, *er-gat'-ace*; from 2041; a toiler; fig. a teacher:- labourer, worker (men). Strong's Greek Dictionary.
 5. G422. ἀνεπαίσχυντος **anēpaischuntōs**, *an-ep-ah'-ee-skhoon-tos*; from 1 (as a neg. particle) and a presumed der. of a comp. Of 1909 and 153; not ashamed, i.e. (by impl.) irreprehensible:- that needeth not be ashamed. Strong's Greek Dictionary.
 6. G3718. ὀρθοτομέω **ōrthōtōmēō**, *or-thot-om-eh'-o*; from a compound of 3717 and the base of 5114, to make a straight cut, i.e. (fig.) to dissect (expound) correctly (the divine message):- rightly divide. Strong's Greek Dictionary.

post-office" began to be referred to as "the post-office department" in the early 1800's, not long after the "statutory" general post-office was instituted February 20, 1792, to wit:

Chap. VIII.--*An Act to establish the Post-Office and Post Roads within the United States.*

Sec. 3. *And be it further enacted, That there shall be established, at the seat of the government of the United States, a general post-office. And there shall be one Postmaster General....."*

Note that this 1 page statutory creation by Congress was for the government of the United States, not the United States of America. The general post-office, which already existed, was never designated as being repealed in this Act. Therefore, it still remained in existence, separate from the "governmental business" set up by this Act.

As we stated above, in the early 1800's the general post-office began to be referred to as 'the post-office department,' but was not officially created by a 46 page statute until June 8, 1872, to wit:

Chap. CCCXXXV. -- *An Act to revise, consolidate, and amend the Statutes relating to the Post-office Department.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established, at the seat of government of the United States of America, a department to be known as the Post-office Department.

The important part to note in the above statute is that it was established for "the government of the United States of America." At first glance, this would appear to have substance, until you realize that the governments before and after the Civil War were not of the same nature. The one after the Civil War was a commercially "Reconstructed" government through incorporation. This 46 page statute clearly shows that it was established as "a business" of that new government. And again, the original general post-office was not repealed in this statute. It is for this cause that the re-organized service and its employees have no authority over the general post-office--it precedes their creation and has its Source and Origin in God through His Lawful assembly, long before the legal memory of man (1189 A.D.):

"...by Him were created all things, the things in the heavens and the things upon the earth, the visible and the invisible, whether thrones, or lordships, or principalities, or authorities: **all things by Him and for Him have been created:** And He is before all, and all things in Him subsist. And He is the head of the body, the assembly: who is *the* beginning, firstborn from among the dead; that He might be in all things holding the first place." *Colossians 1:16-18 (Berry).*

The natural man does recognize this in his own maxims of law,

"Prior tempore, potior jure--First in time is stronger in right." Bouvier's Law Dictionary (1914), "Maxim," p. 2154.

For the natural man, there must be evidence forthcoming that he can witness the change and repentance from the ways of the world, and to remind the natural man that he can do nothing in and of himself, for it is written:

"Ye are the light of the world. A city that is set on an hill cannot be hid. Neither do men light a candle, and put it under a bushel, but on a candlestick; and it giveth light unto all that are in the house. Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven." *Matthew 5:14-16 (KJV)*

This can be shown in the new wording that should be on the "address label" or written in above he or she to whom it is directed," as follows:

First-Class Matter posted and moved by the Grace of God in and through our Sovereign Lord and Saviour Jesus, the Christ, for the calling forth by:

.....

.....

We have to show that the matter originated with God in Christ Jesus and not with ourselves. This is covered in the first phrases of the above. The matter is a matter posted and moved by His Grace alone, not by the "power" of men.

Reviving the general post-office

Since it is a fact that all mail matter today is moved **through** The U.S. Postal Service under statutory license and contract, it would appear to be most difficult to revive the station of the general post-office without a bit of resistance from those within the Postal Service who like things just the way they presently are. But we must keep in mind that our Father never leaves us destitute. He **always** supplies our needs. It is us who through the working of our flesh rebel into the situation of **wants**, believing that our needs being met are not sufficient--apostasy.

To relate the trial that was set before us concerning the reception of mail matter following denial of general delivery at Canoga Park, we first went to the Word of God and after reading the aforementioned passage of Scripture (Colossians 1:16-18) we began to realize, by the Grace of God, that somewhere under the layers and layers of deceit masking the Truth the old paths for His Lawful assembly would be found. We both looked at some old Civil War envelopes photographed by the Post Office Department in some of their philatelic literature.

On all of the envelopes were just the name to whom the matter was directed with the city and state. No other lines appeared. Mind you, this is before the creation of the layers of deceit by the lawyers and other such ministers of Satan. Further "digging" through the layers, we found the original general post-office. What we needed to find out was: what is the relation in Law between the general post-office and His Lawful assembly?

From Scripture we learn that those who were called out from the world and apostled for the Christ sent their matters with others in and of the Lawful assembly to others in His Body. This is because His assembly is in Law and not of the world. The relation then is that the general post-office is in His Body and is one of several organs of His Body for His Glory. That is why the original general post-office is still found and exists under all of the layers "created" by the natural man.

Of course, having access to the above information does not automatically revive the general post-office. The workmen must still attend to the work set before them. And by the Power and Will of God, it will be accomplished, because His Word does not return to Him void.

To recount the initial steps that we have been led to take, we will begin by telling you that it was a walk of faith in and with Him, for He has told us:

"Take My yoke upon you, and learn of Me; for I am meek and lowly in heart: and ye shall find rest unto your souls. For My yoke is easy, and My burden is light." *Matthew 11:29-30*

For all of those Lawful assemblies that will be sending their Brothers out two by two to the general post-office through letter of appointment to call forth the First-Class Matter for the Lawful assembly, it is not pertinent to know every step that we took and every word that we spoke, for the Spirit of God will direct them in all things, for it is written:

"Settle it therefore in your hearts, not to meditate before what ye shall answer: For I will give you a mouth and wisdom, which all your adversaries shall not be able to gainsay nor resist." *Luke 21:14-15*

Therefore, the general way to proceed can be as follows:

Send or have others send a First-Class letter (do not send a "signature required" class) to the main post office within the area of the Lawful assembly, directed to that Lawful assembly, such as:

the Christ's assembly at San Diego
general post-office
Bonsall, California

After three or four days, send two or three Brothers with a Letter of Appointment (see next page) to call forth the mail matter that was sent. The initial verbal introduction can be: "Greetings, we were sent by the Christ's assembly at San Diego to call forth their First-Class matter. Here is their Letter of Appointment."

Once the mail matter is handed to them, the general post-office is revived. Your Brothers may be told that they can only receive "general delivery," etc., but once the mail matter is handed to them, the question is moot; the clerk has born witness otherwise. For further fellowship, call 818-347-7080.

Letter of Appointment

From the Christ's assembly at North Carolina, to all whom this matter does concern, Greetings in the Name of our Lord and Saviour Jesus, the Christ, and ourselves in Lawful assembly in and through His Name.

On this _____ day of the _____ month in the _____ Year of Our Lord and Savior Christ Jesus, solely by the Grace of God, in His Blessed Name, by His Authority, and under Lawful Warrant in, of, and through Him, the Christ's assembly at North Carolina calls, appoints, and directs, our Brothers and Sisters in possession of this appointment, having shown and evidenced to us by the word of their Testimony, and the Witness of God our Father, to be of one Mind, Body, and Spirit with us in the Christ, to:

One; call forth our First-Class mail Matter from the general post-office located at Enka, North Carolina and return the same to us and each of us; and,

Two; to exercise due diligence, sound Wisdom and Judgment with which God our Father in the Christ has blessed them, in carrying out the duties appertaining to this appointment; and to continue to exercise the duties in and of this appointment until:

One; his or her recall by, and return to, our Blessed Sovereign Lord and Saviour Jesus, the Christ; or,

Two; this appointment is withdrawn by us in Lawful assembly in His Name for Cause.

Locus sigillii ecclesia:

[place signature (black or blue ink) and right thumb print (red ink) here] , a bondservant of Jesus, the Christ

[place signature (black or blue ink) and right thumb print (red ink) here] , a bondservant of Jesus, the Christ

Sealed under Authority of the Christ, by His Direction of our own hands.

Engrafted Evidence

Who Do You Express?

In recent times we have written and spoken about many of the misconceived and deceptive "Church World" modes of operation, doctrines, heathen terminology, and other tools of the spiritually dead, i.e., theology, hermeneutics, emotionalism, denominationalism, creeds and confessions, the so-called sacred name of God, mistranslations of the available sacred texts, and other Matters concerning His Lawful assembly. In these matters, we are mindful that the light of **truthful evidence** must always be shown.

Those writings and radio interviews have been well received by most, and not so well received by a few who have preferred to determine matters by way of opinion, speculation, feelings or tradition --and **not** according to **evidence and truth**. The following should be considered by all, especially by the few referred to above.

The natural man, in *imitation* of God's Word, has stated the following in regard to written documents, but read in the Light of The Word we are shown keys to producing what is pleasing to our Lord, to wit:

"A writing [*engrafted on the heart and inward parts by the finger of God--Jeremiah 31:33; James 1:21] is the **best evidence** of its own contents, and must be introduced [*through the working of the Spirit in fullness of faith to Him (*epilusis*) before God our Father and those of the kosmos] unless it has been lost or destroyed [*by philosophy, theology, seminary *morphosis*], or its absence is otherwise satisfactorily accounted for [*which is impossible before God--see Romans 1:20], except in the case of public documents and records, of which exemplified copies will be admitted." *Wilber A. Owen, Owen's Law Quizzer (1933), p. 501, citing McKelvey, §§301, 302.*

This completely vindicates the bondman in Christ when he brings forth the writing of God's Expression received by being engrafted on his inward parts, in execution of what is written and is corroborated by the Spirit of God [*see Romans 8:16], the attesting witness of such engrafting or writing of His Law on the hearts of His remnant. It is vitally important that this evidence be brought forth first, to wit:

"There is no presumption [*in Law] as to the defendant's character. *People v. Lingley*, 207 N.Y. 396, 101 N.E. 170, 46 L.R.A.N.S. 342. If the defendant elects to have his character weighed in determining his innocence, he must produce evidence of his character [*bondman in Christ]. This he does by calling a qualified witness [*"calling upon the name of the Lord"--Isaiah 54:16-17; Luke 11:20] or witnesses to testify to his good reputation in the [*Lawful assembly] for the particular trait involved in the crime charged." *Richardson on Evidence (1964), §155, p. 141.*

But natural men presume everything to be evil. From this it is plain to see that those who cling to the rudiments of the *kosmos* (world/*kosmos*, see Etymologicum Anglicanum, Pages nine and ten) always fail and will continue to fail to state a claim upon which God through Christ Jesus can give relief or deliverance [see Matthew 12:37; 1 John 4:5-6], for we have been told by Him, to wit:

"Offspring of vipers [*philosophers, theologians, sophists, speculators, *ad nauseam*], how are ye able good things to speak, being wicked? for **out of the abundance of the heart the mouth speaks.**" *Matthew 12:34 (Berry).*

"O generation of vipers [*philosophers, theologians, sophists, speculators, *ad nauseam*], how can ye, being evil, speak good things? for **out of the abundance of the heart the mouth speaketh.**" *Matthew 12:34.*

...having not brought forth the **best evidence**--the first-fruits meet for Him, or what is also called primary evidence, to wit:

"Primary evidence is that which does not pre-suppose a higher or better evidence, or that which affords the greatest certainty of the facts in question.

"Secondary evidence is that which indicates on its face that there exists a higher or better evidence, and it is only admissible when primary evidence cannot be produced." *Wilber A. Owen, Owen's Law Quizzer* (1933), p. 501, citing *1 Greenleaf*, §84. See also 2 Corinthians 10:3-6.

When we fulfill our obedience to Him we are offering the best evidence to those of the kosmos of our bond of faith in and to Him. This is **being** the salt of the earth by offering our self-will on His Altar of Righteousness, being the firstfruit of repentance from it.

In other words, those who look to the vain imaginations of men fail to overcome evil with good; but, have already been overcome by evil because there is no good in the inventions of men, *i.e.* philosophy, theology, hermeneutics, seminary *morphosis*, mechanical religious repetitions, codes, rules, regulations, creeds, confessions, articles of faith, statutes, edicts, proclamations, executive orders, resolutions, referendums, opinions, speculations, traditions, *ad nauseam*--**for those who harken to the vain imaginations and inventions of men have been overcome by the spirit of the aion (aion/age, see Etymologicum Anglicanum, Pages nine and ten) before they ever engaged the evil one in battle.** See Judges 2:17; Proverbs 21:16; Isaiah 28:7; Malachi 2:8; Romans 12:21; 2 Peter 2:19.

In the matter thus far presented we must distinguish between evidence and proof. The natural man, has admitted the following in his distinctions, to wit:

"**Proof** is the belief or conclusion arrived at by a consideration of the evidence. As was said in *People v. Beckwith*, 108 N.Y. 67, 73, 15 N.E. 53, 55: 'Evidence [*the word of Testimony in Christ--see Revelation 12:11; or, word of testimony in the aion to those of the kosmos] is the medium of proof; proof is the effect of the evidence [*see Matthew 12:37; 1 John 4:5-6].'" *Richardson on Evidence* (1964), §1, p. 1.

In the cases before God's Throne, evidence known by the natural man as secondary, tertiary, quaternary, *ad nauseam*, is never admissible, for His Evidence is always bearing witness, to wit:

"...that which is known of God is manifest among them, for God to them manifested; for the invisible things of Him from creation of world by the things made being understood are perceived, both His eternal power and divinity; **for them to be without excuse.**" *Romans 1:19-20. (Berry)*

"...**that which may be known of God is manifest in them; for God hath shewed it unto them.** For the invisible things of Him from the creation of the world are clearly seen, being understood by the things that are made, even His eternal power and Godhead; **so that they are without excuse.**" *Romans 1:19-20. See also 1 John 5:7-9.*

The natural man's secondary evidence has a limiting qualification attaching to it, to wit:

"Secondary evidence is admissible in case the original is proven to have been lost or destroyed, or is out of the jurisdiction of the court, or is in the hands of the adverse party, who has failed to produce it on demand duly made." *Wilber A. Owen, Owen's Law Quizzer* (1933), p. 501, citing *McKelvey*, §303.

So, God will not bring forth deliverance when obedience of bringing forth firstfruits of sacrifice meet for Him is not fulfilled by one who makes **claims** solely by **outward pretence**. See Genesis 4:4-5; 1 Kings 18; 2Corinthians 10:3-6. When, where, and how was God's Word ever destroyed, lost, or handed over to the adverse party, Satan, outside the jurisdiction of our Father's Court?; and how does one evade the jurisdiction of His Court? for it is written:

"Whither shall I go from Thy Spirit? and whither shall I flee from Thy presence? If I should go up to heaven, Thou art there: If I should go down to hell, Thou art present." *Psalms 138:7-8 (LXX).*

"Whither shall I go from Thy spirit? Or whither shall I flee from Thy presence? If I ascend up into heaven, Thou art there: If I make my bed in hell, behold, Thou art there." *Psalm 139:7-8*.

Thus, we and they are without excuse.

This short dissertation on evidence and its effects of proof will be disputed further by those bearing the spirit of the aion evidenced by self-serving verbal claim, feminization, and outward pretence; but being of, and possessing, a sound mind in Christ, Who has not given His remnant the spirit of fear, we can all be assured through The Way, The Truth and The Life that **all** self-servers bear witness of themselves, to wit:

"But to the sinner God has said, Why dost thou declare My ordinances, and take up My covenant in thy mouth? Whereas thou hast hated instruction, and hast cast My words behind thee...thy mouth has multiplied wickedness [*through your philosophy, theology, opinions, speculations, traditions, *ad nauseam*], and thy tongue has framed deceit." *Psalm 49:16-17, 19 (LXX)*.

"But unto the wicked God saith, What hast thou to do to declare My statutes, or that thou shouldst take My covenant in thy mouth? Seeing thou hatest instruction, and castest My words behind thee... Thou givest thy mouth to evil [*through philosophy, theology, opinion, speculation, tradition, *ad nauseam*], and thy tongue frameth deceit." *Psalm 50:16-17, 19*.

"He that is not wise will not be taught: but ...If a skilful man hear a wise word, he will commend it, and add unto it: but as soon as one of no understanding heareth it, it displeaseth him, and he casteth it behind his back.." *Ecclesiasticus 21:12 & 15*.

"Death befalls uninstructed men. The fool [*the philosophers, the theologians, and the other "benevolent lawgivers"] also dies in sins; and uncleanness attaches to a pestilent man." *Proverbs 24:9 (LXX)*.

"The thought of foolishness is sin: and the scorner is an abomination to men." *Proverbs 24:9*.

"Consult not with a fool; for he cannot keep counsel." *Ecclesiasticus 8:17*.

"The inner parts of a fool are like a broken vessel, and he will hold no knowledge as long as he liveth." *Ecclesiasticus 21:14*.

...and the natural man recognizes in his own *imitations* of the Word of God that,

"*Non est disputandum contra principia negantem*--There is no disputing against a man denying principles." *Bouvier's Law Dictionary (1914), "Maxim," p. 2149; Black's Law Dictionary (4th ed., 1957 & 1968), p. 1202*.

In Lawful execution of the foregoing, by and in the Will of God in and through Christ Jesus, we can...

"Talk not much with a fool, and go not to him that hath no understanding: beware of him, lest thou have trouble, and thou shalt never be defiled with his fooleries: depart from him and thou shalt find rest, and never be disquieted with madness." *Ecclesiasticus 22:13*.

Fictions of law- *Human beings and other Humanist creations*

"Human being was long held objectionable by a few purists, but is so pervasive today even in formal writing that it should be accepted as standard." *A Dictionary of Modern Legal Usage* (1987) by Brian A. Garner, page 271.

The irony of this statement is that not only have the judges, lawyers, news media, school teachers, etc., convinced everyone that they are a *human being* and have 'a human spirit,' but that the Christian clergy as well have bought into these fictions of the humanist world.

You will not find anywhere in The Word of God the terms *human* or *human being* used, or that God's people are animals. It has become a 'traditional' vehicle by which everyone, servants of the Christ and pagan alike, are lumped into the same category--that category being the 'animal' world of the unregenerate, wicked, sinful, earthy, and dissolute *natural man*, and his 'rat race.'

"What has been found true about rats may be applied to humans." *Webster's Third New International Dictionary, Unabridged* (1981), page 1100, quoting E. E. Slosson.

It was not always this way. At an earlier time, before the current degeneration and feminization of the church, a few 'purist' clergy were quite aware that a bondman in and of the Christ, being 'a new man,' is no longer a *human being*, to wit:

"The Sabbath, as an institute given to men for all ages and dispensations, even including that of Paradise, was and is God's means for maintaining in the human family His knowledge and fear as our Maker, Ruler and future Judge. But on that fear all moral institutions repose--the family and the state, as truly as the church. Therefore, men are naturally bound to keep the Sabbath simply as men, and not only as Christians.

After man fell, and came to need redemption, the Sabbath was also continued by God as a means of grace and a gospel institute. But this did not repeal or exclude its original use. **The professed Christian has two reasons for observing the Sabbath; every human being has one.**" *The Christian Sabbath* (1854), by Robert L. Dabney.

Robert Dabney is a highly respected and recognized biblical scholar of the nineteenth century, and in addition, was the Chaplain for the troops under Stonewall Jackson during Lincoln's War. The pointedly clear distinction between Christians and human beings by this 'purist,' is a jewel not to be ignored.

From the other side of the coin we have one of the secular definitions 'in law' of what a human being is, explained to us in 1926 by Roscoe Pound, who was a 33rd degree Mason and the Dean of Harvard Law School (masquerading under a "moral" guise through a former Christian college):

"In England in the rise of the court of chancery and development of equity, ethical ideas from the casuist literature of the sixteenth century, and the general notions of right and wrong held by chancellors who were not common-law lawyers, were made liberalizing agencies. In Continental Europe of the seventeenth and eighteenth centuries the philosophical ideas of juristic writers upon the law of nature were used in the same way. Thus, moral duty was turned into legal duty and put in the foreground in place of legal remedy. Reason was relied upon rather than strict rules. **The individual human being, as the moral unit, became the legal unit.** It was conceived that the moral principle, simply as such and for that reason, was to be also a legal rule." *Law and Morals* (1926) by Roscoe Pound, page 30.

So goes the 'benefits' of unregenerate man's 'morality,' 'reason' and 'equity.'

From one side we have the earlier clergy disclosing to us that one who "truly" takes on the yoke of Christ, is no longer a human being; and, what a human being really is from the ungodly of Harvard. In spite of it all, we

are constantly taught by both the 'godly' and ungodly of today that *everyone* is a human being and a member of the highest animal species. How can this be? What are the consequences of partaking of such heresy?; the heresy of accepting that which is contrary to how our Father has described us and being brought down to the level of the pagan *natural man*:

"Therefore shall the land mourn, and shall be diminished with all that dwell in it, with the wild beasts of the field, and the reptiles of the earth, and with the birds of the sky, and the fish of the sea shall fail: that neither anyone may plead, nor anyone reprove another: but My people are as a priest spoken against. Therefore they shall fall by day, and the prophet with thee shall fall: I have compared thy mother unto night.

My people are like as if they had no knowledge: because thou hast rejected knowledge, I will also reject thee, that thou shalt not minister as priest to Me: and as thou hast forgotten the law of thy God, I will also forget thy children. According to their multitude, so they sinned against Me: I will turn their glory into shame." *Hosea 4:3-7*

From Matthew Henry's Commentaries on these verses:

"The ruin of those who have helped to ruin others will, in a special manner, be intolerable. And did the children think that when they were in danger of falling, their mother would help them? 'It shall be in vain to expect it, for I will destroy thy mother, Samaria, the mother-city, the whole state, or kingdom, which is as a mother to every part. It shall all be made silent.' Note, When all are involved in guilt nothing less can be expected than that all should be involved in ruin.

Both priests and people rejected knowledge; and justly therefore will God reject them. The reason why the people did not learn, and the priests did not teach, was not because they had not the light, but because they hated it--not because they had not ways of coming to the knowledge of God and of communicating it, but because they had no heart to it; they rejected it. They desired not the knowledge of God's ways, but put it from them, and shut their eyes against the light; and therefore 'I will also reject thee; I will refuse to take cognizance of thee and to own thee; you will not know Me, but bid Me depart; I will therefore say, Depart from Me, I know you not. Thou shalt be no priest to Me.'"

The clergy of today are taught at seminary that Christ was both a 'human being' and God, and in turn teach this heresy, though the Word of God does not teach this.

In addition, these Neoplatonic teachers of today tell us that we live under Grace, not under Law. This "doctrine" has created the separation faith and works, but we are told that:

"But wilt thou know, O empty man, that faith apart from works is dead?
Was not Abraham our father justified by works, having offered Isaac his son upon the altar?
Thou seest that faith was working with his works, and by works faith was perfected?
And was fulfilled the scripture which says, Now Abraham believed God, and it was reckoned to him for righteousness, and Friend of God he was called.
Ye see then that by works a man is justified, and not by faith only." *James 2:20-24*

The recognition of 'the new man' under Christ seems to elude them. The aspect of the 'new birth' is ignored in favor of the *sinful human being* only; their mentality is, "Saying you have repented and you love Jesus is sufficient. You can still go into the world and partake of its lawless activities," --i.e., commerce, State worship, worship of "the founding fathers," pagan holidays, etc., which in turn leaves these 'teachers' free to be utterly lawless, i.e., being a 501(c)3 corporation or "unincorporated Church" doing business for "profit sake." This 'new religion' says, "We've have no choice but to live in this corrupt old world."

Like the humanist, the 'new religion' sees only the world, itself, and its fellow 'human beings'--but it has added Jesus in the midst of all of it as a buffer:

"There are no absolutes and man must content himself with being." *Webster's Third New International Dictionary, Unabridged (1981), page 1100, quoting H. E. Churman.*

Until the body of believers are freed of these heresies, the Bride is not capable of making herself ready for the Bridegroom.

"He that overcomes shall inherit all things, and I will be to him God, and he shall be to Me son."
Revelation 21:7

The Dark Side of Common Law

The Law Merchant

The following article is based on the maxim of law, '*optimus interpret rerum usus*' or 'usage is the best interpreter of things.'

From the commentary in Broom's Legal Maxims, (1845) page 262, on this maxim of law, we find the following:

"The law merchant, it has been observed, forms a branch of the law of England, and those customs which have been universally and notoriously prevalent amongst merchants, and have been found by experience to be of public use, have been adopted as a part of it, upon a principal of convenience, and for the benefit of trade and commerce; and, when so adopted, it is unnecessary to plead and prove them...where the words used by parties have, by the known usages of trade, by any local custom, or amongst particular classes, acquired a peculiar sense, distinct from the popular sense of the same words, their meaning may be ascertained by reference to that usage or custom."

There are two very important observations to be made on this commentary. First, it states that the law merchant or *lex mercatoria*, is part of the common law of England, as will be further evidenced in this article. Second, the choice of words one uses when dealing with the current courts or Imperial powers, can either, (1) by a poor choice of words, bring you under the law merchant, and thereby, you become regulated by that law, or, (2) by a wise choice of words, **you retain your Liberty in Christ under God.**

The important phrase to analyze is, "their meaning may be ascertained by reference to that usage or custom." In other words, when a *de facto* commercial court or agency which exist only to regulate commerce and maintain "peace," hears or sees words from you that have a specific meaning in commerce and a different meaning in every day life, they will use the commercial meaning and automatically see you as one of their commercial, regulateable entities.

Some typical words within this fold are: travel, purchase, sale and bill of sale, insurance, customer, value, weights and measures, merchandise, receipt, account, advertise, credit, bank and bankrupt, checks, gain, barter, exchange, interest, income, transportation, resident, district, franchise, employment, carrier, delivery - just to name a few.

Under the Law of War, all commercial activity becomes regulated. When one makes use of these words and other such words in a court or court process, which have a specific meaning in the *lex mercatoria*, or engage in such activities, one becomes taxable and regulateable. To not engage in these activities and to study the meaning and implication of such words is obvious.

When one signs, U.C.C. 1-207, to reserve their rights under the common law, they are reserving their rights (actually *privileges*) in the *lex mercatoria*, thereby admitting to be in commercial activity.

The following from 'A New Law Dictionary' by Henry James Holthouse (1847), page 264, makes this quite clear:

Law Merchant (lex mercatoria):

"One of the branches of the unwritten or common law, consists of particular customs, or laws which affect only the inhabitants of particular districts, under which head may be referred the law or custom of merchants (*lex mercatoria*), which is a particular system of customs used only among one set of the king's subjects, which, however different from the general rules of the common law, is yet engrafted into it, and

made a part of it; being allowed for the benefit of trade to be of the utmost validity in all commercial transactions; for it a maxim of law, that "cuilibet in sua arte credebundum est." This law of merchants comprehends the laws relating to bills of exchange, mercantile contracts, sale, purchase, and barter of goods, freight, insurance, & c. -- 1 Chitty's Bl. 76, n. 9.

When one uses the term 'common law,' it refers to all the variety of law created by man, i.e., English common law, admiralty common law, commercial common law, as the following from the above dictionary, page 112, shows:

"Common Law. These words are used in various senses. The following are amongst the most important; 1st. As designating that branch of the municipal law of England which does not owe its origin to parliamentary enactment, and which, as opposed to the latter, is termed the *lex non scripta* or unwritten law. 2nd. As designating a particular section or division of the *lex non scripta* or common law. 3rd. The phrase at common law. These it will now be attempted to explain in the above order. 1st. As designating the *lex non scripta* or common law. The law of England is composed of acts of parliament or statutes, and the custom of the realm. The custom of the realm consists of those rules and maxims concerning the persons and property of men that have obtained by the tacit assent and usage of the inhabitants of this country, being of the same force with acts of the legislature, the difference between the two being, that with regard to the one, the consent and approbation of the people is signified by their immemorial use and practice, whilst, with regard to the other, their approbation and consent are declared by parliament, to whose acts the people are generally deemed to be virtually parties. The custom of the realm, as above described, from the circumstance of its being the common or ordinary law of the land, as formerly administered between man and man, is denominated the common law of the realm, and under which denomination is comprised all the law of this country, excepting the statute law. The custom of the realm, or common law, as it is termed, includes not only general customs, or such as are common to the whole kingdom, but also the particular customs which prevail in certain parts of the kingdom, as well as those particular customs or peculiar laws that are by custom observed only in certain courts and jurisdictions. So the civil and canon laws, as administered in our ecclesiastical and admiralty courts, having obligation to this kingdom, not upon their own intrinsic authority, but simply by custom, are also regarded as part of the customs of the realm or common law. ---- see 1 Reeve's Eng. Law, 1, 2; Hale's Hist. C. L. 1, et seq.; 1 Bl. 64..... 3rd. The phrase at common law signifies by the common law of the land, independently of the statute law, or without the statute law -- according to the rules or principals of the common law, or custom of the realm, apart altogether from statute or act of parliament."

The following maxim of law says it all:

'Qualitas quae inesse debet, facile praesumitur', or 'A quality which ought to form a part is easily presumed.'

When alluding to the 'common law,' you must signify what branch or graft you claim, or it will be presumed that you mean the only branch that the court has jurisdiction to hear, which in the current system, is the *lex mercatoria*.

From 'A Commercial Dictionary of Merchantile Law' (1803) by Joshua Montefiore, the following:

"Law Merchant. A system of customs acknowledged and taken notice of by all commercial nations, and these customs constitute a part of the general law of the land; and being part of that law, their existence cannot be proved by witnesses, but the judges are bound to take notice of them *ex officio*. These customs are of the highest validity in all commercial transactions."

Further, from 'Bouvier's Law Dictionary,' (1914), page 1882, the following:

"Law Merchant..... In the Middle Ages "the custom of merchants" meant the actual usage of the European commercial world. When it came before the ordinary tribunals, it had to be proved; but in the

18th century the courts took judicial notice of it. The development of the law merchant as part of the common law has continued without ceasing. Evidence of living general usage is still admissible to add new incidents to its contents, provided they do not contradict any rule already received. *Pollock, First Book of Jurispr.* 282, citing, as to the last statement, *L. R. 10 Ex. 337*. This application is not confined to merchants, but extends to all **persons** concerned in any mercantile transaction."

And finally, from 'A Dictionary of Law' (1893) by William C. Anderson, the following:

"Law Merchant..... The law merchant was not made; it grew. Customs have sprung from the necessity and convenience of business and prevailed in duration and extent until they acquired the force of law. This mass of our jurisprudence has thus grown, and will continue to grow, by successive accretions. It is the outcome of time and experience, wiser-law makers, if slower than legislative bodies...The rules applicable to commercial paper were transplanted into the common law from the law merchant. They had their origin in the customs and course of business of merchants and bankers, and are now recognized by the courts because they are demanded by the wants and convenience, of the mercantile world, *see Paper, 4.*"

When using their commercial paper, such as checks, notes, drafts, and bills, you become part of that 'mercantile world,' with all of the baggage attached thereto.

A bill includes: a credit card, a bill of sale, a bank-bill, a due-bill, a bill rendered, a bill of exchange, a bill of lading, a stock or bond, etc.

It is suggested that you study on your own with your young ones, the implications of these commercial instruments in your life.

Other commercial fictions that permeate many lives, due to the quest for 'convenience', 'luxury' and 'keeping up with the Jones', and rendering them regulateable and taxable by the current 'mercantile world' government are: craftsman, market, factory, business, commodity, debt, rebate, passport, accountant, affidavit, obligation, notary public, address, licence and; debtor, realtor, customer, trader, farmer, printer, employer, employee, addressee and other words with the suffix 'or', 'er' and 'ee'. These denote a fiction of law or a *persona designata*, in their venue.

God makes it quite clear in His Word about merchants, when speaking of Ephraim:

'He is a merchant, the balances of deceit are in his hand: he loveth to oppress.' *Hosea 12:7 (KJV)*

'**Ephraim is an evil spirit**, he has chased the east wind all the day: he has multiplied empty and vain things, and made a covenant with the Assyrians, and oil has gone in the way of traffic into Egypt.' *Hosea 12:1 (LXX)*

And, the Word of God at Jeremiah 6:21- 6:31:

"Hear now this, O foolish people, and without understanding; which have eyes, and see not; which have ears, and hear not:

Fear ye not Me? saith the Lord: will ye not tremble at My presence, which have placed the sand for the bound of the sea by a perpetual decree, that it cannot pass it: and though the waves thereof toss themselves, yet can they not prevail; though they roar, yet can they not pass over it?

But this people hath a revolting and a rebellious heart; they are revolted and gone.

Neither say they in their heart, Let us now fear the Lord our God, that giveth rain, both the former and the latter, in His season: He reserveth unto us the appointed weeks of the harvest.

Your iniquities have turned away these things, and your sins have withholden good things from you.

For among My people are found wicked men: they lay wait, as he that setteth snares; they set a trap, they catch men.

As a cage is full of birds, so are their houses full of deceit: therefore they are become great, and waxen rich.

They are waxen fat, they shine: yea, they overpass the deeds of the wicked: they judge not the cause, the cause of the fatherless, yet they prosper; and the right of the needy do they not judge.

Shall I not visit for these things? saith the Lord: Shall not My soul be avenged on such a nation as this?

A wonderful and horrible thing is committed in the land;

And prophets prophesy falsely, and the priests bear rule by their means; and My people love to have it so: and what will ye do in the end thereof?" (KJV)

The merchants of the earth, through their 'common law,' rule the 'day' with their governments and courts by means of the support of 'consumers' and 'customers,' but they do not rule eternity.

All bondmen of Christ Jesus can, through the avoidance Common Law, remain separate from the unclean thing, and not fall with it, to wit:

"In the time when thou shalt be broken by the seas in the depths of the waters, thy merchandise and all thy company in the midst of thee shall fall," *Ezekiel 27:34 (KJV)*, and, "And the merchants of the earth shall weep and mourn over her; for no man buyeth their merchandise any more:" *Revelation 18:11. (KJV)*

Commerce is not the way, is not the truth, is not the life, and is always accompanied with war. As in Greek and Roman mythology, Mercury (the god of merchants and thieves) and Mars (the god of war) walk side by side.

He who walks with Our Lord and Saviour Jesus the Christ, (Who is The Way, The Truth, The Life, and The Prince of Peace), walks with no other.

Political law ceases upon military occupation. The U. S. Constitution and commercial law, along with all of its codes, rules and regulations, are political law and become arbitrary and capricious as 'necessity' and 'public policy' dictates, during occupation.

Consent: *Implied and Express*

"My son, let not ungodly men lead thee astray, neither consent thou to them. Go not in the way with them, but turn aside thy foot from their paths: for nets are not without cause spread for birds." Proverbs 1:10, 15, 17.

"And fashion not yourselves to this age: but be transformed by the renewing of your mind, for to prove by you what is the good and well-pleasing and perfect will of God." Romans 12:2

One of the major stumbling blocks in the pursuit of "coming out of her, separating yourself, and touching not the unclean thing" is a legal phenomenon known in man's law as "consent." It manifests itself in two forms-- *Implied* and *Express*. Consent transforms itself into *major* minimum contacts that are not easily overcome according to man's law due to the *doctrine of estoppel*. Therefore, it is important to know what constitutes consent in whatever form, and how to *avoid* giving consent to those ministering for "the beast," whether they be a father or mother, a husband or wife, a son or daughter, a brother or sister, a government agent or merchant of the earth, "friend" or foe; for we are told:

"If thy brother by thy father or mother, or thy son, or daughter, or thy wife in thy bosom, or friend who is equal to thine own soul, entreat thee secretly, saying, Let us go and serve other gods, which neither thou nor thy fathers have known, of the gods of the nations that are round about you, who are near thee or at a distance from thee, from one end of the earth to the other; **thou shalt not consent to him**, neither shall thou harken to him; and thine eye shalt not spare him, thou shalt feel no regret for him, neither shalt thou at all protect him." *Deuteronomy 13:6-8*

It is my hope that all that read and study the following will take pause before they say "yes" to someone or something, or in doing a particular act, knowing then the implications of giving "consent."

The word *consent* is derived from the Latin words *con*, meaning *with, together*, and *sentire*, meaning *to feel, think, judge*, etc. We must always keep in mind with whom or whose law we are consenting to be under, our Father's, or man's, for:

Consensus facit legem. Consent makes the law. *Maxim, Bouvier's Law Dictionary (1859) Vol. II, p. 125.*

Consent: "An agreement to something proposed. Consent supposes, 1. a physical power to act; 2. a moral power of acting; 3. a serious, determined, and free use of these powers. *Fonb. Eq. B. 1, c.2, s.1.*

"The one who gives consent must be capable of doing so." *1 Whar. Cr. L. §146.*

Are you capable of giving consent to the ungodly? Being a bondman of the Christ, did He give you the capacity to give such consent? The question you must ask yourself before giving consent to anyone is, "Has My Father given me permission to do so; is it approved of in His Word?"

All of the bondmen and fellow-servants of our Lord must be nonconformists to this world. We must not conform to the men of the world--of that world which lies in wickedness--nor walk according to the course of this world (see *Eph. 2:2*); If sinners entice us, we must not consent to them, but in our places witness against them.

Consent: "A concurrence of wills. Voluntarily yielding the will to the proposition of another; acquiescence, permission or compliance therewith. *State v. Boggs, 181 Iowa 358, 164 N. W. 759.*

When consenting to anything, that consent must concur with the will of God.

Consent: Agreement; the act or result of coming into harmony or accord. *Glantz v. Gabel, 66 Mont. 134, 212 P. 858, 860.* 'Consent' is sometimes synonymous merely with 'waiver.' *Dahlquist v. Denver & R. G. R. Co., 52 Utah 438, 174 P. 833, 844*

"While consent is said to be a concurrence of wills, it does not necessarily refer to or indicate a bilateral agreement; it may be unilateral." *Twin Ports Oil Co. v. Pure Oil Co., D.C.Minn., 26 F.Supp. 366, 371.*

"The term 'consent' generally implies a yielding of that which one has a right to withhold." *Reynolds v. Baker, 191 S.W. 2d 959, 961, 209 Ark. 596.*

Man's law acknowledges your duty under God to withhold consent from them. Therefore, always remember that when it **appears** "you must" comply to something, it actually means "you may."

Implied Consent: "That which is manifested by signs, actions, or facts, or by inaction or silence, from which arises an inference or presumption that the consent has been given." *Avery v. State 12 Ga.App. 562, 77 S.E. 892.*

"Implied consent allows for consent to be implied from custom, usage or conduct. For example, a doorbell on the front of a residence is an invitation to enter another's property for purposes of calling the occupant to come to the door and speak to you. However, consent cannot be implied when the property owner or occupant has outwardly evidenced an intent that consent is not given, such as a "do not trespass" or "keep out" sign. [*the bondman of Christ Jesus would post a "Breaking the Close" notice on his gate and door posts]. Implied consent is limited to accomplishing the purpose for which consent was given." *Opinion by the law firm of Bauckham, Sparks, Rolfe & Thomsen for The Michigan Township Association (1997).*

Invito beneficium non datur. No one is obliged to accept a benefit against his consent. *Maxim, Dig. 50, 17, 69.* But if he does not dissent he will be considered as assenting. *Bouv.*

Benefits, privileges, and opportunities. Yes, the BPO's of the beast, i. e., the bribes from the government temple, as the candy to the kid, and the apple to the teacher. Accepting the bribe is consenting to the evils of that temple.

Implied Consent: "Implied consent exists where a person by his line of conduct has shown a disposition to permit another person to do a certain thing without raising objection thereto." *Vick v. Zumwalt*, 273 P.2d 1010, 1013, 130 Colo. 148.

Qui tacet consentire videtur. He who is silent **appears** to consent. *Jenk. Cent.* 32.

The purpose of the Non-Statutory Abatement is to avoid that silence, with Law. But, if you've been accepting the bribes from the temple, you have already given consent. It may then be too late for an abatement, due to acquiescence.

You of course have the right of repentance, therefore you must cease that previous activity, repent, and thereafter exercise Your Duty of Avoidance.

Omnis consensus tollit errorem. Every consent removes error. *2 Inst.* 123.

Consensus tollit errorem. Consent removes or obviates a mistake. *Maxim of Law, Co. Litt.* 126.

Voluntis non fit injuria. He who consents cannot receive an injury. *2 Bouv. Inst. n.* 2279, 2327; *4 T. R.* 657; *Shelf. on mar. & Div.* 449.

How many times have you heard the phrase, "They just rolled over me." The "reason" they *rolled over* you is because you had already given them consent to do so. According to the maxims of law, once you give consent there is no error, mistake or injury on their part. But:

Consentientes et agentes pari poenâ plectentur. Those consenting and those perpetrating are embraced in the same punishment. *5 Co.* 80.

Avoid the punishment:

"Be sober, watch; because your adversary the devil, as a roaring lion, goes about, seeking whom he may swallow up: Whom resist, firm in the faith, knowing the same sufferings are being accomplished in your brotherhood which is in the world. But the God of all grace, Who called us to His eternal glory in Christ Jesus, a little while ye having suffered, may Himself perfect you, may He establish, may He strengthen, may He found you: To Him be the glory and the might, to thew ages of the ages. Amen." *1 Pet. 5:8-11*

Id quod nostrum est, sine facto nostro ad alium transferi non potest. What belongs to us cannot be transferred to another without our consent. *Maxim, Dig.* 50, 17, 11. But this must be understood with this qualification, that the government may take property for public use, paying the owner its value. The title to property may also be acquired, **with the consent of the owner**, by a judgment of a competent tribunal. *Bv.*

Voluntarily appearing in court, joinder, and submitting to that court's judgment, or your silence, is the consent given:

Express Consent: "That which is directly given, either *viva voce* [*by voice] or in writing." *Black's L.D. 3rd Ed.*, p. 402.

It is direct, positive, unequivocal consent, requiring no inference or implication." *Pac. Nat. Agri. Credit Corp. v. Hagerman*, 55 P.2d 667.

Ejus est non nolle, qui potest velle. He who may consent tacitly, may consent expressly. *Maxim, Dig. 50, 17, 8.*

Melius est omnia mala pati quam malo concentire. It is better to suffer every wrong or ill, than to consent to it. *3 Co. Inst. 23.*

Melius est recurrere quam malo currere. It is better to recede than to proceed in evil. *4 Inst. 176.*

"By their fruits ye shall know them. Do they gather from thorns a bunch of grapes, or from thistles figs? So every good tree produces good fruits; but the corrupt tree produces bad fruits. A good tree cannot produce evil fruits, nor a corrupt tree produce good fruits. Every tree not producing good fruits is cut down, and into fire is cast. Then surely by their fruits ye shall know them." *Matthew 7:16-20*

Implied Consent: "Consent is implied in every agreement. It is an act unclouded by fraud, duress, or sometimes even mistake." *Heine v. Wright, 76 Cal. App. 338, 244 P. 955, 956.*

Before you agree to anything with anybody, always ask yourself who you are becoming yoked with; for we are warned:

"Be not diversely yoked with unbelievers: for what participation has righteousness with lawlessness? and what fellowship light with darkness? And what concord Christ with Beliar? or what part to a believeth with an unbeliever? and what agreement [**consent*] a temple of God with idols? for ye a temple of the living God are; according as God said, I will dwell among them, and walk among them, and I will be their God, and they shall be to Me a people.

Wherefore come out from the midst of them and be separated, says the Lord, and the unclean thing touch not, and I will receive you; and I will be to you for a Father, and ye shall be to Me for sons and daughters, says the Lord Almighty." *2 Corinthians 6:14-18*

Nemo videtur fraudare eos qui sciunt, et consentiunt. One cannot complain of having been deceived when he knew the fact and gave his consent. *Dig. 50, 17, 145.*

It's All in the Name!!!

A bondman in and of Jesus the Christ has a name given to him by God. He does not have a name given to him by Caesar. Those named by Caesar become *novated* into persons, human beings, individuals, residents and other "legal fictions" answering to his mark, those marks being for commercial purposes, to wit:

Name. A **designation** by which a person, natural or artificial, is known.

Designation. The use of an expression, instead of the name, to indicate a person or thing." *A Dictionary of Law (1893) by William C. Anderson.* (See Issue the Sixth of *The News*, 'To Be or Not To Be, a Human Being,' for a study of what human beings and natural persons really are.)

Name. 1. The particular combination of vocal sounds employed as the individual **designation** of a single person, animal, place, or thing.

Designation. 5. *In Law*, the statement of profession, trade, residence, etc., for purposes of identification 1824." *The Oxford Universal Dictionary (1933).*

Name. The **designation** of an individual person, or of a firm or corporation.

Designation. A description or descriptive expression by which a person or thing is denoted in a will without using the name." *Black's Law Dictionary, 3rd Ed. (1933), page 1220.*

And two of man's maxims of law reveal that those who answer to Caesar's designations are nothing more than a "thing":

Nomina sunt notæ rerum, Names are the marks of things.

Nomina sunt symbola rerum, Names are the symbols of things.

A bondman of Christ Jesus is not a **thing**. Therefore, if one from a foreign jurisdiction asks to see your "identification" or asks if your name is 'so and so,' let them know that you are a bondman of Christ Jesus, and being such, you have not been given a name by Caesar, and therefore you do not have a name that can be "rendered unto him.

The implications of giving your so-called "name" to anyone, especially when dealing with the imperial commercial courts and governments of D.C., the States, the Counties, and the Cities, can be quite devastating.

Therefore, it is important to fully consider the following:

"The christian or baptismal name is, of course, really the name of importance and, surprising as it may seem, it does not matter in law nearly so much about the added or sur-name. The Christian name is therefore placed in the forefront, and incidentally is an essential part of the evidence of every witness in Court...Everything must have a name. Many things cannot, in fact, exist without a name." *Judge Edgar Dale*, Foreword to *'The Law of Names'*, by *Anthony Linell (1938)*.

When you are confronted by a 'person' asking if your name is 'so and so,' you should not deny or confirm, because that would cause "joinder," joining you to the controversy. You must answer as our Lord answered many questions, "I also will ask you one thing." In this way, you transfer the burden from yourself to the intruder. What that question is that you ask will be put in your mouth by the Holy Spirit; it is not for me to put the words in your mouth.

The rebuttal by many to this mode of the "name game" is always the same: "it's okay to give your name to Caesar, because Jesus did when his soldiers sought Him at John 18:4-8." This is incorrect, because when we compare the KJV with the original Greek text, He did not answer to the name, to wit:

"Jesus therefore, knowing all things that should come upon Him, went forth, and said unto them, Whom seek ye?
They answered Him, Jesus of Nazareth. Jesus saith unto them, I am *He*. And Judas also, which betrayed Him, stood with them.
As soon then as He had said unto them, I am *He*, they went backward, and fell to the ground.
Then asked He them again, Whom seek ye? And they said, Jesus of Nazareth.
Jesus answered, I have told you that I am *He*: if therefore ye seek Me, let these go their way:" (KJV)

Note that in the KJV text the "He" in "I am He" is interpolated (added by the translators; it does not exist in the Greek text) in every verse.

And we see that the first time He said "I am" to the Roman soldiers who had come to arrest Him, at verse 6, "they went backward, and fell to the ground." This occurred because they were speaking to the same "I am" as Moses spoke to at Exodus 3:14:

"And God said unto Moses, I AM THAT I AM: and He said, Thus shalt thou say unto the children of Israel, I AM hath sent me unto you."

And note that our Lord, in the Gospel of John, asked them a second time, at verse 7, who they were seeking. If He was answering to "Jesus of Nazareth" the first time, why would He ask them a second time who they were seeking.

We may also note that our Lord never answered to the fictitious "legal" personalities of, "carpenter" (Mark 6:3) and "the carpenter's son" (Matt 13:55). He was accused of being those fictions, but He never confirmed it. He did not "join" the question to allow "legal personality" to be attached to Him.

When one asks you your name, they obviously don't know you. If this is the case, they are from a different or foreign jurisdiction, outside of your community and the Law you minister to. By answering to the name that comes out of their mouth, you answer to the fiction that that foreign jurisdiction has created for their purposes. By answering to the name, you remove yourself from "conformed to His image and likeness" to being conformed to Caesar's, and thereby give jurisdiction to those who regulate natural persons, human beings and others of like 'species.'

The commercial aspect of names is where the imperial governments are looking. With the giving of your name, you answer as a belligerent in the field, operating in a commercial venue, making you fully regulateable through the natural man's codes, rules and regulations.

Consider the following statement by one of their own:

"Everything must have a name. Many **things** cannot, in fact, exist without a name. However much dignity and importance there may be in a corporation, it [*and therefore, its "persons"] can have no possible existence until it [*and therefore, its "persons"] is given a name. The importance of names is thus manifest, and it is a little surprising that apparently no attempt has before been made to deal with their full legal [*form of the law] aspect." *Judge Edgar Dale, Foreword to The Law of Names, by Anthony Linell (1938).*

That Knock on The Door

For those who believe, or have been trained to believe, that you must open your door when someone knocks on it, consider the following:

"The maxim that 'a man's house is his castle' does not protect a man's house as his property or imply that, as such, he has a right to defend it by extreme means. The sense in which the house has a peculiar immunity is that it is sacred for the protection of the man's person. A trespass upon his property is not a justification for killing the trespasser. It is a man's house, barred and inclosing his person, that is his castle. The lot of ground on which it stands has no such sanctity. **When a man opens his door and puts himself partly outside of it, he relinquishes the protection which, remaining within and behind closed doors, it would have afforded him.** Com v. McWilliams, 21 Pa. Dist. R. 1131." Bouvier's Law Dictionary (1914), pp. 1449-1450.

Or, if you believe that the police need a warrant to enter your house, consider the following, which is from the book "Federal Searches and Seizures," by *Rex D. Davis, 1964*, available from the Christ's assembly at California.

Note: "*Refused admittance*," and "*no permission being given*," is when there is some kind of response from within.

3.26 Forceful Entry to Arrest.

"Officers may use force in breaking into a premises in order to arrest with or without a warrant provided they have been **refused admittance** after making the necessary notification.

18 U.S.C. 3109. Breaking doors or windows for entry or exit. The officer may break open any inner or outer door or window of a house, or any part of a house, or anything therein, to execute a search warrant, if, after notice of his authority and purpose, **he is refused admittance** or when necessary to liberate himself or a person aiding him in the execution of the warrant.

"At least one jurisdiction appears to distinguish an officer's authority to break in without a warrant from the same authority when he is armed with a warrant.

Unless the necessities of the moment require that the officer break down a door, he cannot do so without a warrant; and if in reasonable contemplation there is opportunity to get a warrant, or the arrest could as well be made by some other method, the outer door to a dwelling cannot be broken to make an arrest without a warrant. The right to break open a door to make an arrest requires **something more** than the mere right to arrest. (*Accruing v. United States*, 1949, 85 U.S. App.DC 394, 179 F.2d. 456.)

We think that under the authorities, officers without a warrant cannot enter, even without actually breaking, a private dwelling to search for a suspected felon, **no permission being given** and no circumstances of necessitous haste being present. (*Morrison v. United States*, CA DC 1958, 262 F.2d 449.)

3.261 What Constitutes "Breaking"?

"In the absence of any allegation of coercion, the action of the officers who bore a valid warrant of arrest and did not force their way into her apartment but entered after the door had been opened by the defendant, in 'pushing' their way into the apartment was not of a character that it constituted such unreasonable force that would invalidate an otherwise valid search." *United States v. Lord*, DC NY 1960, 184 F. Supp. 923.

3.262 Entry by Subterfuge without Force.

"There is considerable authority to the effect that use of subterfuge to gain entrance to arrest or search is not improper. Of course, if "breaking" is involved, it is necessary for the officers to announce their authority and purpose in demanding entrance. Where a Federal agent, armed with a valid arrest warrant, gained entrance to the defendant's apartment by stating he was an agent from the County Assessor's Office, the Court held the entrance lawful, stating:

There is no constitutional mandate forbidding the use of a deception in executing a valid arrest warrant. The case of *Gouled v. United States*, 1921, 255 U.S. 298, 41 S.Ct. 261, 65 L.Ed. 647, relied on by appellant, holds that a search warrant is invalid even though entry is procured by stealth rather than force. The instant case is different in that the search was incident to an arrest under a valid arrest warrant.

"Criminal activity is such that stealth and strategy are necessary weapons in the arsenal of the police officer." *Sherman v. United States*, 1958, 356 U.S. 369, 372, 78 S.Ct. 819, 820, 2 L.Ed.2d 848.

(*And, whether the postman is an agent in the field, consider the following*):

9.15 Mail Watch

"Ordinarily, a mail watch does not constitute a search.

A "mail watch" or "mail cover" occurs where postal employees scrutinize the mail addressed to an individual and note the information contained on the outside of the envelope. It is distinguishable from the opening and searching of first class mail which is unconstitutional unless legally authorized.

Defendant further suggests that the use of a "mail cover" tainted the Government's evidence. That is, a clerk was assigned in the Post Office to scrutinize all mail addressed to defendant at the Rittenhouse Hotel and to note the names and addresses of the senders. The motion to suppress cannot be granted for that reason, however, since it was not shown that the fruits of the mail watch were used (directly or indirectly) in the preparation of the Government's charges. Furthermore, it has been held in this district that even where results of a "mail watch" are communicated to the Justice Department in violation of Postal Regulations, the evidence will not necessarily be suppressed. *United States v. Schwartz*, DC Pa. 1959, 176 F.Supp.613.

There was no "taking" of the Costello's mail with intent to deprive them of it. It was not prying into their business or secrets to note what the senders had made public on the face of the letters. And the mere fact of detention without proof that it was for unlawful purpose is insufficient to constitute a violation of the statute.

Any delay here was merely incidental to a lawful watch authorized by the Postal Regulations. *United States v. Costello*, DC N.Y. 1957 F.Supp. 461.

Don't open that door for anyone you don't know and are not expecting!!

Myths of the 'Patriot Movement'

Over the past ten to twenty years, the so-called Patriot Movement has been inundating the "general public" with countless myths of law, which as a result of 'buying' into them, has cost many their Life, Liberty and Property on a large scale. This is a result, to a large degree, of not looking to The Word of God through Jesus the Christ for the answers to their problems, but putting their faith in the 'follies' of natural persons and human beings---known as constitutions, codes, rules and regulations.

These myths include, but are not limited to:

'The Right to Travel,' 'common law courts,' 'getting un-taxed,' 'redeeming your strawman,' 'U.C.C. 1-207,' 'Constitutional Rights,' 'state Citizen,' 'sovereign Citizen,' 'Title 42 lawsuits,' 'commercial liens,' 'UBO Trusts,' 'Bill of Particulars,' etc., all of which are secular concepts attempting to be "godly." Their "concepts" place the users into a commercial jurisdiction controlled by infidels, pagans, secular humanists and others of like kind.

These various concepts, for the most part, are a result of what has come about since Lincoln's War, when the so-called Roman Civil Law was gradually put into place and implemented during the time of Reconstruction. The combination of many different changes in society in general, after this period, changed the spirit of law favoring the commercial aspects of things.

The purpose of this article is **not** to criticize or judge anyone, but to expose, with documentation, the erroneous concepts that have brought many down a painful path. It is my hope and intention to help correct these errors by sharing all information I have on these subjects with my fellow-servants. It is suggested, as always, that you do additional research in these areas in order to feel confident that the information herein is totally accurate. By doing so, with all writings and processes by whomever, the mistakes of the past will not be repeated.

"The Right to Travel: 'Within the meaning of 'a right to travel', means migration with intent to settle and abide.' *Strong v. Collatos, D.C. Mass., 450 F. Supp.1356,1360.*

"Migrans jura amittat ac privilegia et immunitates domicilii prioris, or, One who migrates or emigrates will lose the rights, privileges, and immunities of his former domicile. *Maxim of Law, Black's Law Dict., 6th Ed., page 992.*

'Basic constitutional right exemplified in case of persons applying for welfare assistance in a state in which they have not resided for a prescribed period of time. It is said that to deny such a right to such persons is to inhibit their right to travel and hence to deny them equal protection of the law.' *Shapiro v. Thompson, 394 U.S. 618, 89 S. Ct. 1322.*

*"Nom de guerre--a war name; an assumed **traveling** name; a pseudonym." Webster's New Twentieth Century Dictionary, Unabridged (World Publishing Co., 1969), "Dictionary of Foreign Words and Phrases," p. 1202.*

"The sovereign authority can extend only over those who are subject to it; it cannot, therefore, regulate the rights of foreigners. But if they come within its territory, either to reside or **travel**, they are considered as submitting themselves to the authority of the laws of the country, and they are bound by them. This is perfectly reasonable, for during their stay in the country they are protected by its laws." *I Bouvier's Inst. of Law (1851), p. 38.*

"Since March 9, 1933, the United States has been in a state of declared national emergency...Under the powers delegated by these statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all

transportation and communication; regulate the operation of private enterprise; **restrict travel**; and, in a plethora of particular ways, control the lives of all American citizens."

"A majority of the people of the United States have lived all of their lives under emergency rule. For 40 years, freedoms and governmental procedures guaranteed by the Constitution have, in varying degrees, been abridged by laws brought into force by states of national emergency...from, at least, the Civil War...in important ways shaped the present phenomenon of a permanent state of national emergency." *Preamble from Senate Report 93-549, 93rd Congress, November 19, 1973, Special Committee On The Termination Of The National Emergency United States Senate.*

Note: When on the road, or anywhere else, you should be doing only one thing, which is, 'living, moving, and having your being in Christ Jesus.' This one action is for purely spiritual sustenance, which in turn, all things are provided. Those things provided by Him **do not** include worldly desires such as a night on the town, disturbing the peace by doing 90 miles an hour because you like 'the thrill of speed,' or you're late for an 'appointment,' etc. The bondman in and of Christ Jesus does not have a "right to travel." According to our Father's Word, we have only the "right to the Tree of Life."

"Love not the world, nor the things in the world. If anyone should love the world, the love of the Father is not in him; because all that which is in the world, the desire of the flesh, and the desire of the eyes, and the vaunting of life, is not of the Father, but is of the world; and the world is passing away, and the lust of it: but he that does the will of God abideth for ever." *1 John 2:15-17*

Common Law Courts: There is not and never has been such a thing as a 'common law court.' There are courts of common pleas, courts at common law, courts Christian, but no 'common law court.' It will go down in history as a 'gimmick court,' operating out of necessity (Maxim of Law: *Necessity knows no law*, therefore these 'courts' are utterly lawless).

Getting un-taxed: First, there is not a word such as 'un-taxed,' that exists in the English language. This is one more 'gimmick' to sell a \$1,000 - \$2,000 package to desperate, uninformed victims. When a person engages in commercial activity in America, that person is liable for the tax on it, **if there is a record of such activity**.

Note: only 'persons' engage in commercial activity. This tax is nothing new, to wit:

The power, in a State, is necessarily limited to subjects within its jurisdiction. These are persons, property, and business,--whatever the form of taxation, whether as duties, imports, excises, or licenses. The power may touch property in every shape: in its natural condition, in its manufactured form, in its transmutations. It may touch business in any of its infinite forms--in professions, commerce, manufactures, transportation. The amount is determined by the value, use, capacity, or productiveness. Unrestrained constitutionally, the power of the State as to the mode, form, and extent is unlimited, **provided the subject be within her jurisdiction.** *A Dictionary of Law, by William C. Anderson (1893), page 1009, based on numerous court cases.*

Note: 'provided the subject be within her jurisdiction,' is limiting, when it comes to the bondman not engaging in the benefits, privileges and immunities of the State, but instead, living in Him.

U.C.C. 1-207: This 'gimmick' was created by 'the codemakers' in order to appear legitimate. When reserving your 'common law' rights with a commercial code, and with commerce and the *lex mercatoria* being part of the common law of England, you are only reserving what that code has jurisdiction over; commerce. In essence, what you are saying when you sign U.C.C. 1-207 is that you reserve your rights to engage in commercial thievery in their system (see, *The Dark Side of the Common Law*). The current code system is designed from The Roman Codes of Justinian which were based on The Babylonian Codes of Hammurabi (Note: A plaque of

Hammurabi hangs in the House of Representatives in D.C.). The U.C.C. is private law between merchants, codified from the Law Merchant. It is not something anyone should attach himself to. It is:

"One of the Uniform Laws drafted by the National Conference of Commissioners on Uniform State Laws and The American Law Institute governing commercial transactions (including sales and leasing of goods, transfer of funds, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, investment securities, and secured transactions). The U.C.C. has been adopted in whole or substantially by all states [*and it is copyrighted]." *Black's Law Dictionary, 6th Edition, page 1531.*

Constitutional Rights: Constitutional Rights consist of natural, civil, and political rights. All of these rights are for natural persons, human beings, citizens and subjects of the secular state; not the bondman (see Issue the Sixth, *To Be or Not To Be: a Human Being*). When one clings to constitutional rights instead the protection of our Loving Father through Our Lord and Saviour Jesus, the Christ, the result is:

"Get behind Me, Satan: thou art an offence to Me: for thy thoughts are not the things of God, but things of men." *Matthew 16:23*

According to Blackstone:

"the rights of persons considered in their **natural** capacity, are of two sorts, -- *absolute* and *relative*; absolute, which are such as appertain and belong to **particular** men, merely as *individuals* or single **persons**; relative, which are incident to them as **members of society**, and standing in various relations to each other." *1 Bl. Comm. 123.*

If you believe that 'humans' have constitutional rights under the current de facto government, re-read S. R. 93-549.

state Citizen and sovereign Citizen: Again, secular concepts, for **persons**, designed to subject the bondman of Christ Jesus to Roman secular law, to wit:

"All **persons** born or naturalized in the United States, and **subject to the jurisdiction thereof**, are citizens of the United States and of the state wherein they **reside**." *14th Amendment, U.S. Constitution.*

"Citizen: A member of the civil state entitled to all its privileges." *Cooley, Const. Lim. 77.*

"Citizen: One of the sovereign people. A constituent member of the sovereignty, synonymous with 'the people'." *Scott v. Sanford, 19 How. 404.*

Note: Who are 'the people'? The U.S. Government, which is a corporation, claims to be sovereign. 'The people,' then, are those with power over their 'human subjects,' who wish to be God walking on earth. Their motto is, 'I can do all things in myself and be perfect' (humanism).

Title 42 Lawsuits: All U.S. Titles and Codes are for natural persons, corporations, etc. Natural persons are God-less entities presumed to be living in a state of nature (see Issue the Sixth, *To Be or Not To Be: a Human Being*).

When anyone files a Title 42 lawsuit in the *de facto* secular courts, he is saying in essence, "I am one of your pagan followers, and you, as my Master have violated my 'Civil Rights (rights you gave me).' I want revenge, and I want to be judged by the un-Godly, as long as my greed and revenge produce some money for me." Those promoting and using such lawsuits walk arm in arm with Mercury and Mars to wit:

"We are all agreed that the First and Fourteenth Amendments have a **secular reach** far more penetrating in the conduct of government than merely to forbid an 'established church,'We renew our **conviction** that 'we have **staked** the very existence of our country on the **faith** that complete separation between the state and religion is best for the state and best for religion." *Justice Felix Frankfurter and Co. in Illinois ex rel. McCollum v. Board of Education, 333 U.S. 203.*

Commercial Liens: Again, designed by the secular mercantile world for the promotion of revenge, greed and the furtherance of their jurisdiction. Many who have filed these in recent years have landed in jail. Those who are not in jail are still trying to 'monetize' these liens, but to no avail. Such money making 'promotional gimmicks' as, "you can sell them to brokers on the world market," have been found by many to be bogus and fraudulent. The recent Schweitzer/freeman activity in Montana, California and other States are typical examples of the danger and futility of getting involved with such anti-Christ behavior.

UBO Trusts: Better known as 'common law trusts,' never existed in common law. Just another money making 'gimmick' by commercial promoters. Trusts, like all other instruments that create a commercial fiction, are and have always been repugnant to the Truth. The information on trusts being so numerous, I'll try to keep it simple.

First, a trust carries with it an equitable duty, a benefit (*commodity*) and limited liability.

Second, a trust reduces your legal title in property to an equitable title, thereby entering that property into commercial activity. An equitable title cannot be defended in a court-at-law or with a Non-Statutory Abatement.

Third, when receiving the benefit as the beneficiary of the trust, from the trustee, the beneficiary surrenders a legal right, and joins the secular commercial world on record, to wit:

Trust beneficiary: "A **person** named in a trust **account** as one for whom a party to the **account** is named as trustee." *Uniform Probate Code 6-101.*

"**Person** for whose benefit property is held in trust." *Restatement, Second, Trusts 3.*

The Straw Man/Redemption Plan: This is the newest greed-based invention on the scene today. There are many "partakers of this unclean thing" that have either gone to jail or are currently being searched for by the Justice Department. **Beware!!!**

The Pitch:

The so-called Patriot Movement and the religion *it* practices can be said to have a predictable monthly tithing call to its worshippers and worshippers-to-be. It is, "Come join The Silver Bullet of the Month Club." The echo of *its* bark seems to bounce off the walls of the carnival temple in which *it* preaches--those paid commercial ads within various 'patriot' magazines, books, literature, and talk radio.

Taken to exaggerated levels, the huckster's pitch is resonant:

"Come and get it! Yes, it's the all new, only-one-of-its-kind, step-by-step, you-can-beat-'em-at-their-own-game, 'Pro Se Litigation' package,"

"Get it here. Become a 'sovereign sentient human being' with our super special one-size-fits-all eight hundred dollar 'state citizenship' package,"

"Don't miss this one. Let us make you 'safe and secure' with our 'super-duper, guaranteed not to fail,' twelve hundred dollar 'Pure-Common Law-Offshore Trust' package,"

"Come one, come all! Get this just-released, new and improved, Hot! Hot! Hot!, world renowned, teach-'em-a-lesson, get rich weapon of revenge, 'Title 42 Lawsuit' package,'

"Extra, extra, read all about it. Get your land back with our newly released, 'Allodial Title' package,"

"New & Improved!! Get yourself out from underneath the thumb of the I.R.S with our special, time-tested (twenty year prison term) 'Un-Tax' package."

"Finally, you can buy back your strawman, and be free forever (to pursue your lawlessness).

And of course, we can't forget the Recision packages, Right to Travel packages, Comptroller Warrant packages, Commercial Lien packages, Common Law Court packages, Social Security packages, Flag of Peace packages, Civil Death packages, Statute Staple packages, Bill of Particulars packages, Bill of Annulment packages, etc., etc., etc., etc., etc., etc., etc.

"Come unto me, for I will get you out of your desperate situation, protect you and make you safe and secure (if you can afford it)," is their spiel. They become the gods and gurus of 'law.' The victims cry, "more, more, give us more; just one more Silver Bullet," and these 'law gods' reply, "more, more? yes, we have more, if you have more, more, more money!!!"

And of course, "the more it costs, the 'more powerful' it must be."

Surely, the snake oil salesmen of the 1800's would be proud, and today's T.V. ad exec's would excitedly quip, "it's the triumph of the human spirit at its finest."

The truth of the matter is, **there are no Silver Bullets**, except in the fictional world of The Lone Ranger and Tonto.

Ironically, the follies of the 'sovereign' human mind become quite clear when you find out what a 'patriot' really is:

"**PATRIOT.** *Mistakenly* (with possessive) as if = upholder, devotee: mid-C 17. Weever, 1631 'A Patriot of Truth.' O.E.D." *A Dictionary of Slang and Unconventional English* (1961), p. 610.

Self-righteousness = self-destruction. The self-righteousness of man's legalism results in his own self-destruction.

The fact that humanist America has truly come to the chasm of self-destruction becomes more and more evident each day. The 'patriot gods' and their 'disciples' are part of that evidence. These 'sheep' exist because they prefer to look to the creations of man for their safekeeping, rather than their Loving Father. They either forgot or don't know (or don't want to know) that He said "I will never leave you nor forsake you," and that, "Except the LORD build the house, they labour in vain that build it: except the LORD keep the city, the watchman waketh but in vain."

The hirelings that concoct the 'silver bullets' are simply the end result of fictions of fallen minds wandering in the dark without the Christ and His Word.

Those who know the Truth, know that *only* God Almighty is "Sovereign," that His protections and blessings bestowed upon the Executors of His Testament are protections and blessings that cannot be surpassed with anything that the 'gods of government' can offer, or the 'gods of the patriot movement' can *claim* to offer. They know that real Law comes from The One True God alone, to those who do His Will, not their own will.

The Myths and Heresies of The Patriot Movement are the same Myths and Heresies of the ancients--Egypt, Greece, Rome and their Mother of Whores, Babylon-- with a 'new and improved' face of confusion through their *love* for codes, rules and regulations of man-made 'law.'

How many have thrown their hands up in the air and said, "I give up. I've tried all of the packages and I'm more confused now than when I started." Why is this? When you put your faith for earthly salvation in the

Babylonian creations of the secular commercial world, you reap what they sow -- a harvest of confusion, desolation, and damnation.

"Truly the hills and the strength of the mountains were a lying refuge: but by the Lord our God is the salvation of Israel. But shame has consumed the labours of our fathers from our youth; their sheep and their calves, and their sons and their daughters. We have lain down in our shame, and our disgrace has covered us: because we and our fathers have sinned before our God, from our youth until this day; and we have not hearkened to the voice of the Lord our God." *Jeremiah 3:23-25*

Just as the corrupt traditions of the elders become the introduction of universal confusion, which makes man like the fishes of the sea, so too does the idea that every man can, outside of the Law of God, avenge himself through the hands of 'private persons.' These private persons; these hirelings; these sons of Adam, again say, "Come unto us, for we will be your gods, and you will be our sheep."

It may well be said that "The Patriot Movement" is a stepping-stone to bigger and better things. That may very well be true, but we must consider that that stepping-stone is nothing more than our Father's Rod of Correction driving you back to Him. We hope and pray that those that fail to acknowledge that truth, and refuse to take heed of it by disobediently **remaining within** that "Movement," will come to the Truth that there is no "movement" there, but simply a pit that binds; and that the Way and the Life will take them by their hand and show them that it is time to "come out of her."

The Way, The Truth, and The Life

"Jesus said therefore again to them, Verily, verily, I say to you, that I am the door of the sheep. All that ever came before Me are thieves and robbers: but the sheep did not hear them. I am the door: by Me if anyone enter in, he shall be saved, and shall go in and shall go out, and shall find pasture. The thief comes not except that he may steal and may kill and may destroy: I came that life they might have, and abundantly might have.

I am the good shepherd: the good shepherd lays down His life for the sheep: but the hired servant, and who is not the shepherd, whose own the sheep are not, sees the wolf coming, and leaves the sheep, and flees: and the wolf seizes them, and scatters the sheep.

Now the hireling flees, because a hired servant he is, and is not himself concerned about the sheep.

I am the good shepherd, and know those that are Mine, and am known of those that are Mine.

John 10:7-14

The Long Road Out of Commerce

Editor's Note: The following is from a Sister in the Lord and should give all of us hope that we can do the same.

"My husband and I were married on the twenty-eighth day of the sixth month in the year of Our Lord nineteen hundred eighty. By the eleventh month of the same year we had purchased (land sales mortgage) a twenty-eight acre farm in the Willamette Valley in Marion county, Oregon.

The farm was financed by the State VA Program and our parents. At the same time we borrowed money (parents again) to purchase sheep to raise on the farm.

Then the fights began. Either I was spending too much or he was, or he wasn't working enough or I wasn't. He got mad when I borrowed from my dad; I got mad when his mother offered unwanted advice.

Time went on and we were learning not to purchase on time, that is, the small things.

In the winter of eighty-one I attended classes on Tax Preparation, and then passed the test. In the spring of eight-two I started work at H & R Block as a Licensed Tax Preparer.

During the same era we started a greenhouse business on the farm that was quite successful.

My father got ill and we had to take care of him and his farm.

More bills and more debt.

I continued to prepare taxes for the next five tax seasons for various firms. In the fall of eighty-five I passed the exam to be a "Licensed Tax Consultant" and then opened my own office "Woodburn Tax Service & Bookkeeping". On Hwy 99E there was an office I rented, and then hired a gal to help me. The business was very successful. Because of the growth, I needed more space, so I made an offer to the adjacent land owner on the purchase (Land Sales Contract, i.e., mortgage) of his building, rental house and lot. I plopped the money down and it was a done deal.

Now the debt was larger and the fights were bigger. Let's not forget to mention by now we have a son and two daughters.

The tax and bookkeeping business continued to grow so I hired a couple more gals to help. At one time I had three full time employees besides myself. I had payroll taxes and huge overhead with computers and office equipment. I felt that my liability was great and I was sticking my neck out; and wa la!, I incorporated my business. Now I was a corporate officer.

The greenhouse business was going good and we had started into Christmas trees so we incorporated the farm business too. Now my husband was a corporate officer just like me!

Now, back in the spring of eighty-seven we accepted the Lord into our lives. He had been working on us in different ways and we are glad we heard the knock at the door. We knew things were not correct, but how do you get from Point A to Point B when the canyon looks so deep?

Trying to get on the correct path and follow it is hard, especially when you are learning so much at one time; Christianity, Parenting, Business, and Farming, not to forget to mention matrimony. Well the Lord had (has) a plan and I guess it is up to us to seek it out.

One day in the third month of ninety- three my husband was reading the Farm newspaper and saw a ranch for sale in Eastern Oregon; he jokingly said "let's go look at it." I said OK, and that weekend we did. It was fifty-four ranches later before we bought one.

In the mean time I sold my tax business, sold the office building, and sold the farms I inherited after my dad's death. At the time we started liquidating, we had four rental houses, four different pieces of property, and I rented out three office suites and a warehouse; I had the tax business; we had the nursery and Christmas trees, and oh yes, three children (we weren't able to liquidate them).

During the same time, on one evening in the spring of ninety-three a very close friend of ours, Ronald Lowell, mentioned in conversation that there was two kinds of citizens and did I know which I was? (We know now we are neither, but it was the start for us down the correct path). I confessed I hadn't a clue what he was talking about. Curious about all his findings, I needed to know more.

Now, tax research was one of my all time favorite things to do; find the loop hole; find the truth; find the gray area...! So I went to Salem to the Marion county Law Library, literally sitting on the floor in the aisle way with books piled around me, reading for five hours straight about "Citizen" and "citizen," and I came out of there with the understanding that "it" was something that I didn't want to be.

Now the idea to move to Eastern Oregon made more sense. Get away from the commercialism, get back to the basics, and more importantly, back to God [*old paths].

In the winter of ninety-five we purchased Ranch number fifty-four; it was paid for with cash and gold; no mortgage, no borrowing and no fights.

We lived in an elk hunting tent (we still had our house in the valley) for six weeks while building a pole barn for shelter. It got down to 12 degrees in the tent. When the pole barn was completed we moved in, and the next night it got down to -5 degrees. We moved everything from our old place, and it finally sold in the summer of ninety- six.

This ranch does not have an address or a mailbox. We receive everything in general delivery. We owe no one any money, we pay as we go, and if we don't have the money we simply don't buy it. We do not have any charge cards, charge accounts, or bank accounts of any sort.

The only monthly bill we have is the telephone bill, but to keep from having easements across the property we would not allow the telephone company to put in the phone line. I do all my calling from along side the county road (don't call me, I'll call you). It really keeps the phone bill down. This has not been an overnight change; it has been a long learning process and we are still learning and we have made mistakes and we will make more. Our motive is correct and our hearts are in the correct spot too. We now think about everything we do and how it will affect us. My husband barter with the neighbors for some of our needs and I take eggs homemade bread to the neighbor lady, who in turn provides us with fresh milk. To keep from being involved as much as possible with commerce, we are working toward being completely God sufficient, learning how to grow all of our food needs and learning how to use what is Provided for us.

Discerning between wants and needs, comforts and conveniences. Learning to let Him lead and provide. Oh yes, the children I almost forgot; they are doing very well and they love our new place; they have six hundred and forty acres on which to ride their horses; they are home taught and they enjoy that too. We have lots of wildlife around us and everyday we all see or learn something new.

Continuing to seek His path, *Jodie Lynn*”

Editor's note: the Christ's assembly at California welcomes letters for reprint from fellow-bondmen on similar stories of successful disengagement from the Beast.

The Unincorporated Church *so-called*

We have previously written that "being unincorporated or unregistered is not sufficient to avoid the Roman Imperial State's regulations and taxing authority, though it is a beginning." The unincorporation must take place, but this Blessed beginning must be continued until the particular area church is "unspotted from the world" by no longer operating according to the ways of the world. We hope that the information herein will be a partial guide toward discontinuing those ways.

We must first begin by pointing out that our Lord did not designate His church to be either *incorporated* or *unincorporated*. As a catalyst for the natural man's continual effort to mask the True church, these are the created designations of the Hegelian dialect, i.e., when you argue over two lies you still end up with a lie, but to the ignorant it looks like the truth.

Again, we must point out that our Lord did not found a *Christian Church*, the *Christian religion*, or *Christianity*. Those self-defining designations created by the natural man are not found in Scripture. As He said:

"And I say also unto thee, That thou art Peter, and upon this rock I will build My church; and the gates of hell shall not prevail against it." *Matthew 16:18*

Note that there is no mention or allusion to the *Christian Church*, the *Christian religion* or *Christianity*. The "rock" spoken of, of course, is Christ Himself, for in the original Greek text, the word there is *petra* (*petra*) meaning "a mass of rock," or metaphorically, "a foundation that no man can lay," as distinct from *petros* (*petros*, [Peter]), "a detached stone or boulder," or a stone that might be thrown or easily moved, as was Peter's character. There are two religions mentioned in Scripture. The first is the religion of the Jews (*Judaism*, see Acts 26:5 and Galatians 1:13-14) and the second, literally:

"If anyone among you seems to be religious, not bridling [*restraining, holding in check] his tongue, but deceiving his heart, of this one vain *is* the religion.

Religion pure and undefiled before God and *the Father* is: to visit orphans and widows in their tribulation, and to keep oneself unspotted from the world." *James 1:26-27 (Berry)*

In the King James it is "To visit the fatherless and widows in their affliction, and to keep himself unspotted from the world."

The only religious activity His bondmen and servants are to adhere to or engage in is clear from the above. All else is of the religion of the Jews and the heathen, and as Brother Paul said, should be counted but dung (see Philippians ch. 3).

Concerning the meeting place of His Lawful assemblies, as contrasted with those of the Christian religion, we offer the following:

Over the past nineteen-plus centuries since the bondmen in and of Christ Jesus abandoned the synagogues, tabernacles and temples made with the hands of their earthly fathers and began to be gathered together in His Name, wherever that may of occurred (be it houses, caves, on a hillside, etc.), there has been a continual walking away from *His mode* of congregating His remnant together, toward an organized commercial system based on the ways the natural man. We have examples of where His assembled may have been found prior to making merchandise of His body:

"This is he, that was **in the church in the wilderness** with the angel which spake to him in the mount Sina, and with our fathers: who received the lively oracles to give unto us:" *Acts 7:38*

"As for Saul, he made havock of the church, **entering into every house**, and haling men and women committed them to prison." *Acts 8:3*

"The churches of Asia salute you. Aquila and Priscilla salute you much in the Lord, with **the church that is in their house.**" *1 Corinthians 16:19*

"Salute the brethren which are in Laodicea, and Nymphas, and **the church which is in his house.**" *Colossians 4:15*

It was not until the fourth century, shortly after "The Church" joined the Roman State at the Council of Nicea, that the first Basilica was built for the Christian religion. All ancient and modern definitions of "basilica" show that it is a *commercial building for commercial purposes*.

From the heathen-based idea of the basilicas and cathedrals, the Protestant Church created a facsimile, known as "a Church," or "a Christian Church." Like the Roman Catholic Church, they designated their buildings made with men's hands to be "the House of God" and a place of sanctity and sanctuary. But the Word of God says otherwise:

"Thus saith the LORD, Heaven is My throne, and earth is My footstool: what kind of a house will ye build Me? and of what kind the place of My rest?"

For all these things are Mine, saith the LORD: and to whom will I have respect, but to the humble and meek, and the *man* that trembles at My words?" *Isa. 66:1-2 (LXX)*.

"Howbeit the Most High dwelleth not in temples made with hands; as saith the prophet, Heaven is My throne, and earth is My footstool: what house will ye build Me? saith the Lord: or what is the place of My rest?"

Hath not My hand made all these things?" *Acts 7:48-50*

"God that made the world and all things therein, seeing that He is Lord of heaven and earth, dwelleth not in temples made with hands;" *Acts 17:24*

"We have such an High Priest, Who is set on the right hand of the throne of the Majesty in the heavens; A minister of the sanctuary, and of the true tabernacle, which the Lord pitched, and not man." *Hebrews 8:1b-2*

And further we are told in the original Greek texts that:

"For where two or three are gathered together **unto** My name, there am I in the midst of them." *Matthew 18:20 (Berry)*

In the King James *version*, it reads "**in** My name." But the word in the Greek is eis, which should be translated "unto," as is with the Berry literal rendering.

eis in this case means:

"eis, a Prep. governing the Accusative, and denoting **entrance into**. Metaphorically, I. retains the force of entering into anything. 1. where one thing is said to be changed into another [translated sometimes by *unto*], to mark the limit reached, or where one sets foot." *Thayer's Greek-English Lexicon of the New Testament*, page 183.

In the aftermath of following the Roman Catholic Church's way of establishing a *commercial center of worship* under the designation of "a Church," the so-called Protestant Church decided to continue to "do business" under the State in the same manner as the Popish Church, and went one step further. It developed the Humanistic concepts of "The Common Schools," "Secondary Schools," "Sunday Schools," and other methods of immersing God's children in the commercial world and the things of the world. The only school found in Scripture is that of one Tyrannus (tyrant) at Acts 19:9.

The earthly fathers of our Father's little ones forgot our His admonitions:

"A prudent man foreseeth the evil, and hideth himself: but the simple pass on, and are punished.
By humility and the fear of the LORD are riches, and honour, and life.
Thorns and snares are in the way of the froward: he that doth keep his soul shall be far from them.
Train up a child **in the way he should go**: and when he is old, he will not depart from it."
Proverbs 22:3-6

And we are told in **what way** that is:

"And, ye fathers, provoke not your children to wrath: but bring them up **in the nurture and admonition of the Lord**." *Ephesians 6:4*

Is it any wonder that the State, when pulling these self-defined "unincorporated churches" into court, usually designate them to be an "unincorporated association," not "a church" or a member of "the True church," because an *unincorporated association* is defined by the State to be:

"a body or collection of persons who have united or joined together, without a charter, but upon the methods and forms used by corporations, for the prosecution of some business or common enterprise, and who are called, for convenience, by a common name." *Morrissey v. Commissioner of Internal Revenue*, 56 S. Ct. 289, 296 U.S. 344.

The marks of the world become obvious. "Persons united or joined together, without a charter, but upon the methods and forms used by corporations" describes those who have assembled together through self-will, not through Christ Jesus, for: (1), He is not a respecter of persons, and (2), it is not assembled according to His ways, but according to the methods and forms of a corporation, and (3), they are joined together "for the prosecution of some business or common enterprise," i.e. making merchandise of Him; and not for His purposes or for His glory, and (4). they "are called, for convenience, by a common name," meaning that they are not called by Him, but are self-defined "for convenience," i.e. commercial purposes.

And the signs leading up to the marks of the world become obvious, i.e., bank accounts, check writing, debt based credit, receipts, employees, salaried pastors, etc., all instruments of the world, created by the world for those who are engaged in an *enterprise* for **profit-sake**.

Again, the State reveals:

"Where the association is organized for commercial purposes, and operated for pecuniary (monetary) profit, it is no more than a partnership, and the rights and liabilities incident to that relation attach to its members, as well between the members themselves." *Chastain v. Baxter*, 31 P.2d 21.

We are warned about those who purport to be "the church," but are engaged in the activities of the world:

"Give no heed to a worthless woman; for honey drops from the lips of a harlot, who for a season pleases thy palate; but afterwards thou wilt find her more bitter than gall, and sharper than a two-edged sword. For the feet of folly lead those who deal with her down to the grave with death; and her steps are not established. For she goes not upon the paths of life; but her ways are slippery, and not easily known." *Proverbs 5:3-6 (LXX)*

The *harlot* (in the Greek *porne*) spoken of above is the same harlot spoken of in Revelation 17.

"4204. Harlot. *pornh*. 1. prop. a prostitute, a harlot, one who yields herself to defilement **for the sake of gain**, (Arstph., Dem., al.) 2. Hebraistically" *Thayer's Greek-English Lexicon of the New Testament*, page 632.

"Harlot. *porne*, (fem. of *pornos*, from *pernaw*, to sell) a harlot, (occ. Rev. xvii. 1, 15, 16; xix. 2)." *Ethelbert William Bullinger, A Critical Lexicon and Concordance to the English and Greek New Testament (1908)*, p. 353.

"Harlot. 4204. *porne* (por'-nay); feminine of 4205; a strumpet; figuratively, **an idolater**: KJV-- harlot, whore." *Strong's Greek Dictionary*.

"Harlot. 2181. *zanah* (zaw-naw'); a primitive root [**highly-fed and therefore wanton**]; to commit adultery (usually of the female, and less often of simple fornication, rarely of involuntary ravishment); figuratively, **to commit idolatry** (the Jewish people being regarded as the spouse of Jehovah):" *Strong's Hebrew-Chaldee Dictionary*.

"Know ye not that your bodies are the members of Christ? shall I then take the members of Christ, and make them the members of an harlot? God forbid.

What? know ye not that he which is joined to an harlot is one body? for two, saith He, shall be one flesh." *1 Corinthians 6:15-16*

The Merchants of the Earth and their Merchandisers

"Many wait on the favour of rulers; but justice comes to a man from the Lord." *Proverbs 29:26 (LXX)*.

We must first point out that when our Lord was offered, by that old crafty serpent, *the glory and powers of the kingdoms of the world*, recorded for our edification at Luke 4:5-8, the word for *world* written down by the Spirit of God there, in the Greek, is *oikoumenh*, or *oikoumene* (oy-kou-men'-ay), meaning *the Roman Empire*, to wit:

"3. *oikoumene*=the world as inhabited. It is from the verb *oikeo*= to dwell. It is used of the inhabitable world, as distinct from the *kosmos*. Hence, it is used in a more limited and special sense of the **Roman Empire**, which was then predominant. See Luke 2:1; 4:5; 21:26." *The Companion Bible, Appendix 129, page 162*.

"Luke 4:5, **the world** (phn oikoumenh). Lit., the inhabited (land). The phrase was originally used by the Greeks to denote the land inhabited by themselves, in contrast with barbarian countries; afterward, when the Greeks became subject to the Romans, **the entire Roman empire.**" *Vincent's Word Studies on the New Testament*, page 266.

And Satan revealed whose domain the glory and power of the Roman Empire belongs to and is dispensed by:

"And the devil said unto Him, All this power will I give Thee, and the glory of them: for that is delivered unto me; and to whomsoever I will I give it." *Luke 4:6*

And we must remember our Lord's response to the offer:

"And Jesus answered and said unto him, Get thee behind Me, Satan: for it is written, Thou shalt worship the Lord thy God, and Him only shalt thou serve." *Luke 4:8*

Therefore, it is mandatory that we, just as He has shown to us by example, must refuse and avoid the things of the world; those self-designed and self-gratifying glories and powers of the Roman Empire.

In this portion on the subject of *The Unincorporated Church (so-called)*, we will evidence the fact that if and when a particular "Church" or "individual" partakes of the commercial modes and instruments (*sorceries*, see Isaiah 47 and Revelation 18) "created" by the Babylonian and Roman merchants of the earth (their *created* purpose always being "for the sake of *personal* profit"), it gives that *necessary* "appearance of evil" which the State, (knowingly or unknowingly) being God's rod of correction, looks for in its regulating capacity.

The intrusion by the State into the affairs of the subject "Church," or in their language, "religious society," is justified under **the world's *lex mercatoria***; for the esoteric modes and instruments (*sorceries*) of that system of man's law are *private in nature*, **being an abomination unto the Lord and the partakers of them ultimately destroyed by Him** (see Isaiah 23 & 47, Ezekiel 27, Hosea 12, Nahum 3, Zephaniah 1, and Revelation 18).

The *lex mercatoria's* *sorceries* are from the natural man (Satan's ministers), and are therefore foreign law to the Law of our Father:

"FOREIGN LAW. The laws of a foreign country, or of a sister state. People v. Martin, 38 Misc.Rep. 67, 76 N.Y.S. 953; Bank of Chillicothe v. Dodge, 8 Barb.(N.Y.) 233. Foreign laws are often the **suggesting occasions** [*from *the whisperer*] of changes in, or additions to, our own laws, and in that respect are called '*jus receptum*.' Brown." *Black's Law Dictionary* (4th. ed. 1957), pp. 775-776.

Being *received and accepted* modes and instruments (*sorceries*) **of** the world, they are already under the regulation of the State previous to being partaken of; for, as Luke 4:6 shows us, it is Satan's domain. When used, the user automatically becomes regulateable according to the ways of the world. Until it is understood that those modes and instruments (*sorceries*) belong to, and are regulated by, *a private law*, the partakers of them will continue to err in their ways.

The following short example of the history of the law merchant may give a helpful insight into its origins and the implications of using its dead tools. For a more detailed account of its history, see Issue the Thirty-ninth of The Christian Jural Society News:

"THE LAW MERCHANT. Although much of the present law of sales, partnerships, insurance and bankruptcy is derived from the customs and usages of the law merchant (*lex mercatoria*), the law of negotiable instruments was, undoubtedly, the most remarkable development of the law merchant. The Uniform Negotiable Instruments Law to this day provides that "In any case not provided for in this act the rules of the law merchant shall govern." (Section 196, N.I.L.)

"The law merchant, or mercantile law, was the comprehensive body of **privately administered** rules and customs enforced **as** law by merchants throughout the medieval commercial world, and, especially, in the Italian city-states. Each market, fair and seaport had local merchant courts where a jury of merchants

would settle controversies with efficient dispatch upon the basis of mercantile custom. From Italy, the law merchant spread to England, where it gradually underwent a centralization." *Teevan and Smith, Business Law (1949), vol. II, p. 329-330.*

And we find in its history that it is a product of the Roman Empire:

"The merchants of the Italian city states and of the cities that were members of the Hanseatic League rejuvenated general European trade in the 12th and 13th centuries following its almost total abandonment after the Fall of Rome. These traders took precepts **from the ancient law of the Roman Empire**, adapted them to their times, and created customs of trade and ways of doing business, that became accepted among the merchants of all Europe, and hence this body of business or commercial law obtained the name Law Merchant.

"The law of agency, sales, negotiable instruments, insurance, carriage, debt, guaranty, stoppage in transit, liens, partnership, and bankruptcy was made by these traveling international **private** merchants." *Stone, Smith, Frank, Romig, Fundamentals of Business Law (1950), p. 8.*

We are told, not in the King James version, but in the Septuagint, that:

"Evil ways are before a man, and he does not like to turn away from them; but it is **needful** to turn aside from a perverse and bad way." *Proverbs 22:14*

And again from Proverbs, and again conspicuously missing from the King James, we are warned:

"If thou sit to sup at the table of a prince [*Satan is the prince of this world], consider attentively the things set before thee: and apply thine hand, knowing that it behoves thee to prepare such: but if thou art very insatiable, desire **not** his provisions; **for these belong to a false life.**" *Proverbs 23: 1-3 (LXX)*

As stated in last month's article on this subject, **some** of the *insatiable desires*, or major sorceries partaken of in that *false life* are:

Bank accounts, check writing, debt based credit, receipts, employees, and salaried pastors.

These are just a few of the major engagements that are condemned by the Word of God. Why? Because they all represent "wants," not "needs." Only the discontented partake of the *insatiable desires* of their "wants":

"Not that I speak in respect of want: for I have learned, in whatsoever state I am, *therewith* to be content.

I know both how to be abased, and I know how to abound: every where and in all things I am instructed both to be full and to be hungry, **both to abound and to suffer need.**

I can do all things through Christ which strengtheneth me." *Philippians 4:11-13*

And without the poetic license of the King James, we see, through the literal words in the Greek, a clear spirit:

"Not that as to destitution I speak; for I learned in what I am, content to be,
And I know to be brought low, and I know to abound. In everything and in all things I am initiated both to be full and to hunger, both to abound and to be deficient.
I am strong for all things in the Christ Who empowers me."

The "wants" *attempted* to be satisfied by the ways of the Roman Empire's *law merchant* all represent allegiance to the ways of the world, and are not representative of "the old paths," which, at Jeremiah 6, we are admonished to walk in. And also at Proverbs we are warned:

"Become not surety from respect of a man's person.
For if those have not whence to give compensation, they will take the bed under thee.
Remove not the old [*eternal] landmarks, which thy fathers placed.
It is fit that an observant man and diligent in his business should attend on kings, and not attend on slothful men." *Proverbs 22: 26-29* (LXX).

[For a short example of how **the old paths** have been abandoned in *modern* times by the slothful, see Pages fifteen and sixteen in this Issue].

And,

"(According as it is written, God hath given them the spirit of slumber, eyes that they should not see, and ears that they should not hear;) unto this day.

And David saith, Let **their table** be made a snare, and a trap, and a stumblingblock, and a recompense unto them." Roman 11:8-9.

Table; at Romans 11:9. Put by Fig. Metaphor for **material prosperity**." *The Companion Bible*, page 1684.

And we are instructed on the nature of one who reverences and attends on the slothful men of the *lex mercatoria*:

"He that shares with a thief, hates his own soul; and if any having heard an oath uttered tell not of it, fearing and reverencing men have been overthrown, but he that trusts in the Lord shall rejoice.

Ungodliness causes a man to stumble: but he that trusts in his Master shall be safe.

Many wait on the favour of rulers; but justice comes to a man from the Lord." *Proverbs 29: 24-26* (LXX)

We will now evidence the relationships that are created through partaking of the *sorceries* of the *lex mercatoria*, and the resulting repercussions:

Bank Accounts

Again, it is recorded for our edification in the books of Matthew, Mark, and John, our Lord revealing to us the true nature of those who engage in business for personal profit, one of them being *banking*, to wit:

"And Jesus went into the temple of God, and cast out all them that sold and bought in the temple, and overthrew the **tables** of the **moneychangers**, and the seats of them that sold doves,

And said unto them, It is written, My house shall be called the house of prayer; but ye have made it a **den of thieves**." *Matthew 21:12-13* (see also Mark 11:15-17 and John 2:13-16)

It must first be noted that those whom He engaged in this account were a "den of thieves (robbers)" **before** they entered the Temple; bringing their activities inside of the Temple only transferred the den from the outside, to the inside.

To evidence that "the den of thieves" are, in fact, the bankers and their banks, we see the first word above that is highlighted is "table," the original word in the Greek being Trapeza, (trapeza) meaning:

"5132. Trapeza, (trapeza) a table, an eating table, Matt. 15:27; Mark 7:28; Heb. 9:2; by impl. a meal, feast, Rom. 11:9; 1 Cor. 10:21; a table or counter of a money changer, Matt. 21:12, **a bank**, Luke 19:23; by impl. pl. money matters, Acts 6:2." *The New Analytical Greek Lexicon*, p. 411.

"5132 trapeza (trap'-ed-zah); probably contracted from 5064 and 3979; a table or stool (as being four-legged), usually for food (figuratively, a meal); also **a counter for money** (figuratively, **a broker's office for loans at interest**): *Strong's Concordance*.

The second (set of) words highlighted above is "money changers," the original word in the Greek being kollubisthj, (kollubistes), meaning:

"2855 *kollubisthj*, -ou, o, (fr. *kollubuoj* (i.q. a. a small coin, cf. *koloboj* clipped; b. rate of exchange, premium), *a money-changer*, **banker**: Mt. xxi. 12; Mk. xi. 15; Jn.ii. 15." *Thayer's Greek-English Lexicon of the New Testament*, page 353.

"1. *kollubistes* (*kollubisthj*, 2855), from *kollubus* (lit., "clipped), "a small coin or rate of change" (*koloboo* signifies "to cut off, to clip, shorten," Matt. 24:22), denotes "a money-changer," lit., **money-clipper**, Matt. 21:12; Mark 11:15; John 2:15." *Vine's Expository Dictionary of Biblical Words*, page 96.

Concerning John 2:14, Vine adds:

"In the court of the Gentiles, in the temple precincts, were the seats of those who sold selected and approved animals for sacrifice, and other things. The magnitude of this traffic **had introduced the bankers' or brokers' business**, <John 2:14>." *Ibid*.

And in Matthew, a second Greek word meaning *money-changer* is:

"5133. Trapeziths (Trapez-it-hs) **A money changer**, broker, **banker**, who exchanges or loans money for a premium, Matt. 25:27." *The New Analytical Greek Lexicon*, p. 412.

And the same connection of the "den of robbers" is recognized in the secular dictionaries:

"Bank. *n.* 1. Orig., the table, counter, or place of business of a money changer; now, the building or office used for banking purposes." *Webster's New International Dictionary (1935)*, page 178.

And we must note the difference between thieves and robbers:

"Mat. 21:13, **Thieves**. Correctly, **robbers**. In classical usage mostly of cattle. The robber, conducting his operations **on a large and systematic scale** [*the Federal Reserve System], and the aid of bands [*member banks], is thus to be distinguished from the thief who purloins or pilfers whatever comes to hand. A den would be appropriate to a band of robbers, not to thieves." *Vincent's Word Studies on the New Testament, Vol. 1, page 215*.

Considering the above, we see that our Lord revealed to us for our instruction, edification, and comfort, that "the den of robbers," or more specifically, "the bankers," are an abomination unto the Father, and therefore are **never** to be allowed within the Temple--that new Temple being His body, His assembled:

"Know ye not that ye are the Temple of God, and that the Spirit of God dwelleth in you? **If any man defile the Temple of God, him shall God destroy**; for the Temple of God is Holy, which Temple ye are." *1 Corinthians 3:16-17*

The defilement of His Temple by those who partake of the ways of "the den of robbers" becomes obvious when we see the relationship created thereby:

"The relation between a bank and a depositor therein is that of debtor and creditor." *Bank of Marin v. England, Cal., 385 U.S. 99*.

"It has been said that a certificate of deposit amounts to a loan by a depositor to the bank for an agreed period of time at a specific rate of interest." *Spratt v. Security Bank of Buffalo*, 654 P.2nd 130.

"A deposit creates a contract." *Petersen v. Cartensen*, 249 N.W.2d 622

"A signature card constitutes a contract." *Western Assur. Co., Inc. v. Star Financial Bank of Indianapolis, C.A(Ind.)*, 3 F.3d 1129

"Contract. A promise or set of promises constituting an agreement between the parties that gives each a legal duty to the other..." *Lamoureux v. Burrillville Racing Ass'n*, 91 R.I 94.

But we are warned and instructed by the Word to:

"Owe no man any thing, but to love one another: for he that loveth another hath fulfilled the law."
Romans 13:8-14

And, it has also been written:

"Be not thou *one* of them that strike hands, *or* of them that are sureties for debts." *Proverbs 22:26*

And:

"Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? and what communion hath light with darkness?

And what concord hath Christ with Belial? or what part hath he that believeth with an infidel?

And what agreement hath the temple of God with idols? for ye are the temple of the living God; as God hath said, I will dwell in them, and walk in them; and I will be their God, and they shall be My people.

Wherefore come out from among them, and be ye separate, saith the Lord, and touch not the unclean thing; and I will receive you,

And will be a Father unto you, and ye shall be My sons and daughters, saith the Lord Almighty."
2 Corinthians 6:14-18

But, when consorting with the den of robbers, we further see that:

"The relation between a bank and a depositor therein is generally not that of agent and principal, although it has also been said that the bank discharges its obligation as a debtor subject to the rules obtaining between principal and agent, and that a bank's authority to receive money on behalf of a customer derives from its authority to act as the customer's agent." *Department of Retirement Systems v. Kralman*, 867 P.2d. 643

The condemnation of the above, and the hardness of the hearts of those who love in vain the things of that world and reject the Suretyship of the Sure Foundation, is clearly seen:

"Because ye have said, We have made a covenant with death, and with hell are we **at agreement**; when the overflowing scourge shall pass through, it shall not come unto us: for we have made lies our refuge, and under falsehood [*that false life] have we hid ourselves:

Therefore thus saith the Lord God, Behold, I lay in Zion for a foundation a stone, a tried stone, a precious corner stone, a sure foundation: he that believeth shall not make haste.

Judgment also will I lay to the line, and righteousness to the plummet: and the hail shall sweep away the refuge of lies, and the waters shall overflow the hiding place.

And your covenant with death shall be disannuled, and your agreement with hell shall not stand; when the overflowing scourge shall pass through, then ye shall be trodden down by it." *Isaiah 28:15-18*

We will now look at evidence showing the lawlessness of the *lex mercatoria's* employee/employer relationship disclosed to us by the natural man, and the implications created thereby when a bondman in and of Christ or an area church becomes either *an employee* or *an employer*. These disclosures also apply to a **salaried pastor**:

"The relation of employee and employer is that which arises out of a **contract of employment**, express **or implied**, between a master or employer, on the one hand, and a servant or employee, on the other." *Ohio Casualty Ins. Co. v. Capolino*, 65 N.E. 2d.

When that express or implied contract is entered into, the State becomes the regulating master through their Imperial decrees:

"It is one of the functions of the State to **decree** the legal consequences that shall attach to a contract of employment made within the state, regardless of a stipulation of the parties" *Miller v. National Chair Co.*, 22 A.2d 804.

"The relationship of employer and employee is substantially the same as that of master and servant." *Pennsylvania Cas. Co. v. Elkins*, 70 F.Supp. 155.

"In its broadest sense the term "servant" includes **any person** over whom personal authority is exercised (Toronto v. Hattaway, 122 So. 816) or who exerts himself or labors for the benefit of a master or employer (In re Caldwell, 164 F. 515); and anyone who works for, and under the direction or control of, another **for salary or wages**." *Kiser v. Suppe*, 112 S.W. 1005.

"In a more restricted sense a servant has been defined to be a **person** employed to labor for the pleasure or interest of another; especially, in law, one employed to render service or assistance in some trade or vocation, but without authority to act as an agent in place of his employer (Rendleman v. Niagra Spray Co., 16 F.2d 122); one who is employed to render **personal service** to his employer otherwise than in the pursuit of an independent calling and who in such service remains **entirely under the control and direction of the other, who is called his master**." *Brosius v. Orpheum Theater Co.*, 60 P.2d 156.

When entering into a contract of employment, both the employer and employee also enter into a contract with the police State, and are thereby militarily bound by the benefit/duty relationship between them and the State:

"Statutes that preclude a contract for **personal service** are for the **benefit** of the employee, and are in the nature of police regulations or expressions of public policy." *Shaughnessy v. D'Antoni*, 100 F.2d 422; *Hill v. Missouri Pac. Ry. Co.* 8 F.Supp. 80.

In America, the prerequisite for a police regulation to apply to a given situation stems from "the permanent state of national emergency" instituted by F. D. R. in 1933, which made all "persons" within the U. S. government's territory "alien enemies" and therefore subject to the Trading with the Enemy Act. But the behavior of those "persons" must align with certain criteria for the Act to take effect in a given situation:

"**Residence or doing business** in a hostile territory is the test of an 'alien enemy' within meaning of Trading with the Enemy Act and Executive Orders thereunder. Executive Order March 11, 1942, No. 9095, as amended, 50 U.S.C.A. Appendix 6; Trading with the Enemy Act 5 (b)." *In re Oneida Nat. Bank & Trust Co. of Utica*, 53 N.Y.S.2d 416, 420, 421, 183 Misc 374.

From the above, we see that *residency* is a major factor in the State's police regulating capacity against persons. But what constitutes residency:

"There are three concepts of especial importance in connection with the presence of a **person** within a state: residence, domicile, and citizenship. **Residence implies something more than mere transient visitation.** It involves a **more or less fixed abode** but ignores the intent of continuance or political affiliation.

Every natural person has a domicile. A domicile of choice is acquired by the concurrence of physical presence (usually residence) and an intent to make the place his more or less **permanent home.**" *The National Law Library, published by Collier, Volume III p. 358 footnote.*

From the above, we see that one who **resides** is deemed to be a **natural person** (natural man). The determination of residency is based on the prerequisite of a **permanent home**. What is a **home**?:

"**Home:** That place or country in which one **in fact resides** with **the intention of residence**, or in which **he has so resided**, and with regard to which he **retains** either **residence** or the **intention of residence.**" *Bouvier's Law Dictionary (1914), p. 1449.*

"**Home:** That place in which one **in fact resides** with **the intention of residence**, or in which **he has so resided**, and with regard to which he **retains residence** or to which he **intends to return**. Place where a **person** dwells and which is **the center of his domestic, social and civil life.**" *Restatement of Conflicts, Second, § 12.*

And in the State's taxing **scheme**, we find that business and residency are of utmost importance:

"Since travel expenses of an employee are deductible only if the taxpayer is away from home, the deductibility of such expenses rests upon the definition of 'tax home.' The IRS position is that 'tax home' is the **business location, post or station** (military terms) of **the taxpayer.**" *Black's Law Dictionary, 6th Ed., page 1461.*

The Alternatives

"And he cried mightily with a loud voice, saying, Babylon the great is fallen, is fallen, and is become a habitation of demons, and a hold of every unclean spirit, and a hold of every unclean and hated bird.

Because of the wine of the fury of her fornication all nations have drunk; and the kings of the earth with her did commit fornication, and the merchants of the earth through the power of her luxury were enriched..

And I heard another voice out of the heaven, saying, Come ye out of her, My people, that ye may not have fellowship in her sins, and that ye may not receive of her plagues.

For her sins followed as far as the heaven, and God hath remembered her unrighteousness."

Revelation 18:2-5

Through the blessings of fellowship with our Brothers and Sisters in the Christ, the Spirit of our loving Father has shown unto us here a day by day increase of His working in the hearts and minds of His children to seek ways in which to come out of Babylon the great and no longer partake of her plagues.

As all of His children know, the ways in which to begin, to continue in, and to fulfil that exodus can never be accomplished in accordance with the wisdom of the world (philosophy); for, as it has always been, only through unwavering faith in Him and His Word and by His Grace and Direction **alone** can anyone walk in His ways and reap the Blessings therein:

"To whom dost thou attach thyself, or whom art thou going to assist? is it not He that has strength, and He who has a strong arm?

"To whom hast thou given counsel? is it not to Him who has all Wisdom? whom wilt thou follow? is it not the One who has the greatest power?

To whom hast thou uttered words? and whose breath is it that has come forth from thee?" *Job 26:2-4*

In this discourse, therefore, we will look only to His Word and the direction by His Spirit in seeking the alternatives to bank accounts, check writing, debt based credit, employment, salaried pastors, etc., hereafter referred to as "unrighteous activities." In that way, we will all remain in the Truth together, and not err separately.

Firstly, we must always keep in mind the Instruction, Assurance and Wisdom given to us by the Way, the Truth, and the Life:

"Be not careful as to your life what ye should eat, nor as to the body what ye should put on. The life is more than the food, and the body than the raiment. Consider the ravens, for they sow not nor reap, to which there is not storehouse nor granary, and God feeds them. How much more are ye better than the birds? And who of you by being careful is able to add to his stature one cubit? If therefore not even the least ye are able to do, why about the rest are ye careful?" *Luke 12:22-26*

"For all these things the nations seek after. For your heavenly Father knows that ye have need of all these things. But seek ye first the kingdom of God, and His righteousness, and all these things shall be added to you. Be careful not therefore for the morrow: for the morrow shall be careful about the things of itself. Sufficient to the day is the evil of it." *Matthew 6:32-34*

Within the above, which is from Above, all of the alternatives to the "unrighteous activities" are found.

We see that the "unrighteous activities" are pursued in vain, and are all for naught. Firstly, they do nothing more than fuel the insatiable appetite and give power unto the beast, of which, otherwise, it would not have. Secondly, they all represent dependence on man. Thirdly, those engaged in such activities deny the Truth of His Word when we have been told from the beginning:

"To no one owe ye anything, unless to love one another: for he that loves the other, law is fulfilled." *Romans 13:8*.

And,

"Without love of money, let your manner of life be, satisfied with present circumstances; for He has said, In no wise thee will I leave, nor in any wise thee will I forsake." *Hebrews 13:5*

In seeking alternatives to the "unrighteous activities," we must adhere to the following admonition by our Lord and Saviour, thereby avoiding all contractual relationships and the evil derived therefrom:

"I say unto you not to swear at all; neither by the heaven, because the throne it is of God; nor by the earth, the footstool it is of His feet: neither by Jerusalem, because the city it is of the great King. Neither by thy head shalt thou swear, because thou art not able one hair white or black to make. But let your word be, Yea, yea; Nay, nay: but what is more than these, from evil is." *Matthew 5:34-37*

Therefore, the alternatives to the "unrighteous activities" must be accompanied with resistance and avoidance of all temptations to do that which is contrary to His Will, i.e., making promises; the result of which when ignored brings you back under the control of the natural man and his "law," and gives the beast power that it would not otherwise receive:

"The relation of master and servant arises out of contract, and a contract of employment usually involves the agreement of one party to render services or labor for the benefit of another, who in turn becomes obligated to pay a consideration therefor." *Rickenbaker v. Layton, 59 F.Supp. 156*.

The result of falling into a commercial agreement with, or making a promise to any man, is seen in the connected death between the above and the following Word:

"No one is able serve two lords: for either the one he will hate, and the other he will love; or the one he will hold to, and other he will despise. Ye are not able to serve God and mammon." *Matthew 6:24*

But, when we are moved by Him to completely avoid these "unrighteous activities" through doing His Perfect Will, He knows that it is needful for us to work **with** Brothers and Sisters in the Lord in a non-commercial character, and therewith, all can be partakers of that which is needful; that which our Father approves of:

"As many bondmen as are under yoke, let them esteem their masters worthy of all honor, that not the name and teaching of God be blasphemed.

And they that have believing masters, let them not despise them, because brethren they are; but rather let them serve, because believing ones they are and beloved who are being helped by the good service. These things teach and exhort.

If anyone teach other doctrine, and draws not near to sound words, those of our Lord Jesus Christ, and teaching according to godliness, he is puffed up, knowing nothing, but sick about questions and disputes of words, out of which come envy, strife, evil speakings, wicked suspicions, vain argumentations of men corrupted in mind, and destitute of the truth, holding gain to be godliness: withdraw from such."

1 Timothy 6: 1-5

We can now begin to understand that the **alternatives** to the "unrighteous activities" of the *Lex Mercatoria* must be founded upon the non-commercial calling of, "freely ye have received, freely give," which, contrary to *modern* belief, applies not only to healing the sick, cleansing the lepers, raising the dead, and casting out devils, but to all callings and gifts that He has blessed us with. With the return back to that old path wherein "holding gain to be godliness" does not exist, His called-out ones will know that His promise is True: "*seek ye first the kingdom of God, and His righteousness, and all these things shall be added to you.*"

Those today that have taken His promise to heart and have begun that walk of faith, in Spirit and in Truth, have found the blessings thereof, and must continually keep the following in mind:

"Hear, my beloved brethren: did not God chose the poor of this world, rich in faith, and heirs of the kingdom which He promised to those that love Him? But ye dishonoured the poor. Do not the rich oppress you, and do they not drag you before the tribunals? Do they not blaspheme the good Name by which ye are called?"

If indeed ye keep the royal law according to the Scripture, Thou shalt love thy neighbour as thyself, ye do well: But if ye have respect of persons, ye work sin, being convicted by the law as transgressors."

James 2:5-9

From the Beginning it was Not So

"And this is love, that we walk after His commandments. This is the commandment, That, as ye have heard from the beginning, ye should walk in it." II John 1:6

"Let that therefore abide in you, which ye have heard from the beginning. If that which ye have heard from the beginning shall remain in you, ye also shall continue in the Son, and in the Father." I John 2:24

Since it is of a truth that our Father is the Potter in Whose hands all of His remnant are the clay, it is not our intent to mold or shape anyone to accept what is presented here. Its purpose is simply to bring the information and sources to everyone's attention; and in shining the Light of the Word on the subject matter, all can follow the admonition given to us by the Spirit of God:

"Beloved, believe not every spirit, but try the spirits whether they are of God: because many false prophets are gone out into the world." *I John 4:1*

At all times we must look to Him for the Truth, for in and of Him is the only place you will find the Truth; for He is the Way, the Truth, and the Life, for all.

In the article on "The Unincorporated Church *so-called*," it was stated that "our Lord **did not** found a *Christian Church*, the *Christian religion* or *Christianity*." These designations are not found to be spoken by Him in His Word, therefore "from the beginning it was not so." *Matthew 19:b*

We hope and pray that the following information will illustrate the fact that He indeed did not found a *Christian religion*; wherein it may be seen that the *natural man* is the designer and inventor of *that religion*, through the philosophy and vain imaginations of his *natural reason*.

We first find the word *Christian* in the Acts of the Apostles:

"And the disciples were called Christians first in Antioch." *Acts 11:26b*.

It has been well documented that it was in fact the heathen calling them Christians, as a term of derision.

We find no instance of any of the Gospel writers calling themselves "a Christian" or referring to "the Christian religion." It was not until the second century that these designations were accepted by the "Church fathers" of "the Christian religion," as titles of "honor." Therefore, "from the beginning it was not so."

In the following account by Tacitus (52-117 A.D.) of the first widespread persecution of Christ's elect (64 A.D.), it was still only the heathen that called them *Christians*.

The bondmen of Christ at Rome were falsely accused by Nero of burning Rome, in order to turn public suspicion from himself as responsible for the fire:

"Neither by works of benevolence nor the gifts of the prince nor means of appeasing the gods did the shameful suspicion cease, so that it was not believed that the fire had not been caused by his command.

Therefore, to overcome this rumor, Nero put in his place as culprits, and punished with most ingenious cruelty, men whom the common people hated for their shameful crimes and called Christians. Christ, from whom the name was derived, had been put to death in the reign of Tiberius by the procurator Pontius Pilate." Tacitus, *Annales*, XV, 44. Preuschen, *Analecta*, I, § 3:1. Mirbt, n. 3, quoted in *A Source Book for Ancient Church History* (1913), page 6.

Note that Tacitus did not say that Christ called His elect *Christians*, but that it was derived from His name, **by the common people** (the heathen), showing again that "from the beginning it was not so."

In 95 A.D., we find that Clement of Rome in his *First Epistle of Clement to the Corinthians* had many opportunities for the use of the designations *Christian*, *Christianity*, the *Christian Church* or the *Christian religion* in his account of the deaths of Peter and Paul, **but they were not used**, to wit:

"Ch. 5. But to leave the ancient examples, let us come to the champions who lived nearest our times; let us take the noble examples of our generation. On account of jealousy and envy the greatest and most righteous pillars of the church were persecuted, and contended even unto death. Let us set before our eyes the good Apostles: Peter, who on account of unrighteous jealousy endured not one nor two, but many sufferings, and so, having borne his testimony, went to his deserved place of glory. On account of jealousy and strife Paul pointed out the prize of endurance. After he had been seven times in bonds, had been driven into exile, had been stoned, had been a preacher in the East and in the West, he received the noble reward of his faith; having taught righteousness unto the whole world, and having borne witness before rulers, he thus departed from the world and went unto the holy place, having become a notable pattern of patient endurance.

Ch. 6. Unto these men who lived lives of holiness was gathered a vast multitude of the elect, who by many indignities and tortures, being the victims of jealousy, set the finest examples among us." Clement of Rome, *Ep. ad Corinthios*, I, 5, 6. Funk, *Patres Apostolici*, 1901. (MSG, 1:218.) Preischen, *Analecta*, I, §3:5, quoted in *A Source Book for Ancient Church History* (1913), pages 7-8.

And still as late as 117 A.D., we find *The Epistles of Ignatius of Antioch to the churches in Asia* glaringly devoid of any "Christian" designations in the following edifying example shortly before his martyrdom:

"I write to all the churches and impress on all, that I will willingly die for God unless ye hinder me. I beseech you not to show unseasonable good-will toward me. Permit me to be the food of wild beasts, through whom it will be granted me to attain unto God. I am the wheat of God and I am ground by the teeth of wild beasts, that I may be found the pure bread of Christ. Rather entice the wild beasts, that they may become my tomb and leave nothing of my body, so that when I have fallen asleep I may be burdensome to no one. Then I shall truly be a disciple of Jesus Christ, when the world sees not my body. Entreat Christ for me, that by these instruments I may be found a sacrifice to God. Not as Peter and Paul do I issue commandments unto you. They were Apostles, I a condemned man; they were free, I even until now a slave. But if I suffer, I shall be the freedman of Jesus Christ, and shall rise again free in Him. And now, being in bonds, I learn not to desire anything." Ignatius of Antioch, *Ep. ad Romanos*, 4, quoted in *A Source Book for Ancient Church History* (1913), p. 23.

We find the designations of *Christian*, *Christian Church*, etc., were not used by any writers within the "church world" until approximately 150 A.D. when the "converted" Platonic/Stoic philosopher Justin Martyr in his first "Christian" *Apologia* used these designations. One of his own admirers fully disclosed what his true intentions were, to wit:

"His intention as a Christian teacher was to press philosophy into service of faith; he thus stood at the beginning of the line of those who developed philosophical theologies. Even the latter writers who criticized philosophy... made use of his method and of his works, for his theology was intended to be both biblical and rational." *The Westminster Dictionary of Church History*, (1971), p. 469.

So, beginning at approximately 150 A.D., we see that the accepted "Christian" designations were the "pressed" product of a "rational" philosopher and that those purporting to represent Christ's body went from walking and worshipping "in spirit and in truth" (John 4:24), to biblical and rational theology, methodology, and philosophy. These "ologies" are not found in the Word of God, therefore "from the beginning it was not so."

A typical example of the admiration Justin Martyr held towards philosophers and other pagans of the time is seen in the following:

"Whatever both philosophers and poets have said concerning the immortality of the soul, or punishments after death, or contemplation of things heavenly, or doctrines of the like kind, they have received such suggestions from the prophets as have enabled them to understand and interpret these things. And hence there seem to be seeds of truth among all men." Justin Martyr, *Apologia*, I, 44, (MSG, 6:394) quoted in *A Source Book for Ancient Church History* (1913), page 135.

Compare what he said above with what our Lord has told us concerning the philosopher Pharisees:

"Why do ye not understand My speech? even because ye cannot hear My word.

Ye are of your father the devil, and the lusts of your father ye will do. He was a murderer from the beginning, and abode not in the truth, because **there is no truth in him**. When he speaketh a lie, **he speaketh of his own**: for he is a liar, and the father of it." *John 8:43-44*

And again, we can see the change in spirit brought about through Justin Martyr as compared with the Apostles and the elect up to his time:

"I confess that I both boast and with all my strength strive to be found a Christian; not because the teachings of Plato are different from those of Christ, but because they are not in all respects similar, as neither are those of others, Stoics, poets, and historians. Whatever things were rightly said among all men are the property of us Christians." Justin Martyr, *Apologia*, II, 13. (MSG, 6:466) quoted in *A Source Book for Ancient Church History* (1913), pp 73-74.

With that, we will move on and search for the foundation of such "thinking." As pointed out last month, there are two religions mentioned in Scripture. The first is the religion of the Jews (*Judaism*, see Acts 26:5 and Galatians 1:13-14) and religion pure and undefiled before God described at James 1:26-27.

Taking into consideration the above, we will now look at whose child the Christian religion is, from one of *that religion's* own sources:

"Judaism. One of the oldest existing religions, and a strict form of monotheism, the religion of Jews and **the parent religion of both Christianity** and Islam.

Following the destruction of the Temple (A.D. 70), the Pharisees, now called rabbis, emerged as the undisputed leaders of the covenant community. Although they canonized the Hebrew Bible (A.D. 90), the Pharisees' contribution to Judaism is enshrined in that vast Talmudic compendium of law (halakah) and lore (haggadah) containing the teachings of some two thousand rabbinic sages from the 3d century B.C. to the 6th century A.D." *The Westminster Dictionary of Church History*, (1971), p. 462.

Is it any wonder after seeing the above description of the Christian religion's foundation, that the adherents to the institution known as Christianity involve themselves with the concoctions known as Judaeo-Christian ethics, morals, science, philosophy, etc., since all of these sorceries that the *natural man* looks to come directly out of the Talmud. Taking note of the above dates of the development of Judaism, again we see "from the beginning it was not so."

And further:

"Religion. For 1,500 years and more, Christianity has been the chief religion of the Western World, which includes the countries of Europe and later of the Americas. Christianity grew out of the Jewish Religion, and together they are called the Judaeo-Christian religion." *The Illustrated World Encyclopedia*, (1966), p. 1303.

To further illustrate the origins and development of the Christian religion, we see from the same "Christian" source that:

"Christianity and Judaism in the Middle Ages. Though the first Christians retained their Jewish observances and regarded their faith as fundamentally Judaic, differing only in their concept of Messianic fulfillment, the rift with traditional Judaism developed early and spread widely.

Intellectually, however, the atmosphere of constant hostility was occasionally lightened, and **Christian scholarship** owed much to Jewish and Islamic thought. **The writings of Philo** (d. A.D. 40), who found some grounds for reconciling Jewish theology and Greek philosophy, were much studied by **the church fathers**. From the 8th century, Talmudic schools were established in several countries of western Europe, and many of their lines of inquiry penetrated into medieval Scholasticism. A 10th-century resurgence of Greek culture within the Moslem world affected Christian thought largely by way of **Judaic philosophy**, as reflected, for instance, in the *Sefer ha-Kuzari*, or "Book of Arguments," by Judah ha-levi, of Toledo (d. 1140); the *'Emunah Ramah* ("Exalted Faith") of Abraham ibn Daud, of Toledo (c. 1180); and the Rabbinical commentaries of Solomn ben Isaac, of Troyes (d. 1105), or Rashi, as he is often known, who offered practical advice on the problems of Jewish-Christian relations. Perhaps greatest of all was Maimonides, of Cairo (b. 1135), and his seminal *Guide for the perplexed*, which in it's use of Aristotelian reasoning profoundly influenced scholars such as Thomas Aquinas. The more speculative and symbolic Kabbalistic philosophies, such as the *Sefer Chassidim* ("Book of the Pious") attributed to the German Judah ha-Chasid (d. 1217), and the *Sefer ha-Zohar* ("Book of Splendor") assigned to Moses de Leon, of Granada (d. 1305), proved fruitful sources for the **esoteric Christian mysticism** that reached a

special popularity in the 14th century. Jewish Biblical commentaries were extensively drawn upon by **Christian Hebraists** of the later Middle Ages and **the Reformation**. In particular, Rashi's commentary, constantly quoted as early as the *Commentaries* of the Christian Nicholas of Lyra (d. 1349), and the lucid textual studies of David Kimchi, of Narbonne (d. 1235), were among the main sources for both **Luther's** and the **King James translations**." *The Westminster Dictionary of Church History*, (1971), p. 187.

Take note that the spirit spoken of above was not confined to the Roman Catholic Church, but was continued in the Protestant "religion." The best evidence of that fact is found in the "Institutes of the Christian Religion" (1535 & 1559) by John Calvin (Jean Chauvan). A "Christian" source reveals his true nature, to wit:

"Calvin's intellectual and religious development had taken him from nominalism through law and humanism to Protestantism. His "conversion" probably occurred in 1533, but he still thought of himself as--and was--a Christian humanist, not a reformer." *The Westminster Dictionary of Church History*, (1971), p. 148.

And we further see the Roman Catholic/Protestant connection from the same source:

"Calvin often read the biblical text through the eyes of Augustine, whom he sighted continually, especially in the doctrines of free will, grace, and predestination. He was also influenced by Erasmus and Budé." *The Westminster Dictionary of Church History*, (1971), p. 148.

In the earlier quote on *Christianity and Judaism in the Middle Ages*, also note that Jesus, the Christ, is not mentioned as the foundation of Christianity; but Philo is mentioned. And who was Philo?:

"**Philo** (25 B.C. - A.D. 45). Hellenistic Jewish philosopher of Alexandria. A voluminous writer, Philo tried to correlate the Old Testament revelation with philosophy (largely Platonic) and Greek piety by means of the allegorical method, thus opening the way (especially with his Logos doctrine) to the Christian school of Alexandria, which preserved his works." *The Westminster Dictionary of Church History*, (1971), p. 657.

And in the following, we find the Philo/Justin Martyr connection:

"**Justin Martyr** (100-165 A.D.). Roman Apologist. His philosophical approach **was not unlike that of Philo** and it was carried forward in the Christian school of Alexandria, **especially by Clement**." *The Westminster Dictionary of Church History*, (1971), p. 468.

And who was Clement of Alexandria?:

"Greek theologian of the early Christian church. He was born about the middle of the 2d century A.D., probably in Athens, of pagan parents.

He believed that the Greeks expressed something of the true philosophy (Christianity) by chance, but that chance is subject to Divine Providence, and hence Greek philosophy must have something of the nature of prophecy. Clement also picked up the theory of the Jew, Aristobulus, to which he devoted an inordinate amount of space (in his writings), that the Greeks stole their wisdom from Moses, having plagiarized it from the New Testament. Thus he viewed Greek philosophy as really a dim reflection of the divine wisdom of the Jews.

Clement's great merit is that he saved Christianity from intellectual alienation from culture. With a sure grasp of the fundamental Christian realities, his comprehensive mind brought all the human learning of his day into the service of the Church. He made Christianity a religion that could stand on its own intellectually and compete with the rival claims of the other philosophical and religious positions of his time, and he was himself an able teacher of his fellow Christians and a guide to the Christian life." *The Westminster Dictionary of Church History*, (1971), pp. 211-212.

And what has this philosophical product known as *the Christian religion*, conjured up by the natural reason of Justyn Martyr, Philo, Clement, and others, left as a legacy for its followers:

"Ye hypocrites, well did Esaias prophesy of you, saying,
This people draweth nigh unto Me with their mouth, and honoureth Me with their lips; but their heart is far from Me.
But in vain they do worship Me, teaching for doctrines the commandments of men." *Matthew 15:7-9*

And a hypocrite is defined as:

"Hypocrite. 5273 *hupokrites* (hoop-ok-ree-tace'); from 5271; an actor under an assumed character (stage-player), i.e. (figuratively) a **dissembler** ("hypocrite"): KJV-- hypocrite." *Strong's Greek Dictionary.*

Considering all of the above, we see the Christian religion, or "Christianity," is based on the dissembling leaven of the Pharisees, that being the philosophies and traditions of men, and the hypocrisy thereof (see Luke 12:1) and the following:

"As ye have therefore received Christ Jesus the Lord, so walk ye in Him:
Rooted and built up in Him, and stablished in the faith, as ye have been taught, abounding therein with thanksgiving.
Beware lest any man spoil you through philosophy and vain deceit, after the tradition of men, after the rudiments of the world, and not after Christ.
For in Him dwelleth all the fulness of the Godhead bodily.
And **ye are complete in Him**, which is the head of all principality and power:" *Colossians 2:6-10*

But when the Head is no longer obeyed and the disobedient child looks elsewhere for truth, we see the results:

The Disobedient Child

Forsaking the Christ, he resorts to philosophy.
With philosophy as his truth, he finds morality.
Now moralized, his new master is humanity.
And humanity demands faith and loyalty,
one way or the other.

There are those who worship the *image* of the beast, *humanity*, but His obedient children have a Faithful promise:

"For He is not the God of disorder, but of peace, as in all the assemblies of the saints." *1 Corinthians 14:33 (Berry)*

The State's "church"

"For **all** the words of God are tried in the fire, and He defends those that reverence Him. Add not unto His words, lest He reprove thee, and thou be made a liar." *Proverbs 30:5-6*

"Trust not in yourselves with lying words, for they shall not profit you at all, saying, It is the temple of the Lord, the temple of the Lord." *Jeremiah 7:4*

Since it has been written from the beginning that...

"...every idle word whatsoever men may speak, they shall render of it an account in the day of judgment, for by thy words thou shalt be justified, and by thy words thou shalt be condemned."

...it is a certainty that **one** of the duties of all bondmen in and of Jesus, the Christ is to **diligently** look at the words used to describe His Body. In so doing, His bondmen can be assured in Him that they will not join with or be partakers of those that have attached idle and unclean words to His *called-out ones*, His *ekklesia*, His *elect*.

For those readers that have at one time or another **diligently** looked into the true meaning of the word "church," we can now say that we deeply sympathize with the confusion you have found there.

It has also become obvious to us through that same study in confusion, that the natural man certainly knows how to use his "theory of evolution" to take something unclean and make it to *appear* clean; in this case, being the word "church" to describe the Christ's *ekklesia*.

As a side note before we begin this study, we know that there may be those that say, "oh, your just mincing words; you know what I mean when I use the word 'church.'" To that kind of comment, we can only say that if words and **the diligent use of them** were not of vital importance, we would not have the instruction and admonitions from the Proverbs, Jeremiah and Matthew quoted above, and dictionaries and etymologists and their volumes of word studies would not exist, and everyone concerned would be no better than the confounded of Babel.

To clarify the above statements and to evidence the fact "the church," the Church," or any other derivation thereof can never describe the Christ's *ekklesia*, we must first begin by looking into the etymology of each of these words.

We begin with the word "ekklesia," which it is recorded in the New Testament *so-called* that our Lord uttered this word three times only, all three times in the Glad Tidings according to Matthew. The first time, He said:

"ἐπὶ ταύτῃ τῇ πέτρᾳ οἰκοδομήσω μου τὴν ἐκκλησίαν" Matthew 16:18.

In the literal English being:

"on this Rock I will build My **assembly**."

The Word in the Greek for *assembly* is *ekklesia*, meaning:

"**Assembly.** *ekklesia* (ἐκκλησίαν, 1557), from *ek*, "out of," and *klesis*, "a calling" (*kaleo*, "to call")."
Vine's Expository Dictionary of the New Testament, p 42.

The verse's Latin equivalent being:

"*super hanc petram aedificabo **ecclesiam** meam.*"

All of the modern word studies state, **erroneously**, that *ekklesia* denotes "the whole community of **professed believers**." This cannot be correct, for when we **diligently** look at the original "calling out" of "the called ones" (His *ekklesia*) by our Father, being written from the beginning and recorded in the book of Isaiah, we can through **diligence**, see the true meaning of His *ekklesia*, avoiding the contrived meaning by the commercial "Church world." The following is the KJV rendering from the 5th-8th century A.D. Masoretic/Babylonian Hebrew text:

"Depart ye, depart ye, go ye out from thence, touch no unclean thing; go ye out of the midst of her; be ye clean, that bear the vessels of the LORD." *Isaiah 52:11 (KJV)*

And our Brother Paul reiterated the "calling out" of "the called-out ones," quoting Isaiah, in his second letter to the Corinthians. Take note in the following that "be separated" is not in the Masoretic text above:

"Wherefore come out from the midst **of them** and **be separated**, says *the* Lord, and *the* unclean touch not, and I will receive you." *2 Corinthians 6:17 (Berry)*

But from the Septuagint, we have the original and uncorrupted calling-out which Paul quoted from:

"Depart ye, depart, go out from thence, and touch not the unclean *thing*; go ye **out from the midst of her**; **separate yourselves**, ye that bear the **vessels** of the Lord." *Isaiah 52:11*

Note that Paul's quote is translated "out of the midst **of them**," not "**of her**," as is recorded in Isaiah. In Isaiah, the Greek word translated *of her* is αὐτῆς (*autos*, 846, meaning 'self' [feminine singular]), and the Greek word translated *of them* at 2 Corinthians is αὐτῶν (*autos*, 846, meaning 'selves' [feminine plural]). For an extensive study on the word *autos*, see Thayer's Greek-English Lexicon, pages 85-87, and Zodhiates New Testament Word Study Dictionary, p. 291-294.

And now we come to the substance of the issue. In the Greek, *out from the midst* means 'out from the centre,' and the word *of her* and *of them* in Isaiah and 2 Corinthians is *autos*, both meaning 'self.' Therefore, His called-out ones, His *ekklesia*, are those called by Him to "**depart and separate** themselves (sever and **remain severed**) from their 'selves' (the flesh, self-will, those 'wants' of the world), and touch not the unclean (impure)." It **does not** include those that 'hear' the call **only**, but **do not** shed the Old nature; those that "try" to come in another way without full obedience to our Father's will and without remaining in the Christ **at all times**. For it has been written from the beginning, "as the body apart from *pnuema* is dead, so also faith apart from works is dead."

Those who answer His call **daily** in full obedience to "**deny himself** and take up his cross, and follow Me,"--these are His, truly Lawful, assembly--His *ekklesia*.

The church??? Except for the first printed New Testament in English from the Greek, which was the Tyndale Bible (1526) and the Berry Interlinear Greek-English (1897)), we find that all other Bibles translate Matthew 16:18:

"...on this Rock I will build My **church**."

Now, where did this word 'church' come from; this word that was, and continues to be, made a *substitute* for the Christ's *assembly*, His *ekklesia*:

"The English word 'church' derives from the **late** Greek word *kyriakon*, 'the lord's house,' **a church building**. In the [*King James] NT the word translates the Greek word *ekklesia*. Throughout most of history the nature of the church has been defined by **divided Christians** trying to establish the validity of their **own** existence." *Elwell's Evangelical Dictionary, p. 231.*

"**Church**. 1. The derivation of the word is generally said to be from the Greek *kyriakon* (*kuriakŌn*), 'the lord's house.' But the derivation **has been too hastily assumed**. It is probably connected with (Scottish) *kirk*, the Latin *circus, circulus*, the Greek *kuklos* (*kŌkloj*), because the congregations were **gathered in circles** [*pagan ritualism]." *Smith's Bible Dictionary (1884), page 117.*

"**Church**. 1. A house consecrated to the worship of God, among christians; the lord's house. 2. The collective body of christians, or of those who **profess** to believe in Christ, and acknowledge him to be the Savior of mankind." *Webster's Dictionary (1828).*

"**Church**. 1. A building set apart for public Christian worship. 2. A place of worship of **any religion**, as a Jewish or heathen temple or a mosque. 3. The collective body of Christians. 4. A body of Christian believers holding the same creed, observing the same rites, and acknowledging the same ecclesiastical

authority. 5. The organization of Christianity, as in a nation. 6. The clerical profession. 7. A **formally organized** body of Christians worshipping to gether. 8. Church service. 9. **Any body** of worshippers; a religious society or organization **not Christian.**" *Webster's New Int. Dict. (1931) p. 397.*

The above definitions are just a cross-section of the thousands of definitions that say basically the same thing; that this **modern** (born yesterday) word means "the lord's house" or "circle gathering-*circus*," and that it can mean whatever you want it to mean; for a Christian, a Jew, or a pagan.

But here, we are looking at the word 'church' as it relates to "The Christian Church." So we need to look at what "lord" might that house belong to? We must also point out that the word *kyriakon* or *kuklos* is never found in the Greek texts of the New Testament to describe anything. But we must look at the possible *reasons* why the Christ's *ekklesia* has been transformed by the natural man into a lord's house, "a church."

Though we've not been able to find an exact time when the transformation was implemented, we do see from the following that it began with (and is therefore a conjuration of), the tradition of the elders (the so-called 'church fathers') and did not begin from the beginning with the Christ, or with the Apostles through Him:

"1 Corinthians 11:18. **In the church** (ἐν ἡ ἐκκλησία). Not the church *edifice*, a meaning which the word never has in the New Testament, and which appears first in patristic writings. The marginal rendering of the Revised is better: *in congregation.*" *Vincent's Word Studies of the New Testament, Vol. III, page 249.*

We see from the above, concerning the the church *edifice*, that 'from the beginning it was not so,' therefore it has nothing in the Christ. And the *edifice* is the original meaning of *church*, before it was **evolved** by the natural man to *purportedly* include the Christ's *ekklesia*.

Firstly, we see that *kyriakon* may mean *the lord's house*. But can the Christ's *ekklesia* be construed to be *the lord's house*? Since the term *lord's house* is used only three times in the Old Testament *so-called* at Genesis and Isaiah to denote a **secular** lord's house, and is never used in the New Testament, we get another clue as to what kind of "lord" *kyriakon* denotes.

But to eliminate all speculation, we simply need to go to the historical evidence of what kind of *lord's house* "the Christian Church" is, and therein find out who has jurisdiction over *that house*.

We would normally start with the year 325 A.D. when 'the Church' engaged in a corporate merger with the Roman State under Constantine at the Council of Nicea. With this corporate merger, Caesar Constantine became the overseer and protector of **his** church.

But four years before the corporate merger of 325, we see from the following that Caesar Constantine was already preparing his lordship over the church, by establishing "Sunday services" for the slaves on his commercial plantation:

"All judges and city people and the craftsmen shall rest upon the venerable Day of the Sun. Country people, however, may freely attend to the cultivation of the fields." *Codex Justinianus, III, 12, 3. 321 A.D.*

It should be noted here that Constantine's father, Constantius, was attached to the monotheistic pagan cult of *The Unconquered Sun*.

Following the division of the Roman Empire in 395 A.D., a long succession of *pontifex maximus*, or *imperial* Pontiffs (Popes), reigned over their church and state in the East. The word *Pope* is derived from the *colloquial* Greek word *pappa*, an endearing term for "father," "overseer," or "lord."

The Separation of Church and State?

In this final Part on the modern lord of the Church, we will allow Elwell's Evangelical Dictionary (one of "the Church's own") to fully reveal who the lord's of the Church have been since its inception during the second century A.D.

Also keep in mind that the Hegelian dialectic used by the Masonic sciences of, "Separation of Church and State," creates two separate secular institutions, and the institution with the most guns and lawyers becomes the master of all:

Church and State (pages 233-237)

"The phrase refers to an ancient differentiation between two kinds of institutions that have structured and defined the lives of human beings. In this arrangement one of these authority structures, the State, has been primarily concerned with temporal life as an end in itself, while the other, the Church, has been concerned with temporal life as a means to spiritual ends. Moreover, "church and state" designates a certain kind of tension implicit in any society that contains these two institutions, even in those in which there is no attempt to separate them.

The issue of the most desirable relationship between church and state is older than the Christian faith, and has been a persistent theme in its history. Jesus clearly taught the principle of separating the two realms. His dictum to "render therefore to Caesar the things that are Caesar's, and to God the things that are God's" (Matt. 22:21) marked the beginning of a new epoch in the history of relations between religion and the state. For the first time, a formal distinction was made between the obligations owed to both.

Unfortunately, Jesus did not indicate where the exact line of demarcation lay; consequently, since at least the fourth century Christian theologians and other scholars have argued over where it should be drawn. The resulting discussions stretching over the centuries since that time constitute an almost impenetrable historical-theological swamp. The debate continues in the Christian world today and is especially intense in highly pluralistic societies like the United States.

Historical Background. Christian thinkers made no attempt to formulate a theory of church-state relations until Christianity became a state religion in the fourth century. Before that time, even though they had no legal right to exist, believers generally followed Paul's admonition to "be subject to the governing authorities" (Rom. 13:1) except when that subjection conflicted with explicitly understood commands of God or the preaching of the gospel (Acts 5:29). Moreover, the duty of obedience to civil rulers was always qualified by the condition that these authorities were doing their work of restraining evil and seeking peace and safety (cf. Rom. 13:1-7 and Rev. 13).

Widespread persecution of the early Christians was frequent, beginning at least as early as the reign of Nero in the mid first century. The final effort to eradicate Christians from the Roman world took place under Diocletian in 303. It failed, and with the Edict of Milan in 313 Christianity became an officially recognized religion in the Roman Empire. Moreover, by the end of the century the Roman rulers had decreed that Christianity was the sole official religion of the empire.

This new arrangement created a need for closer definition of the relationships between church and state, but such theory developed only gradually. For one thing, it was during this period that the church became an institution in the modern sense. For another, the Emperor Constantine I, in keeping with previous custom, regarded himself as the religious leader of the realm (pontifex maximus) and assumed the right to intervene in church affairs. Later rulers gave up this title but continued to consider themselves responsible for directing church activities.

The removal of the capital from Rome to Constantinople (Byzantium) in 330, among other factors, led to a different conception of church-state relations in the East than that in the West. In the Eastern Roman Empire (later the Byzantine Empire) and consequently in Eastern Orthodoxy the prevailing theory and practice came to be caesaropapism—that is, supreme authority over the church exercised by the secular ruler, even in doctrinal matters. In the West, the church had more freedom from direct control by the civil authorities.

Partly because of the ineffective political leadership in the Western Empire and partly because of the inherent authority accorded the church in Rome, the Roman bishops had to take responsibility for judicial affairs, military defense, and other secular matters. It was in this context that Bishop Gelasius I initially

stated the doctrine of the two swords in 494: "There are two powers by which this world is chiefly ruled; the sacred authority of the popes and the royal power. Of these the priestly power is much more important because it has to render account for the kings of men themselves at the divine tribunal....You know that it behooves you, in matters concerning the reception and reverent administration of the sacraments, to be obedient to the ecclesiastical authority rather than to control it."

During the Middle Ages (ca. 500-1500) the theory of the two spheres, the spiritual and the temporal, was generally accepted, but the question of supremacy remained undefined. To be sure, the state was universally considered a Christian institution in this period, obligated to nourish, protect, and further the faith. Church law held that the state was obligated to punish heretics, and this obligation was accepted by the state. But there was also endless debate among theologians and canon lawyers over the real meaning of Gelasius's two swords theory. The text of his statement was analyzed and the etymological significance studied in order to deduce the implications of spiritual supremacy for temporal affairs. Eventually the concept of a single society with two aspects, each with its own responsibilities, was worked out. However, it was a painful and slow process.

During the early Middle Ages the church struggled to free itself from intrusion by secular rulers. For example, after the sixth century, emancipated from direct control from Byzantium, the popes increased in prestige and power, in both the spiritual and temporal realms. But an important event in church-state relations took place in 800 when Pope Leo III crowned Charlemagne as emperor. Charlemagne had tried to revive the empire in the West and held views close to caesaropapism. He would have liked to limit the role of the pope to purely spiritual affairs, but he had no competent heirs to continue his policies. For their part, later popes used the precedent of Charlemagne's coronation to show that emperors received their crowns from the papacy. On the other hand, later emperors claimed the right to approve those elected to papal office. Thus, by the eleventh century the elements of a major confrontation between pope and emperor, church and state, were present.

When Pope Gregory VII, an advocate of reform, challenged the right of Emperor Henry IV to appoint the Archbishop of Milan, the investiture controversy ensued. In 1075 Gregory issued a decree forbidding lay investiture and asserted that popes had the power to depose emperors. After considerable maneuvering by both parties, including Gregory's dramatic but temporary triumph at Canossa in 1077, a compromise was worked out by the Concordat of Worms in 1122. Bishops in the empire were to be chosen according to canon law but invested with their insignia by an ecclesiastical officer. The practice was copied elsewhere and tensions eased somewhat.

However, the issues of the right of the popes to depose kings and the role of the secular rulers in selecting appointees to high church offices were worked out only gradually over the decades, the papacy eventually becoming dominant. This trend culminated in the reign of Pope Innocent III (1198-1216), the most powerful pontiff in Christian history. Under Innocent, and for about a century thereafter, it was clear that royal power was subordinate to pontifical authority. The thirteenth century was the zenith of papal power in terms of church-state relations. However, the aspirations of kings to consolidate their national strength and the discrediting of the papacy during the period of the Babylonian Captivity of the Church (1309-77) and the Great Papal Schism (1378-1417) which followed led to the curtailment of papal influence and prestige.

These factors and the growth of the Renaissance papacy in the fifteenth century further weakened the papal office and helped set the stage for the coming of the Protestant Reformation.

The Reformation and Its Aftermath. The Protestant Reformers challenged the authority of the church in general and the papacy in particular, in both the spiritual and political realms. This further diminished the ability of the church to control and/or intervene in political affairs. Moreover, in place of the late medieval theory of ultimate pontifical authority in church-state matters, the Reformers posited a variety of different approaches. Martin Luther sharply distinguished the temporal from the spiritual but considered many ecclesiastical functions, such as administration, as nonessentials. Therefore, most of the Lutheran states developed an Erastian territorial system in which the princes supervised church affairs. John Calvin tried to make a clear distinction between the spheres of church and state, believing that it was the duty of the latter to maintain peace, protect the church, and follow biblical guidelines in civil affairs. In general,

Geneva and the Reformed churches of Europe attempted to follow his views and avoid civil domination. The Church of England adopted an Erastian position by substituting the king for the pope as the head of the church and by designating king and Parliament to regulate ecclesiastical government, worship, and discipline.

However, the Anabaptists and other Radical Reformers insisted that the correct biblical emphasis was to separate completely the spheres of church and state. Their position seemed so anarchical at the time that they were severely persecuted by all other parties, Protestant and Catholic alike. In turn, the Anabaptists passed on their views on church and state to related movements in seventeenth century England, Baptists, Quakers, and Independents.

More than any other religious group in the seventeenth and eighteenth centuries, those of Baptist views, John Smyth, Thomas Helwys, Leonard Busher, John Murton, John Bunyan, John Clarke, Roger Williams, Isaac Backus, and John Leland, among others, championed the concept that the logical corollary to the doctrine of religious liberty was the principle of the separation of church and state. On the basis of such Scriptures as Matt. 22, Rom. 13, and James 4:12 they argued that this was the only way to safeguard religious freedom and the priesthood of the believer. By this they meant that the state had no right to interfere with the religious beliefs and practices of individuals or congregations, and that the church for its part had no claim upon the state for financial support. To receive public money was to invite government control and the loss of religious identity.

Also in the eighteenth century Enlightenment natural rights theorists such as John Locke and Hugo Grotius popularized the view that civil government was rooted in a social contract rather than in God's appointment. Armed with this concept the emerging national states tended to make the church subservient to the common good of society and came to expect institutional religion to steer clear of political issues.

However, the development of this concept in Europe and the remainder of the world was uneven, and attempts at state control of the church recurred. Only in the newly created United States of America did the government clearly agree to a new system that sought to guarantee religious freedom through separation of church and state.

The American Experiment. Conditions in the American colonies prior to 1776 were not favorable to the establishment of a single church. To be sure, during most of the period many of the individual colonies had an established church, Congregationalism in New England and the Church of England in most other places. However, there was no state church in Rhode Island, Pennsylvania, New Jersey, or Delaware, while in many other places large numbers of Baptists and Quakers opposed those that existed. Numerous dissenters and the need to attract settlers regardless of religious persuasion made it difficult to enforce establishment. By the time of the revolution, when the new states wrote their constitutions, most of them disestablished their churches. Gradually all would abandon the concept. Vestiges of an establishment lingered in Massachusetts until 1833.

The U.S. Constitution forbade religious tests for public office and its First Amendment provided that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." A new experiment in church-state relations had been inaugurated with the strong backing of Baptists, Mennonites, Quakers, and most Methodists and Presbyterians, all of whom were Bible-believing Christians who wanted to protect the freedom of the churches and individual consciences from the state, and the support of the founding fathers, most of whom were rationalist deists who wanted to protect the state from clerical domination. Moreover, there was the practical matter of the prevailing denominational pluralism in the new nation that made it impossible to agree upon which church to establish.

Although the original intentions of the founding fathers and their supporters are now debated, it appears that Thomas Jefferson and his party and the vast majority of evangelical Protestants, the dominant religious group of the early national period, assumed that there was a "wall of separation" between the two institutions which should be maintained at all costs, for the good of the republic and the health of true religion. They considered that government best which governed least, regarded religion as primarily a private affair between an individual and God, and saw no reason for conflict between politics and religion. Although they wanted a strict separation of the institutions of church and state, they did not try to segregate religion from national life. General references to the majority religion were acceptable in what was then a largely homogeneous nation. This common view dominated church-state relations in America throughout the nineteenth century.

However, there was also a minority view, expressed by John Adams and others, that the main concern of the First Amendment was to keep the federal government from interfering with religious matters so that each state could handle such questions. Some eventually extended this to a claim that the goal was to make the United States a Christian nation, but neutral in respect to particular denominations.

As America became more religiously and culturally heterogeneous in the twentieth century, the dominant nineteenth century view of a rather rigorous separation of church and state was increasingly challenged. Many now argue that there was actually no unanimity among those who voted for the First

Amendment and that it is impossible to determine their original intent. This has resulted in a sharp division in interpretation, with some arguing for a veritable "Berlin Wall" of separation that would clearly secularize society by excluding anything religious from national life and others arguing for a more porous wall that would allow for the flow of a virile civil religion into the stream of national affairs.

Historically speaking, this new period of church-state relations began in the 1920s when the old Protestant establishment committed cultural suicide in the internecine fundamentalist-modernist controversy. Theologically speaking, it dates from the wave of theological liberalism that engulfed Protestantism in the first quarter of the twentieth century, thus diminishing the ability of American society to resist the encroachments of secular humanism and to assimilate the great waves of new immigrants which came to America in this period. Legally and politically speaking, it stems from 1940, when a landmark decision by the Supreme Court (*Cantwell et al. vs. State of Conn.*) resulted in a dramatic shift in church-state cases from state to federal jurisdiction. Since that time the court has dealt with a number of critical religious issues related in some way to the First Amendment: laws governing business on Sundays, taxation of church property, religion and prayers in the public schools, public support for parochial education, church lobbying, conscientious objection, abortion, pornography and censorship, and resistance to war taxes. Currently in the offering are other questions concerning church and state, such as the status of military chaplains and legislation to limit the activities of so-called cults.

In the period since 1940 several principles have been established by the Supreme Court in dealing with church-state matters. For example, it invoked the "child benefit theory" in 1947 (*Everson vs. Bd. of Ed., N.J.*). In 1971 (*Earle vs. DiCenso* and *Lemon vs. Kurtzman*) it established the principle of "evidence of excessive entanglement" of church and state. Nevertheless, it has been difficult for the Supreme Court to decide what is and is not equivalent to "an establishment of religion" in twentieth century America and to determine where the freedom of an individual or group conflicts with the freedom of others or with obligations to the larger good of the community. Moreover, the competing forces of diverse religious and ethnic groups along with a lack of a clear national consensus on moral values have made it difficult to reach decisions on church and state acceptable to a clear majority of Americans.

Theologians, historians, and other scholars have not contributed a great deal to the discussion of church-state issues since World War II. The monumental work of Anson Phelps Stokes and Leo Pfeffer is an exception and provides the beginning point for any analysis of current church-state relations in America. James E. Wood, Jr., and the *Journal of Church and State* have also provided vigorous leadership in this area, and such organizations as Americans United for Separation of Church and State remain in the forefront of such discussion and analysis. But even AUSCS, long an advocate of the "wall of separation," appears to be less "united" on the issues than it once was. Finally, there is considerable evidence that the increasing number of adherents of authoritarian religious cults and denominations and the presence of the new religious right in America will have a profound role in altering the meaning of "separation of church and state" in the years to come, probably in the direction of more government involvement in religion.

Conclusions. Islam, Hinduism, and most of the other major religions of the world have not produced a doctrine of separation of church and state comparable to that championed by evangelical Protestants and Enlightenment rationalists and eventually implemented in the United States. For example, in many Muslim countries there is no separation of church and state in the Western sense. In others there is formal separation of the institutions but a close link between them in terms of favored treatment and anticonversion laws.

On the other hand, the validity of the principle of church-state separation has been increasingly recognized all over the world in the twentieth century. Nearly every European country has disestablished former state churches, and in some nations, such as France, a radical separation has been effected. Even in most Marxist states, such as the Soviet Union and China, church and state are constitutionally separated, not in order to ensure religious freedom but in order to make certain that religious groups stay out of government affairs and to keep them under supervision.

In one sense the concept of separation of church and state has come almost universally to have normative value. Most secular governments prefer to have some kind of line demarcation between the sacred and the profane, at least in terms of institutional expression. On the other hand, the principle has not yet been definitively articulated, not even in its American homeland. Moreover, there are emerging movements, such as Islamic republicanism in Iran, which renounce any attempt to separate the institutions. In America growing numbers of people appear to have abandoned the more traditional emphasis on a "wall of separation" in favor of some kind of bland civil religion that will allow for more open-ended cooperation between the two institutions. It remains to be seen if people today can distinguish

between the impossibility of separating religion from politics, on the one hand, and the desirability of keeping church and state on their respective sides of the religious-political wall, on the other."

Rebutting Presumptions

"But new heavens and a new earth according to His promise, we expect, in which righteousness dwells.

*Wherefore, beloved, these things expecting, be diligent to be found by Him in peace, **without spot**, and unblameable." 2 Peter 3:13-14*

As the worldly battle between good and evil rages on in the "mind" of the *natural man's* Imperial State (who "believes" itself to be its own god walking on earth), there will always be a *presumption* by that State that those seen *in* the world are also partaking of its tree of learning the knowledge of good and evil.

It is *proposed* by the State that "world order" will balance the scales, and therefore it will go to great lengths to maintain that "order" for its masters, the merchants of the earth. But, we must also remember that "the balances of deceit are in their hand." And, of course, with the serpent always speaking backwards, we can see that, in truth and in spirit, its true goal is actually a world of "disorder" to be militarily regulated by *them*.

In this discourse, we will not concern ourselves with its Hegelian *world disorder*, for we already know that "they may speak against you as evildoers"; therefore we must "sanctify the Lord God in our hearts: and be ready always for a defence to everyone that asks you an account concerning the hope in you, with meekness and fear" (see 1 Peter 3:15-17). And:

"Prove all things; hold fast the right; from every form of wickedness abstain." *1Thessalonians 5:21*

For:

"Ye cannot drink of the Lord's cup, and the cup of demons: ye cannot partake of the Lord's table, and of the table of demons." *1 Corinthians 10:21*

The Christ's called-out ones, His *ekklesia*, His elect, His little ones that have "separated" themselves from the ways of the world, **are**, and must remain **in**, the world. For, if they believe that they can be a witness "of the hope that is in them" to the world by finding some secluded place where "no one will bother me anymore," they are in error. There is no place on earth where "no one will bother you"; and if you were to find such a place, only the righteous would see Who your Law and Lawgiver is; but we have been told from the beginning:

"Ye are the salt of the earth: but if the salt becomes tasteless, with what shall it be salted? for no strength has it any longer, but to be cast out, and to be trampled upon by men. Ye are the light of the world, a city cannot be hid on a mountain situated. Nor do they light a lamp, and put it under the corn measure, but upon the lampstand; and it shines for all who are in the house. Thus let shine your light before men, so that they may see your good works, and may glorify your Father Who is in the heavens. Think not that I came to abolish the law or the prophets: I came not to abolish, but to fulfil."

Matthew 5:13-17

And:

"...we know that the law is good, if anyone use it lawfully, knowing this, that for a righteous one law is not enacted, but for the lawless and insubordinate, for ungodly and sinful, for unholy and profane, for smiters of fathers and smiters of mothers, for slayers of man, fornicators, abusers of themselves with men, men-stealers, liars, perjurers, and if any other thing to sound teaching is opposed;" *1 Timothy 1:8-10*

Since all of those that are alive in Christ must remain **in** the world, and will therefore be confronted by the world; and though you may be on the road of repentance to be found *unspotted from the world*, the natural man will still operate on the *presumption* that you are partaking of his father's table, and are therefore one of several of his *regulatable* "right and duty bearing units." This is seen in the following:

"The opinions of individuals, once entertained and expressed, and the state of mind once proved to exist, are **presumed** to remain unchanged **until the contrary appears**." In *Sleeper v. Middlesworth*, 4 Denio 431, the court designated this **presumption** as one "against any sudden change in the moral, as well as the mental and social, condition of man." *Greenleaf on Evidence, 1 Ev. §42*.

But along with his spiritually dead *presumptions* comes the ability, by the Grace of God, to rebut the lie with the Sword of the Word. To *rebut* is:

"Rebut. To overcome; to contradict; to persuade or convince to the contrary. *Buhler v. Maddison*, 166 P.2d 205, 210. Also, to repel or bar a claim. Black's L.D." *Corpus Juris Secundum, vol. 75, page 640*.

Our Master is our example of rebutting presumptions. In the following two accounts of rebutting the presumptions of the Pharisees and scribes, we see that the Sword of the Word is the rebutter of the "natural reason" of those that are full of dead men's bones--those that presume evil where there is none:

"But when the Pharisees heard it, they said, **This fellow doth not cast out devils, but by Beelzebub the prince of the devils** [*the presumption of evil].

And Jesus knew their thoughts, and said unto them [*the rebuttal-], Every kingdom divided against itself is brought to desolation; and every city or house divided against itself shall not stand:

And if Satan cast out Satan, he is divided against himself; how shall then his kingdom stand?

And if I by Beelzebub cast out devils, by whom do your children cast them out? therefore they shall be your judges.

But if I cast out devils by the Spirit of God, then the kingdom of God is come unto you."

Matt. 12:24-28 (KJV)

"And it came to pass, that on one of those days, as He taught the people in the temple, and preached the gospel, the chief priests and the scribes came upon Him with the elders,

And spake unto Him, saying, Tell us, by what authority doest thou these things or who is he that gave thee this authority? [*the presumption of evil]?"

And He answered and said unto them [*the rebuttal-], I will also ask you one thing; and answer Me:

The baptism of John, was it from heaven, or of men?

And they **reasoned** with themselves, saying, If we shall say, From heaven; He will say, Why then believed ye him not?

But and if we say, Of men; all the people will stone us: for they be persuaded that John was a prophet.

And they answered, that they could not tell whence it was.

And Jesus said unto them, Neither tell I you by what authority I do these things." *Luke 20:1-8 (KJV)*

These two examples (of many) of rebutting the presumptions of the Pharisees and scribes is our standard. The Pharisees here reveal, just as the natural man today reveals, that they first presume evil before any **true** evidence of evil is found. When they *presume* evil towards His called-out ones, it is because they despise Him on account of their own self-willed (self-loving) spirit:

"The Lord knoweth how to deliver the godly out of temptations, and to reserve the unjust unto the day of judgment to be punished:

But chiefly them that walk after the flesh in the lust of uncleanness, and **despise government**. **Presumptuous** are they, selfwilled, they are not afraid to speak evil of dignities." *2 Peter 2:9-10 (KJV)*

Contrary to modern Church doctrine, that government being despised is "the Christ's glory," not the *supposed* secular government of the world:

"**Government.** (2963) *kuriotes* (koo-ree-ot'-ace); (2Pet.2:10) fem. noun from *kurios* (2962), Lord, Mighty One. The word is peculiar to New Testament and Patristic Greek, and denotes the **kingly glory of Christ.**" *Zodiates Complete Word Study Dict.*, page 902.

And those that are *presumptuous* towards His government ministers are tempting Him to anger, and are utterly *insolvent in Law*:

"**Presumptuous.** 5113 *tolmetes* (tol-may-tace'); from 5111; a daring (**audacious**) man: KJV--presumptuous." *Strong's*.

"**Audacious.** 2. Contemning the restraints of law, religion, or decorum; bold in wickedness; **presumptuous**; brazenly impudent; **insolvent.**" *Webster's New International Dictionary (1935)*, page 151.

This insolvency, as with the Pharisees and scribes, is the outcome of their self-loving *human reason*:

"'Presumption' is that which may be assumed without proof, or taken for granted. It is asserted as a **self-evident** result of *human reason* and experience. Bradley v. S. L. Savidge, Co., Inc., 123 P.2d 780, 785, 13 Wash.2d 28; Rich Hill Coal. Co. v. Bashore, 7 A.2d 302, 314, 334 Pa. 449." *33a Words and Phrases 63*.

"A 'presumption' is simply an inference or conclusion **logically deduced** from known data. It follows that, when contradictory conclusions are asserted [*the rebuttal] as resulting from the same premises, one or the other or possibly both must be erroneous. Western Maryland R. Co. v. Shivers, 61 A. 618, 620, 101 Md. 391." *33a Words and Phrases 67*.

"A 'presumption' is **not evidence** of a fact, but purely a conclusion [*of human reason]. Morris v. Chicago, M., St. P. & P. R. Co., 97 P.2d 119, 125, 126, 1 Wash.2d 587." *33a Words and Phrases 67*.

As with the *legal fictions* created for "administrative purposes," the *presumptions* of the modern day Pharisees and scribes are conjurations of the natural man's insolvent *reasonable law*:

"Presumptions are purely **creatures** of the law." Davis v. Hearst (1911), 160 C. 143, 116 P. 530.

And we see that presumptions are one of the *indulgences* resulting from spiritually dead *natural reason*:

"Presumptions are **indulged** to supply the **absence** of facts, but never against ascertained and established facts." Boggs v. Merced Min. Co. (1859), 14 C. 279, 375 *err. dismd. (1866)* 3 Wall. (U.S) 304, 18 L.Ed. 245.

And we see that the burdens that today's Pharisees and scribes put on men's backs are a result of their self-loving, insatiably indulgent *reasonable* minds:

"A 'presumption' is but a **rule of procedure** used to **supply want of facts**, and its only effect is to **cast burden** on opposite party of going forward with proof. Cichecki v. City of Hamtramck, 170 N.W.2d 58, 61, 382 Mich. 428." *33a Words & Phrases 62*.

And how does the natural man create the ability to cast these *reasonable* burdens upon the backs of others? They simply create a "Substantial Evidence Rule":

"**SUBSTANTIAL EVIDENCE RULE.** Under the substantial evidence rule, as applied in *administrative* proceedings, all evidence is competent and may be considered, **regardless** of its source and nature [*whether based in truth or deceit], if it is the kind of evidence that **a reasonable mind** might accept as adequate to support a conclusion. In other words, the competency of evidence **for purposes of administrative agency** adjudicatory proceedings is made to rest upon **the logical persuasiveness** of such evidence to **the reasonable mind** in using it to support a conclusion. It is more than a mere scintilla and means such relevant evidence as **a reasonable mind** might accept as adequate to support a conclusion." *Chrysler Corp. v. U.S. E.P.A., C.A., 631 F.2d 865, 890, 203 U.S.App.D.C. 283.*

And of course, what would the "Substantial Evidence Rule" be without another conjuration known as "Substantially Justified":

"**SUBSTANTIALLY JUSTIFIED.** Test for whether government's litigation position is 'substantially justified' within meaning of Equal Access to Justice Act provision governing award of attorney fees is one of **reasonableness**, under which the government is required to establish that its position has **reasonable** basis both in law and in fact." *Russell v. National Mediation Board, C.A.Tex., 775 F.2d 1284, 1289.*

Wow!!! It all sounds so "substantial and reasonable." Since that is the case, let's look at what *substantial* and *reasonable* **really** mean:

"**SUBSTANTIAL.** Substantial is as **flexible** in the law as in ordinary English. That is its *reason* for continued existence in the law. Long use of *substantial* in combinations, e.g., *substantial evidence*, can produce an **impression** of precision, which is **lacking**. The word is an **alert!** What *substantial* fastens itself to becomes **infected** with *substantial's* flexibility. A place for discretion." *Mellinkoff's Dictionary of American Legal Usage (1992), p. 626.*

"**REASONABLE.** Reasonable means in the law what it means in ordinary English: rational, just, fair-minded, not too much and not too little, etc. **Reasonable means what you want it to mean.** Ambrose Bierce- 'Hospitable to persuasion, dissuasion, and evasion. (The Devil's Dictionary). **Reasonable has no precise legal meaning.** It is **flexible**. That is **its virtue** and **only utility** for the law." *Mellinkoff's Dictionary of American Legal Usage (1992), p. 539.*

And let's see what a "reasonable man" is, according to those that create such fictional entities:

"**The reasonable-man test.** The difference between Justice Holmes and the majority of the [*U.S. Supreme] Court was essentially this: The majority members thought they should declare the [*minimum wage] law unconstitutional if they themselves could see no *reasonable* relation between the means and the end; Holmes thought the basis of the decision should not be the opinion of the judges on the matter of means and ends, but of a *hypothetical* 'reasonable man.' The judges probably would have differed just as widely on what 'a rational and fair man necessarily would admit' as they did in their *personal opinions*. There were millions of eminently *reasonable men* in the United States, some of whom could easily see a *reasonable connection* between a ten-hour law and the promotion of public health and others of whom could not see it at all. If the judges were to be guided by the opinions of *all reasonable men*, it would be necessary to take a national referendum before they could decide; if by the opinion of *any reasonable man*, they should uphold the law even though only *one reasonable man* in the entire country could see the real and *substantial* relation between the end and the means; if by the *opinion* of a *reasonable man* in the *abstract*, each judge had as much right as any other to impute *opinion* to such a *creature*."

"A year later, however, Justice Holmes, dissenting from the decision of the Supreme Court holding void the minimum wage law of the District of Columbia, restated his 'reasonable man' doctrine in somewhat different terms. 'The criterion of constitutionality,' he said, 'is not whether we believe the law to be for the public good. We certainly cannot be prepared to deny that *a reasonable man* reasonably *might* have that belief in view of the legislation of Great Britain, Victoria, and a number of the States of this Union. The belief is fortified by a very remarkable collection of documents submitted on behalf of the appellants, material here, I conceive, only as showing that the belief *reasonably may* be held.'"

The controlling factor, according to this *restatement*, should not be what a *reasonable man* thinks but what he *reasonably might* think. It is difficult to see how this refinement could help. Justice Holmes was impressed by a mass of documentary evidence which left no doubt *in his mind* that a *reasonable man might reasonably believe* that a minimum wage law would promote public welfare in various ways. But there were *reasonable men*--in deed, justices of the Supreme Court--who deduced **the very opposite conclusion** from the same documentary evidence!" *Chester C. Maxey, The American Problem of Government (1949), p. 439.*

When we see the obvious deceit, arbitrariness, and capriciousness of the *reasonable man* and his *presumptions*, which are the conjurations of the natural man's natural reasoning, we can see why natural men with their self-pleasing creations are the walking dead, for they are "dead while they liveth."

But we must remember that our Father allows these things to exist; for through them, He will ultimately be glorified:

"But to the sinner God has said, Why dost thou declare My ordinances, and take My covenant in thy mouth? Whereas thou hast hated instruction, and hast cast My words behind *thee*. If thou sawest a thief, thou rankest along with him, and hast cast in thy lot with adulterers. Thy mouth has multiplied wickedness, and thy tongue has framed deceit. Thou didst sit and speak against thy brother, and didst scandalise thy mother's son.

These things thou didst, and I kept silence; thou thoughtest wickedly that I should be like thee: *but* I will reprove thee, and set *thine offenses* before thee. Now consider these things, ye that forget God, lest He rend you, and there be no deliverer. The sacrifice of praise will glorify Me: and that is the way wherein I will shew to him the salvation of God." *Psalms 50:16-23*

In the transcripts and testimonies on the following pages, we will see how His obedient children can set the record in His court, for His glory, through the rebuttal of the presumptions of the natural man.

The time *for* the judgment to have begun from the house of God *is come*: but if first from us, what be the end of those disobeying the glad tidings of God? And if the righteous with difficulty be saved, where shall appear the ungodly and sinner? Wherefore also they who suffer according to the will of God as to a faithful Creator let them commit their souls in well doing." *1 Peter 4:17-19*

Another Daniel in the Lion's Den

Of God's merciful power shown at Daniel 6:22, our Brother Daniel said to king Darius:

"My God has sent His angel, and stopped the lion's mouth, and they have not hurt me: for uprightness was found in me before Him; and moreover before thee, O king, I have committed no trespass."

The trespass he was "accused" of was for making supplication to our Father, and not to king Darius.

In the following "court record," we can see that there is truly "nothing new under the sun." Our Daniel of today fails to make supplication to the secular kings of the municipality, and is therefore thrown into one of today's lion's den, the County Jail. For "failure to appear" on a "traffic violation," they came with guns and dogs on a Friday night to the house where he was staying, and arrested him. This was the first time that he had ever been in jail, though he has had a long running spiritual battle within the municipality concerning other "violations" which he had not "satisfactorily complied with."

Our Brother here having previously abated and defaulted the "warrant for arrest," and the municipality thereafter having recalled the "warrant," reissued it three weeks later. It appears that they reissued it because he had failed to serve the District Attorney; at least that is the excuse they used.

In the following "record," we have changed only the names and places, but the discourse is unchanged from the original transcript. Randy Lee's comments are in bracketed italics. The comments are not a criticism of our

Brother's noble and blessed witness of the hope that is in him, of course, but strictly for the edification of those that may at one time or another be confronted with the same type of situation.

While reading the following spiritual warfare, keep in mind while in that lion's den, he was awakened by the jail-keepers every hour during the weekend to deprive him of sleep before he was brought before "THE COURT." ...

* * *

COURT: Daniel -- --.

DANIEL: You say that I am.

*[*Comment: He here leaves the presumption of who he is, in the judge's mouth. All responses to anything said should be directed to the prosecuting attorney, not the judge.]*

COURT: I am sorry. I didn't hear you.

DANIEL: You say that I am.

COURT: "Daniel -- --," that is what the name says here. I don't know if that is a true name or not. You are charged in Case 0532 in Count I with resisting, obstructing or delaying a police officer. Count II reflects the charge of being an unlicensed driver. How do you plead?

*[*Comment: To further rebut the courts presumption, and to clarify what the court "doesn't know is true or not," he could have pointed out that the "name" was in all capital letters, and therefore could not be him. The "obstructing or delaying a police officer" was for not answering the "officer's" questions the way he wanted them answered.]*

DANIEL: For the record, greetings in the name of my Sovereign Lord Jesus, the Christ, who all power - - it is written - -

*[*Comment: The judge interrupts him as soon as he fails to enter a plea or speak the words of the world.]*

COURT: I will go ahead and enter a not guilty plea on behalf of Mr. Daniel. Mr. Daniel, the issue here is whether or not I am going to release you on your own recognizance. Why don't you tell me some information on your behalf which would give me a good reason why I should release you on your own recognizance. Do you have community ties? Do you live in the area?

DANIEL: For the record, I am a bondservant of the Lord Jesus Christ, and it is written that thou shalt worship the Lord Jesus Christ, and only Him thou shall serve.

*[*Comment: This is the correct initial response. It sets the state of the forum, and ignores the "benefit of discussion" that the court has offered him to enter into. He could have continued with, "and also for the record, I am not a 'Mr.' or a'sir,' for those are pagan and heathen titles of nobility." (If they continue to use those designations, it doesn't matter, for you have rebutted the presumption that you are one of their pagan entities). Since he had already abated the court, he could have also added, "and for the record, the issue here is not about me, but about whether or not this is a Lawful court.]*

COURT: Sir, the question I have is: Do you live in Beastly, and how long have you lived in Beastly? The address here on the file reflects a Beastly address.

*[*Comment: The court is trying to establish 'residency.']*

DANIEL: I live where ever I have to be at the moment.

*[*More precise is "I live, move and have my being in Christ Jesus.]*

COURT: You do? Why don't you have a seat for just a minute.

COURT: Mr. Daniel, would you stand up, please.

*[*Comment: These two commands (sit down, stand up) were probably issued to establish a response to the 'name', and thereby 'presumed' jurisdiction.]*

DANIEL: You say that I am.

*[*Comment: Having responded to the 'name' by sitting down and standing up at the direction of the judge, "you say that I am" is no longer a valid response. The judge now 'presumes' that 'you and the name are one and the same,' due to the obedience shown to the commands.]*

COURT: All right. Mr. Daniel, the Court has entered a not guilty plea. After taking a look at the motion that you filed today, it is clear to the Court that you intend to plead not guilty to the charges. Is that correct, sir?

*[*Comment: A motion was not filed with the court. Here, the judge attempts to reduce the previously served abatements to 'a motion.' The proper response would be, "A motion was not filed with this court, but all defendants concerning this matter have been abated.]*

DANIEL: If you say so. I would like to address the Prosecutor.

COURT: I am sorry.

DANIEL: I would like to address the Prosecutor.

COURT: Do you want to represent yourself on this matter? I need you to answer "yes" or "no" out loud - -

DANIEL: Yes.

COURT: - - so the reporter - -

DANIEL: Yes.

COURT: - - can take down what you are saying on the record. You would like to speak with the Prosecutor and have a conference on this matter at this time? Is that what you want to do, have a conference on the matter with the Prosecutor?

DANIEL: With you present.

COURT: On the record. Go ahead. What do you have to say?

DANIEL: Greetings in the name of my Lord and Saviour Jesus Christ, Sovereign Lord. I am one of His bondservants and ministers, and I possibly - - all - - it is written that all power and authority in heaven and earth has been given unto Him, and I would like to see a record in law establishing this court under His authority

leading to the tree of life, which is the - - Jesus, the Christ. I could not possibly be willful in this thing that I am accused of because I do the will of my Father, God, who is in heaven, and nothing about Him is willful or evil. It is written that thou shall worship the Lord thy God, and only Him thou shall serve. It is also written no man can serve two masters; for he will hate the one and love the other, or he will despise the one and cleave unto the other.

*[*Comment: He is standing with the Sword of the Word, and he clarifies and improves upon some of his earlier statements. Again, the judge interrupts.]*

COURT: Mr. Daniel, can I just stop you for a moment here? That is typical if you were having a conference and you were represented by an attorney. You have entered a not guilty plea. After hearing you speak today, I at this point - - and based upon your motion, because you are repeating a number of things in the motion, I don't know - - did you file the motion with the District Attorney's office or just with the Court?

DANIEL: It was served - - it was served by two men- -

*[*Comment: He should have said, "It was not a motion, and it was not filed. It was served."]*

COURT: Okay.

DANIEL: - - on a man from the Beastly police department named K. Predador and also Judge Faracy.

*[*Comment: Judge Faracy was the judge on the case, but was removed from it after being served with the abatement. Since Daniel never rebutted that it was not a motion filed with the court, the judge reiterates the following for the 'record':]*

COURT: All right. The motion that was filed with the Court is in the court file and was filed. I think the People are entitled to read it as well because it is a legal motion that you have filed. And based on - - the other question that I want answered - - what are you doing, basically, is having a pretrial conference. This is normally not the pretrial stage. When you failed to appear in court at your arraignment day, I am going to assume, for - - based on what you have said, that that was not a purposeful failure to appear, but that is what resulted in the bench warrant being issued. I would like to set this for another pretrial conference so that we can - - you can continue this conference on the record with the District Attorney, who is present. However, right now it is five minutes after noon. The Court needs to take a recess. And I just need an assurance from you that you will return on the court date so that you can continue with the conference with the District Attorney. So why didn't you appear? Is it just because you don't - -

DANIEL: Can I continue - - no, I respect the law above everything else.

COURT: If I order you to return, would you return?

DANIEL: Could we continue this in the afternoon - -

COURT: Do you want to - -

DANIEL: - - so we can settle it today?

COURT: You want to settle the case today?

DANIEL: Well, I would like to speak about what happened.

COURT: Okay. We can continue it for settlement conference this afternoon if you think that would be - - This is the question I have: Are you - - do you think you would be willing to plead to either of the charges?

DANIEL: I have been - - as I said, I was - - I could not possibly be willful in this thing that I am accused of.

COURT: The one charge, which is the unlicensed driver charge, just is a charge that reflects that you were not - - that your license had expired, and if - - that doesn't require any willfulness. It is not a charge that requires any specific intent to, quote, unquote, do bad or harm. It is just a licensing charge by the Department of Motor Vehicles, and that law says you are supposed to be a licensed driver to drive.

DANIEL: On the 18th day of the 12th month in the year of our Lord, 1999, I was arrested by a man from Beastly Police Department, K. Predador, and I asked this man for some information, and he told me he wasn't a public servant, that he was an employee of the City of Beastly. Now, it is written, I believe, in your law that an officer of the law is appointed, and you don't become an officer of the law by having an employment contract with a dead corporation. I believe it is written in your law, also, that corporations, such as the city of Beastly, State of California, are - - have - - it is said that they have no soul. Therefore, they are dead, and the dead cannot be sued. Is there any law - - can you show me any law that says the living must be joined to the dead? It is written that whosoever shall believe in the Lord Jesus Christ shall have everlasting life.

*[*Comment: Brother Daniel is doing very well at this point. He is quoting their maxims (not codes, rules and regulations) and is staying with the Sword of the Word.]*

COURT: I am not sure what the point is. You are charged with driving a car without a license, and how do you want - -

DANIEL: I told - -

COURT: Mr. Daniel, we can finish - - Mr. Daniel, it is going on into the lunch hour now. At this point in time, we can take a break. What would you offer if Mr. Daniel wanted to plead to the charge? [**speaking to Ms. Argot, the prosecutor.*] What charge would you want him to plead to? How many days have you been in custody, Mr. Daniel?

DANIEL: I have spent four days in chains.

COURT: You have spent four days in custody. Okay. Based on the - - based on my reading of the police report, my indicated sentence, if you wanted to plead to either charge, would be four, credit four. The question is: What charge would the People be willing to accept if Mr. Daniel were to plead no contest? Or we can take it up this afternoon if you want to.

MS. DA: Yes. Let me think about it.

COURT: This is what we are going to do, Mr. Daniel. Ms. Argot also just received the file. I want her to have an opportunity to take a look at the motion that you have filed and reflect upon your comments this morning. We will resume at 1:45 this afternoon. At that time we can continue with the conference, and then Ms. Argot can make you an offer in terms of the charges.

DANIEL: I believe I spent time in jail due to contempt of the law.

*[*Comment: This comment creates confusion. It would have been better stated that, "This whole process has evidenced contempt for the Law.]*

COURT: Okay. All right. Thank you very much, sir. Why don't you have a seat, and we will trail the Daniel matter until this afternoon.

COURT: Daniel will trail until this afternoon.

* * * *

AFTERNOON SESSION

COURT: Sir, you wanted to - - did you want to continue, with the District Attorney, having a pretrial conference? We are back on the record on the Daniel -- -- matter, Case 0534. We put it over this afternoon. Mr. Daniel requested we put it over, as well as Ms. Argot, the Deputy District Attorney in the case, for purposes of seeing if the matter could be resolved. Mr. Daniel, if you want to continue, go ahead.

DANIEL: Is it not written in your law that the law does not compel a man to do the impossible, and, also, any law contrary to the law of God is no law at all? I would like to go back to the 18th day of the 12th month in the year of our Lord, 1999. I had told K. Predador that I was exercising my duty of movement upon the common ways. My warrant for doing that is written in the word of God. It is - - go ye unto all the world and teach the gospel to every creature, also visit the widows, and feed the orphans. And it is also written I can do all things through Christ which strengthens me, and it is also written that I can do all things lawfully, but not all things are expedient.

*[*Comment: Somewhat refreshed after the break, Daniel goes for the throat here. It is an excellent discourse, reconfirming what was said in the abatement process, and ultimately has an effect on the judge and prosecutor.]*

COURT: Okay. Mr. Daniel, I am wondering, for purposes of determining whether or not we can resolve this matter - - there was something that you said this morning that caught the Court's attention, and that was in response to the question that I had. You did sign a citation that you would appear in this court - - and that is, essentially, a promise to appear - - on January 27th. I note that the warrant that was issued was on that date. And I would also note that you did file - - or I believe you said you had two persons file on your behalf the eight-page motion, that I have read, in this court. And as you commented this morning that - - you made some statement about the failure to appear in this matter, and the question is whether or not you would be willing to acknowledge that you failed to appear in this matter. Because there is a - - in the Penal Code, which this is the book containing the laws of the State of California - - I believe it is 853 - - What is that section?

CLERK: 853.7.

COURT: 853.7, and that is a violation of a promise to appear. Let me just look at this. "Upon a written promise to appear - - let me just take a look and read the section if that actually applies.

MS. DA: Okay. As I recall, Mr. Daniel, you - - we were talking to you about the four days you had done in custody. You said you felt that was - - that was for contempt. Okay.

DANIEL: Go to the 24th day of the first month of the year of our Lord, 2000.

COURT: You want to talk about that day now?

DANIEL: Yes.

COURT: So January 24th of this year?

DANIEL: Yes. I - - on or about January 24th - -

COURT: Okay. Go ahead.

DANIEL: - - two men served the abatement on K. Predador and the presiding judge, Judge Faracy, and ten days later, they came back for an answer or request for extension of time, and there was no answer, or extension of time asked for, and they promptly served a default - - a default notice, and default judgment was then posted at the local post office and also in several places at Beastly of the default judgment.

*[*Comment: He continues to stay on point. The efforts of the judge to sidetrack him have failed. He now forces the judge to enter into discussion of the abatement and default, which shows us that the court does recognize the abatement process, but still calling it a 'motion.']*

COURT: You did that?

DANIEL: No, I didn't do that.

COURT: Who posted the default judgment?

DANIEL: The church did.

COURT: And that was because of a failure of the Court to respond to your motion?

DANIEL: The abatement is - - abatement is abating an unlawful persona designata or misnomer or nom de guerre, and until the defects are corrected in the paper work, nothing can proceed. The case can't proceed. So it went into default, and there was a default judgment.

COURT: Now, see, I read the motion, and I didn't see anything in the motion - - because on a criminal matter, and you are charged with a misdemeanor, the law requires that you personally appear in the court on the date so ordered. In other words, unlike a civil - - unlike a civil law case where you can file motions in writing and deal with it that way, in a misdemeanor case, such as the case we are dealing with here, when you sign the citation promising to appear, you personally need to appear in court. In other words, if you - - if it was your understanding that it was up to the Court to then respond and failure of the Court to respond in writing to your motion, then that was, I would say, a misunderstanding on your part of the way that the criminal justice system works.

The people weren't served with the motion. The Prosecution is the entity prosecuting, not the Court, and the People are entitled to be served with the motion, and then if there were to be a written response, it wouldn't be from the Court, but it would be from the Prosecution from the District Attorney's Office, and because the People weren't served with the motion, then there was no response.

So I think the question that I have for you is whether or not the People would be willing - - well, I should ask this to the District Attorney.

Is there anything that you would be willing to offer by way of an attempt to resolve this matter? I think that is what Mr. Daniel wants is to try and resolve this case, and so - - yes. Go ahead, Ms. Argot.

DANIEL: May I say one more thing?

MS. DA: Sure.

COURT: Go ahead.

DANIEL: On the fifth day of the fifth month of the year 2000, I was again arrested by K. Predador and two other - - or three other officers from Beastly Police Department, and he said to me mockingly that, "I received your eight-page manifesto, but I don't know what to do with it" or "What am I supposed to do with it?" And I believe that - - and then I spent the four days in jail. I believe that was - - it is written in your law that - - let me see - - that that was contempt of the law, unlawful process, and it is written in your law that - -

COURT: So - - Mr. Daniel, I want to understand what you are saying. You are saying that the fact that you were arrested on Friday, which would have been May 5th, was actually an unlawful process? In other words, you don't believe that you were subject to arrest? Is that what you are stating?

DANIEL: Because he had been served with lawful - -

COURT: I understand.

DANIEL: - - abatement.

COURT: I understand what you are saying now.

DANIEL: And he had contempt for - - he had contempt for the law and, I believe, my Master and Lord Jesus Christ and for the church themselves because it is written when one member suffer, all members suffer, and less a contempt for me - -

COURT: All right.

DANIEL: And it is written ignorance of the law is no excuse, especially in those trying to execute the law. So I believe that he was served the lawful process, according to the abatement.

COURT: All right. Let me just respond because some of the issues that you have raised are - - pertain specifically to the Complaint, which has been filed by the District Attorney, and perhaps - - and, with all due respect, perhaps ignorance of the law of the State of California on your part, and that is that when you were served with the citation to appear in court, you must appear in court, and then the - -

Let me just explain the procedure to you, and that is that when you do fail to appear, a warrant is issued for your arrest. And that is what happened. A bench warrant was issued on January 27th, which was the date that you were to appear in court. And then when you are arrested, as you tell me that you were on Friday, then you must be brought to court, as you are today.

And so, Mr. Daniel, here is the question - - and there are a couple of different ways to go on this. If you want to resolve the matter today, I think the People would be willing to offer a charge, which is a failing to appear in court as promised. Now, that hasn't been added yet. I am not going to ask the People whether or not they want to add that charge at this point in time until I hear from you whether or not you are willing to acknowledge - - or plead to any charges at all.

If you don't want to plead to any charges, that is fine. You enter a not guilty plea. I will set the matter over for a pretrial date. Based on the fact that you appear to have not come to court and that your failure to do so, according to what you have told me, comes from your understanding that the Court needed to respond to you, and by failing to do so, it was actually the Court that defaulted on this case, I would go ahead and release you on your own recognizance. You would be released this afternoon. I would set another date in the case, and you would need to appear on the date that I selected, and I will pick a date that would be convenient with your calendar.

If you want to resolve the matter - -

Would you be willing to offer any counts for Mr. Daniel to plead to?

This is the typical pretrial conference that we are having now. Usually, the People offer - -

MS. DA: In order to resolve the case, that would be a much less serious count for Mr. Daniel.

COURT: The 853.7, which is a failure to appear as promised to in court?

MS. DA: Yes.

*[*Comment: All of the convoluted diatribe that has just been spoken is for the purpose of covering up the compromise that the court is offering. Note that Daniel has not yet been charged with 'failure to appear,' though that was what he was supposedly arrested for. They will add that charge and drop the 'obstruction, unlicensed driver, etc.' charges. At this point, the combination of the words spoken by Daniel and the served abatements have sent the court into a 'negotiation' mode. They have 'tried the spirits,' and found him to be who he and his Father says he is.]*

COURT: That is what the People's offer is. Do you want to accept that offer and resolve the case today, or do you want to go ahead and put the matter over for another conference?

DANIEL: I believe that - - that my Lord was transgressed upon, and I was also. And I have been four days in jail and have a wife and three small children.

COURT: Okay. Do you want to take a moment.

DANIEL: I would like - -

COURT: Do you want to take a moment to think about it?

DANIEL: I would like it, maybe, dismissed.

*[*Comment: This declaration has to be firm. Not 'maybe.' And not 'I would like,' but 'if this court is truly interested in justice, this case should be dismissed.' This puts them on the defensive.]*

COURT: Are the People willing to dismiss everything?

MS. DA: No. We can't dismiss everything in this case, I don't think, Your Honor. I would be willing to offer a lesser charge to Mr. Daniel that would resolve it, and that would be over. It would not affect his - -

COURT: The charge the People, basically, have indicated that they would add is a Count III, which is a violation of - - a failure to appear on a written promise, and that is just your failure to come to court as you promised you would do by signing the citation. It is, basically, a plea disposition.

You would be willing to dismiss the charges that he was actually cited for on December 18th?

But it is your choice to make, to make sure, and if you want to plead not guilty, I will release you on your own recognizance today.

MS. DA: I should say - - I am sorry. I should say, also, I think that - - I am offering that today. I can't guarantee that another prosecutor would offer that later on.

COURT: Okay. All right. But it is up to you, Mr. Daniel. It is your choice. If you are not sure what you want to do, in any event, I assure you I will release you on your own recognizance. I will set another date. If you want to think about whether or not the People - - to accept the People's offer, I can pass this matter. I have another matter that I can attend to now, and I can bring you back out when we are through with the other court matter.

DANIEL: I would like you to bring me back out.

COURT: Do you want to think about it? Okay. Let me just clarify what is being offered here. The People would add a Count III, a violation of 853.7, violation of a promise to appear. The sentence would be four days, credit four, no fine, no probation. Basically, the time that you have spent in custody would be the sentence in the case. That would be it. If you don't want to accept that offer, that is fine. That is your choice. I would release you today on your own recognizance. I would set another pretrial date.

MS. DA: But those charges would remain that are on.

COURT: The charges would remain. You could come back on another date. You would be out of custody, assuming you come back as ordered. You could discuss the matter again with the District Attorney further, if you would like to do that.

DANIEL: What were the charges?

COURT: The two charges here are resisting, obstructing or delaying a police officer. That is Count I. And Count II is - - alleges that you were an unlicensed driver. Those charges are alleged to have occurred on December 18.

DANIEL: And you said those are going to remain?

COURT: If you do not accept the People's offer to plead to what they are offering, which is a Count III, a violation of 853.7, failure to appear in court as promised. If you accept that offer, they will dismiss Count I and II. If you don't accept the offer, Counts I and II will remain pending another pretrial date, a future court date. You could discuss the matter with the People at a future court date.

*[*Comment: What we see here is, the court will not let everything 'slide.' They must have a conviction on something, to justify the arrest. By accepting the offer and compromise, the abatement stands (the original 'violations' are dropped) and the 'failure to appear' charges stand for the court.]*

DANIEL: Are not codes, rules and regulations arbitrary and capricious and, therefore, not law?

COURT: Excuse me?

DANIEL: Are not codes, rules and regulations arbitrary and capricious and, therefore, not law?

MS. DA: They are not arbitrary and capricious.

COURT: That is the People's response. "They are not arbitrary and capricious" is the People's response to your inquiry.

Mr. Daniel, do you want to - - a few moments to think about the offer?

*[*Comment: Note that the prosecutor never challenged whether they are law or not.]*

DANIEL: Yes.

COURT: All right. We will have one more brief conference this afternoon. If you haven't decided by that time, I will take it as a not guilty plea, we will go ahead and release you, and you can come back on another date, okay, sir?

* * * *

COURT: All right. Mr. Daniel, we have - - we just concluded the other matter, and - - so have you thought about the offer -

DANIEL: Yes.

COURT: - - which is to plead - -

DANIEL: I am willing to accept your offer.

*[*Comment: This is the proper response to the situation. This lets the court off of the hook, and allows you to continue with your life outside of the lion's den. What has been accomplished is, Daniel has done his duty of, "let shine your light before men, so that they may see your good works, and may glorify your Father Who is in the heavens."]*

COURT: Now, this is the People's offer because, just for clarification, Mr. Daniel, it is the District Attorney's Office that makes the decision on charging, and that is why, as I explained before, when - - although, I know, you did serve the Court and, apparently, Officer Predador as well, the District Attorney's Office did not receive a copy of the filing.

(speaking to MS. DA) And that is why you didn't respond . Because it would be the District Attorney's Office to respond.

But as I understand it, this is the offer, and that is that the People will be willing to amend to allege a Count III, a violation of Penal Code Section 853.7 - -

CLERK: Yes.

COURT: - - and if you would plead no contest to that, the Court does sentencing, and I would - - the sentence would be four days, credit four. It would be a time served sentence. And then the People would be dismissing the resisting, obstructing, delaying arrest and would be dismissing the unlicensed driver charge. Is that what the offer is, MS. DA?

MS. DA: That is correct.

COURT: And you are willing to accept that offer?

DANIEL: Yes.

COURT: Okay. Mr. Daniel, there is one more issue that I want to cover with you, and that is that I am a court commissioner, and in order for me to go ahead and sentence you in this case, you would agree to - - I would need to have you agree that I can impose the four day-credit four- sentence. Is that agreeable with you?

DANIEL: Yes.

COURT: - - that I impose the sentence?

DANIEL: Yes.

COURT: I am going to do oral waivers.

CLERK: Okay.

COURT: Mr. Daniel - - First of all, is there a People's motion to add a Count III, a violation of 853.7? And that is a failure to appear in court as promised on the citation.

MS. DA: Yes.

COURT: Okay. That is the charge. Mr. Daniel, you do have the right to have an attorney in this matter, and if you cannot afford an attorney, I would appoint an attorney for you free of charge. Do you understand that right, sir?

DANIEL: Yes.

COURT: And do you give up that right in order to represent yourself on this matter?

DANIEL: Yes.

COURT: You have the right to a jury trial or a court trial, the right to confront and cross-examine witnesses, the right to present a defense in your own behalf and the right to remain silent. Those are your Constitutional rights, according to the United States Constitution. Do you understand those rights?

DANIEL: Yes.

*[*Comment: He could of at this point said, instead of 'Yes' , "I never have and do not now claim any Constitutional rights, but whatever rights the court 'presumes' I have, the court can also presume that they are waived.]*

COURT: How do you plead to Count III, which is the amended count that was just added by Ms. Argot. And that is a violation of Penal Code Section 853.7, failure to appear.

DANIEL: No contest.

COURT: Okay. A no contest plea has the same force and effect as a guilty plea. You are convicted on the plea. It just cannot be used against you in a civil court. Do you understand this?

DANIEL: Yes.

COURT: Okay. Sir, I find that you have expressly, knowingly, understandingly and intelligently waived your Constitutional rights. I find that your plea has been freely and voluntarily made with an understanding of the nature and consequences thereof and that there is a factual basis for the plea.

At this time I will impose the sentence of four days, credit four. The \$100 restitution fine is waived because of the time that Mr. Daniel has served in County Jail. There is no fine, no probation. That is it Mr. Daniel. Thank you very much. And are Counts I and II dismissed on People's motion - -

MS. DA: Yes.

COURT: - - in the interest of justice?

MS. DA: Yes.

COURT: Counts I and II are dismissed. Sir, that resolves this matter. Thank you very much, sir.

DANIEL: I want to thank you both very much, and may God richly bless you both for your compassion and your respect to the law.

MS. DA: Thank you. Same to you.

COURT: Thank you, sir. I appreciate your comments. Good luck to you, sir.

Another Daniel in the Lion's Den *again*

In the above article we were shown our Father's tender mercies toward our Daniel of today when he had refused to make supplication to the secular kings of the municipality where he is currently sojourning because he had committed no trespass, and how our Father's Providence stayed the lion's mouth.

In this long running spiritual battle, those same kings these many months later have again falsely accused our Brother of another "trespass," this time in the form of "failure to appear" on a charge of "practicing medicine without certification" and other sundry "violations" concerned with his making available our Father's healing herbs to those in need.

After having abated and defaulted the charges four months earlier, they came on a Sunday to the house where he was staying, and arrested him. After spending two nights in vinculus in their grey-bar hotel, he was brought before "THE COURT" on a Tuesday morning. The following "record" is the "arraignment" on that day.

If the Lord wills, over the next month or two we may present the "record" (with commentary) of the "pretrial conference" which took place about a week after the "arraignment."

In these transcript's, we have changed only the names and places, but the discourse is unchanged from the original copies. Randy Lee's comments are in bracketed italics. The comments are not a criticism of our Brother's noble and blessed witness of the hope that is in him, and it is not an effort to put words in anyone's mouth, for only the Holy Spirit can do that. The comments are simply given for the edification and guidance of those that may at one time or another be in the same type of situation. Again, we must remember that only the Spirit of God will give you the words to say in that hour.

* * *

ARRAIGNMENT
OCTOBER 10, 2000

THE COURT: DANIEL.

DEFENDANT DANIEL: Are you trying to address me?

COURT: Yes, Sir.

DANIEL: I couldn't be the person - - I mean I couldn't be who you think I am because the name you have is in all capital letters, which is a misnomer.

COURT: (Yes) it is in all capital letters.

DANIEL: My God-given name is spelled capital "D," lowercase "a-n-i-e-l," uppercase "C" - -

COURT: Let's go over this. I want to get the spelling correct here. Your first name - - go ahead and stand up, sir. Your first name is capital "D," and then it is a lowercase "a" - -

*[*Comment: We should recognize here that the judge's patronizing acceptance of the proper spelling is done for deceptive purposes. After the acceptance of the proper spelling by the Court, one should object to this acceptance because the Court can "normally" only prosecute the "person" (name in all caps), not the substance. If objection is not made, it is taken by the Court that you are giving permission to be prosecuted.]*

DANIEL: Lowercase "a," lowercase "n," lowercase "i," lowercase "e," lowercase "l."

COURT: Okay.

DANIEL: Uppercase "C"..... *[*etc.].*

COURT: All right.

DANIEL: And I do not accept or use the designations, which are heathen, of "Sir" or "Mister."

COURT: All right. On this matter I have corrected the spelling to reflect the spelling that you have given the Court. *[*Comment: With that, they have recognized his substance in Christ and have abandoned the ability of prosecuting him as a "person" (name in all caps). At this point, one should object to being prosecuted under his true name and point out that the Court does not have the ability of prosecuting him under his true name without his permission, and that he **does not** give them permission to do so.*

*And **without the objection**, the Court now reads the charges]*

In this matter you are charged in Case No. 1645 in Count I with practicing medicine without certification, a violation of Business and Professions Code Sec. 2052. Count II alleges practicing medicine without certification, a violation (of the same Code). Count III alleges conducting business without a license, a violation of the Beastly Municipal Code Sec. 4.09.030. And Count IV alleges not having a food permit, violation of Health and Safety Code Sec. 10554(a). How do you wish to plead? Guilty or not guilty?

DANIEL: I could not be willful in this thing that I am accused of because I do the will of my Father, who is in heaven, and nothing about Him is evil.

*[*Comment: "I could not be willful in this thing" is defensive and goes to the "facts" of the case, which causes "joinder." At this point, the "charges" are still against the "person" only. Better is: "Those charges are against the person DANIEL C.... in all capital letters, which I am not, because I am known by and do the will of my Father only." But with the "defensive" response, the Court "assumes" jurisdiction with a plea for the "DEFENDANT"]:*

COURT: All right. That will be a not guilty plea to all four charges.

Are you going to represent yourself, hire an attorney, or do you want the Court to appoint an attorney to represent you in this matter?

DANIEL: I am going to represent myself. I wish - -

*[*Comment: A bondmen of Jesus the Christ cannot represent "himself." The Christ is your Advocate and Wonderful Counselor. "Myself" denotes self-will. Always remember that any "benefits" offered by the Court are the same "benefits" that were offered to our Lord by Satan when he offered Him the glory and powers of the kingdoms of the world. As He rejected them, we must also.]*

COURT: You would like to represent yourself?

*[*Comment: Here, the Court gives him the ability to recant by asking him to reconfirm that he "would like" to represent "himself."]*

DANIEL: I wish to address the District Attorney.

COURT: All right. On what issue do you wish to address the District Attorney at this time? On the issue of the charges?

DANIEL: Yes.

COURT: Okay. Before I go ahead and allow you to do that, I am going to go over some information with you just to make certain you understand. *["The Court" then stated all of his (civil) "rights" to an attorney, the "right" to represent himself, etc.]* With that in mind, do you understand and give up your right to have an attorney in this case so that you can represent yourself? *[*Comment: Again the judge gives him the opportunity to say "Get behind me Satan".]*

DANIEL: I give up the right to have an attorney.

*[*Comment: Giving the "impression" that he "had" rights allows the Court to "presume" that he is a 14th Amendment citizen and that he has previously exercised (civil) "rights." In this position, we must remember that all of the questions coming from the bench are "loaded." The Court is seeking the "Benefit of Discussion" in order to "fully" acquire jurisdiction.]*

COURT: All right. If you wish - -

MS. DA: Are you able to tell whether this is a City Attorney or a District Attorney matter?

*[*Comment: Here, the Ms. suggests that she is unaware of what the case is concerned with. But, the District Attorney's Office had been working on the case for close to six months. It would "appear" that the Ms. came to court unprepared. Don't be fooled!]*

COURT: This is a District Attorney filing. There is a Beastly Municipal Code violation that is included in the filing; however, the case was filed by the District Attorney's Office by Ms. Gantry.

MS. DA: Thanks. I didn't have my file.

COURT: All right. Sir, what is it that you would like to talk to the District Attorney about?

*[*Comment: He finally receives the opportunity to set the "record" straight. The following should have been stated at the time of the "name spelling," so as to set "the state of the forum" at the beginning of the proceedings. The blessing is that he was able to seize the moment in the name of the Lord and make manifest his duty as a bondman of the Christ]*

DANIEL: Greetings in the name of the Lord Jesus Christ, who is my Sovereign. I am a bondservant of Him. And the law of God and the law of the land are all one and the same, and both preserve and favor the land. And all power and authority in heaven and earth has been given unto the Lord Jesus Christ, and I would like to see a record in law leading to the establishment of this Court under the authority of the Lord Jesus Christ.

I am not a person, I am not a human being or - - or a natural man or a resident because it is written from the beginning the natural man receiveth not the things of the spirit of God, for they are foolishness unto him, neither can he understand them because they are spiritually discerned. I am not a person because it has been written

from the beginning God is not a respecter of persons, and, also, if you respect the person you have sent and are convinced of the law and are a transgressor of the law - -

COURT: I know you don't like to be addressed as "Mr. Daniel." How do you choose to be addressed here?

*[*Comment: Here, the judge deliberately interrupts, changing the subject with a patronizing "bone." His above statement is a blessing, but at this point he had already given the "impression" to the Court that he is "a person" due to his acknowledging "rights," and "representing himself." But for witnessing purposes, the Spirit of God wrote it on his heart to state the Truth.]*

DANIEL: "Daniel."

COURT: All right.

DANIEL: Upper and lower case letters.

COURT: Okay. In this case the issues that you are discussing right now appear to be of a jurisdictional nature, and those are issues that you are discussing with the District Attorney in court; Ms. DA represents the People of the State of California, and it is by the authority vested in her by the State of California that the District Attorney's Office is pursuing this prosecution. Certainly, the issues that you are raising, if you wish to set forth in motions, that would be fine. *[*Comment: Here, the judge seeks further jurisdiction by "suggesting" that "motions" be "set forth." Whether "set forth" or "filed," whether on a jurisdictional question or otherwise, any "formal" motion gives the Court jurisdiction over "the person," because motions are created for "persons" only.]*

At this point in time I also would like to note that there - - let's see. I have taken a look at the - - on the issue of bail, that is something that needs to be discussed today. Daniel, we need to talk about bail. I note that you did fail to appear and that you were cited to appear on July 25th, and I would ask that you address the Court on that issue so - - since that is a determination that I need to make at this time.

*[*Comment: Here again the judge seeks the "Benefit of Discussion" in order to further "enhance" the jurisdiction of the Court. In this situation, one must stay with the Sword of the Word, avoiding any defensive posture or addressing the facts of the case, thereby avoiding any further joinder. But Daniel defends:]*

DANIEL: Yes. I have never practiced medicine or attempted to practice medicine or have any intent to practice medicine at any time, and so I haven't broken the law. I work with God's herbs to help people. I have never diagnosed, treated or operated on anyone for any disease whatsoever. I have never used drugs or phamacia or practiced sorceries.

And I had 22 people come into my ministry, the sanctuary where I work for my Lord and Savior, and they tore the place apart. They had a warrant, they said, a so-called warrant. They were looking for antibiotics, prescription drugs, drugs with expiration dates, medical equipment, which they found none. So whoever made up the affidavit lied about it, and so I did not break the law. And they told me if I didn't sign the citation that I would go to jail, and I was - - I did it under duress and threat of jail time.

*[*Comment: With this "defensive" statement, he has given all that the Court needs to proceed with the prosecution--full joinder. But since he has, more importantly, brought the Power of the Word to bear down on the Court and the District Attorney's Office in this arraignment and in the Abatement/Default (of which they never answered), he will ultimately fare well. And they know that they will still have to deal with the Abatement issue at some point due to their experience with him in the previous traffic case.]*

COURT: All right. Daniel, I have to ask you a question. If, in fact, I order that you return to court - - because now these charges are pending, and they have been brought by the People of the State of California - - will you

promise me that you will appear in court? Because without that promise, I have no choice but to set bail in this case. Otherwise, based upon the nature of the charges - - I have had an opportunity to read through the reports in this particular case. I am familiar - - because there was another case a while back involving a traffic ticket. We have had the discussion before on the appearance issue, if you will recall, so I am familiar with what your belief system is in regard to that; however, I need to know that you would come back to court, if I ordered you to do so, to defend the charges against you.

*[*Comment: As we can see, she is very familiar with whom she is dealing. At this point, the judge is simply "following procedure".]*

DANIEL: Would that be signing a contract or losing my venue if I came back to court? Because when I walk through that door there (the bar), I would be under - - I would be giving you jurisdiction; is that right.

COURT: Well, the Court - - basically, the way you look at it, the Court, essentially, forces the jurisdiction upon you. I mean, I know that you do not accept the jurisdiction of the Court. I know that that is your position. Nonetheless - -

DANIEL: But I accept the law.

*[*Comment. This is an ambiguous statement. When we mention the word "law," we must clarify which "law" we are talking about. If not, the judge will "presume" that you mean man's law.]*

COURT: This is the law. You are charged with a case. There is a Complaint. The People of the State of California brought this Complaint.

And at this point in time, I would deny any motion to dismiss for lack of jurisdiction **based on the statements that you have made today** in court. *[*Emphasis added.]* *[*Comment: With this full revelation from the bench, it would do everyone good to study and analyze this transcript to better understand what was said by Daniel to give the Court full jurisdiction.]*

We must also consider that the judge is admitting that the Court's original jurisdiction is only "presumed," and that it is the words that come out of your mouth which transforms the "presumption" into a "reality" for them.]

I need to know that you would, in fact, come back to court, if I ordered you to do so, so that this case can be litigated, if necessary, or settled, so that you could have a further conference with the District Attorney on the issue of settlement and - - or, if it is necessary, to set the case for trial.

*[*Comment: It is interesting that the judge is already talking about "settlement." Could it be that the Sword of the Word has already broken the bands of their fasces, and at this point they're only going through their motions of jurisdictional procedure?]*

DANIEL: We can do that today?

COURT: The People have 30 days from today's date to bring this case to trial. I anticipate the People aren't ready to start a trial today.

MS. DA: I don't have my file, Your Honor. *[*Comment: How convenient!!]*

COURT: So, no, we would not be able to start a trial in this matter today. We could set the case for trial now if you want to do so.

Normally, the procedure is to set a pretrial conference, which would give you an opportunity to discuss the matter with the District Attorney, to see whether or not you had any discovery motions or any other motions that you might want to file and then, also, set a trial date.

*[*Comment: The Court is still trying to lure him in by "suggesting" that he "might want" to "file" a motion.]*

DANIEL: No. I, basically, have the evidence to dismiss the case.

COURT: Do you want me to set the matter for a jury trial or a court trial?

DANIEL: Court trial - -

*[*Comment: At this point, due to the Court "having" jurisdiction because of his previous defenses and giving acknowledgment to 'rights,' it was best for him to request a Court trial-- not a jury trial--since juries cannot consider the Law in their verdicts, whereas the judge can. But either way, he would have the opportunity to let his light shine before them and thereby honor the Father and glorify our Lord and Master. That is Daniel's purpose in this situation. We must remember that the Spirit of God has been giving His minister (Daniel) the words to speak for His purposes.]*

COURT: Let me just cover - -

DANIEL: May I say one thing first?

COURT: Yes, sir. I am sorry. Yes.

DANIEL: Thank you. Would I be losing any jurisdiction?

*[*At this point, the judge has already made it clear that jurisdiction was already given "based on the statements that you have made today in court". But he has not yet compromised the Non-statutory Abatement, as will be seen later.]*

COURT: To make your arguments?

DANIEL: Yes.

COURT: No. At this point your motion to dismiss is denied without prejudice. You can renew that motion at a later date if you choose to do so.

*[*Comment: Here, the judge tries to reduce the Power of God's Word to a "motion." To counter this 'reduction,' he now brings up the subject of the Non-statutory Abatement, which nullifies any idea that a "motion" was made.]*

DANIEL: Yes. Well, the People and the District Attorney were served with an abatement and were lawfully abated, and all the defendants were abated, and I don't know why I am standing here.

*[*Comment: It was very important for him to have brought up "the abatement issue" during the arraignment, thereby giving him the ability to force their hand in either a pretrial conference or in a trial itself if it came to that.]*

COURT: That is something you can discuss with the District Attorney. I don't have any information on that issue, and Ms. DA doesn't have her file at this point in time. That is something that should be discussed at a pretrial conference. The question I need you to answer is an assurance from you that you will be here if I set another date. If you do assure me of that, I will release you on your own recognizance and order that you come back to court.

DANIEL: If I come up to the bar, will you arrest me and bring me across the bar - -

COURT: Well - - if you do what?

DANIEL: If I come up to the bar, will you arrest me and bring me across the bar on my return?

COURT: Why would I? Why would I arrest you if you come in here? No, not if you come in here. If you don't come, then you get arrested. I have a question. If you want to represent yourself, you have to come up to the table here.

*[*Comment: Here, we see the implications of "representing yourself." It brings you "in bar."*]*

DANIEL: Yes.

COURT: You walk up here on your own free will.

DANIEL: I don't have any free will.

*[*This is an excellent point to make. It is not defensive, and it makes it clear in this "trial of spirits" that Daniel does not serve the natural man's god. And it also forces the Court to show the extent of its police power when it has determined that it has full jurisdiction over "THE DEFENDANT"*.]*

COURT: Well, you walk up here because I tell you to.

DANIEL: Yes.

COURT: That is going to happen, isn't it?

DANIEL: Yes, if you order me back. And I can't sign any contracts with you.

COURT: Well, then you don't waive time. If he doesn't waive time, he doesn't waive time, does he? He doesn't have to sign anything if he doesn't waive time? He has to sign an O. R.

*[*Comment: At this point, we see from the above statement from THE COURT that the judge is flustered and probably running out of patience. The statement is what is known as "convoluted diatribe" for confusion purposes.*]*

BAILIFF: Promise to appear.

COURT: You have to sign a promise to appear. You do have to do that. I am just checking with the procedure. That is also in the Penal Code. That is a law of the State of California. I know that you abide by the law of the State of California because you have told me that before.

*[*Comment: This last statement stems from Daniel's earlier statement that "I accept the law." We see here that the judge hears every word that comes out of your mouth.*]*

DANIEL: If I did not sign it, I would be - - I would be arrested and put in jail; is that correct?

COURT: If you don't sign it, then I can't release you O. R. This is an order by the Court that you return to this court for your pretrial conference.

DANIEL: Yes.

COURT: I can't release you O. R. without your signature on this, and that is Penal Code Sec. 1216, which is noted right here on the bottom of the page.

DANIEL: I would like to get this over with because I have been persecuted by the Beastly Police Department for ten months.

*[*Comment: This reference to "ten months" consists of "building code violations," the earlier "traffic case," and this present case.]*

COURT: All right. I am going to - - I want to release you on your own recognizance. In order for me to release you on your own recognizance, you must sign the O. R. form. Will you do so, sir?

DANIEL: I will sign this, yes.

COURT: You are released on your own recognizance pending your complying with the Court order that you sign an O. R. form. And we will set this matter for a pretrial conference on October 16th, 9:00 a.m., Division II. That would give the People sufficient time to find their file on this case, and then you can have a conference with the Deputy District Attorney that is in court. Do you want me to go ahead and set a jury trial or a court trial date at this time? Or what we could do is just set that pretrial conference date, have your conference with the District Attorney and then see if the matter can be resolved.

*[*Comment: With this last statement, the judge sends a "message" to the District Attorney that "the Ms." may have a difficult time with a conviction, since it would be the judge that would be determining the final outcome if it was to go to trial.]*

DANIEL: Yes.

COURT: Is that what you wish to do?

DANIEL: Yes. Thank you.

COURT: All right. And then pending that appearance - - I do not know the status currently of the - - I am familiar with the allegations. I have read the allegations in the police report. And a condition of your being released on your own recognizance is that you are not to practice medicine.

DANIEL: I have never practiced medicine.

COURT: So you do understand and accept that condition. All right. Please have a seat, and Deputy Swenson will have you sign the form and give you a date - - a slip of paper with a date on it.

Another Daniel in the Lion's Den *again* (continued)

Due to the extended length of trivial dialog by "THE COURT" in the following "Pretrial Conference" which was held a few days later, we present here (without commentary) only that portion of it that brought the substance, the Sword of the Word, to bear on the case.

After the many agencies involved had spent several months investigating our Daniel of today, and most likely thousands of "dollars" on it, we see in the following that when His bondmen shine the pure Truth from the Spirit of God on the darkness of these synagogues of the natural man and his vain imaginations, that darkness is exposed, and they can do nothing against the Truth.

The final outcome of this "Pretrial Conference" and "Case" was that it was ended that day, without a fine or any additional jail time (he had spent two or three nights in their gray-bar hotel previously). With this deliverance from the lion's mouth, we can all say--Praise be to Him, and Him alone--Abba, Father.

COURT: The People are saying they are not going to respond in writing [*to the abatement]. Will somebody actually be here from the District Attorney's Office to argue?

MS. DA: As to the abatement?

COURT: Yes. We do have to deal with the issue. The motion has been filed.

MS. DA: That, Your Honor, I would have to check with Ms. Gantry. She has contacted us here. She has received that. She did not intend on responding in writing. I do not know if she will personally be before the Court.

COURT: If she does not, will you or another representative of your office just be prepared on this?

MS. DA: I would assume so, yes.

COURT: Okay. So that needs to be resolved. Are you prepared to argue it today?

MS. DA: No.

DANIEL: May I speak a few minutes? Maybe I can clarify.

COURT: Certainly. Go ahead.

DANIEL: I am a bondservant of the Lord Jesus Christ, and I am here to execute His will and testament, and it is written from the beginning that man does not live by bread alone but by all the words that proceedeth out of the mouth of God, and so I have to do His will. And I believe it is written, as He has accepted me, I will also accept you. From the beginning it is written -- and it is also written that thou shall worship the Lord thy God, and only Him thou shall serve.

I am His bondservant and must do His law. I believe it is written in your law that any law contrary to the law of God is no law at all. I do His will. I am a minister.

It has been written from the beginning that the fruit of the trees are for -- the fruit of the trees are for meat, and the leaves are for medicine, and it, also, has been written from the beginning that the leaves of the tree are for the healing of the nations. And so I couldn't be willful in the thing that I am accused of.

And I believe it is also written in your law that an act -- any act -- an act does not make a man guilty unless the intention be guilty. It is not my will. It is His will. And so first in time is first in right. That is written in your law, I believe.

And so it has been written from the beginning that Jesus Christ went from village to city healing the people and curing their afflictions. And, again, as He has accepted me, now I have accepted you. I am commanded by Him to do this.

And, again, he who is before in time is preferred in right. I believe that is written in your law. It is also a perpetual law -- that no human law can be perpetual.

And manifestation of the spirit has been given to every man to profit with all and so some, the gift of faith, some, the gift of healing, and if a man knoweth to do good and doeth it not, to Him, it is a sin.

I believe in -- also, in your law it says that afflictions arise from law and law -- and not law from afflictions. And so I could not -- also, bankrupt entities have no force or effect in law, and I believe it has been written in your law that cities such as the City of Beastly and corporations such as the City of Beastly and corporations such as the State of California or the County of Los Angeles have no soul and, therefore, cannot be sued, and they are dead. The dead cannot receive an injury. I believe that is also written in your law.

And the word of God says the body without the soul is dead, and the dead know not anything. We are to avoid the appearance of evil.

And I believe it is written in your law that licenses are permission to do what would, otherwise, be unlawful, illegal, a tort or a trespass.

And I do the will of my Father in heaven, and nothing about Him is evil.

And there is also no law that says that the living should be joined to the dead.

COURT: All right. Have you completed what you wanted to state for the record at this time?

DANIEL: No.

It is also -- we are commanded not to be unequally yoked with unbelievers, and I believe it is written in your law that the unequal things ought not to be joined.

COURT: I am not sure that I understand that, what you just said, so if you want to clarify. How does that apply--

DANIEL: Unequal things should not be joined, so --

COURT: What are you talking about that is unequal?

DANIEL: It goes back to, there is no law that says that the dead should be -- or the living should be joined to the dead, and the corporations are dead. It is ruled in God's law and, also, I believe, your law. So I should not be joined to the dead.

COURT: You mean by being -

DANIEL: The authority of my Father in heaven.

COURT: I see what you are saying. You are saying -- basically, what -- I have heard your arguments, and, basically, you have got two different areas that you are arguing. One, again, relates to factual issues, the factual issues being that you lacked the criminal intent. You have stated that. And your other argument was, along those lines, relating to use of -- I am assuming there is some use of herbal healing, and that is --

DANIEL: I use God's herbs.

COURT: -- that that is not a violation of the law.

DANIEL: That is correct.

THE COURT: And so those are factual issues.
And then, also, the legal issue would be whether or not the People would be able to proceed against you --

DANIEL: Lawfully.

COURT: -- lawfully based on the argument that you have made about not being able to join the living with the dead.

And so we have both the legal issue that needs to be resolved by way of your motion and then the factual issues. Depending upon how the Court rules on your legal issue, the factual issues are issues that then would be determined by a jury and -- or a court, depending upon whether or not the sides in this case want to proceed and agree to proceed by way of a court trial or a jury trial.

Now, since you are representing yourself on this case, do you have any issues at all at this point by way of discovery? Have you received the police reports in the case? I think on the last date when you were in court, you received a packet. Yes.

DANIEL: Yes. I am not interested in that.

COURT: You don't have any issues right now. There was someone else here earlier that had an issue regarding a desire for the People to do an investigation.

Is there anything at all at this point in time that you feel you do not have that you would need from the Prosecution by way of discovery for alleged evidence?

DANIEL: No. God is my witness and the Holy Spirit and the Son.

The Power of His Word

Our Brother, Joseph Robert, now sojourning in the area of Washington state, or thereabouts, sent us the following three accounts of his encounters while sojourning in a fictitious jurisdiction called The State of Arizona in previous times. We hope and pray that all are edified by the testimony given, showing that the Power of the Word does, in fact, slay the principalities and powers of the world.

In 1976 "my world" as a "human being" was falling apart. So I "hit the highway" as a "hitchhiker." My biggest fears (remember the story of Job in the Old Testament) were perverts and thugs in uniform. Perverts were easy, I simply said "the next stop is mine" and got out of the car. Police, well, they were something else. I hitchhiked from 1976 until 1994, at which time I stopped asking men for a ride, and began to ask God, who has, without a doubt, always provided me with the spiritually correct ride.

Over the years I never went to jail or got roughed up, but I did get intimidated and was left feeling "emotionally raped." Something wasn't right; I could just feel it in my bones.

By 1994 my relationship with God was beginning to truly develop, and as such I began to ask Him for more advice and information on this "legal" dilemma that was troubling me, which was about "I.D." and its "law." At first I tried to "travel" without any "I.D." (and sometimes not), but I was always being confronted by Johnny Good Boy only to end up never completely satisfying their curiosity; for they were never satisfied.

Always, they wanted to know more. They were just like a machine: how old are you? when were you born? what's your address, etc. I then tried getting them to agree up front by asking them if they would be content with just the name?

Then in 1996, no doubt in response to my prayers to the Lord to help me with this matter, a ride opened my eyes with knowledge and information about "sovereign citizen" stuff. He was associated with the "freemen" of

Montana at the time. At first it seemed to work, but right away I was beginning to find flaws in their "system."

Besides, you had to carry a lot of paperwork quoting codes, rules, and regulations. Still in search of the truth, I was directed by this same man to the Jural Society in California. Once I discovered the true nature of I. D., through them, I set out to test it by going to my nemesis, the State of Arizona.

Arizona has, in my book (and in the book of the local people there), the epitome of the Gestapo resurrected in the United States. Arizona has on its statutes a bazaar "law" that says in effect, that when an officer asks for I.D. and you don't present it, they can arrest you, even if you're doing everything else "legal" according to their "law." To accommodate them, I generally remain behind the "No Pedestrian" sign located on the freeway on-ramps; or, as is the case of the account in Oro Valley (read on), I walk facing the traffic on a busy street.

The following are accounts of recent dealings with Johnny Good Boy and Jilly Good Girl of the Arizona Highway Patrol and the Oro Valley Police and Sheriff near Tucson, Arizona.

In the seventh month of the one thousand and nine hundred and ninety eighth year of our Lord and Savior Jesus the Christ I was waiting for my ride on the on-ramp of Dysart Road and Interstate ten, about twenty miles west of Phoenix, when hear came two Johnny Good Boy's in the guise of the Arizona Highway Patrol. As they stepped out of the car I could see one was the senior officer and the other appeared to be a young rooky in training, and I had the feeling that I was supposed to be his next lesson.

"Good morning," said the senior officer.

"Greetings and salutations in the name of our sovereign Lord and Savior Jesus the Christ," I said.

"Do you have any I.D.?" was his response in a gruff voice.

So that we all knew we were talking about the same thing, I begin by defining what it is the man was looking for.) I said:

"Identification: that which is used to describe the status of the holder as a citizen, resident, driver-- (they were starting to nod their heads)-- operator, passenger, pedestrian-- ("yeh, yeh," he murmured)-- hitchhiker-- ("got any," he said?);-- none of which I am; and for me to have such a thing would falsely describe me and disparage my father God. But, I do have something better..."

"What's that?," again in a gruff voice.

I continued, "I have here the Holy Scriptures which describes me as a good and lawful Christian."

"Where are you going?" said one.

"Wherever my Lord and Master leads me," said I. At which point, the senior officer turned to the junior officer and said:

"We're not going to get anywhere here." Then turning to me he said:

"Have a nice day sir," and they turned to walk away. Halfway to their car, the senior officer turned to me and said:

"And don't go beyond that sign (pointing to one of six "NO PARKING" signs along the ramp, not realizing I was already standing at the "NO PEDESTRIANS" sign.

I do believe he was left a little confused by my responses.

* * *

It was the fourth month of the one thousand nine hundred and ninety ninth year of our Lord and Savior Jesus the Christ.

Oro Valley, Arizona.

A blessed and comfortable warm day, and Johnny Good Boy was out in force stopping people left and right. So in hopes of being left alone, I decided to walk facing the traffic. And no sooner thinking that I didn't want to be harassed, here she came, Jilly Good Girl with red and blue lights aflashin'. When I saw her coming, I got out my glasses and Bible and waited for her.

"Good morning," she said.

"Greetings in the name of our sovereign Lord and Savior, Jesus the Christ," said I.

Her response - "Do you have any I.D.?"

My response - "Identification: that which describes the status of the holder as a person, resident, citizen,-- (she began to nod her head)-- driver, operator, passenger....

"Yeah," she said as I continued.... pedestrian, hitchhiker... "Yeah," she said again, "do you have any..." and I continued, "none of which I am."

Her chin fell to her chest with mouth wide open. As she stood there with her mouth agape, I said:

"But I do have something better..."

"What's that," she said.

"The holy scriptures (holding up my Bible) describes me as a Good and Lawful Christian, are you?"

"Yes," she said.

With this being her answer, the Spirit of God put the following response on my lips:

"Good, maybe you would like to sit down and discuss the Scriptures for a moment.

With her heart being hardened to this, she said, "Some other time. What's your name?"

At that time, there was only one answer to such a question:

"Name: the note, mark, or symbol of something given by those in authority only to those in subjection, and I am only in subjection to my Lord and Master Jesus the Christ. Only my Father knows my name, for it is written in His book of Life; but if you call me Joseph Robert, I will respond.

"Well Joseph Robert, what's your last name?"

Standing fast in the Word, I could only respond-- "No, no. You don't understand. I don't have a name, but if you call me Joseph Robert, I will respond.

For the next several minutes she kept pounding away at this "name" thing. Finally, she said, "Well you had a family name at one time, didn't you?" To which I had to honestly say, "yes."

"What was it?" she asked.

"Emmett," I said. "And that's with a colon between the "Joseph Robert" and the "Emmett."

By now, a second Jilly Good Girl had arrived and was standing next to the first one. This second one, I thought at first, was a supervisor of some kind.

Their military noose began to tighten:

"If you don't show me some I.D. I'm going to have to arrest you."

Again, our Shield and Buckler was with me-- "You do what you must. I can only tell you what our Lord and Master has said."

"What's that?"

With the Lord beginning to open her heart with this question, I was moved to say, "Not to fear those who can harm the body, but fear only Him who has the power to cast both body and soul into hell."

By this time, a third officer, a Johnny Good Boy, had arrived and sat on the front fender of the lead car observing the goings on.

At that point, our "Good and Lawful" Christian "girl" asked me, "Is there anybody here (in Tucson or Oro Valley) who can verify who you are?"

Again, the Spirit of God bearing witness, "My Father knows me, and if you knew my Father as you say you do, then you already know me, for he sends me. The Holy Spirit knows me, and all of the saints of heaven bear witness and I bear witness of myself. Which, even you must admit, makes it a majority.

Without showing any "emotion," she continued to pound away, "Where do you live?"

"Wherever our Lord and Master sends me."

Unrelenting, she asked, "Where did you sleep last night?"

"In the bushes," said I.

"What bush? There's lot's of bushes around here."

"Would you like to see?," I asked.

"No. Just tell me where."

With no purpose to conceal, I said, "Near the local shopping center."

Having satisfied her curiosity, she moved on to, "How old are you?" The only answer being, "I don't know."

"Well," she continued in a perturbed tone, "when were you born?"

Again, the only answer being, "I don't know, I wasn't exactly conscious at the time, and my Father has never told me. Besides, in your law, that's hearsay and irrelevant."

She, of course, tried to convince me otherwise but I wasn't going to volunteer to be the fiction she wanted me to be, so I remained in the Truth.

At this point, she left me with her "sister" officer and went back to her car and the other officer to call in for advice, no doubt, and to see if there was something to arrest me for, other than just being one of their "usual suspects" walking down the street minding the Lord's business.

During this break in the "action," I turned to the "sister" and ask her, "What's this all about? I don't quite understand. Even in your law I was doing no wrong, so why all of the hoopla and commotion?"

In typical bureaucratic fashion, her response was, "I don't know, you'll have to ask the initiating officer." (With this, I knew she was not a supervisor).

I said, "Well, I'm here to execute Christ's Testament and bear witness to somebody, so perhaps you're here for that purpose. Her eyes got real big when those words were spoken. So I continued:

"How are you with the Lord?"

"Oh, I'm ok," she said in a low voice.

"Well, that doesn't sound too enthusiastic," said I. "Do you go to "Church" or something?"

"No," she said, "I don't have time. I'm a working single mother with two jobs and a seven year old boy."

For the next couple of minutes her and I developed a good rapport and were in good spirits when the first officer returned.

"Well, you can go Joseph Robert," she said.

"Of course," said I, and turning to the second "sister" standing there, I said, "be sure and take some time to study, if not for yourself, then for the boy's sake."

Wishing them a Good day in the Lord, they left, and I continued on to go where the Lord led me.

The next day.

About twenty five miles north of Oro Valley in a deserty place where the nearest house is about two miles away it was just me and the jackrabbits having a long wait on a blessed day for the next ride, and along came another Johnny Good Boy from the sheriff's patrol.

On went the flashing lights.

Out came the Bible.

He got out of his car and started with "good morning," which is always their way of getting you off guard.

"Greetings and salutations in the name of our sovereign Lord and Savior Jesus the Christ," said I.

And, of course, he said "Got any I.D.?"

And, of course, I said "Identification, that which describes the holder as a citizen, resident, driver, operator-- (his head was beginning to nod)-- passenger, pedestrian, hitchhiker--

"Got any?"

--none of which I am, and for me to have such a thing would falsely describe me and disparage my Father God, for it is written, thou shalt not bear false witness. But, I have something better."

"What's that?"

"I have here the Holy Scriptures which describe me as a Good and Lawful Christian. Are you?"

"Yes. What's your name?"

And again, "Name: a name is a note, mark or symbol of something given by those in authority only to those in subjection, and I am only in subjection to our Lord and Master Jesus the Christ. My name is written in the Book of Life, sealed by the Holy Spirit, and known only to my Father God. However, if you call me Joseph Robert, I will respond.

And again, "Well, Joseph Robert, what's your last name?"

"As I have said, I don't have a name, but if you call me Joseph Robert, I will respond."

This officer could not get past "the name thing," and finally used his radio to call in to see if there were any warrants. While waiting, he had the audacity to say to me, "I'm not here to harass or hurt you."

I could only bite my lip and say, "right."

I was tempted to say more but thought otherwise under the circumstances. The radio dispatch said, "we have no warrants or wants for Joseph Robert, but we do have one for a Joseph Robert Davis." The officer looked at me with a sardonic grin and said,

"Well, Joseph Robert Davis..."-- thinking that he had me. But I simply said, "nope, not me."

He was a little puzzled but had nowhere to go with it, made a few notes on his pad, and said "have a nice day," and left the scene.

I do not mind telling you that each one of these experiences has had my heart pounding in my chest and my knees, and sometimes my whole body shakes. Everything shakes but my neck and mouth which are calm and smooth. I usually continue to shake for five or ten minutes after the incident. I attribute all of this shaking to the movement of the Holy Spirit through me. Each one of these experiences has left me with the stark realization that the Word, and Work, of God does "slay the enemy." His Word is powerful and is the only way to keep the "land sharks" at bay.

In the past, each encounter with Johnny Good Boy usually lasted up to twenty or thirty minutes. Now, they're usually out of my face in five minutes or less. This is a testimony for the remarkable Testament of our Lord and Savior, to whom I attribute all good that has come out of these encounters, and all other experiences in my life. Hallelujah, and Amen. Glory be to God forever.

The Power of His Word ...*Continued*

Our Brother Joseph Robert, currently sojourning with us here in Southern California, recently sojourned from here to the Northwest and back again. The following is an account of one of his encounters during that sojourn and the blessings thereof, and his afterthoughts that we hope will be for your edification.

September 23, 2000. Interstate 5 at Brownsville exit, thirty minutes north of Eugene, Oregon. Linn county Sheriff's (two of them) allegedly investigating a nearby grass fire (which looked more like a farmer burning his field -- very common at this time of year) with the wind blowing towards the freeway. The first sheriff stopped 'because the fire department (there were none) said the fire could have been started from the freeway (it couldn't due to the direction of the wind).

On this fine day, sojourning with the Lord and waiting for whomsoever He was to send to meet me, and along comes Johnny Good Boy number one.

"Hello," says he. My response, "Greetings in the name of my sovereign Lord and Savior Jesus, the Christ."

"We're looking for a possible arsonist that started that grass fire; can I see your I.D.?"

And, as always, my response, "Identification: that which is used to describe the status of the holder as a citizen, resident, person, driver, operator, hitchhiker, passenger, pedestrian, none of which I am, and for me to have such a thing would falsely describe me and disparage my Father God, for it is written, thou shalt not bear false witness. But I have something better, I have here the Holy Scriptures which describes me as a bondservant of Christ Jesus."

"What's your name?"

And, again, my response--"Name: a note, mark or symbol of something given by those in authority only to those subject to that authority, and I am only subject to the authority of my Lord and Savior Jesus, the Christ. However, if you call me Joseph Robert, I will respond."

"Well, Joseph Robert, how long have you been standing here?"

"What do you mean?"

"Well, have you been standing here a long time, or a short time?"

My response was, "What I deem a long, or short time is irrelevant. I am required to wait patiently on the Lord. My sense of time is irrelevant. Sometimes He has me wait hours, days or weeks. It's all up to Him. How do you define a short or long time?"

"Well, a short time would be like a few minutes or an hour..."

"OK. a short time," I said.

And then he inquired, "Can I see the contents of your waist pack?"

"Certainly. No problem." I proceeded to reveal the contents of the waist pack and he seemed satisfied. About this time, number two Johnny Good Boy arrived and stood next to number one without saying a word.

"Well, Joseph, how old are you?"

"I don't have any personal knowledge; and besides, in your law it would be irrelevant and hearsay.

"Well, I'm not going to leave until you tell me your name, age, and how long you've been standing here."

"You're going to do what you're going to do. I can only tell you what my Lord and Saviour says..."

"What's that?"

"Not to fear those who can harm the body, but to fear He who can take the soul and the body and cast them into hell."

"Do you have any weapons?"

"Only the sword of Truth (holding up my Bible)...we are after the Truth, yes?"

"Yes. You should know that hitchhiking in Oregon is illegal." (In truth, it's not!)

"Excuse me?" I said.

"I said hitchhiking in Oregon is illegal."

"That may be so, but it only applies to persons, and it doesn't concern me, because as I told you before, I'm not a person, nor am I a hitchhiker."

He then asked, "What are you doing?"

"I'm waiting here to meet someone to whom I am to witness for the Lord. This is what I do; I move along the common way and witness for the Lord."

"Where do you live?"

"I live, move, and have my being in Christ Jesus."

Having given them nothing but the Truth at this point, he was left with, "Can we check the contents of your pack?"

I replied, "Certainly, but let's go down to the grassy area off the shoulder so as to keep things clean." (As we proceeded down the hill, he asked):

"Where do your earthly parents live?"

"I don't know." (They have passed on.)

"Do you have a wallet?"

"No, only this waist pack."

"Where do you get money to stay so clean and wear such nice clothes?"

"At the risk of sounding facetious, When God guides, God provides."

Beginning to mellow, he asked, "Will you tell me your...uh....your other...what else are you called besides Joseph?"

"Joseph Robert."

"Thank you." At this point, the first one went back to his car to check for warrants, or instructions on what to do; I'm not sure which. The other one stood by while I carefully laid out the contents of my pack and revealed the contents of all the pockets. The second one now said,

"You understand, we have a job to do."

And I said, "I understand that you have a job to do, and you must also understand that I also have a job to do; and no offense, but my Boss is Superior to your boss." Then the first one came back and joined the second one.

He asked, "Where were you born?"

"I have no personal knowledge. My Father has never revealed that to me."

"Where do you get mail?"

"I don't get mail. But if I did get any First class mail matter, it would be at the general post office."

Excited, he asked, "Where?" As I thought about this question, we all chimed in together as if they were reading my mind by now:

"Wherever I happen to be at the time."

Then they both said together, "In whose name do you get it?" Here I had to seek guidance as I thought, and then said:

"In the name of the church."

By this time their hearts were definitely softening, as they were now in good spirits. They were all smiles as I rearranged my pack, and the first said to me: "Well, Joseph Robert, I must compliment you on being so neat and organized."

My reply--"If any good comes from me it is only the work of my Lord and Savior."

"Well, thanks for your cooperation."

"Yes. God bless both you fellows." And as the Lord would have it, they replied:

"God bless you too."

And the Lord had me add, "By the way, next time you see me out here, stop to say hello, and we'll have some Bible study together."

And again, as the Lord would have it, they said, "Sure thing....goodbye."

Afterthoughts...

I had recently left the southland of California and had a wonderful fellowship with Randy Lee. During our conversation at that time, I had mentioned to Randy my distaste for these encounters with the police, and Randy enlightened me with the attitude to look upon them as a blessing as well as an opportunity to witness to them.

Needless to say, when the first officer appeared, the thought that immediately came to mind was to think of this as a blessing. And indeed, the very idea seemed to bring a fresh source of inspiration and goodwill in the handling of the matter that resulted in the positive outcome of the event. There can be no doubt that the spirit we hold in mind and heart in such situations indeed gives us 'fuel for the fire,' honors the Father, and, as in this case, 'heaps coals upon their heads.'

Our Father's Word has already told us of these truths:

"And they departed from the presence of the council, rejoicing that they were counted worthy to suffer shame for His name." *Acts 5:41 (KJV)*

"And if children, then heirs; heirs of God, and joint-heirs with Christ; if so be that we suffer with Him, that we may be also glorified together." *Romans 8:17 (KJV)*

"And labour, working with our own hands: being reviled, we bless; being persecuted, we suffer it:" *1 Corinthians 4:12 (KJV)*

"If others be partakers of this power over you, are not we rather? Nevertheless we have not used this power; but suffer all things, lest we should hinder the gospel of Christ." *1 Corinthians 9:12 (KJV)*

"If we suffer, we shall also reign with him: if we deny him, he also will deny us:" *2 Timothy 2:12 (KJV)*

"Choosing rather to suffer affliction with the people of God, than to enjoy the pleasures of sin for a season;" *Hebrews 11:25 (KJV)*

"My brethren, count it all joy when ye fall into divers temptations;" *James 1:2 (KJV)*

"For what glory is it, if, when ye be buffeted for your faults, ye shall take it patiently? but if, when ye do well, and suffer for it, ye take it patiently, this is acceptable with God." *1 Peter 2:20 (KJV)*

"But and if ye suffer for righteousness' sake, happy are ye: and be not afraid of their terror, neither be troubled;" *1 Peter 3:14 (KJV)*

"For it is better, if the will of God be so, that ye suffer for well doing, than for evil doing." *1 Peter 3:17 (KJV)*

"Wherefore let them that suffer according to the will of God commit the keeping of their souls to him in well doing, as unto a faithful Creator." *1 Peter 4:19*

How Unlawful Courts Gain Jurisdiction

The following is Appendix Seventeen from Greg Loren Durand's excellent 380 page book "*America's Caesar -- Abraham Lincoln and the Birth of a Modern Empire.*" The full book can be requested by writing to: Crown Rights Book Company -- c/o U. S. Post Office Box 769 -- Wiggins, Mississippi C. S. A.

Persona designata is defined by *Black's Law Dictionary* as, "A person pointed out or described as an individual, as opposed to a person ascertained as a member of a class [a political or religious community, or state], or as filling a particular [military or commercial] character."¹ In his *Dictionary of Latin Synonymes*, Francis Lieber likewise wrote, "*Persona* was the name given to 'the mask of the actor... that covered his whole head.'"² Two maxims of Law applicable in this case are *Persona est homo cum statu quodam consideratus*,³ and *Homo vocabulum est naturie; persona juris civilis*.⁴ Further understanding of this important legal concept may be derived from the following:

A person is such, not because he is human, but because rights and duties are ascribed to him. The person is the legal subject or substance of which the [civil] rights and duties are attributed.⁵

A moment's reflection enables one to see that man and person cannot be synonymous, for there cannot be an artificial man, though there are artificial persons. Thus the conclusion is easily reached that the law [statute] itself often creates an entity or a being which is called a person; the law cannot create an artificial man, but it can and frequently does invest him with artificial attributes; this is his "personality" [military character], that is to say, the "man-person"; and abstract persons, which are fictitious and which have no existence except in law; that is to say, those which are purely legal conceptions or creations.⁶

A juristic person is domestic in the state [forum] by which it was created (or by which it was expressly authorized). This theory has met with considerable support, especially in the United States, where indeed it may be said to be the accepted doctrine. Nationality [*i.e.* "U.S. citizenship"] in the present sense, as the factor which determines by what rules of law its legal constitution and capacities must be governed, is a juridical and not a political quality, and should therefore be determined by the legal and not by the political characteristics of the juristic person.⁷

Those who followed the O.J. Simpson murder trial in Los Angeles, California will remember that the perjured ex-police officer, Mark Fuhrman, repeatedly invoked his "Fifth Amendment privilege" when asked self-incriminating questions. It should be noted that the protection against being compelled to be a witness against oneself in the Fifth Amendment is included under what is commonly known as the Bill of Rights, not the "bill of privileges." "Persons," which are "fictitious" and "purely legal conceptions or creations," are granted privileges ("civil rights") by the "law" (statute) which creates them, whereas "all *men* are created equal and endowed by their Creator with certain unalienable *rights*."

We clearly see this distinction made in the Act of Congress of 3 March 1863, which rubber-stamped Lincoln's unlawful suspension of *habeas corpus*:

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1. *Black's Law Dictionary* (Sixth Edition), page 1143.
 2. Francis Lieber, *Dictionary of Latin Synonymes* (Boston, Massachusetts: Little, Brown and Co., 1854).
 3. A person is a man considered with reference to a certain *status*.
 4. Man is a term of nature; person of civil (Roman) law.
 5. Pollack, *First Treatise on Jurisprudence*, quoted in *Black's Law Dictionary* (fourth Edition, 1968), page 1300.
 6. *American Law and Procedure*, (1910), Volume XIII, page 137.
 7. E. Hilton Young, article: "The Nationality of a Juristic Person," *22 Harvard Law Review* 1, 3, 7.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the present rebellion, the president of the United States, whenever, in his judgment, the public [bondholders'] safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States, or any part thereof. And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of *habeas corpus*, to return the body of any person or persons detained by him by authority of the President....

If a man is necessarily a "person," then it would be highly unusual to speak of returning "the body of any person or persons detained," as if man may be imprisoned while his body is set free. However, once the fact is understood that a *persona*, represented by the *nom de guerre*, must first be assigned to a man, and *accepted by him*, before he may be detained under martial law, then the wording of this Act makes sense.

All "warrants" issued by William H. Seward "by the authority of the president" ordered the arrest of fictitious "persons," not men. Of course, the difference between the two was apparently understood by few, if any, of Lincoln's "political prisoners." Even today, the number of "warrants" successfully served would drop to zero if the intended recipients would decline to answer to the "name" written in all capitals on the document. The courts-martial also cannot lawfully proceed against or collect "war reparations" from any man or woman who does not allow themselves to become surety for the *persona*::

...[A] court cannot acquire jurisdiction to pronounce a personal judgment against one who has no residence with the state, except by actual notice upon him within the state, or by his **voluntary** appearance. The modern law does not seek to compel appearance, but if the defendant ["person"] is properly served and neglects to appear and plead, the court will render judgment against him for default of appearance.⁸

Perhaps the simplest method to abate the process of such tribunals, then, is to insist that one's lawful Christian [*God Given] name (or appellation) and surname (family name) be spelled in the court's documents in proper English:

A person's name consists in law, of a given or Christian name, and a family surname. It has been said that a description or abbreviation [initial] is not the equivalent of a name....

The Christian or first name is, in law, denominated the "proper name," and has been used from early times to distinguish a particular individual from his fellows.... Originally, it was the only name which was recognized in [the common] law, and consequently, it has always been considered an essential part of a person's name. The giving of a wrong Christian or given name to a person, in legal proceedings or in conveyances, generally constitutes an error which may invalidate a judgment or deprive the record of an instrument of its effect as notice. It has been held that the law knows but one Christian name of a single individual.⁹

Misnomer. Mistake in name; giving incorrect name to person in accusation, indictment, pleading, deed or other instrument. Under rules of practice in some states, such is ground for dismissal by motion. In most states, however, as well as in the federal courts, such misnomer can be corrected by amendment of the pleadings.¹⁰

8. Benjamin J. Shipman, *Handbook on Common Law Pleading* (1923), page 23.

9. *57 American Jurisprudence* 2d, Sections 1 and 4.

10. *Black's Law Dictionary* (Sixth Edition), page 1000.

Misnomer is a good plea in abatement, for since names are the only marks and indicia which human kind can understand each other by, if the name be omitted or mistaken, there is a complaint against **nobody**.¹¹

If the Christian name be wholly mistaken, this is regularly fatal to all legal instruments, as well declarations and pleadings as grants and obligations; and the reason is, because it is repugnant to the rules of the Christian religion, that there should be a Christian without a name of baptism, or that such a person should have two Christian names, since our church allows of no re-baptizing....¹²

It is in the process (paperwork) of these courts that they depart from the common Law and all the rights that are protected therein. The common Law, from which the writ of *habeas corpus* issues, is concerned with justice between men, and does not deal with fictions. In a literal sense, the common Law, then, is the law of the *land* (substance, public Law), not the purported law (fiction, private contract law) which is generated by paper. On the other hand, "it is precisely those enterprises [persons] that are 'creatures of the law' to which the fourteenth amendment is addressed."¹³ The venue of such courts is necessarily in equity, because they serve to enforce contractual obligations between fictions (the corporate United States and its "citizens"), not to decide on constitutional matters.¹⁴ The quotations provided below are relevant to an understanding of what is actually happening in these courts:

Fictio.... In Roman law, a fiction; an assumption or supposition of the law. Such was properly a term of pleading, and signified a false averment on the part of the plaintiff which the defendant was not allowed to traverse [challenge].... The object of the fiction was to give the court jurisdiction.¹⁵

Fictitious. Founded on a fiction; having the character of a fiction; pretended; counterfeit. Feigned, imaginary, not real, false, not genuine, nonexistent. Arbitrarily invented and set up, to accomplish an ulterior object [*i.e.* to trick the unsuspecting into submitting themselves to an unlawful court].¹⁶

Both in Roman and English [statutory, civil] law there are certain obligations which were not in truth contractual, but which the law treats as if they were. They are contractual in law, but not in fact, being the subject-matter of a fictitious extension of the sphere of contract [jurisdiction] to cover obligations which do not in reality fall within it.¹⁷

Constructive/quasi-contracts are created by statute on the premise that they are needed as a matter of reason and justice [when martial law is in force], and are allowed to be enforced *ex contractu*.¹⁸

11. Matthew Bacon, *A New Abridgement of the Law* (Philadelphia, Pennsylvania: Thomas Davis, 1832), Volume IV, page 7.

12. Bacon, *ibid.* (1846), Volume VII.

13. Pollack, *Racial Discrimination and Judicial Integrity* (1959), 108 *University of Pennsylvania Law Review* 1.

14. A court is required to give some kind of notice to those present as to the nature of the proceedings. Most often, this notice is given in the type of flag that is flying in the court room. The gold-fringed military flag of the United States, with either an eagle or spear finial, will always accompany proceedings in equity under the fourteenth amendment.

15. *Black's Law Dictionary* (Sixth Edition), page 623.

16. *Ibid.*, page 624.

17. *Salmond on Jurisprudence* (England: Sweet and Maxwell, Ltd., 1937; Ninth Edition).

18. *Kraft Foods Co. of Wise v. Commodity Credit Corp.*, 266 F.2d 254; *Hill v. Waxberg*, 237 F.2d 936.

Ex contractu is a form of action under the civil [roman] law, whereas under the common law it would arise from actions of case, trespass, replevin, trover, or detinue. *Ex contractu* actions are from the civil law, not the common law, and are enforced by actions *in personam* [against the "person"].¹⁹

Thus, by assigning a *person designata* or a "fictitious name" to a living, breathing man, the military tribunal is able to view him as having been "born" (created) within the corporate United States and therefore, through the subsequent process-known as "novation,"²⁰ he is rendered "subject to the jurisdiction thereof" and becomes obligated to pay his "fair share" of the unlawful debt legalized by the Fourteenth Amendment. Although this is done "to deceive or mislead," under the laws of war, deception is legal, and the United States Government is therefore under no obligation to reveal its most useful *ruse de guerre*. Synonyms of this statutory "person" are "natural person," "U.S. citizen," "individual," "taxpayer," "consumer," "resident," *etc.*

19. Indep. School District of White Bear Lake v. City of White Bear Lake, 292 N.W. 777.

20. Novation is defined as "a type of substituted contract that has the effect of adding a party, either as obligor or obligee, who was not a party to the original duty", *Black's Law Dictionary* [Sixth Edition], page 1064.

Non-Statutory Abatement Handbook

[Important Note: For those of you who are new to the abatement process, we recommend you do not skip anything in this article, but read everything very carefully. You are solely responsible for knowing and understanding all of what is said herein. We are not responsible for your loss or gain from your use of the Non-Statutory Abatement process. No hierarchy is claimed and you should never look for one.

You have the Law written in Scripture, and you have your relationship to the Holy Spirit, Who will guide you to the Truth. Consult Them first before you contact us.

This work contains the newest abatement, default, and updates. This process must be served by two or three brothers in your assembly.

For those of you who do not have an assembly of two or three brothers to serve the abatement, you must use our older abatement with our older ways of serving the abatement.]

Preface

In a nutshell, a non-statutory abatement is strictly the Law of God. It is served upon those who are coming against you; those who the complaint is coming from. It's served on them personally by the Christ's assembly at wherever you happen to be; the Christ's assembly meaning "For where two or three are gathered together in my name, there am I in the midst of them" (Matthew 18:20). It doesn't have to be a Church or anything like that.

And the abatement is presented as a covering for whoever the government is coming against **unlawfully**. However, if you've committed evil, as defined by God's Law and not by man's law (which would be contrary to God's Law), then the abatement would not apply in your particular case, because we're to submit to those authorities when we have committed evil.

Whatever they believe that you're violating, which does not violate the Law of God, can be abated by serving it upon them. They have ten days to answer, and when they don't answer then the brothers go back and serve a default upon those defendants (they become defendants when you serve the abatement).

The first abatement was done by Almighty God, when he drove out Adam and Eve from the Garden of Eden, and put Cherubims and a flaming sword, to keep them away from the Tree of Life (Genesis 3:24). And that's basically what an abatement does; it throws their action out. Our Father was the first abator, because Adam and Eve were not following His Word, they decided to partake of the tree of the knowledge of good and evil. Which means they decided to re-define what good and evil is, they became their own god and said, "Wow! We can be God. We now know what good and evil is. We're going to define it in our own image and likeness because we are now god (Genesis 3:5)."

And that is really what happens when government goes beyond its duty. An abatement suspends their nuisance until they answer to the Law. The duty of a true, lawful, ordained government is to punish evildoers, and praise them that do well (John 18:22-23, Romans 13:3-4, 1 Peter 2:14). That's what you submit yourselves to. That's why the governments and magistrates are in place by the Lord, to punish your evil.

When the government goes beyond that, when they start licensing everyone, you must ask, "Why are they doing that?" Anything contrary to the Law of God is really no law at all. And their law is the Law Merchant. And when the Lord has written it on your heart to repent and no longer partake of that system, and that system wants to continue to try to draw you back to them, to draw the "old man" back, then that's where the abatement comes in. But the abatement will not be successful for anyone if they've not repented. Repentance is the first step, then the abatement comes.

You have to be walking in the Truth, because it is a document of Truth, it declares the Truth. And it can only declare the Truth if you're walking in it. That's a walk of Faith.

For those who ask about the physical origin of the non-statutory abatement, there is no origin in man's law, that's why it's called a "**non**-statutory abatement." The abatement is a document of faith. It's origin is in Genesis, when God abated Adam and Eve. There are many more examples in scripture of abatement. Seek and ye shall find. As long as it's in the Truth, it's "origin" is irrelevant.

Introduction

The Non-Statutory Abatement process is a continually developing Work, by the Grace of our Father, by and for all of the Christ's bondmen. We have but one goal. To compel the *provisional governments de facto* conducting *civil affairs* at the federal, state, county, and city levels, their agents (tax collectors and banks), and assigns - to keep the Law. If they do this, they will leave God's children alone and let them continue to live in the Peace of Our Lord and Saviour Jesus the Christ.

Contrary to the media and the press, we are not anti-government, and we are not 'paper terrorists' or any other kind of terrorists trying to overthrow the civil power; very simply, we seek, not to do our own will, but to do our Father's will as did our Lord and Saviour Jesus the Christ. We know that current *provisional* governments exist to keep the "low and lawless forms of humanity"¹ from doing violence to all, including themselves. Thus, as Lawless as the current *provisional* governments are, without them there would be total anarchy.

Many people say, "the government is doing this bad thing to me," or "the government is trying to force me to do this act." But this is not true. The government doesn't do anything to you, it's the individual officers that are doing these things to you. That's why we deal with those officers who come against us.

The need for an abatement usually comes about because we were partaking of the things of the world. In order for the abatement to work, we must have repented from those acts and no longer partake of those things. When the world comes against you and tries to pull you back into their system, that is when the abatement will stop that action. But if you are still partaking of their system, the abatement will not work. The abatement brings the Truth to bear upon them, and if you are not living in the Truth, the abatement will not work. This is actually a blessing! Because this aspect of the abatement prevents people from abusing it. You will be tested to see if you are who you say you are. If you're not who you say you are, the abatement will not work. It can't be abused this way.

The real problem has nothing to do with law, but religion, as George Washington said in his Farewell Address: "One's god dictates the kind of law one implements and also controls the application and development of that law over time. Given enough time, all non-Christian systems of law self-destruct in a fit of tyranny."

Thus, we seek to restore the vitality and enforcement of God's Law for all men in all ages. This means, of course, a full restoration of the customs and usages of Christians applying God's Law, all for His Glory, to live their everyday lives.

There are some who despise the Christian agenda. That is their problem, not ours. After years of study in the origins of true common law, we know its roots are Christian.² For us it is simply God's Law extended and applied by Christians in England and America, and it will take Christian Men and Women today to provide the Godly system that will once again put the church on the march.

An abatement is a recognized procedure in jurisprudence. It comes out of the English Common Law (before it was merged with commercial law), which was based upon scripture and derived from scripture; it's basically God's Law applied.

The Works herein are, for us, one more step in the process of restoring true Law, as we attempt to take a few more steps on a very long road back from the Dark Age of Humanism which has claimed more victims than

1. *Arkansas v. Kansas & T. Coal Co.*, (CC.) 96 F. 362

2. See *Christian Philosophy in the Common Law*, by Richard O'Sullivan, K.C., The Newman Bookshop, Westminster, Maryland. Available from The Christian Jural Society Press.

Europe's Black Death. The Handbooks, from modest beginnings, have sparked a new interest in local Christian government and have also provided tools to restore Lawful government at the local level, which helps bring knowledge, understanding and hope into the Christian arena.

The Non-Statutory Abatement Handbook is the first in a series of non-carnal Lawful weapons that can be used to retard the advance of Imperial powers, until members of the Christ's assembly everywhere return to His old paths from the whence they began to err.

Our position is: "**Law is better than blood - one Law for all.**"

Who Non-Statutory Abatements are for

Abatements are for those bondservants of Christ who are committed to pressing the Crown Rights of King Jesus and who are willing to take on the responsibilities related thereto. They are for those who are willing to throw off the 'chains that bind them,' known as 'commercial activity,' 'benefits, privileges and opportunities from a secular world,' and all of the attachments created thereby. Repentance in these areas is essential for a successful abatement. They must have the Christian Discernment necessary to hold off the encroachment of 'the powers of the earth.' The ability to do this comes only through Knowledge, Understanding, Wisdom, and Perseverance *under God*, and most importantly, Prayer.

Who Non-Statutory Abatements are not for

Abatements are **not** for those who are looking for a 'quick fix,' 'silver bullet' or 'a magic remedy.' Abatements are **not** for those who believe that a few words on a piece of paper are going to make all of their troubles go away, and then go on about their 'business' engaging in the activities within the **private** *lex mercatoria* of the un-Godly. Abatements are **not** for those who put their faith in a bank or insurance company for limited liability protection, instead of faith in God's protection. Abatements are **not** for those who want a vehicle to threaten a judge with a lien, etc., or are looking for some way to get revenge because they believe they've been injured, for "vengeance is Mine; I will repay, saith the Lord." Abatements are **not** for those who believe, through the teachings of their 501(c)3 Church, that you must obey all authority, even if it be an un-Godly one that rewards evil and punishes good. Abatements are **not** for those who are afraid that they will be called a 'religious nut' when standing on the highest Law, which is God's Law through Christ. Abatements are **not** for those who will cower at the appearance of 'an official' telling them that they must submit to their 'power.' Abatements are **not** for those who fear the imperial powers more than they fear God.

What Non-Statutory Abatements Do

Non-Statutory Abatements respond to the vast majority of imperial powers paperwork -- head on. When prepared and served properly, they've been very successful at stopping imperial arbitrariness, foreclosures, trespasses, suits, etc. (when the status of the abator is what the abatement says it is) -- **before they get started**.

Abatements have the force and effect of an indictment and/or an at-Law case or suit when used against current international/martial rule courts. When the defendant doesn't answer, and with Default properly written and served, the case becomes *Res Judicata*, i.e., final judgment has been made.

Abatements properly served with Default *nihil dicit*, constitute a public record of the defendant's abandonment of their suit.

Nihil Dicit: He says nothing. It is the failing of the defendant to put in a plea or answer to the plaintiff's declaration by the day assigned; and in this case judgment is given against the defendant of course, as he says nothing why it should not. Vide 15 Vin. Ab. 556; Dane's Ab. Index, h. t. - *Bouvier's Law Dictionary, 1856*.

Abatements turn those who file imperial process against you, from plaintiffs, to defendants, who under the rules of engagement during war, must strip themselves of all stratagems, and engage in their true character.

Abatements are low in cost to write and serve, and by ending an opponents case quickly, they lower dramatically the cost of maintaining and defending against imperial powers suits. Abatements follow the Maxim of Law that, "the law looks to the end of all litigation." Contrast this with the current "law" which is: **the only law is that which comes out of the judge's mouth.** Judges have the Midas touch, i.e., what ever he touches or says becomes law because he touched or said it.

Abatements discussed, herein, have been served all over America, Canada, New Zealand and Australia, and have been used successfully against: Federal District Courts, Internal Revenue Service, Bureau of Land Management, Department of the Interior, State Tax Entities, County Agencies, Bureaus, Courts, Banks and Loan Companies, and, countless others. **Note:** If your status is not what the abatement purports it to be, your abatement may be ignored. That is why it is very important to eliminate the ties, such as a driver's license, use of a Social Security Number through employment with a corporation (which receives its right to exist from the State), etc.

Sample abatements listed after the text are based on many years of experience and thousands of actions, served in every state of the union, Canada, New Zealand, and Australia, in all types of courts, jurisdictions, and venues.

More importantly, research on the abatement process has not only continued, but intensified, with a marked increase in the number of genuinely committed bondservants of Christ working on perfecting them through God's Word. Every word, clause, phrase, and sentence in the sample abatements has been gone over with a fine-toothed comb, and if there was any doubt about using a specific word, etc., it was researched and replaced.

The capitalization of nouns, appellations, and names, has been checked and re-checked.

Maxims of Law used in sample abatements are carefully selected for maximum utility.³

The point of explaining this is, **to caution Readers**, that any changes made in abatements herein, adding or removing words and sentences to existing text, etc., is dangerous, and may likely result in a document that is worthless. There are also those non-Christians and 'Judeo-Christians' (Yahveh-ites and Yahshua-ites) who have removed Christ and Scripture from the abatement, and have failed every time. No Law, no foundation. 'Private opinion, belief, or interpretation,' and 'denominational dogma' are not, and never have been, recognized in Law.

Replacing the text of the appellation of Demandant, name of the Defendant, Demandant's location for a Defendant to respond to (if he can), and Defendant's address, dates, title of paper being abated, etc., should be the only changes necessary, in most cases.

We know, that in spite of warnings, thousands have made and will make all sorts of frivolous, unnecessary, and harmful changes in the samples, **the vast majority** of which will compromise the abatement's effectiveness. We strongly caution the Reader against doing so.

Faith in God Works

The old adage that "faint heart ne'er won fair maid," can be re-worded as "lack of faith can cut your own throat in Law." Once, a man back east served a Non-Statutory Abatement to stop a foreclosure, one of the first such abatements ever done. It successfully stopped the banks foreclosure for six months. Then, the bank began sending nasty letters, making threats, etc. Instead of sticking to the abatement, he got involved in Leroy Schweitzer's Bank Warrant game, shammed his abatement and lost everything, and the man's position was now worse than before. It's sad that he never stopped to ask whether or not the Warrants were the godly thing to do.

3. From *Bouvier's Dictionary of Law* (1856) and (1914), and *Broom's Maxims* (1845). Bouvier's (1856) on computer discs and Broom's Maxims is available from The Christian Jural Society Press.

Faith in God's Law kept the wolf from the door in this man's case. Bank Warrants did not just re-open the door to foreclosure, **it smashed the door**, utterly.

What is so shocking is that men and women of otherwise good will have involved themselves in a very dangerous game that is utterly contrary to God's Law, and they still call themselves Christians. "What communion hath light with darkness?" In other words, walking with Mercury, i.e., "commerce," and walking with God at the same time are an impossibility, for "No man can serve two masters." We do not recommend anyone playing with Satan's instruments such as Bank Warrants, Bills of Particulars or Liens, no matter how great the temptation. Doubting God's Fidelity to his Word is equivalent to calling God a liar.

Non-Statutory Abatements: What They Are, and What They Were Never Meant To Be!

[An amended Article written in July of 1996 for Issue the Seventh of The Christian Jural Society News]

In a recent case up north in Oregon, a 'person' used an abatement and went to jail.

In another case, a 'person' in Louisiana used the abatement after appearing in court and complained bitterly when it failed.

And, one of those 'abatement gurus' who plagiarized and 'improved' our first abatement package, saw to it that 'his people' shammed their abatement when they tried to use his 'new and improved process.'

Do I have your attention yet???

From the moment I released the Non-Statutory Abatement process in January of 1995, there has been a concerted effort by some in the 'patriot movement' to discredit the process for one reason or another, none of which has damaged the process, but instead, has damaged these so-called 'experts in common law' and their unsuspecting victims.

These so-called 'patriots' not only have their own special 'insight' into how the process should be done, but have acquired 'pirated' material of the first abatement package and are selling it at sometimes exorbitant prices and leaving my phone number in it, so that I get all of the questions. In one case, an ex-bar attorney charged a man \$7,800, called him a 'sentient human being' (meaning, a conscious animal) in the abatement and the man ended up losing his house over it.

These tactics are nothing new in the law reform movement, which is one reason for the movements' tarnished name. These people are, in some cases, more corrupt than the 'government' they say needs to be reformed. The Scriptural injunction at Matthew 7:3 concerning the mote in another's eye is *apropos* here.

Examples of the abuse of the process are: removing all references to Christ from the abatement; telling people to use such un-Godly cites as the U.C.C., Title 42, Title 4, etc., which is private commercial statute law, in a Non-Statutory instrument; telling people to file the process into a court instead of serving it on a defendant personally; telling people to send the abatement Certified mail instead of Registered, thereby injecting it into a commercial venue; telling people to call themselves Respondent instead of Demandant; telling people that it's not necessary to serve the default if you don't hear from the Defendant; and finally, promoting the idea that one can use the abatement to threaten judges and I.R.S. agents.

I have the following to say about the above catalogue of abuses:

One. The abatement works when it uses the highest possible Law, which is God's Law. Removing Christ from the abatement reduces it to a form of law that can be easily dispensed with. [Replacing God and Jesus the Christ, with Yahweh and Yahshua, will sham the abatement because of the custom and usage of Christian nations using the former designations, even though they have the same spiritual meaning].

Two. Using statutory cites in a Non-Statutory Abatement process guarantees that the abatement will be ignored.

Three. If you file, instead of serve the process, you lose your court and are asking the un-Godly to decide against you.

Four. If you serve the abatement by Certified instead of Registered Mail, it will not have a chain of recorded custody in the process and you will be ignored, unless the court or agency is just as ignorant as one who uses Certified Mail. Certified Mail is also a commercial war measure instrument begun during Lincoln's War.

Five. Calling yourself a Respondent is an equity term and you are looked at in their law as a fictional *persona*. The parties will be cast with the wrong standing if this is done and guess who will lose in the conflict.

Six. Serving the Default and making Public Notice of same is absolutely essential.

Seven. Not being located at an 'address' is absolutely essential to have a successful abatement.

Eight. Using any form of process to threaten anyone, constitutes attempted extortion in all forms of law.

This last tactic has resulted in at least one arrest for threatening a judicial officer to date. This is precisely why the woman in Oregon who made the threat of filing a commercial lien on a judge for \$10,000,000 if he did not obey her abatement, was ignored and went to jail.

The man in Louisiana, while he was complaining, revealed that all the while he was trying to use abatements, he had two other cases going in the same court and had an attorney as well. One cannot render unto Caesar and unto God at the same time. Remember, there's always a rusty nail in the top of the fence for those who think they can ride both sides of it.

And, in the series of cases that were lost, mentioned above, it seems that the abatement package that was used had been 'improved' by an Ohio Title 42 'guru' and his 'business' partner. Apparently their Title 42 business was not doing as well as they would like and thus, one week after learning about abatements at one of our seminars, they were 'experts' and began doing seminars with the 'new and improved' statutory abatement. There is other such nonsense going on in other areas of the country as well. These problems will work themselves out in the end.

When a Non-Statutory Abatement is commercially improved, it becomes a statutory abatement, which, of course, has no force and effect anywhere, not even in Fantasyland at Disneyland or with Alice in Wonderland. Those who have Title 42 'businesses' [or *pro se* 'businesses'] and spend their lives encouraging people to 'hang 'em in court,' have a commercial twist in mind that once was very profitable. Losses in court [and the advent of the Non-Statutory Abatement process], however, have a tendency to depress one's stock in such commercial ventures.

Therefore, it is not surprising that the commercially oriented types will never be successful with an instrument such as a Non-Statutory Abatement, which is Christ-based, simple to understand when accompanied with diligent study and Discernment, and non-commercial.

Those who inject their own 'ideas' of law, based as they are on absolutely no Lawful Authority, actually believe that the court cannot tell the difference. It is so obvious in most cases that even those who are public 'drool' graduates with no prior experience in law can see when the abatement changes its character from a Godly one -- to an un-Godly and Lawless one. Looking at the secular statutory system, it can be likened to a first-year law student attempting to write a Supreme Court decision. Ludicrous!

The point is this: When one varies from certain pre-set guidelines established through long-standing usage and custom, one not only appears ignorant of the Law, but at the same time, shams their abatement.

Therefore, just as the *literati* of man's law know the difference in style between John Doe and John Jay, so do the courts recognize when a '*sentient common law sovereign citizen human being person*' injects its convoluted diatribe into the Abatement, thereby evidencing a conflict of law within *itself*.

Some will read this article who may feel that I'm expressing a certain type of arrogance in what I've written above. Let them believe what they will, or in other words, let the blind lead the blind or let the dead bury the dead. The truth is, The Christ's assembly were developing and using the Abatements a year before we released it to the country. We did the original research and writ writing -- from the authoritative sources. Others have done the plagiarizing, and mutilation.

This abuse and the deliberate moves to discredit the abatement process by some has come to the point where it is time for us to speak out against all of those who engage in such tactics and then call, write, or fax us, with the problems that result.

Now that I've vented my spleen, so to speak, I'll go through the basic guidelines, once again.

What Abatements Are

One. In Lawful courts, a Non-Statutory Abatement is a dilatory plea that acts to delay a plaintiff's action until certain errors in plaintiffs process are corrected. In this sense, it acts to **improve** plaintiff's process.

In military/commercial law courts, when the abatement is properly written and served, it comes to the court from a **higher Law** that the defendants cannot answer because they are bound by the Rules of Pleading in Codes, ordinances, rules, and regulations -- and not Law.

Thus, because all parties to the action must stand at the same level, i.e., have the same standing in the same law, and since the martial law courts have an inferior standing relative to Lawful instruments of any kind -- abatements act as an effective bar against un-Lawful process.

Therefore, they always go to default -- if one serves the Default soon after the Rule Day, i.e., the day on which the abatement goes to Default.

Two. The abatements were developed quietly for more than a year before they were released and we have continually refined the statements of Law therein, to the point where, the early abatement package is comparatively antiquated as far as the substance and quality of its content is concerned.

Three. The single most important factor in the success of the abatements has been the standing of the abater, i.e., the one who serves the abatement.

One **must** be living in Truth in order to have the standing in Law to bring a Non-Statutory Abatement to bear on a case.

Keeping a street or P.O. box number while trying to issue an abatement is fatal -- always. [See general post-office]

Four. The only law superior to the existing martial law powers, that is still readily accessible to bondservants of Christ, is God's Law, found in Christ and the holy scriptures.

Only by genuinely acting in the mode and character of a bondservant of Christ can one consistently bring Non-Statutory Abatements to bear against martial law courts, who have only a *form* of law.

One who is not a bondservant of Christ, or who professes to be one but believes they live under grace and not under Law, and does not act in the mode and character of a bondservant of Christ, i.e., follows the Law of God, will have the same standing as the courts, who see them as mere human beings, persons, individuals, etc., without Law and who are subject to every whim of the *reasonable* judge's fancy.

Five. Serving, not filing an abatement is essential, because that which is filed in the court is presumed to be an answer upon which the court may rule, thereby surrendering jurisdiction.

Since the court cannot hear Lawful process, it must rule **against** a filed abatement because it imports a Law foreign to the court, which the court by Rule, must deny and set aside.

Serving an abatement starts another action, a counter suit, if you will, which a court or martial law defendant has no standing to answer when the abatement is properly written and served by a bondservant of Christ. It remains in a godly venue across the board. Any deviation from these criteria simply shams the abatement.

Six. Any direct contact with a court by any other means such as: making an appearance; filing other process before an abatement; hiring an attorney; serving a court clerk (who will file the abatement into the court); posting bail or, signing an O.R. (release on your Own Recognizance); being arrested and making an admission or confession of information that will confirm the court's jurisdiction; making an appearance in an administrative hearing or answering a summons; where there is a damaged victim; or, if one as a matter of public record is the owner or employee of a corporation; renders the abatement of no effect.

The abatement is thus, the very first response a bondservant of Christ makes against processes of martial law courts, their agents or assigns, administrative agencies, banks, etc.

Do not respond to a letter with another letter. Respond in Law with a Non-Statutory Abatement.

Seven. Abatement is the proper response to a court or agency by any godly Woman under Coverture; i.e., when under the covering of her husband, father, brother in Christ, or the Christ's assembly, in accordance with Scripture.

The first abatement served in this case abates the process improperly brought against a godly Woman under covering. Such an abatement is always issued by the bondman of Christ sitting as the woman's covering, for purposes of Law.

What They Were Never Meant To Be

One. Abatements are not, never have been, and never will be a 'silver bullet', as some commercial promoters have claimed. They are for Christian preservation in cases where the abator is a bondservant of Christ living according to God's Law, for His Glory, to edify His assembly in every part of their being, and have not rendered damage to an innocent victim and are not rendering unto Caesar, i.e., not wasting God's inheritance by engaging in the ways of the Law Merchant by selling insurance, speculating in fictional commodities such as real estate, stocks and bonds, selling to the public-at-large, 'employment' by a Corporation, which gets its right to exist from the State, and other such commercial depravity.

Two. Abatements are not, never have been, and never will be used successfully by those who choose to live contrary to Scripture, by accepting benefits from a government that has deliberately chosen to operate under the humanist religion. Such benefits include receiving 'free delivery' of mail to one's home, office or P.O. Box; taking a license from the State to pursue the calling or exercising the duty [and Christian Liberty] for which he or she was given by Almighty God; receiving tax exemptions from entities never having the standing to tax anyone in the first place; accepting the conveniences and benefits of a government banking system or protection of an insurance company and other such activities that are contrary to Scripture.

Three. Abatements are not, never have been and never will be used successfully for one who has given jurisdiction to the court or agency by 'appearing' for them and accepting counsel and judgment from them. Accepting counsel and judgment from the un-Godly **is** un-Godly.

In closing, I will say this. The sooner all bondservants of Christ break these commercial contacts and disengage from the *lex mercatoria*, the sooner We will understand what True government really is. Living by God's Law preserves a people; living by man's laws destroys a people. [End of Article]

The General Guidelines

Non-Statutory Abatements take their name from the fact that the process exists and can be written - **not because of any statute passed by some legislature** - but by virtue of its **customary usage** arising out of God's Law. The authority for its use, therefore, does not require any legislature's stamp of approval.

As to the nature of an abatement, Shipman says:

There are certain preliminary objections to the maintenance of the suit, **which do not attack the core or merits of the plaintiff's case**. These **formal defects are waived, unless they are raised by the defendant at the first opportunity**. These were known in common law pleading as matters of abatement and suspension, and were raised by the so-called "dilatory pleas," since they tend merely to delay or put off the particular suit, by questioning the method in which it is pursued, rather than by disputing the very cause of the suit or right to relief in proper form. Dilatory pleas are to the jurisdiction of the court, alleging that it has no cognizance of the subject-matter; to the disability of the plaintiff, by reason of which he is incapable to commence or continue the suit, ...⁴

Thus, the only facts stated in an abatement are the facts of **defects in plaintiff's initial process** (the very first piece of paperwork sent to you), along with plaintiff's inability to bring a suit.

In Lawful dealings (not under The Laws of War), a Non-Statutory Abatement suspends a suit until a plaintiff can correct errors in his original process. If errors are corrected in a response to the abatement, plaintiff's suit continues. This is why a Non-Statutory Abatement is called a dilatory plea, because it acts to delay proceedings of a plaintiff's suit, but does not prevent the plaintiff from correcting his errors, and continuing his suit.

Note that the abatement only deals with the facts concerning the process itself, not the plaintiff's argument or the core issue or merits of plaintiff's case. Does the plaintiff have standing to bring the suit?; has he misnamed the defendant?; and other facts that have nothing to do with the core issues.

When the defendant (you) in the plaintiff's suit (administrative agency, bank, etc.) responds with a Non-Statutory Abatement, you the defendant, become the Demandant, not another plaintiff, and the plaintiff who filed the original suit becomes the Defendant in a new action, which is the Non-Statutory Abatement.

If, for whatever reason, the Defendant in the Abatement cannot correct the errors in his process or suit, he cannot pursue his original case 'in Law,' and the Abatement is said "to lie" against the Defendant (originally the plaintiff who brought the first action).

'Marks' are statements in the Abatement that list the **fatal errors** in the original plaintiff's suit or process, which the Abatement Defendant must correct if he wishes to continue his original suit.

Other fatal errors that may be stated in the 'marks' besides misnomer, are; misjoinder of causes of action, misjoinder, and misjoinder of parties.⁵

But, when proper Non-Statutory Abatements are issued against imperial powers, they have the effect of process at-Law and:

Suspend all proceedings in a suit, from the want of proper parties capable of proceeding therein.⁶

The 'want of proper parties' means that someone filed a suit who had no standing to file such a suit in the first place. Thus, it is impossible for someone to file a suit in one jurisdiction to try and reach a *purported* defendant in another jurisdiction.

One in a superior position cannot be sued by one in an inferior position in Law. Thus, parties under emergency powers, The Law of War, International and Municipal Law, have no standing in Law and thus cannot answer Non-Statutory Abatements from bondservants of Christ, who in fact, act in the mode and character of a

4. *Handbook of Common Law Pleading*, by Benjamin J. Shipman, Third Edition by Henry Winthrop Ballentine, West Publishing Co., St. Paul, Minnesota (1923) p. 29.

5. *Ibid.*, Common Law Pleading, p. 29.

6. *Ibid.*, under "Chancery Practice." p. 8.

bondsman of Christ. **The courts recognize the existence and power of God's Law**, but can do nothing about it because God's Law is the highest jurisdiction there is, and military law is the lowest.

The Rule is; those under The Law of War cannot answer processes at Law.

Plea Out of Bar

A plea in abatement is **not** a plea **in** bar, but **out** of bar. That is, a court cannot hear and judge matters that have not yet come under a court's authority. For cases to come under court authority, all preliminary matters, such as errors in the original process, (marked in the abatement) must have been resolved, or the plaintiff has failed to properly bring his case to you or the court.

In fact, there is no case and nothing for the court to hear. The case exists in the first place, because someone (plaintiff) serves process on someone else. But, a plaintiff cannot put a case **in** bar, unless his process complies with court rules, the first of which is, plaintiff's process must have **no** errors in it. Errors constitute defective process and are sufficient cause for a *purported* defendant to issue an abatement.

Since abatements are pleas **out** of bar, courts cannot hear argument on a case, unless some act of the respondent brings him **in** bar and makes him a defendant, i.e., by not answering plaintiff's process, by demurring, or by otherwise conceding jurisdiction to the court to hear the matter.

In contrast to the above, consider a situation where one works, is mustered into, or employed by imperial powers, i.e., "effectively connected in a trade or business with the United States."

First, the law says it is a privilege to work for civil governments.

Second, all privileges granted by civil government are taxable.

Thus, it is likely that a Non-Statutory Abatement **will not lie** against process issued by imperial governments to seize wages and salaries paid by them, unless the entity who files the process to seize, is utterly incompetent. Then, abatement may be successful, but don't expect it to be.

Differences between a '*persona*'⁷ created by Imperial governments and the bondsman of Christ, Man or Woman, are important and determine when the abatement will, or will not, lie -- if the Christian Man or Woman is not otherwise working for the government or a State approved corporation..

State granted, imperial privileges, via licenses (a token of the *persona*) **differ** from the prerogatives held by a king, i.e., the bondsman of Christ who has the prerogatives (*jussus* and *immunitas*) of the King of Kings. The

The Maxim of Law is:

Domus sua cuique est tutissimum Refugium -- Every man's house is his castle.⁸

If a government entity, however, comes after one on the Membership Roll of a Registered Church (a 501(c)3 not-for-profit State sponsored corporation), or if you have a **Trust of any kind** that is being attacked, both are statutory and thus, cannot resist seizures, and abatements **may not lie**. Other examples are: private employment contracts, independent contractors;⁹ employees of Departments of Motor Vehicles; and, others 'privileged' to be a fiduciary (employee, agent, trustee, actor, representative) of an Imperial power, are subject and the abatement **probably won't lie**.

Scripture has something to say on these points:

7. Literally, persona means the 'mask of the actor.' *Riddle's Latin English Dictionary*.

8. *Selection of Legal Maxims: Classified and Illustrated*, by Herbert Broom, Esq., of the Inner Temple, Barrister-At-Law, T. & J.W. Johnson, Law Booksellers, Philadelphia, 1845, page 143. Available from the Christian Jural Society Press)

9. See, Words and Phrases for Title 26, The Internal Revenue Service Code.

Render therefore, unto Cæsar the things which are Cæsar's; and unto God the things that are God's.¹⁰

This verse applies especially to the resurrected Roman Imperial law that now rules current *provisional* governments.

It also relates to the money question, in that bank loans, bank checks, bills of credit, etc., are fictitious debt instruments created by imperial governments with no value or substance, while dollars specie (pre-1964 silver coin), have value and substance, and are Scripturally Lawful. If Cæsar permits issuance of these debt instruments, he has jurisdiction (*imperium*) over their use. But, if bondservants of Christ deal only in dollars in silver, Cæsar is dead - long live Christ Our King.

The Imperial powers do not want to open the money issue and the question of the bankruptcy of the United States and all its agents (the States, banks, etc.) in any court. Remember: Imperial privileges created can also be abolished, destroyed, or taxed, by their Imperial creator.

On Appearance

There is much discussion in the law reform movement on the type of appearance one can make in court without granting jurisdiction. The consensus is, by special appearance only. But, do such appearances accomplish the desired result?

An appearance is any act or proceeding by which a defendant places himself before the court, in order to participate in an action:

Personal jurisdiction or power to render a judgment *in personam* may be acquired either by personal service of summons or by appearance. If a defendant or his attorney **does any act** with reference to the defense of the action, he is held to submit himself to the authority of the court and all defects in service of process are thereby cured.¹¹

The modern law does not seek to compel appearance, but if the defendant is **properly** served and neglects to appear and plead, the court will render judgment against him for default of appearance. Inasmuch as the default constitutes an admission of the cause of action set forth in the declaration, all that the plaintiff has to prove is his damages.¹²

Special appearances are only for the purpose of determining if a court has jurisdiction or not. But, if a court, or, its principal, has a money interest in a case, the court almost always decides in its own favor. Motions to courts grant jurisdiction to hear the motion, even through a special appearance.

If one appears and answers 'here' when his name is called, he grants jurisdiction to a court over a *persona* which you, the bondservant of Christ of substance has become 'surety' for. Saying 'here' means the bondservant is present and ready to defend, and becomes the surety for the *persona*. The bondservant has waived all of his Rights, including his God given Duty [and Standing] to abate the process.

The problem is, the bondservant pays the fine and does the time, not a *persona*, because the bondservant, as surety, applied for the benefit, privilege, or opportunity that created the *persona*.

The bondservant has the 'benefit of discussion' in the court concerning a *persona*, but no prerogative to use his Master's Law, because he waived his Rights when he answered for a *persona* without first correcting plaintiff's process by abatement. The bondservant appeared and perfected the errors in plaintiff's process by confirming he is the *persona*, and that the plaintiff has standing to bring the suit. From that point on, only the law of the *persona* can be used. All of the above also applies to all administrative agencies (I.R.S., etc).

The 'benefit of discussion,' is:

10. Matthew 22:21.

11. Ibid., Shipman, p. 23.

12. Ibid., Shipman, p. 24.

A proceeding, **at the instance of a surety**, by which the creditor is obliged to exhaust the property of the principal debtor, towards the satisfaction of the debt, before having recourse to the surety; and this right of the surety is termed the 'benefit of discussion.'¹³

Note: one has a 'benefit' of discussion, not a 'right' of discussion. In another work, there is an excellent article of the related idea of "pledge."¹⁴

Never, never, confuse the difference between the flesh and blood Man and the fictional *persona*. The *persona* is the principal debtor and the flesh and blood Man or Woman is he or she who stands in as the surety for that *persona* resulting from an improper answer.

The flesh and blood bondservant of Christ is never the same as the *persona*. The Man is created by God. The *persona* is created by man as a means of getting to the bondservant. The bondservant is a Man of substance, while the *persona* is a 'person' of fiction indicated by one or more numbers, i.e., a driver's license, a 'birth date,' Social Security number, Tax I.D. number, home address number, etc.

They are never the same and neither can use the law of the other, because both are bound by the law of their creators. bondservants have a relationship to God through Christ's sacrifice and resurrection. When a 'human' becomes a bondservant, his godly name is written in the Lamb's Book of Life which is a Christian name known only to God. The Covenant requires the bondservant to abide by God's Law, not the man-made law of the imperial *persona*.

The law of *persona* clouds a bondservant's relationship to God and interferes with his duty to obey God. Imperial powers create a *persona* to give an **appearance** of Lawful process to justify trespass on the bondservant's liberties, through the imposition of a *persona created by novation*. Because the bondservant and a *persona* are under different law, there is a conflict of laws that are mutually exclusive ultimates, i.e., each mutually excludes the other. This is the ultimate conflict of laws.

To illustrate by analogy, God looks at the bondservant through Christ and sees one whose sins are 'white as snow.' An imperial powers agent or judge looks through the Codes at the *persona* and sees one who is as black as the pit, because the agent or judge is blinded to the existence of the bondservant, for even if he could see him, he could not hear the testimony within his secular administration world.

The 'law' of *persona* is never Law because it is directly contrary to God's Law and. It is based on the Law of War, and is spawned by the god of war (Mars), while the Law of The One True God is based on Himself and is the Law of Peace and Safety.

Thus, the maxim:

The Law of God and the Law of the Land are all one; and both preserve and favor the common good of the land.¹⁵

By way of contrast, the maxims of the law of War are clearly opposed to all true Law:

Silent leges inter armas -- the laws are silent amidst arms.¹⁶

Thus, under the laws of War - statutory and constitutional laws are silent. They become directory only. In short, the laws become arbitrary and capricious under the discretion of the judge.

In 1628, a Petition of Right by Sir Edward Coke was issued against Charles I that stopped martial law in England and America. The relevant passage in the Petition is:

13. See "Discussion," in *Black's Dict. of Law*, 3rd edition, West Publishing Company, St. Paul, Minnesota.

14. See, "Pledge," in *Handbook of Roman Law*, by Max Radin, West Publishing Company, St. Paul, Minnesota (1927). This work is available from The Christian Jural Society Press.

15. See, "Maxim," in *Bouvier's Dictionary of Law*, by John Bouvier, (1856).

16. Ibid. Bouvier's. "Maxim"

And also sundry grievous offenders by colour thereof, claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused, or forborne to proceed against such offenders according to the same laws and statutes, upon pretense that the said offenders were punishable by martial law, and by authority of such commissions as aforesaid, which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.¹⁷

The bottom line is, one cannot claim a king's prerogatives or sovereignty, without being an heir or son of the King of Kings, Christ Jesus:

“The Spirit Itself beareth witness with our spirit, that we are the children of God: And if children, then heirs; heirs of God and joint-heirs with Christ;...”¹⁸

Perhaps now we see why imperial powers create the fictitious *persona*, with fictitious alter egos, i.e., persons, residents, individuals, human beings, natural persons, etc.,¹⁹ because they have no power over bondservants whose Law they follow is God's Law. The Roman imperial power extends only to what it creates, the *persona*, not to the bondservant of Christ.

God's Law and man's law are opposed at every point in Creation. God is no respecter of persons,²⁰ but man is, and his law reflects it, as seen above. Man knows he has no right of dominion over other men, but he nevertheless seeks to gain it, by creating the *persona*, known only by the *nom de guerre*.²¹

The bondservant cannot control what the Imperial powers do with his name. But, he can control the way he responds to a *persona's nom de guerre*. The spelling makes all the difference between the real, substantive bondservant, and the fictitious vacuum that is a *persona*, which, so long as it exists, is the means whereby the bondservant's life, liberty and property are raped, plundered, and pillaged, by Lawless and greedy little men.

We now know why names on Court Dockets (from which one's name is read) and names on imperial process, licences, etc., are spelled in all capital letters, and why such names are called a *nom de guerre* (war name), which is specific evidence of the existence of a fictitious *persona* 'for their purposes.' Arguing jurisdiction is a *fait accompli* and utterly irrelevant if you've already answered for the *persona*.

One may think this is 'fraud,' but all names are spelled this way on all imperial process and on the Docket sheet posted outside the door of courts - where all the world can see it. If one fails to note that his name is not spelled according to the Rules of English, that the true Christian name is not on the process, they have no one to blame but themselves. A name spelled in any way other than in the proper Christian form **is an error**.

The *persona* has no power to answer defective imperial process. It has no hands to write a response and no voice, because, as the creation of an imperial power it is an absolute fiction, created *ex nihilo*, out of nothing. And, there is nothing that can qualify as a contract to tell you when and how the *persona* is created, **it is always assumed**.

The Maxim of Law is:

Fictions arise from the law, and not law from fictions.

But, if the 'defendant' fails to 'appear' or answer the process, the courts will issue default judgment against the *persona* anyway, because the surety - the flesh and blood Man - failed to come to court and answer for the fictional debtor. Thus, if a bondservant wants to stay out of jail, keep his liberty, and property, he must respond to the process and inform the court of the errors that are always there.

17. *Select Documents of English Constitutional History*, Edited by George Burton Adams, and H. Morse Stephens, The Macmillian Company, New York, 1906. page 339-342.

18. Romans 8:16,17.

19. See various dictionaries, including *Melinkoff's Dictionary of Law*, *Oxford English Dictionary*, etc..

20. Acts 10:34.

21. Literally, "war name." For Rule as to its use, see *The California Style Manual*, by Robert E. Formichi, published by The California Supreme Court, 1986, Section 196, page 13, "Style of Main Title."

With abatements, one responds without 'appearing' and process is not perfected on the *persona*. The bondservant is **severed from the *persona* by the abatement**, which is the only response that answers imperial process and stops default judgment against him, provided he has not traversed his case by writing something stupid in the abatement (like UCC codes).

This may be difficult for some to swallow, but in more than two hundred years of Supreme Court decisions from the Runkle case (1799) to the present, it is stated that the Laws of the nation presuppose Christianity -- upon which they depend. Non-Statutory Abatements are therefore, a specifically Christian remedy. When a non-Christian asks whether they may use Christian premises in an abatement, we must reply with the Maxim of Law:

No man warring for God should be troubled by secular business.

To continue, once an abatement is served, any type of 'personal' appearance (including answering to the *persona*) nullifies the abatement.

It's nerve-racking when one serves an abatement against imperial powers and one's court date passes without his making an appearance. But, trust in God, the abatement will not be answered properly and will go to Default. Then, one serves default against Defendant and the matter becomes *Res Judicata*, i.e., final judgment has been made. Imperial process goes to default for the same reasons that the imperial court will grant default judgment if one fails to appear and answer an imperial plaintiff's process. (See, "Response Tactics," below).

The truth is, no man, godly or otherwise, belongs in imperial powers courts. These courts may distinguish, but we must not. As the Scripture says:

“One law shall be to him that is home born, and unto the stranger, that sojourneth among you.”

Imperial government's rule is: "The presence of the body cures the error in the name."

The Rules of English

A major problem created by imperial schools, posing as 'public schools,' that directly impacts on one's understanding of Law is, the failure to teach The Rules of English Grammar. For example, what words are capitalized and when. This difference alone has major significance in Law. But, imperial schools are only half the problem.

The American people abuse the English language as if it were a right. In Law, this is deadly, because it can put a defendant or plaintiff in jail without ever knowing why. We strongly recommend to Readers that they acquire and study a handbook on The Rules of English Grammar, and make it part of their life's work to put these Rules into effect - daily. We recommend the older works on Grammar, for obvious reasons.

Nouns name persons, places, or things. General nouns denoting a class of persons, places, or things, are never capitalized. If we mean a specific person, place, or thing, **only the first letter is capitalized**. Thus, the noun 'state'²² and 'State'²³ are different words denoting two entirely different things. The former (state) is general and used at Law, while the latter (State) is specific and denotes a created entity, i.e., a fictional *res*, i.e., a thing in commerce.

In today's courts, persons, places, things, and entire court processes, are always written in all capital letters, a clear violation of The Rules of English. But, this is done to fully inform defendants and plaintiffs of the type of court that will hear the case. It says, clearly, that a court is sitting to hear matters in controversy - between *personæ*, or, a *res* and *personæ* in commerce, and thereby full disclosure is given to all.

22. 'state.' A Christian people with Dominion over all 'geographical territory which makes them the -- *res publica* -- lords of the soil. *Riddle's Latin Lexicon*.

23. 'State' the name of the ministerial government, occupying a feud, established by constitutional compact among the Christian people holding and occupying a fixed geographical territory.

Today's courts cannot deal with real people, places, and things, i.e., substance, because being bound by International law, the *lex mercatoria*, and The law of War, such courts can only deal with fictional *personæ*. Thus, all parties agree to be named, and do appear by fictitious names, spelled in all capital letters or with a middle initial, i.e., a *nom de guerre* (war name).

An example of a war name is, JOHN DAVID SMITH or John D. Smith. Under the Rules of English, the Christian name is spelled John David, and the family name, Smith. Because all corporations, like the *persona*, are also fictions of law, their names are spelled in all capitals as well. Thus, if I.B.M. is a party to an action, its name is written; INTERNATIONAL BUSINESS MACHINES, INC. on the court's Docket, and in all court and administrative process.

Initials or abbreviations of a name, are "no name at all,"²⁴ and their use creates another fiction. Government administrative documents commonly make no provision in their forms for one to write out his or her middle name. This is a deliberate form of entrapment. This is the practice on all I.R.S. forms that only allow space for or only request the middle initial. Under the laws of War, they can only ask for the fiction.

The Maxim of Law is:

An alien enemy cannot maintain an action during the war in his own name.²⁵

When preparing the Non-Statutory Abatement, you style any Defendant from an emergency powers court in all capitals, or initials, such as THE INTERNAL REVENUE SERVICE, or the UNITED STATES OF AMERICA, as it appears on the abandoned paper that you are abating.

Spell out all numerals or numbers in abatements, i.e., The Year of Our Lord and Saviour Jesus, the Christ, Nineteen hundred and Ninety-eight. Numbers are fictions in numerical form and have no substance.

The 'fictional' numbers that appear on the abandoned paper (i.e. 1/15/98) are not to be spelled out.

Next, is the use of parenthesis, brackets, curly braces, and boxes. All information contained therein is classed as; "extraneous, explanatory, and interpolated matter, with no force and effect in law."²⁶ Therefore, never 'interpolate' any statements in the abatement.

Any name not correctly and fully spelled out is a misnomer, literally, mis-named, and is a solid plea in abatement. In most Non-Statutory Abatements there is some reference to the misnomer. When raising misnomer, however, state only the facts that lead a court to conclude a misnomer has been used. Let the court come to its own conclusion.

If your name is a single letter and not a full name, make sure you **do not put a period** after the single letter name, because it says that one of your names is abbreviated and is thus a fictitious *persona*. To save yourself the pains of being mis-interpreted, one might want to adopt a fully spelled name to replace a single letter name.

The above is only a summary of the relationship of English usage and the Law.

The Rule is; Know the English language and use it like a weapon in Law.

24. *4 Bacon's Abr. Of the Law*, (1832), Of Misnomer and want of Addition (D) and Queen v. Plenty (1869).

25. Francis Wharton, Pa. Dig., Section 20.94 (1853).

26. *California Style Manual, A Handbook of Legal Style for California Courts and Lawyers*, 3rd Ed, Sec. 150

What's in a Word?

If one makes a careful study of the way in which imperial power's word their paperwork, letters, and process, one will find a very deceitful use of certain words and phrases, all of which are designed to compel one to make a 'voluntary appearance.' And, since all appearances are voluntary, the words must carry the maximum impact, yet not cross over the line so as to violate the Rules of Imperial Process. Thus, one may see phrases such as "You must appear at ... blah, blah, ... at such a date and time, ... blah, blah."

Has this sentence violated the Imperial Rules of Process? Answer: No.

The reason: In man's law, 'must' means 'may.'²⁷ What's really being said is, "We invite you to appear ...," because your appearance must be voluntary. Such phrases are designed to strike fear into the heart of a *purported* defendant and provoke a knee-jerk reaction that means the he loses!

Other words and phrases using the same kind of deceit are: "Notice of...," "Notice to Appear," "Notice of Lien/Levy," "Notice to Remove," "Notice of Warrant," "Notice of Trespass," "Order to Show Cause," "Order and Demand," and "IT IS SO ORDERED." From what we have all learned from the above, we now know that the phrase "IT IS SO ORDERED," because written in all caps, is unintelligible in English, and is thus abatable.

Letters from the *provisional* Government

It is common for all branches of current *provisional* government to send letters to people they are setting up for fleecing. The purpose of letters is not to inform you, but to inform them as to how much you know, or don't know, about Law.

People normally respond to letters, with more letters. But letters, as such, have no force and effect in Law. Thus, when you respond to a letter, with another letter, this tells whoever sent you the letter that you know nothing about Law and that you can probably be pressured to roll over and pay without any further trouble on the government's part. The letter is, therefore, merely a device used by administrative agencies to collect revenues without the bother of issuing process and going to court.

The problem is, this tactic joins you to an action without knowing it.

The I.R.S. uses this tactic, very effectively. Threatening letters making outrageous demands for taxes you probably don't owe, are typical. Your knee-jerk reaction is, respond with a letter asking all kinds of questions that the I.R.S. could care less about. The point of the outrageous letter and demands is, to provoke a response from you, get you to appear, or make a call to the I.R.S., in which they will apply more heat to force one to roll over. The I.R.S. doesn't care whether you've properly paid "your fair share"; they want more. The object is to compel you to submit to an increase in your voluntary assessments, rather than fight them. The letters are thus, a tactic using fear and intimidation to expose your ignorance of Law.

Remember; most I.R.S. agents are sub-contractors and work on commissions from seized property. Often, the news media blasts you with stories of how the very wealthy are put in jail by the I.R.S. or have to pay huge fines and penalties for not filing, or filing in error.

But, it doesn't matter who sends you a letter: **do not respond with another letter!!!** Respond with Lawful process, i.e., a Non-Statutory 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 from them, unless you change your status, i.e., begin again with home mail delivery, working for a company or corporation, resume a bank account, etc.

The Rule is, respond to all letters from any government agency with Lawful process.

27. Pleasant Grove Union School Dist. V. Algeo, 61 Cal. App. 660, 215 P. 726.

Response Tactics of Imperial Powers

Since, under International/Municipal law, "deceit" is legal,²⁸ one must expect that all federal, state, county, city, and local imperial government officers and agents will use it to get what they want, which is, to compel the bondservant of Christ to answer for the *persona* and "voluntarily comply."

Tactics used by imperial powers to get 'voluntary compliance,' would be a joke if the end result was not so vicious. They will lie, cheat, destroy evidence, and create evidence where it never existed. Thus, there is a wide variety of tactics of response used by all government officers and agents to try to get someone who has served a Non-Statutory Abatement to respond in such a way as to nullify or circumvent the effect of the abatement. They cannot, in Law, set aside the abatement. They must deceive you, the abator, in order to force you to sham the abatement. Then they will re-issue a demand, bench warrant, or whatever, and proceed as if the abatement had never existed in the first place.

In the examples of Response Tactics that follow, we assume that some *form* of government sends you something. It could be a letter from the I.R.S., a Notice to Appear on a traffic ticket, a demand from the local Fire Department to cut your grass, a building code violation, or almost anything else. And, we assume you have properly responded to such forms of communication by serving an abatement and when the government agent did not respond, you served, after the lapse of **ten days** (not counting Sundays and Holy Days) a Default Judgment against them.

The ten days is taken from scripture (1 Samuel 25:38, Jeremiah 42:6-9, Daniel 1:12-16, Acts 25:6, Revelation 2:10).

Example One.²⁹

A Sheriff Deputy shows up at your house with a warrant in his hand. Of course, the warrant will not be a genuine warrant with affidavit attached, court seal, or a judge's signature in real ink.

It is important to note here that you should never open your door to anyone unless you are expecting a friend. Opening the door is an invitation, and you lose all asylum 'of the castle' when you do so:

"The maxim that 'a man's house is his castle' does not protect a man's house as his property or imply that, as such, he has a right to defend it by extreme means. The sense in which the house has a peculiar immunity is that it is sacred for the protection of the man's person. A trespass upon his property is not a justification for killing the trespasser. It is a man's house, barred and inclosing his person, that is his castle. The lot of ground on which it stands has no such sanctity. When a man opens his door and puts himself partly outside of it, he relinquishes the protection which, remaining within and behind closed doors, it would have afforded him."³⁰

When you don't respond to a knock on the door, the door cannot be broken down unless there is some sort of resistance sensed by those knocking. This is why you must stay completely silent:

Breaking doors or windows for entry or exit.

The officer may break open any inner or outer door or window of a house, or any part of a house, or anything therein, to execute a search warrant, if, after notice of his authority and purpose, **he is refused admittance** or when necessary to liberate himself or a person aiding him in the execution of the warrant.³¹

There is considerable authority to the effect that use of subterfuge to gain entrance to arrest or search is not improper. Of course, if "breaking" is involved, it is necessary for the officers to announce their

28. This is an axiom of the laws of War wherein it is legal to deceive the enemy.

29. All scenarios cited are summaries of cases that have been referred to The Christian Jural Society Press.

30. Com v. McWilliams, 21 Pa. Dist. R. 1131. *Bouvier's Law Dictionary* (1914), pp. 1449-1450.

31. 18 U.S.C. 3109.

authority and purpose in demanding entrance. Where a Federal agent, armed with a valid arrest warrant, gained entrance to the defendant's apartment by stating he was an agent from the County Assessor's Office, the Court held the entrance lawful, stating: "There is no constitutional mandate forbidding the use of a deception in executing a valid arrest warrant. The case of *Gouled v. United States*, 1921, 255 U.S. 298, 41 S.Ct. 261, 65 L.Ed. 647, relied on by appellant, holds that a search warrant is invalid even though entry is procured by stealth rather than force. The instant case is different in that the search was incident to an arrest under a valid arrest warrant. Criminal activity is such that stealth and strategy are necessary weapons in the arsenal of the police officer."³²

In case you or someone in the house opens the door without thinking (because we've been trained to be good little 'citizens'), the Deputy will call you to the door and after a few remarks, will say something like the following. "Hi, I'm here to talk to John Smith." John Smith comes to the door and the Deputy says: "In regard to the abatement you served, the judge will agree to drop the Warrant, if you drop the abatement, and you won't hear from us, again."

There is only one possible response to this - No!

One may frame their words more diplomatically, but the general idea is, **refuse**. This is the mildest and least confrontational type of compelling "voluntary appearance." Most officers walk rather softly after they have been served an abatement.

Example Two.

Same scenario, same situation, same Deputy. This time he says, "Uh, the judge wants to put out a warrant on you for not appearing on your court date, but he won't, if you'll come down to the court house to talk about the abatement you served him."

In this approach, you are expected to meet the judge half-way and go along. **Don't!**

The bench warrant has already been issued on the Docket, and the Deputy may not even know it! Often, however, they know perfectly well the warrant's waiting for you.

Again, the polite refusal will handle the situation.

Example Three.

In another case, the scenario is the same, except, John Smith is not home when the Deputy comes. John's wife answers the door and when she found out what the Deputy wanted, she handed him a "Public Servant's Questionnaire," and he left.

Nothing more was heard on the matter.

Example Four.

In another case, after three abatements and three defaults on the same case involving an Order to Show Cause in Federal District Court, the Sheriff's in a county different from the county where the court sat, sent three Sheriff's cars to the Smith's house.

In broad daylight and in front of the neighbors, the Deputies made a great show of force and when they found out that Mr. Smith was not home, asked the Smith's son where his father was. The son said he didn't know, the Deputies left, and no more was heard.

The point of this example is, the local Sheriff's Office co-operated with the I.R.S. and used a half dozen Sheriff's Deputies to put fear into the Abator and get him to come to court.

32. *Sherman v. United States*, 1958, 356 U.S. 369, 372, 78 S.Ct. 819, 820, 2 L.Ed.2d 848.

Example Five.

In one bizarre case, the local Sheriff put pressure on Mr. Smith's neighbor to talk to Mr. Smith and get him to go down and talk to the judge.

This example points out very clearly, that imperial powers have no real power to compel performance when true Law has been brought squarely before them. The bottom line is, if they had real Law to back them up, they would not need to use fear, threats, intimidation, and trickery.

The fastest way to compromise your abatement is to answer to the *nom de guerre*, the fiction, unknowingly. When you are asked your name by an 'official,' the name they see on their paperwork is the *nom de guerre*, not you. If you are asked if you are 'so and so,' don't answer **no**. By answering no, you become joined in the controversy. Simply say, 'You don't know who I am and I don't know who you are, therefore I have nothing to say to you because you are a stranger and I don't talk to strangers,' and it can be continued by importing God's Law into the situation by saying 'Let's search the Scriptures and find out who is who here' or 'let's see if you have a lineage to The Tree of Life' or something to that effect. This is one reason why you should never go anywhere without your Bible. Always try to import God's Law into these types of situations. If you do not do so, you will be looked upon by them as one of theirs.

Another of their tactics is an attempt to compromise an abatement by mail. In this the imperial powers, after the *persona* has been properly abated and defaulted, send a letter or process to the abator in general delivery, in the name of the abator's *persona*. Remember, that the abatement has the effect of severing the connection between the bondservant and the *persona* (the *nom de guerre*).

But, what happens if a bondservant accepts mail from the imperial power (or answers to the *nom de guerre*)-- in the name of the former *persona*?

Answer: the bondservant and the *persona* are rejoined and the first abated matter that was dead, is now alive and well again. The reason is, the bondservant has, by his own act, contradicted his abatement and default, and has proved, by accepting mail or saying 'yes, that's me' for the *persona*, that he is not who he claimed to be in the abatement, and that he is volunteering to be a surety once again, for the *persona*.

When defective mail comes to the general post-office, write on it, "**Not deliverable as addressed.**" Do not write "Refused!!!" This is a dead give-away that the abator is still a 'resident' at the 'address' on the mail.

By the way, the meaning of 'resident' is, the 'the thing identified.'

Response Tactics of the bondservant of Christ

How does a bondservant respond to the tactics of imperial powers in the above examples?

First, avoid idle conversation with those who try to talk you into removing your abatement. This is thin ice and you may be trapped by your own words into the "benefit of discussion." Exercise your 'right of avoidance' at all times.

Second, the officer wants to speak to the *persona*, who cannot speak, except by the mouth of Ba'al. You must refuse all discussion with an officer, through verbal abatement or other wise.

Third, if any further process -- **on the same case and with the same case number** -- comes into the presence of the bondservant, whether by personal service of process, or by any other means, there is only one possible response for the bondservant to take, abate again.

Misnomer

Misnomer means, literally, "mis-named." More importantly, any process, bearing any name other than a bondservant's full and properly spelled Christian appellation is an error subject to abatement:

The name of men, at this day, are only sounds for distinction's sake, though perhaps they originally imported something more, as some natural qualities, features, or relation; but now there is no other use of them but to mark out the families or individuals we speak of, and to difference them from all others; since, therefore, they are the only marks and indicia of things which human kind can understand each other by, we must see what certainty the law requires herein, and what the effects and consequences are of the omission of the name, or false specification of the party...³³

And from a work compiled in 1670,

Misnomer, (compounded of the French *Mes.*, which in composition always signifies *amisse*, and *nomer*, Latin, *nominare*.) the using [of] one name for another, a mis-termining, or mis-naming.³⁴

A misnomer is **any spelling of a name contrary to the Rules of English Grammar** and the way in which one **customarily writes his name**. Thus, a *nom de guerre*, a name spelled in all capital letters, such as JOHN DAVID SMITH, is incorrect according to the Rules of English and is thus a misnomer.

Where a name appears in upper and lower case according to the Rules of English, and one of the names has been abbreviated or, initialized, it is also a misnomer. Thus,

We are of opinion that the word 'misnomer,' which means a naming amiss, is wide enough to cover the faulty indication of a Christian name by means of the initial: Vide, Bacon's Abridgment, under misnomer, "³⁵ and "initials were no name at all."³⁶

Thus,

Misnomer is a good plea in abatement, for since names are the only marks and indicia which human kind can understand each other by, if the name be omitted or mistaken, there is a complaint **against nobody**. And, ...if the defendant has been arrested by a wrong name, the court will set aside the proceedings ... and discharge him if in custody.³⁷

But, though a defendant may, by pleading in abatement, take advantage of a misnomer when there is a mistake in the writ or declaration, as to the name of baptism or surname; yet in such a plea he must set forth his right name, so as to give the plaintiff a better writ.³⁸

Now, even though a misnomer appears on the process, a plaintiff may produce witnesses who will state that the respondent never spells his name the way it is spelled in his abatement.

33. *A New Abridgement of the Law*, by Matthew Bacon, with Large Additions and Corrections, by Sir Henry Gwyllim, and Charles Edward Dodd, Esq., and with Notes and References made to the Edition Published in 1809, by Bird Wilson, Esq., to which are added *Notes and References to American and English Law and Decisions*, by John Bouvier, Volume VII., Published by Thomas Davis, No. 171 Market Street, Philadelphia (1846), page 5.

34. *Nomo-Lexicon, A Law Dictionary*, by Thomas Blount, Facsimile of the Edition of 1670, Sherwin & Freutel, Publishers, Los Angeles (1970).

35. *The Queen v. Plenty*, Court of Queen's Bench, 4 C.Q.B. 46.

36. *Ibid. Queen v. Plenty*.

37. *4 Bacon's Abridgment*, (D) Of Misnomer, and want of Addition. (1832), page 7.

38. *Ibid.*, 4 Bacon's Abridgment.

Therefore, if one spells out his first name, initializes his second name, and spells his last (surname) name, and process is issued in that name (a defendant's customary spelling, even though incorrect by the Rules of English), an abatement that pleads misnomer, may not lie.

It is good practice to put a colon (:) between your Christian name, given at baptism, and your family name. The Christian appellation includes only your first and second names. Get in the habit of writing out the full name, or one may use only the Christian name as a rule.

But, if one was given at birth a name with only a single letter in it, **do not put a period after the single letter name.** If it is done, it will convert the name to a *nom de guerre*.

The Rule is: Always spell one's Christian appellation according to the Rules of English.

Note: IRS agents, deliberately use misnomers for themselves. They call it an "officially registered pseudonym," i.e., false name, to make it more difficult for one to find the agent's personal property and seize it in a suit at Law.

Question: If what the I.R.S. does is Lawful, why do they need an 'officially registered pseudonym.?' Of course it is obvious they have no real Law.

Kitchen Sinkers

It is a maxim that "less is more." No where is this more applicable than in Law and Process.

Yet, we've all heard of, and probably know, many 'pro per' or 'pro se' types who have never heard of this maxim and would reject it in a heart beat, because they are "The Kitchen Sinkers."

When Kitchen Sinkers write process or a brief, they throw in everything they can think of, including 'the kitchen sink.' And for this reason, such people seldom win any cases, not even against the dog catcher, precisely because of the unrelenting need to throw in the kitchen sink.

These guys can take simple process like a Non-Statutory Abatement, that takes at most nine or ten pages to say what needs to be said, and blow it up into fifteen, twenty, or thirty pages.

They can write paragraphs of one sentence that are five pages long!!! And, in the vast majority of cases, such paragraphs have no substance in Law -- at all. Instead, they are nothing but an exercise in how to vent one's spleen in ten thousand words, without saying anything of real value.

They will sit at a typewriter or computer for hours, banging away in a rage and congratulating themselves on how 'powerful' their writing is. They build up an enormous raging sweat during this marathon of spleen venting and by the time they finish (assuming the process can be completed before the court deadline sixty days down the road) they are a bundle of knotted emotion and profanity. But, if they really do finish the job, they always qualify the end result by saying, "There's some things I'd like to add, but, we don't have time now."

And at the end of it, the Kitchen Sinker sits back with great pride, looks at his stack of papers and says, "There, ah, show'd 'em!"

In truth, courts pay no attention to such trash, especially since at least half the words are devoted to slandering or libeling the judges' bloodline back to his ninth great grand-parents on both sides of the family tree.

The Rule is; Avoid such people like the plague, because they are one.

On the Uniform Commercial Code

There is the tendency in the law reform movement to use the Uniform Commercial Code on everything from signatures on checks, on mail, on applications, and on anything that even appears to be paperwork or process from any government agency, bureau, department, or other imperial *res*.

Now, if those in the movement are so interested in restoring God's Law and everything else that goes with it, why do they feel the need to use statutes??? And, the Uniform Commercial Codes, whether State or Federal, are commercial statutes, none of which is Law, or bears any resemblance to it.

"Individuals rely for protection of their rights on law, and not upon regulations and proclamations of departments of government, or officers who have been designated to carry 'laws' into effect." *Baty v. Sale*, 43 Ill. 351

God's Law and statutes do not mix. They are like oil and water. Yet, every time one hears a presentation on the common law, they invariably bring up the so-called 'sure fire silver bullets' of the Uniform Commercial Code. So prevalent is this practice that in one recent newspaper article on the militia, the newspaper reporter said that the courts call these people "The UCC'ers."

Would any right thinking UCC fan use the I.R.S. Code to try and create a Non-Statutory Abatement? I think not. Then, why do they use the UCC, that uses the same "words and phrases" definitions found in Title 26, The Internal Revenue Code??? Could it be that all the Titles and Codes, and, specifically, the Uniform Commercial Code are really just an imperial mine-field???

Now, since people are so enamored of common law and still use UCC statutes, go ahead, use the UCC all you want. **But, do not use any UCC citations in Non-Statutory Abatements -- if you expect the abatement to be successful !!!!!!!!!!!!!!!!!!!!!!!**

Conflict of Laws

Having spoken on the U.C.C., which is a privately copyrighted statute by The American Law Institute, raises the question of the use of any statutes in a Non-Statutory Abatement. It is not necessary or recommended to use **any statute, including codification's of the common law**, because their use may, under many circumstances, compromise the abatement. As a result, **we do not recommend use of any codifications of the common law**, in a Non-Statutory Abatement.

The reason is because, first and foremost, you do not see the term "common law" in scripture. Bondservants of Christ are only to use God's Law. Secondly, the common law is a commercial law today, created by merchants, influenced by Roman Law, and used for commercial purposes. The following definitions are taken from "*A Dictionary of Law*, by William C. Anderson, 1893."

Custom of merchants: A system of customs, originating among merchants, and allowed for the benefit of trade as part of the common law. Page 303.

Law-merchant; law of merchants: The rules applicable to commercial paper were transplanted into the common law from the law merchant. They had their origin in the customs and course of business of merchants and bankers, and are now recognized by the courts because they are demanded by the wants and conveniences of the mercantile world. Pages 670-671.

Roman Law: The common law of England has been largely influenced by the Roman law, in several respects:...Through the development of commercial law. Page 910.

Recognizing Defective Process

For you to maintain your standing in Law, you must be able to distinguish between Lawful process and defective process. This is especially important if one discovers that their perception of Lawful process may be warped and thus, dysfunctional. A false perception of process, and acting on that perception, can be fatal to maintaining one's Lawful standing -- not the process itself. The key indicia in Lawful process are: One, a seal from a court known and recognized in the state, and not of the State; Two, signed in black ink by a constitutionally elected Judge in the Judicial Department in the state; Three, it must describe with particularity the bondservant, without errors in the name. Do not look to the Federal Constitution for the requirements.

Address vs. Location

At Law, you are your own "secretary of state." You have established Christ's government in your House which communicates with outside imperial and Lawless governments. It is your duty to maintain the integrity of Christ's government and to that end you must understand certain terms which are misleading when first encountered.

There are several key terms concerning **transmission of any communication** between a Good and Lawful bondservant and imperial governments when the Post Office is involved. These terms apply whether we receive process from governments or send process to governments.

Post Office functions have been converted under the *provisional* government to a commercial venue *managed and serviced* by a separate entity now known as the U.S. Postal Service. Key terms below clarify these differences if we note that Post Office Department terms used by the commercial Postal Service are given new names and redefined. The old ones still exist, but the new codes do not mention them.

The important avenue is to use non-commercial venues to avoid accepting any benefit, privilege, or opportunity.

Official terms that define the duties and powers of the Postal Service, assume that the District of Columbia is the 'home' point of origin. The term '**domestic**' means; 'about the home,' 'home-grown,' etc., but, in Postal Codes, the home point to determine the meaning of domestic is the District of Columbia, and domestic mail moves between D.C., possessions and territories of the United States, Guam, Puerto Rico, Northern Marianas Islands, Virgin Islands, American Samoa, and the parts of states that are ceded, rented, leased, or under management of the 'United States,' as trustees in bankruptcy. Mail moving within and between points outside of the above areas is '**non-domestic mail**.'

Zip Codes are fictions that number specific 'military districts' but are not part of the land itself. They are used to scan mail to determine if it is domestic or non-domestic. However, since words and numbers within brackets, etc., re-define enclosed ZIP Codes as "extraneous, explanatory, and interpolated matter,"³⁹ the ZIP code itself, has no force and effect in law when brackets are used.

In Law, the jurisdiction of the 'United States' and its federal power extends no further than the Post Office. But, through the benefit of 'free delivery' to a P.O. Box or address, that jurisdiction is extended. With 'free delivery' being a war measure from 1863, it is considered a commercial benefit and is technically governed by *commercia belli*.⁴⁰

Those who use addresses are converted as well, to a commercial *persona*.

The evidence of this is that the postage only pays for transportation of mail between Post Offices. Any delivery of post beyond the Post Office is a benefit, because its free. P.O. Boxes are a benefit because a postal clerk delivers mail, for free, to the customers 'address.' Fees paid for a P.O. Box are only box maintenance fees, and do not pay the postal clerks wages who delivers mail to the box.

39. *The Style Manual, for the California Supreme Courts*, 1984.

40. "*commercia belli*" means, "commercial agreement in war," or, "war contract."

Thus, the only Post Office function not extending a commercial benefit, privilege, or opportunity is **the general post-office**, which existed before the Federal Constitution. It is also a custom and usage of long duration, preceding the legal memory of man.

Serve It, Don't File It !!!

We have stated over and over again, that the current legal system is one of foreign law (Martial, International/Municipal, law of War, etc.) and such courts we style as Imperial Courts. Non-statutory abatements cannot be heard in legislatively created imperial courts.

This has not prevented people from **filing** abatements in such courts, anyway. **Because such courts cannot hear these actions, there is but one result -- rejection!!!**

The problem is, when the abatement is rejected, people call or write to complain. After much discussion we learn the abator **filed** his process in the court. When reminded that Version 1.0 of the work tells him not to do this, Alzheimer's sets in and he doesn't remember this (or it may have been removed from his pirated copy of the abatement package).

One more time: **Serve it, Don't File It !!!**

There are many reasons, of course, why we do not file an abatement in a court. One, there is no court today that has authority to hear it. Two, the court only hears a case -- after all parties are joined in an action. Three, abatements are **served** on one who becomes a plaintiff thereby, who is given an opportunity to respond with a better suit, if he can. But, fiduciaries of today's imperial governments cannot respond to Non-Statutory Abatements - only those with Lawful standing can. Four, if process comes from a court, abatements are still **served** on the persons, i.e., the judge, prosecutor, cop, State Judicial Council, etc. (to serve the secretary of the judge is the same as serving the judge himself). Five, all Non-Statutory Abatements in this Handbook are **served** on people in their private capacity. Six, the abator exercises his power in God's court when the abatement is **served**. He cannot file it anywhere, in any court, because no court can hear any matter still under another court's jurisdiction.

Thus, **Serve the abatement -- don't file it!!!**

God's superior court?

We stated above that the abator exercises his power in God's court. What does this mean?

It means just what it says. When the abator serves process, **the contents of the process determine what court the process is served from**, which is an at-Law court. This right to exercise God's court is also verified in Chapter 34 of the Magna Charta which says in simple terms: "No man can be deprived of his own court."

What is the name of God's court? The name of God's court is the 'superior court' spelled in all lower case letters, i.e., without a capital 'S' on superior and without a capital 'C' on court.

But, the courts in my State are called 'district' courts; what do I do?

Your court is still styled a 'superior court' because it is superior to all others. God's court has nothing to do with their courts. These are completely separate jurisdictions.

Serving Non-Statutory Abatement Processes

The Non-Statutory Abatement Processes is served by two or three fellow brothers in Christ. For those who are without an assembly in their area, the previous method of issuing the process on your own through Registered Mail, or by the Sheriff, can still be used, but we have found that the newest procedure is a much more effective method. **For those who go through registered mail or the sheriff, our older Non-Statutory abatement must be used, not our newest updated version.**

The most scripturally based way to serve the abatement is to have at least two brothers in Christ serve this abatement on the Defendants. Jesus sent his apostles out two by two, because God's Law says in the mouth of two or three witnesses shall every word be established. If you cannot get two brothers to serve the abatement, you can get one brother and you can go along with him as a witness. If you go with him, be sure not to serve the abatement yourself, and be sure not to say a word; you are there simply as a witness. Have your brother serve the abatement and do all the talking.

We recommend serving everyone involved, including the police officer, the judge, and the prosecuting attorney. The judge may be the most difficult to serve, but all judges have a secretary. If you serve the secretary, it is just as good as serving the judge himself.

For those of you who do not have an assembly of two or three brothers to serve the abatement, you must use our older abatement with our older ways of serving the abatement.

Actions Against Women

Actions filed against women by imperial courts are a special case and must be handled according to the doctrine of **Coverture**, which requires that a man, being the covering for the woman, must issue the abatement process in his name.

When Bouvier speaks of "Coverture," he says that: "The being of the wife is civilly merged with that of her husband," which in the Scripture is phrased as: "becoming one flesh."

But, whether a woman is married, lives with her parents, is single and lives alone, or is married at common law, one man is always her cover as far as Law and Scripture is concerned. In Lawful systems, many civil actions cannot even be brought against a woman without the permission of her covering.

And, for purposes of issuing process on her behalf, such process is issued in his name, and she is designated as *et uxor*, not *alieni juris*.

Et uxor means, "and Lawful Wife." "*Alieni juris*" means, 'under control of another,' which can mean, under control of a Lawless person.

If a woman has no husband, process is issued by the father, or a brother. If a woman's family is no longer alive, and she is single, a bondservant must still stand as her covering.

If a woman is single without any who can act for her, she may, by Letter of Appointment that specifically references coverture for purposes of civil actions, etc., have a bondservant stand on her behalf, or, if a Lawful jural society exists in her county, she may appoint the society as her covering.

A word is needed here on what a true, common law marriage is. At the outset it must be clear that a common law marriage is not mere co-habitation. True common law marriage was the only form of marriage prior to the War of Secession. After the War, when men and women of different races were married (miscegenation), it could only be done under license from the State, because of all the legal and familial problems such marriages created at that time.

At any rate, in common law marriage, a man and woman still have a marriage ceremony in a church, or before a justice of the peace, and the Guest Register (modern term), is a Witness Roll. The pastor issues a Certificate of Matrimony, but there is no license issued by the State.

general post-office

It is essential for the success of your abatement that you go through the general post-office.

Going through the general post-office is *more* than having your matter posted there. It is a *political* question which must be resolved, using the proper tools of Law available: negotiation, reprisal and war.⁴¹ The reasons for this become apparent when you begin to realize specifically what the general post-office is. It is more than a mailing location; it is more than just a place to pickup your mail. It is a political duty--involving a court in which you, acting Ambassador for Our Sovereign Lord and Saviour Jesus, the Christ, represent Him and His Law here on earth. We make no apologies for this attitude. This is the Truth of the matter, regardless of what any attorney tells you. Following this introduction are all the maxims of Law used in the abatements with which you should become very familiar.

The general post-office cannot be denied to any bondservant of Christ operating outside of a commercial venue. The evidence of this is in the fact that the general post-office has never been attached to any legislation through commercial statutes.

On July 1st, 1863, free city delivery service was instituted. Until this date, all postal matter was picked up by the 'patron' at the post office. Before this date, 'customers' did not exist in Postal laws. Those today who receive mail at a P.O. Box or home are referred to as 'customers,' which is, of course, a purely commercial term, and means that anyone receiving free delivery is considered to be in a commercial venue.

On the other hand, 'patron' is defined in the Law as, 'a protector or guardian'. Here is some information regarding "general delivery," (but we want to avoid general delivery, because it was created by the Post Office. The following is only for your edification).

In 1893, Marshall Cushing wrote a book titled 'The Story of Our Post Office.' On page 186, he stated that "the general delivery clerk had to deal with the leading banker, the leading politician, the smart clergyman of the town and the family that will never allow their mail to be delivered by carrier." Thus, in Chicago, 30 years after free delivery was born, these people still knew the implications of free delivery.

They knew that [it] "brings benefit to every citizen of the United States, whether he lives in city or country."⁴² The key word here is 'benefit'. Receiving a 'benefit' from the government will jeopardize your abatement because it is evidence, **on the record**, that you have more than one Master.

"When it is said that a valuable consideration for a promise may consist of a benefit to the promisor, 'benefit' means that the promisor has, in return for his promise, acquired some legal right to which he would not otherwise have been entitled "⁴³

In short, free delivery is a benefit, the use of which places you into a commercial venue, and creates a legal right for the Federal government to extend its jurisdiction beyond the Post Office, which it would not otherwise be entitled to do, **normally**, because certain unalienable rights restrict it.

Remember, one aspect of 'unalienable' is, "not transferable," and:

...things which are not in commerce as, public roads, are, in their nature unalienable.⁴⁴

41. "The question is a political one, not confided to the courts, but to another department of government. Whenever an act done by a sovereign in his sovereign character is questioned, it becomes a matter of negotiations, or reprisals, or of war." Wulfsohn v. Russian Soviet Socialist Federated Republic (1923), 234 N.Y. 372, 138 N.E. 24.

42. United States Postal Policy, by Clyde Kelly, a Member of the Post Office and Post Roads Committee in Congress, (1931)

43. Woolum v. Sizemore, 102 S.W. 323, 324.

44. See, "unalienable," in Bouvier's Law Dictionary, 1914.

But, this does not mean that one cannot exchange them. One can voluntarily opt for something else, i.e., a free benefit from the government - on a post **route**, thereby changing one's status from unalienable to alienable-in commerce. Through the exchange of commercial benefits, the federal power is extended.

Kelly added, referring to the "benefits of the postal highway" that:

... it is more essential for the protection of the nation than the Army and the Navy; it is the democratic instrument of a democracy.⁴⁵

Under Lincoln, and continuing, the neo-government desperately needs commercial residents receiving free delivery, to give them the 'lienable human resources' for the debt funding system.

Further evidence of the commercial aspect of free delivery is seen in "The Postal Laws and Regulations of 1932", wherein 'letters', delivered **free** on 'post **routes**', are defined as "gas, electric, water, and tax bills or other statements of accounts, orders for merchandise, etc." (which are all commercial terms)

In the same laws, concerning transient patrons, it states, "the use of the general delivery should be discouraged if it is possible to receive mail otherwise, but if a patron insists on receiving his or her mail through the general delivery, the request must be complied with." In the current Postal Manual, transients are still totally unrestricted at general delivery, to wit:

The Post Office Domestic Mail Manual at D930, **1.1**, states as follows:

"General delivery is intended for use primarily at: c. Any post office to serve transients and customers not permanently located." (At **1.2**, it states) "Postmasters may restrict the use of general delivery by customers." (At **1.3**, it states) "General delivery customers can be required to present suitable identification before mail is given to them." (At **1.4**, it states) "General delivery mail is held for no more than 30 days, unless a shorter period is requested by the sender. Subject to 1.2, general delivery mail may be held for longer periods if requested by the sender or addressee."

1.2 and **1.3** only restrict "customers," and make no mention of "transients" from **1.1**. Therefore "transients" are not restricted.

How do 'residents' fit into all this? Again, the 1932 laws only restrict 'residents' and 'persons' in general delivery, the restrictions being identical to the restrictions for 'customers' today.

In Latin '*residere*' (resident) means 'sitting or sinking firmly' and '*brevis*' (transient) is 'transitory, for a short time'.

As Christians, We must always look to Scripture and the Word of God as the final authority. As Scripture repeatedly points out, that, being Christians, We are 'sojourners'.

'Sojourner' is defined in the Latin as '*hospes*', meaning "the 'stranger' as guest, and the host who receives him; which is, an "antique custom"⁴⁶

In this sense, 'transient' and 'sojourner' are synonymous. To this day, the customs and usages of Christians, as sojourners, have remained intact in general delivery.

The problem of Postmasters trying to deny general delivery for more than 30 days, has been an uphill battle for some. One must be prepared when confronting this problem.

First, cancel your P.O. Box and remove the mailbox from your house or driveway.

Second, never agree to resolve problems with anyone but the Postmaster himself. Meetings with a supervisor or Postal legal counsel can be fatal, because they can do and say anything. They are on the commercial side of The Postal Service. The Postmasters words and acts, however, must comply with Law.

45. Ibid., United States Postal Policy.

46. *Dictionary of Latin Synonymes*, Little, Brown & Co., 1854.

Third, always put forth a benevolent attitude, carrying a demeanor of full knowledge of Postal Matters and of general delivery. This will take diligent study.

The 'mails' are a subject of vital importance to us all, because Lincoln's War began under the guise of keeping the 'post roads' open, but thereafter, free delivery and a host of other 'benefits' became the means to convert every American who used them, from patrons to residents, not of their state but of the Federal power, which opened the door to the Income Tax. This is the hidden meaning in Kelly's words that free delivery is, '**...more essential...than the Army and Navy.**'

Additional 'Non-Statutory Abatement' Information

Where is God? This sounds like such a simple question, but it is very important. You want to be wherever your Father is, so He can protect you. David gives the answer in Psalm 23.

Throughout the passages in this psalm, he makes reference to numerous metaphors, the "valley of death" being one. Commerce can be likened to the "valley of death." We can also equate un-Godly imperial governments as the mountains around the "valley of death." So, the "valley of death" is not the place for you to stay. You merely pass through the "valley of death," continually looking to God. So God, then, is everywhere in general, and nowhere specific. This is the reason you go through the general post-office. You are dwelling in the House of the LORD here, because the general post-office is everywhere in general, and nowhere specific. It is important for you to know and understand this concept because it determines your ability to continually walk with God here on earth, *sans* any fear of secular man. This is the Liberty our Brothers in Christ who have gone before us knew and enjoyed. We have the same Liberty and Duty enjoined upon us by Almighty God through Christ Jesus to enjoy the same.

Beginning then, at the top of the abatement, appears the Christian Appellation of the Demandant in the action, followed by the words *suae potestate esse*. Do not substitute these words with "*sui juris*," or "*juris et de jure*." The reason is that the bondservant of Christ has no inherent rights⁴⁷--he is merely *vested*⁴⁸ with Rights by Almighty God through Christ Jesus. When you walk with Christ, you have these Rights; when you don't, you don't--"I can do all things *through* Christ which strengtheneth me." *Phil 4:13*. Without Christ, we can do nothing, "I am the vine, ye are the branches: He that abideth in Me, and I in him, the same bringeth forth much fruit: for *without Me ye can do nothing*." *John 15:5*. [Emphasis added.] The words "*suae potestate esse*" mean "by the power existing in *Us*," *not me*. By that, you can surmise Who is the One standing with you in this work. This is the same reality in which David slew Goliath--it was God who slew Goliath, not David.

If you are doing the abatement for your Lawful Wife, then append after "*suae potestate esse*" the words "*et Uxor*." If you are doing an abatement for your son, append "*pro filius familias*," for your daughter, append "*pro filia familia*," and for a widow and unmarried sibling sister or sister in Christ, append "*pro filia Christianus*." It is perfectly good to do an abatement for your mother-in-law if your father-in-law has gone to the LORD. For her, use "*pro omnes socrus oderunt nurus*." *Use no other wording!* Do not use "*propria persona*," "*pro se*," or "*pro per*." These are terms used in equity and mean you are acting as an attorney for yourself. In a military court,

47. "INHERENT POWER. An authority possessed *without being derived* from another. It is a right, ability, or faculty of doing a thing, without receiving that right, ability, or faculty from another." *Bouvier's Law Dictionary* (1859), vol. I, p. 633. [Emphasis added.]

48. "TO VEST, *estates*. To give an immediate fixed right of present or future enjoyment; an estate is vested in possession, when there exists a right of present enjoyment; and an estate is vested in interest, when there is a present fixed right of future enjoyment. *Fearne on Rem. 2*; vide 2 [*626] *Rop. on Leg. 757*; 8 *Com.Dig.App. h. t.*; 1 *Vern. 323, n.*; 10 *Vin.Ab. 230*; 1 *Suppl. to Ves. jr. 200, 242, 315, 434*; 2 *Id. 157*; 5 *Ves. 511*." *Bouvier's Law Dictionary* (1859), pp. 625-626.

they want you in "*propria persona*" (your proper person) so they can arraign, try, convict, sentence, and execute you.⁴⁹

Next, for *each and every* abatement you ever do, you are located **at** the general post-office." *Do not ever receive any postal matter at home, not even a "friendly drop off" from your friendly "postman."* The postman is a very innocuous *military scout in the field* deceptively used, and receiving any thing from him is admission that you are a "*resident in the field.*" The minute you do this, you waive any and all standing in Law, and become a "resident" in the mud. Always remember, "Actions speak louder than words." Christ alludes to this as well, when He remarks, "...by their *fruits* [acts] you will know them."

Next, we have what is called in Law "laying the Venue."

"LAY THE VENUE. In pleading, to set forth the venue of the action, which is usually done in the caption." Radin, *Law Dictionary* (1955), p. 185.

The court described in the caption is the "superior court." This is a traditionally vested political Right, recognized in the Magna Charta at article thirty-four. The Venue is God's court in which you are standing. Looking at it Biblically, you are in God's inner court, and you have this standing because of your belief that Christ has entered once that all bondservants of Christ may enter His *Father's Sanctuary*. See *Heb 9:12*. This means that the process you issue must be exact, not the secular world's mime of Lawful process. Christ alludes to this when He said, "Enter ye in at the *strait* gate: for wide is the gate, and broad is the way, that leadeth to destruction, and many there be that go in thereat: Because *strait is the gate, and narrow is the way which leadeth unto life*, and few there be that find it." *Mt 7:13-14*. This is how God's Law is, and works. So the Venue being properly laid, and you being in general delivery is highly important. We cannot stress this enough!

"Residents," "attorneys," "homeowners," "trustees," "trusts," "taxpayers," "partnerships," "corporations," "directors," or "natural persons" and other like 'fictions' have no access to the inner court of God, because: One, they are not created by God in His image and likeness; and, Two, they deny the only Way by which they could have access, because they exist solely by and through unbelief in God's Word. Therefore they can never issue any Lawful process. None of the before mentioned *commercial* entities can ever relocate through the general post-office, and this is why you do not want to be in *commercial* activity. "Commercial activity" removes your standing in God's inner court, because it is written,

"And to whom sware he that they should not enter into his rest, but to them that believed not? So we see that *they could not enter in because of unbelief.*" *Heb 3:18-19*.

It is this passage of Scripture that tells of God's Providence and Protection over His People. Those who live in unbelief, through privilege, license, benefit, welfare, *ad nauseam*, cannot enter into the inner sanctum of God's Sanctuary to snatch one of His sheep. By the same reasoning, if you are in God's Court, is it possible for you to be in two places at once? *What an absurdity!* So, if you **file** the abatements in the opposing party's court, you are no longer in God's Court and have left on your own as did the prodigal son. Continuing along this same line, *abatements are a matter of right.*⁵⁰ The god of the venue will either honor and protect that right or permit certain things to happen for his purposes. So, if you have strayed or alienated your Self from the sole Source of that Christian Right, on what right do you stand?

49. "12. In order to vest jurisdiction in the particular court to proceed with the trial of a given case, the Accused must appear in [his proper] person before the court and be arraigned." Lee S. Tillotson, *The Articles of War Annotated* (1949), p. 40.

50. "Abatement is ordinarily a matter of right" Simmons v. Superior Court (1943), 96 C.A.2d 119, 214 P.2d 844.

"Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness? And what concord hath Christ with Belial? or what part hath he that believeth with an infidel?" 2 Cor 6:15.

"Can two walk together, except they be agreed?" Amos 3:3.

Throughout our writings we have repeatedly said that the god of commerce is *Mercurius*. There is not a scintilla of evidence that Almighty God ever walked with *Mercurius*, for;

"the earth is the LORD's and the fulness thereof; the world, and they that dwell therein."--Ps 24:1.

So God is not in need of any gain or profit which *Mercurius* offers; and, note the temptations of Christ, especially Mt 4:8-11; Lk 4:5-8. These are God's answers to commerce and *Mercurius*.

Although the abatements sever the bondservant of Christ from the *persona* engaged in commercial activity, unless the Repentance in the abatements is *True*, i.e. not continuing in the activity, then the avenue for ignoring the abatement is open and available, and you may be proceeded against at will, in the *commercial* world, where Christ *never was* and *is not found*--"Hereafter I will not talk much with you: for *the prince of this world cometh, and hath nothing in me.*" John 14:30 [Emphasis added].

"Definition of Business. Business in its simplest form means the exchange of one service or commodity for another. In its broadest sense the word includes all forms of activity that *human beings* [God-less entities] carry on for profit in ways that are permitted [licensed] by law." Barker and Commager, *Our Nation* (1942), p. 491.

"The 'law merchant' is part of the common law of England, and as such *is adopted by our Constitution* [fiction] as our law also. *Indeed, it is the law of the whole mercantile world* [not Christendom]. It is to be taken notice of by the judges as such, and to be understood and declared by them in the same way as all other parts of the law are to be interpreted and declared. When it becomes a question what the law merchant is in any particular case in forensic discussion, the question must be answered by the judges, and *not by the jury*; for this law merchant cannot, no more than any other part of the common law, be proved before a jury by witnesses as a matter of fact, and so be subjected to them to determine what it is. *Ferris v. Saxton*, 4 N.J.L.(1 Southard) 1, 18." *Words and Phrases*, Permanent Edition, vol. 24A, p. 99. [Emphasis and insertion added.]

Thus, this proceeding in commerce is *not* a Trespass in Law against you, because: One, it is presumed that you did *not* Repent by remaining in the *commercial* world where you were found, and consented to the *commercial* proceedings against you; Two, you will have affirmed to the *nom de guerre* by default; and, Three, there is no damage or injury. The presumption of innocence is now against you, *and you have convicted your Self*.

"*Quod quis ex culpa sua damnum sentit, non intelligitur damnum sentire*--He who suffers a damage by his own fault is not held to suffer damage." *Bouvier's Law Dictionary* (1914), "Maxim," p. 2159.

"*Volenti non fit injuria*--He who consents cannot receive an injury." *Bouvier's Law Dictionary* (1914), "Maxim," p. 2168.

"*Scienti et volenti non fit injuria*--A wrong is not done to one who knows and assents to it." *Bouvier's Law Dictionary* (1914), "Maxim," p. 2162.

It is impossible to plead the truth of two opposite records which testify against each other. And it is impossible to impeach your own record.

This is really *Our* fault. We have been derelict in finding the *Truth*, by relying not on God for our Life, Liberty, and Dominion under Him; but, on militarily created and imposed fictions, which have no standing in God's Righteous Venue.

On the left of the page is the Christian Appellation of the Demandant. And to the right of that is the case number. There are two methods of obtaining a case number: One, going to the Post Office and using a Registered Mail number; and Two, going to the county Sheriff and having him, as your clerk of court, assign you a number. Do *not* use "certified mail," because any thing which is certified is *commercial*, not Lawful. The reason for this is that the certificates are not the real item, but are fictions describing the real item. *You never assign your own case number!*

On the left side of the page, underneath the Christian Appellation is the word "Demandant." Do *not* alter or change this to "plaintiff" or "complainant." Abatements are not complaints, and these terms are inappropriate for this type of process. If you ask for or demand compensation for *perceived* damages in the abatement, you have converted the action from abatement to a complaint, *without a declaration or a record*. No one is guilty without the promulgation of the Law--"Because the law worketh wrath: for where no law is, there is no transgression." *Rom 4:15*. This nullifies and shams the process; and, *places you at risk which you assume solely on your own*.

There are two *types* of abatements of which you should be aware, *depending on the venue*: One, at Law; Two, a bill in *equity*. The abatements in this discourse are of the *first* kind, *not the second*. A bill in equity is heard in chancery, or in this country, in a *statutorily* established court. A court established by statute cannot look beyond the statute by which it is created. And because this is the case, a court sitting in equity does not have the power to abate any thing unless that power is found in statute.⁵¹ Depending on the venue, each type has different consequences on the actions that are brought.⁵² If you **file** a Non-Statutory Abatement in a statutorily established court, you have wandered out from the inner Sanctuary of God, to the battlefield to go it alone without God's Strength. Further the statutory court cannot look outside its *lex fori*. Therefore, your abatement, if it is filed, is a nullity in a statutorily created court. Need We say any more about this? *It is very important you understand this, and do not file abatements, but serve them*. There is no Law in an imperial "court"⁵³--the Law is *outside* of that "court."

On the right side of the page are the words, "Non-Statutory Abatement." The key words here are "non-statutory." In other words, you are *not* looking to any statute of man for the right to issue this process. The Right and Power to issue this process is not within you, but lies in God. You are vested with the Right, because when you are made in His image and likeness through Repentance to Christ, you are sealed by His Spirit.

51. "Common law 'plea in abatement' as such has no existence as a doctrine or remedy in [the State of] California." *Burnand v. Irigoyen* (1943), 56 C.A.2d 624. [Common law plea in abatement does not exist in statutory courts.]

52. "Abatement at law is the overthrow or destruction of a pending action apart from the cause of action; in equity the suspension of the proceedings. The term 'abatement' is used, with reference to pending actions or suits, to designate the result upon a suit or action, of defects which vitiate the propriety of the suit as brought, in contradistinction to the existence or the statement of a cause of action; it looks to their effect; and consequently it is ordinarily defined descriptively in terms of the effect produced, so that the definition varies accordingly as abatement at common law or abatement at equity, or under codes extending equitable doctrines to all suits or actions is spoken of..." (1 C.J.S. Abatement, §1a, p. 27) quoted in *Burnand v. Irigoyen* (1943), 56 C.A.2d 624, 629.

53. "Martial law is the law of military necessity in the actual presence of war. It is administered by the general of the army, and is in fact his will." Chief Justice Waite, in *United States v. Dickelman*, 98 U.S. 520.

"Executive orders have the force and effect of law and in their construction and interpretation the accepted canons of statutory construction are to be applied." *Brown v. J. P. Morgan and Co.* (1941), 31 N.Y.S.2d 323, 177 Misc. 626, 635.

"There are certain limitations placed upon powers of courts beyond which a court cannot go, and these involve the discretionary powers of the Executive Department." *Nordmann v. Woodring* (1939), 28 F.Supp. 573, 575.

It is the sealing by His Spirit which authorizes you to act in this mode and character⁵⁴, not any reason or opinion of your own.⁵⁵ It is *solely* by God's Grace you have the Right vested in you by Him. In the same vein, then, throughout the abatement, you can never cite any codes, rules, regulation, edicts or proclamations as the source for any thing you do. You can use them, however, for admissions by your opposition. Again, they cannot impeach their own record, and they cannot plead the truth of two opposing records. Either one or the other is true, but not both at the same time. The Scriptural authority for this is found in Christ's exchanges with the Pharisees when they asked for proof of His Authority.

For the reasons already given, **never** sign the abatements with:

"Without Prejudice--U.C.C. 1-207." - The U.C.C. is *copyrighted* private law--privilege. *Privilege is not recognized in Christian Law*, because God is no respecter of persons, and it is not given in common to All bondservants of Christ. It is a privilege for you to use the U.C.C. A Good and Lawful bondservant of Christ does not need the "authority" of a *private* "statute" to exercise a Right *not in commerce* common to all Good and Lawful Christians. Always bear in mind, man does not have the power to create something equal to or greater than himself.

"With full reservation of all rights--U.C.C. 1-207." - There are two reasons why you **never** add this. One is the copyrighted private law reason already given. The other is that the right does not exist at the time the transaction is taking place; and consent of the other party is needed to create the reservation within the venue of *commerce*. This is the reason a police officer scratches through your hogwash on a ticket, *because he has no authority to negotiate the reservation with you within the commercial venue in which you were found*.

54. "CHARACTER, distinctive mark xiv; graphic symbol xv; sum of mental and moral qualities xvii; personage, personality xviii. ME. *caracter*--(O)F. *caractere*--(mostly late) L. *character*--Gr. *kharakter* instrument for marking, impress, distinctive nature, f. *khardssein*:(-kharakj-) sharpen, furrow, scratch, engrave, prob. F. base meaning 'scratch.' So cha:acteri-stic xvii. --F. *caracteristique* -- late Gr. *kharakteristikos*; *characterical* and *-istical* were earlier. char-acterize. xvi. --F. Or medL. -- late Gr." *Oxford Dictionary of English Etymology* (1966), p. 163.

"CHARACTER. The possession by a person of certain qualities of mind or morals, *distinguishing* him from all others [humans].

"In Evidence. The opinion generally entertained of a person derived from the common report of the people who are acquainted with him; his reputation. *Kimmel v. Kimmel*, 3 S. & R.(Pa.) 336, 8 Am.Dec. 655; *Boynon v. Kellogg*, 3 Mass. 192, 3 Am.Dec. 122; 3 Esp. 236; Tayl. Ev. 328, 329.

"A clear distinction exists between the strict meaning of the words character and reputation. Character is defined to be the assemblage of qualities which distinguish one person from another, while reputation is the opinion of character generally entertained [perceived]; Worcester, Dict. This distinction, however, is not regarded either in the statutes or in the decisions of the courts; thus, a libel is said to be an injury to character; the character of a witness for veracity is said to be impeached; evidence is offered of a prisoner's good character; Abbot, Law Dict. See *Leverich v. Frank*, 6 Or. 213; *Powers v. Leach*, 26 Vt. 278. The word character is therefore used in the law rather to express what is properly signified by reputation." *Bouvier's Law Dictionary* (1914), p. 457.

55. "At common law and in those jurisdictions where the common law effect of a seal is still recognized, it is well settled that *authority to execute a sealed instrument* [Non-Statutory Abatement] *can be conferred only by an instrument of equal dignity or solemnity*; i.e., by a contract under seal. *Van Ostrand v. Reed*, 1 Wend.(N.Y.) 424, 19 Am.Dec. 529; *Story on Agency*, 9th Ed., secs. 49, 242, and 252." Rotwein, *Law of Agency* (1949), p. 21.

"Whenever any act of agency is required to be done in the name of the principal under seal, the authority to do the act must be conferred by an instrument under seal." Judge Appleton, *Heath v. Nutter*, 50 Maine 378.

"A seal, according to Lord Coke, is wax with an impression. A scrawl with a pen is not a seal and deserves no notice. *Sigillum est cera impressa, quia cera sine impressione non est sigillum*. The law has not indeed declared of what precise materials the wax shall consist; and whether it be a wafer, or any other paste or matter sufficiently tenacious to adhere and receive an impression, is perhaps not material." Justice Kent, in *Warren v. Lynch*, 5 John.(N.Y.) 238. See also *Van Suntwood v. Sandford*, 12 John. 197.

Below the words "Non-Statutory Abatement" is the date spelled out, not in numerals. Numerals have no Law and have no standing in Law. But English Grammar does. To this end then, whenever any reference is made to a dignified act, the numerals are replaced by the numbers being written in proper English.⁵⁶ The Year in the Reign of Our Sovereign is such an act of Dignity. Any document which you may receive may not have the Year spelled out, which tells you that the document is secular, mundane, irreligious, earthly and from a venue foreign to the venue of Christ. This is seen from Christ's exchange with the Pharisees in *John 8:23*. This passage of Scripture is where Christ defines the Venue between Himself and the Pharisees. All Christians, because they are sealed by the Holy Spirit, are in Christ's Venue; and, the abandoned paper is from the Pharisees' venue. There certainly cannot be a larger gap, for God is higher than the heavens, and the Pharisees are already in hell, because "he that believeth not is condemned already." *John 3:18*.

Latin terms used in the abatements:

Jus communis--common right.

Res communis--common property. Do *not* substitute *res publica* for this.

Lex non Scripta--the unwritten Law written by Almighty God on the hearts of all Good and Lawful Christians, and manifested in their traditions, customs and usages common among them.

Jus publicum--public right, which means any thing done against public right is un-Lawful, and therefore criminal in nature.

56. "11.19. Numbers mentioned in connection with serious and dignified subjects [the measurement of time from the birth of Our Sovereign Lord and Saviour Jesus Christ] and in formal writing are spelled out." *United States Government Style Manual* (1959), "Numbers Spelled Out," p. 169.

"12.19. Numbers appearing as part of proper names [The Year of Our Lord and Saviour] or mentioned in connection with serious and dignified subjects such as Executive orders, legal proclamations, and in formal writing are spelled out." *United States Government Style Manual* (1986), "Numbers Spelled Out," p. 169. [Insertion added.]

Older Non-Statutory Abatement and Processes

For those who do not have an assembly of two or three brothers to serve the abatement

[**Note:** this procedure is **not an option** for anybody, unless you are absolutely **alone**, and do not have any other man or woman in Christ who is willing to help you. We were hesitant to put this old procedure on this website, because there will be those who will use this procedure, instead of the newest procedure. Many have felt justified in using this older procedure because of such excuses as:

- I might lose some time from work,
- the traveling distance to serve the abatement is too far away,
- I don't want to inconvenience anybody and ask them to help me,
- I don't feel comfortable facing the authorities, etc.

However, we must do things according to the word of God, no matter how inconvenient it may be for us. If there is one other servant of Christ that can help you, that's all you need; even if it's a member of your own family. For example, if you are the one accused, both you and your son can serve the abatement; but your son must be the one who does all the talking and you must remain silent; the accused is only there to witness the service of process. If your son is the one accused, you are the one who does all the talking and your son must remain silent.

The drawbacks about sending it registered mail through the old procedure are:

- Nobody has to sign the postal return signature card if they don't want to.
- Even if they do sign it, there are no witnesses that he received it (a signature alone is only an idle word; it is not a witness. Whereas scripture says let every word may be established in the mouth of **two or three witnesses**).
- If they don't sign the postal return signature card, you will not know when the rule day for the default occurs.
- if you don't serve the default, the abatement is of no force at all.
- If they delay signing the postal return signature card, the court date could come and go before you can serve the default.
- Even if they do all sign the postal return signature cards, the default date will be different for each defendant, whereas if you served them the abatement on all the same day, the default date would be the same for all involved.

And if you do use this older procedure, you must also use the older abatement; **do not use the newest abatement if you use this older procedure for serving it.**

Serving Non-Statutory Abatement Processes

If it is not possible for at least two brothers to serve the abatement, the next best thing to do is to go through the Sheriff. For service of process by the Sheriff, in the case that you have only one Defendant on your abatement, take to the Sheriff's Office, Civil Division, the signed original abatement and a copy of the original to keep for your own records, and go to the Clerk's window. If, in the case that there is more than one Defendant to be served, take the original and one copy for each additional Defendant, plus a copy of each for your records. Ask the Clerk for the Service of Process Instruction Sheet. This form is used to provide the necessary information to the Deputy who will serve the process. It contains a place for the location (general post-office) of the Demandant (the one serving the abatement) and the Defendant (the person against whom the abatement is being served, personally). The form also has spaces for the locations of all parties and the hours during which the process may be served. It is self-explanatory.

When the Clerk asks for the case number, tell him you don't have one yet. The Clerk will assign a Sheriff's case number to the abatement. Write the Sheriff's case number in the appropriate place on the original and on the copy or copies. Make sure all copies are time and date stamped by the Clerk. The original and copies will be served by the Sheriff and you will keep one copy of each for your records. When this procedure is done, pay the Service of Process Fee.

In a few days, you will receive in the post, correspondence from the Sheriff's Office that contains the Sheriff's proof of service forms which may be at least two pages or more, depending on how many Defendants you have had the abatement served on. Attach the proof of service to your copy or copies of the abatement.

From the actual date the Deputy served the Defendant named in your abatement, go to the next day afterwards, and begin to count forward on your calendar until **ten days** have elapsed, **not counting Sundays and Holy days**. This is the **Rule Day**. Mark on your calendar, the Rule Day. When no response arrives at your general delivery location by that day, serve the Default, Default Judgment, and Praecipe immediately, through the Sheriff or by Registered Mail.

If you have it served by the Sheriff, in the case of a Default and Default Judgment, use the same Sheriff's case number as was written on the original abatement.

Thirdly, you can serve it through registered mail. If you serve it by Registered Mail, have the Postal Clerk date stamp the front of the Default just like the Sheriff did above. Sometimes, the Postal Clerk will refuse to date stamp your process directly on the paper. If this is the case, fill out the Postal Certificate of Mailing Form, which they will stamp, and staple it to the front of the Default before putting it in the envelope.

In the case that you serve the original abatement and copies on additional Defendants by Registered Mail, follow the steps above in the same manner. Your original case number for the abatement will be the Registered Mail number of the main Defendant. The main Defendant in most cases is the person who is bringing the defective process against you. If it comes out of a court, it would be the judge. If it comes from the IRS, it would be the agent, and so on. If there is no name on the paper, in the case of a court, serve the 'Presiding Judge' of the Court (and make him a Defendant), or in the case of the IRS, the supervisor. You can call by phone to find out their names.

It is strongly recommended that in all cases of service, that you have a friend serve a 'complimentary copy' on the Defendants. This creates a second witness to the process.

Commentary on the Content in the Older Non-Statutory Abatement

[NOTE: These are previous updates from even older Non-Statutory Abatements. These updates have been written into this 'Older Non-Statutory Abatement and Processes' package and are included here to help those who are new to Lawful process to learn it and understand it.]

Note: Comments which follow Content, [brackets], and <insertions> are not to appear in the abatements. They are solely for your edification. The full Sample Abatement, Default, and Specialized Abatements with these previous updates begin on Page 236.

The New 'Introduction':

This Non-Statutory Abatement is issued by and under the Ministerial Power and Authority vested solely in and appertaining to the Ministerial Office of Christ, established in Truth and Substance by the Grace of God through Our Sovereign Lord and Saviour Jesus, the Christ, and which is the Foundation of Law, customs, and usages common among all bondservants of Christ, being co-heirs and appointed co-Executors of His Testament governing His Estate brought into being by His original Act sworn to by Him in His Testament, and in execution of the Judgments declared therein by Him, against <*Defendants>, the <*agency or office, as it appears on their abandoned paper>, acting alien enemies of Our Sovereign Lord and Saviour for Whom I am one of several ministers. Said defendants are attempting to plunder in the Nature of a Praemunire, *imperium in imperio*, using *purported* process unknown to, and not recognized by, the Law of Our Sovereign, which is outlawed by the general custom in His Kingdom because it disturbs His Peace, which Peace He bestowed upon His church and state, and because *rerum ordo confunditur, si unicuique iurisdictio non servatur*, and thus, is in violation of The Law of Nations, The Law of War, and the *lex non scripta*, which is the *jus publicum* in His church and state:

[Comment: This paragraph has been completely re-written from the ground up. Here you show that your Ministerial Power and Authority to have their source solely in the Office of Christ. And if you have the pamphlet "In Vinculis--Justification and Excuse by and through Resting in Christ alone" you will readily see that some of the background information in there has been implemented here.

First notice, we declare Who Our Sovereign is, and Whose Law is being violated. When you do this, you show no evil intent or evasion, for God's Law is not an artifice nor is it deceit. This is the same way "law enforcement" officers work--their badge declares their sovereign, and the law they are enforcing. But in their case with artifice and deceit. We also state that the Office you are executing is in Law and has Truth and Substance for it has its Source, Cause and Origin there.

Next, we also state that God's Testimony, in both Testaments is True, so that the battle is not with you but with the Sovereign Whose Law you execute. The opposing party must allege and prove that what God says is a lie, or that you are not one of His several Ministerial Officers.

The works that you do must have corroboration from God for your record to be True:

"Jesus answered them, I told you, and ye believed not: the works that I do in My Father's name, they bear witness of Me." *John 10:25*;

"If I do not the works of My Father, believe Me not. But if I do, though ye believe not Me, believe the works: that ye may know, and believe, that the Father is in Me, and I in Him." *John 10:37-38*;

and,

"I can of Mine own self do nothing: as I hear, I judge: and My judgment is just; because I [*you] seek not Mine [*your] own will, but the will of the Father which hath sent Me [*you]. If I [*you] bear witness of Myself [*yourself], My [*your] witness is not true. There is another that beareth witness of Me [*you];

and I know that the witness which he witnesseth of Me is true. Ye sent unto John, and he bare witness unto the truth. But I receive not testimony from man [*codes, rules, regulations, and records]; but these things I say, that ye might be saved. He was a burning and a shining light: and ye were willing for a season to rejoice in his light. But I have greater witness than that of John: for the works which the Father hath given Me to finish, the same works that I do, bear witness of Me, that the Father hath sent Me. And the Father Himself, which hath sent Me, hath borne witness of Me. Ye have neither heard His voice at any time, nor seen His shape. And ye have not His word abiding in you: for whom He hath sent, Him ye believe not." *John 5:30-39*. [Emphasis and *insertions added.]

It is impossible for them to do the former; and in the latter, you must conform to his reality of a fiction and give it the substance he needs by voluntary compliance. To allay your fears of God's swearing, let us look at what Scripture says about this:

"For when God made promise to Abraham, because He could swear by no greater, He sware by Himself, Saying, Surely blessing I will bless thee, and multiplying I will multiply thee. And so, after he had patiently endured, he obtained the promise. For men verily swear by the greater: and an oath for confirmation is to them an end of all strife. Wherein God, willing more abundantly to show unto the heirs of promise the immutability of his counsel, confirmed it by an oath:..." *Hebrews 6:13-17*.

So that, because we are the seed of Abraham **by faith**, the opposing party would have to call God's oath to a bar having cognizance over God. Where is such a place? To call God's Testimony and Oath into question is blasphemy.

Further, Christ's church is His Inheritance:

"Blessed is the nation whose God is the LORD; and the people whom He hath chosen for His own inheritance." *Ps 33:12*.

There are other passages of Scripture too numerous to include here which substantiate this further.]

In the 'Discussion' section, the following paragraph has been added:

And whereas, martial rule and martial law, and all its masks, are repugnant to and violations of the Law, Testament and Writ I execute, for martial rule is government by the will of a human military commander; but, in the Law I execute, all Lawful government shall be upon the shoulders of Our Sovereign Lord and Saviour Jesus, the Christ, which means all Lawful government must have a lineage traceable to the Tree of Life. Any government having no such lineage, is strange, foreign and unknown to Our Law. The Law of Our Sovereign does not permit foreign and strange forms of law to be imposed upon His church and state, or His subjects:

[Comment: In this section we totally rid ourselves of King Charles I and place our footing solely in Scripture. This is founded upon the substance of *Isaiah 9:6*. God's Lawful government is squarely and solely on the shoulder of His Son, Our Sovereign Lord and Saviour Jesus, the Christ, Who is also the Prince of Peace. The man who stakes all he has on and in Our Sovereign Lord and Saviour Jesus, the Christ, has found Wisdom, Truth, Understanding and Peace so that:

"Happy is the man that findeth wisdom, and the man that getteth understanding. For the merchandise of it is better than the merchandise of silver, and the gain thereof than fine gold. She is more precious than rubies: and all the things thou canst desire are not to be compared unto her. Length of days is in her right hand; and in her left hand riches and honour. Her ways are ways of pleasantness, and all her paths are peace." *Proverbs 3:13-17*.

Therefore, it has a lineage traceable to the Tree of Life. A military government has a lineage traceable only to the day martial rule was imposed by the individual imposing it. Again, source, cause and origin. If the origin is from the Tree of Life, it has Truth, Substance and His Peace--it speaks God's Truth through His Son. If its origin is from the commander-in-chief, it is the "truth" and "substance" of its originator, however arbitrary, capricious and fickle they are in Truth.

You know this to be true because of the following passage of Scripture:

"Seek ye the LORD while he may be found, call ye upon him while he is near: Let the wicked forsake his way, and the unrighteous man his thoughts: and let him return unto the LORD, and he will have mercy upon him; and to our God, for he will abundantly pardon. For My thoughts [are] not your thoughts, neither are your ways My ways, saith the LORD. For as the heavens are higher than the earth, so are My ways higher than your ways, and My thoughts than your thoughts." *Isaiah 55:6-9.*

Therefore, the ways of a military government are not the ways of God revealed in Our Sovereign Lord and Saviour Jesus, the Christ:

"Yet saith the house of Israel, The way of the Lord is not equal. O house of Israel, are not My ways equal? are not your ways unequal?" *Ezekial 18:28.*]

The New 'Salutatory Greeting':

Comes Now, this bondservant of Christ, grateful to Almighty God for My Liberty in Christ, to humbly Extend Greetings and Salutations to you from Our Sovereign Lord, Saviour and Testator Jesus, the Christ, and Myself by Visitation, to exercise His Ministerial Powers in this Matter, in His Name, by His Authority, under Direction of His Warrant, Mandate and Will contained in His Writ, revealed both in His Testament written of Him in Holy Scripture and in Him:

[Comment: Note carefully what has changed in this salutary greeting. You are not exercising any of your own ministerial powers, but are exercising the ministerial powers appertaining to the high and Sacred Office of Christ, by His Direction, Mandate, and Will evidenced by and in His Testament. Everything you do is **solely** by His Direction and eliminates, for purposes of Law, a charge of "willfulness" (which implies evil intent) against you. Therefore, you must study Scripture to know and understand what ministerial Powers He exercised because if you misuse or abuse His ministerial Powers, you will fail:

"Qui alterius jure utitur, eodem jure uti debet--He who uses the right of another ought to use the same right." Bouvier's Law Dictionary (1914), "Maxim," p. 2157.

Because you are a bondservant of Christ means you do everything in His Name and by His Authority, not of your own *purported* "authority." The words "Warrant," "Writ," "Mandate," and "Direction" are specific and accord with not doing any thing "willfully." You are under yoke, and because you are under yoke, you are directed by the Driver of that yoke--the Testator of the Testament you execute. You have a Law to execute, and that Law is God's Law--the same Law Our Sovereign Lord and Saviour Jesus, the Christ executed.

It is the Lawgiver Who justifies you and none other. When you are justified you are excused from performance to any other form of law. This is very critical, for without this justification you are condemned. It is the Lawgiver Who justifies you--by His Warrant--and not your own works or words on paper. If God, through Our Sovereign Lord, Saviour and Testator Jesus, the Christ, is not your Lawgiver, you can never be justified, for no Law can justify any one. The high and Sacred Office of Christ is in Law, and so are you if you and the act you did or failed to do, are in Christ. If not, then you have no standing in Law. In Law, you are in the Garden of Eden protected by the bar of the flaming sword established by God, an ancient landmark (See Deut 27:17; Prov 23:10 and others); outside the Garden of Eden you are without standing in Law, for you have no relationship to

the Supreme Lawgiver who alone can justify you, and are at the bar of the Law awaiting judgment, sentence, and execution.]

The basis of the following changes to the marks are found in *Isaiah 9:6*:

"For unto us a child is born, unto us a son is given: and the government shall be upon His shoulder: and His name shall be called Wonderful, Counselor, The mighty God, The everlasting Father, The Prince of Peace."

It is solely upon this passage from Scripture which allows you to raise the political question because God raised it here. If you do not understand what this passage is saying, then do not implement these changes until you do. The results could be hazardous to you and yours under your roof. Notice here that God never mentioned sects, denominations or other ilk of the fallen natural mind. So, in the same manner, you never mention any sects, their terms of "art," ceremonies or the like, either. God never appointed His Son to start a sect, but appointed His Son to Redeem us from the penalties of His Righteous Law, and no sect has that power. That being the case then, no particular sect has any standing in God's Law. So stay away from them!!! "Is Christ divided?"

The New 'First Mark':

Your abandoned paper does not have upon its face My full Christian Appellation in upper and lower case letters conforming to proper English grammar, thereby evidencing an unproven *purported* law distinct and separate from, and strange and foreign to, the Law I minister in the Name and by the Authority of Our Sovereign Lord and Saviour Jesus, the Christ; and, in addition thereto, *suae potestate esse*; nor does your abandoned paper apply to Me; and,

The New 'Second Mark':

Your abandoned paper alleges violations of an unproven *purported* law, foreign and strange to the Law governing the Venue in which I am found and occupy *solely by the Grace of God*; and your abandoned paper has no Oath, Promise, or Law attaching Me to, or bringing Me within, the *purported* venue from which it originates; and,

[Comment: To raise a political question you must raise the Law of the Venue which separates you from their *purported* law. When this is done, the court must decide which law it will enforce, its own, or the Law of the Venue where you are, if it has jurisdiction of the subject-matter of your Law. Today's courts have no jurisdiction of God's Law because there is no lineage to them from the Tree of Life. Note the definitions of "CHRISTIANITY" and "CHRISTENDOM" in the Glossary. The wording in this mark is drastically changed from the former wording. What we wish to allege is that the venue they presume may not actually exist in Law.

In order for any foreign venue to be recognized it must have recognition from the Sovereign of the Venue which you occupy and are found. Ministers cannot recognize a foreign venue if the Sovereign in Whose name they are sent has not recognized it. If there is no recognition, then that other "venue" either does not exist, or it is unlawful. All Law having Truth creates:

One, venues; and,

Two, process which can be enforced.

Law must have substance equal to or greater than the Law you minister for it to be recognized by Our Sovereign. However, for a foreign law to be enforced, that law must be proven first. If that foreign law's roots have no foundation in Law, then the process issued is no process at all. This is why "purported" is used--they

purport they have Law, then, we offer them the opportunity to prove its validity, in God's court. No reply means they confess they have no Law, which is why the judgment is reworded as well. You will see this later.]

The New 'Third Mark':

Your agency, its fiduciaries, and the *nom de guerre* <M.Provost>, are created and established by a bankrupt person which is dead in Law and therefore are *persona non standi in judicio*; and,

[Comment: In this mark we allege their standing in Law is defective. We go back to the maxims of Law which state that a bankrupt person is civilly dead. We can then use this to allege the fact that because the United States went bankrupt in 1863 by the issuance of 10-40 and 5-20 bonds to raise revenue for flagrante bello purposes, and it is still scrambling for surety to fund its debt, it is now a civilly dead corporation lacking standing in Law to bring any process in Law to or against a bondservant of Christ, such as yourself. This is disparity and the maxims are quite clear on this:

"Disparata non debent jungi--Unequal things ought not to be joined." Bouvier's Law Dictionary (1859), "Maxim," vol. 2, p. 127.

So here you are following Law, and they are attempting to deceive you into waiving the Law. Which do you prefer--the protection of God's Law? or their flogging? This may sound harsh here, but are you responsible for a *purported* debt you never contracted for? Remember the debt is based on "legal tender" commercial paper printed and issued both during and after the hostilities of Lincoln's War. The war continues, however.]

The New 'Fourth Mark':

Your abandoned paper has no foundation in Law; for the reasons: One, it is not from an office in Law having lineage from the Tree of Life through the bondservant of Christ establishing it in and by their general laws; and Two, it is from an agency which is of the same nature and constitution of its principal, that of an adjudged bankrupt and dead in Law entity having the same capacity of *persona non standi in judicio*; and,

[Comment: Here we take a two-pronged approach: One, we state that the office has no lineage to the Tree of Life which would comply with the requirements of *Isaiah 9:6*. The lineage is established by the Great Roll or the Great Register in the county--not by "voter registration." Voter registration is evidence of foreign law, imposed by the will of the occupying belligerent. Without this lineage, the purported government is a foreign and strange "government" having no Law and no standing in Law.

Second, the agency part applies to all those "government" agents--actually 'camp followers' engaged in making profit from ignorant Christians for their strange god. They have the same nature and constitution as the their bankrupt principal--they are civilly dead in Law. This is the reason for the words *persona non standi in judicio*--they are a person having 'no standing in the court' from where your process issues. The only way they can get standing in God's court is if they can lay and prove:

One, they have Truth in substance; and,

Two, their law to be equal to or greater than God's Law.

Offices are established in Law, agencies are created by contract. The difference may seem subtle, but they are of substance. Offices, to be Lawful, must have a lineage traceable to the Tree of Life and not to a commercial contract. In other words, if the government is not on Christ's shoulders, on whose shoulders does it rest? Christ is the sole foundation of all Lawful Governments, and without sanctioning Authority from Him through the bondservants of Christ allowing the government to exist in the first place, there can be and is no government having standing in Law.

Unless Christians begin to see this vital connection, they are doomed to repeat the failures of the past. It is this passage in *Isaiah* which destroys all military governments and their commercial establishments masquerading as governments. For all unlawful military governments and commercial artifices are founded on non-substance: the lie of the serpent; while all Lawful governments are rooted in the substance of Christ.]

The New 'Fifth Mark':

Your abandoned paper lacks jurisdictional facts necessary to place or bring Me within your *purported* venue, your aforesaid venue being dead in Law and *sans* recognition in the Law and Testament of Our Sovereign Lord and Saviour Jesus, the Christ; and,

[Comment: This mark traces its validity back to the general principles concerning and governing all Lawful process. Process must allege facts having substance in the law sought to be enforced against the person named on that process. In the case of bondservants of Christ under the Lordship of King Jesus, it is necessary that the process be laid and proven first, and when laid and proven, that the facts necessary to bring the Good and Lawful Christian into the venue from where the process originates be well pleaded. *Sans* those basic requirements the process is defective.

But we go further: the person issuing such process must have standing in Law to issue the aforesaid process. Dead persons *in Law* cannot serve nor issue process having standing in Law. Christ did not die for those who resist His free Redemption, but for those whom He foreknew would accept it. Persons dead in Law cannot be resurrected except by the Power of Christ. "God is a God of the living. Not a god of the dead."

Another area of Law is also introduced here which you must familiarize yourself. This has to do with parity and recognition. Parity has to do with equality, and recognition has to do with being known or seen. For example, if you look straight ahead, can you see your feet? Parity is determined by standing--is their law equal to God's Law, the Law you execute? Is it known or seen by your Sovereign? If the answer to either of these two questions is "no" then there is no process, and whatever is "served" is a Satanic counterfeit of the real thing.]

The New 'Sixth Mark':

Your abandoned paper is unintelligible and unfamiliar to Me, and foreign to the Law and Testament of Our Sovereign Lord and Saviour Jesus, the Christ, which I minister; based upon the following: It is not written in Proper English, which evidences its foreign origin; being such, it must be laid and proven in the courts of the Venue in which I am found and occupy before it can be Judicially noticed and acted upon; and, it fails to apprise Me of the Nature of any matter alleged, if any matter alleged therein has standing in Law, and cannot be recognized Lawfully in this state, for the reason; it violates Our general customs and usages found in the Will of Our Sovereign Lord; and has no force, effect, or operation outside the venue from which it originates; and,

[Comment: What we have introduced here is the procedure by which foreign process or foreign law must be introduced in order for it to be acted upon in a particular venue.

All foreign law must be laid and proven in a court of the Venue having cognizance over the subject matter of the foreign law before it can be acted upon. This is because proof of a foreign law is a question of fact, not of Law; and, unless the fact can be proven in Law, the foreign law does not exist.

The foreigner who attempts to enforce his own law *sans* consent of the political departments of a Lawful government is a criminal. Further, no court is required to act upon such foreign law or its process if it be contrary to the Law of its own country. It may and usually will prefer the Law of its own domain over that of a foreigner to maintain peace in its own dominions--asylum.]

The New 'Seventh Mark':

Your abandoned paper fails to affirmatively show, upon it's face, Authority in Law for your presence in the Venue of Our Sovereign Lord and Saviour Jesus, the Christ in Whose Peace I rest from My own labours and self-will, and act *solely* by and under His Providence and Direction in an appointed Ministerial capacity; and,

[Comment: This mark raises the issue of comity.

"Comity represents modes of state behaviour that do not involve a binding or legal obligation. If such an obligation existed, the rule in question would be one not of comity but of either customary or conventional law."--von Glahn, *Law Among Nations* (5th ed., 1986), p. 25.

What we mean here is, because Our Sovereign Lord and Saviour Jesus, the Christ has not recognized the purported law and venue of the agent or officer; by what authority are they in His Venue disturbing His Peace among His subjects?

It is never the policy of nations at peace to send ministers into a foreign land to disturb its peace. This is easily seen from the following:

"Persons acting in the territory of another nation, in time of peace, though upon the command of their government, and being then beyond the jurisdiction of the government for which they act, must be treated as proceeding on their own responsibility, and may be prosecuted as criminals in the courts of the nation thus entered, though their own government adopts and approves their crime." *The People v. Alexander McLeod* (1841) 1 Hill(N.Y.) 377, 25 Wendell(N.Y.) 483, 37 Am. Dec. 328.

In this case, the Venue being assaulted and entered is Christ's church, the Inheritance of Our Father, wherein is the high and Sacred Office of Christ established by Him, so that Our Sovereign Himself is being assaulted.

If states could not protect themselves by their domestic criminal law based on Christianity, then all states would perish. And,

"Diplomacy is not an executive but a judicial function; and the joint diplomacy of two nations can not oust the courts of one of them from trying a person accused of committing a crime." *The People v. Alexander McLeod* (1841) 1 Hill(N.Y.) 377, 25 Wendell (N.Y.) 483, 37 Am. Dec. 328.

This is the reason you do the Non-Statutory Abatement--to set a record of diplomacy which can later be used to evidence criminal activity of the perpetrators. Thus, the foreign court cannot declare Christian Law to be suspended or otherwise revoked even if it wanted to, and the church must realize this sometime soon to effect its own ecclesiastical decisions.]

At the Eighth Mark, The phrase at "My Dominions" has been replaced with the following:

'...His Dominions and the disturbance of His Peace Inherited through Him by Me according to His Testament, for "...as many as received Him, to them gave He power to become the sons of God, even to them that believe on His Name," and "ye shall find rest unto your souls" and which I have been given that aforesaid Ministerial Power appertaining to the high and Sacred Office of Christ to minister the aforesaid Inheritance in His Name and by His Authority, for His Glory and Majesty.'

[Comment: Notice now what has changed in the wording. You have Inherited all things through Our Sovereign Lord and Saviour Jesus, the Christ, in accordance with His Will and Testament. You are not seeking your own will--"thy [not your] will be done...." You now put forth some of that evidence into the record, quoting John 1:12 and Matt 11:29 (but do **not** put the citations [*John 1:12 and Matt 11:29*] into the abatements), so that there will be no question about Whose Dominions and Peace are being invaded and disturbed. It is no crime for them to invade your "private" dominions--it is a crime to invade the Dominions of the King and disturb His Peace.

Please remember that this statement must be the Truth in you and not some mere words which have no effect. God's Word is a powerful two-edged sword which means it cuts both ways: it separates the Truth from lies, and if you want the benefit of His Sword, you must have the Truth and show It by exercising It. What this entails then, is a complete study of Christ's Ministerial Powers so that you will further understand the nature of the Law governing all His Dominions in which you are to minister.

We also want you to notice on Whose Law, Testament or Will you are making this stand: solely on God's Law--no codes, rules or regulations. Why can you do this? There are two fundamental reasons, which must become engraved on your heart:

The first one is found in *Genesis 1:27*, "So God created man in His own image, in the image of God created He him; male and female created He them."

And the second is a consequence of the first--God's Law exceeds and always will exceed the "legal memory" of man, and therefore is, and always will be, standing Law. Man can never escape this consequence either:

"Nay but, O man, who art thou that repliest against God? Shall the thing formed say to Him that formed it, Why hast thou made me thus?" *Romans 9:20*.

Theologian Emil Brunner noted the following:

"From the outset man is the property of God; he does not become God's property first of all by his [*own] self-determination. Self-determination ought only to accept that which already is, that which already exists. It is the Creation itself which is fulfilled in this call. In this call indeed man receives his human life; he does not already possess it, so that then his destiny added to it, as something secondary. Creation and destiny are one. When existence and destiny are separated, a rationalistic distortion of truth has already taken place; that deistic view of the independence of human existence is already in operation; man stands, where he thinks like this, already on this side of the Fall, where the call of God appears to be a mere obligation, which leaves man the choice between good and evil. Freedom of the will as freedom of choice in the sense of the *liberum arbitrium indifferentiae* is just as mistaken an understanding of freedom as determinism is a mistaken view of dependence. Genuine freedom is not that freedom of choice conceived in a rationalistic manner, but willing obedience to the God who calls us to communion with Himself. The 'knowledge of good and evil' as two possibilities which lie before me, between which I have to choose--that is the 'knowledge' of the man who has become sinful [Gen 3:5.] This 'knowledge' disappears in faith [*in Jesus, the Christ, the Tree of Life]; we experience 'faith' when we know that God has regained control over our lives, that reason has been captured [*and subdued] by obedience [2 Cor 10:5.]" *Brunner, Man in Revolt (1946), pp. 265-266.* [Emphasis & insertions added.]

That having been said, we must refer Dominion and Peace to belonging to Our Sovereign Lord and Saviour Jesus, the Christ and not in and of ourselves--"without Me ye can do nothing." Notice now from the example, that it is not you who is being assaulted, but the high and Sacred Office of Christ, and the Dominions appertaining to that high and Sacred Office--not you. This must occur before a right of correction or action vests in the bondservant of Christ. This is exactly where God drew the line in the Garden of Eden. Adam was banished from the Garden lest he should assault and pollute the Tree of Life and live forever. Therefore, we must stand inside the Garden where God drew the line, for the same reasons, and let Him handle the battle against the "sons of Adam." The "sons of Adam" do not live forever according to Scripture, but have an end--which is revealed in Revelation.]

The New 'Ninth Mark':

Your abandoned paper fails to affirmatively show, upon it's face, your Authority or Warrant in Law to assault, violate, or disparage the high and Sacred Office of Christ in any way, which I am Commanded and Warranted by Him in His Holy Writ to hold, occupy and minister for His sake; and,

[Comment: We continue diplomacy with the agent or officer by allowing him or her to plead his Warrant or Authority in Law, if any, as justification for his acts. This warrant, to be Lawful however, must originate in and issue from an office displaying and evidencing its lineage to the Tree of Life. Today's *de facto* process can never evidence such, because it cannot go beyond the commercial contract of agency. Thus, it is plain that such process, although *purportedly* lawful in commercial and jungle law, has no Authority or Warrant in Christian Law.]

The New 'Tenth Mark':

Your abandoned paper does not evidence any Warrant or Authority in Law, has no evidence of standing in the Law I execute and minister pursuant to His Writ and Mandate, and is not Judicial in Nature; and,

[Comment: Notice here that we dare not join with the opposing anti-Christian party in their action, but commence an action anew in God's court, by the ministerial Power appertaining to the high and Sacred Office of Christ. You do not allege any thing, they purport, to having standing in God's court, but raise the question of whether they have standing in Law in His court. You question the validity of the evidence, but you can't question its validity in the courts of the enemy. The only way they can prove the validity of their record is to bring it into the court from which the process you issued originated. Lacking said proof, answer, plea, or other process having standing in Law, a judgment *nihil dicit* issues. (see Glossary for further explanation)]

The New 'Eleventh Mark':

Your abandoned paper is not sealed with authority having a lineage through the Good and Lawful Christians in this state traceable to the Tree of Life, and is, therefore, a Trespass into the Dominions and a breach of the Peace of Our Sovereign Lord and Saviour Jesus, the Christ; and,

[Comment: We bring up the question of lineage to the Tree of Life--which has root in Christ. If the government is truly on His shoulder, then the lineage is easily proved. But if not, then it has no standing in Law. The seal of any instrument speaks the law of the venue from which the instrument issues, which separates it from all other Law or Venue. Any time an instrument is sealed, whatever is written on the instrument must comply with the Law of the venue. If it does not then it must comply with some other law. If what is said in the abandoned paper does not accord with the law of the seal, then the paper is void, as against the policy of the Sealor. So that if that seal does not accord with the Law of the Venue which you occupy and are found, then it is void in that Venue. Therefore, the enforcement of such an instrument in the Venue in which you are found is a trespass into the Dominion of the Sovereign Whose Law you minister.]

The New 'Twelfth Mark':

Your abandoned paper, which appears to tender some *purported* issue, fails to disclose or establish any legal connection between Myself and your purported office or agency; and,

[Comment: Again, we do not acknowledge their abandoned paper having any standing in Law which you execute, and looking at it, it must allege facts which constitute and establish a legal connection. Legal connection establishes interest in a *res* (a thing), a *persona designata*;

"Persona conjuncta aequiparatur interesse proprio--A personal connection (literally a united person, union with a person) is equivalent to one's own interest; nearness of blood is as good a consideration as one's own interest." Black's Law Dictionary (4th ed., 1957 & 1968), p. 1300.

It also creates what is called "legal personality." The last thing you want to confirm is any legal connection or interest in the *res* they are proceeding against. Why? Because the *res* (a fiction--it cannot see, smell, taste,

feel, or hear), becomes your god, which you, in a depraved human condition, seek to defend. And it is this earthly religion they have jurisdiction over, whether you realize it or not.]

The New 'Thirteenth Mark':

Your abandoned paper, upon its face, lacks sufficient evidence of Warrant and standing, in the Law I minister, until the contrary is laid and proven in the courts of the Venue in which I am found.

[**Comment:** Again, we do not join issue with the anti-Christian, but maintain our standing in the Law we minister, and declare the Law of the Venue in which we are found. You cannot do this using the purported law of the foreign venue. The law of the court is presumed valid in which actions brought under it are heard. You cannot challenge the validity of the law which governs the foreign venue in that court, because to do so destroys the court, and that cannot happen according to Scripture. Consistency of Christian thought from start to finish is what is required in all Lawful process. That is one of the marks which evidences the Truth. See Glossary.]

At 'Chapter Two, Secondly', the following paragraphs have been added:

[**1st added paragraph**]...And whereas, all Estates originate in and are of Inheritance vested by the Testament of Our Sovereign Testator Jesus, the Christ, because by Him all things consist, so that His act establishing the original Estate and state is regarded the highest in Law, for all other estates are derivative from and dependent upon that original Act, *quando diversi desiderantur actus ad aliquem statum perficiendum, plus respicit lex actum originalem, for unum quod que est id quod est principalius in ipso, causa et origo est materia negotii*, and His Reason for bringing His Estate into being always governs all within and every part derived from His Estate which He created, *ratio legis est anima legis*, and any act done against His Reason is not Lawful, *nihil quod est contra rationem est licitum*, the Policy of His Law for which His Estate is created governs all within and derived from it, for He is Perfection, and in Him is no corruption, evil, error, or sin:

[**Comment:** Note this goes back to *Genesis 1:1*. This is highly critical, for without the original act of creation, there are no other estates, inheritable, corporeal, incorporeal, or otherwise. There is no creation without Law--God's Word is Law. By extension, there is no Inheritance without Law.

We also see that "cause and origin" are the substance of everything so that God's Law, His Word, is the substance of all things and rules all things created by and under it;

"In the beginning was the Word, and the Word was with God, and the Word was God. The same was in the beginning with God. All things were made by Him; and without Him was not any thing made that was made." *John 1:1-3*.

All inferior estates are derivative and dependent upon His original Act. Estates are not just land, but also include chattels, powers, vested rights, and duties under the Law or Testament establishing them. There is no higher Testament or Law than God's Testament, written and revealed.

"God is not a man that He should lie: neither the son of man that He should repent: hath He said, and shall he not do it? or hath He spoken, and shall He not make it good?" *Numbers 23:19*.

Further, God's Policy is found *solely* in His Wisdom which man is to search out in Christ, "learn of Me" so you can know the Way, the Truth and the Life God has provided for you:

"Ask, and it shall be given you; seek, and ye shall find; knock, and it shall be opened unto you:..." *Mt 7:7*.
See also *Lk 11:9*.

"Ye shall seek Me, and shall not find Me: and where I am, thither ye cannot come." *Jn 7:34*.

"The LORD by [*His] wisdom hath founded the earth; by [*His] understanding hath he established the heavens." *Proverbs 3:19*.

Who has authority or standing to challenge Him about His Policy? Note also *Psalms 104:24*.]

[2nd added paragraph]And whereas, in that original Act, there is no Precept, Provision, or Warrant for a person dead in Law, i.e., a legal entity be it a *natural person, corporation or any collection of natural persons*, to have any Inheritance or any part in the Estate which is formed by, in, or from the original Act of Our Sovereign Testator Jesus, the Christ which, when extended, means that your corporation can have no part, i.e., a lien or *shetar* in or over, any estate derived from that original Act:

[Comment: The person(s) we are referring to here are those who are "sons of Adam," the ones who rebel against God--'the natural man' (see *I Corinthians 2:14*), covenant-breakers, whoremongers,, and the like. God separated them from the church of His Son when He ordered Adam out of the Garden of Eden. See *Gen 3:22-24* noting particularly the reason for the banishment. These shall never have any inheritance in the Estate established by the original Act of Christ.

God's Warrants to bondservants of Christ are given in Scripture: *Eph 5:5* and *Rev 21:8*. Dead in Law (mortmain) are those dead to God, those Godless entities, who are without (outside the Body of) Christ--"...for without Me ye can do nothing" because no one can do an act without Authority of Law and not suffer for it. Note also *Pr 21:16*:

"The man that wandereth out of the way of understanding shall remain in the congregation of the dead."
Proverbs 21:16.]

[3rd added paragraph]And whereas, no bondservant of Christ possesses the Title of any part of the Estate of Christ, because the earth is the LORD's and the fullness thereof, so that no executor can convey what he or she does not possess, *nemo dat qui no habet*, and where there is no provision or warrant in the Testament of my Sovereign Testator, of which I am one of several joint heirs and appointed co-executors, to Lawfully grant, convey, transfer, derelict, trade, mortgage, pledge, exchange, surrender or otherwise give up to a person dead in Law all or any part therein, *nemo potest nisi quod de jure potest*, and *pacta quae contra leges constitutionesque vel contra bonos mores fiunt nullam vim habere, indubitati juris est*:

[Comment: In order for any conveyance or pledge to be Lawful, there must be a Warrant or sanction of Authority in the Law. Without such sanction in the Law or Testament, there is no such conveyance or pledge. It cannot be presumed either--see next. Executors do not have private absolute title in the estate; but do have possession under Warrant of the Testament they execute in the Testator's Name, Who, in Truth, is the one with Title, for He brought it into being.]

[5th added paragraph]And whereas, there is no presumption in Law which presumes that any executor, a Good and Lawful Christian, has authority to encumber or waste the estate of his Testator, so that it is incumbent upon those third persons, i.e. your corporation, who make engagements with the Testator's executor to inquire of his authority to encumber or waste said Inheritance of his Testator, *scire debes cum quo contrahis*:

[Comment: This comes pretty much from general court cases concerned with the issues of fiduciaries and executors. This is a general principle of Law which the courts at Law and of law use when presented with such issues. This doctrine is followed and explained in a number of sources concerned with an estate's "property"--the Laws concerning inheritance find their source in *Numbers 27*.]

[6th added paragraph]And whereas, I can make no engagements Lawful which prejudice either my Testator, His Testament, or His Estate of Inheritance therein, which bind either Him or my Self to any obligations with any *natural persons* dead in Law:

[Comment: This is a general principle of Law from the law of slaves, fiduciaries, and executors. If you are under the yoke, you can make no ratifications which affect either the yoke, the Driver of the yoke, or the direction the Driver drives the yoke. But you must remember that if this statement doesn't apply to you, God will not honor it.]

[7th added paragraph]And whereas all engagements founded on unlawful consideration are void, and your *purported* consideration is unlawful, which is error in Law, because it is founded in the blood of the six hundred thousand Christian Saints shed during Lincoln's War against the several consociated Christian states in union, because the principle part of everything is the beginning or origin, *unumquodque est id quod est principalius in ipso*; cause and origin is the substance of the thing, i.e., your *purported* consideration, *causa et origo est materia negotii*; and, to know something is to know its cause and reason, *scire proprie est rem ratione et per causam cognoscere*, so that any contract which is the fruit of the poisoned tree of crime is not valid or of any force or effect in Law, *contractus ex turpi causa, vel contra bonos mores nullus est* and *pacta quae contra leges constitutionesque vel contra bonos mores fiunt nullam vim habere, indubitati juris est* and *crimen omnia ex se nata vitiat*:

[Comment: This refers errors in Law to their origin, and the reason is that if you refer errors in Law to their origin, you are refuting them:

"Errores ad sua principia referre, est refellere--To refer errors to their origin is to refute them." Bouvier's Law Dictionary (1914), "Maxim," p. 2133.

Therefore, to refer their purported consideration (it is error in Law to give fiction to compel performance of substance--this practice on a large scale began with Lincoln's War) to its real origin, not just when brought into being; but to the point in time when the commercial power established itself to license the lending corporation, for example, you then have solid ground in God's Law to refute them and stand on the Holy Ground of His Warrant. Law without Truth is not Law; but vain imagination or *illusion* of law. This then refers to the following maxim of Law:

"Ex nihilo nihil fit--From nothing nothing comes." Bouvier's Law Dictionary (1914), "Maxim," p. 2133.

So that because the illusion has no truth, neither is it law. And without Law, consideration cannot exist--note *Genesis 1:1*. Had Elohim, Who is Truth, never spoken the Law, the substance of the creation would never have been brought into being.]

[8th added paragraph]And whereas, he who committeth iniquity, or partakes of the benefit of iniquity, shall not have equity, and because Lincoln's War is founded in crimes against the several Christian states in union then *crimen omnia ex se nata vitiat* and, *nemo allegans suam turpitudinem audien dus est*:

[Comment: All crimes committed by individuals are errors in Law and iniquitous because they have no Truth which substantiates or warrants their particular act. If they were not errors in Law, the perpetrators of them could never be prosecuted by and under the Law declaring the acts to be crimes. Therefore, those who commit such errors cannot create Law based on their errors, but must have Truth in them to establish Law. A system of law based on lies, deceit, or crimes must be in error, for its foundation is in error. Therefore its results or consequences must also be in error--the blind leading the blind, both shall fall into the same ditch.]

[9th added paragraph]And whereas, those persons created or established by a *purported* law, which from its own record is created by acts contrary to the Law of the Estate established by the original Act of Our Sovereign Testator, or partakes of the same, is dead in Law, and unable to sue, be sued, plead, be impleaded, or damaged in any way by the execution of the Testament of Jesus, the Christ, the Way the Truth and the Life, the Law governing the Estate established by His Original Act, being in Law *persona non standi in judicio*:

[10th added paragraph]And whereas, the train of events may have been long laid, and we bondservants of Christ of the church may be or remain unconscious of the pending catastrophe; but, if the match is applied seasonably to the enforcement of Our Christian Law, and explosion follows, we of the church are no longer powerless to redress, by execution of His Testament, the consummated acts against Our Sovereign Lord and Saviour Jesus, and His Inheritance, His church, not less aggravated because long tolerated by Him and His church, *nullum tempus occurrit ecclesiae* and *nullum tempus occurrit reipublicae*, so that this corporation, when thoroughly looked at through Our Christian Law, is not of the Tree of Life, but has an evil lineage strange, foreign and dangerous to His church and state, that origin being the fruit of the poisoned tree found in the same Lawless acts which brought forth your *purported* consideration aforesaid and so your corporation lacks any and all standing both in Law and equity for one must come into equity with clean hands to have any right of action for any redress, not bloody hands, *nemo allegans suam turpitudinem audien dus est*:

[Comment: The first part of this section has to do with a quote from a court case concerned with conspiracy. We do not concern ourselves with conspiracy, but with history and Law, the principle here is that the church can never be without a remedy when the Law of its Blessed Sovereign has been violated repeatedly over a period of time. This can be substantiated by the chain of events from specific times in and during that period of time which then gives the church the ability and ground to right the course of events now ahead of it. See *Deut 28* for what awaits it if it fails to act. This is the only way the church may proceed--in the light of God's Law. This goes without saying.

However, at the same time, Christians must know history in light of God's Word and His Law so that they can see what changes have been and may be wrought which affect their Lives and Liberties in Christ. It is when the Office of Christ is assaulted from without that Christians must take a stand, doing it according to the Testament establishing the Office of Christ, and the Duties and Powers appertaining thereto. Therefore Christians must heed the following warning found in the Apocrypha:

"Because of unrighteous dealings, injuries, and riches got by deceit, the kingdom is translated from one people to another." *Ecclesiasticus 10:8*.

This proves how dangerous commerce is to His church, where the Office of Christ is head. Whenever and wherever the church is assaulted the Office of Christ is assaulted, for the church is the Inheritance of God, offered by the Son Who glorifies Our Father.

Unless Christians have the mind of Christ in this particular, the church can never be effective in changing the world assaulting it, and can never attain the Peace of Christ. Christ already knows He has a duty to protect His church; but do Christians know the Duty they have to Him to see to it that they execute His Testament, in His Name and by His Authority, which gives the Right of Protection and Asylum in Him? No Testament has effect unless it is executed, and execution brings forth the fruits of the Testament. Without execution there is no fruit, for execution is the fruit of the Law.]

[11th added paragraph]And whereas, the train of events also declares that the *purported* courts in which your corporation seeks remedy or relief of some *purported* damage or loss are also fruit of the same poisoned tree, said *purported* court partaking of the same blood aforesaid lacks any capacity or ability to seek the Truth beyond the venue of the poisonous *purported* laws which brought it into being, and in this capacity, makes your corporation *suus iudex*, in principle, contrary to Law, because *nemo debet esse iudex in propria causa and nemo allegans suam turpitudinem audien dus est and nemo potest nisi quod de jure potest and pacta quae contra leges constitutionesque vel contra bonos mores fiunt nullam vim habere, indubitati juris est*:

[Comment: This follows from all the maxims of Law concerned with venue statutes. Courts are bound to the law which brought them into being, and their authority cannot transcend the law that brought them into being, for the statute circumscribes the venue in which that court has jurisdiction over the particular subject matter committed to it. Beyond this, it lacks any authority, and the person who does exercise jurisdiction without

authority of a statute or law, is personally liable. We might also add the following maxim to further substantiate this:

"Ubi non est condendi auctoritas, ibi non est parendi necessitas--Where there is no authority to establish, there is no necessity to obey." Bouvier's Law Dictionary (1914), "Maxim," p. 2165.

Thus, because crimes were committed to establish this so-called court, and in crime there is no Truth, there can be no necessity to obey one whose office or position originates in or partakes of the fruits of that crime or crimes, for crime is error against the Law protecting Truth, and is therefore against Truth, Our Sovereign Lord and Saviour, Jesus, the Christ.]

[12th added paragraph]And whereas, all fruit of the poisoned tree is to be avoided and destroyed wherever found, and, if necessary, the tree cut down and burned so that the tree does not propagate to levels of infestation and dense overgrowth leading to destruction of the aforesaid Original Estate in Christ by and through waste of the same:

[13th added paragraph]And whereas, the "licensor" of your corporation is a bankrupt entity, partaking of the poisoned fruit of the tree planted during Lincoln's War which has been bankrupt and criminal since the eighteen hundred sixty-third year of the glorious Reign of my Sovereign, and because the agent is not greater than his principal and is of the same nature and constitution of its principal, then the agent, your corporation, is also a bankrupt criminal entity in regard to its existence in Law, because it *purports* to exist sans Lawful creation, and therefore lacks all ability to bring any action being dead in Law, *extra legem positus est civiliter mortuus*:

[Comment: This is derived solely from the facts existing in Genesis. The serpent was a bankrupt, unable to create any substance. A number of maxims interact in this part of the abatement:

*"Extra legem positus est civiliter mortuus--He who is placed out of the law [*God's Law establishing the Office of Christ] is civilly dead. A bankrupt is, as it were, civilly dead. International Bank v. Sherman, 101 U.S. 406, 25 L.Ed. 866." Black's Law Dictionary (4th ed., 1957 & 1968), p. 697.*

The Scriptural reference for this is at *Prov 21:16*:

*"The man that wandereth out of the way of understanding [*the Law of God] shall remain in the congregation of the dead."* [Insertion added. Note: This was Adam's error.]

We will refer you also back to *Genesis 3:22-24*. Another has to do with cause and origin being the material substance of any act bringing a thing or system of law into existence, which was pointed out earlier. If the cause and origin is in Christ, then the act has substance--"by Him all things consist." Outside of Christ there is no substance--only fiction and vain imagination--"in Him there [*is and] was no sin."

Looking to Christ, as the Author and Finisher of our faith, we can see that substance only moves and invokes Law--He died for our sins so that we might resurrect in Him. This is plainly seen from Scripture where after Adam is expelled from the Garden, God begins executing His plan for the salvation of man, in His Son, and not in a birth certificate--"my Father works and I work." This is critical. For salvation to have taken place it required a perfect Sacrifice to redeem sinful rebellious man from the punishments of a perfect Law; One without blemish--Truth--incorruptible and not corrupted with the cares of this life evidenced by fiction. This required that God provide the substance Himself, in His Son, Our Sovereign Lord and Saviour Jesus, the Christ. A perfect Sacrifice for the punishments of a perfect Law--this is Peerage or Parity.]

Executing the Process

The Non-Statutory Abatement takes its name from the fact that it exists - not by virtue of a statute passed by some legislature - but by virtue of its customary use arising from Christian common Law. Thus, the authority of the abatement does not require any legislature's stamp of approval.

When using the abatement process, one must always apply Christian Discernment in all of its facets. The following is a synopsis of a step by step procedure for the completion of this process:

1. Find the Main Post Office in your town. There will be one Main Post Office in your town that receives general delivery. **Do not** fill out the General Delivery Service Application, **PS Form 1527, Nov. 1987**. An excellent way to understand general delivery is to study the introduction to 'The Postmaster Abatement.' It is also suggested that you acquire the 'general delivery Postal Pack' from The Christian Jural Society Press before you confront your post office (see Study Material List).

Note: Never fill out a 'change of address form.' You are not changing addresses when you receive your postal matter in general delivery. You are going from 'an address' to 'a mailing location.' An 'address' is a 'commercial fiction.' If you fill out 'a change of address,' you will again be receiving the 'benefit of transfer' from them which places you back into the commercial venue.

You then remove your mailbox and address numbers from your house and/or cancel your P.O. Box, and avoid talking to the postman. Simply put on your front door a sign which reads, 'no mail received at this location.' For those at an apartment, etc., where you can't remove your mailbox, block the opening off and place a note on it that reads the same as above.

2. Apply an abatement to your particular situation by changing the names, addresses, opposing party, and other pertinent items. The Sample Abatement is the standard abatement which can altered for a specialized abatement. All 'insert directions' in brackets ([]) are not to be included in your abatement. The Sample I.R.S. abatement can be applied to a State taxing agency by changing the pertinent titles. The traffic ticket or warrant abatement can be changed in the same manner to apply to a Federal Court 'Order to Show Cause' or any other type of court summons. The basic wording need not be changed from the examples. If you do, **do so at your own risk**. The sample Default, located immediately after the Sample abatement can be used with all abatements in the same manner.

Always use **to be called for in general delivery** as your response location, for the reason: general delivery is where your court is located, i.e., everywhere in general and nowhere in specific. The court is where the Christian sojourns, wherever that may be -- and a sojourner is everywhere.

3. After the response location, always put small 's' superior and small 'c' court as the heading, along with your county name first, followed by a small 'c' county, and name of your state fully spelled out. The superior court is your court, which is a court, superior at Law, to all others. Never use 'State of,' because this refers to the internal administration of the commercial *de facto* government.

4. Always style yourself the 'Demandant' and the opposition 'Defendant.' All other titles besides Demandant' are in 'equity', therefore, use of any other term will sham your abatement, by creating a conflict of law within your own court. **Never** use line-numbered paper. It is a statutory creation.

5. Married women should always have their husband do the abatement in his name (see example), with the husband's name followed by, *et uxor*. This is because a married Christian woman has become 'one flesh' with her Christian Husband, and the law does not see or recognize her. For the foregoing reason the Wife's Christian name never appears in the abatement. The entity who you are abating will know who the abatement is from, by the name on the abandoned paper you return with the abatement. Title examples for unmarried women and

children are shown in the 'Coverture' section. An unmarried woman can have her father, brother or male Christian friend do the abatement in his name as a covering. If a friend, give him a 'Letter of Appointment,' and attach a copy of it to the abatement. For children under twenty-one years of age, the father has to do the abatement.

6. Always print the Defendant's personal name in upper and lower case and their office exactly as it is on the abandoned paper you are abating, i.e., STATE OF CALIFORNIA, BANK OF NEVADA, Bank of Nevada GRANT COUNTY MUNICIPAL COURT, etc.

7. No matter how many pieces of paper you abate, always refer to them as abandoned paper in the singular. Abandoned paper refers to resigning the paperwork to you, due to their lack of ability to produce Lawful process in your venue. Abandonment makes it null and void. Attach all abandoned paper to the back of abatement before service, and always mark across each piece, '**Refused for cause without dishonor and with out recourse to Me.**' (in upper and lower case).

8. In the text of the abatement, always capitalize Me, My, Myself, Our, Right, and any other words relating to a Christian under God. Study the capitalization of words from a good book on English Grammar.

9. Always spell out numbers you use for yourself, such as dates, page numbers etc. The page numbers are to be spelled out and made part of the others, as 'Page one of six', 'Page three of five' etc, thereby creating a complete document. Italicize all *foreign* entities, words, 'laws,' and other designations.

10. Never, never, ever use or cite any codes such as the Uniform Commercial Code, Penal Code, Code of Civil Procedure, Civil Code, I.R.S. Code, *ad nauseum*, all of which are private commercial law and may have force and effect only if you're playing in their sand box. The use of codes turns a Non-Statutory Abatement into a statutory abatement, which makes you appear "*non compos mentis*" to the opposing party and will sham your court because you are importing foreign law, which has no standing in your court. The only Law is found in Scripture and established customs and usages common to all Christians. Christ Jesus and His Law is the foundation of your state -- not the "State of" which is the commercial venue of all the codes.

11. The abatement has no force and effect in Law, without the Ordering Clause. Therefore, never fail to include this. Give the Defendant ten days to respond after the abatement has been served and always include the opportunity for the Defendant to ask for more time to respond. The ten days does not include Sundays and other Holy days. For example, if it is served on Monday and there are no Holy days other than Sunday, the Rule Day would be Friday of the following week.

12. Post a Notice of Default in three places in your county and run the Public Notice in your newspaper (see Public Notice section), to announce the date of Default, as soon as you have had the abatement hand-delivered to the Defendant or when you have received the return receipt from the post office or Sheriff, in cases where hand-delivery by a friend or Elisor is impossible. The three places in your county, can be the court house, Post Office, Library or any other public place. Look for a locked glass case in any public buildings for this purpose. Post the notice in three places in your county for a period of eight weeks, one having to be at the county seat. If you can afford it, place a Public notice in a newspaper in your county one day a week for three weeks, cut out the first printing and attach a copy of it to the Default before hand-delivery and mailing, etc.

13. Always include a Verification by Asseveration on the last page of your abatement and have two Christian friends witness your sign manual on it. The same is to be done on the Default.

14. The two most common ways to have your abatement served, is by the Sheriff and by the Post Office. If the service is done by Registered Mail, have the clerk hand date stamp the first page before you put it in the

envelope. Always take an extra copy when doing this, and have the copy date stamped also. From this copy, make additional copies to be sent Registered Mail to other defendants and to have a Christian friend hand serve the Defendant or Defendants. Hand-delivery is done, so you have two witnesses as evidence they were served, plus the Default occurs sooner and also insures that the Defendant receives a copy before the hearing or court date. Write in the original Registered Mail or Sheriff's number from the first mailing or Sheriff's service on all other copies of the abatements and continue to use that first number on the Default.

Note: Do **not** use a different case number, other than the one from the abatement, on the default. If you do, your default will be of no effect.

Note: **Never** use **Certified Mail**; it is for Commercial purposes only. **Always** use **Registered Mail**.

15. The number you receive from the Sheriff is written in the place you provide for it, as Sheriff's case number _____; and the Registered Mail number, when using the Post Office for service, is to be written as Case number _____.

16. If you receive any reply in general delivery between the time the abatement is served and the 10 day default time, you must open it and reply, **if it's addressed correctly**. If it's incorrect, you have a traditionally vested right to return foreign mail in general delivery. Simply write on it, "No such person, return to sender." If the letter is addressed correctly on the outside, but is misnumbered, etc., on the inside, simply continue to abate it in the same manner as your first one. You must use your Christian Discernment when confronting these situations. If you receive any mail from the abated entity after the default has occurred, you can refuse all mail from them thereafter. During and after the abatement and default process, avoid any contact with the abated entity, such as requests by them to call them because they have 'a question,' a knock on the door or a confrontation on the street, etc.

It is suggested that before one uses the abatement process, take the time to study the meaning of words unfamiliar to you, for in this way, you will become more comfortable doing the process (see Glossary). If we are to become self-governing bondservants of Christ under God, We need to begin acquiring the knowledge, understanding and wisdom so necessary to accomplish that purpose. The amount of 'minimum contact' you have with the current *de facto* government will be a determining factor on the success or failure of your abatement, as these contacts give that government a way to encroach upon your life, liberty and property. An abatement will not be successful in cases where you have given up jurisdiction by entering a court, posting bail or a signature on any jail forms whatsoever, appeared at an administrative hearing, entered into signed agreements with the entity, heavy engagement in commercial activity (Corporate or governmental employment), answered to the *nom de guerre* after service of process, committed an injury where there is a damaged victim, etc. When in contact with these entities and agencies, the less said and done is the less they will use against you to plunder your substance. The sooner we begin to break these contacts and disengage from the *lex mercatoria*, the sooner we will understand what government under God really means. We were never meant to be ruled by men, but ruled by The Father and His Word. Human beings are concerned with the present and past (the dead), while God and His people look to the present and future (the living). Living by God's Law preserves the Christian state; while living by human law destroys it.

English translations for Maxims, and definitions of words used in the abatements, are in the 'Maxims of Law' and 'Glossary' sections immediately following the abatement section.

Check List for the Non-Statutory Abatement Process

The following is a step-by-step listing that one should follow for completing the process.

["Second Revision" Note. If you have no Lawful assembly and no Brothers in your area to serve the process for you, you can use the following procedure.]

1. Locate in general delivery.
2. Remove from your dwelling-house all address numbers and the mail box, and/or cancel P. O. Box.
3. Install a "Breaking the Close" Notice on each side of the front gates and each door post of your dwelling-house. A Sample Notice with a five page explanation article is published in *Issue the Twenty-eighth of The Christian Jural Society News*.
4. Prepare your Non-Statutory Abatement, following steps #1-#16 on pages 232-234.
5. In the county where you are located, find the three places where you will be posting the 'Notice of Default' (examples on Page 249), and designate those locations in the appropriate place following the 'Ordering Clause.' If you plan to run the Notice in the newspaper, locate one that will run it for you and designate it in the same manner.
6. Before service is made, sign and seal the Abatement and Asseveration, and have two friends do the same.
7. Write across all pages of abandoned paper in upper and lower case letters, "Refused for Cause without Dishonor and without Recourse to Me." Place all abandoned papers in back of the Asseveration.
8. After signing and sealing is completed, make one copy of the original Abatement and abandoned paper(s).
9. To complete the service, take with you to the Sheriff or Post Office, both copies of the Abatement and attachments, all pertinent information concerning the Defendant to be served, and a 9"x12" Manila envelope.
- 10a. Service by Mail. Pay the Postal Clerk for Registered Mail, write the Registered Mail number on both Abatements and have the Clerk date stamp both Abatements in the upper righthand corner of the front page. Then place the original Abatement with the original abandoned paper(s), into envelope. Keep the copy for making additional followup copies.
- 10b. Service by Sheriff. Request a 'Service Form,' fill it out, and pay the Deputy for service. Write the Sheriff's Case number on the front of both Abatements and keep the copy, as above. Note: Some Sheriff's want to keep a copy for themselves. Therefore, when service by Sheriff is chosen, take a second copy with you.
11. Make additional copies of first copy and mail them Registered to, or have Sheriff serve, additional Defendants.
12. Place the Default Notice at the three places which were designated in the Abatement. Run the Default Notice in the designated newspaper, once a week, for three weeks.
13. Have a friend, or friends, personally serve each Defendant with a copy of the Abatement.
14. **Default, Default Judgment, and Praeipce. Complete in the same manner as #4 - #13 above.**

[Sample (Older) Abatement]

[Depending on your font and line spacing, your page numbering may be in slightly different locations]

Respond to:

John Alan: Robbins, *suae potestate esse*,
to be called for in general delivery,
Buena Park Post Office.
Buena Park, California.

superior court, Orange county, California

John Alan: Robbins, <i>suae potestate esse</i>	(Case No. <u><Sheriff's case number OR registered mail number></u>
Demandant)
	(Part One.
Against) Non-Statutory Abatement
	(
M. Provost)
James Gump	(Dated: The thirtieth day of the first month,
DEPARTMENT OF THE TREASURY) in the Year of Our Lord and Saviour Jesus,
INTERNAL REVENUE SERVICE	(the Christ, Nineteen hundred ninety-eight.
Defendants)

Non-Statutory Abatement

By John Alan: Robbins, *suae potestate esse*:

In the matter of: *Abandoned* AUTOMATED LETTER marked with 1/15/98 and the unlawful and invalid *persona designata*, JOHN A. ROBBINS, *nom de guerre*:

Be it Known and Remembered by All to Whom These Presents Come, and May Concern:

Introduction

This Non-Statutory Abatement is issued by and under the Ministerial Power and Authority vested solely in and appertaining to the Ministerial Office of Christ, established in Truth and Substance by the Grace of God through Our Sovereign Lord and Saviour Jesus, the Christ, and which is the Foundation of Law, customs, and usages common among all bondservants of Christ, being co-heirs and appointed co-Executors of His Testament governing His Estate brought into being by His original Act sworn to by Him in His Testament, and in execution of the Judgments declared therein by Him, against M. Provost, James Gump, DEPARTMENT OF THE TREASURY, and INTERNAL REVENUE SERVICE, acting *alien enemies* of Our Sovereign Lord and Saviour for Whom I am one of several ministers. Said Defendants are attempting to plunder in the Nature of a *Praemunire*, *imperium in imperio*, using *purported* process unknown to, and not recognized by, the Law of Our Sovereign, which is outlawed by the general custom in His Kingdom because it disturbs His Peace, which Peace He bestowed upon His church and state, and because *rerum ordo confunditur, si unicuique iurisdictio non servatur*, and thus, is in violation of The Law of Nations, The Law of War, and the *lex non scripta*, which is the *jus publicum* in His church and state:

** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit **

Part One of this matter shall be known as Non-Statutory Abatement and contains the following documents titled: One. Non-Statutory Abatement; and, Two. Verification by Asseveration.

One. Non-Statutory Abatement

Discussion:

Whereas, *the provisional Congress*, in the Preamble of *Congressional Report No. 93-549*, issued on the nineteenth day of the eleventh month in the Year of Our Lord and Saviour Jesus, the Christ nineteen hundred seventy-three, states "A majority of the people of the United States have lived all of their lives under emergency rule... And, in the United States, actions taken by the Government in time of great crisis have- from, at least, the Civil War- in important ways, shaped the present phenomenon of a permanent state of national emergency":

And whereas, according to The Supreme Court, said *Congress* has made little or no distinction between a "state of national emergency," and "a state of war":

And whereas, according to the Law of Nations, "the most immediate effect of a state of war is that it activates the law of War itself.":

And whereas, according to the Law of War, "martial law is obtained during a state of war and in truth and reality, is no law at all":

And whereas, open armed conflict is not necessary for the existence of a state of war, or war itself, for the forty-third *provisional Congress* in *House Report No. 262*, issued on the twenty-sixth day of the third month in the Year of Our Lord and Saviour Jesus, the Christ eighteen hundred seventy-four, admitted and declared that war exists *non flagrante bello*, a doctrine enunciated by the Supreme Court, and that this is the basis of the unlawful usurpations of record by said *Congress* called the *National Banking Act*, *Reconstruction Acts*, *Civil Rights Acts*, *Voting Rights Acts*, *ad nauseam*, and the *post flagrante bello* "amendments," each and all evidence that war, a state of war, and the qualified martial rule imposed by them, continues openly and notoriously to this day to destroy the consociated Christian states:

And whereas, war is simply the exercise of force between bodies politic against each other for the purpose of coercion, the bodies politic this day are: One, bondservants of Christ on one side; and, Two, *the low and Lawless persons* of proclamations, edicts, codes, rules and regulations, i.e., all *commercial* persons impressed with a belligerent or military character, on the other:

And whereas, martial rule and martial law, and all its masks, are repugnant to and violations of the Law, Testament and Writ I execute, for martial rule is government by the will of a human military commander; but, in the Law I execute, all Lawful government shall be upon the shoulders of Our Sovereign Lord and Saviour Jesus, the Christ, therefore all Lawful government must have a lineage traceable to the Tree of Life. Any government having no such lineage, is strange, foreign and unknown to Our Law. The Law of Our Sovereign does not permit foreign and strange *forms* of law to be imposed upon His church and state, or His subjects:

Now therefore, any proceeding to the contrary violates the established customs and usages, breaches the peace and safety of the Christian people in their Dominions, is an invasion against the Christian people and their Law and is a trespass on this bondservant of Christ:

** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit **

Chapter one:

Return of *abandoned paper* and expurgation of *record*; and *Averments*

Your *abandoned paper* is invalid for Cause without Dishonor and without Recourse to Me, and is herewith returned and the *purported record* expurgated because it is irregular and unauthorized, based upon the following, to wit:

Comes Now, this bondservant of Christ, grateful to Almighty God for My Liberty in Christ, to humbly Extend Greetings and Salutations to you from Our Sovereign Lord, Saviour and Testator Jesus, the Christ, and Myself by Visitation, to exercise His Ministerial Powers in this Matter, in His Name, by His Authority, under Direction of His Warrant, Mandate and Will contained in His Writ, revealed both in His Testament written of Him in Holy Scripture and in Him:

Page two of nine

Your *abandoned paper* and *purported record* contain the following Marks of Fraud:

First:

Mark: Your *abandoned paper* does not have upon its face My full Christian Appellation in upper and lower case letters conforming to proper English grammar, thereby evidencing an unproven *purported* law distinct and separate from, and strange and foreign to, the Law I minister in the Name and by the Authority of Our Sovereign Lord and Saviour Jesus, the Christ; and, in addition thereto, *suae potestate esse*; nor does your abandoned paper apply to Me; and,

Second:

Mark: Your *abandoned paper* alleges violations of an unproven *purported* law, foreign and strange to the Law governing the Venue in which I am found and occupy solely by the Grace of God; and your abandoned paper has no Oath, Promise, or Law attaching Me to, or bringing Me within, the *purported* venue from which it originates; and,

Third:

Mark: Your agency, its fiduciaries, and the *nom de guerre* M. Provost, are created and established by a *bankrupt person* which is dead in Law and therefore are *persona non standi in judicio*; and,

Fourth:

Mark: Your *abandoned paper* has no foundation in Law; for the reasons: One, it is not from an office in Law having lineage from the Tree of Life through the bondservant of Christ people establishing it in and by their general laws; and Two, it is from an agency which is of the same nature and constitution of its principal, that of an adjudged bankrupt and dead in Law entity having the same capacity of *persona non standi in judicio*; and,

Fifth:

Mark: Your *abandoned paper* lacks jurisdictional facts necessary to place or bring Me within your *purported* venue, your aforesaid *purported* venue being dead in Law and *sans* recognition in the Law and Testament of Our Sovereign Lord and Saviour Jesus, the Christ; and,

Sixth:

Mark: Your *abandoned paper* is unintelligible and unfamiliar to Me, and foreign to the Law and Testament of Our Sovereign Lord and Saviour Jesus, the Christ, which I minister; based upon the following: It is not written in Proper English, which evidences its foreign origin; being such, it must be laid and proven in the courts of the Venue in which I am found and occupy before it can be Judicially noticed and acted upon; and, it fails to apprise Me of the Nature of any matter alleged, if any matter alleged therein has standing in Law, and cannot be recognized Lawfully in this state, for the reason; it violates Our general customs and usages found in the Will of Our Sovereign Lord; and has no force, effect, or operation outside the venue from which it originates; and,

Seventh:

Mark: Your *abandoned paper* fails to affirmatively show, upon it's face, Authority in Law for your presence in the Venue of Our Sovereign Lord and Saviour Jesus, the Christ in Whose Peace I rest from My own labours and self-will, and act solely by and under His Providence and Direction in an appointed Ministerial capacity; and,

Eighth:

Mark: Your *abandoned paper* fails to affirmatively show, upon it's face, the necessity, if any, for your invasion of His Dominions and the disturbance of His Peace Inherited through Him by Me according to His Testament, for "...as many as received Him, to them gave He power to become the sons of God, *even* to them that believe on His Name," and "ye shall find rest unto your souls" and which I have been given that aforesaid Ministerial Power appertaining to the high and Sacred Office of Christ to minister the aforesaid Inheritance in His Name and by His Authority, for His Glory and Majesty; and,

Ninth:

Mark: Your *abandoned paper* fails to affirmatively show, upon it's face, your Authority or Warrant in Law to assault, violate, or disparage the high and Sacred Office of Christ in any way, which I am Commanded and Warranted by Him in His Holy Writ to hold, occupy and minister for His sake; and,

Tenth:

Mark: Your *abandoned paper* does not evidence any Warrant or Authority in Law, has no evidence of standing in the Law I execute and minister pursuant to His Writ and Mandate, and is not Judicial in Nature; and,

Eleventh:

Mark: Your *abandoned paper* is not sealed with authority having a lineage through the Good and Lawful Christians in this state traceable to the Tree of Life, and is, therefore, a Trespass into the Dominions and a breach of the Peace of Our Sovereign Lord and Saviour Jesus, the Christ; and,

Twelfth:

Mark: Your *abandoned paper*, which appears to tender some *purported* issue, fails to disclose or establish any legal connection between Myself and your *purported* office or agency; and,

Thirteenth:

Mark: Your *abandoned paper*, upon its face, lacks sufficient evidence of Warrant and standing in the Law I minister, until the contrary is laid and proven in the courts of the Venue in which I am found.

** Ex Dolo malo non oritur Actio **

Chapter two:

Firstly:

Whereas, according to the general custom and Laws in this state, The Law of Nations and The Law of War, said alien enemy belligerents cannot invade His Dominions with defective and nugatory paper: And whereas, said alien enemy agency is attempting to destroy the foundations of free Civil Government enjoyed by a Free and Lawful People through their Obedience to the Laws of God, the *jus ex non scripto*, which is the general custom, and basis of the Covenant and general Laws in this state:

And whereas, said alien enemy agency is attempting to bring or impose an Imperial system of law which destroys Our general custom, Covenant, and general Laws in this state, which are the only governing Law in this state:

And whereas, your *abandoned paper* and *purported records* containing threats of plunder, disturbs His Peace and endangers His Inheritance in His church and state:

And whereas, His Peace and Inheritance is a recognized general custom in this state:

Now therefore, your *abandoned paper* and *purported record* containing threats of plunder is attempting to usurp His Authority, *patria potestas*, are a disturbance of His Peace, a public nuisance, and a Trespass upon Him.

** Ex nudo Pacto non oritur Actio **

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Secondly:

Whereas, all Estates originate in and are of Inheritance vested by the Testament of Our Sovereign Testator Jesus, the Christ, because by Him all things consist, so that His act establishing the original Estate and state is regarded the highest in Law, for all other estates are derivative from and dependent upon that original Act, *quando diversi desiderantur actus ad aliquem statum perficiendum, plus respect lex acetum originalem, for unum quod que est id quod est principalius in ipso, causa et origo est materia negotii*, and His Reason for bringing His Estate into being always governs all within and every part derived from His Estate which He created, *ratio legis est anima legis*, and any act done against His Reason is not Lawful, *nihil quod est contra rationem est licitum*, the Policy of His Law for which His Estate is created governs all within and derived from it, for He is Perfection, and in Him is no corruption, evil, error, or sin:

And whereas, in that original Act, there is no Precept, Provision, or Warrant for a person dead in Law, i.e., a *legal* entity be it a *natural person*, corporation or any other collection of *natural persons*, to have any Inheritance or any part in the Estate which is formed by, in, or from the original Act of Our Sovereign Testator Jesus, the Christ which, when extended, evidences that your corporation can have no part, i.e., a lien or *shetar* in or over any estate derived from that original Act:

And whereas, no bondservant of Christ possesses the Title of any part of the Estate of Christ, because the earth is the LORD's and the fullness thereof, therefore no executor can convey what he or she does not possess, *nemo dat qui no habet*, and there is no provision or Warrant in the Testament of Our Sovereign Testator, of which I am one of several joint heirs and appointed co-Executors, to Lawfully grant, convey, transfer, derelict, trade, mortgage, pledge, exchange, surrender or otherwise give up to a person dead in Law all or any part therein, *nemo potest nisi quod de jure potest*, and *pacta quae contra leges constitutionesque vel contra bonos mores fiunt nullam vim habere, indubitati juris est*:

And whereas, there is no presumption in Law which presumes that any Executor, a Good and Lawful Christian, has authority to encumber or waste the estate of his Testator, so that it is incumbent upon those third persons, i.e. your corporation, who make engagements with the Testator's executor to inquire of his authority to encumber or waste said Inheritance of his Testator, *scire debes cum quo contrahis*:

And whereas, I can make no engagements Lawful which prejudice either Our Testator, His Testament, or His Estate of Inheritance therein, which bind either Him or my Self to any obligations with any *natural persons* dead in Law:

And whereas all engagements founded on unlawful consideration are void, and your *purported* consideration is unlawful, which is error in Law, because it is founded in the blood of the six hundred thousand Christian Saints shed during *Lincoln's War* against the several consociated Christian states in union, because the principle part of everything is the beginning or origin, *unumquodque est id quod est principalius in ipso*; cause and origin is the substance of the thing, i.e., your *purported* consideration, *causa et origo est materia negotii*; and, to know something is to know its cause and reason, *scire proprie est rem ratione et per causam cognoscere*, so that any contract which is the fruit of the poisoned tree of crime is not valid or of any force or effect in Law, *contractus ex turpi causa, vel contra bonos mores nullus est* and *pacta quae contra leges constitutionesque vel contra bonos mores fiunt nullam vim habere, indubitati juris est* and *crimen omnia ex se nata vitiat*:

And whereas, he who committeth iniquity, or partakes of the benefit of iniquity, shall not have equity, and because *Lincoln's War* is founded in crimes against the several Christian states in union then *crimen omnia ex se nata vitiat* and, *nemo allegans suam turpitudinem audien dus est*:

And whereas, those persons created or established by a *purported* law, which from its own *record* is created by acts contrary to the Law of the Estate established by the original Act of Our Sovereign Testator, or partakes of the same, is dead in Law, and unable to sue, be sued, plead, be impleaded, or damaged in any way by the execution of the Testament of Jesus, the Christ, the Way, the Truth and the Life, His Law governing the Estate established by His Original Act, being in Law *persona non standi in judicio*:

And whereas, the train of events may have been long laid, and the bondservants of Christ of the church may be or remain unconscious of the pending catastrophe; but, if the match is applied seasonably to the enforcement of Our Christian Law, and explosion follows, we of the church are no longer powerless to redress, by execution of His Testament, the consummated acts against Our Sovereign Lord and Saviour Jesus, and His Inheritance, His church, not less aggravated because long tolerated by Him and His church, *nullum tempus occurrit ecclesiae* and *nullum tempus occurrit reipublicae*, therefore your corporation, when thoroughly looked at through Our Christian Law, is not of the Tree of Life, but has an evil lineage strange, foreign and dangerous to His church and state, that origin being the fruit of the poisoned tree found in the same Lawless acts which brought forth your *purported* consideration aforesaid and so your corporation lacks any and all standing both in Law and equity, for one must come into equity with clean hands - not bloody hands - to have any right of action for any redress, *nemo allegans suam turpitudinem audien dus est*:

And whereas, the train of events also declares that the *purported* courts in which your corporation seeks remedy or relief of some *purported* damage or loss are also fruit of the same poisoned tree, said *purported* court partaking of the same blood aforesaid lacks any capacity or ability to seek the Truth beyond the venue of the poisonous *purported* laws which brought it into being, and in this capacity, makes your corporation *suus iudex*, in principle, contrary to Law, because *nemo debet esse iudex in propria causa* and *nemo allegans suam turpitudinem audien dus est* and *nemo potest nisi quod de jure potest* and *pacta quae contra leges constitutionesque vel contra bonos mores fiunt nullam vim habere, indubitati juris est*:

And whereas, all fruit of the poisoned tree is to be avoided and destroyed wherever found, and, if necessary, the tree cut down and burned so that the tree does not propagate to levels of infestation and dense overgrowth leading to destruction of the aforesaid Original Estate in Christ by and through waste of the same:

And whereas, the "licensor" of your corporation is a *bankrupt entity*, partaking of the poisoned fruit of the tree planted during *Lincoln's War* which has been bankrupt and criminal since the eighteen hundred sixty-third year of the glorious Reign of Our Sovereign, and because the agent is not greater than his principal and is of the same nature and constitution of its principal, then the agent, your corporation, is also a bankrupt criminal entity in regard to its existence in Law, because it purports to exist *sans* Lawful creation, and therefore being dead in Law, lacks all ability to bring any action, *extra legem positus est civiliter mortuus*:

And whereas, all usurpations by any or all appointees or other fiduciaries of bondservants of Christ are criminal in nature because they constitute theft of the prerogative and power of the *lex non scripta* constituting the *jus publicum* vested in all bondservants of Christ by God through Our Lord and Saviour Jesus Christ, and all acts which spring from such acts of usurpation are void, *crimen omnia ex se nata vitiat*:

And whereas, acts or things tolerated because of war, martial rule, impositions, deceit, or national emergency do not become part of the customs and usages of bondservants of Christ, because: One, they are derogatory to the Christian common Law and are not to be drawn into precedent, *quae lege communi derogant non sunt trahenda in exemplum*; Two, they are variable, arbitrary and capricious, and thus of no account or standing in Law, *consuetudo debet esse certa, nam incerta pro nullius habetur*; Three, things done during war *flagrante bello* generally do not follow legal form, because *silent leges inter armis*, and legal form is essential form, *forma legalis forma essentialis*, because when legal form is not followed, a nullity of the act is inferred, *forma non observata, infertur adnullatio actus*; and, Four, they are imposed on account of perceived "necessity" based on arbitrary autonomous reason, which does not exceed the legal memory of man, is of a specific time and place, and is not good beyond the limits of the necessity, *necessitas est lex temporis et loci* and *bonum necessarium extra terminos necessitatis non est bonum*, and never terminates the Law of Peace, but only *suspends* the Law of Peace, the Law of Peace always remaining *in esse*, through repentance, for an asylum for bondservants of Christ, because things incorporeal are never acquired by war, *incorporalia bello non adquiruntur*: And whereas, said "Congress," in volume twelve of the Statutes-at-Large at page six hundred sixty-five, admits the military necessity of funding war *flagrante*, and in the same act admits and declares the bankruptcy of the United States, and that all paper currency issued by or under the said act, is evidence of that bankruptcy, and are a violation of the Revealed Law, also called Christian Law, in this state:

And whereas, *The National Banking Act*, found in volume thirteen of the Statutes-at-Large page ninety-nine, "legislated" in the Year of Our Sovereign Lord and Saviour Jesus Christ eighteen hundred sixty-four, by usurpation, establishes an *anti-Christian* "national" paper currency founded on bankruptcy through the issuance of ten-forty and five-twenty bonds, without regard to any reserves or backing in Lawful money of the united States of America, thereby removing it from its Christian foundation in the states, to rest upon a foundation of debt and war strapped on the backs of those exercising "civil rights." All of this created by ascending above the powers granted to the government of the union of consociated States, thereby endangering their general customs and usages in their respective states, and this state in particular:

And whereas, *The National Banking Act*, found in volume thirteen of the Statutes-at-Large page ninety-nine, "legislated" in the Year of Our Sovereign Lord and Saviour Jesus Christ eighteen hundred sixty-four, by usurpation, establishes an *anti-Christian* "national" paper currency founded on debt backed by the conscripted labor of those *persons* "emancipated" by the usurpations of Abraham Lincoln on the twenty-second day of the ninth month in the Year of Our Sovereign Lord and Saviour Jesus Christ, eighteen hundred sixty-two, and the first day of the first month in the Year of Our Sovereign Lord and Saviour Jesus Christ, eighteen hundred sixty-three; and continued through said "Congress" usurpations of record, *the National Banking Acts* located aforesaid, and as amended; its *Civil Rights Act* found in volume fourteen of the Statutes-at-Large at page twenty-seven; and the *post flagrante bello* purported amendments, thereby creating a perpetual funding system, promoting perpetual war *non flagrante bello* and military rule in the states through a system of national banks and conscripted labor, based in Roman law, which violates the Law of Peace in this state. It is and was a system condemned in the Judgment of Peace rendered by Almighty God, and concurred in by the bondservant of Christ Men in the War for Christian Liberty commenced on the Fourth day of the seventh month in the Year of Our Sovereign Lord and Saviour Jesus Christ, seventeen hundred seventy-six: And whereas, it concerns the state or common wealth that things adjudged be not rescinded, *interest reipublicae res judicatas non rescindi*:

And whereas, all codes, rules, and regulations are evidence of instructions of the principal to his agent *in the field*:

And whereas, according to Christian Law, a debtor is not presumed to make a gift, *debitor non praesumitur donare*, so that a bankrupt, or his agents, cannot give Law or competently and Lawfully make engagements, for the agent is not greater than his principal, and agency does not exist without a principal:

And whereas, no contract is considered as valid between alien enemies, at least so far as to give them a remedy in the courts of either government, and they have, in Law, no ability to sustain a *persona standi in judicio*:

And whereas, said alien enemy agents are imposing a form of money inimical to public welfare according to the customs and usages of the Christian people in this state:

And whereas, said alien enemy agents and their agencies are engaged in the Lawless practice of deceit, which constitutes outlawry in this state, *dolus et fraus nemini patrocinentur (patrocinari debent)*:

And whereas, the Law ordinarily leaves deceivers in predicament resulting from their own machinations:

And whereas, according to the Revealed Law in Scripture, which is the general Law in this state, only substance invokes and moves Law, *les fictions naissent de la loi, et non la loi des fictions*:

And whereas, actions against nobody are odious in Law:

And whereas, contracts *commercii belli* are contracts *contra bonos mores* because they are foreign and destructive to this bondservant of Christ in particular, and to this state in general, *interest reipublicae quod homines conserventur*: And whereas, a contract in violation of the general Law in this state is void, *res turpis nullum mandatum est*:

And whereas, the *lex mercatoria*, or mercantile law, is the comprehensive body of *privately* administered rules and customs enforced as law, being like or similar to Law, but are *foreign* to this state in Christendom;

Now therefore, your *abandoned paper* and *purported records*, and their purpose are *contra bonos mores*:

****Quod ab Initio non valet in Tractu Temporis non conualescit ****

Thirdly:

Whereas, your *abandoned paper* contains the extraneous symbols, such as 1/15/98 and PERIOD ENDING 12-31-95, which symbology appears to denote time, but is unfamiliar to Me; for the reason, I Measure time in years of Our Lord and Saviour Jesus, the Christ, in accordance with the customs and usages in this state:

And whereas, provisions of the Christian people's customs, usages and moral Law forbids Me use of said unrecognized way of measuring time:

And whereas, your *abandoned paper* and *purported records* contain scandalous and libelous matter all to My harm, in particular, and to this state of Christendom in general:

**** Lex non cogit ad Impossibilia ****

Now, therefore:

I am invalidating your *abandoned paper* and expurgating your *purported record*, and shall, henceforth, exercise My Right of Avoidance; for the reason: they are irregular, unauthorized, misnomered, defective upon their face and invalid, and are, herewith, abated for being a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a conflict of Law.

Chapter three:

Ordering Clause;

"Every direction of a court or judge, made or entered in writing, and not included in a judgment, is denominated an order." .

Said Defendants shall abate the matter of AUTOMATED LETTER marked 1/15/98 and imposing suretyship upon Me, through unlawful attachment to Me, of a *persona designata*, JOHN A. ROBBINS, *nom de guerre*, within ten days of the ordering of this Non-Statutory Abatement, or show cause why the Abatement should not lie. Any and all written response must include a detailed factual statement and supporting documentation, having standing in Law. If more time than ten days is needed to respond, it may be granted on written request by this court. Because all are without excuse, failure to obey this court order or failure to respond in the time prescribed, herein, will result in Default and Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*.

**** Omnia praesumuntur contra Spoliatorem ****

All remittance of this instant matter should be marked with the superior court case number, and mailed to the following location:

John Alan: Robbins, *suae potestate esse*,
to be called for in general delivery,
Buena Park Post Office.
Buena Park, California.

This bondservant of Christ, will henceforth exercise My Right of Avoidance and, solely by the Grace of God, maintain The Law of Peace, Our Dominions, Our Immunities, and Our general customs and usages under Him, and stand upon the grounds set out above:

** Summa Ratio est quae pro Religione facit **

For the next eight weeks, to diffuse and impute Knowledge to bondservant of Christ Men in this state concerning this instant matter, a Public Notice of this Non-Statutory Abatement and Default Rule day is posted, in the Public Record, at _____, _____, and _____ in Orange county, California, for all bondservant of Christ Men in this state to Witness, Record, and have Knowledge: *Causae ecclesiae publicis causis aequiparantur*; and, *quod omnes tangit, ab omnibus debet supportari*;

Attachment: Abandoned paper of:

THE DEPARTMENT OF TREASURY, INTERNAL REVENUE SERVICE

Two. Verification by Asseveration

In Witness, Knowing the punishment for bearing false witness before Almighty God and Men, I solemnly aver, that I have read the foregoing Non-Statutory Abatement and know the contents thereof; that the same is true of My Own Knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I believe them to be true.

Sealed, under Authority, and by Direction, of Christ Jesus, by His Direct act of My own hand on this thirtieth day of the first month in the year of Our Lord Jesus, the Christ nineteen hundred ninety-eight.

Solely by the Grace of God do I have the Honor of being a bondservant of Christ. **L.S.**

, suae potestate esse

Sign Manual

On this thirtieth day of the first Month, in the year of Our Sovereign Lord and Saviour Jesus, the Christ, nineteen hundred ninety-eight, We, the undersigned, bondservant of Christ Men in this state, having ascertained that Our Brother, John Alan, has read and Knows the contents of this Non-Statutory Abatement, witnessed his execution and sealing of the same, and do hereby testify to the foregoing, by voluntarily setting Our Hand and Sealing this Abatement.

Solely by the Grace of God do I have the Honor of being a bondservant of Christ. **L.S.**

, suae potestate esse

Sign Manual

Solely by the Grace of God do I have the Honor of being a bondservant of Christ. **L.S.**

, suae potestate esse

Sign Manual

Commentary on the changes to the 'Default and Default Judgment'

[NOTE: These are still updates from even older Non-Statutory Abatements and Processes, written here and included in this 'Older Non-Statutory Abatement and Processes, package for your edification.]

At 'Two. Order for Entry of Default and Default Judgement', the following paragraph has been changed:

It is ordered that the clerk of this court shall be, and is hereby, directed to enter the default of the aforesaid Defendants, and judgment *nihil dicit*, on the judgment roll, in favor of Demandant and against Defendants for the relief demanded in the plaint, and as follows;...

[Comment: In this ordering clause, we added the words *nihil dicit*. The reason is that in order to use your judgments against those perpetrators of disturbance of the Peace of the King, you must have evidence of their confession. Judgment *nihil dicit* accomplishes just that, for it is a confession of the Defendant to all things well pleaded in the Abatement.]

[Sample (Older) Default and Default Judgment]

[To be served soon after the Default day]

Respond to:

John Alan: Robbins, *suae potestate esse*,
to be called for in general delivery,
Buena Park Post Office.
Buena Park, California.

superior court, Orange county, California

John Alan: Robbins, <i>suae potestate esse</i>	(Case No. _____
Demandant)
	(Non-Statutory Abatement.
against,) Part Two.
	(
M. Provost) Notice of Default; Default
James Gump	(Judgment; and Praecepte.
DEPARTMENT OF THE TREASURY) Dated: The fourteenth day of the second month,
INTERNAL REVENUE SERVICE	(in the Year of Our Lord and Saviour Jesus,
Defendants) the Christ, Nineteen hundred ninety-eight.

Non-Statutory Abatement

By John Alan: Robbins, *suae potestate esse*:

In the matter of: Abandoned AUTOMATED LETTER marked with 1/15/98 and the unlawful and invalid *persona designata*, JOHN A. ROBBINS, *nom de guerre*..

Be it Known and Remembered by All to Whom these Presents come and may Concern:

Introduction

This Non-Statutory Abatement is issued by and under the Ministerial Power and Authority vested *solely* in and appertaining to the Ministerial Office of Christ, established in Truth and Substance by the Grace of God in and through Our Sovereign Lord and Saviour Jesus, the Christ, and which is the Foundation of Law, customs, and usages common among all bondservants of Christ, being co-heirs and appointed co-Executors of His Testament governing His Estate brought into being by His original Act sworn to by Him in His Testament, and in execution of the Judgments declared therein by Him, against M. Provost, James Gump, the DEPARTMENT OF THE TREASURY, and the INTERNAL REVENUE SERVICE, acting alien enemies of Our Sovereign Lord and Saviour for Whom I am one of His several appointed Ministerial Officers. Said defendants are attempting to plunder His Lawful and Rightful Inheritance in His church and state, using *purported* process unknown to, and not recognized by, the Law of Our Sovereign, in the Nature of a *Praemunire, imperium in imperio*, which is outlawed by the general custom in His Kingdom because it disturbs His Peace, and His Peace He bestowed upon His church and state, and because *rerum ordo confunditur, si unicuique iurisdictio non servatur*, and thus, is in violation of The Law of Nations, The Law of War, and the *lex non scripta*, which is the *jus publicum* in His church and state:

Part Two of this matter contains the following, titled: One. Notice of Default; Two. Default Judgment; Three. Praecepte and; Four. Verification by Asseveration.

One. Default:

To: The INTERNAL REVENUE SERVICE, and all above named Defendants, jointly and severally,

Take notice that Demand of Our Sovereign Lord and Saviour Christ Jesus, in His Name, by His Direction, Mandate, Will, and Testament, and under Warrant of the same, was herein Lawfully made upon you to answer or otherwise plead to the

Page one of three

plaint on file herein, a copy of which has heretofore been served upon you, and of which you have knowledge of the matter or matters therein contained; and,

Take further notice that your failure to answer, plead or otherwise perfect the Record in Law in response to the foregoing notice and plaint served upon you, within the time stated, the Demandant will forthwith cause your default be entered and move for judgment against you personally and officially for the relief demanded on the plaint.

Two. Order for Entry of Default and Default Judgment:

The Non-Statutory Abatement in this action having been personally served upon M. Provost and James Gump, and the INTERNAL REVENUE SERVICE, the aforesaid Defendants, on the second day of the second month, in the Year of Our Lord Jesus, the Christ, nineteen hundred ninety-eight, a true copy of Proof of Service is annexed hereto, incorporated fully herein, and marked "Exhibit A," for your edification, and the Record showing no answer, demurrer, motion, or other pleading to the plaint having in any manner been made by said Defendants; and, it appearing from the Record, without evidence standing in Law to the contrary, the Defendants aforesaid have abandoned prosecution of their alleged claim, right, title or interest in, over, or to the Demandant, a Ministerial Officer by appointment of Christ Jesus, by Him in His Testament and Will, or any property in chattels or land Inherited solely by the Grace of God through Christ Jesus; and, it appearing from the Record, without evidence standing in Law to the contrary, the Defendants have admitted to all matters of substance and Law well pleaded in the plaint of the Demandant commenced by and under Direction of Christ Jesus; and, it appearing from the Record, without evidence standing in Law to the contrary, that the Defendants aforesaid have acted in a Lawless manner in and by showing and displaying contempt for this Honourable Court, its Sacred Law, and its Blessed Judge -- a manner inconsistent with the Mark of the Holy Spirit sealing and Witnessing the conduct of a Good and Lawful Christian having, possessing, and executing Truth established in Law; and,

Now, therefore, on motion of the Demandant, in accordance with the Law of this Honourable Court, and by Direction of its Blessed Judge:

It is ordered that the clerk of this court shall be, and is hereby, directed to enter the default of the aforesaid Defendants, and default judgment *nihil dicit* in favor of Demandant and against Defendants for the relief demanded in the plaint, and as follows:

That the AUTOMATED LETTER marked 1/15/98 and all *records* containing the *persona designata*, JOHN A. ROBBINS, *nom de guerre*, and all information they contain, be expurgated from all systems for the Lawful reasons given in the plaint; and,

That a true and correct copy of this judgment be sent to all said Defendants.

Let judgment prayed for enter accordingly.

Three. Praeipice:

The clerk of said court will please enter the default of the Defendants aforesaid; and default judgment *nihil dicit* against the aforesaid Defendants in the above entitled cause for the following Lawful reasons established by Record in Law through conduct of the Defendants: One, Defendants failure to respond in Law on the rule day of the thirteenth day of the second month, in the year of Our Sovereign Christ Jesus, nineteen hundred ninety-eight; Two, the abandonment of prosecution by the Defendants to lay, evidence, and prove in Law before this Honourable Court their alleged right or claim against the Demandant, for the Law is the same in regard to matters not shown as to those which do not exist; Three, the admission by the Defendants to all matters of substance in Law well pleaded by the Demandant, for we can do nothing against the Truth

but for the Truth; and Four, the Record of the willful and Lawless contempt by the Defendants of this Honourable Court, its Sacred Law, and its Blessed Judge.

Sealed, under Authority, and by Direction of Christ Jesus, by His Direct act of My own hand on the fourteenth day of the second month in the year of Our Lord Jesus, the Christ nineteen hundred ninety-eight.

Solely by the Grace of God do I have the Honor of being a bondservant of Christ. **L.S.**

, suae potestate esse

Sign Manual

A public notice of this Default, Default Judgment and Praeceptum is posted at _____, _____, and _____ in Orange county, California for all the world to Witness, for the next eight weeks, and in the public notice section of the _____ Newspaper for the next three weeks.

Four. Verification by Asseveration

On this fourteenth day of the second month, in the year of Our Sovereign Lord and Saviour Jesus, the Christ, nineteen hundred ninety-eight, We, the undersigned, bondservant of Christ Men in this state, having ascertained that Our Brother, John Alan, has read and Knows the contents of the foregoing Default, Default Judgment and Praeceptum, witnessed his execution and sealing of the same, and do hereby testify to the foregoing, by voluntarily setting Our Hand and Sealing hereafter.

Solely by the Grace of God do I have the Honor of being a bondservant of Christ. **L.S.**

, suae potestate esse

Sign Manual

Solely by the Grace of God do I have the Honor of being a bondservant of Christ. **L.S.**

, suae potestate esse

Sign Manual

The (Older) Public Notices with Commentary

Public Notice:

Notice of Default:

[To be posted soon after the Abatement is served]

Be it Known and Remembered by All Who see these Presents and to Whom these Presents shall Come:

This public notice posted for purposes of Edification and imputing Knowledge to Christ's church at <city name> , and to all the World, Declareth and Witnesseth that, in <county name> county, <state name>, superior court case number <number> Lawful process in compliance with the Will, Mandate, and Direction of Our Sovereign Lord and Saviour Jesus, the Christ, in His Name, and by and under the Authority of His Warrant and Precepts in His Holy Writ, was properly, Lawfully, and duly served on the <numbered day> day of the <numbered month> month in the Year of Our Sovereign Lord and Saviour Jesus, the Christ, <nineteen hundred - numbered year>, upon Defendants, <named Defendant> and <named Defendant>, and the same will Default on the <numbered day> day of the <numbered month> month in the Year of Our Sovereign Lord and Saviour Jesus, the Christ, <nineteen hundred - numbered year>, and Default Judgment in favor of Demandant, one of His several appointed Ministerial Officers in Law <named Demandant>, *suae potestate esse*, will be entered accordingly on that rule day.

Notitia dicitur a noscendo.

Ignorantia juris non excusat.

Causae ecclesiae publicis causis aequiparantur.

Quod omnes tangit, ab omnibus debet supportari.

Interest reipublicae quod homines conserventur.

Nihil in lege intolerabilius est, eandam rem diverso jure censi.

Interest reipublicae ut pax in regno conservetur,

et quaecunque paci adversentur provide declinentur.

Impunitas continuum affectum tribuit delinquendi.

Notice by posting is due course of Law.

Removing or attempting to remove this posting are deemed in Law actions of Trespass to obstruct due course of Christ's Law in His Testament, constituting a disturbance of His Peace and the Peace of His church at <city name> by Trespassing upon the Inheritance common among bondservants of Christ in and through Him, and a Trespass upon Him and His Record established in Law thereby perverting and impugning His Record of Truth established in Law.

Public Notice:

Notice of Default and Entry of Default Judgment:

[To be posted after the Default and Default Judgement is served, in 3 public places including the county seat, and for 8 weeks]

Be it Known and Remembered by All Who see these Presents and to Whom these Presents shall Come:

This public notice posted for purposes of Edification and imputing Knowledge to Christ's church, and to all the World, Declareth and Witnesseth that:

Notice of Default Judgment and judgment nihil dicit is hereby given, and the same was entered, in favor of the Demandant, on the <numbered day> day of <numbered month> month, in the Year of Our Sovereign Lord and Saviour Jesus, the Christ, <nineteen hundred - numbered year>, in the matter of <county name> county, <state name>, superior court case number <number>, notice of same having been properly, Lawfully and duly served upon each of the Defendants. The aforesaid Defendants having never answered or rebutted any matter well pleaded in the plaint, in the alternative, confessed and admitted to all matters well pleaded therein. Therefore, this matter is herewith abated and all proceedings pending and in litigation are at an end. *Notitia dicitur a noscendo*; and, *ignorantia juris non excusat*; and, *casus omissus et oblivioni datus dispositioni communis iuris relinquitur*; and, *omnia praesumuntur legitime facta donec probetur in contrarium*; and, *res iudicata pro veritate accipitur*; and, *interest reipublicae res iudicatas non rescindi*; and, *nihil in lege intolerabilius est, eandam rem diverso jure ceneri*; and, *interest reipublicae ut pax in regno conservetur, et quaecunque paci adversentur provide declinentur*; and, *impunitas continuum affectum tribuit delinquendi*. Any further action or course of action pursued by Defendants in this matter, will establish evidence of Trespass on Case.

Removing or attempting to remove this posting are deemed in Law actions of Trespass to obstruct due course of Christ's Law in His Testament, constituting a disturbance of His Peace and the Peace of His church at <city name> by Trespassing upon the Inheritance common among bondservants of Christ in and through Him, and a Trespass upon Him and His Record established in Law, thereby perverting and impugning His Record of Truth established in Law.

[Comments: The requirements for running the public notices has not changed. That remains the same. Notice here, you are setting not your own record, but confirming the High and Sacred Record of Our Sovereign Lord and Saviour Jesus, the Christ. He told us these things would come to pass. And so they have, and we bear witness to the words He spoke by our acts in accordance with His Testament.

For further understanding on these changes, see the Glossary. Say nothing of judgment *nihil dicit* in the abatement itself. It is not appropriate there, and it is presumed they know the Law. You have been warned.

We must reiterate here that it is of uppermost importance for the success of your abatement that you, after sending the process Registered mail, have a bondservant of Christ friend serve a copy of the abatement personally on all defendants, whether they be a judge, lawyer, IRS agent, policeman, etc. If the defendant is a judge, always be sure he or she is served personally before the appearance date of the paper which you are abating. Be sure the judge gets the abatement in hand.

Please remember that even if you do get some "response" it may or may not have standing in Law. In that case, go to Scripture, for that is the unchanging final Authority:

"Bind up the testimony, seal [*with the Seal of the Holy Spirit appertaining to the Office of Christ] the law among My [*Christ's] disciples. And I will wait upon the LORD, that hideth his face from the house of Jacob, and I will look for him. Behold, I and the children whom the LORD hath given me are for signs and for wonders in Israel from the LORD of hosts, which dwelleth in mount Zion. And when they [*their attorney or statutory guru] shall say unto you, Seek unto them that have familiar spirits, and unto wizards that peep, and that mutter: should not a people seek unto their God? for the living to the dead? To the law and to the testimony: if they speak not according to this word, it is because there is no light [*Way, Truth or Life] in them." *Isaiah 8:16-20*. [*Insertions added].

This is the standard of all Law and Truth--there is none other. They evidence they are dead in Law if they do not speak the Testimony and Law appertaining to the Office of Christ. By what standard does the depraved "natural mind" judge? See *John 8:15*.

Also check the status of the person who responded and in what capacity they responded. If they have not the proper standing before God they have nothing to do with you, His appointed Ministerial Officer. This is the critical end of things. Therefore, there was no response in Law. You must know Law to exercise it fully. We cannot be your brains for you, and we certainly cannot be your 'guiding light.' Only Our Glorious Lord and Saviour Jesus, the Christ, can do that.]

[Abatement of Traffic Ticket, Arrest Warrant or court papers]

[Instructions and examples of minimal changes to Sample Abatement.]

[In all court abatements, the District or Prosecuting Attorney should be included as a defendant. In addition, if you do not know who the exact judge is that will be hearing the case, designate the Presiding Judge of the Court as a defendant. Be sure to have the judge **personally** served with abatement and default].

Jay John: Hayes, *suae potestate esse* ()
Demandant ()
Against , ()
()
P. Farkas, California Highway ()
Patrol Officer I.D. #24945; and ()
()
Wayne Durham, PRESIDING JUDGE, SAN () [Example]
FERNANDO BR MUNICIPAL COURT; and ()
()
THE JUDICIAL COUNCIL OF CALIFORNIA ()
Defendants ()

In the matter of: NOTICE TO APPEAR FR234, marked 3 DAY OF MARCH, 1998 AT 9:00 M.

Chapter one:

Return of abandoned paper and expurgation of records; and Averments

Please find attached the following *abandoned paper*: NOTICE TO APPEAR FR234 marked 3 DAY OF MARCH 1998 AT 9:00 M.

[Immediately following the remittance location directive in **Chapter three**, add:]

Wherefore: Until this Conflict of Law is resolved, you are to do the following, to wit:

First:

Obtain process, issued under Lawful seal, from a Court appertaining to a <California [insert your state]> Judicial Department; and,

Second:

That said process be based on sworn Oath or Affirmation from a competent Witness or Damaged Victim; and

Third:

That said process bear My full Christian Appellation in upper and lower case letters, and in addition, thereto, *suae potestate esse*, and must be handled and personally served upon Me by the <[insert your county] Los Angeles> county Sheriff. There is no need for Me to communicate until process is Lawfully served.

This bondservant of Christ, will henceforth exercise My Right of Avoidance and Christian Liberty on the Common Ways; and, solely by the Grace of God, maintain The Law of Peace, Our Dominions, Our Immunities, and Our general customs and usages under Him, and stand upon the grounds set out above:

** Summa Ratio est quae pro Religione facit **

[Foreclosure Abatement, or other bank related matters]

[Instructions and examples of minimal changes to Sample Abatement.]

[Changes and additions for a Foreclosure abatement are basically the same as the court abatements above, except for the additions at the end of Chapter two, Secondly]:

Against,)	
	(
Irving Gold)	
ARKANSAS STATE BANK	(
)	
Judge Marvin G. Abrams; and	([Example]
THE ARKANSAS JUDICIAL COUNCIL)	
Defendants	(

In the matter of: SUMMONS; case No.97-2977CV; FORECLOSURE OF MORTGAGE, 20 DAY OF APRIL, 1997.

Chapter two

[Following the last 'Whereas' under 'Secondly:' add the following]:

Whereas, ARKANSAS STATE BANK, by issuing or drawing any instruments on or against said bankruptcy perpetuates the state of war *non flagrante bello* in this state, thereby making ARKANSAS STATE BANK a *weapon of war* of, and one merged with, the executive department of the bankrupt, *in toto et pars continetur*:

And whereas, it is impossible for ARKANSAS STATE BANK to sustain any damage or loss from any such engagements because the Law presumes that a bankrupt debtor is not able to make any gift or loan any thing of *substance*, whatsoever:

And whereas, no Lawful Money of the united States of America was or is loaned by ARKANSAS STATE BANK, only created debt drawn from the fountain of the bankruptcy of the "United States":

And whereas, ARKANSAS STATE BANK creates debt bookkeeping entries drawn from the fountain of the bankruptcy of the "United States" without any Lawful dollars in silver exchanged, as evidenced by the token which describes nothing because *nomen non sufficit si res non sit de iure aut de facto*:

And whereas, ARKANSAS STATE BANK, in its transactions, does not utilize or state Lawful Money recognized in this state, and which conforms to the Mint and Coinage Act enacted in the Year of Our Sovereign Lord and Saviour seventeen hundred ninety-two:

And whereas, ARKANSAS STATE BANK having never "loaned" any substance recognized in or by the general Law in this state to Demandant, does not have, and therefore, cannot Lawfully claim Title to any substance in the Lawful Dominion of the Demandant:

And whereas, all actions of assumpsit are now "enforced" *ex contractu* and not *ex delicto*:

And whereas, all actions *ex contractu* are actions in *personam*, the *persona designata*, against RANDALL J. MOORE, a *nom de guerre*, from the anti-Christian process of *novation*, which describes nobody, *nomen non sufficitsi res non sit de jure aut de facto*, and *quod contra legem fit, pro infecto habetur*, and *quando aliquid prohibetur ex directo, prohibetur et per obliquum*, and *quando aliquid prohibetur, prohibetur omne per quod devenitur ad liud*:

Now therefore, your *abandoned paper* and it's purpose is *contra bonos mores*:

*** *Quod ab Initio non valet in Tractu Temporis non convalescit* ***

[Coverture Abatement, for wives, children, unmarried Christian sisters and widows.]

[A wife, a child under 21 years, an unmarried Christian sister, or widow should never do an abatement on their own. Under Christian common Law, an abatement is always to be done through and under the coverture of 'the man of the house,' thereby under the Coverture of God. Changes and additions to the Sample Abatement for the various situations of coverture are as follows]:

[addition after *suae potestate esse*, for wife]:

Respond to:

James Edwin: Bancroft, *suae potestate esse*, et uxor,
to be called for in general delivery,
Rockmart Post Office.
Rockmart, Georgia.

[addition after *suae potestate esse*, for male child]:

Respond to: James Edwin: Bancroft, *suae potestate esse*, pro filius familias

[addition after *suae potestate esse*, for female child]:

Respond to: James Edwin: Bancroft, *suae potestate esse*, pro filia familias

[addition after *suae potestate esse*, for unmarried Christian sister or widow]:

Respond to: James Edwin: Bancroft, *suae potestate esse*, pro filia Christianus

superior court, Polk county, Georgia

James Edwin: Bancroft,	(
<i>suae potestate esse, et uxor</i>)	
Demandant	(
)	
against,	(
)	
R. Conroy,	(
DEPARTMENT OF THE TREASURY)	[Example]
INTERNAL REVENUE SERVICE	(
Defendants)	

By James Edwin: Bancroft, *suae potestate esse, et uxor*:

In the matter of: Abandoned AUTOMATED LETTER marked with 12/3/97 and the unlawful and invalid *persona designata*, ROBERTA BANCROFT, ROBERTA T. BANCROFT and Roberta T. Bancroft, *noms de guerre*:

[Replace the **Introduction** with the following:]

This Non-Statutory Abatement is issued by and under the Ministerial Power and Authority vested solely in and appertaining to the Ministerial Office of Christ, established in Truth and Substance solely by the Grace of God through Our Sovereign Lord and Saviour Jesus, the Christ, and which is the Foundation of Law, customs, and usages common among all bondservants of Christ, being co-heirs and appointed co-Executors of His Testament governing His Estate brought into being by His original Act sworn to by Him in His Testament, and in execution of the Judgments declared therein by Him,

against R. Conroy and the DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, acting alien enemies of Our Sovereign Lord and Saviour for Whom I am one of several ministers. Said defendants are imposing a suretyship through novation, by attaching an illegally presumed *personae designata, noms de guerre*, created by them as ROBERTA BANCROFT, ROBERTA T. BANCROFT and Roberta T. Bancroft, upon.....

[for wife] The Lawful Wife in His House

[for child] The Seed in His House

[for sister or widow] The Sister in His House

...of This bondservant of Christ and Ministerial Officer, James Edwin: Bancroft, *suae potestate esse*. Said defendants are attempting to plunder Christ's Inheritance, in the Nature of a *Praemunire, imperium in imperio*, using *purported* process unknown to, and not recognized by, the Law of Our Sovereign, which is outlawed by the general custom in His Kingdom because it disturbs His Peace, which Peace He bestowed upon His church and state, and because *rerum ordo confunditur, si unicuicuique iurisdictio non servatur*, and thus, is in violation of The Law of Nations, The Law of War, and the *lex non scripta*, which is the *jus publicum* in His church and state:

** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit **

[At **Chapter two: Firstly:**, add the following:] Whereas, your invasion of....

[for wife] My Lawful Wife

[for child] My Seed

[for sister or widow] My Sister

...violates the general Laws in this state of Coverture, by which She has Immunity from such Lawless acts against her: And whereas, said alien enemy agency imposes servitude upon Me by destroying the general custom of Coverture in this state; through acts of novation, attachment of *persona designata*, and marking of *nom de guerre*, to a member of My Family; and thereby attempts to steal by stratagem of war, His Authority, *patria potestas*, in His House and His Dominions: And whereas, said alien enemy agency is attempting to extort a performance of suretyship from Me, which is servitude *sans* authority or Warrant in Law, contrary to the Law of God, the general custom, and morals in this state:

[Notice of Federal Tax Lien or Levy Abatement]

[Instructions and examples of minimal changes to Sample Abatement]

[Changes and additions concerning liens and levies are very minor, as follows]:

In the matter of: Invalid NOTICE OF FEDERAL TAX LIEN 95-2438:

Please find attached the following abandoned NOTICE:

NOTICE OF FEDERAL TAX LIEN 95-2438. .Your abandoned NOTICE.....

Chapter three: [following Ordering Clause]

Said Defendant is hereby ordered to abate the matter of NOTICE OF FEDERAL TAX LIEN 93-1001, issue a release to the County of Los Angeles Recorder, for the removal of said NOTICE within ten (10) days of the ordering of this Non-Statutory Abatement, or show cause why the Abatement should not lie. Any and all written response must include a detailed factual statement and supporting documentation having standing in Law If more time than ten (10) days is needed to respond, it may be granted on written request of the Defendant. Because *all* are without excuse, failure to obey this court order or failure to respond in the time prescribed, herein, will result in a Default and Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*, and may subject Defendant to Civil liabilities or Criminal punishment pursuant to The Law of Nations, The Law of War, and the *lex non scripta* in this state:

** Omnia praesumuntur contra Spoliatorem **

Public Notice:

Notice of Default:

Be it Known and Remembered by All Who see these Presents and to Whom these Presents shall Come:

This public notice is posted for purposes of Edification and imputing Knowledge to Christ's church *at* <city name> , and to all the World, Declareth and Witnesseth that, in<county name>, county, <state name>, superior court case number <number> Lawful process in compliance with the Will, Mandate, and Direction of Our Sovereign Lord and Saviour Jesus, the Christ, in His Name, and by and under the Authority of His Warrant and Precepts in His Holy Writ, was properly, Lawfully, and duly served on the <numbered day> day of the <numbered month> month in the Year of Our Sovereign Lord and Saviour Jesus, the Christ, nineteen hundred <numbered year>, upon Defendants, <named Defendant> and <named Defendant>, and the same will Default on the <numbered day> day of the <numbered month> month in the Year of Our Sovereign Lord and Saviour Jesus, the Christ, <nineteen hundred -numbered year>, and Default Judgment in favor of Demandant, *one* of His several appointed Ministerial Officers in Law <named Demandant>, *suae potestate esse*, will be entered accordingly on that rule day.

Notitia dicitur a noscendo.

Ignorantia juris non excusat.

Causae ecclesiae publicis causis aequiparantur.

Quod omnes tangit, ab omnibus debet supportari.

Interest reipublicae quod homines conserventur.

Nihil in lege intolerabilius est, eandam rem diverso jure censi.

*Interest reipublicae ut pax in regno conservetur,
et quaecunque paci adversentur provide declinentur.*

Impunitas continuum affectum tribuit delinquendi.

Notice by posting is due course of Law.

Removing or attempting to remove this posting are deemed in Law actions of Trespass to obstruct due course of Christ's Law in His Testament, constituting a disturbance of His Peace and the Peace of His church at <city name> by Trespassing upon the Inheritance common among bondservants of Christ in and through Him, and a Trespass upon Him and His Record established in Law thereby perverting and impugning His Record of Truth established in Law.

Public Notice:

Notice of Default and Entry of Default Judgment:

Be it Known and Remembered by All Who see these Presents and to Whom these Presents shall Come:

This public notice posted for purposes of Edification and imputing Knowledge to Christ's church, and to all the World, Declareth and Witnesseth that:

Notice of Default Judgment and judgment *nihil dicit* is hereby given, and the same was entered, in favor of the Demandant, on the <numbered day> day of <numbered month> month, in the Year of Our Sovereign Lord and Saviour Jesus, the Christ, <nineteen hundred - numbered year>, in the matter of <county name> county, <state name>, superior court case number <number>, notice of same having been properly, Lawfully and duly served upon each of the Defendants. The aforesaid Defendants having never answered or rebutted any matter well pleaded in the plaint, in the alternative, confessed and admitted to all matters well pleaded therein. Therefore, this matter is herewith abated and all proceedings pending and in litigation are at an end. *Notitia dicitur a noscendo*; and, *ignorantia juris non excusat*; and, *casus omissus et oblivioni datus dispositioni communis iuris relinquitur*; and, *omnia praesumuntur legitime facta donec probetur in contrarium*; and, *res iudicata pro veritate accipitur*; and, *interest reipublicae res iudicatas non rescindi*; and, *nihil in lege intolerabilius est, eandam rem diverso jure censi*; and, *interest reipublicae ut pax in regno conservetur, et quaecunque paci adversentur provide declinentur*; and, *impunitas continuum affectum tribuit delinquendi*. Any further action or course of action pursued by Defendants in this matter, will establish evidence of Trespass on Case.

Removing or attempting to remove this posting are deemed in Law actions of Trespass to obstruct due course of Christ's Law in His Testament, constituting a disturbance of His Peace and the Peace of His church at <city name> by Trespassing upon the Inheritance common among bondservants of Christ in and through Him, and a Trespass upon Him and His Record established in Law, thereby perverting and impugning His Record of Truth established in Law.

Newest Non-statutory Abatement Updates

[As of what is commonly known as the tenth day of the eleventh month in the Year of Our Lord and Saviour Jesus, the Christ, two thousand nine]

With the completion date of the Fifth Edition of the Book of the Hundreds being uncertain and somewhat distant at this time, we have been led to present the newest update of the abatement process for those in need of it at this time.

In the continuing effort to strengthen the abatement process in its current form, which has been one of our duties here in the past six years or so, we present the following Non-statutory Abatement and Default.

What is presented hereafter is the diligent labors, in the Christ, by many Brothers and Sisters of His Body too numerous to detail here. Without their vast and continuing fellowship, exhortation, and knowledge concerning His Word and the power thereof as it relates to the abatement process, the following update would not be presented here.

It must also be said that, through their trials and tribulations related to the process of setting the record in our Fathers court for His judgment and pleasure, they have evidenced for all to see, as we all should, one way in which the running of the race to "be diligent to present thyself approved to God, a workman not ashamed, straightly cutting the word of truth" can be achieved.

To most of those that are familiar with the previous forms of it, this newest update may appear to be a "radical" change from the earlier editions. We do not consider it radical, but one further step on the long road back to the old paths where all of the Christ's called-out ones must return, all for His purposes and for His glory; and not their own.

Various Changes from the Older Abatements

One. The first notable change is the placement of the seals and signatures. They have been moved to the top in accordance with the ancient writs which were always signed and sealed before the Law and Facts were presented. In this way, His court's process also remains separate and distinct from the modern commercial modes which are signed after the fact. His court is always "superior court at (city or area), i.e. "at Denver," "at Appalachia," "at Iowa."

Two. The process is issued through the area assembly for the purpose of "covering" the accused Brother or Sister.

Three. It is made clear to all receiving the Abatement process that it is being issued in our Master's court, thereby avoiding any accusations of issuing "false" process. Though no one to our knowledge has ever been prosecuted for doing so, as it relates to the abatement process, there have been many statutes passed at the State level as a deterrent.

Four. All reference to "the church" has been eliminated, and replaced with the true descriptions of the Branches on His Vine, i.e., His *ekklesia*, the Christ's Lawful assembly at _____, His Lawful assembly at _____, etc. These have the same meaning, and are used throughout the process so that there is no misunderstanding about who the process is issued by. This also eliminates any presumption of legal personality.

Five. The process is no longer served through the mails, but is now served by two Brother's as messengers from the area assembly. They are to also return on the Rule Day to receive an answer from the Defendants. At that same time, if there is no answer, they can serve the Default. This mode has been found to be very effective, and also eliminates any presumption of evil as to the use of the commercial "U.S. Postal Service" for serving Lawful process.

Six. The prosecuting attorney, or District Attorney, has been added to the Defendant list in all cases. This has now been found to be of utmost importance, for he or she is as much a party to the action as all of the other Defendants. We have even had confirmation in one case from the judge, stating that, "if the District Attorney had been made a Defendant and served with the process, the warrant would never have been re-issued."

Seven. All periods (.) have been eliminated and replaced with colons (:), semi-colons (;), and commas (,) to avoid any break in the continuous spirit of thought, as is found in the original Greek texts of Scripture.

Eight. "Nom de guerre" as it relates to the Accused has been replaced with "legal fiction," which, technically, describes a name in all capital letters. A name in all caps is also a *persona designata*; therefore that term has also been retained to describe the legal fiction.

Nine. "It has been written from the beginning" now precedes Scripture verses in place of "it is written" in order to make it clear to all that God's Word is from the beginning and for everlasting, and that anything the natural man invents has no standing, even according to his own maxim of law, "first in time is first in right."

Ten. There is no longer a "dating" of the process. All current calendars used by the natural man are in error, therefore it serves no purpose to use them, and in truth, these pagan years are not "in the year of our Lord." Additionally, using his dating system, to some extent, allows a *presumption* of recognition of him and his ways, and approval of his error.

Eleven. We no longer use general delivery, but we go through the general post-office. For those that have been led to seek others of like mind in their local area, or within a larger area, please let us know here [(818) 347-7080] and we will try to put you in contact with others that are seeking the same thing. *Additionally, for those that are led to use this process, and have any questions on its use, please call or write for fellowship any time at (818) 347-7080.*

[**NOTE:** It is important to note one more significant change: The term 'Good and Lawful Christian' has been replaced with the term 'bondservant'. Let's examine why:

Good and Lawful Christians are 'bondmen' of Christ--servants to the One Who bought us--we are "bought with a price" by Him (1 Corinthians 6:20). Bondmen of Christ are slaves, or bondservants of Him, and are therefore are bound by the same Law, His Law. Being the bondservants of Christ, we have no power to contract with those who are strangers to our Covenant with God. It is written in Matthew 10:24, "The disciple is not above his master, nor the servant above his lord." Like every other system of slavery, the law-making power is in the hands of the master.

Entering into contracts with Caesar's world is the downfall of most, for you cannot serve two masters (Matthew 6:24, Luke 16:13). Therefore, a Good and Lawful Christian, one who follows God's Law and walks in His ways, is forbidden to make contracts with worldly fictions (governments, agencies, persons, corporations, etc.). For if he does, he abandons his first master (Jesus, the Christ) and loves the other (*provisional* government) becoming a slave to it, under it's jurisdiction and in it's venue. All contracts are on Caesar's terms, and all contracts are forbidden, because all promises are to be with God only (Deuteronomy 6:13, Matthew 23:22).

We already know that the *provisional* government cannot gain jurisdiction, or lordship, over a man without his consent, express or implied (usually through contract).

"Each principle is entitled to the agent's undivided loyalty, for the law recognizes 'that no man can serve two masters.'" *Mechem on Agency, 3d. ed., sec. 298.*

Going to the law of slaves, you cannot make a contract with anybody if you're a servant of someone else, i.e., servants/bondslaves of Jesus the Christ.

"A slave and all his earnings belong to his master or owner, and he could not, therefore, make contracts which were obligatory upon himself or the person contracted with." *Bedford, Trustee v. Williams, Adm'r*, (1867), 5 Coldw.(Tenn.) 202.

"**SLAVE.** A person who is wholly subject to the will of another; one who has no freedom of action, but whose person and services are wholly under the control of another. *Webster; Anderson v. Salant*, 38 R.I. 463, 96 A. 425, 428, L.R.A.1916D, 651.

"One who is under the power of a master, and who belongs to him; so that the master may sell and dispose of his person, of his industry, and of his labor, without his being able to do any thing, but what must belong to his master. Civ.Code La. 1838, art. 35." *Black's Law Dictionary 4th ed., 1957 & 1968*, p. 1559.

"**1401. DOULOS.** From 1210; a slave (literal or figurative, involuntary or voluntary; frequently, therefore in a qualified sense of subjection or subserviency):--bond(-man), servant." *Strong's Greek Dictionary*.

"**1401. BONDMAN, BONDMAID. Doulos.** From *deo*, 'to bind,' 'a slave,' originally the lowest term in the scale of servitude, came also to mean 'one who gives himself up to the will of another,' e.g., 1 Cor. 7:23; Rom. 6:17, 20, and became the most common and general word for 'servant,' as in Matt. 8:9, without any idea of bondage. In calling himself, however, a 'bondslave of Jesus Christ,' e.g., Rom. 1:1, the apostle Paul intimates (1) that he had been formerly a 'bondslave' of Satan, and (2) that, having been bought by Christ, he was now a willing slave, bound to his new Master. See SERVANT. The feminine, *doule*, signifies 'a handmaid,' Luke 1:38, 48; Acts 2:18." *W. E. Vine, Vine's Expository Dict. of New Testament Words*.

"*Quicquid acquiritur servo acquiritur domino*--Whatever is acquired by the servant is acquired for the master." *Black's Law Dictionary (4th ed. 1957 & 1968)*, p. 1415.

Also, if you are a slave, or a bondservant of Jesus the Christ, you don't fit that description of being the **person** described in the natural man's statutes. A servant belongs to his master, and our Master is the king of Kings, "For ye are **bought** with a **price**" (1 Corinthians 6:20).

And maxims of law state:

"A slave is not a person" and "A slave, and everything a slave has, belongs to his master."

{3} "*Omnis persona est homo, sed non vicissim*--Every person is a man, but not every man a person [*no legal personality, note, mark, or symbol]." *Bouvier's Law Dictionary (1914)*, "Maxim," p. 2152. [*Bondmen or slaves have no legal personality outside or separate from their Master].

With Christians being in Christ, we are bondservants of and co-heirs with Him, and are to worship Our Father in spirit and truth, and are to do His perfect will only, just as Our Blessed Saviour did.

Now, let's understand where the term 'Christian' comes from:

"This name (christian) occurs but three times in the New Testament, and is **never used by Christians of themselves, only as spoken by or coming from those without the church**. The general names by which the early Christians called themselves were 'brethren,' 'disciples,' 'believers,' and 'saints.' The presumption is that the name 'christian' was originated by the heathen." *Thomas W. Doane, Bible Myths (1882)*, p. 567, n. 3. [*Note that although Doane is a pagan, he recognizes the difference in venue, jurisdiction and language].

See all of Brother Paul's, James, and John's epistles and note the words "bondservant," "bondman" --never did they call themselves a "christian."

"Cristianoj, Christian (a word formal not after the Greek but after the Roman manner, denoting attachment to or adherents to Christ. **Only occurs as used by others of them, not by Christians of themselves.** Tacitus (A.D. 96) says (Annals 15, 44), 'The vulgar call them Christians. The author or origin of this denomination, Christus, had, in the reign of Tiberius been executed by the procurator, Pontius Pilate,')." *E. W. Bullinger, A Critical Lexicon and Concordance of the English and Greek New Testament (1908), p. 152.*

As we can see, the term 'bondservant' more accurately describes the Good and Lawful Christian's relationship to Christ and, therefore, his standing in Law. And, although the term 'Christian' may have become a common description, through customs and usage, for all things of and pertaining to Christ, its use as a moniker for 'brethren', 'believers', 'saints', and 'bondservants of Christ' in Lawful process may not carry the same force and effect due to its "dead" origins.]

Letter of Appointment

[This Letter of Appointment is to be carried by the Brothers who are appointed as messengers to serve process for your area Lawful assembly. This Appointment is for serving the Default. The wording can be changed when serving the Abatement.]

From the Christ's Lawful assembly at Los Angeles to all whom this matter does concern, Greetings in the Hallowed Name of our Lord and Saviour Jesus, the Christ, and ourselves;

Locus sigillii ecclesia:

_____, a bondservant of Jesus, the Christ

_____, a bondservant of Jesus, the Christ

In Lawful assembly in and through His Name:

On this Blessed day in the Everlasting Glorious Reign of our Lord and Saviour Jesus, the Christ, solely by the Grace of God in Christ Jesus, His ekklesia in Lawful assembly at Los Angeles gathered together in His Blessed and Hallowed Name, by His Authority, and under Lawful Warrant in, of and through Him, calls, appoints, directs, and did call, appoint, and direct our Brothers in possession of this appointment, having shown and evidenced to us by the word of their Testimony, and the Witness of God our Father, to be of one Mind, Body, and Spirit with us in the Christ, to:

One; call upon, as messengers, those who at least ten days before have been served a Non-statutory Abatement by messengers of this Lawful assembly, and to accept an answer to said abatement and return the same to us and each of us; and,

Two; serve upon Defendant a Default Judgment from this Lawful assembly if an answer to said abatement is not made, or additional time to answer is not requested; and,

Three; exercise due diligence, sound Wisdom and Judgment with which God our Father in the Christ has blessed them, in carrying out the duties appertaining to this appointment. Amen; Amen.

[Newest Sample Abatement]

[This abatement is served by two or three brothers in Christ]

By the Authority and Power delegated to us solely by the Grace of God, in and through our Lord and Saviour Jesus, the Christ, in accordance with His Commandments, Precepts, Judgments, Statutes, Ordinances, and Testimonies in and of His Holy Writ, solely by and under the Leading of His Warrant in Law and by His Will, do we in and of His Body issue this Non-statutory Abatement in His court:

Locus sigillii ecclesia:

[place signature (black or blue ink) and right thumb print (red ink) here] , a bondman of Jesus, the Christ

[place signature (black or blue ink) and right thumb print (red ink) here] , a bondman of Jesus, the Christ

Sealed under Authority of the Christ, by His Direction of our own hands on this Glorious day of His Eternal Reign.

Comes Now, His Lawful assembly at Los Angeles, grateful to Almighty God for our Liberty in the Christ, to humbly Extend Greetings and Salutations to you from our Lord, Saviour and Testator Jesus, the Christ, and ourselves by Visitation, to exercise His Ministerial Powers in this Matter, in His Name, by His Authority, under Direction of His Warrant, Mandate and Will contained in His Holy Writ, revealed from the beginning both in His Testament written of Him in Holy Scripture and in Him everlasting:

superior court
at Los Angeles
the Christ's Lawful assembly at Los Angeles

the Christ's Lawful assembly at Los Angeles,

Demandant

J. Robertson, CALIFORNIA HIGHWAY PATROL Officer,
I.D. #14858; and,

Harvey Steinberg, LOS ANGELES COUNTY DISTRICT
ATTORNEY; and,

James Cane, PRESIDING JUDGE, SAN FERNANDO
MUNICIPAL COURT; and,

THE JUDICIAL COUNCIL OF CALIFORNIA

Defendants

Part One:
Non-Statutory Abatement

Non-statutory Abatement

By the Christ's Lawful assembly at Los Angeles:

In the accusation of our Sister: *Abandoned* paper marked with the numerals BC255231 and the dead in Law legal fiction and *persona designata* EDNA JANE ALBERTSON:

Be it Known and Remembered by All to Whom These Presents Come, and May Concern:

Declaration of Authority

By Authority of all Power in Heaven and earth being given from the beginning unto our Lord and Saviour Jesus, the Christ, Who died and rose again that He might be Lord both of the dead and living; and, all things having been delivered of God our Father to Him; all Power over all flesh having been given unto Him; all Judgment having been committed unto Him by God our Father, for it has been written from the beginning, The Kingdom is the Lord's, and He is the Governor among the nations; and, all government is upon His shoulder and of the increase of His Government there is no end; and it has also been written from the beginning, His Kingdom is an everlasting Kingdom, and all powers shall serve and obey Him; and,

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By and through His sanctification, having sent His *ekklesia* into the world to bear Witness of Him to the world, and delegating to all who sojourn in Him power to tread on serpents and scorpions, and over all power of the enemy, our Lord and Saviour Jesus, the Christ by and through His Lawful assembly at Los Angeles proclaims:

This Non-statutory Abatement is issued by and under the Ministerial Power and Authority vested solely in and appertaining to the Ministerial Office of the Christ, established from everlasting and forever in Truth by the Grace of God through the Christ, Who is the Foundation of Law, in and among all those sojourning bondmen and servants in and of Him, being co-Heirs and appointed co-Executors of His Testament governing His Estate brought into being by His original Act sworn to by Him in His Testament in and from the beginning, and in Lawful execution of His Judgments, against J. Robertson, CALIFORNIA HIGHWAY PATROL Officer I.D. #14858; and Harvey Steinberg, LOS ANGELES COUNTY DISTRICT ATTORNEY; and James Cane, PRESIDING JUDGE, SAN FERNANDO MUNICIPAL COURT; and THE JUDICIAL COUNCIL OF CALIFORNIA, having proclaimed by their acts that they are *enemies* of, and *alien* to, our Lord and Saviour Jesus, the Christ for Whom we minister and serve. Said Defendants are attempting to plunder His Body in the nature of a *Praemunire, imperium in imperio*, using unproven strange and alien *purported* process not recognized by, but outside, the Law of our Master:

The aforesaid unproven strange and alien *purported* process is outlawed in His Kingdom because it disturbs His Peace that He bestowed upon His Lawful assembly at Los Angeles, and it conflicts with His Law He put into our inward parts: for it has been written from the beginning, This is My covenant which I will make with the house of Israel; after those days, saith the Lord, I will surely put My Laws into their mind, and write them on their hearts; and I will be to them a God, and they shall be to Me a people; and,

It has been written from the beginning, All shall know Me, from the least of them to the greatest of them; for I will be merciful to their iniquities, and their sins I will remember no more; and,

It has been written from the beginning, In that day a man shall trust in Him that made him, and his eyes shall have respect to the Holy One of Israel. And they shall not at all trust in their altars, nor in the works of their hands, which their fingers made, *i.e.*, the legal fictions EDNA JANE ALBERTSON, THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, for it has been written from the beginning, The workman made them, therefore they are not God; and,

Conflicts with the Law of the Land are not acceptable, for it has been written from the beginning, In the beginning God created the heaven and the earth; and the Christ is before all things, and by Him all things consist;

Wherefore, it has been written from the beginning, The kingdom of God cometh not with observation;

Therefore, the Law He put on our inward parts, known by all to be the *lex non scripta*, is the *jus publicum* and *lex et consuetudo regni* in His Lawful assembly at Los Angeles, for it has been written from the beginning, That which may be known of God is manifest in them; for God hath shewed it unto them, so that they are without excuse; and,

It has been written from the beginning, For where two or three are gathered together in My Name, there am I in the midst of them; and, I Am the Way, the Truth, and the Life: no man cometh unto the Father, but by Me:

Non-statutory Abatement

Discourse:

Chapter one:

Return of *abandoned paper* and expurgation of *record*; and Averments

Your *abandoned paper* is invalid for Cause, and is herewith returned and the *purported record* is to be expurgated because it is irregular and unauthorized, based upon the following, to wit:

Your *abandoned paper* and *purported record* contain the following Marks of Deceit:

First:

Mark: Your *abandoned paper* is a corruption of Law having no thing in and is distinct and separate from, and strange and alien to, the Law we minister in the Name and by the Authority of Our Lord and Saviour Jesus, the Christ; nor does your *abandoned paper* have corroboration of Witness by the Spirit of our Father in His Creation and in our Lord and Saviour Jesus, the Christ, and cannot apply to our Sister, whom God our Father in the Christ knew before she was formed in the womb, was sanctified to Him before she came forth from the womb, whose spirit is quickened in His Image and Likeness, and who has fulfilled the Perfect Law by loving the Brethren in Him; and,

Second:

Mark: Your *abandoned paper* alleges violations of an unproven *purported* law, alien and strange to the Law governing the Venue in which our Sister is found, and which our Sister occupies solely by the Grace of God in the Christ; and your *abandoned paper* has no Oath, Vow, Promise, or Law attaching our Sister to, or bringing her within, your alien and unproven *purported* venue from which it originates; and,

Third:

Mark: Your *purported* agency, its fiduciaries, and the *nom de guerre* J. Robertson, are created and established by *an entity* dead in Law because it has, and they have, no breath of Life breathed into it by the Spirit of God and therefore have no lineage or right to the Tree of Life and are *persona non standi in judicio*, for, all those who trust in such spiritually dead entities are like those dead things; and,

Fourth:

Mark: Your *abandoned paper* has no foundation in Law; for Cause: One, it is not from an office in Law having lineage from the Tree of Life establishing it in and by the Law in and of Him and His *ekklesia* at Los Angeles, because God our Father in the Christ knows it not, and therefore we know it not; and Two, it is from a *purported* agency which is of the same nature and constitution of its principal, that of an entity dead in Law having not the breath of Life from the Spirit of God in the Christ, and therefore is of the same capacity of *persona non standi in judicio*; and,

Fifth:

Mark: Your *abandoned paper* lacks jurisdictional facts, if in Truth and deed the spiritually dead can obtain jurisdiction, attaching to our Sister, who abides, lives, moves, and has her being in the Christ, and not in the darkness of your unproven *purported* venue, your aforesaid unproven *purported* venue being dead in Law and *sans* recognition in the Law and Testament of our Lord and Saviour Jesus, the Christ; and,

Sixth:

Mark: Your *abandoned paper* is unintelligible and unfamiliar to us and our Sister, and is alien to the Law and Testament of our Lord and Saviour Jesus, the Christ, for Whom we minister and serve, based upon the following: It is not written in the language ordained and established by our Father in His Kingdom, which evidences its strange and alien origin; being such, the *purported* law governing it must be laid and proven in His court in which our Sister is found, before it can be noticed and acted upon in and by His Lawful assembly; and, it fails to apprise us and our Sister of the nature of any matter alleged, if any matter alleged therein has standing in Law; for He has not said He knows it, nor that He knows the legal fictions J. Robertson, EDNA JANE ALBERTSON, THE STATE OF CALIFORNIA or THE COUNTY OF LOS ANGELES, nor that your *purported* process is Lawful, nor that it originates in and is of Him; therefore it violates the Law in the Will of Our Lord; and has no force, effect, or operation outside the venue of darkness from which it originates; and,

Seventh:

Mark: Your *abandoned paper* fails to affirmatively show, upon its face, Authority in Law for your presence in the Venue of our Lord and Saviour Jesus, the Christ, in Whose Peace our Sister rests from her own labours and self-will, doing all things solely by and under His Leading and Direction in an anointed Ministerial capacity,--all doctrine, dogma, ethics, expediency, morality, moralisms, morals, necessity, orthodoxy, opinion, philosophy, sciolism, sophism, or other traditions originating in the vain imaginations of men in legislative deliberation or dispensation not with standing in Law in and of the Christ and His Lawful assembly; and,

Eighth:

Mark: Your *abandoned paper* fails to affirmatively show, upon its face, any Lawful Warrant or Lawful Cause, --all belief, reason, conjecture, supposition, presumption, speculation, opinion, probability, hearsay or other vain imaginations of men not with standing in Law, --for your invasion of His Dominions and the disturbance of His Peace Inherited through Him by our Sister according to His Testament, for it has been written from the beginning, "...as many as received Him, to them gave He power to become the sons of God, *even* to them that believe on His Name," which we have been delegated that aforesaid Ministerial Power appertaining to the High and Sacred Office of the Christ to minister the aforesaid Inheritance in His Name and by His Authority, for His Glory and Majesty; and,

Ninth:

Mark: Your *abandoned paper* fails to affirmatively show, upon its face, your Authority or Warrant in Law to assault, violate, or disparage the High and Sacred Office of the Christ which we have been Commanded and Warranted from the beginning by Him in His Holy Writ to hold, occupy and minister for His sake; and,

Tenth:

Mark: Your *abandoned paper* does not evidence any Warrant or Authority in Law, has no evidence of standing in the Law we execute and minister pursuant to His Writ, Command, under Lawful Warrant of the same; and,

Eleventh:

Mark: Your *abandoned paper* is not sealed with Authority evidencing lineage through His Body traceable to the Tree of Life, and is, therefore, a Trespass into the Dominions and a breach of the Peace of our Lord and Saviour Jesus, the Christ, in a vain attempt to circumvent His righteous Judgment upon the world and its darkness; and,

Twelfth:

Mark: Your *abandoned paper*, which appears to tender some *purported* issue, fails to disclose or establish any Lawful connection between our Sister and your *purported* office or agency; and,

Thirteenth:

Mark: Your *abandoned paper*, upon its face, lacks sufficient evidence of Warrant and standing in the Law we minister, because it does not speak according to His Law and Testimony; and, it has no Light originating in and coming from Him; and, there is no Law commanding the Living to join themselves to the dead, or, the children of Light to be unequally yoked with unbelievers who are dead to Him and stumble in darkness;

Chapter Two:

Firstly:

Whereas, the Law in and of Him and His Lawful assembly is one and the same, for it has been written from the beginning, The glory which Thou gavest Me I have given them; that they may be one, even as We are one: I in them, and Thou in Me, that they may be made complete in one; and,

Whereas, by the Law in and of Him governing His Estate, said enemies alien to Him and His Lawful assembly at Los Angeles cannot Lawfully invade His Dominions with defective and nugatory paper designed for the aggrandizement and lusts of said aliens and their father; and,

Whereas, said alien enemy agents through their alien agencies are tempting our Sister to move from the protection in and of Him through His Lawful assembly at Los Angeles, contrary to the mandate given to all men, for it has been written from the beginning, Thou shalt not pervert the sentence of the poor in his judgment; and to subvert a man in his cause, the Lord approveth not; and an unjust witness kindles falsehoods and brings on quarrels between the brethren; and,

Whereas, His Peace and Inheritance is the Law in His Lawful assembly, for it has been written from the beginning, For unto us a Child is born, unto us a Son is given: and the government shall be upon His shoulder: and His name shall be called Wonderful, Counsellor, The Mighty God, The Everlasting Father, The Prince of Peace. Of the increase of His Government and Peace there shall be no end, upon the throne of David, and upon His Kingdom, to order it, and to establish it with judgment and with justice from henceforth even forever. The zeal of the Lord of hosts will perform this;

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Now therefore, your *abandoned paper* and *purported record* is attempting to usurp His Authority, are a disturbance of His Peace, and are a Trespass upon Him and His Lawful assembly at Los Angeles;

Secondly:

Whereas, all Estates originate in and are of Inheritance vested by the Testament of our Testator Jesus, the Christ, because it has been written from the beginning, By Him all things consist; therefore, His Act establishing the original Estate and state is the highest in Law, for all other inferior estates are derivative from and dependent upon His original Act, for it has been written from the beginning, In the beginning God created the Heaven and the earth; and His Cause for bringing His Estate into being always governs all within and every part derived from His Estate which He created, and any act done against His Cause is not Lawful, for His Law by which His Estate is created governs all within and is derived from it, for it has been written from the beginning, He is Perfection, and in Him is no corruption, evil, error, or sin; and,

Whereas, in His original Act, there is no Precept, Provision, or Warrant for a person dead to Him, to have any Inheritance or any part in the Estate which is formed by, in, or from His original Act, for it has been written from the beginning, Blessed *are* they that do His commandments, that they may have right to the Tree of Life, and may enter in through the gates into the city. For without *are* dogs, and sorcerers, and whoremongers, and murderers, and idolaters, and whosoever loveth and maketh a lie; and,

Whereas, it has been written from the beginning, The earth is the Lord's and the fullness thereof, the world and all that dwell in it; wherefore no executor can convey that which he or she does not possess, because there is no provision or Warrant in the Testament of our Testator the Christ of which we are several joint-Heirs and appointed co-Executors, for it has been written from the beginning, Our God is a jealous God and He will not give His Glory to strangers; and,

Whereas, we can ratify no engagements that prejudice either our Testator, His Testament, or His Estate of Inheritance therein, which bind either Him or us to any obligations with any *natural persons* dead to Him, for said *natural persons* have not the right to the Tree of Life, not knowing the Law of God in the Christ, because it has been written from the beginning, The natural man receiveth not the things of the Spirit of God, for they are foolishness unto him, neither can he know them, because they are spiritually discerned; and,

Whereas, all engagements outside Him are void, and your *purported* consideration is un-Lawful, because any *purported* contract which is of the fruit of the poisoned tree of morality has no standing, force or effect in, of, or from our Lord and Saviour Jesus, the Christ, for Whom we minister and remain in at all times and places; and,

Whereas, contracts *commercia belli* are condemned by His righteous Judgment from the foundation of the world, for it has been written from the beginning, Get thee behind Me, Satan: for it is written, Thou shalt worship the Lord thy God, and Him only shalt thou serve; and,

Whereas, those *persons* created or established by a *purported law* made with man's hands, and which from its own *record* is created by acts contrary to the Law of the Estate established by the original Act of our Testator; and partakes of the same, are dead to Him, for it has been written from the beginning, The dead know nothing, and there is no longer any reward to them; for their memory is forgotten; and,

Whereas, actions by nobody are odious in Law; and,

Whereas, the Law revealed in the Christ is witnessed both by and in His Creation and His Word, and is the general Law in His Lawful assembly and state: only that Law can be invoked and moved, legal fictions and other lies having no standing in His court, for it has been written from the beginning, Many wait on the favour of rulers; but justice comes to a man from the Lord; and,

Whereas, the *lex mercatoria*, or mercantile law, moral law, natural law, and international law, are only like or similar to Law, for it has been written from the beginning, He is a merchant, the balances of deceit are in his hand: he loveth to oppress; Therefore those creations made with man's hands and privately administered *as* law, are alien to the Christ's Lawful assembly and state;

Now therefore, your *abandoned paper* and *purported record*, and their purpose, are righteously Judged by our Master to be dead to Him and His *ekklesia* at Los Angeles, and to be of no force because of His condemnation of them:

Thirdly:

Whereas, your *abandoned paper* contains the alien and strange symbols or images, such as Nov 16 1999, 12/10/99, 12/13/99, which symbology appears to denote time, but is unfamiliar to us for Cause: we Measure time in years of Our Lord and Saviour Jesus, the Christ, in accordance with His Glorious Reign; for it has been written from the beginning, The fourth beast shall think to change times and Law; and it has also been written from the beginning, At that time thy people shall be delivered, every one that is written in the Book; and He has declared, It is finished; and,

Whereas, it is has been written from the beginning, No man can serve two masters; and by Him we are forbidden to partake of the things of the world, for it has been written from the beginning, Pure religion and undefiled before God and the Father is this, To visit the fatherless and widows in their affliction, and to keep himself unspotted from the world; and,

Whereas, your *abandoned paper* and *purported records* contain scandalous and libelous matter all to the harm His Lawful assembly in general, and to our Sister in particular, who is one of and with us in the Christ, for it has been written from the beginning, Whether one member suffer, all the members suffer with them; or one member be honoured, all the members rejoice with them,

Now, therefore:

The Law of our Lord and Saviour Jesus, the Christ righteously Judges, and has righteously Judged your *abandoned paper* and *purported record* to have nothing in Him, His Lawful assembly at Los Angeles, and our Sister; and, to be without Him, without Life, without Law, and without Truth; and, we shall, henceforth, by the Grace of God in fulness of faith in and to the Christ our Lord and Saviour, Lawfully avoid you, your unproven, strange, alien *purported* process; for Lawful Cause: they are irregular, unauthorized, misnomered, defective in Law upon their face, and are, herewith, abated for being destructive of His Lawful assembly at Los Angeles and His Inheritance herein; and to be one of several works of darkness:

There appear to be no factors which would warrant adjustment of the Abatement, due to a conflict of Law, for it has been written from the beginning, God divided the light from the darkness and the light shineth in darkness; and the darkness comprehended it not: Therefore, Repent, for the kingdom of God is at hand, and thereafter lay and prove in His Lawful assembly at Los Angeles that you bear the Seal and Testimony of the Most High in the Christ;

Chapter three:

Ordering Clause;

"Every direction of a court or judge, made or entered in writing, and not included in a judgment, is denominated an order."

His Lawful assembly, in the Name and by Authority of our Lord and Saviour Jesus, the Christ, so orders the said Defendants to abate the matter of their *abandoned paper* and *purported record* marked with the numerals BC220231, which proposes to impose suretyship upon our Sister, through the attempt of an unlawful attachment to her, of a dead in Law legal fiction and *persona designata* EDNA JANE ALBERTSON, within ten days of the ordering of this Non-statutory Abatement, or show Cause in the Law in and of our Lord and Saviour Jesus, the Christ why this Abatement should not lie--belief, reason, necessity, presumption, speculation, opinion, morals, morality, moralism, philosophy, sophism, or sciolism not with standing. Any and all written response must include a detailed factual statement and supporting documentation, having standing in His Law. If more time than ten days is needed to respond, it may be granted on written request to this Lawful assembly's messengers on the Rule Day.

Because it has been written from the beginning that, All are without excuse, failure to obey this Lawful order of and from this His Lawful assembly or failure to respond in the time prescribed, herein, will result in Default and Default Judgment.

All remittance of this instant Cause should be given over to His messengers in His Lawful assembly, sent with Letter of Appointment in hand by Him through us, on the Rule day of this Non-statutory Abatement.

For the next eight weeks concerning this instant Lawful Cause, to edify in particular all our Brothers and fellow-bondmen sojourning in and with our Lord and Saviour Jesus, the Christ, and for public viewing in general, a Public Notice of this Non-statutory Abatement and Default Rule day is posted, in the Public Record, in the general post-office at Diamond Bar, Pomona, and Walnut, in California, and in other places for all our Brothers and fellow-bondmen in His Body to Witness, Record, and have Knowledge:

Attachment: abandoned paper of: THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES;

Our Sister who sojourns among us solely by the Grace of God in fulness of faith and love to the Christ shall continue to do so, unless and until such Lawful Cause is laid before and proven in Law to the Christ's Lawful assembly at Los Angeles that she did in deed do evil in the eyes our Lord and Saviour Jesus, the Christ, for it has been written from the beginning, Prove all things; and she shall maintain The Law of Peace in Him, and shall stand upon the grounds set out above, for it has been written from the beginning, Peace I leave with you, My peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid; Amen, Amen.

Notice of Default

[This Notice is posted after the Abatement is served, in three public places, one being the county seat within the county in which the abatement is served. Post it for thirty days.]

Be it Known and Remembered by All Who see these Presents and to Whom these Presents shall Come:

This posted for purposes of Edification and imputing Knowledge to the Christ's Lawful assembly at Los Angeles in particular and to all throughout His Kingdom in general, Declareth and Witnesseth that:

Lawful process in compliance with the Will, Mandate, and Direction of Our Lord and Saviour Jesus, the Christ, in His Hallowed Name, and by and under the Authority of His Warrant and Precepts in His Holy Writ, by His Grace, was properly, Lawfully, and duly served by messengers of His Lawful assembly, upon Defendants, J. Robertson, CALIFORNIA HIGHWAY PATROL Officer I.D. #14858; and Harvey Steinberg, LOS ANGELES COUNTY DISTRICT ATTORNEY; and James Cane, PRESIDING JUDGE, SAN FERNANDO MUNICIPAL COURT; and THE JUDICIAL COUNCIL OF CALIFORNIA, and the same will Default on the tenth day hence in this His Everlasting Glorious Reign, and Default Judgment in favor of Demandant, will be entered accordingly on that Rule Day.

Removing or attempting to remove this posting is deemed in Law actions of Trespass to obstruct Him, constituting a disturbance of His Peace and the Peace of all who sojourns with Him, by Trespassing upon the Inheritance common among the Brethren in and through Him, and a Trespass upon Him and His Holy Record established in Law thereby perverting and impugning His Record of Truth established in Law.

[Sample Default and Default Judgment]
[This default is served after the Notice of Default is posted]

By the Authority and Power delegated to us solely by the Grace of God, in and through our Lord and Saviour Jesus, the Christ, in accordance with His Commandments, Precepts, Judgments, Statutes, Ordinances, and Testimonies in and of His Holy Writ, solely by and under the Leading of His Warrant in Law and by His Will, do we in and of His Body issue this Default Judgment in His court:

Locus sigillii ecclesia:

[place signature (black or blue ink) and right thumb print (red ink) here] , a bondman of Jesus, the Christ

[place signature (black or blue ink) and right thumb print (red ink) here] , a bondman of Jesus, the Christ

Sealed under Authority of the Christ, by His Direction of our own hands on this Glorious day of His Eternal Reign, which is ten days or more since the serving of the Non-statutory Abatement on the Defendants in this Blessed Action:

Comes Now, His Lawful assembly at Los Angeles, grateful to Almighty God for our Liberty in the Christ, to humbly Extend Greetings and Salutations to you from our Lord, Saviour and Testator Jesus, the Christ, and ourselves by Visitation, to exercise His Ministerial Powers in this Matter, in His Name, by His Authority, under Direction of His Warrant, Mandate and Will contained in His Holy Writ, revealed from the beginning both in His Testament written of Him in Holy Scripture and in Him everlasting:

superior court
at Los Angeles
the Christ's Lawful assembly at Los Angeles

the Christ's Lawful assembly at Los Angeles,
Demandant

J. Robertson, CALIFORNIA HIGHWAY PATROL Officer,
I.D. #14858; and,

Harvey Steinberg, LOS ANGELES COUNTY DISTRICT
ATTORNEY; and,

James Cane, PRESIDING JUDGE, SAN FERNANDO
MUNICIPAL COURT; and,

THE JUDICIAL COUNCIL OF CALIFORNIA
Defendants

Part Two:
Non-statutory Abatement:
Notice of Default, Default Judgment,
and Praecepte

Part Two of this Matter contains the following, titled:

One, Notice of Default; Two, Default Judgment; and, Three, Praecepte:

To: SAN FERNANDO MUNICIPAL COURT, THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, and all above named Defendants, jointly and severally:

By the Christ's Lawful assembly at Los Angeles:

In the accusation of our Sister: *Abandoned* paper marked with the numerals BC255231 and the dead in Law legal fiction and *persona designata* EDNA JANE ALBERTSON:

Be it Known and Remembered by All to Whom These Presents Come, and May Concern:

This Notice of Default, Default Judgment, and Praeceptum is issued by and under the Ministerial Power and Authority vested solely in and appertaining to the Ministerial Office of the Christ, established from everlasting and forever in Truth by the Grace of God through the Christ, Who is the Foundation of Law, in and among all those sojourning bond-servants in and of Him, being co-Heirs and appointed co-Executors of His Testament governing His Estate brought into being by His original Act sworn to by Him in His Testament in and from the beginning, and in Lawful execution of His Judgments against J. Robertson, CALIFORNIA HIGHWAY PATROL Officer I.D. #14858; and Harvey Steinberg, LOS ANGELES COUNTY DISTRICT ATTORNEY; and James Cane, PRESIDING JUDGE, SAN FERNANDO MUNICIPAL COURT; and THE JUDICIAL COUNCIL OF CALIFORNIA, that have proclaimed by their acts that they are *enemies* of, and *alien* to, our Lord and Saviour Jesus, the Christ for Whom we minister and serve. Said Defendants are attempting to plunder His Body in the nature of a *Praemunire, imperium in imperio*, using unproven strange and alien *purported* process not recognized by, and outside, the Law of our Master;

One. Notice of Default

Take notice the Demand of our Testator, in His Name, by His Direction, Mandate, Will, and Testament, and under Warrant of the same, through His Lawful assembly at Los Angeles was heretofore Lawfully made upon you and each of you to answer or otherwise make supplication in this Lawful assembly to the plaint herein, a copy of which has been served upon you, and each of you, and of which you, and each of you, have knowledge and personal knowledge of the matter or matters therein contained; and,

Take further notice that your failure to answer, make supplication in His Lawful assembly, or otherwise perfect the Record in Law in response to the foregoing notice and plaint served upon you, within the time stated, the Demandant will forthwith cause your Default to be entered and moved for Judgment against you personally and officially for the relief demanded on the plaint;

Two. Order for Entry of Default and Default Judgment:

The Non-statutory Abatement in this Lawful Cause having been personally served upon Defendants J. Robertson, CALIFORNIA HIGHWAY PATROL Officer I.D. #14858; and James Cane, PRESIDING JUDGE, SAN FERNANDO MUNICIPAL COURT; and Harvey Steinberg, LOS ANGELES COUNTY DISTRICT ATTORNEY; and THE JUDICIAL COUNCIL OF CALIFORNIA by messengers sent by the Christ's Lawful assembly at Los Angeles on the third day of the first month, in the two thousandth Year of the Glorious Reign of our Lord and Saviour Jesus, the Christ, and the Record showing no answer or other supplication to the plaint having in any manner been made on or before the Rule Day to His Lawful assembly at Los Angeles by said Defendants; and,

It appearing from the Record, without evidence standing in Law to the contrary, the aforesaid Defendants have, in Truth, abandoned prosecution of their accusations against our Sister, a Ministerial Officer by the anointing of the Christ, by Him in His Testament and Will, thereby bearing witness that their accusations are false, and of themselves that they have no Light in them, for it has been written from the beginning, To the Law and to the Testimony: if they speak not according to this Word, it is because there is no Light in them; because our Father is not in all their thoughts, therefore they walk in darkness bearing no True witness against our Sister; for, the Christ has declared, I am the Light of the world: he that followeth Me shall not walk in darkness, but shall have the Light of Life; and,

It appearing from the Record, without evidence standing in Law to the contrary, the Defendants have admitted all matters of Law well pleaded in the plaint of the Demandant commenced by and under Direction of the Christ, thereby bearing witness of themselves that they are not our Brothers in Christ and that they are not of His Lawful assembly, for it has been written from the beginning, Let us not therefore judge one another any more: but judge this rather, that no man put a stumblingblock or an occasion to fall in his brothers way; and it has also been written from the beginning, He that saith, I know Him, and keepeth not His commandments, is a liar, and the Truth is not in him; and,

It appearing from the Record, that the lineage of the *purported* process bears witness that the Defendants are outside His Body; and, it appearing from the Record, without evidence standing in Law to the contrary, that the Defendants aforesaid bear witness of themselves that they have acted in an evil and Lawless manner in and by showing and displaying contempt for this Honourable court, its Sacred Law, and its Blessed Judge, a manner inconsistent with the Mark of the Holy Spirit sealing and bearing True Witness of a serving sojourner in the Christ having, possessing, and executing Truth established in

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Law, thereby condemning themselves; for it has been written from the beginning, For God sent not his Son into the world to condemn the world; but that the world through Him might be saved. He that believeth on Him is not condemned: but he that believeth not is condemned already, because he hath not believed in the Name of the only Begotten Son of God. And this is the condemnation, that Light is come into the world, and men loved darkness rather than Light, because their deeds were evil. For every one that doeth evil hateth the Light, neither cometh to the Light, lest his deeds should be reprov'd. But he that doeth truth cometh to the Light, that his deeds may be made manifest, that they are wrought in God;

Now, therefore, on motion of the Demandant, in accordance with the Law of this Honourable court, and by Direction of its Blessed Judge:

It is ordered that the clerk of this Lawful assembly shall be, and is hereby, directed to enter the Default of the aforesaid Defendants, and Default Judgment *nihil dicit*, or in the absence of any reply, in favor of Demandant and against Defendants for the relief demanded in the plaint, and as follows:

That all records and *purported* process containing the dead in Law legal fiction and *persona designata* WILFRED F. BENZING, and all information they contain, be expurgated from all systems for the Lawful Cause given in the plaint; and,

That a true and correct copy of this Judgment to be posted for the next three weeks in all places where this Body gathers itself together from time to time under direction of the Christ; and,

That all who have been edified and have knowledge of this Lawful Cause mark that man and have nothing more to do with him that he might be ashamed and let not that man think that he shall receive any thing of the Lord and His Lawful assembly, for it has been written from the beginning, Mark them which cause divisions and offences contrary to the teaching which ye have learned; and avoid them; and,

That a true and correct copy of this Judgment be sent to all said Defendants, and the same be sent to our Brothers abroad for their edification and knowledge of this Lawful Cause;

Let the Judgment prayed for be entered accordingly:

Three: Praeceptum:

The clerk of said court will please enter the Default of the Defendants aforesaid; and Default Judgment *nihil dicit* against the aforesaid Defendants in the above entitled cause for the following Lawful Causes established by Record in Law through conduct of the Defendants:

One, Defendants STATE OF WISCONSIN; and ERIC SZATKOWSKI Special agent Wisconsin Department of Justice; and ROY KORTE Assistant Attorney General, Special Prosecutor for Washington County; and JAMES E. DOYLE, STATE OF WISCONSIN ATTORNEY GENERAL; and WASHINGTON COUNTY; and TODD K. MARTENS, WASHINGTON COUNTY DISTRICT ATTORNEY; and JOHN THEUSCH, WASHINGTON COUNTY SHERIFF; and RONALD M. REWERTS; and JAY S. KARSTEN; and PRESIDING JUDGE LEO F. SCHLAEFER WASHINGTON COUNTY CIRCUIT COURT; and JUDGE DAVID C. RESHESKE, failure to respond in Law on the Rule Day now past; and,

Two, the abandonment of prosecution by the Defendants and their failure to lay, evidence, and prove in Law before this Honorable court the Truth of their accusations against our Brother; for the Law is the same in regard to matters not shown as to those which do not exist; and,

Three, the admission by the Defendants to all matters of substance in Law well pleaded by the Demandant; for it has been written from the beginning, We can do nothing against the Truth but for the Truth; and,

Four, the failure of the Defendants to evidence, lay, and prove before the Christ's Lawful assembly at Kettle Moraine the lineage of their *purported* process to the Tree of Life; for the Law is the same in regard to matters not shown as to those which do not exist; and,

Five, the Record of the willful and Lawless contempt by the Defendants towards this Honourable court, its Sacred Law, and its Blessed Judge; for he who contemns the Law contemns the Giver of it; Amen, Amen.

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Notice of Default and Entry of Default Judgment

[This Notice is posted after the Default is served, in three public places, one being the county seat within the county in which the abatement is served. Post it for thirty days.]

Be it Known and Remembered by All Who see these Presents and to Whom these Presents shall Come: This public notice posted for purposes of Edification and imputing Knowledge to the Christ's Lawful assembly at Los Angeles in particular and to all throughout His Kingdom in general, Declareth and Witnesseth that:

Notice of Default Judgment and judgment nihil dicit is hereby given, and the same was entered, in favor of the Demandant, the Rule Day now past; notice of same having been properly, Lawfully and duly served upon each of the Defendants J. Robertson, CALIFORNIA HIGHWAY PATROL Officer I.D. #14858; and Harvey Steinberg, LOS ANGELES COUNTY DISTRICT ATTORNEY; and James Cane, PRESIDING JUDGE, SAN FERNANDO MUNICIPAL COURT; and THE JUDICIAL COUNCIL OF CALIFORNIA. The aforesaid Defendants having never answered or rebutted any matter well pleaded in the plaint have, by their failure to reply, confessed and admitted to all matters well pleaded therein. Therefore, this matter is hereby abated and all proceedings pending and in litigation are at an end. Any further action or course of action pursued by Defendants in this matter, will establish evidence of Trespass against and contempt of this Honourable court, its Sacred Law, and its Blessed Judge; for he who contemns the Law Contemns the Giver of it; Amen, Amen.

Removing or attempting to remove this posting are deemed in Law actions of Trespass to obstruct His Order, constituting a disturbance of His Peace and the Peace of all who sojourn with Him by Trespassing upon the Inheritance common among the Brethren in and through Him, and a Trespass upon Him and His Holy Record established in Law, thereby perverting and impugning His Record of Truth established in Law.

Notice to All Breaking the Close over this land

[This Posting should be placed on the gate and door posts of the dwelling where you are currently staying, after you have removed your door bell, mail box, and house numbers.]

His Lawful assembly at Kettle Moraine, grateful to Almighty God for our Liberty in the Christ, to all *breaking* this Close of and over this land, to humbly Extend Greetings and Salutations to you from God our Father, and His Beloved Son Jesus the Christ, our Lord, Saviour and Testator:

By the Authority and Power delegated to us solely by the Grace of God, in and through our Lord and Saviour Jesus, the Christ, in accordance with His Commandments, Precepts, Judgments, Statutes, Ordinances, and Testimonies in and of His Holy Writ, solely by and under the Leading of His Warrant in Law and by His Will, do we in and of His Body post this notice, with the Law, at the gates to this Close of and over this land and on the door posts of the dwelling-house therein:

Sealed under Authority of the Christ, in His Hallowed Name by His Direction of our own hands by His Grace on this Blessed day in His Everlasting Glorious Reign:

Locus sigillii ecclesiae:

_____, a bondservant of Jesus, the Christ

_____, a bondservant of Jesus, the Christ

Whereas, the earth is the Lord's and the fullness thereof, and His *Intent* manifested in His *original* Act in His Testament of bringing into being His Estate governs all derived from it; therefore when God our Father sent His Son to execute His Testament according to His Will, so His Son sent into the world those called by Him from the foundation of the world for His Dignity, Glory, Majesty and purposes; and,

Whereas, all Power in heaven and in earth hath been committed to Christ Jesus by God our Father, Who bestows the same upon those Whom He hath called and sent into the world in execution of, and to execute, the Righteous Judgments in His Holy Writ in His Name and under His Warrants contained therein; and,

Whereas, as many as believe in and on His Son He gives the power to become the sons of God by and through adoption, and a son hath Inheritance common in all other sons through and in Christ Jesus, therefore the Close of and over this land and all Inheritance in and of the Inheritance established by, through and in Christ Jesus, have been Willed by God our Father, through our Lord and Saviour Jesus, the Christ, to Wilfred Francis and his seed in perpetuity; and,

Whereas, the Will of our King and Testator in His Law and Testament instituting the Inheritance establishes and governs the Inheritance of those who Inherit the Close of and over this land instituted by our King in His Law and Testament, therefore those who act and do contrary to the Will of our King and Testator are not His sons, but *bastards*, having no Close or any Inheritance established by the Will of our Blessed King and Testator; and,

Whereas, the Law of God is the Law of the land, for it has been written from the beginning, only His Righteous Law in and of Him governs His Estate and all within and every part derived from His Estate which He created. His Law favours and preserves the common good of the land, -- statutes, codes, rules and regulations not with standing in Law,-- and any act done against His Cause is not Lawful, therefore ignorance of God's Law is no excuse, for all men know God, even His eternal Power and Godhead, and are not presumed ignorant of their eternal welfare; and,

Wherefore, any and all who enter here without consent evidenced by Warrant in Law from God our Father, through our Lord and Saviour Jesus, the Christ, and His several appointed Ministerial Officers having and being of one Mind in Christ, but enter either in their own name or by the name of a stranger having no Inheritance of and in the Inheritance common among the Brethren: One, break this Close; Two, breach the Peace of our King, by violating His Law establishing this Close and all Powers appertaining to the Noble and Sacred Ministerial Office of the Christ; Three, and thereby breaching the Domestic Tranquility of one His sons; Four, endanger His Inheritance in and of His son by adoption; and, Five, are, in His Law governing this Close, trespassers, thieves, and robbers having not entered through the Door; and,

Therefore, an action of trespass *quare clausam fregit* will lie against all such who break this Close through or under such pretenses or color of Law.

Maxims of Law in Abatements

Maxime ita dicta quia maxima ejas dignatas et certissima auctoritas, alque quod maxime omnibus probetur. A maxim is so called because its dignity is chiefest, and its authority most certain, and because universally approved by all. Co. Litt. 11.

The following maxims of law are those used in the abatements, and are from Bouvier's (1914) and Black's (4th ed. 1957 & 1968) Law Dictionaries, and Broom's maxims. They should be fully memorized and understood by those serving the Non-Statutory Abatement process. Broom's and Bouvier's complete maxims in book form are available from the Christian Jural Society Press.

Do not serve these translations with the abatement. Maxims in **Latin only** are to appear in the abatements. **The English translations are solely for your edification;** for understanding the *political* argument presented in the abatement. Translation into English is in **bold** letters.

Accusator post rationabile tempus non est audiendus, nisi se bene de omissione excusaverit. An accuser is not to be heard after a reasonable time, unless he excuse himself satisfactorily for the omission.

Ambiguus casibus semper praesumitur pro rege. In doubtful cases the presumption is always in favor of the king.

Argumentum ab inconvenienti est validum in lege, quia lex non perittit aliquod inconueniens. An argument drawn from what is inconvenient is not good in law, because the law will not permit any inconvenience.

Bonum necessarium extra terminos necessitatis non est bonum. A good thing from necessity is not good beyond the limits of the necessity.

Causae ecclesiae publicis causis aequiparantur. The cause of the Church is a public cause.

Causa et origo est materia negotii. The cause and origin is the substance of the thing; the cause and origin of a thing are a material part of it.

Citation est de juri naturali. A summons is by natural right.

Contractus ex turpi causa, vel contra bonos mores nullus est. A contract founded on an unlawful consideration or against good morals is null.

Crimen omnia ex se nata vitiat. Crime vitiates everything which springs from it.

Cum de lucro duorum quaeritur melior est causa possidentis. When the question of gain lies between two, the cause of the possessor is better.

Debet esse finis litium. There ought to be an end to litigation.

De non apparentibus et non existentibus eadem est ratio. The law is the same respecting things which do not appear and things which do not exist.

Disparata non debent jungi. Unequal things ought not to be joined.

Error juris nocet. Error of law is injurious.

Ex dolo malo non oritur Actio. A right of action cannot arise out of fraud.

Commentary: *Dolos malus* is defined to be craft, guile, or machination, employed for the purpose of deception or circumvention.

Executio est finis et fructus legis. An execution is the end and fruit of the law.

Executio legis non habet injuriam. An execution cannot work an injury.

Ex nudo Pacto non oritur Actio. No cause of action arises from a bare agreement.

Commentary: A consideration of some sort or other is so absolutely necessary to the forming of a contract, that a *nudum pactum*, or agreement to do or pay any thing on one side, without any compensation on the other, is totally void in law, and a man cannot be compelled to perform it.

Extra legem positus est civiliter mortuus. **He who is placed out of the law is civilly dead. A bankrupt is, as it were, civilly dead.**

Commentary: The law spoken of is God's Law establishing the substance of creation in the high and Sacred Office of Christ.

Fictio juris non est ubi veritas. **Where truth is, fiction of law does not exist.**

Id quod nostrum est sine facto nostro ad alium transferri non potest. **What belongs to us cannot be transferred to another without our consent.**

Ignorantia juris sui non praejudicat juri. **Ignorance of one's right does not prejudice the right.**

Impunitas continuum affectum tribuit delinquendi. **Impunity confirms the disposition to commit crime.**

Incorporalia bello non adquiruntur. **Things incorporeal are not acquired by war.**

Interest reipublicae quod homines conserventur. **It concerns the commonwealth [state] that men be preserved.**

Interest reipublicae ut pax in regno conservetur, et quaecunque paci adversentur provide declinentur. **It benefits the state to preserve peace in the kingdom, and prudently to decline whatever is adverse to it.**

Interest reipublicae ut sit finis litium. **It concerns the commonwealth that there be a limit to litigation.**

Invito beneficium non datur. **No one is obliged to accept a benefit against his consent.**

Ipsae leges cupiunt ut jure regantur. **The laws themselves desire that they should be governed by right.**

Jus non habenti tute non paretur. **It is safe not to obey him who has no right.**

Jus publicum privatorum pactis mutari non potest. **A public right cannot be changed by agreement of private parties.**

Legatos violare contra jus gentium est. **It is contrary to the law of nations to do violence to ambassadors.**

Legatus regis vice fungitur a quo destinatur, et honorandus est sicut ille cujus vicem gerit. **An ambassador fills the place of a king by whom he is sent, and is to be honored as he is whose place he fills.**

Lex dilationes semper exhorret. **The law always abhors delay.**

Lex non cogit ad Impossibilia. **Law does not seek to compel a man to do that which he cannot possibly perform.**

Lex reprobatur moram. **The law disapproves of delay.**

Libertas inaestimabilis res est. **Liberty is an inestimable good.**

Libertas omnibus rebus favorabilior est. **Liberty is more favored than all things.**

Longa possessio est pacis jus. **Long possession is the law of peace.**

Longum Tempus, et longus usus qui excedit memoriam hominum, sufficit pro jure. **Long time and long use beyond the memory of man suffice for right.**

Mandatarius terminos sibi positos transgredi non potest. **A mandatory cannot exceed the bounds of his authority.**

Melior est causa possidentis. **The cause of the possessor is preferable.**

Necessitas est lex temporis et loci. **Necessity is the law of a particular place and time.**

Nemo allegans suam turpitudinem audien dus est. **No one alleging his own turpitude is to be heard as a witness.**

Commentary: This is not a rule of evidence, but applies to a party seeking to enforce a right founded on an illegal consideration.

Nemo dat qui no habet. **No one can give up who does not possess.**

Nemo debet bis vexari pro una et eadem Causa. **It is a rule of law, that a man shall not be twice vexed for one and the same cause.**

Nemo debet esse judex in propria causa. **No man ought to be judge in his own cause.**

Nemo potest nisi quod de jure potest. **No one is able to do a thing, unless he can do it lawfully.**

Nemo praesumitur esse immemor suae aeternae salutatis, et maxime in articulo mortis. **No man is presumed to be forgetful of his eternal welfare, and particularly at the point of death.**

Nemo tenetur seipsum infortuniis et periculis exponere. **No one is bound to expose himself to misfortune and dangers.**

Nihil quod est contra rationem est licitum. **Nothing against reason is lawful.**

Ninia subtilitas in jure reprobatur, et talis certitudo certitudinem confundit. **Too great subtlety is disapproved in law, and such uncertainty confounds certainty.**

Non est certandum de regulis juris. **There is no disputing about rules of law.**

Non est recedendum a communi observantia. **There should be no departure from a common observance.**

Non licet quod dispendio licet. **That which is permitted only at a loss is not permitted to be done.**

Nullum tempus occurrit ecclesiae. **Time does not bar the right of the church.**

Commentary: Time does not run against His church.

Nullum tempus occurrit reipublicae. **Time does not bar the right of the commonwealth.**

Commentary: Time does run against what His church retains in common.

Officium nemini deget esse damnosum. **An office ought to be injurious to no one.**

Omnia praesumuntur contra Spoliatorem. **Every presumption is made against a wrong doer.**

Commentary: Where the party has the Means in his power of rebutting and explaining the evidence adduced against him, if it does not tend to the truth, the omission to do so furnishes a strong inference against him.

Omnis licentiam haber his quae pro se indulta sunt, renunciars. **All have liberty to renounce those things which have been established in their favor.**

Pacta quae contra leges constitutionesque vel contra bonos mores fiunt nullam vim habere, indubitati juris est. **It is indubitable law, that contracts against the laws or good morals have no force**

Principia probant, non probantur. **Principle prove, they are not proved.**

Principiorum non est ratio. **There is no reasoning of principles.**

Quae lege communi derogant non sunt trahenda in exemplum. **Things derogatory to the common law are not to be drawn into the precedent.**

Quando diversi desiderantur actus ad aliquem statum perficiendum, plus respicit lex actum originalum. **When different act are required to the formation of any estate, the law chiefly regards the original act. When to the perfection of an estate or interest diverse acts or things are requisite, the law has more regard to the original act, for that is the fundamental part on which all the others are founded.**

Quando jus domini regis et subditi concurrunt jus regis praeferri debet. **When the right of the Sovereign and of the subject conflicts, the right of the Sovereign ought to be preferred.**

Quod ab Initio non valet in tractu temporis non convalescit. **That which was originally not valid does not by course of time become valid.**

Commentary: When the proceeding adopted is altogether unwarranted, and different from that which, if any, ought to have been taken, then the proceeding is a nullity, and cannot be waived by any act of the party against it has been taken. [Also, when a deed is based on unlawful consideration, lapse of time will never remove the unlawfulness.]

Quod omnes tangit, ab omnibus debet supportari. **That which concerns all ought to be supported by all.**

Ratio legis est anima legis. **The reason of the law is the soul of the law.**

Rerum ordo confunditur, si unicuique jurisdictione non servatur. **The order of things is confounded if every one preserves not his jurisdiction.**

Salus reipublicae suprema lex. **The safety of the people is the supreme law.**

Scire debes cum quo contrahis. **You ought to know with whom you deal.**

Scire proprie est rem ratione et per causam cognoscere. **To know properly is to know a thing by its cause and in its reason.**

Stat pro ratione voluntas populi. **The will of the [Christian] People stands in place of reason.**

Summa ratio est quae pro Religione facit. **If ever the laws of God and man are at variance, the former are to be obeyed in derogation of the latter.**

Unumquodque est id quod est principalius in ipso. **That which is the principal part of a thing is the thing itself.**

Vigilantibus, non dormientibus, Jura subveniunt. **The laws assist those who are vigilant, not those who sleep over their rights.**

Voluntas facit quod in testamento scriptum valeat. **The will of the testator gives validity to what is written in the will.**

Voluntas testatoris habet interpretationem latam et benignam. **The will of the testator should receive a broad and liberal construction.**

Voluntas ultima testatoris est perimplenda secundum veram intentionem suam. **The will of the testator is to be fulfilled according to his true intention.**

Glossary

of Key Words and Phrases

In this part we include definitions from various sources and short essays on the meaning and use of key words and phrases that are commonly misunderstood. “The same – Only Different,” draws attention to this problem. What a word appears to mean and what it means in current law are usually not the same.

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

Abandon

To desert, surrender, forsake, or cede. To relinquish or give up with intent of never again resuming one's right or interest.¹

American

A.b. Belonging to the United States.² Of or pertaining to the United States.³

Americanize

Strictly, to make American; esp. to naturalize as a citizen of the United States.⁴

Abatement

In actions at law, an abatement is an overthrow of an action caused by the defendant's pleading some matter of fact tending to impeach the correctness of the writ or declaration, which defeats the action for the present, but does not debar the plaintiff from recommencing it in a better way.

Abatements are of two types, statutory and non statutory. Statutory abatements are merely a statutory implementation of the common law non-statutory abatement.

Non-statutory abatements rely on immemorial custom and usage to their authority, and not on any statutory authority by a legislature.

But, if issued against military powers and their courts in civil and administrative cases the abatement has the effect of suspending all proceedings in a suit because the military powers have no standing to answer.⁵

Abbreviated Name

In⁶ it was held that the name was no part of the description, and further, in⁷ “that an initial cannot be regarded as a christian name,” and, in⁸ the court ruled that “We are of opinion that the word 'misnomer,' which means a naming amiss, is wide enough to cover the faulty indication of a christian name by means of the initial,” and they again cite Bacon's Abridgement of the Law, Misnomer. But, in this same case, the court went on to say “that it was not a mere case of misnomer, because the initials were no name at all,” and that such an error was pleadable in abatement.

Alien enemy

International law, an alien who is the subject or citizen of some hostile state or power. A person who, by reason of owing a permanent or temporary allegiance to a hostile power, becomes, in time of war, impressed with the character of an enemy.⁹ Whether or not a person is an alien enemy, depends not on his nationality, but on the place in which he voluntarily resides or carries on business.¹⁰

1. Burrough's vs. Pacific Telephone and Telegraph Co., 220 P. 152, 155; 109 Or. 404.

2. Oxford's Dictionary 1933.

3. Black's Law Dictionary, 6th Edition.

4. Oxford's Dictionary 1933.

5. See Black's Law Dictionary, 3rd, (1933), page 7 to 8.

6. Reg. v. Tugwell, 3 Q.B., 704

7. Reg v. Bradley, 3E. & F. 634

8. The Queen v. Plenty 4.R. Vol. IV 346

9. See J Kent. Comm. 74, and Black's 3rd.

10. Porter vs. Freudenberg, (1915) J KB. 857; Noble vs. Great American Insurance Co., 194 N Y.S. 60, 66, 200 App. Div. 773.

Arbiter

One who arbitrates or moderates meetings of a jural society. Also called a Host or Chairman.¹¹

Asservation

An affirmation; a positive assertion; a solemn declaration.¹²

Avoidance

A making void, useless, empty, or of no effect; annulling, canceling; escaping or evading.¹³

Breach of the Peace

A violation of the public tranquility and order. The offense of breaking or disturbing the public peace by any riotous, forcible, or unlawful proceeding.¹⁴

Bureaucrat

2. An official who works by fixed routine without exercising intelligent judgment.¹⁵

Christendom

n. [ME. cristendom; AS. cristendom, Christianity, from Cristen, Christian, and dom, domain, jurisdiction, from dom, to do.] 1. Christianity. [Obs.] 2. The territories, countries, or regions chiefly inhabited by those who profess to the Christian religion. 3. Christians collectively. 4. Baptism;¹⁶

The first three definitions satisfy the requirements of a "common weal," "res publica," "res communis," or "state."¹⁷

Christianity

n. cristianite, cristiente; For. crestiente; L. christianitas, from Christianus, a Christian.] 1. Christians collectively; Christendom. 2. The Christian religion; doctrines taught by Jesus Christ. 3. A particular Christian religious system; as, Eastern Christianity. 4. The state [*status or condition] of being a Christian. 5. Christian character, practices, etc. [This is the Law for Christians.¹⁸ Christendom is a venue having a specific jurisdiction,]

1. The religion established by Jesus Christ. 2. Christianity has been judicially declared to be a part of the common law of Pennsylvania;¹⁹ To write or speak contemptuously and maliciously against it, is an indictable offence.²⁰

Church

In a moral or spiritual sense this word signifies a society of persons who profess the Christian religion; and in a physical or material sense, the place where such persons assemble. The term church is *nomen collectivum*; it comprehends the chancel, aisles, and body of the church.²¹ It is not within the plan of this work to give an account of the different local regulations in the United States respecting churches.²²

11. Black's 3rd, (1933) page 133.

12. Black's 3rd, page 154.

13. Black's 3rd, page 176.

14. *4 Blackstone's Commentaries*, 142, et. seq. Black's 3rd, page 246.

15. *Random House Dictionary of the English Language*, 2nd Edition, Unabridged, page 279.

16. *Webster's New Twentieth Century Dictionary of the English Language*, Unabridged (World Publishing Company, 1969), p. 321.

17. See Texas v. White, 7 Wall. 700.

18. *Webster's New Twentieth Century Dict. of the English Language*, Unabridged (World Pub. Co., 1969), p. 321. [Insertions Added].

19. 11 Serg & Rawle, 394, 5 Binn. R. 555; of New York, 8 Johns. R. 291; of Connecticut, 2 Swift's System, 321; of Massachusetts, Dane's Ab. vol. 7, c. 219, a. 2, 19.

20. Vide Cooper on the Law of Libel 59 and 114, et seq.; and generally J Russ. on Cr. 217; Hawk, c. 5; J Vent. 293; 3 Keb. 607; J Barn. & Cress. 26. S. C. 8 Eng Com. Law R. 14; Barard. 162; Fitzgib. 66; Roscoe. Cr. Ev. 524; 2 Str. 834; 3 Barn. & Ald. 161; 5. C. 5 Eng Com Law R. 249 Jeff Rep. Appx. See J Cro. Jac. 421 Vent. 293; 3 Keb. 607; Cooke on Def 74; 2 How. S. C. il-ep. 127, 197 to 201. Source: *Bouvier's Dictionary of Law* 1856.

21. Harm N P. 204. 2.8 B. & C. *25; J Salk 265; 11 Co. 25 b; 2 Esp. 5, 2 & 3.

22. 2 Mass. 500; 3 Mass. 166; 8 Mass. 96; 9 Mass. 277; Id. 254; 10 Mass. 323; 15 Mass. 296; 16 Mass. 488; 6 Mass. 401; 0 Pick 172 4 Day, C. 361; J Root 3, 440; Kirby 45; 2 Caines' Cas. 336; 10 John. 217; 6 John. 85; 7 John. 112; 8 John. 464; 9 John. 147; 4 Desaus. 578; 5 Serg. & Rawle, 510; 11 Serg. & Rawle, 35; Metc. & Perk Gig. h. t.; 4 Whart. 531. Source: *Bouvier's Dictionary of Law* 1856.

Church-warden

An officer whose duties are, as the name implies, to take care of; or guard the church. 2. These officers are created in such ecclesiastical corporations by the charter, and their rights and duties are definitely explained. In England, it is said, their principal duties are to take care of; 1. the church or building; 2. the utensils and furniture; 3. the church-yard; 4. matters of good order concerning the church and church-yard; 5. the endowments of the church. Bacon's Ab. h. t. by the common law, the capacity of church-wardens to hold property for the church, is limited to personal property.²³

Commerce

The exchange of what is superfluous for that which is necessary, and as, in the natural process of things, the superfluities and wants of men have increased, commerce has gradually become more intricate and extended. Commerce is carried on in three different ways; 1st. By exchange or barter of one article for another, those who produce the articles treating or negotiating directly and personally with each other. 2nd. The person producing an article treating, as in the first case, directly with the person wanting it, but receiving money, and not other goods, in exchange. And, 3rd. When the person producing the article and him who wants to use it have no intercourse with each other, but apply mutually to a third party and intermediate merchant, who buys from the one, and sells to the other.

Common law

Common law was the God's Law that became the Customs and Usages of the people. In Latin it is the *lex non scripta*, the law not written,²⁴ for it is written on the heart of the Christian Man. All Codes, Rules of Procedure, and Regulations that violate common law are void and do not apply to Good and Lawful Christians [bondservants of Christ]. **Statutes which violate the plain and obvious principles of common right and common reason are null and void.**²⁵ Blackstone says a law which violates the Law of God is void.

Common Weal, Commonweal

"The body politic, state, community XIV; the general good, public welfare XV. orig. and properly two words, rendering L. res communis; cf. weal public (XV) rep. L. bonum publicum, F. le bien publique. See WEAL. In the sense of 'state' in XVI more esp. Sc., and now archaic or rhetorical."²⁶

Commonwealth

Public welfare XV; the body politic, state, community; in spec. fig. and transf. Uses, e.g. c. of Christendom, of learning, of nations XVI; republic, or democratic state; spec. (hist.) The republican government established under Oliver Cromwell XVII. See WEAL. Both common weal and common wealth were at first used indiscriminately in the senses 'public welfare' and 'body politic' but in XVI commonwealth became the Eng. term for the latter sense, whence the latter sense 'republic' was developed.²⁷

Citizen: Neutral, Sovereign Citizen, State Citizen, Foreign National

The status of a state citizen depends on what state he is a citizen of. The state citizen argument is based on a pre-Lincoln's War, non-Christian position, that is allegedly beyond the reach of current government. But, state citizens have no officers in their version of the State.

The "common law citizen" is likewise a figment since there is no law that even remotely defines a "common law citizen." Common law is a body of law, process, procedure, etc., common to Good and Lawful Christians acting in the mode and character of a Christian. Common law has no rules to create a state, without which, there is no citizen. Citizenship arguments look to municipal law for only municipal law defines "citizens."

Municipal law is "not the law of a city only but the law of the State."²⁸ In contradistinction to international law, it is the law of an individual State or nation. It is the rule or law by which a particular district, community, or nation is governed.²⁹ That which pertains solely to the citizens and inhabitants of a State, and is thus **distinguished from political law**,

23. 9 Cranch, 43. Source: *Bouvier's Dictionary of Law*, 1856.

24. Bouvier's, supra, page 1947.

25. *Bennett v. Boggs*, Fed. Cas. #1319 (1 Baldw. 60).

26. *Oxford's Dictionary of English Etymology* (1966), "Addenda," p. 1025.

27. *Oxford's Dictionary of English Etymology* (1966), "Addenda," p. 1025.

28. *People ex. rel. Ray v. Martin*, 181 Misc. 925, 47 N.Y.S. 2d 883, 891.

29. 1 Bl. Comm. 44.

commercial law, and the law of nations.³⁰ In its more modern and narrower connotation it means those laws which pertain to towns, cities and villages and their local government.³¹ **Municipal law:** "...a system of rules of **human action** established by the governmental power of a state."³²

In General Law, all citizens are defined as; A member of a free city or jural society, possessing all the rights and privileges which can be enjoyed by any **person** under its constitution and government, and subject to the corresponding duties....In American Law, one who, under the Constitution, and the laws of the United States, or of a particular state, and by virtue of birth or naturalization - **within the jurisdiction** - is a member of the political community, owing allegiance and **being entitled to the enjoyment of full civil rights.**³³

Some claim to revoke, rescind, or abolish applications for benefits and privileges, or to abolish signatures on documents with a so-called *cancelatura*, but there is no authority in such processes to compel martial law governments to comply because **subjects do not compel the performance of the master.** Neutral appears un-connected, but, citizens of neutral [states], resident in, or visiting invaded, or occupied territory, **can claim no immunity** from the customary laws of war relating to communications with the enemy.³⁴

Any intercourse with the enemy, is deemed to be communications with the enemy.

Some claim to be "sovereign citizens." In America, **there is no such thing.** The only Sovereign is God. The people, in a **collective sense**, are cloaked with Sovereignty, only if acting in accordance with God's Law. In commerce **one has no sovereignty** because the controlling law is the *lex mercatoria*, law merchant or, commercial law. It is obvious that one cannot be a sovereign citizen and be subject at the same time, which all citizens are.

A Foreign National is: all persons whether or not subject to military law, except the military judge, members, and foreign nationals, outside the territorial limits of the United States, who are not subject to the code.³⁵

Territorial jurisdiction: is considered as limited to cases arising, or **persons residing**, within a defined territory, as a judicial **district**, etc. The authority of any court is limited by the boundaries thus fixed.³⁶ [A territory is also] a part of a country, separated from the rest, and subject to a particular jurisdiction.³⁷

This ought to enlighten those who insist on using "Judicial District" prefixed by a number on their addresses.

Coverture

The state or condition of a married woman.

2. During coverture, the being of the wife is civilly merged, for many purposes, into that of her husband; she can, therefore, in general, make no contracts without his consent, express or implied.³⁸

3. To this rule there are some exceptions: she may contract, when it is for her benefit, as to save her from starvation.³⁹

4. In some cases, when coercion has been used by the husband to induce her to commit a crime, she is exempted from punishment.⁴⁰

5. Sometimes used elliptically to describe the legal disability arising from a state of coverture.⁴¹

Custom

A law not written, established by long usage and the consent of our ancestors.⁴² 2. If it be universal, it is common law; if particular to this or that place, it is the properly custom.⁴³

30. Wharton; *City of Louisville v. Babb*, C.C.A. Ind., 75 F. 2nd 162, 165.

31. *People ex. rel. Ray v. Martin*, 181 Misc. 925, 47 N.Y.S. 2nd 883, 891; *Black's Law Dictionary* (4th ed. 1957 & 1968), p. 1169.

32. *Webster's New Twentieth Century Dictionary*, Unabridged (World Publishing Company, 1969), p. 1028.

33. Black's 3rd, supra, page 329.

34. *Manual for Courts Martial*, supra, page IV-41, 104 (c)(6)(c).

35. Black's 6th, supra, p. 1473.

36. *Ibid.*, p. 1473.

37. *Ibid.*, p. 1473.

38. *Com. Dig. Baron and Feme*, W; *Pleader*, 2 A 1; 1 *Chitty's pl.* 19, 45; *Littleton* s. 28; *Chit. Contr.* 39; 1 *Bouv. Inst.* n. 276.

39. *Chitty on Contracts*, 40.

40. *J Hale, P. C.* 516; *J Russ. Cr.* 16.

41. *Osborne v. Horine*, 19 Illinois 124; *Robert v. Lund*, 45 Ver., 86.

42. *Termes de la Ley*; Cowell; Bracton. folio.

43. 3 Salk 112.

Designata

Persona Designata. A person pointed out or described as an individual, as opposed to a person ascertained as a member of a class, or as filling a particular character.⁴⁴

In actuality, the person designated, given the current definition of 'person' is a fiction, and thus the processes of de facto powers that now exist when served against Christians, are null and void, because such a person does not exist in Law, or in a fiction.

Discussion

A proceeding at the instance of a surety, by which creditor is obliged to exhaust the property of the principal debtor, towards the satisfaction of debt, before having recourse to the surety; and this right of surety is termed "benefit of discussion." See the extended treatment of this subject.⁴⁵

Dominion

Sovereignty or Lordship. Ownership or right to property. 2. Blackstone's Commentaries, 1. Title to an article of property which arises from the power of disposition and the right of claiming it.⁴⁶

Ecclesiastical Society

An organized religious body. The word 'ecclesiastical' pertains to anything belonging to or set apart for the church, as distinguished from "civil" or "secular," with regard to the word.⁴⁷

Enemy

Includes organized forces of the enemy in time of war, any hostile body that our forces may be opposing such as a rebellious mob, or a band of renegades, and includes, civilians as well as members of military organizations. 'Enemy' is not restricted to the enemy government or its armed forces. All the citizens of one belligerent are enemies of the government and all the citizens of the other.⁴⁸

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

Concerning what constitutes 'a time of war,' it: exists for purposes of R.C.M. 1004(c)(6), and Parts IV and V of this manual,⁴⁹ in virtually every act conceivable by any person, against which the United States government has made a law, rule, or regulation.

Crimes that **civilians** can commit cover 125 pages in the Manual for Courts Martial. Conviction usually calls for a fine, not jail time. The reason is 'pure expediency,' to increase Federal and State revenues. Since only 'enemies' under the International Laws of War are compelled to pay for the 'benefit' of military protection, enemy status made everyone a beneficiary of military protection and thus, taxable. Prior to this, only those in the District of Columbia, the Territories, and those who came directly under Federal power. [**The 'Trading with the Enemy Act' of 1933 defines all U.S. citizens as 'enemies of the State'**]

Et uxor

"and lawful wife."

False Imprisonment

The unlawful arrest or detention of a person without warrant, or by an illegal warrant, or a warrant illegally executed, and either in a prison or a place used temporarily for that purpose, or by force and constraint without confinement.⁵⁰

44. Black's 3rd, 1933, page 1356.

45. in Black's 3rd, (1933), page 588.

46. Baker vs. Wescott, 73 Texas, 129.

47. Wharton, in Black's 3rd, (1933) page 640.

48. *Manual for Courts Martial*, supra, page IV-34, Art. 99-23c (1)(b).

49. *Manual for Courts Martial*, supra, page IV-4, Article 104 (c)(6)(c).

50. Black's 3rd, page 926

General Law

A general law as contradistinguished from one that is special or local, is a law that embraces a class of subjects or places, and does not omit any subject or place naturally belonging to such a class.⁵¹

Government: De Facto, De Jure, Republican, Democracy, Provisional

A *de facto* government is: a government of fact. A government actually exercising power and control in the state, as opposed to the true and lawful government; a government not established according to the constitution of the state, and not lawfully entitled to recognition and supremacy, but which has nevertheless, supplanted or displaced the government *de jure*. A government deemed unlawful, or deemed wrongful, or unjust, which, nevertheless, receives presently habitual obedience from the bulk of the community.⁵²

But there is another description of government, called by publicists, a 'government *de facto*,' but which might, perhaps, be more aptly denominated a 'government of paramount force.' Its distinguishing characteristics are, (1) that its existence is maintained by active military power, within the territories, and against the rightful authority, of an established and lawful government; and (2), that, while it exists must necessarily be obeyed in civil matters by private citizens, who, by acts of obedience, rendered in submission to such force, do not become responsible, as wrong doers, for those acts, though not warranted by the laws of the rightful government. Actual governments of this sort are established over districts differing greatly in extent and conditions. They are usually administered directly by military authority, but they may be administered, also, by civil authority, supported more or less by military force.⁵³

The term *de facto*, as descriptive of a government has no well-fixed and definite sense. It is perhaps, most correctly used as signifying a government completely, though only temporarily, established in the place of the lawful or regular government, occupying its capital and exercising its power, and which is ultimately overthrown, and the authority of the government *de jure* re-established.⁵⁴

A *de jure* government is: a government of right; the true and lawful government; a government established according to the constitution of the state, and lawfully entitled to recognition and supremacy in the administration of the state, but which is actually cut off from power and control. A government deemed lawful,...or just, which, nevertheless, has been supplanted or displaced; that is to say, which receives nor presently (although it received formerly) habitual obedience from the bulk of the community.⁵⁵

When one uses **lawful process** against martial powers, one represents the *de jure* state who is: lawfully entitled to recognition and supremacy in the administration of the state, but which is actually cut off from power and control.⁵⁶

A republican form of government is: one in which powers of sovereignty are vested in the people and are exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are specially delegated.⁵⁷

The idea is traceable to a much earlier origin in the idea of common weal, or common wealth (see above).

Lawful *de jure* government is still in place in spite of the *de facto* military government that manages civil affairs of the nation. *De facto* governments cannot abolish Constitutional offices for they have no power to do so. If they could, there would be no point in raising the issue of the *de jure* government.

Thus, it is possible to restore *de jure* power - with Lawful process and Lawful elections. It is not a matter of bringing the *de jure* government back; it is still in place. For those who seek this goal it is vital that Christians [or their jural societies] do not do not associate even remotely with: extremist groups, i.e., terrorists and pseudo-terrorists, white supremacy, and racists groups, etc. We must not even give the appearance of being associated with such groups, as Scripture clearly point out: "Prove all things; hold fast to that which is good. Abstain from all appearance of evil. And the very God of peace sanctify you holy; and I pray God your whole spirit and soul and body be preserved blameless unto the coming of our Lord Jesus Christ."⁵⁸

51. Van Riper vs. Parsons, 40 NJ Law, J.

52. Austin's Jurisprudence, page 324.

53. Thorington vs. Smith, 8 Wall. 8, 9; 19 Lawyer's Edition, 361.

54. Thomas vs. Taylor, 42 Mississippi 651, at 703.

55. Austin's Jurisprudence, page 324.

56. Ibid.

57. Black's 3rd, supra, 'Constitutional Law' p. 309. In re Duncan, 139 U.S. 449; Minor vs. Happersett, 21 Wall. 175.

58. First Thessalonians, 5:21-23.

Human

L. humanus, of or belonging to man, human, a derivative of the same root as homo, homini man. 3. Belonging or relative to man as distinguished from God or superhuman beings; pertaining to the sphere or faculties of man (with implication of limitation or inferiority); mundane; secular.⁵⁹

Human being

See "Monster,"⁶⁰

Humanitarian

Philanthropist; an anti-Trinitarian who rejects the doctrine of Christ's divinity; a perfectionist.⁶¹

Humanitarianism

n. the doctrine that humankind may become perfect without divine aid.⁶²

Human laws

Laws which have man for their author, as distinguished from divine laws, which have God for their author. NY.⁶³

Individual

See "Person," below.

Jural Society

The term 'jural society' is used as the synonym of "state" "organized political community."⁶⁴ It is founded in law and organized upon the basis of a fundamental law, which in the case of the American Jural Societies as discussed herein, is that law found in the *lex non scripta* (the common law), maxims of law, and constitutional maxims. The Jural Societies exist for the recognition and protection of Christian men and women and their God-given rights.

Jus Gentium

That law which natural reason has established among all men is equally observed among all nations, and is called the "law of nations," as being the law which all nations use.⁶⁵

Jus publicum

Public law, or the law relating to the constitution and functions of government and its officers and the administration of criminal justice. Also public ownership, or the paramount or sovereign territorial right or title of the state or government.

Land

A title everyone seems to want is allodial title to their land. We have good news and bad news.

First, there is no piece of paper entitled, Allodial Title! One may hold land by allodial right, or in allodium, but **there is no Lawful piece of paper that says Allodial Title at the top of it.** The reason is, allodial rights are rights found in Christian common law, and is not a title that civil governments can grant, much less a martial law government.

Further, one must not confuse a land patent with land held in allodium.

When one acquires a land patent, the government granting it merely acts as an agent for the People and creates a record of who acquired the land, how much, and what they paid for it, along with a notice of what restrictions may have applied to the land, if any. That is all. Original patentees did not hold land in allodium, but the grant of right from a government power. Since one bought the land, one cannot possibly hold the land in allodium because true title to land never passes by purchase, but by inheritance. An allodial title is: "A free manor; **an inheritance** that is not held of any superior. Allodial lands are such

59. *A New English Dictionary on Historical Principles; Founded mainly on Materials Collected by The Philological Society*, edited by James A. H. Murray, Oxford: At the Clarendon Press. 1901.

60. *Law Dictionary with Pronunciations*, by James A. Ballentine, 1948 Edition. Lawyers Co-operative Pub. Co., Rochester, NY.

61. *Collier's New Dictionary of the English Language*, 192.

62. *Random House Dictionary*, 1992 Edition.

63. See *Borden v. State*, 11 Ark 519, 54 *Am. Dec.* 217, 220. *Law Dictionary with Pronunciations*, by James A. Ballentine, 1948 Edition. Lawyers Co-operative Pub. Co., Rochester, NY.

64. Black's 3rd, (1933) page 1036.

65. Black's 3rd, page 1044.

as are free from any rent or service."⁶⁶ [And] "Title is the means whereby the owner of lands or other real property has the just and legal possession and enjoyment of it. Title is acquired either by descent or purchase. The former covering the single case of inheritance of property by operation of law, and the latter including every mode of acquisition known to the law, except that by which a person, upon death of his ancestor, acquires his estate by right of representation as his heir at law. But, **title passes by descent [inheritance], and not by purchase**, the former being the worthier title, where the same quantity and quality of estate is devised, that the devisee would have acquired by descent..."⁶⁷

Thus, true title passes only by inheritance, not by purchase.⁶⁸ The Laws of inheritance were once controlled entirely by the Christian church until the churches gave up the right by incorporating under the 501(c)(3) regulations. Inherited titles are not commercial, and hence, not regulatable or taxable. But, if one sub-divides for purposes of sale, it becomes commercial and thus regulatable and taxable.

In this case, lesser title is sold and insured, (benefit) and recorded in a county recorder's office.⁶⁹

Once recorded, the land, actually now a "parcel," is a matter of public record, and, under martial rule they [parcels] immediately become subject to taxes and liens by almost anyone. This process is borrowed from old Roman imperial law brought up-to-date. Thus: "...the principle of *emphyteusis* furnishes a connecting link between the Roman imperial system of land tenure and the medieval system. It arose out of the custom whereby **land taken in war was rented by the State on long leases**. The rent paid in such cases was called vectigal, and the land was called *ager vectigalis*. It was a form of leasehold property especially advantageous to corporations of all kinds, as they were relieved from all duties and cares as landlords and were secured a fixed income. When this form was employed by private persons and corporations, it was known as *emphyteusis*, the land as *fundus emphyteuticarius*, and the person to whom the land given as *emphyteuta*. An *emphyteusis* was a grant of land or houses forever, or for a long period, **on the condition that an annual sum (canon or pensio) should be paid to the owner dominus** or his successors, and that if such sum was not duly paid, the grant should be forfeited. [By] the law of the Emperor Zeno (475-491), *emphyteusis* was neither a sale nor a lease by a special form of contract.

The rights of *emphyteuta* were, first of all, the right of use and enjoyment. But he was better off than a mere usufructuary. He was rather the *bona fide* possessor of the property. The only restriction to his use of the land was that he must not cause depreciation in the value of the property. Furthermore, he could, subject to certain restrictions, alienate property. It passed to his heirs; it could be mortgaged or hypothecated; and it could be burdened with servitudes. But these right depended upon the fulfillment of certain duties. If the canon was not paid for three years (in the case of church lands, for two years), or if the land tax remained unpaid for the same period, the grant was forfeited. Here his position was different from that of the usufructuary, for the latter paid no rent. The original rent of the land granted could not be increases by the owner, but on the other hand it was not diminished by any partial loss of the property. The *emphyteuta* had to pay all the burdens attached to the land, and deliver all tax receipts to the owner. The method of alienating the property was as follows: The *emphyteuta* ought to transmit to the *dominus* formal notice of the sum that a purchaser is willing to give for it. The owner has two months to decide whether he will take the *emphyteusis* at that sum; and if he wishes it, the transfer must be made to him. If he does not buy at the price named within two months, the [*313] *emphyteuta* can sell to any fit and proper person without the consent of the *dominus*. If such a person is found, the *dominus* must accept him as the *emphyteuta*, and admit him into possession either personally, by written authority, or by attestation, before notaries or a magistrate. For this trouble, the *dominus* is entitled to charge a sum (*laudemium*) not exceeding two percent on the purchase money. If the owner does not make acknowledgment within two months, then the *emphyteuta* can, without his consent, transfer his right and give him possession."⁷⁰

Does this sound familiar? Do we now see why there is escrow? Do we understand that we do not "own" the land our house sits on so long as there is a record of the *emphyteusis* in the name of the *emphyteuta* in a County Recorder's office? And, if there is any doubt as to who the *dominus* is, it is the martial law powers that currently rule the land, and who control all commercial titles.

This is depressing and could not happen if the church had stayed awake.

But, there is another side of the coin that enables a Christian to acquire and hold land in allodium, in spite of all we've read above. The process of acquiring and holding land is done by virtue of a higher Law that only Christians have access to.

66. 2 *Blackstone* 47, 60: Cowel.

67. *Rights, Remedies, and Practice, At Law, in Equity, and under the Codes: A Treatise on American Law in Civil Causes*, by John D.

Lawson, in seven volumes, Vol. VI, Chap. 129, Sec. 2692, page 4391. Published by Bancroft-Whitney Company, SanFrancisco, 1890.

68. *A New Law Dictionary*, by Henry James Holthouse, published by Lea and Blanchard, 1847, under "allodial."

69. The County Recorder's Office was established to replace the functions of the old Land Offices by Federal Statutes in 1853.

70. Hunter, *Roman Law*, page 429. Guy Carleton Lee, *Historical Jurisprudence*, 1922, pages 311-313.

Recall that, "the Earth is the Lord's and the fulness thereof,"⁷¹ that as Christians we are made joint-heirs with Christ.⁷² In God's Law is the means to inherit and thus acquire true title to land in allodium. It awaits every Christian who truly seeks to act in the mode and character of one, who by virtue of his Godly inheritance has a right to the free and unencumbered use of land inherited through Christ Jesus.

Law Merchant

(*lex mercatoria*). One of the branches of the unwritten law or common law, consists of particular customs, or laws which affect only the inhabitants of particular districts, under which head may be referred, the law or customs of merchants (*lex mercatoria*), which is a particular system of customs used only among one set of the king's subjects, which, however different from the general rules of the common law, is yet engrafted into it, and made part of it; be allowed for the benefit of trade to be of the utmost validity in all commercial transactions; for it is a maxim of law, that "*cuilibet in sua arte credendum est.*" (Credence should be given to one skilled in his particular art). This law of merchants comprehends the laws relating to bills of exchange, mercantile contracts, sale, purchase, and barter of goods, freight, insurance.⁷³

Locus sigilli

The place of the seal; the place occupied by the seal of written instruments, usually abbreviated to L.S.⁷⁴

Lex Loci

Law local, or the law of the local community or state. *Lex mercatoria*, see Law Merchant.

Lex non scripta

Literally, "law not written," i.e., the unwritten law that we know as common law.

Mark of Fraud

A token, evidence, or proof of fraud.⁷⁵

Martial Law

Martial law is a code established for the government of the army and navy of the United States.⁷⁶

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

First. That no government worthy of the name will permit itself to be overturned, the object for which it was instituted to be defeated, by the turbulent element of its midst, simply because the civil administration fails, whether culpable or otherwise, to perform the function prescribed by the written law; but, in such case, it is the right and duty of government, in self defense, to resort to a higher and un-written law to meet the exigency.

Second. That the force called into active operation in this exigency is of necessity the military, and martial law is its rule of conduct.

Third. That martial law thus may be invoked either by the executive or the law-making power, although the former generally will be the case.

Fourth. A proclamation establishing martial law, while convenient as notifying to all the true conditions, is not necessary; but the placing of the military in control, by proper authority, carries its own proclamation that martial law there prevails.

Fifth. In the exercise of this power the military may utilize, if convenient to all authorities, the civil administration; **but this to the extent only that the military may deem such course desirable.**

Sixth. In the enforcement of martial law the military may not wanton with power and use it tyrannically or for the oppression of the community; and should this be done, the perpetrators, after law has resumed its proper sway, may be brought before civil courts, where such acts may be inquired into; the question for the court to determine in such case being how the heart stood when such alleged unlawful acts were perpetrated.⁷⁷

71. Psalm 24:1.

72. Romans 8:16-17; Galatians 3:29; Titus 3:7; and many others.

73. c.1 *Chitty's Blackstone*, 76, n.9. From: *A New Law Dictionary* by Henry James Holthouse, Lea and Blanchard, Philadelphia (1847).

74. Black's 3rd, page 1129.

75. Black's 3rd, page 1161.

76. *A New Law Dictionary* by Henry James Holthouse, Lea and Blanchard, Philadelphia (1847).

77. *Military Government & Martial Law*, by William E. Birkhimer, 1914, page 390, Section 385. Published by Franklin Hudson Publishing Co., Kansas City, Missouri.

Maxim

An established principle or proposition. A principle of law universally admitted, as being a correct statement of the law, or as agreeable to reason.

Coke defines a maxim to be "conclusion of reason," and says that it is so called "*quia maxima ejus dignitas et ertissima auctoritas, et quod maxime omnibus probetur.*"⁷⁸ He says in another place: "A maxim is a proposition to be of all men confessed and granted without proof, argument, or discourse."⁷⁹

Ministerial Powers

A phrase used in English conveyancing to denote powers given or the good, not of the donee himself exclusively, of the donee himself necessarily at all, but for the good of several persons, including or not including the donee also. They are so called because the donee of them is a minister or servant in his exercise of them. Brown.⁸⁰

Note: To understand the power of the phrase, we must realize that while it has authority in the common law, i.e., the *lex non scripta*, there is no modern equivalent defined in the sources. It is thus an office of ancient authority that exceeds the legal memory of man and relies on the Scripture for its original derivation, wherein we are ministers under God acting under the Great Commission commanded us by Jesus Christ.

If one goes to⁸¹ where it says see 'power' and under 'power',⁸² it says, see 'ministerial.' Thus, the phrase is undefined in the modern sources.

Natural person

Those applying for benefits from government may be classed as 'natural persons.'⁸³ Differences between 'natural person' and 'moral person', are: "As to the estate and degree required by the statute to be added,...that estate is defined by the civilians [as] the capacity of moral person; for, as natural persons have a certain space in which their natural existence is placed, and in which they perform their natural actions, so have persons in a community a certain state or capacity, in which they are supposed to exist, to perform their moral acts, and exercise all civil relations..."⁸⁴

Natural theology

Theology based on knowledge of the natural world and on human reason, apart from revelation.⁸⁵

Nature worship

A religion based on the deification and worship of natural phenomena.⁸⁶

Necessity

This is the basis of *prima facie* emergency powers and martial rule. It covers a multitude of sins and justifies judicial discretion by judges, bureaucrats, politicians, police, and the lower courts.

Necessity is baffling if one appears in court and argues brilliantly, only to hear the judge say, "Normally, I would agree with you, but, 'out of necessity' I must rule against you." What the judge is really saying here is, "Under powers granted to me as the Acting Agent in the Field for the Commander-in-Chief, it would not be in **our best interest**, in collecting revenue, for me to rule in your favor in spite of the fact that you are legally correct in your case."

Necessity exists in (1) The necessity of preserving one's own life, which will excuse a homicide; (2) the necessity of obedience, as to the laws, or the obedience of one not *sui juris* to his superior; (3) the necessity caused by the act of God or a stranger.⁸⁷

For the Christian, we would only add the absolute Necessity to obey God rather than man.

An important view of necessity, because of its impact on the conduct of emergency powers is; "Controlling force; irresistible compulsion; a power or impulse so great that it admits no choice of conduct. That which makes the contrary of a

78. Coke on Littleton, 1.

79. Id. 67a. Black's 3rd, (1933) page 1171.

80. Black's 3rd, page 1391.

81. Black's 6th Edition of the Law Dictionary, page 996.

82. Ibid. page 1170

83. Public Health Trust of Dade county v. Lopez, Eta., 531 So. 2d. 946, 94.

84. Bacon's Abridgement of Law, Misnomer and Addition, page 10, (1846). Philadelphia.

85. Random House Webster's College Dictionary, 1992.

86. Random House Webster's College Dictionary, 1992.

87. Black's Law Dictionary, by Henry Campbell Black, 6th Edition, 1990, page 1031.

thing impossible. The... state of being necessary, in its primary sense, signifying that which makes an act or event unavoidable. A quality or state of fact or being in difficulties or in need; A condition arising out of circumstances that compels a certain course of action."⁸⁸

The same doctrine is also the father of eminent domain: "The right of society, or of the sovereign, to dispose, in case of necessity, and for the public safety, of all the wealth contained in the state, is called, 'eminent domain'."⁸⁹ [But] When used in relation to the power of eminent domain [it] does not mean absolute necessity, but only reasonable necessity.⁹⁰ [And]... 'necessity,' within a certificate of public **convenience and necessity**, is not used in the sense of being essential or absolutely indispensable but merely that certificate is reasonably necessary for the public good."⁹¹ [And most importantly] **Necessity knows no law.**

Nihil dicit

He says nothing. "This is the name of the judgment which may be taken as of course against a defendant who omits to plead or answer the plaintiff's declaration or complaint within the time limited. In some jurisdictions, it is otherwise known as judgment 'for want of plea'."⁹²

Judgment taken against party who withdraws his answer is judgment nihil dicit, which amounts to a confession of cause of action stated, and carries with it, more strongly than judgment by default, admission of justice of plaintiff's case.⁹³

Nil dicit, judgment in. One rendered where defendant fails to plead, or where, having pleaded, plea is stricken, withdrawn, or abandoned and no further defense is made.⁹⁴

At common law, it may be taken against defendant who omits to plead or answer whole or any separable substantial portion of declaration.⁹⁵ It amounts to judgment by confession with reference to cause of action stated.⁹⁶ For judgment nihil dicit, see Nihil Dicit. Judgment rendered on plea of guilty is not judgment nil dicit, which is substantially identical with default judgment.⁹⁷

Nom de guerre

Lat., "war name." An alien enemy cannot maintain an action during the war in his own name.⁹⁸

Nugatory

Futile; ineffectual; invalid; destitute of constraining force or validity. A legislative act be "nugatory" because unconstitutional.⁹⁹

Parliamentary Law

The general body of enacted rules and recognized usages which governs the procedure of legislative assemblies and other deliberative bodies.¹⁰⁰

Person, Human Being, Natural Person, Natural Man

A 'Person' is: An indispensable word with varied, overlapping meanings. **Often used without definition**, as in the United States Constitution (Arts. I, II, III, IV; Amendments IV, V, XII, XIV,). Defined, and redefined, in an endless succession of special purpose statutes, with no assurance to the profession that this is the person you thought you were talking about. The definitions here give an overview of current usage.¹⁰¹

88. Bykofsky vs. Borough of Middleton, D.C. Pa 401 F. Supp. 1242, 1250.

89. Jones vs. Walker, 2 Paine 688, Federal case No. 7,507.

90. *Black's Law Dictionary*, By Henry Campbell Black, 6th Edition, 1990, page 1031.

91. Alabama Public Service Commission vs. Crow, 247 Ala. 120, and So. 2nd, 721 at 724.

92. Gilder v. McIntyre, 29 Tex. 91; Faulken v. Housatonic R. Co., 63 Com. 258, 27 A. 1117; Wilbur v. Maynard, 6 Cob. 486.

93. Howe v. Cent St Bank of Coleman, Tex. Civ. App. 297 S.W. 692, 694. *Black's Law Dictionary* (4th Ed. 1957 & 1968), page 1195.

94. Grand Lodge Brotherhood of Railroad Trainmen v. Ware, Tex. Civ. App., 73 S.W. 2d 1076, 1077; Reliance Equipment Co. v. Montgomery, 27 Ma. App. 539, 175 So. 703.

95. Clonts v. Spurway, 104 Fla. 340, 139 So. 896, 897.

96. Grand Lodge Brotherhood of Railroad Trainmen v. Ware, Tex. Civ. App., 73 S.W. 2d 1076, 1077

97. Stevens v. State, 100 Vt. 214, 136 A. 387. *Black's Law Dictionary* (4th Ed. 1957 & 1968). "Judgment," p. 980.

98. *Wharton's Pa. Digest*, Section 20, page 94, (1853).

99. Avery and Co. vs. Sorrell, 157 Ga. 476.

100. *Black's 3rd*, (1933) page 1326.

101. *Dictionary of American Legal Usage*, by D. Mellinkoff, 1992, page 479, West Publishing Company, St. Paul, Minnesota.

A person is: a physical, biological human being. This sense overlaps the sense of the person with rights and duties under the law. A person is: an existing person, not an unborn child. An unborn child has no rights as a person. A person is an artificial person, an abstraction of convenience regarded by the law as a distinct being, having an existence independent of those who create or own it, such as corporations, a labor union, a business trust. The expressions 'juristic person' and 'legal entity' are frequently used as synonyms of artificial persons.¹⁰²

Person is defined as human being,¹⁰³ and not a human being.¹⁰⁴ It can mean one who holds a "morality common to human beings,"¹⁰⁵ an individual, or a natural person.¹⁰⁶ "Person" and its related words, are subject to Codes, Ordinances, Rules, and etc., along with the "States of," and "Counties of," and "Cities of,"¹⁰⁷ because the **Codes, etc., only speak to persons.**

It also means "artificial person" which covers all forms of corporations, **profit or non-profit**, and is a being distinct from its shareholders.¹⁰⁸

Thus, a church corporation [501(c)3] is a person,¹⁰⁹ and subject to Federal Codes, not God's Law, but an unincorporated church, or association, is not a person unless expressly declared such by statute.¹¹⁰

A human being is also, a "monster".¹¹¹ "A human being by birth, but in some part resembling a lower animal."¹¹² Blackstone says a 'monster' is one who "hath no inheritable blood, and cannot be heir to any land, albeit it be brought forth in marriage; but, although it hath deformity in any part of its body, yet if it have human shape, it may be heir."¹¹³

Elsewhere, a human¹¹⁴ is "mundane; secular." Why do Christians call themselves 'human beings' unless it be due to pure ignorance? One can be a human being or a Christian, not both. On Natural Man, the Apostle Paul has the last word: "But the natural man receiveth not the things of the Spirit of God: for they are foolishness unto him: neither can he know them, because they are spiritually discerned. But he that is spiritual judgeth all things, yet he himself is judged of no man. For who hath known the mind of the Lord, that he may instruct Him? But we have the mind of Christ."¹¹⁵

Persona

Latin. Literally, the mask of the actor. In law, the persona is the fictional 'person' or entity created by governments under military law by the process of novation.

Persona non grata

In international law and diplomatic usage, a person not acceptable (for reasons peculiar to himself) to the court or government to which it is proposed to accredit him in the character of an ambassador or minister.¹¹⁶

Persona standi in judicio

"Capacity of standing in court or in judgment; capacity to be a party to an action; capacity or ability to sue."¹¹⁷

In this update note that the abatement reads, "persona non standi judicio", meaning that the corporation has no standing in the Court of God, His Ecclesiastical Court, and therefore has no recognition from Him through His Son.

102. *Dictionary of American Legal Usage*, by D. Mellinkoff, 1992, page 479, West Publishing Company, St. Paul, Minnesota.

103. Mellinkoff, *supra*, page 479.

104. See *Church of Scientology vs. U.S. Dept. of Justice*, where person is defined as a variety of entities, not human beings.

105. Mellinkoff, *supra*, page 479.

106. Mellinkoff, *supra*, page 479.

107. The words designating entities in this paragraph are for specific entities under International and Municipal Law. The County of Los Angeles is thus a different entity than Los Angeles county which exists in law.

108. Mellinkoff, *supra*, page 479.

109. *Hoffman vs. Apostolic Works*, D.C. Mun. App., 43 A. 2nd. 848.

110. *People vs. Budzan*, 205 N.W. 259 at 260, 295 Michigan 547.

111. *Law Dictionary with Pronunciations*, by James A. Ballentine, 1948 Edition. Lawyers Co-operative Pub. Co., Rochester, NY. p. 599.

112. Ballentine, *supra*, page 830.

113. *2 Blackstone's Commentaries*, 246.

114. *A New English Dictionary on Historic Principles*, Edited by James A. H. Murray (1901) Volume V, Oxford: The Press at Clarendon. See also, secular, natural, unregenerate.

115. First Corinthians 2:14-16.

116. Black's 3rd, page 1356.

117. *Black's Law Dictionary* (4th Edition, 1957 & 1968), page 1300.

Plunder

To take property from persons or places by open force, and this may be in the course of a lawful war, or by unlawful hostility, as in the case of pirates or banditti. But, in another and very common meaning, though in some degree figurative, it is used to express the idea of taking property from a person or place, without just right, but not expressing the nature or quality of wrong done.¹¹⁸

Political

Pertaining to policy, or the administration of government. Political rights are those which may be exercised in the formation and administration of the government [prevent its falling into error by using God's Law, His rod, for the standard]: they are distinguished from civil rights, which are the rights which a man enjoys as regards as other individuals, and not in relation to the government. A political corporation is one which has principally for its object the administration of the government, or to which the powers of government, or a part of such powers, have been delegated.¹¹⁹ The Christian religion is, of course, recognized by the government, yet not so as to draw invidious distinctions between different religious beliefs, etc.;¹²⁰ [This is a political recognition. Courts follow and must follow political determinations of the political departments of government. Thus, you are not a member of any particular sect - that is earthy, secular, and not of Christ. "Is Christ divided?" 1 Cor 1:13.]

Political Question

Questions of which the courts of justice will refuse to take cognizance, or to decide, on account of their purely political character, or because their determination would involve an encroachment upon the executive or legislative powers; e.g., what sort of government exists within a state [Christendom is a separate government and Law], whether [Christ's] peace or [Holy] war exists, whether a foreign country has become an independent state [Christendom - separate government and Law], etc.¹²¹

Praemunire

An offense against the king and his government, though not subject to capital punishment. In America, the private Christian people are the king.

Preamble

A clause at the beginning of a constitution or statute explanatory of the reasons for its enactment and the objects sought to be accomplished.¹²² In its simplest statement, a preamble is a goal statement.

Privileges

'Privilege' often suggests something suspect but, it all depends on what kind of privilege we're talking about. Privileges differ depending on the Source, Cause, and Origin of the law that creates them. Thus, the Codes confer one idea of privilege and God's Law another.

"A particular and peculiar benefit or advantage enjoyed by a person, company, or class, beyond the common advantage of other citizens." And as; "An exceptional or extraordinary power or exemption."¹²³

Privileges are defined by usage in civil, statute, commercial, and maritime law. Privileges are also found in parliamentary law, or there could be no ordered way to conduct business. All privilege granted by civil powers, are taxable - **always** - or there is no reason for a civil power to grant them.

The ultimate privilege of salvation in Christ comes from God and is granted only to some, and not others, by virtue of God's predestinating prerogative.¹²⁴

What privilege one may exercise, depends on which jurisdiction a man is under at the time. One's status also determines whether or not what one does is a privilege or a right. It may be the same privilege in both cases. The question turns on the Source of the privilege being exercised and who is exercising it.

118. US vs. Pitman, 27 Fed. Cas. 540. Black's 3rd, page 1370.

119. See Winspear v. Dist. Tp., 37 Iowa 544; People v. Morgan, 90 Ill. 563. *Bouvier's Law Dictionary* (1914), page 2626. [Emphasis and insertions added.]

120. Cooley, Const. 206. *Bouvier's Law Dictionary* (1914), 'Religion,' page 2865.

121. *Black's Law Dictionary* (4th Ed. 1957 & 1968), page 1319. [Insertion added.]

122. See the cites in Black's 3rd, (1933), page 139.

123. *Black's Dictionary of Law*, 3rd Edition, by Henry Campbell Black, 1914, page 1420-22.

124. See Romans 8:29-30; Ephesians 1:4-5; Matthew 20:16, 23; and 24:22; Jude 4; ans etc.

"Effective law enforcement of the law in a democracy is based on an equitable balance between the rights of the individual and the welfare of the society. The individual relinquishes a portion of his personal prerogatives through the legislative process in order that he and his fellow-citizens may be free from criminal activities. Through this process, the officer is authorized, under appropriate circumstances, to invade personal privacy, to restrict individual liberty and to require disclosure of information. Each of these privileges is extended for the ultimate purpose of preventing or punishing the commission of a criminal offense. Thus, the law enforcement depends on legally sanctioned interference with individual rights."¹²⁵

This is so in the so-called right to travel vs. a license to drive. Under martial powers, everyone has a right to travel, but only under a license. This is contrary to what is commonly taught by 'patriots' because they do not understand that, all commerce is regulatable under martial law, and all travel is a privilege applicable only to salesmen and immigrants. The specific phrase that should be used in place of 'right to travel', is 'exercising a Christian Liberty to use the common ways'. The former is a commercial term. The latter is a term in the Christian common law.

Thus, the meaning of privilege depends on whether it is granted by God or man. If granted by God it is not triable in any court. If granted by a civil power it is triable by any court designated as the trier of fact.

Public Nuisance

A public nuisance is one which affects an indefinite number of persons, or all the residents of a particular locality, or all people coming within the extent of its range or operation, although the extent of the annoyance or damage inflicted upon individuals may be unequal.¹²⁶

Religious Corporations

A religious corporation is a "person" within the meaning of Emergency Rent Control Act.¹²⁷ But, an unincorporated association is not a 'person' unless expressly declared such by statute.¹²⁸

Rights

There are rights at law, in law, civil rights, natural rights, constitutional rights; perfect and imperfect rights, primary and secondary rights, and sub-categories in all. But, in the sense we use 'rights,' we mean that which is within our prerogative to do or not to do, **which is not contrary to God's Law**. Of course, all men have the same prerogative.

There are no rights in commerce, only privileges, created and regulated by a civil power. For Christians, rights come from God and are the common heritage of all Christians when they obey the Law of God. It is our first duty to obey God rather than men.

From natural man's perspective, rights come from the civil power and are known as 'civil rights.' Civil rights are not rights at all, because what the civil power gives it can also take away. The natural man says, "Blessed be the civil government." Thus, the political rhetoric on civil rights - extending them to everyone - is vital to the continued success of the present government. This explains why civil rights are political **privileges**; because nothing compels any politician to grant them.

Secular

1. Of or pertaining to worldly things or to things not regarded as sacred; temporal. 2. Not relating to or concerned with religion (opposed to sacred).¹²⁹

Secular Humanism

n. Any set of beliefs that promotes human values without specific allusion to religious doctrines.¹³⁰

125. Davis, *Federal Searches and Seizures* (1964), p. vii.

126. *Buruham vs. Hotchkiss*, 14 Conn. 317. *Black's* 3rd, page 1263.

127. *Hoffman v. Apostolic Works*, D.C. Mun. App., 43 A. 2d. 848, 849.

128. *People v. Budzan*, 295 N W 259, 260, 295 Mich. 547.

129. *Random House Webster's College Dictionary*, 1992.

130. *Random House Webster's College Dictionary*, 1992.

Secularism

n. 1. Secular spirit or tendency, esp. a system of political or social philosophy that rejects all forms of religious faith or worship. 2. The view that public education and other matters of civil policy should be conducted without the influence of religious beliefs.¹³¹

Sign Manual

An autograph signature: specifically, the official signature of a sovereign, chief magistrate, or the like, to an official document, as letters patent, to give validity.¹³²

Suae potestate esse

Having full power over our Dominions (with Christ). This was given to God's people in Genesis 1:27-28 and reaffirmed again in the New Testament in the Great Commission.

Superior court

A court superior in Law to all others. Such as that contemplated in non-statutory abatements, however, is spelled "superior court" to distinguish it from the statutory, corporate courts, Superior Court. Under Magna Charta, Chapter 34, no man can be denied his own court.

Suus Judex

Lat. In old English law. A proper judge; a judge having cognizance of a cause. Literally, one's own judge. Bract. fol. 401.¹³³

Trespass

Trespass, in its most comprehensive sense, signifies any transgression or offense against the law of nature, of society, or of the country in which we live; and this, whether it relates to a man's person, or to his property.¹³⁴

Trespass on the case

The form of action, at common law, adapted to the recovery of damages for some injury resulting to a party from the wrongful act of another, unaccompanied by direct immediate force, of which is the indirect or secondary consequence of defendant's act.¹³⁵ The process at common law to bring an action of Trespass is called a Writ of Trespass.

Truth

There are three conceptions as to what constitutes 'truth': Agreement of thought [the mind of Christ] and reality [God's Word revealed in Christ, and his creation both physical and spiritual]; eventful verification [His Word does not return to Him void but accomplishes His purpose]; and consistency of thought with itself [not self-contradictory].¹³⁶

United States

The term "United States"¹³⁷ has many meanings. "It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in [the] family of nations, it may designate territory over which sovereignty of the United States extends, or it may be [a] collective name of the states which are united by and under the Constitution."¹³⁸

The United States is defined in Title 26, The I.R.S. Code as, "the District of Columbia, Guam, Puerto Rico, Virgin Is., No. Mariannas Island, and Am. Samoa,¹³⁹ and as a Federal corporation.¹⁴⁰

131. *Random House Webster's College Dictionary*, 1992.

132. *Webster's Dictionary*; Wharton, *Law Dictionary*.

133. *Black's Law Dictionary* (4th Ed. 1957 & 1968), page 1617.

134. *Black's*, 3rd.

135. *Christian vs. Mills*, 2 Walk. (7)(a) 131.

136. *Memphis Telephone Co. v. Cumberland Telephone & Telegraph Co.*, C.C.A. Tenn., 231 F. 835, 842. *Black's Law Dictionary* (4th Ed. 1957 & 1968), page 1685. [Christ has manifested all three requirements.]

137. The Lawful entity is the united States of America. The 'u' in united is lower case.

138. *Hooven and Allison Co. vs. Evatt*, U.S. Ohio, 324 U.S. 652.

139. See, Title 26, Words and Phrases, for definition of United States used in above.

140. Title 28, Sec. 3002, 1993 *Fed. Jud. & Proc. Rules* b. The Republic of N. America. Abbrev. U.S. or U.S.A. 1781. c. In other applications 1864. *Oxford's Dictionary* 1933.

Venue

Originally, as a term of English law, 'venue' signified the narrow neighborhood from which the jurors, as witnesses of the fact in issue, its recognitors, must come for the trial of an action in the king's court.¹⁴¹ "Venue." Formerly spelled visne. A neighborhood; the neighborhood, place, or county in which an injury is declared to have been done, or fact declared to have happened.

Visitation

The act of examining into affairs of a corporation. Inspection; superintendence; direction; regulation. A power given by Law to the founders of all eleemosynary corporations.¹⁴²

Weal

With wealth, riches; welfare OE.; the public good xv. OE. wela - OS. welo, (cf. OHG. wela, wola adv.) : - Wgerm. welon, f. wel-; see WELL. In the sense of *w. public* (XV) rendering L. *bonum publicum*, F. le bien publique, COMMONWEAL (L. res communis or publica, F. le bien commun).¹⁴³

World

1. Human existence; a period of this. 1a. The earthly state of human existence; this present life. 2. The pursuits and interests of this present life; esp., in religious use, the least worthy of these; temporal and mundane affairs.¹⁴⁴

The Christian faith, faith in God revealed by Jesus Christ, is not 'one of the religions of the world.' A religious and geographical survey of the world would of course include 'Christianity' under the general concept of religion. It is impossible for a non-Christian to take that which distinguishes the Christian faith from 'the other religions' so seriously that on that account he would give up his own general concept of 'religion.' But the Christian faith itself cannot recognize this general conception, without losing its own identity [with God through Jesus Christ]. It cannot admit that its faith is one species of the genus 'religion,' or if it does so, only in the sense in which it regards itself as the true religion in contrast to the other false religions. [This is the Reformation idea of religion. Thus Zwingli entitles his main work *De vera religione*; thus Luther speaks of the Christian faith as the *vera et unica religio* (W.A., 25, 287); this is the meaning of Calvin in his *Institutio Christianae religionis*]. To the outsider this looks like a narrow-minded or fanatical intolerance; actually, it is a necessary expression of sober truth. The Christian faith alone lives by the Word of God, by the revelation in which God imparts Himself. We have already shown how erroneous is the idea that these 'other religions' make the same claim to revelation. This can be proved to be incorrect; not one of them dares to assert, 'The Word became flesh, and we beheld His glory, the glory of the only begotten Son of the Father, full of grace and truth.' Therefore, because the Christian faith stands on this foundation, it is something wholly different from 'the other religions.'¹⁴⁵

141. *Hunt v. Pownal*, 9 Vt. 411, 10 *Bacon Abr.* 364. 67 C.J. 11.

142. 2 *Kent's Commentaries*. 300-303, and 1 *Blackstone's Commentaries*, 480, 481.

143. *Ibid.*, page 996.

144. *The Shorter Oxford English Dictionary* (1952), page 2450.

145. Brunner, *Revelation and Reason* (1946), page 258.

Rules of English Grammar as Applied to Law

Since military powers cannot use Lawful process, and procedure, they have created a very unique use of the English language for the process and procedures they use. Now, Accumulations, simplifications, and systematic treatments of statutes, are called Codes.

The Code of Federal regulations is not a Code of laws, but an annually updated collection of the regulations enacted by executive regulatory agencies without the authority of Congress.¹⁴⁶

C.F.R.'s are enacted by "executive" regulatory agencies, i.e., agencies under the Chief executive (President). Such Codes are, with their hodge-podge of words, phrases, meanings, convolutions, etc., a code of hidden meanings not interpreted consistently by any branch of the government, much less by bureaucrats.

Capitalization or abbreviation of names of persons is a deliberate tool of deception wielded with deadly affect against people who are largely ignorant of applying the English language. Thus, when courts issue judgment against defendants the Order is usually typed in all capital letters, as IT IS SO ORDERED, which, under the rules of Grammar has no meaning. Yet, the courts are required to use the rules of English in their own Rules of Court!!! Why does this happen?

Remember, we pointed out in the Prolegomena, that all courts in America are captive courts of the Commander-in Chief. This means that **courts cannot make binding rulings at law**. Thus, in all 'official' process issued by these courts, they use a special set of unpublished rules and techniques in order to give **true notice** of their real standing to the public, of the real meaning of their process. To do otherwise would be to engage in fraud.

The names of all parties to a court case, and in all letters and demands issued by pseudo-legal agencies, are normally printed in all capital letters. Examples of this are names on driver's licenses, social security cards, court documents and process, commercial instruments, and credit cards.

The exception is, if a defendant calls this to the attention of the court or an agency, they will often respond with a party's name in upper and lower case and thus give a response, the appearance of being, properly spelled. But, they will abbreviate one of the person's name in the process, or drop one name, or mis-spell a name, which is not permitted by Christian common law. Thus, "If the Christian name be wholly mistaken, this is regularly fatal to all legal instruments, as well as declarations and pleadings as grants and obligations; and the reason is, because **it is repugnant to the rules of the Christian religion**, that there should be a Christian without a name of baptism, or that such person should have two Christian names, since our church allows no re-baptizing: and therefore if a person enters into a bond by a wrong Christian name, he cannot be declared against by the name in the obligation, and his true name brought in an alias, for that supposes the possibility of two Christian names; and you cannot declare against the party by his right name, and aver he made the deed by his wrong name; for that is to set up an averment contrary to the deed; and there is this sanction allowed to every solemn contract, that it cannot be opposed but by a thing of equal validity; and if he be impleaded by the name in the deed, he may plead that he is another person, and that it is not his deed."¹⁴⁷

A name in all capital letters is a "*nom de guerre*," i.e., a "name of war,"¹⁴⁸ because the rules of International law apply whenever the action is brought under a state of war or national emergency. Thus, all parties to an action under International law, cannot appear by their real name. Because: "An alien enemy cannot maintain an action during the war, **in his own name.**"¹⁴⁹

This is why we insist that Christians must not only confess to be a Christian, but must also act in the mode and character of a Christian and never forget this fact for a moment.

146. Black's, 6th, supra, page 257.

147. *New Abridgement of the Law*, by Matthew Bacon, 1846, Volume VII, published by Thomas Davis, Philadelphia, Pennsylvania.

148. *Roget's Thesaurus of The English Language*, published in 1936, under 'Misnomer', page 310 and 593.

149. See 'alien,' in Wharton's Pa. Dig., Sec. 20.94. Cited in *Oxford English Dictionary*, 2nd Edition, 1989, pub. by Clarendon Press.

Lawful process can only be served or filed against a Christian in the Christian's full appellation, spelled according to the Rules of English Grammar, i.e., in upper and lower case letters. Only the Baptized Christian appellation (first, middle, and family or surname) can a Christian be lawfully prosecuted because process issued in any other name is defective.

The Christian form of identification is the Baptismal Certificate, which is of vital importance and often overlooked. Usually, it is put in one's Bible or the bottom of a dresser drawer and forgotten. But, it is the key to any Christian parents attempt to counter the presumptions found in all current government process based on their records (the Birth Certificate) that may be brought "for the protection of the child."

Thus, if a baby is born to Christian parents, a hospital presumes they want a Birth Certificate, and, as we pointed out, such a Certificate is key to the process of novation as it exists in current usage. The Birth Certificate is the means whereby the government compromises the baby's standing - before it leaves the hospital. But, if the parent does not give the baby a name before leaving the hospital no Certificate can be issued and the child does not exist as far as the government is concerned. The problem is, how does a child establish who he or she is? The answer is, of course, with a Baptismal Certificate that may be in the form of a certificate or, better yet, as an entry in the Family Bible, which has standing in the law when accompanied by the signatures of at least two witnesses.

All these problems with the name crop up again in abbreviated names. For an initial is "no name at all."¹⁵⁰ [And] An initial cannot be regarded as a Christian name.¹⁵¹ [And]...the word 'misnomer', which means a naming amiss, is wide enough to cover, the faulty indication of a Christian name by means of an initial."¹⁵²

Concerning misnomer: "It is a good plea in abatement, for since names are the only marks and indicia which human kind can understand each other by, if the name be omitted or mistaken, there is a complaint against nobody."¹⁵³ [And]... it is clear that there is not a sufficient certainty in the proceedings... as to who was the defendant. An omission through either inadvertence or the want of skill to make a just application of those rules of civil jurisprudence, which relate to the persons who are to be the parties to the action, are in general so fatal to the further prosecution of suit, **that the plaintiff is usually compelled to abandon his writ and to proceed de novo** (with no suit). The action should be brought in the name of the party who's legal right has been affected, and against the party who committed the injury¹⁵⁴ or by or against his personal representatives. The account in this case stands in the place of a declaration in an action of assumpsit, in which certainty to a certain extent in general is necessary in setting forth the parties, time, place, and other circumstances necessary to maintain it. The parties to the suit must be specifically mentioned,¹⁵⁵ and **actions to be properly brought must be commenced and prosecuted in the proper Christian and surnames of the parties.**¹⁵⁶

All current governments issue process to a fictitious name, i.e., a *nom de guerre*, and thus without the Lawful Christian appellation rendered according to the Rules of English, such process is defective on its face. But, one must assert the error in the name -- **by a Non-Statutory Abatement -- as soon as one receives any process or letter** from a government or agency or it cannot be raised again.¹⁵⁷

The *nom de guerre* violates the Rules of English as seen in the heading of all martial law process whose courts are forbidden to use any process contrary to International law under which they sit. If used it is fatal to their process when properly exposed - by Non-Statutory Abatement.

I.R.S. forms and letters to taxpayers use a *nom de guerre* by abbreviating one name. They insist on a middle initial, not a full name.¹⁵⁸ When the *nom de guerre* issue is raised against them, they change it to a different spelling to try and give the impression of compliance with the law.

150. Rust vs. Kennedy, 4 M. & W., 586, cited in Queen vs. Plenty, infra.

151. Queen's Bench, 3 E. & E. 634; Reg. vs. Bradley.

152. The Queen vs. Plenty, Lawyers Review, Volume IV, page 346, 1869.

153. 4 Bacon's Abridgement, page 7, 1832.

154. 1 M. & S., 722; 1 Marsh. 260; 8 T.R. 332; 1 East 499; 1 Chit. Pl. 1

155. Com. Dig. Pleader, C. 18

156. Oregon Supreme Court Record, Book No. 1, 1844-1858. [Emphasis and insertions added.] Seely vs. Schenck and Denise, Crandall vs. Fr. Denny & Co., 1 Penn., Rep. 75.127. Tomlinson vs. Berke et al (5 Haisl. Rep. 295).

157. Fisher vs. Magnay, 6 Scott N.R., 588; Emerson vs. Brown, 8 Scott N.R., 219 at 222.

158. See the instructions to any I.R.S. form, especially the 1040.

Affidavits from military governments are normally written in all capital letters. Verified Complaints in traffic cases are typical. These have no force and effect in traffic warrants, notices of warrants, notices of liens and levies, etc., unless one has already granted jurisdiction through an admission or confession to a court or by personal appearance, or by seduction into "voluntary compliance."

One also sees process like; "You must appear, blah, blah, blah." It appears to demand a personal appearance. But in law, "must" means "may". What's really being said is, "We invite you to appear for the benefit of discussion." The word "shall" compels performance, yet in a martial law court it also means "may".

Other deceptive phrases are: "Notice of", "Notice to Appear", "Notice to Remove", "Notice of Trespass", "ORDER TO SHOW CAUSE", etc. Commonly, emergency powers send letters that threaten all sorts of things. But **letters, no matter who sends it, have no force or effect in law**, unless you default with an improper response.

People who write letters back do not realize that the agent who sent it, now knows you have no idea of what law is, because **you answered a letter with a letter, not lawful process**. The purpose of a nasty letter is to give one the chance to respond in law. Failure to do so, tells whoever sent it, that it is safe to prosecute because the defendant does not know how to defend himself.

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

Note: A mailbox on a house or a P.O. Box are evidence of residency and of an enemy in the field. A doorbell or knocker is an invitation to break down the door of a house because it is presumed to be an invitation to enter for any "reason."

Final note. When reading Codes, Ordinances, Rules, Regulations, process, or letters from any current government, the word "shall" **is not mandatory** as it is in lawful process.

Additional Resources

You may wish to consult other resources for the principles of Law expounded in this work. We recommend "Exercising Your Right of Avoidance" by Randy Lee, and "Invinculis - Justification and Excuse by and through Resting in Christ alone" by John Joseph; and "How the Church Fell from Grace", by John William, and all available from the Christian Jural Society Press. You may request these by calling 818-347-7080 or fax your requests to 818-313-8814.

[NOTE: Many recent attempts to contact these Brothers at the numbers above has been futile. They are included here just in case some readers are able to make contact, and to give support and thanks for their hard work and ministry.]

If there are portions of The Book of the Hundreds you do not understand, please pray first asking for Wisdom and Understanding from the Holy Spirit; consult Scripture, second; consult your fellow Good and Lawful Christians having a like mind, third; and the Christian Jural Society Press, last.

We are not your king, master, confessor, rabbi, priest, bishop or other persona. We are not responsible for your life, but we are responsible to our Father and our Sovereign Lord and Savior Jesus Christ, for propagating His Gospel of Liberty to those in captivity; [to] "proclaim liberty to the captives, and the opening of the prison to them that are bound;..." Isaiah 61:1.

We pray that by putting in your hands the tools our gracious and merciful King has Blessed us with, you may find your way out of the prison now holding you and yours captive.

May Our Blessed Sovereign Lord and Savior Jesus, the Christ, Bless and Keep you and yours as you occupy His Office "till He comes."

Recommended Study Materials

For Every Christian Family or Meeting House Library

[Revised from the original 4th Edition of The Book of the Hundreds. Reprints of these works were, at one time, offered by the Christian Jural Society Press.]

[**Note: Many of these works are in the public domain, and available for free download on the internet. It is usually a relatively easy matter to print and bind the downloaded works.**]

Christian Common Law

There is no law superior nor greater Liberty known to man

Maxims of Law (1845), by Broom and Bouvier (1856), 350 pages.

Excellent reference work on the fundamental principles of Law heavily footnoted and explained. *Highly recommended for your library.*

The Theory of the Common Law (1852), by James Walker, 130 pages.

Excellent book providing some very important keys to understanding Christian Common Law, the heritage of Christians only.

Handbook of Common Law Pleading (1923), by Benjamin Shipman and Henry Ballantine, 641 pages.

The finest book on Common Law pleading available then, and today.

Principles of Common Law Pleading (1894), by McKelvey, 213 pages.

An excellent treatise on the nature and prosecution of real actions at Law.

The Forms of Action at Common Law (1909), by F.W. Maitland, 75 pages.

Excellent series of lectures on the history and derivation of the forms of real actions at Common Law.

The Spirit of the Common Law (1921), by Roscoe Pound, 234 pages.

Excellent discourse by one of the best writers of the Puritan basis of the Christian Common Law in the states.

Walker's Book of Forms (1841), by Ambrose Walker, 433 pages.

A complete compilation of forms concerned with process, return, settlements, uses, et cetera. *Rare.*

The Law of Customs and Usages (1881), by Brown and Clark, 370 pages.

Excellent treatise on what is and makes procedural law move Scripture's substantive Law among Good and Lawful Christian People.

The Elements of the Law of Torts (1891), by Melville Bigelow, 376 pages.

Excellent resource for learning what constitutes injuries in the Law and appropriate actions in Law to take.

Anderson on Sheriffs: Office and Duty of Sheriffs (1941), by William H. Anderson, 1000 pages, (2 Vols. in 1).

A complete treatise on the office of county Sheriff as your bailiff and clerk in real actions at Law.

The Law of Estoppel and Res Judicata (1886), by Henry M. Herman, 320 pages.

2 sections from a good treatise on estoppel and res judicata.

A Treatise on the Writ of Habeas Corpus (1893), by C. Hammond, 1025 pages.

A complete treatise on the Great Writ of English Liberty.

Sources and Literature of English Law (1927), by W. Holdsworth, 247 pages.

Excellent series of lectures on numerous topics upon which a Christian society is built.

Ecclesiastical Law and Rules of Evidence (1885), by Henry, 509 pages.

Very important treatise for understanding the nature and purpose of Grand Juries in Christian Law.

Indictments and the Office and Duty of Grand Jurors (1831), by Daniel Davis, 319 pages.

Another important work for understanding the duties and processes of the Grand Jury in Christian Law.

Blackstone's Commentaries (1856), by Sir William Blackstone, 1643 pages.

Four books in two volumes, annotated by Chitty, Christian, Hovenden, and Ryland. The best Blackstone's available.
Highly recommended for your library.

Military & Roman Imperial Law

There is no law less inferior or of worse tyranny

The International Economic Law of Belligerent Occupation (1942), by Ernst Feilchenfeld, 193 pages.

The blueprint for U.S. Civil Affairs. Oft quoted source in court cases.

Military Government and Martial Law (1914), by William Birkhimer, 670 pages.

The finest authority on martial law and military government published today, by a military man. *A must for your library.*

Report of the Commission on Intergovernmental Relation (1955), 290 pages.

Public Law 109 report to the President of the U. S. Very revealing book on the *radical* idea of "co-operative federalism" governing all States under the commerce clause. *A must have!*

Federal Searches and Seizures (1964), By Rex Davis, a former I.R.S. and Treasury agent, 418 pages.

A must for understanding service of process by the Feds, the standards of which state officials also are held.

Crimes of the Civil War and Curse of the Funding System (1868), by Judge Henry Dean Clay, 512 pages.

Northern Christian Judge's account of the despotism and reign of A. Lincoln and his 'new nation.' *Rare.*

The Tragic Era: The Revolution After Lincoln (1940), by Claude C. Bowers, 567 pages.

Historical treatise of the Reconstruction Era in Lincoln's 'new nation' and its corporate and commercial corruption.

Roman Foundations of Modern Law (1957), 217 pages.

Shows the form of "law" being imposed on the land today. Important for understanding the nature of the beast.

The Handbook of Roman Law (1927), by Max Radin, 520 pages.

Complete treatise on the procedures and practice of Roman Imperial law. The very best available today on this vital subject.

The Law and Mr. Smith (1946), by Max Radin, 333 pages.

Reveals the actions of Roman Imperial process in today's State courts.

Our Enemy, the State (1938), by Albert Jay Nock, 209 pages.

A warning of what **was** to come through F.D. Roosevelt, and what **is** today.

The Army Lawyer: A History of The Judge Advocate Generals, 1775-1975, 277 pages.

Excellent study on Martial Law and Military Government officers.

Walsh on Equity (1930), by William F. Walsh, 603 pages.

An excellent treatise on Modern equity, through its historical development into the merger of law and equity under codes and statutes.

Law and Morals (1926), by Roscoe Pound, 144 pages.

The historical, analytical, and metaphysical 'theories' of law and morals from the humanist point of view. Defines 'human being' as 'legal unit.'

Historical Jurisprudence (1922), by Guy Carleton Lee, 515 pages.

Excellent historical panorama on various systems of jurisprudence: Babylonian, Roman, Egyptian, and English. For comparative studies.

Sampson's Discourse on the History of Law (1826), by Pishy Thompson, 210 pages.

Uncorrupted discourse on the history of various systems of law.

Myths of Greek and Rome (1893), by H. A. Guerber, 427 pages.

Excellent narrative on the gods of the secular world and the practices among them, for understanding the nature of Roman *Imperial* law.

Dictionaries, Lexicons, and Language Aids

Bouvier's Law Dictionary (1859), by John Bouvier, 2 volumes in 2 books, 1445 pages.

The best pre-Civil War law dictionary available. *A must for your library.*

Jacob's Law Dictionary (1782), by Giles Jacob, 2 volumes in 2 books, 1025 pages.

This special law dictionary was one used by the founding fathers in pursuit of law and government.

Dictionary of Law (1893), by William C. Anderson, 1140 pages.

Far superior to all Black's editions, heavily footnoted, judicial definitions of words, phrases and maxims. *Excellent!!*

A New Law Dictionary (1847), by Henry James Holthouse, 495 pages.

American edition which ties the English and American law together, with an outline of an action at Law and a Suit in Equity.

Law Dictionary (1955), by Max Radin, 408 pages.

A great law dictionary of full disclosure by a noted law professor.

Nomo Lexicon Law Dictionary (1670), by Blount, 260 pages.

Reference on the early meanings of words.

Etymologicum Anglicanum (1743), by Franciscus Junius, 600 pages.

The etymology of words, from Latin and their Anglo-Saxon roots. *For the serious etymologist only.*

The English Language Corrected (1882), by Walton Burgess, 73 pages.

Excellent book for correcting errors in using our native English.

Study of Words (1889), by Trench, 413 pages.

A good Christian book showing the corruption of words in the English language. **Very important for understanding law.**

Crabb's English Synonyms (1890), by George Crabb, 856 pages.

A Christian author's perspective of the True meaning of words. Heavily annotated. The finest book on English synonyms available.

Family Sabbath Day Miscellany (1851), by Charles Goodrich, 540 pages.

Excellent for home schooling. Contains 300 Christian stories.

Commercial Dictionary of Mercantile Law (1803), by Joshua Montefiore, 810 pages.

The mercantile law of the Founding Fathers showing the practice and custom of Merchants. Excellent for knowing your enemy.

Dictionary of Foreign Trade (1946), by Frank Henius, 745 pages.

Excellent reference on what is "commerce," commercial terms, and the various marks of commerce. *Rare*.

Political Books

Administrative Law (1942), by Roscoe Pound, 138 pages.

A series of lectures by The Dean of Harvard Law School, on its growth, procedure and significance as "a substitute for law."

The New Despotism (1929), by Lord Hewart of Bury, 311 pages.

In-depth study of Administrative Law and the despotism created thereby.

Administrative Justice & the Supremacy of Law in the U.S. (1927), by John Dickinson, 413 pages.

Treatise showing the relationship and differences between administrative tribunals and Lawful courts.

The English Free Churches (1952), by Horton Davies, 208 pages.

History of the Puritan churches of England and America, dispelling the myths, and showing the true purpose of the militia. *Excellent*.

Heraldry (1954), by Boutell, 310 pages.

A complete treatise on the law of heraldry, recognition, and similar subject matter. *Highly recommended for your library*.

Law of Suffrage and Elections (1880), by Naar, 317 pages.

Treatise shows the beginning of changes in elections process, and laws.

A View of the Constitution of the United States of America (1829), by William Rawle, 349 pages.

An excellent discourse on the constitution and the nature of secession being a Lawful means of state preservation.

Textbook on Parliamentary Law (1923), by Hall & Sturgis, 263 pages.

Excellent guide for conducting Christian Jural Society assemblies.

The Compact w/ the Charter & Laws of the Colony of New Plymouth (1836), by William Brigham, 357 pp.

A full compilation of the charters and laws of the Colony of New Plymouth settled upon arrival in America.

The Law of Names (1938), by Anthony Linell, 242 pages. Foreward written by Judge Hale.

Excellent and the only existing treatise on the law of names; valuable reference needed in time of war.

Ecclesiastical History (1873), by The Dean of Canterbury, 220 pages.

An excellent century-by-century history of the development of the church, beginning in the first century.

Notes and Suggestions for Bible Readings (1879), by Briggs and Elliott, 262 pages.

Uncorrupted study into the golden depths of God's Word. Excellent for reference as a Bible companion.

The Sabbath in Puritan New England (1895), by Alice Earle Morse, 343 pages.

Excellent resource for re-establishing Christian Civil government on the foundations of God's Law.

Money

Bimetallism (1899), by A. J. Utley, 256 pages.

Excellent discourse on the nature of the silver standard in America, and the gold standard in international law.

Money in Politics (1884), by J. K. Upton, 270 pages.

Traces money's influence in American politics throughout its history to the beginning of the Resumption of silver payments for Lincoln's War.

Land & Real Property

Trial of Title to Land (1882), by Sedgwick and Wait, 696 pages.

An excellent treatise on color of title, possessory title, and adverse possession with forms of real actions at Law.

The Doctrine of Presumption and Presumptive Evidence (1827), by John Mathews, 517 pages.

Excellent tool for learning how to rebut Land Encumbrances at-Law.

United States Land Surveys (1926), 67 pages.

An excellent reference describing United States survey methods, monument nomenclature, plat maps and other related subject matter.

Miscellaneous

Memorandum of Law on the Free Exercise of Christian Liberty (1994), by The Christian Jural Society Press

Brief detailing the differences between the 'right to travel' and your 'Christian Liberty on the Common Ways.'

Back Issues of the Christian Jural Society News (1990's), 70 Issues.

Some of the best research and writing available anywhere, on topics of Law, history, and Christian Civil government under God.