Lee Brobst's

YE OF THE EAGLE NEWSLETTER

THY WILL BE DONE IN ASSOCIATION

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ASSOCIATION, COMMON LAW, ADMIRALTY-MARITIME, and ARTICLE I COURTS

Although the Frenchman Charles Fourier and the English industrialist, Robert Owen and and their understudies, Karl Marx and Fredrich Engles were not the originators of the professional association; as that term came out of the professional trading association in Germany known as the Hanseatic League, which was the beginning of our dilemma as we have today. For an exact view of this association or league, we will quote verbatim from Volume VII, pages 300 301 of the American Universal Cyclopedia (Chamber's), New York, S.W. Green's Son, 1884.

"The Hanseatic League, or the Hansa, was a trade-union established in the 13th Century by certain cities of Northern Germany for their mutual safety, and for the protection of their trade, which at that period was exposed to the rapacity of rulers and the lawless attacks of marauders on land and pirates at sea; yet, notwithstanding obstacles such as these and the heavy impost levied by their princes on the German traders, several towns of Nothern Germany, as, for instance, Hamburg, Bremen, and Lubeck, had acquired some commercial importance as early as the 11th century. The fame of the rich cargos that found their way into their factories had given rise to swarms of pirates, who infested the mouths of the Elbe and the out-lets of the Baltic; and the necessity which the neighboring ports felt of protecting themselves effectually from such troublesome enemies led, in 1219, to the settlement of a contract between Hamburg, Ditmarsh, and Hadeln, to protect the course of the river and the adjacent sea. This agreement was followed two years later by a treaty of mutual aid and defense between Hamburg and Lubeck, which was joined in 1247 by the town of Brunswich; and thus was formed the German league, or Hansa, the name of which indicated, in the Plattdeutsch of the traders, a bond or compact for the mutual aid. The progress of the league was so rapid that, before the year 1260, when the first diet met at Lubeck, which was the central point of the whole association, it had its regularly organized government, with a fixed system of finance and administration.

The entire league, which at one period numbered 85 towns, and included every city of importance between Holland and Livonia, was divided into four classes or circles: 1). The Vandal or Wendic cities of the Baltic; 2). The towns of Westphalia, the Rhineland, and the Netherlands. 3). Those of Prussia and Livonia. 4). Those of Saxony land Brandenburg. The capitals of the respective circles were Lubeck, Cologne, Danzig, and Brunswick.

The cities comprising the league were represented by deputies at the general diet, which met every three years, generally at Lubeck, which was considered as the capital of the league, to discuss and settle the current business of the league, and had an extraordinary meeting every ten years, to renew the various unions which constituted the great Hansa. The edicts of the diet were communicated to the masters of the great circles, who remitted them to the several guilds within their respective jurisdictions.

Four large foreign factories were established at London (1250), Bruges (1272), and Bergen (1278); and besides these and the ordinary members, various circles were connected by treaties of limited alliance with the league; as, for instance, Amsterdam, Antwerp, Bordeaux, Barcelona, Cadiz, Dordrecht, Leghorn, Lisbon, Marseilles, Messina, Naples, Ostend, Rotterdam, Rouen, Seville, Saint Malo.

The Hanseatic League was the first systematic trade union known in the history of European nations, and the high political influence which it rapidly attained was due to its development of sounder principals of trade than any that had hitherto been put into practise; while in the earlier periods of its existence it exerted a beneficial action on the advance of civilization, which can scarcely be overrated. Its professed object was to protect the commerce of its members by land and by sea, to defend and extend its commercial relations with and among foreigners, and as far as possible to exclude all other competitors on trade, and firmly to maintain if possible, extend all the rights and immunities that had been granted by various rulers to the corporation. For the promotion of these ends, the league kept ships and armed men in its pay, the charge of whose maintenance was defrayed by a regular system of taxation, and by the funds obtained by the money-fines which the diet levied for infringement of its laws. In its factories, only unmarried clerks and servingmen were employed, and an almost monastic discipline was enforced; but the by-laws of the league prescribed a system of daily sports and light occupations for the recreation of the men, while sensible regulations for their comfort and cleanliness, and for the celebration of festivals at certain fixed times of the year, bear evidence of the sound sense that influenced the mode of government of the Hansa, and which was further shown by the masters of factories to avoid everything that could hurt the prejudices of the foreigners among whom they were placed, and to conform in all things lawful to the habits of the country.

For many years the Hanseatic League was the undisputed mistress of the Baltic and German Ocean. It created new centers of trade and civilization in numerous parts of Northern Europe, and contributed to the expansion of agriculture and other industrial arts, by opening new channels of communication by means of the canals and roads with which it connected together the members of its association. The greatest powers dreaded its hostility and sought its allegiance, and many of the powerful sovereigns of the middle ages were indebted to it for the most substantial benefits.

In England, since the time of King Ethelred, German traders had enjoyed the same privileges as native-born Englishmen. Henry II took the Cologne merchants,

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together with the house which they occupied on the Thames, specially under his protection, showing to them and their successors the privileges of exporting goods free of duty, and selling their Rhenish wines for the same price at which French wines were then sold in London; and in 1261 these privileges were extended by Henry III to all the Germans in London who had a share in the Hanseatic factory, or Aula Teutonicorum, which was long known to Londoners as the "Steelyard". In 1338 the Hansards gained the goodwill of Edward III by supplying him with the money necessary to redeem the regalia and corporation jewels of his Queen, which he had pledged to Cologne money-lenders, and by allowing him to draw upon their houses for large sums with which to defray the cost of his French wars. Their relations to other sovereigns at that period were equally significant of their power, for they defeated kings Erik and Hakon of Norway, and King Waldemar III of Denmark; in 1348, deposed Magnus of Sweden, and bestowed his crown upon duke Albert of Meckenburg; and in 1428 equipped a fleet of 248 ships, carring 12,000 solders, against Erik of Denmark.

With the 15th century the league reached at once its culminating point and decline, for in proportion as the seas and roads were better protected by the states to which they belonged, and rules learned to comprehend the commercial advantages of their dominions, its supremacy declined; while the discovery of America, and of a new sea-route to India, gave an entirely new direction to the trade of Europe. The Hansa had, moreover, arrogated to itself, in the course of time, presumed rights of imposing the greater and lessor ban, and exercising acts of sovereignty and judicial power, which were incompatible with the supremacy of the rulers in whose states they were enforced hand hence the league was necessarily brought into frequent hostile collision with the local authorities. Thus, in accordance with their system of exclusive policy, the Hansards refused to grant to merchants trading in foreign parts the same privileges in the Hanseatic cities which they themselves had enjoyed for centuries in England, Russia, and Scandinavia, and hence arose dissensions, which not infrequently ended in a fierce maritime warfare. By way of retaliation for the pertenacity with which the league refused to grant to the English the same immunities which had been accorded to traders of other nations, parliament required that Germans should pay the tax on wool and wine, which was exacted from all other foreigners in the English markets; and although the Hansards strongly resisted, they were at length condemned by the courts, in 1469, to pay a fine of 13,500 pounds; and they would probably have lost all they had in England if their cause had not been advocated by Edward IV, who had been more than once indebted to them for money and aid, and who in 1474 secured for them, by a clause on the Treaty of Utrecht, a restitution of nearly all their former rights in England. In 1598 their obstinate pertinacity in insisting upon the maintenance of their old prerogatives, notwithstanding the altered conditions of the times, drew upon them the anger of Queen Elizabeth, who dispatched a fleet under Drake and Norris to seize upon the ships of the Hansa, of which 61 were captured, while she banished the Hansards from their factory in London. These measures had the desired effect of compelling the League to perceive English traders on equal conditions, and thenceforward the Hansards were permitted to occupy the Steelyard, as in olden times. The Hansa had, however, outlived its date, and at the diet held at Lubeck in 1630, the majority of the cities formally renounced their alliance. Hamburg, Lubeck, Bremen, and for a short time Danzig, remained faithful to their ancient compact, and continued to form an association of free republics that existed unchanged till 1810, when the first three were incorporated in the French empire. These, in 1813, combined with Frankfort-am-Main to form a union. Frankfort

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became Prussian in 1866; whereas at a convention in July 1870, the powers and privileges of the three free towns were reestablished and reorganized, and under the empire they still retained their self government." End of Quote.

After studying the above article on the Hanseatic League, we see a outline of the principal elements the league possessed that was unique to itself and is very much alive today in our nation and that is:

The league developed its own money system in the form of paper credit which was to become what is known as commercial money as more fully explained in the September 1989 issue of this newsletter.

The league had its own army and navy that is reflected in our army and navy of today. It is not a militia as in the constitutional sense.

Taxes were levied to protect the leagues merchants and members acquired many benefits which put its members in an advanced echelon as a society. Some of these benefits are reflected today in the Social Security Act of 1935 which was made possible by the abrogation of the "Public National Money System in PAYMENT" of debt and thereby creating a "private money system in discharge of debt". What was the general welfare of a constitutional republic now has become public welfare enforced in the Article I legislative courts of the parliamentary democracy of private enterprise.

The courts as mentioned dealt with disputes between merchants which was totally alien to the local governments and in doing so, held the court sessions out in the open fields and thus came the names such as "courts of the dusty feet" which Lord Cooke, who defied this type of justice, and as Chief Justice of the Kings bench said, "they would come by justice faster than the dust would settle from their feet". There was no jury trials in these equity actions which were outside of the common law and its action in the collection of a debt called assumpsit, giving summary judgments to merchants on writs of assistance, and no due process of law, the very thing that sparked the American revolution. The French used the term "pie powder" as a expression of the courts held in the open fields because of the dust. "Courts of the staple" signified commodities.

This system of law became known as the Lex Mercatoria or the Law Merchant. Of course the taxes the league imposed was taxes to support their own court system, army, navy and such other needs of support for the league. The league was erected out of the civil law and the league was the chief originator of the admiralty-maritime law. This law when viewed from the standpoint of the municipal law is called the law merchant, when viewed from the standpoint of international law, is called admiralty-maritime. Section 41 of Magna Carta in (1215) is what guaranteed these merchants the right to carry this law into England as has been mentioned before in this newsletter. You could say that todays flea markets would be an example of these mercantile exchange markets except, you would have to imagine a very expanded market that involves the different countries of the world. United States is one giant flea market. The point I am trying to make is that when you deal in a flea market you are not dealing in landed substance that supports life but instead staple items of commerce that in reality you do not need but want. In other words there is no "in" Law involved. Of course there is no courts of the dusty feet as those courts have been moved into the county or federal courts to operate as Article I legislative courts to assist in the collection of any type of tax upon a "writ of assistance".

It is this system of government and its writs of assistance that we have today in

the United States and is the very system the founding fathers were so jealous to protect us from. The commercial system of the Hanseatic League is reflected in the Article I legislative courts and has become known as a parliamentary democracy, in which the executive and legislative are one; to become known as "at" common law. In a Democratic Republic there is a separation of executive, legislative and judicial thus producing the Constitutional Article III Courts of Justice.[1] This is what got King George III into trouble by reasserting the independence of the Crown from the Parliamentary dictatorship. In reality King George III was not all that bad but it was the corporate crown of the money interest (crown spelled with a small c) in which the English Parliament represented and Lord Mansfield's decisions reflected Parliaments wishes. Our Congress and state legislatures today represents the Parliamentry dictatorship of the corporate crown of England; the very thing that sparked the American revolution over 200 years ago. We are told the tax on tea was the cause of the revolution, which was the result and not the cause; the cause was the parlimentary dictatorship.

In 1851 the supreme court in U.S. v Ferriera, 13 How. 54 U.S. 40, gave recognition to this legislative jurisdiction which acted outside the constitutional judicial power of Article III Section 2 in order to fulfill a treaty between Spain and the United States when Flordia was ceded to the United States in 1819. The treaty stipulated; "The United States shall cause satisfaction to be made for the injuries if any, which by process of law shall be established to have been suffered by the Spanish officers and individual Spanish inhabitants by the late operations of the American army in Flordia." In 1823 Congress passed an Act to carry into execution this article of the treaty. This Congressional act at first was in the hands of a territorial judge but in the year 1849, Flordia became a state, the territorial judge was replaced with a District Judge but the duties were the same.

Ferrira presented his claim according to the District Judge who took the testimony offered to support it, and decided that the amount stated in the proceedings was due to him. The District Attorney of the United States prayed an appeal to this court from this decision; and under that prayer the case has been docked here as an appeal from the District Court.

The only question before the supreme court is whether the court has jurisdiction in the case as a Article III court of justice.

Chief justice Taney delivered the opinion of the court as follows:

"The Treaty certainly created no tribunal by which these damages were to be adjusted, and gives no authority to any court of justice to inquire into or adjust the amount, which the United States were to pay to the respective parties who had suffered damage from the causes mentioned in the treaty. It rested with congress to provide one, according to the treaty stipulation. But when that tribunal was appointed it derived its whole authority from the law creating it, and not from the treaty; and Congress had the right to regulate its proceedings and limit its power; and to subject its decisions to the control of an appellate tribunal, if it deemed it advisable to do so.

Undoubtedly Congress was bound to provide such a tribunal as the Treaty described. . . . . .The tribunal created to adjust the claims cannot change the mode of proceeding or the character in which the law authorizes it to act, under any opinion it may entertain, that a different mode of proceeding, or a tribunal of a different character, would better

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1 See U.S. v Butler, 297 US.; Texas v White 7 Wall 721; White v Hirt 13 Wall 646.

(HART)

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comport with the provisions of the treaty. If it acts at all, it acts under the authority of the law and must obey the law.

The law of 1823, therefore, and not the stipulations of the Treaty, furnishes the rule for the proceeding of the territorial judges, and determines their character. And it is manifest that this power to decide upon the validity of these claims, is not conferred on them as a judicial function, to be exercised in the ordinary forms of a court of justice. . . . . .

It is to evident for argument on the subject, that such a tribunal is not a judicial one, and the Act of Congress did not intend to make it one. The authority conferred on the respective judges was nothing more than that of a commissioner to adjust certain claims against the United States; and office of judges, and their respective jurisdictions, are referred to in the law, merely as a designation of the persons to whom the authority is confided, and the territorial limits to which it extends. The decision is not the judgment of a court of justice. It is the award of a commissioner. . . . . .

The tribunals established are substantially the same with those usually created, where one nation agrees by treaty to pay debts or damages which may be found to be due to the citizens of another country. This Treaty meant nothing more than the tribunal and mode of proceeding ordinarily established on such occasions; and well known and well understood when treaty obligations of this description are undertaken". [2]

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[2] In review of this statement by the court; we will most certainly be able to enlarge the meaning of this most important case as it applies to today.

The Congress of United States entered into a treaty with the International Banking Cartel in 1913 to set up the Federal Reserve System. The Federal Reserve System was designed to furnish commercial money and benefits for its commercial 14th amendment citizens. The ramifications of this commercial money didn't really come to light until 1933 when Congress said it was against public policy to "PAY" our debts "in Law" and in consequence; Congress suspended our "Public National Money Standard". At this point the private association of the people of the Democratic Republic became the professional association of the parliamentary democracy because we now no longer want to issue our own money.

In 1935, the Social Security Act became a reality and as a result of this Act, everybody born in the United States was now eligible for Social Security benefits. These benefits did not derive directly from the United States Treasury but derived instead from the Federal Reserve System which is in contract with the United States Treasury to provide for such benefits. These benefits are private in nature but become public when 51% of the people acquiesced to such a system as was the case provided by H.J.R. 192. In other words, in 1933 public policy dictated that the people give up their "Public National Money Standard" for private debt " and in its place accepted a "private money system for public debt" because of its benevolent purposes that is reflected in clause 4 of the 14th amendment. What was the general welfare is now the public welfare.

The President of United States and the Prime Minister of England by the Atlantic Charter in 1941 made upon the high seas, arrogated to themselves the capacity to grant 'human rights' in the 'Four Freedoms' to the peoples of the United States and Britain and the world. Makes all 'civil rights' effective only in enforcement of summary judgment under the Law Merchant or admiralty-maritime law, and to be protected by the United Nations Treaties to be made in 1945.

1945 United Nations Treaty by Section 55 & 56 turns all U.S. Courts into trading pits and courts of the dusty feet upon the unwritten practice of the Law of Merchants or the admiralty-maritime law issuing summary judgments in writs of assistance.

The powers conferred by these Acts of Congress upon the judge as well as the Secretary, are, it is true, judicial in their nature. For judgment and discretion must be exercised by both of them. But it is nothing more than the power ordinarily given by law to a commissioner appointed to adjust claims to lands or money under a treaty; or special powers to inquire into or decide any other particular class of controversies in which the public or individuals may be concerned. A power of this description may constitutionally be conferred on a secretary as well as on a commissioner.[3] (emphasis added) But is

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Of course all this legislative jurisdiction comes into play through the 14th amendment, which makes you a commercial citizen of the United Nations which had its beginning in history as the Hanseatic League. "Natural allegiance cannot be renounced except by permission of the government to which it is due". 3 Dall., 133; 2 Cranch, 64, 82, n.; 7 Wheat. 283; 3 Pet. 99; 1 Pet. C.C. 159 Mass. 464; Barb. N.Y. 35. See 9 Dan. Ky. 178; 2 Hill. So. C.1. "But for commercial purposes a natural-born subject may acquire the rights of a citizen of another country". Com 627; 8 Term. 31; 1 Bos. & P. 430, "yet without loosing his original character, or ceasing to be bound to the country of his birth". 1 Pet. CC. 159; 2 Cranch. 64; 2 Kent Comm. 50.

[3] We must not loose sight of the fact there is not and never was any "in" common law jurisdiction at the federal level. Meaning no "in" common law ownership of the land. Said ownership today is "at" common law thru the 14th amendment citizens. The remedies in the courts of the United States are to be "at" common law or in equity, not according to the practice of state courts, but according to the principals of common law and equity, as distinguished and defined in that country from which we derive our knowlege of these principals; Roberson v Cambell; 3 Wheat, 222, (#93) 223; and as the courts of the union have a chancery jurisdiction in every state, and the judicary act confers the same chancery powers on all, and gives the same rule of decision, its jurisdiction in Massachusetts must be the same as in other states." United States v Howland & Allen; 4 Wheat. 115.

The Hayburn case supra, as an example, wasn't based on the government compelling its citizens to perform to the government, but to compel the government to perform to its citizens who were damaged by the revolution.

In the Ferreira case at hand, we have a treaty involved which stipulated that the people damaged by the army, if any, in its operations in Flordia were to be re-enumerated with money by the United States government. There is nothing in the constitution to prohibit the United States government from entering into treaties with foreign governments on the subject of money; in fact, treaties are the supreme law of the land as very well explained in the book, "The Law Nobody Knows" by Joesph Paige.A excellant book about the law of treaties.

The state in their "in" common law capacity cannot enter into treaties with foreign powers, but its people can in their individual capacity. The injunction of "PAYMENT" is against the states and NOT against the federal government.

If you will notice in the Hayburn and Ferriera cases, the government is performing to its citizens and the reason is the money was "public money". You cannot compel the citizens to perform to their own money, but you can compel the citizens to perform to someone else's money which has been the case since 1933; and with dramatic results since 1968 when the last redeemability vanished. In other words, the government in 1792 and 1851 was a far different form of government than we have today. The government then was public franchised but today is private franchised. Remember what Amshield Rothshield said, "Give me control of a nations money system and I care not who makes its laws." What we call government today is a private bureauacy floated on credit to produce public debt which can never be "PAYED", thus producing private enterprise of compelled performance. The opposite of which is government "PAID" with

not judicial in either case, in the sense in which judicial power is granted by the Constitution to the courts of the United States.

The question as to the character in which a judge acts in a case of this description, is not a new one. It arose as long ago as 1792, in Hayburn's case, reported in 2 Dall., 409.

This Act of 23d of March, in that year, required the Circuit Courts of the United States to examine into the claims of the officers and soldiers and seaman of the Revolution, to the pensions granted to invalids by that Act, and to determine the amount of pay that would be equivalent to the disability incurred, and to certify their opinion to the Secretary of War. And it authorized the Secretary, when he did cause to suspect imposition or mistake, to withhold the pension allowed by the circuit court, and to report the case to Congress at its next session. The authority was given the Circuit Courts; and the question arose whether the power conferred was a judicial one, which the Circuit Courts, as such, could constitutionally exercise.

The question was not decided in the Supreme Court in the above case mentioned. But the opinions of the judges of the Circuit Courts for the Districts of New York, Pennsylvania, and North Carolina, are all given in a note to the case by the reporter.

The judges in the New York circuit, composed fo Chief Justice Jay, Justice Cushing, and Duane, District Judge, held that the power could not be exercised by them as a court. But in consideration of the meritorious and benevolent object of the law, they agreed to construe the power as conferred on them individually as commissioners, and to adjourn the court over from time to time, so as to enable them to perform the duty in the character of commissioners, and out of court. (Emphisis added)

The judges of the Pennsylvania Circuit, consisting of Wilson and Blair, justices of the Supreme Court, and Peters, District Judge, refused to execute it altogether, upon the ground that it was conferred on them as a court, and was not a judicial power when subject to the revision of the secretary of War and Congress.

The judges of the Circuit Court of North Carolina, composed of Iredell, Justice of the Supreme Court, and Sitgreaves, District judge, were of opinion that the court could not execute it as a judicial power; and held it under advisement whether they might not construe the Act as an appointment of the judges personally as commissioners, and perform the duty in the character of commissioners out of court, as had been agreed on by the judges of the New York Circuit.

These opinions it appears by the report in 2 Dall., were all communicated to the president and a motion for a mandamus on Hayburns case at the next term of the Supreme Court would seem to have been made merely for the purpose of having it judically determined in this court, whether the judges under that law, were authorized to act in the character of commissioners.

Every judge except for one expressed their opinion in writing, that the duty imposed, when the decision was subject to the revision of a Secretary and of Congress, could not be executed by the court as a judicial power. The law, however, was repealed at the next session of the legislature and a different way proivided for the relief of pensioners. But the repeal of the Act clearly shows that the President and Congress acquiesed in the

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public money; thus producing free enterprise and no compelled performance. Private enterprise is the professional association and the Article I legislative courts. end of footnote.

correctness of the decision, that it was not a judicial power.

The opinions of all the judges embrace distinctly and positively the provisions of law now before us, and declare that, under such a law, the power was not judicial within the grant of the Constitution, and could not be excerised as such. . . . . .

According to the decisions of the Act of Congress, the decisions of the judge and the evidence on which it is founded, ought to have been transmitted to the Secretary of the Treasury.

A question might arise whether commissioners appointed to adjust these claims are not officers of the United States within the meaning lof the Constitution. The duties to be performed are entirely alien to the legitimate function of a judge or court of justice and have no analogy to the general powers ordinarily and legally conferred on judges or courts to sever the due adminstration of the laws".

Thus the Supreme Court denied taking jurisdiction thereby, affirming the legislative jurisdiction.

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cont. from August

LAW OF THE SEA BECOMES THE LAW OF THE LAND

"It is clear there can be no common law of the United States. No one will contend that the common law, as it existed in England, had ever been in force in all its provisions in any state in this union. It was adopted so far as its principals were suited to the condition of the colonies; and from this circumstance we see what is common law in one state is not so considered in another. The judicial decisions, the usages and customs of the respective states, must determine how far the Federal courts must rely on state case law as precedent." Wheaton v Peters 8 Peters 659.

As trade and commerce grew between the various states, there developed a common law of title passing between the people and as disputes developed over this commerce; the courts had to deal with these problems and thus the United States Supreme Court in 1842 handed down the Swift v Tyson decision, 16 Peters 1, overturning Wheaton v Peters in which the court said there was a general federal common law meaning "TITLE" to the money of landed substance being passed in interstate commerce, therefore a trial by jury could be demanded in civil causes. In effect granted a preferential form in federal court where relief might not be had in a state court.

In other words, during the era of Wheaton v Peters, the federal courts used state law exclusively but Swift v Tyson allowed the #47 federal courts to make decisions based on "Title" to property being passed in interstate commerce.

The jury of that era was not an advisory jury to the conscience of the judge as we have today and the reason is because of the money. The juries decisions were never the same and therefore there was no set standard by which the establishment could exploit the peoples money in commerce, such as we have today with the Savings and Loan scandals; not to mention the other billions being ripped off by the bureaucracy of private enterprise we call government. The people in that era had a direct say as to what happened to their public money for private debt. In other words, banking institutions could not spend your money without your direct consent.

"The province of Pennsylvania was a fief held immediately from the Crown, and the Revolution would have operated very inefficiently towards complete emancipation, if the feudal relation had
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been suffered to remain. It was therefore necessary to extinguish all foreign interest in the soil, as well as foreign jurisdiction in the matter of government." **It is quite clear that the establishment of the allodial land titles severed the common law of England in the colonies and was further ratified by the above case of <u>Wheaton v Peters.</u>**

"Are we then to regard the Revolution and these Acts of Assembly as emancipating every acre of the soil of Pennsylvania from the grand characteristic of the feudal system. Even as to the lands held by the proprietaries themselves, they held them as other citizens held, under the Commonwealth, and that by a title purely allodial. All our lands are held mediately or immediately of the state, but by titles purged of all the rubbish of the dark ages, excepting only the feudal names of things not any longer feudal."

"As to allegiance, it is indeed due from every citizen to the state, but it is a political obligation, and is as binding on him who enjoys the protection of the Commonwealth, without owning a foot of soil, as on him who counts his acres by hundreds and thousands. So also it is due the Federal Government, through which none of our titles have been derived. The truth is, that this obligation, which is reciprocal to the right of protection, results out of the political relations between the government and the citizen, and bears no relation whatever to his land titles any more than to his personal property." **As mentioned before, the allegiance to the crown of England was perpetual and the proof of this is the feudal land tenures. In America there is no tenure in the land for all lands are allodial with the exception of Hawaii. The founders of this great nation were very wise men when they established those allodial titles to the land because allegiance is now a political question and is contractual which attaches to you via the 14th amendment and not the land.**

"Under the Acts of Assembly I have alluded to, the state became the proprietor of all lands, but instead of giving them like a feudal lord to an enslaved tenantry, she has sold them for the best price she could get, and conferred on the purchaser the same absolute estate she held herself, except the fifth of gold and silver, and six acres in the hundred for roads, and these have been reserved, as everything else has been granted, by contract. Her patents all acknowledge a pecuniary consideration, and they stipulate for no fealty, no escheat, rent-service, or other feudal incident. I conclude, therefore, that the state is lord paramount as to no man's land. When any of it is wanted for public purposes, the state, in virtue of her political sovereignty, takes it, but she compels herself, or those who claim under her, to make full compensation to the owner."

"Now, if the state was not paramount lord if the lots which Arrison possessed, how could he become the lord of his grantee? How could he receive anything out of those lots, against his absolute deed in fee simple, except by an express reservation? To do so, he must ignore the American Revolution, and all our legislation about lands, and place himself back upon the common law, as it stood in the thirteenth century, before the statute of quia emptores was passed." ***The statute*** **of quia emptores was a law whereby it was illegal for anybody who was not attached to the kings throne to receive a fee in the lands when the land was sold as in the case immediately above. In other words the statute meant more money for the king. In final summation of <u>Wallace v Harmstad</u> it becomes very apparent that:**

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1.) The founding fathers took the concepts of the allodial land titles as practiced by the people of the ancient law that was common to the individual villages of England before the time of 13 Rich. 2 (1389), although it took from the time of William the Conquerer in 1066 till 13 Rich 2 to completely destroy the allodial titles in England, and reinstituted that concept to form the individual states, each with their own common law, as pronounced by the state boundary lines. The state boundary lines were to signify the ancient villages of England.

2.) The founders of this great Republic in their search for freedom set up the allodial land titles as a refuge for the people to return to should at any time, the political system of government becomes not to their liking for whatever reason. The people in their individual capacity can contract themselves out of such a system as reflected in Volume XV of the United States Statutes at Large on page 223 and 224 and return to the land and provide for themselves. Past experience has shown them that whoever controls the land has a complete strangle hold on the people and for this reason, these lands are to remain forever free from government control thus; there is never no need to resort to a violent revolution should government ever become unbearable to those ends. These lands have remained free to this very day. The 14th Amendment attaches to the person and not the land. People in their search for freedom are looking for the key to free not only themselves but their neighbors also, but this will never become a reality because the system was set up as a private contractual association where the people would issue their own money called Public Money for private debt but since has become a professional contractual association of private money for public debts. One of the rules of association is that it must be voluntarily and that is why if you are compelled to accept the commercial money, as per H.J.R. 192, you cannot be compelled to accept the jurisdiction that goes with it. In other words, there are no overlords or feudal attachments to the land, as our system of government is political in that there is a choice by your right of contract as to whether you want to be primarily a U.S. Citizen or primarily a STATE citizen. The past tyrannies in England, France, Germany and etc. resulted in the people being discontented with the way their lives were being controlled by a few tyrants who controlled the land and in consequence, the masses would revolt and end up with a dictator, king or whatever that would reinstate the same conditions and in most cases a more tyrannical system than before.

In the early days of our Republic, there were people who did not like the ways of the republic and contracted into the George Rapp Society, Robert Owen's Society, or Charles Fourier's Society, or join the merchant marine to go on a maritime adventure by the sea, but should the need arise, the Article III Courts of Justice would be available to them. This is the very heart and soul of our system of government as set up by the founders. This is not to say that by you becoming primarily a STATE citizen, you cannot contract your services outside your land because you most certainly can. The big hitch to leaving the 14th amendment is that you must provide for your own well being in that you cannot receive any government programs. (Please note that we will deal with a more in depth view on the question of taxation in a future article of this newsletter). The question has been asked; after leaving the 14th amendment; where do you go or where are you if there is no state boundary lines? The answer is you form the state boundary lines because you are the "in" Law jurisdiction or as the ancient Egyptians taught; you are the power. In essence you have returned to the substance of the earth under the 9th and 10th Amendments of the Constitution of the United States of America, a Republic, and the constitution guarantees

you a republican form of government therefore; you are not a citizen subject to the 14th amendment.

3.) The allodial land titles and "in PAYMENT" of debt are the "in" Law jurisdiction of Article III Section 2 Courts of Justice of the U.S. Constitution when you are not subject to the 14th amendment.

4.) Article I Section 10 of the U.S. Constitution on the subject of "in PAYMENT" of debt is the "in law" money Standard that came from the allodial land that was designed to protect those allodial titles.

5.) The Revolution completely severed the feudal English common law in America as it relates to the landed substance of the earth in each state called allodial land titles.

6.) Each state had its own "in" common law that was based on the principals of the English common law but not on the common law of England.

7.) Political allegiance is contractual therefore voluntarily.

8.) If you are a 14th amendment citizen you cannot claim an allodial title to your land because the feud attaches to you by contract as more fully explained in the court decisions of joint stock associations as appeared in the August 1989 issue of "Eye of the Eagle".

9.) All land titles in continental United States are allodial.

10.) The main thrust of the American Revolution was to establish the allodial land titles and its "in" Law jurisdiction. To have done otherwise would have put the founding fathers at the end of a rope. Remember, they defied the king and the parliament by expatrioting themselves and the only way they could expatriate themselves was to abolish the feud that attached to the land and themselves. After all how can you be free if a dictator owns the land?

11.) Since 1933,you can be compelled to accept the commercial money and its "Discharge" of debt but you cannot be compelled to accept the law that goes with it. This is why it is absolutely fruitless to argue the money issue. The money is a political issue and the courts have no jurisdiction in political matters. Again, the jurisdiction does not attach to the commercial money but to you as a "person" when you become "subject to" the 14th amendment by evidence as produced by you. The courts will never question your choice as to what jurisdiction you chose but will enforce that choice.

12.) Article I Section 10 on the subject of "PAYMENT" was designed to protect the allodial land titles. The states collected the money and then turned over some of those monies to the federal government but the 17th amendment allowed the federal government to collect the monies directly from its U.S. citizens. Voting ratifies the 17th amendment on your part and establishes the fact that you are primarily a U.S. citizen, therefore subject to the 14th amendment.

13.) The union created the states meaning the "in" Law jurisdiction of the people in each state passing title to property in interstate commerce which the U.S. government of the union guaranteed its weight and fineness.

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