CORPORATIZATION AND PRIVATIZATION OF THE GOVERNMENT

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*"It may be that it is the obnoxious thing in its mildest and least repulsive form; but **illegitimate and unconstitutional practices get their first footing in that way, namely, by silent approaches and slight deviations from legal modes of procedure.** This can only be obviated by adhering to the rule that constitutional provisions for the security of person and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. **It is the duty of courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon.**"*
[Boyd v. United States, 116 U.S. 616, 635, 29 L.Ed. 746, (1886)]

*"The idea prevails with some, indeed it has found expression in arguments at the bar, that **we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.**"*
[Downes v. Bidwell, 182 U.S. 244 (1901)]

1 Introduction

Since 1909, there has been a concerted, systematic effort by members of the legal profession to transform what started out as a constitutional government into essentially a for-profit private corporate monopoly. That transformation is largely complete and has occurred in small steps that have largely been ignored and overlooked by the average American. The methods of transformation are not taught in any of the history books or even in law school curricular. The implications of this transformation are vast and far-reaching and affect every aspect of life as we know it today here in America. In fact, we allege that:

1. What most people call "government" is now nothing but a giant private corporate monopoly which violates the Sherman Antitrust Act.
   1.1. We call this corporate monopoly "CorpGov" within this document.
   1.2. All of its activities are perpetuated through "adhesion contracts" forced upon the populace by:
      1.2.1. Privatized enforcement agents in the private sector.
      1.2.2. A virtual monopoly in the services it offers
2. The original republican government which was created by the Constitution:
   2.1. Went bankrupt in 1933.
   2.2. Is now completely gone and has been replaced with a legislative socialist democracy which is a political and not geographic entity functioning entirely and only through your right to contract.
3. States of the Union mentioned in the Constitution have become private, for profit federal corporations.
   3.1. This corporation is a "virtual state" within a geographical state and a political and legal body but not a territorial body.
   3.2. This corporation is founded on the constitutions enacted by states of the Union after the Civil War, in which the boundaries of the states were omitted.
   3.3. This corporation is called the "State of _____" rather than simply the name of the state.
   3.4. Those who are "citizens" or "residents" of this state are actually de facto officers of the corporation.
   3.5. The term "residence" really means a position of employment within this corporation, and not physical presence within a geographic entity. All "residents" are federal contractors rather than members of a body politic.
   3.6. The term "State" in most state law has been redefined to mean federal territory within the exterior borders of the state:

   California Revenue and Taxation Code

   6017. *"In this State" or "in the State" means within the exterior [outside] limits of the [Sovereign] state of California and includes [only] all territory within these limits owned by or ceded to the United States*

   17018. *"State" includes the District of Columbia, and the possessions of the United States.*

4. All the services offered by the original government have been systematically replaced with "franchises".

4.1. Only those who become "employees" or "officers" of the corporation can partake of any of the "benefits" of these franchises.
4.2. The definition of "employee" found in 5 U.S.C. §2105 confirms that all "employees" under 5 U.S.C. are in fact "public officers".

5. What used to be "citizens" and "residents" and "inhabitants" are all now synonymous with:
5.1. Statutory "employees" or "officers" of the "United States" federal corporation.
5.2. "customers" of the private, for profit federal corporation.
5.3. Statutory "persons" domiciled on federal territory not protected by the Constitution.

6. Human beings have been replaced with a "straw man":
6.1. The "straw man" is a public office in the government.
6.2. The human being is a public officer and surety for the actions of the office he occupies, which is a government franchise.
6.3. The application for the benefit or franchise created the public office and established a partnership between the office and the human being filling it. That partnership is the statutory "person" who is the only proper subject of government law. See 26 U.S.C. §6671(b) and 26 U.S.C. §7343.
6.4. "Sui juris" status has been replaced with "pro per" and "pro se" because the human being has to "represent" the straw man and the public office that is his statutory interface to CorpGov.

> *"Sui juris. Of his own right;* ***possessing full social and civil rights; not under any legal disability****, or the power of another, or guardianship. Having capacity to manage one's own affairs; not under legal disability to act for one's self."*
> *[Black's Law Dictionary, Sixth, p. 1434]*

7. Private rights, private property, and personal responsibility have been effectively outlawed, for all intents and purposes because:
7.1. All options for selecting one's status on government forms include only statutory public entities and not private human beings. There are no nontaxpayer or private human being options on government forms, for instance.
7.2. De facto government FRAUD and propaganda cause financial institutions and private employers to unlawfully and criminally compel the use of government identifying numbers. All such numbers may only lawfully be used in connection with a public office in the U.S. government, and hence, everyone is compelled to occupy a public office and to surrender their private status.
7.3. All remedies for the protection or private rights and private property have been carefully hidden and/or eliminated entirely. For instance:
7.3.1. Common law remedies for the protection of private rights are actively interfered with and penalized by de facto franchise judges.
7.3.2. Constitutional courts have been replaced with legislative franchise courts.
7.3.3. Members of the legal profession are no longer taught about common law remedies, eliminating the ability of anyone to hire an attorney to implement them.
7.4. The filing of knowingly false information returns connecting otherwise private property and private rights to a public office in the U.S. government are encouraged by FRAUD and protected by de facto officers of the de facto government.
7.5. There is no method to have a government identifying number as a nontaxpayer. All numbers offered are only for "taxpayers", which is why they are called "Taxpayer Identification Numbers". IRS refuses to allow people to change the number to that of a nontaxpayer.
7.6. Enforcement penalties that may only lawfully be imposed upon statutory public officer franchisees called "taxpayers" are unlawfully applied to "nontaxpayers" who are private persons not subject to federal jurisdiction, making it impossible to survive as or be recognized as a private human being.

8. Those who refuse to become "employees" or "officers" of the CorpGov or refuse to participate in government franchises:
8.1. Have no legal existence and no protection for any of their rights in any of CorpGov's "franchise courts".
8.2. Become the illegal target of enforcement actions and are unlawfully terrorized and penalized by the high cost of litigation for insisting that their rights be protected and respected.
8.3. Are unlawfully compelled to participate in the franchise by third party FALSE information returns connecting them to a public office in the corporation. See:

Correcting Erroneous Information Returns, Form #04.001 http://sedm.org/Forms/FormIndex.htm

8.4. Are unlawfully compelled to participate franchises by third party FALSE Currency Transaction Reports (CTRs) connecting them to a public office in the corporation. See:

Demand for Verified Evidence of "Trade or Business" Activity: Currency Transaction Report, Form #04.008
http://sedm.org/Forms/FormIndex.htm

8.5. Are effectively punished by being deprived of a legal remedy in courts of justice. Most courts have security checkpoints that require government ID that connects you to franchises and Social Security Numbers in order to even enter the court building.

8.6. Are effectively punished for by being deprived of a means to conduct commerce where they live, because the government refuses to issue ID to either nonresidents or those without government identifying numbers. Financial institutions will not open accounts for those who don't have government ID. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 12
http://sedm.org/Litigation/LitIndex.htm

9. The court system has been replaced with "franchise courts" and what started out as Constitutional judges have now become franchise administrators serving in the Executive Branch of the government:

9.1. Judges are no longer impartial, because they participate in the franchises that they officiate over. This is a CRIME in violation of 18 U.S.C. §208 and a conflict of interest in violation of 28 U.S.C. §§144, and 455.

9.2. Franchise administrators called "judges" routinely commit "judicial verbicide" to perpetuate the sham "public trust" they administer by abusing "words of art" and deliberate vagueness in their rulings. See the following tool which you can attach to your pleadings to prevent this sort of abuse:

Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006
http://sedm.org/Litigation/LitIndex.htm

9.3. The separation of powers between the judicial branch and other branches has been completely destroyed because constitutional judges are no longer necessary in a community comprised exclusively of "franchisees" in receipt of government privileges.

For further details on the above, see:

What Happened to Justice?, Form #06.012
http://sedm.org/Forms/FormIndex.htm

10. What used to be called "money" is now just a corporate bond or promissory note backed by nothing and which can only be paid to or used by "officers of the corporation" called "public officers". A "public officer" in law is, after all, someone who manages the property of the public and the corporate bond is considered property. See:

The Money Scam, Form #05.041
http://sedm.org/Forms/FormIndex.htm

11. The income tax system has become a compelled franchise:

11.1. It's main goal is to redistribute wealth according to public policy and political whim and to regulate the supply of fiat currency.

11.2. It doesn't pay for government services, but rather subsidizes political favors which benefit only those who patronize and subsidize CorpGov.

11.3. It is implemented as a "public officer kickback program" in which officers of the corporation rebate a portion of their pay back to the mother corporation. See *Great IRS Hoax*, Form #11.302, Section 5.6.10.

11.4. False information returns and government propaganda are used to compel people to participate in this franchise.

12. Banks, financial institutions, and private employers have become the main method to recruit people into public office within the mother federal corporation:

12.1. This is called "privatized enforcement". Others call it "corporate fascism".

12.2. The method of recruitment is the compelled use of Social Security Number and Taxpayer Identification Number in order to work, engage in commerce, or open an account. See:

About SSNs and TINs on Government Forms and Correspondence, Form #05.012
http://sedm.org/Forms/FormIndex.htm

12.3. These institutions refuse to recognize that businesses and individuals either are or can be "nonresident aliens" not engaged in the "trade or business" franchise who have no need for a number and no tax liability even though the law allows for it. See:

The Nonresident Alien Position, Form #05.020
http://sedm.org/Forms/FormIndex.htm

12.4. The federal government has become a big "Kelley Girl" to loan out labor to private employers. Everyone who signs a W-4 works for the government instead of their private employer.

12.5. "Selective enforcement" by the IRS and Dept. of Injustice is the main mechanism that keeps these institutions in fear and which causes them to continue to act as compelled employment (public officer) recruiters for the federal government. The failure and absolute refusal of the Dept of Justice and the IRS to prosecute private employers or financial institutions who file false information returns or compel use of identifying numbers is what causes them to continue being compelled employment recruiters for the government as a method of risk avoidance.

13. The notion of equal protection which is the foundation of the United States Constitution has now been rendered largely irrelevant, because equal protection does not constrain the administration of any franchise. All slaves on the federal plantation are, in fact "equal", but they are still slaves and the government they allegedly "created" as "We the People" is no longer one of delegated powers, but a "parens patriae" and a pagan deity that is far more "equal" than any of the people it derives its alleged authority from. See:

Requirement for Equal Protection, Form #05.033 http://sedm.org/Forms/FormIndex.htm

14. The legal profession has been turned into a franchise and become a subsidiary of CorpGov through licensing to practice law. This ability to regulate the legal profession has become the main method by which attorneys who discover the truths documented herein are effectively "gagged" and discredited by pulling their license and rendering them poor and unable to practice law.

Welcome to the matrix, Neo!

If you would like to see graphically how the above occurred, read the following succinct article:

How Scoundrels Corrupted Our Republican Form of Government http://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm

Understanding how these transformations occurred is important to the historian and also provides a valuable tool for the freedom fighter in defending his rights in court. We will provide all the evidence we have found here in order to help those who want to use these materials in court.

2 The Ability to Regulate Private Rights and Private Conduct is Repugnant to the Constitution

The following cite establishes that private rights and private property are entirely beyond the control of the government:

> *When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain. **"A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and 125*125 has found expression in the maxim sic utere tuo ut alienum non lædas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things."** Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good. In their exercise it has been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, &c., and in so doing to fix a maximum of charge to be made for services rendered, accommodations furnished, and articles sold. To this day, statutes are to be found in many of the States upon some or all these subjects; and we think it has never yet been successfully contended that such legislation came within any of the constitutional prohibitions against interference with private property. With the Fifth Amendment in force, Congress, in 1820, conferred power upon the city of Washington "to regulate . . . the rates of wharfage at private wharves, . . . the sweeping of chimneys, and to fix the rates of fees therefor, . . . and the weight and quality of bread," 3 Stat. 587, sect. 7; and, in 1848, "to make all necessary regulations respecting hackney carriages and the rates of fare of the same, and the rates of hauling by cartmen, wagoners, carmen, and draymen, and the rates of commission of auctioneers," 9 id. 224, sect. 2.*
> *[Munn. v. Illinois, 94 U.S. 113 (1876),*
> *SOURCE: http://scholar.google.com/scholar_case?case=6419197193322400931]*

Notice that they say that the ONLY basis to regulate private rights is to prevent injury of one man to another by the use of said property. They say that this authority is the origin of the "police powers" of the state. What they hide, however, is that these same POLICE POWERS involve the CRIMINAL laws and EXCLUDE the CIVIL laws or even franchises. You can TELL they are trying to hide something because around this subject they invoke the latin language that is unknown to most Americans to conceal the nature of what they are doing. Whenever anyone invokes latin in a legal setting, a red flag ought to go up because you KNOW they are trying to hide a KEY fact. Here is the latin they invoked:

"sic utere tuo ut alienum non lædas"

The other important phrase to notice in the Munn case above is the use of the word "social compact". A compact is legally defined as a contract.

> *"Compact, n. An agreement or contract between persons, nations, or states. Commonly applied to working agreements between and among states concerning matters of mutual concern. A contract between parties, which creates obligations and rights capable of being enforced and contemplated as such between the parties, in their distinct and independent characters. A mutual consent of parties concerned respecting some property or right that is the object of the stipulation, or something that is to be done or forborne. See also Compact clause; Confederacy; Interstate compact; Treaty."*
> *[Black's Law Dictionary, Sixth Edition, p. 281]*

Therefore, one cannot exercise their First Amendment right to legally associate with or contract with a SOCIETY and thereby become a party to the "social compact/contract" without ALSO becoming a STATUTORY "citizen". By statutory citizen, we really mean a domiciliary of a SPECIFIC municipal jurisdiction, and not someone who was born or naturalized in that place. Hence, by STATUTORY citizen we mean a person who:

1. Has voluntarily chosen a civil domicile within a specific municipal jurisdiction and thereby become a "citizen" or "resident" of said jurisdiction. "citizens" or "residents" collectively are called "inhabitants".
2. Has indicated their choice of domicile on government forms in the block called "residence" or "permanent address".
3. CONSENTS to be protected by the regional civil laws of a SPECIFIC municipal government.

A CONSTITUTIONAL citizen, on the other hand, is someone who cannot choose the place of their birth. These people in statutes are called "non-citizen nationals". Neither BEING BORN nor being PHYSICALLY PRESENT in a place is an express exercise of one's discretion or an act of CONSENT, and therefore cannot make one a government contractor called a statutory "U.S. citizen". That is why birth or naturalization determines nationality but not their status under the CIVIL laws. All civil jurisdiction is based on "consent of the governed", as the Declaration of Independence indicates. Those who do NOT consent to the civil laws that implement the social compact of the municipal government they are PHYSICALLY situated within are called "free inhabitants", "nonresidents", "transient foreigners", "non-citizen nationals", or "foreign sovereigns". These "free inhabitants" are mentioned in the Articles of Confederation, which continue to this day and they are NOT the same and mutually exclusive to a statutory "U.S. citizen". These "free inhabitants" instead are CIVILLY governed by the common law RATHER than the civil law.

Police men are NOT allowed to involve themselves in CIVIL disputes and may ONLY intervene or arrest anyone when a CRIME has been committed. They CANNOT arrest for an "infraction", which is a word designed to hide the fact that the statute being enforced is a CIVIL or FRANCHISE statute not involving the CRIMINAL "police powers". Hence, civil jurisdiction over PRIVATE rights is NOT authorized among those who HAVE such rights. Only those who know those rights and claim and enforce them, not through attorneys but in their proper person, have such rights. Nor can those PRIVATE rights lawfully be surrendered to a REAL, de jure government, even WITH consent, if they are, in fact UNALIENABLE as the Declaration of Independence indicates.

> *"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."*
> *[Black's Law Dictionary, Fourth Edition, p. 1693]*

The only people who can consent to give away a right are those who HAVE no rights because domiciled on federal territory not protected by the Constitution or the Bill of Rights:

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that **the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America**, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over*

them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."
[Downes v. Bidwell, 182 U.S. 244 (1901)]

To apply these concepts, the police enforce the "vehicle code", but most of the vehicle code is a civil franchise that they may NOT enforce without ABUSING the police powers of the state. In recognition of these concepts, the civil provisions of the vehicle code are called "infractions" rather than "crimes". AND, before the civil provisions of the vehicle code may lawfully be enforced against those using the public roadways, one must be a "resident" with a domicile not within the state, but on federal territory where rights don't exist. All civil law attaches to SPECIFIC territory. That is why by applying for a driver's license, most state vehicle codes require that the person must be a "resident" of the state, meaning a person with a domicile within the statutory but not Constitutional "United States", meaning federal territory.

So what the vehicle codes in most states do is mix CRIMINAL and CIVIL and even PRIVATE franchise law all into one title of code, call it the "Vehicle code", and make it extremely difficult for even the most law abiding "citizen" to distinguish which provisions are CIVIL/FRANCHISES and which are CRIMINAL, because they want to put the police force to an UNLAWFUL use enforcing CIVIL rather than CRIMINAL law. This has the practical effect of making the "CODE" not only a deception, but void for vagueness on its face, because it fails to give reasonable notice to the public at large, WHICH specific provisions pertain to EACH subset of the population. That in fact, is why they have to call it "the code", rather than simply "law": Because the truth is encrypted and hidden in order to unlawfully expand their otherwise extremely limited civil jurisdiction. The two subsets of the population who they want to confuse and mix together in order to undermine your sovereignty are:

1. Those who consent to the "social compact" and who therefore are:
   1.1. Individuals.
   1.2. Residents.
   1.3. Citizens.
   1.4. Inhabitants.
   1.5. PUBLIC officers serving as an instrumentality of the government.
2. Those who do NOT consent to the "social compact" and who therefore are:
   2.1. Free inhabitants (under the Articles of Confederation).
   2.2. Nonresidents.
   2.3. Transient foreigners.
   2.4. Sojourners.
   2.5. EXCLUSIVELY PRIVATE human beings beyond the reach of the civil statutes implementing the social compact.

The way they get around the problem of only being able to enforce the CIVIL provisions of the vehicle code against domiciliaries of the federal zone is to:

1. ONLY issue driver licenses to "residents" domiciled in the federal zone.
2. Confuse CONSTITUTIONAL "citizens" with STATUTORY "citizens", to make them appear the same even though they are NOT.
3. Arrest people for driving WITHOUT a license, even though technically these provisions can only be enforceable against those who are acting as a public officer WHILE driving AND who are STATUTORY but not CONSTITUTIONAL "citizens".

The act of "governing" WITHOUT consent therefore implies CRIMINAL governing, not CIVIL governing. To procure CIVIL jurisdiction over a private right requires the CONSENT of the owner of the right. That is why the U.S. Supreme Court states in Munn the following:

"When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain."
[Munn. v. Illinois, 94 U.S. 113 (1876),
SOURCE: http://scholar.google.com/scholar_case?case=6419197193322400931]

Therefore, if one DOES NOT consent to join a "society" as a statutory citizen, he RETAINS those SOVEREIGN rights that would otherwise be lost through the enforcement of the civil law. Here is how the U.S. Supreme Court describes this requirement of law:

> *"Men are endowed by their Creator with certain unalienable rights,- 'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted.* ***That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations:***
>
> *[1]* ***First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public "benefit"];***
>
> *[2]* ***second, that if he devotes it to a public use, he gives to the public a right to control that use; and***
>
> *[3]* ***third, that whenever the public needs require, the public may take it upon payment of due compensation."***
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

A PRIVATE right that is unalienable cannot be given away, even WITH consent. Hence, the only people that any government may CIVILLY govern are those without unalienable rights, all of whom MUST therefore be domiciled on federal territory where CONSTITUTIONAL rights do not exist.

Notice that when they are talking about "regulating" conduct using CIVIL law, all of a sudden they mention "citizens" instead of ALL PEOPLE. These "citizens" are those with a DOMICILE within federal territory not protected by the Constitution:

> *"Under these powers the government regulates the* ***conduct of its citizens*** *one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good."*
> *[Munn. v. Illinois, 94 U.S. 113 (1876),*
> *SOURCE: http://scholar.google.com/scholar_case?case=6419197193322400931]*

All "citizens" that they can regulate therefore must be WITHIN the government and be acting as public officers. Otherwise, they would continue to be PRIVATE parties beyond the CIVIL control of any government. Hence, in a Republican Form of Government where the People are sovereign:

1. The only "subjects" under the civil law are public officers in the government.
2. The government is counted as a STATUTORY "citizen" but not a CONSTITUTIONAL "citizen". All CONSTITUTIONAL citizens are human beings and CANNOT be artificial entities. All STATUTORY citizens, on the other hand, are artificial entities and franchises and NOT CONSTITUTIONAL citizens.

> *"A corporation [the U.S. government, and all those who represent it as public officers, is a federal corporation per 28 U.S.C. §3002(15)(A)] is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §886]*
>
> _____
>
> ***Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons; a corporate body is not a citizen of the United States****.14*
>
> *14 Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States, corporations accordingly have been declared unable "to claim the protection of that clause of the Fourteenth Amendment which secures the privileges and immunities of citizens of the United States against abridgment or impairment by the law of a State." Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) . This conclusion was in harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2. See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908) ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S. 233, 244 (1936).*
> *[SOURCE: Annotated Fourteenth Amendment, Congressional Research Service:*
> *http://www.law.corne...tml#amdt14a_hd1]*

3. The only statutory "citizens" are public offices in the government.
4. By serving in a public office, one becomes the same type of "citizen" as the GOVERNMENT is.

These observations are consistent with the very word roots that form the word "republic". The following video says the word origin comes from "res publica", which means a collection of PUBLIC rights shared by the public. You must therefore JOIN "the public" and become a public officer before you can partake of said PUBLIC right.

Overview of America, SEDM Liberty University, Section 2.3 http://sedm.org/LibertyU/LibertyU.htm

This gives a WHOLE NEW MEANING to Abraham Lincoln's Gettysburg Address, in which he refers to American government as:

> *"A government of the people, by the people, and for the people."*

You gotta volunteer as an uncompensated public officer for the government to CIVILLY govern you. Hence, the only thing they can CIVILLY GOVERN, is the GOVERNMENT! Pretty sneaky, huh? Here is a whole memorandum of law on this subject proving such a conclusion:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037 FORMS PAGE: http://sedm.org/Forms/FormIndex.htm DIRECT LINK: http://sedm.org/Form...StatLawGovt.pdf

The other important point we wish to emphasize is that those who are EXCLUSIVELY private and therefore beyond the reach of the civil law are:

1. Not a statutory "person" under the civil law or franchise statute in question.
2. Not "individuals" under the CIVIL law if they are human beings. All statutory "individuals", in fact, are identified as "employees" under 5 U.S.C. §2105(a). This is the ONLY statute that describes HOW one becomes a statutory "individual" that we have been able to find.
3. "foreign", a "transient foreigner", and sovereign in respect to government CIVIL but not CRIMINAL jurisdiction.
4. NOT "subject to" but also not necessarily statutorily "exempt" under the civil or franchise statute in question.

For a VERY interesting background on the subject of this section, we recommend reading the following case:

Mugler v. Kansas, 123 U.S. 623 (1887) SOURCE: http://scholar.google.com/scholar_case?case=12658364258779560123

3 What makes a "Corporation" into a De Jure "Government"?[1]

> *"In every government on earth is some trace of human weakness, some germ of corruption and degeneracy, which cunning will discover, and wickedness insensibly open, cultivate and improve."*
> *[Thomas Jefferson: Notes on Virginia Q.XIV, 1782. ME 2:207]*

This section describes the elements necessary to transform a pure corporation into a government. Any alleged "government" that does not satisfy and implement ALL of the characteristics described herein we refer to as a private corporation and NOT a "government" as legally defined or classically understood.

The elements or characteristics essential to call a "corporation" a "government" are:

1. Requires three elements to be valid. If you take away any one or more of the following elements, you don't have a "government".
   1.1. Territory. A valid government must have exclusive legislative jurisdiction within its own territory and no jurisdiction without its territory.

> *"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First 'that* ***every nation possesses an exclusive sovereignty and jurisdiction within its own territory****'; secondly, '****that no state or nation can by its laws directly***

[1] Adapted from *Great IRS Hoax, Form #11.302*, Section 4.3.1 http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm.

> ***affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.***' *The learned judge then adds: 'From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent." Story on Conflict of Laws §23."*
> *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

1.2. Laws. The civil laws of the government do not extend beyond the boundaries of the territory comprising the body politic.

1.3. People. These people are called "citizens", "residents", and inhabitants who all have in common that they have voluntarily chosen a domicile within the civil jurisdiction of the body politic and thereby joined and become a "member" of the body politic. Mere physical presence on the territory of the sovereign does NOT constitute an act of political association by itself, but must be accompanied by what the courts call "animus manendi", which is intent to join the body politic. It is a financial conflict of interest for the People in the body politic to also serve as "employees" or officers of the corporation if they are voting on issues that directly affect their pay. See 18 U.S.C. §208, 28 U.S.C. §144, and 28 U.S.C. §455.

2. Main purpose of establishment is protection of private rights. This includes maintaining the separation between what is private and what is public with the goal of protecting mainly what is private.

> *"We hold these truths to be self-evident, that all men are created equal, that they are* ***endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men****. . ."*
> *[Declaration of Independence]*

3. Rights are consistently recognized and protected as unalienable in relation to the government, which means they can't be bargained away or sold to the government through any commercial process. This means that franchises may not lawfully be offered to those protected by the Constitution, because they are commercial processes. Notice the word "unalienable" in the Declaration of Independence above, which is defined as follows.

> *"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."*
> *[Black's Law Dictionary, Fourth Edition, p. 1693]*

4. Equal protection of all persons within the jurisdiction.

> ***"No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government."***
> *[Gulf, C. & S. F. R. Co. v. Ellis, 165 U.S. 150 (1897)]*

5. Consent of the governed. The Declaration of Independence indicates that all just governments derive their authority from the "consent of the governed":

> *"That to secure these rights, governments are instituted among men,* ***deriving their just powers from the consent of the governed****."*
> *[Declaration of Independence]*

6. All powers are derived or delegated directly from the Sovereign People.

> *"It is again to antagonize Chief Justice Marshall, when he said: '****The government of the Union, then (whatever may be the influence of this fact on the case), is emphatically and truly a government of the people. In form and in substance it emanates from them. Its powers are granted by them, and are to be exercised directly on them and for their benefit. This government is acknowledged by all to be one of enumerated powers.****' 4 Wheat. 404, 4 L.Ed. 601."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

> *"The question is not what power the federal government ought to have, but what powers, in fact, have been given by the people..* ***The federal union is a government of delegated powers. It has only such as are expressly conferred upon it, and such as are reasonably to be implied from those granted. In this respect, we differ radically from nations where all legislative power, without restriction or limitation, is vested in a parliament or other legislative body subject to no restriction except the discretion of its members.****" (Congress)*
> *[U.S. v. William M. Butler, 297 U.S. 1 (1936)]*

> *"The Government of the United States is one of delegated powers alone. Its authority is defined and limited by the Constitution. All powers not granted to it by that instrument are reserved to the States or the people."*

[United States v. Cruikshank, 92 U.S. 542 (1875)]

7. Consists of BOTH a "body politic" AND a body "corporate". If you take out the body politic, all you have left is a "body corporate" or simply a private corporation. The body politic, in turn, consists of "citizens" domiciled on the territory who participate directly in the affairs of the government as jurists and voters and NOT statutory "employees" or "officers" of the corporation.

> *Both before and after the time when the Dictionary Act and § 1983 were passed,* ***the phrase "bodies politic and corporate" was understood to include the [governments of the] States****. See, e.g., J. Bouvier, 1 A Law Dictionary Adapted to the Constitution and Laws of the United States of America 185 (11th ed. 1866); W. Shumaker & G. Longsdorf, Cyclopedic Dictionary of Law 104 (1901);* Chisholm v. Georgia, *2 U.S. (2 Dall.) 419, 447, 1 L.Ed. 440 (1793) (Iredell, J.);* id., *at 468 (Cushing, J.);* Cotton v. United States, *52 U.S. (11 How.) 229, 231, 13 L.Ed. 675 (1851) ("****Every sovereign State is of necessity a body politic, or artificial person****");* Poindexter v. Greenhow, *114 U.S. 270, 288, 5 S.Ct. 903, 29 L.Ed. 185 (1885);* McPherson v. Blacker, *146 U.S. 1, 24, 13 S.Ct. 3, 6, 36 L.Ed. 869 (1892);* Heim v. McCall, *239 U.S. 175, 188, 36 S.Ct. 78, 82, 60 L.Ed. 206 (1915). See also* United States v. Maurice, *2 Brock. 96, 109, 26 F.Cas. 1211 (CC Va.1823) (Marshall, C.J.) ("****The United States is a government, and, consequently, a body politic and corporate****");* Van Brocklin v. Tennessee, *117 U.S. 151, 154, 6 S.Ct. 670, 672, 29 L.Ed. 845 (1886) (same). Indeed, the very legislators who passed § 1 referred to States in these terms. See, e.g., Cong. Globe, 42d Cong., 1st Sess., 661-662 (1871) (Sen. Vickers) ("What is a State? Is *79 it not a* ***body politic and corporate****?"); id., at 696 (Sen. Edmunds) ("A State is a corporation").*

> ***The reason why States are "bodies politic*** *and corporate****" is simple: just as a corporation is an entity that can act only through its agents, "[t]he State is a political corporate body, can act only through agents, and can command only by laws."*** Poindexter v. Greenhow, supra, *114 U.S., at 288, 5 S.Ct. at 912-913. See also Black's Law Dictionary 159 (5th ed. 1979) ("****[B]ody politic or corporate****": "A social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good"). As a "****body politic and corporate****," a State falls squarely within the Dictionary Act's definition of a "person."*

> *While it is certainly true that the phrase "****bodies politic and corporate****" referred to private and public corporations, see ante, at 2311, and n. 9, this fact does not draw into question the conclusion that this phrase also applied to the States. Phrases may, of course, have multiple referents. Indeed, each and every dictionary cited by the Court accords a broader realm-one **2317 that comfortably, and in most cases explicitly, includes the sovereign-to this phrase than the Court gives it today. See 1B. Abbott, Dictionary of Terms and Phrases Used in American or English Jurisprudence 155 (1879) ("[T]he term* ***body politic*** *is often used in a general way, as meaning the state or the sovereign power, or the city government, without implying any distinct express incorporation"); W. Anderson, A Dictionary of Law 127 (1893) ("****[B]ody politic****": "The governmental, sovereign power: a city or a State"); Black's Law Dictionary 143 (1891) ("****[B]ody politic****": "It is often used, in a rather loose way, to designate the state or nation or sovereign power, or the government of a county or municipality, without distinctly connoting any express and individual corporate charter"); 1A. Burrill, A Law Dictionary and Glossary 212 (2d ed. 1871) ("****[B]ody politic****": "A body to take in succession, framed by policy"; "[p]articularly*80 applied, in the old books, to a Corporation sole"); id., at 383 ("Corporation sole" includes the sovereign in England).*
> *[Will v. Michigan Dept. of State Police, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich.,1989)]*

8. Officers of the "body corporate" are NOT allowed to serve as jurists within the body politic. Those who receive any government benefit or entitlement are included in this category, and are deemed to be employees of the government. Hence, most Americans would be ineligible for participation as a petit jurist or grand jurist or even a voter because they would have a criminal and financial conflict of interest in officiating over such matters pursuant to 18 U.S.C. §208:

> *UNITED STATES v. GRIFFITH et al., 55 App.D.C. 123, 2 F.2d. 925 (1924)*
> *(Court of Appeals of District of Columbia.*
> *Submitted October 9, 1924.*
> *Decided December 1, 1924.)*
> *No. 4114.*

> *I. Grand jury* ***—Employee to whom government is paying disability compensation held "employee" of government, disqualified as juror.***

> *Government employee, to whom government is paying disability compensation under Act Sept. 7, 1016 (Comp. St. §§ S932a—S932uu), held "employee" of the government, within rule disqualifying such employees from acting as jurors.*

> *[Ed. Note.—For other definitions, see Words and Phrases, First and Second Series, Employé.]*

2. Grand jury—United States government employee not qualified to serve as member of grand jury in District of Columbia.

An employee of United States is not qualified to serve as member of grand jury in District of Columbia, notwithstanding Code, §§ 215, 217.

3. Criminal law —Disqualification of grand juror may be raised by plea in abatement.

An accused may present objections to member of grand jury, who was disqualified as employee of United States government, by plea in abatement.

Appeal from Supreme Court of District of Columbia.

Ward W. Griffith and others were indicted for conspiracy. From a judgment sustaining a plea in abatement and quashing indictment, the United States appeals. Affirmed.

Peyton Gordon, of Washington, D. C., for appellant.

Leon Tobriner, B. U. Graham, and J. L. Smith, all of Washington, D. C., for appellees.

Before MARTIN, Chief Justice, ROBB, Associate Justice, and SMITH, Judge of the United States Court of Customs Appeals.

MARTIN, Chief Justice. In this case the United States appeals from a judgment of the Supreme Court of the District of Columbia, sustaining a plea in abatement and quashing an indictment, upon the ground that one of the members of the grand jury which returned the indictment was disqualified by law.

The indictment in question was returned on March 9, 1921. It charged the defendants therein, now the appellees, with a conspiracy in restraint of trade and commerce in coal in the District of Columbia. On May 16, 1921, the defendants filed a plea in abatement, alleging and contending that one George H. Van Kirk had served as a member of the grand jury in the finding of the indictment, whereas at that time he was a paid employee of the United States, and consequently was not competent or qualified to act as a grand juror in the case. The defendants averred that they had not learned of these facts until four days before the filing of the plea, and that they thereupon presented it as speedily as could be. The government filed a replication denying these allegations, and issue was joined, whereupon the court sustained the plea, quashed the indictment, and discharged the defendants. From that order the government has appealed.

It appears without dispute that for some years prior to July 28, 1920, the grand juror in question was a resident of the District of Columbia, and was employed at an annual salary as a stenographer, typist, and clerk in the War Department of the United States; that on the day named, because of disabilities, he filed with the United States Employees' Compensation Commission an application for disability compensation, under the act of Congress entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916 (39 Statutes at Large, 742, c. 458 [Comp. St. §§ 8932a - 8932uu]); that on October 22, 1920, the commission awarded him disability compensation at the rate of $66.67 per month, being a rate based upon the salary which he was receiving at the time of his disability; and that he was carried at that rate upon the United States employees' disability rolls at and during the time of his service as grand juror in this case.

[1.] The act aforesaid provides that the United States shall pay compensation for the disability of an employee resulting from a personal injury sustained while in the performance of duty; that the amount thereof shall be adjusted by the commission according to the monthly pay of the employee; that the commission may, from time to time, require a partially disabled employee to report the wages he is then receiving, and if he refuses to seek suitable work, or refuses or neglects to work after suitable work is offered to him, he shall not be entitled to any compensation; that the commission may determine whether the wage-earning capacity of the disabled employee has decreased on account of old age, irrespective of the injury, and may reduce his disability compensation accordingly; and that at any time, upon its own motion or on an application the commission may review the award, and in accordance with the facts found by it, may end, diminish, or increase the compensation previously awarded.

It thus appears that at the time in question the government was paying the juror a monthly stipend as employee's compensation, reserving the authority to control his conduct in certain particulars, and with power to increase, diminish, or terminate the compensation at discretion. In our opinion that relationship, whatever be the technical name which may most narrowly describe it, did in effect constitute the juror an employee of the United States within the sense in which that term is here used.

[2] The next question is whether an employee of the government is disqualified under the law to serve as a juror in the District of Columbia. The following sections of the District Code relate to this question, to wit:

"Sec. 215. Qualifications. - No person shall be competent to act as a juror unless he be a citizen of the United States, a resident of the District of Columbia, over twenty-one and under sixty-five years of age, able to read and write and to understand the English language, and a good and lawful man, who has never been convicted of a felony or a misdemeanor involving moral turpitude."

"Sec. 217. All executive and judicial officers, salaried officers of the government of the United States and of the District of Columbia and those connected with the police or fire departments, counselors and attorneys at law in actual practice, ministers of the gospel and clergymen of every denomination, practicing physicians and surgeons, keepers of hospitals, asylums, alms-houses, or other charitable institutions created by or under the laws relating to the District, captains and masters and other persons employed on vessels navigating the waters of the District shall be exempt from jury duty, and their names shall not be placed on the jury lists."

In Crawford v. United States, 212 U.S. 183, 195, 29 S.Ct. 260, 267 (53 L.Ed. 465, 15 Ann.Cas. 392) an accused had been convicted of a crime in the District of Columbia by a petit jury one member of which was at the time a United States postal employee. The accused had challenged the juror for that cause, but the challenge was overruled upon the ground that sections 215 and 217, supra, did not include such relationship within the list of disqualifications. The Supreme Court however held that under the common law of the District independently of those enactments, "one is not a competent juror on a case if he is master, servant, stewart, counsellor or attorney of either party." Accordingly the conviction was reversed. The following extract is taken from the opinion in that case, written by Mr. Justice Peckham:

*"We do not think that section 215 of the Code of the District includes the whole subject of the qualifications of jurors in that District. If that section, together with section 217, were alone to be considered, it might be that the juror was qualified. But, by the common law, a further qualification exists. If that law remains in force in this regard in this District a different decision is called for from that made in this case. The common law in force in Maryland, February 27, 1801, remains in force here, except as the same may be inconsistent with or replaced by some provision of the Code for the District, Code, § 1, c. 1, p. 5. It has not been contended that the common law upon the subject of jurors was not in force in Maryland at the above-named date, or that it did not remain in force here, at least up to the time of the passage of the Code. Jurors must at least have the qualifications mentioned in section 215, but that section does not, in our opinion, so far alter the common law upon the subject as to exclude its rule that one is not a competent juror in a case if he is master, servant, steward, counsellor or attorney of either party. In such case a juror may be challenged for principal cause as an absolute disqualification of the juror. 3 Blackstone (Cooley's 4th Ed.) p. 363; Block v. State, 100 Indiana, 357, 362. * * * This rule applies as well to criminal as to civil cases."*

The foregoing decision is authority for the conclusion that a United States employee is not qualified to serve as a member of the petit jury in the trial of a criminal case in the District of Columbia, and that a challenge seasonably made by the accused upon that ground should be sustained. See also, Miller v. United States, 38 App. D.C. 36.

[3] The question next arises whether such an employee is likewise disqualified from serving as a grand juror in the District, and whether an accused may present his objections to such a juror by a plea in abatement. In answer to this we may say that in general the term "juror" is held to include alike both petit and grand jurors, and that objections to the qualifications of grand jurors, under circumstances such as these may be made by a plea in abatement. Spencer v. United States, 169 F. 562 565, 95 C. C. A. 60; Williams v. United States (C. C. A.), 275 F. 129, 131; Clawson v. United States, 114 U.S. 477, 483, 5 S.Ct. 919, 29 L.Ed. 179; Agnew v. United States. 165 U.S. 35, 44, 17 S.Ct. 235, 41 L.Ed. 624; Crowley v. United States, 194 U.S. 461, 24 S.Ct. 731, 48 L.Ed. 1075.

*In Clawson v. United States, supra, a case arising in the then territory of Utah, the Supreme Court considered section 5 of the Act of Congress of March 22, 1882, 22 Stat. 30 (Comp. St. § 1265), which provides "that in any prosecution for bigamy, polygamy, or unlawful cohabitation, under any statute of the United States, it shall be sufficient cause of challenge to any person drawn or summoned as a juryman or talesman, * * * that he believes it right for a man to have more than one living and undivorced wife at the same time." It was held that the terms "juryman or talesman" included both grand and petit jurors. The following extract is taken from the opinion by Mr. Justice Blatchford in that case:*

"It is also urged that § 5 does not apply to grand jurors. The language is, 'any person drawn or summoned as a juryman or talesman'—'any person appearing or offered as a juror or talesman.' In view of the fact that by section 4 of the Act of June 23, 1874, both grand jurors and petit jurors are to be drawn from the box containing the two hundred names, and are to be summoned under venires, and are to constitute the regular grand and petit juries for the term, and of the further fact that the, persons to be challenged and excluded are persons not likely to find indictments for the offenses named in section 5, we cannot doubt that the words 'juryman' and 'juror' include a grand juror as well as a petit juror. There is as much ground for holding that it includes the former alone, as the latter alone, if it is to include but one. It must, include one at least, and we think it includes both. The purpose and reason of the section include the grand juror; and there is nothing in the language repugnant to such view. The use of the words 'drawn or summoned as a juryman or talesman,' and of the words 'appearing or offered as a juror or talesman,' does not have the effect of confining the meaning of 'juror' to 'petit juror,' on the view that the ordinary meaning of 'talesman' refers to a petit juror. A grand juror

is a juryman and a juror, and is drawn and summoned, and it might well have been thought wisest to mention a 'tales-man' specifically, lest the words 'juryman' and 'juror' might be supposed not to include him."

It may be noted that sections 198, 199, 203, 204, 215, 216, and 217 of the District Code, providing for the drawing and selection of "jurors" all apply alike to grand and petit jurors. In Crowley v. United States, supra, it was held by the Supreme Court that an objection by plea in abatement, before the arraignment of the accused, to an indictment on the ground that some of the grand jurors were disqualified by law, was in due time, and was made in a proper way, and also that the disqualification of a grand juror prescribed by statute is a matter of substance, which cannot be regarded as a mere defect or imperfection, within the meaning of section 1025, Rev. Stat. (Comp. St. § 1691). The latter statement likewise applies to a disqualification like this under the common law.

In our opinion, therefore, the trial court rightly sustained the plea in abatement, and its judgment is affirmed.

9. Taxes collected are used ONLY for the support of government and not private citizens. This means that taxes may not be used to pay "benefits" to private citizens, nor may benefit programs be used as a way to make private citizens into public officers or employees and thereby destroy the separation of powers between what is public and what is private.

To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.

Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.

Coulter, J., in Northern Liberties v. St. John's Church, 13 Pa. St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that ***taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.*** *' See, also Pray v. Northern Liberties, 31 Pa.St. 69; Matter of Mayor of N.Y., 11 Johns., 77; Camden v. Allen, 2 Dutch., 398; Sharpless v. Mayor, supra; Hanson v. Vernon, 27 Ia., 47; Whiting v. Fond du Lac, supra."*
[Loan Association v. Topeka, 20 Wall. 655 (1874)]

10. The People individually and not collectively are the "sovereigns" and the "state", and not their rulers or the government who serves them.

*"****State****. ****A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic*** *exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moralitis, C.C.A.Md., 136 F.2d. 129, 130.* ***In its largest sense, a "state" is a body politic or a society of men.*** *Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765.* ***A body of people occupying a definite territory and politically organized under one government.*** *State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California).*

[…]

The people of a state, in their collective capacity*, considered as the party wronged by a criminal deed; the public; as in the title of a cause, "The State vs. A.B."*
[Black's Law Dictionary, Sixth Edition, p. 1407]

"The sovereignty of a state does not reside in the persons who fill the different departments of its government, but in the People, from whom the government emanated; and they may change it at their discretion. Sovereignty, then in this country, abides with the constituency, and not with the agent; and this remark is true, both in reference to the federal and state government."
[Spooner v. McConnell, 22 F. 939 @ 943]

> *"There is no such thing as a power of inherent sovereignty in the government of the United States .... In this country sovereignty resides in the people, and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."*
> *[Julliard v. Greenman: 110 U.S. 421, (1884)]*

4 Signs that a "government" is actually a private de facto corporation

Governments are formed EXCLUSIVELY to protect PRIVATE rights and PRIVATE property. When such governments become corrupt and want to STEAL from the people they are supposed to be protecting, they surreptitiously convert ALL PRIVATE rights and PRIVATE property into PUBLIC property using deception and words of art. Once they have done the conversion, they procure the right to tax the property and extract anything they want from it. Hence, corrupted governments conduct a WAR on PRIVATE rights, meaning they set out to do the OPPOSITE purpose for which they were created. The U.S. Supreme Court identified the battle line of this war when they ruled on Congress' first attempt to institute a national income tax and declared it unconstitutional:

> *"The present **assault upon [PRIVATE] capital** is but the beginning. **It will be but the stepping stone to others larger and more sweeping**, until our political contest will become war of the poor against the rich; a war of growing intensity and bitterness."*
> *[Pollock v. Farmers' Loan & Trust Co., 157 U.S. 429, 158 U.S. 601 (1895).]*

The "assault on capital" described above is really just an assault on PRIVATE capital by converting it to PUBLIC OFFICES and PUBLIC FRANCHISES without the consent of the owner. We allege that ANYTHING that converts PRIVATE property or PRIVATE rights into PUBLIC rights or PUBLIC OFFICES or franchises accomplishes a purpose OPPOSITE that for which governments are created and hence, constitutes PRIVATE business activity that cannot and should not be protected with sovereign immunity. Even if it is attempted by a government officer acting under the "color of law", it is STILL not "government activity" that can be protected by sovereign immunity, but is mere PRIVATE business activity that operates at the same level as ANY OTHER business must as a matter of equity.

> *See also Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) ("`**The United States does business on business terms**'") (quoting United States v. National Exchange Bank of Baltimore, 270 U.S. 527, 534 (1926)); Perry v. United States, supra at 352 (1935) ("**When the United States, with constitutional authority, makes contracts, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent**") (citation omitted); United States v. Bostwick, 94 U.S. 53, 66 (1877) ("**The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf**"); Cooke v. United States, 91 U.S. 389, 398 (1875) (**explaining that when the United States "comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there**").*

> *See Jones, 1 Cl.Ct. at 85 ("**Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant**"); O'Neill v. United States, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, "[w]ere [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.*
> *[United States v. Winstar Corp. 518 U.S. 839 (1996)]*

Based on the above, we can see that when one or more of the following occurs, we are no longer dealing with a "government", but rather a private corporation and franchise or "employer" in which a "citizen" is really just an "employee" of the private pseudo-government corporation who has no choice but to do exactly and only what they are commanded to do through corporate policy disguised to "look" like public law but which in actuality is just special law or private law that is part of their employment agreement:

1. Taxing Power Abused to pay "benefits" to Private Citizens. It has always been a violation of the constitution to pay public monies to otherwise private citizens. This constraint is avoided by making EVERYONE into a statutory rather than constitutional citizen and defining such citizen as a public officer and/or statutory "employee" within the government. Such "benefits" include such things as Social Security, Medicare, etc. See:

The Government "Benefits" Scam, Form #05.040 http://sedm.org/Forms/FormIndex.htm

2. Consent of the governed: Government refuses to acknowledge the requirement for consent of the governed. For instance:
   2.1. They do a tax assessment without respecting the requirement for consent to the assessment mandated by 26 U.S.C. §6020(b). See:

Why the Government Can't Lawfully Assess Human Beings With an Income Tax Liability Without Their Consent, Form #05.011 http://sedm.org/Forms/FormIndex.htm

   2.2. Courts and administrative bodies refuse to meet the burden of proof as the moving party to demonstrate proof of consent in writing to the franchise agreement, such as I.R.C. Subtitles A and C BEFORE they attempt enforcement actions.
3. Requirement for EXPRESS CONSENT and INTENT ignored or interfered with in becoming a statutory "citizen" or "resident". Domicile requires the coincidence of physical presence within the territory of the sovereign and an intention to join the political community that it is a part of. However, tyrants and dictators who rule by force and fraud disregard the intention requirement. If you have an "address" or physical presence on their territory, the government "presumes" that fact alone constitutes consent to become a "citizen", "resident", or "inhabitant", thus ignoring the consent and intent portion of the domicile requirement. This has the practical effect of turning a republic consisting mainly of private property into a monarchy, where everything is public property because the king owns *all the land* and everyone is nothing more than a tenant subject to his whim and pleasure by divine right. British subjects can't even expatriate from their country without permission of the king or queen in fact. They in effect are chattel property of the monarch. If you would like to see how much land the monarch of England owns, it currently stands at 6 Billion acres. God says that "all the earth is mine" (Exodus 19:5)...and the queen of England retorts..."except for the 6 billion 600 million acres I own which is 1/6th of the non-ocean surface of the earth.". For proof, see:

Who Owns the World http://www.whoownstheworld.com/about-the-book/largest-landowner/?ref=patrick.net

4. Protection of private rights: Government refuses to acknowledge the protections of the Constitution for your private rights. For instance:
   4.1. They make the false and self-serving presumption that everyone they interact with in the public is a public officer in the government and a franchisee called a "taxpayer" (26 U.S.C. §7701(a)(14)) or statutory but not constitutional "U.S. citizen" (8 U.S.C. §1401)
   4.2. They refuse to prosecute those who compel others to use government identifying numbers, thus forcing those so compelled to donate formerly private property to a public use, a public purpose, and a public office.
   4.3. They refuse to recognize the existence of "nontaxpayers" or defend their *private* rights. For instance, enforcing the Anti-Injunction Act, 26 U.S.C. §7421 to prevent private parties injured by zealous tax collectors from having their private property seized because they are the victim of FALSE information return reports that the IRS refuses to correct.
   4.4. They refuse to correct false information returns filed by third parties against those who are non-taxpayers, thus compelling private people to involuntarily assume the duties of a public office in the government. They also refuse to prosecute the filers of these false reports. See:

Correcting Erroneous Information Returns, Form #04.001 http://sedm.org/Forms/FormIndex.htm

5. Unalienable rights: Government sets up a franchise or a business whose purpose essentially is to bribe or entice people to give up constitutionally protected rights. In modern day terms, that business is called a "franchise". See section 12.4 later.

> *"It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed by the Constitution." Frost & Frost Trucking Co. v. Railroad Comm'n of California, 271 U.S. 583. "Constitutional rights would be of little value if they could be indirectly denied,' Smith v. Allwright, 321 U.S. 649, 644, or manipulated out of existence,' Gomillion v. Lightfoot, 364 U.S. 339, 345."*
> *[Harman v. Forssenius, 380 U.S 528 at 540, 85 S.Ct. 1177, 1185 (1965)]*

6. Equal protection: Government provides unequal protection or unequal benefit to those within its jurisdiction. For instance:
   6.1. Government imputes to itself sovereign immunity and the requirement to prove ITS consent when civilly sued, but does not enforce the same EQUAL requirement when IT tries to enforce a civil obligation against a citizen.
   6.2. Government allows otherwise PRIVATE Americans to be effectively elected into public office with FALSE information return reports and without their consent but refuses to allow its own workers or itself to be elected into servitude of anyone else.

6.3. One group of people pays a different percentage tax rate or amount than another or receives a different benefit in exchange for the same amount of money paid in.

6.4. Franchises are abused to make FRANCHISEES inferior to the government grantor.

7. Franchises are abused to destroy CONSTITUTIONAL remedies and force people into a administrative franchise court instead. The main abuse is offering or enforcing them to those domiciled OUTSIDE of federal territory and the EXCLUSIVE jurisdiction of Congress.

> *"**These general rules are well settled:***
>
> ***(1) That the United States, when it creates rights in individuals against itself [a "public right", which is a euphemism for a "franchise" to help the court disguise the nature of the transaction], is under no obligation to provide a remedy through the courts.** United States ex rel. Dunlap v. Black, 128 U.S. 40, 9 Sup.Ct. 12, 32 L.Ed. 354; Ex parte Atocha, 17 Wall. 439, 21 L.Ed. 696; Gordon v. United States, 7 Wall. 188, 195, 19 L.Ed. 35; De Groot v. United States, 5 Wall. 419, 431, 433, 18 L.Ed. 700; Comegys v. Vasse, 1 Pet. 193, 212, 7 L.Ed. 108.*
>
> *(2) That where a statute creates a right and provides a special remedy, that remedy is exclusive. Wilder Manufacturing Co. v. Corn Products Co., 236 U.S. 165, 174, 175, 35 Sup.Ct. 398, 59 L.Ed. 520, Ann.Cas. 1916A, 118; Arnson v. Murphy, 109 U.S. 238, 3 Sup.Ct. 184, 27 L.Ed. 920; Barnet v. National Bank, 98 U.S. 555, 558, 25 L.Ed. 212; Farmers' & Mechanics' National Bank v. Dearing, 91 U.S. 29, 35, 23 L.Ed. 196. Still the fact that the right and the remedy are thus intertwined might not, if the provision stood alone, require us to hold that the remedy expressly given excludes a right of review by the Court of Claims, where the decision of the special tribunal involved no disputed question of fact and the denial of compensation was rested wholly upon the construction of the act. See Medbury v. United States, 173 U.S. 492, 198, 19 Sup.Ct. 503, 43 L.Ed. 779; Parish v. MacVeagh, 214 U.S. 124, 29 Sup.Ct. 556, 53 L.Ed. 936; McLean v. United States, 226 U.S. 374, 33 Sup.Ct. 122, 57 L.Ed. 260; United States v. Laughlin (No. 200), 249 U.S. 440, 39 Sup.Ct. 340, 63 L.Ed. 696, decided April 14, 1919."*
> *[U.S. v. Babcock, 250 U.S. 328, 39 S.Ct. 464 (1919)]*

8. Courts are converted from CONSTITUTIONAL courts to STATUTORY FRANCHISE or ADMINISTRATIVE FRANCHISE courts. Examples: 1. U.S. Tax Court; 2. Traffic court; 3. Family Court. Such courts are really just binding arbitration boards for fellow public officers within the Executive Branch of the government. At the present time, all United States District Courts and Circuit Courts are NOT expressly authorized by Congress to hear any Article III Constitutional issue. Instead, they are legislative franchise courts that administer ONLY federal property under Article 4, Section 3, Clause 2 of the USA Constitution. See the following for proof:

8.1. *Government Instituted Slavery Using Franchises*, Form #05.030, Sections 15 through 17
http://sedm.org/Forms/FormIndex.htm

8.2. *What Happened to Justice*, Form #06.012-proves that there are NOT any constitutional courts left at the federal level accessible to the average American.
http://sedm.org/Forms/FormIndex.htm

9. There is no "body politic". All those who participate in the affairs of the government as statutory "voters" or "citizens" are in fact franchisees and public officers of the government with an financial and personal conflict of interest.

9.1. There is no one outside the pseudo-government private corporation who any of the people in pseudo-government can be or are accountable to, and certainly no one who has Constitutional rights.

9.2. They are violating their state constitutions, because most state constitutions forbid anyone from simultaneously serving as a public officer in the federal government and the state government. Federal taxpayers are public officers (engaged in a "trade or business" as define din 26 U.S.C. §7701(a)(26)) in the federal government while state "taxpayers" are similarly public officers in the state government.

> *CALIFORNIA CONSTITUTION*
> *ARTICLE 7 PUBLIC OFFICERS AND EMPLOYEES*
>
> *SEC. 7. **A person holding a lucrative office under the United States or other power may not hold a civil office of profit [within the state government].** A local officer or postmaster whose compensation does not exceed 500 dollars per year or an officer in the militia or a member of a reserve component of the armed forces of the United States except where on active federal duty for more than 30 days in any year is not a holder of a lucrative office, nor is the holding of a civil office of profit affected by this military service.*

9.3. Everyone who participates as a jurist or voter in any proceeding involving taxation and who is a recipient of federal "benefits" is committing a crime by having a conflict of interest in violation of:

9.3.1. 18 U.S.C. §208 in the case of statutory but not constitutional "citizens" and "taxpayers".

9.3.2. 28 U.S.C. §144, and 28 U.S.C. §455 in the case of judges.

9.3.3. 18 U.S.C. §201: Bribery of public officials and witnesses. All jurists and all "taxpayers" are public officers in the government and receipt of federal "benefits" bribes them to perpetuate the "benefit" when taxes are at issue.

9.4. If you try to participate as a jurist or voter as a constitutional but not statutory citizen, the registrar of voters and the jury commissioner will expel you and refuse to address the legal evidence proving that he or she is committing a FRAUD upon the public by preventing REAL constitutional but not statutory citizens from participating. Consequently, any tax imposed upon constitutional citizens is taxation without representation. We have watched this process first hand. See:

> *Jury Summons Response Attachment*, Form #06.015
> http://sedm.org/Forms/FormIndex.htm

10. An enterprise or portion of the government is not a "body politic", but only a "body corporate". For instance, the "District of Columbia" is a "body corporate", but NOT a "body politic", as you will learn later in section 13.413.2, which means it is not part of the government, but a private corporation. Yet, sovereign immunity is abused by the corrupt corporate courts to protect the activities of this private corporation.
11. Practicing federal attorneys take an oath to the wrong sovereign. Their oath ought to be to the people and the "State" they serve, but instead is to the government. The two are not the same. See:

> *Petition for Admission to Practice*
> http://famguardian.org/Subjects/LawAndGovt/LegalEthics/PetForAdmToPractice-USDC.pdf

12. "Words of Art" are abused to illegally expand definitions in such a way that PRIVATE rights and PRIVATE party unlawfully become the subject of any government enforcement authority. This kind of abuse is very commonly done with definitions in the Internal Revenue Code. The following document explains and proves this kind of abuse:

> *Meaning of the Words "includes" and "including"*, Form #05.014
> http://sedm.org/Forms/FormIndex.htm

13. All powers are derived or delegated directly from the people: Government arrogates authority to itself that it denies to others and thereby becomes the equivalent of a pagan deity and an object of idol worship.
14. Government dispenses with one or more of the three elements needed to make it valid: People, Laws, and Territory. For instance, if the government tries to setup a "virtual state" using territory borrowed from another government that is not its own, then it can no longer be called a government. This, in fact, is exactly how state income taxes function. State income taxes presume a domicile on federal territory borrowed from the federal government. State income taxes are imposed under the authority of the Buck Act of 1940 and the Public Salary Tax Act of 1939, which are codified at 4 U.S.C. §106 and 5 U.S.C. §5517. See:

> *State Income Taxes*, Form #05.031
> http://sedm.org/Forms/FormIndex.htm

Next, we will provide a tabular comparison of a de jure government and a de facto private corporation to synthesize all the points in the previous subsections into one place:

Table 1: "De jure government" and "De Facto Private corporation" compared

#	Characteristic	De jure government	De facto private corporation
1	Territory, laws, and people?	Yes	No. Only contracts/franchises and corporate "employees" that do not attach to specific territory.
2	Purpose of establishment	Protect PRIVATE rights	1. Protect PUBLIC rights and convert all PRIVATE rights into PUBLIC rights/franchises. 2. Expand the corporation and centralize all power to the CEO/President.
3	Private rights are unalienable	Yes	No. All rights are PUBLIC/CORPORATE rights
4	Equal protection of all?	Yes	No. Only corporate "employees" are protected. All others are TERRORIZED until they join the corporation.
5	Civil laws based on consent of the governed?	Yes	No. All law is corporate policy that forms the employment agreement for officers of the corporation.
6	Powers derived from	The Sovereign People, both individually and collectively	CEO and Board of Directors of the Corporation. "Employees" must do as they are told or they are FIRED and/or persecuted
7	Body corporate?	Yes	Yes
8	Body politic?	Yes	No
9	Taxes used only for	Support of government	Support of employees and officers of the corporation, which is EVERYONE

5 How De Jure Governments are Transformed into Corrupt De Facto Governments[2]

> *"Governments never do anything by accident; if government does something you can bet it was carefully planned."*
> *[Franklin D. Roosevelt, President of the United States]*

Franchises and/or their abuse are the main method by which:

1. De jure governments are transformed into corrupted de facto governments.
2. The requirement for consent of the governed is systematically eliminated.
3. The equal protection that is the foundation of the Constitution is replaced with inequality, privilege, hypocrisy, and partiality in which the government is a parens patriae and possesses an unconstitutional "title of nobility" in relation to those it is supposed to be serving and protecting.
4. The separation of powers between the states and federal government are eliminated.
5. The separation between what is "public" and what is "private" is destroyed. Everything becomes PUBLIC and is owned by the "collective". There is not private property and what you think is private property is really just equitable title in PUBLIC property.
6. Constitutional rights attaching to the land you stand on are replaced with statutory privileges created through your right to contract and your "status" under a franchise agreement.

> *"You shall make no covenant [contract or franchise] with them [foreigners, pagans], nor with their [pagan government] gods [laws or judges]. They shall not dwell in your land [and you shall not dwell in theirs by becoming a "resident" or domiciliary in the process of contracting with them], lest they make you sin against*

[2] Adapted from Section 14 of:
Government Instituted Slavery Using Franchises, Form #05.030;
http://sedm.org/Forms/FormIndex.htm.

Me [God]. For if you serve their [government] gods [under contract or agreement or franchise], it will surely be a snare to you."
[Exodus 23:32-33, Bible, NKJV]

7. Your legal identity is "laundered", and kidnapped or transported to a foreign jurisdiction, the District of Criminals, and which is not protected by the Constitution.

> *"For the upright will dwell in the land,*
> *And the blameless will remain in it;*
> ***But the wicked will be cut off from the earth,***
> ***And the unfaithful will be uprooted from it."***
> *[Prov. 2:21-22, Bible, NKJV]*

8. The protections of the Constitution for your rights are eliminated.
9. Rights are transformed into privileges.
10. Republics based on individual rights are transformed into socialist democracies based on collective rights and individual privileges.
11. The status of "citizen, resident, or inhabitant" is devolved into nothing but an "employee" or "officer" of a corporation.
12. Constitutional courts are transformed into franchise courts.
13. Conflicts of interest are introduced into the legal and court systems that perpetuate a further expansion of the de facto system.
14. Socialism is introduced into a republican form of government.
15. The sovereignty of people in the states of the Union are destroyed.

The gravely injurious effects of participating in government franchises include the following.

1. Those who participate are effectively and unilaterally elected into public office by their own consent. Thereafter, they become surety for the office that is:
   1.1. Domiciled in the federal zone.
   1.2. A statutory "U.S. persons".
   1.3. A statutory "resident aliens" in respect to the federal government.
2. Those who participate unlawfully are treated as "trustees" of the "public trust" and "public officers" of the federal government and suffer great legal disability as a consequence:

> *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. 3* ***Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts****. 4* ***That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves. 5 and owes a fiduciary duty to the public. 6 It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. 7*** *Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.8"*
> *[63C Am.Jur.2d, Public Officers and Employees, §247]*

[3] State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 ALR 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

[4] Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist) 161 Ill. App 3d 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

[5] Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill. App 3d 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

[6] United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L Ed 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L Ed 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass) 898 F.2d. 230, 29 Fed Rules Evid Serv 1223).

[7] Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill. App 3d 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

[8] Indiana State Ethics Comm'n v. Nelson (Ind App) 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

3. Those who participate are stripped of ALL of their constitutional rights and waive their Constitutional right not to be subjected to penalties and other "bills of attainder" administered by the Executive Branch without court trials. They then must function the degrading treatment of filling the role of a federal "public employee" subject to the supervision of their servants in the government.

> *"**The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer.** We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v. Johnson, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. O'Connor v. Ortega, 480 U.S. 709, 723 (1987) (plurality opinion); id., at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. Gardner v. Broderick, [497 U.S. 62, 95] 392 U.S. 273, 277 -278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. Connick v. Myers, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. Public Workers v. Mitchell, 330 U.S. 75, 101 (1947); Civil Service Comm'n v. Letter Carriers, 413 U.S. 548, 556 (1973); Broadrick v. Oklahoma, 413 U.S. 601, 616 -617 (1973)."*
> *[Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990)]*

4. Those who participate may lawfully be deprived of equal protection of the law, which is the foundation of the U.S. Constitution. This deprivation of equal protection UNLAWFULLY becomes a provision of the franchise agreement.
5. Those who participate can lawfully be deprived of remedy for abuses in federal courts.

> ***"These general rules are well settled: (1) That the United States, when it creates rights in individuals against itself [a "public right", which is a euphemism for a "franchise" to help the court disguise the nature of the transaction], is under no obligation to provide a remedy through the courts.** United States ex rel. Dunlap v. Black, 128 U.S. 40, 9 Sup.Ct. 12, 32 L.Ed. 354; Ex parte Atocha, 17 Wall. 439, 21 L.Ed. 696; Gordon v. United States, 7 Wall. 188, 195, 19 L.Ed. 35; De Groot v. United States, 5 Wall. 419, 431, 433, 18 L.Ed. 700; Comegys v. Vasse, 1 Pet. 193, 212, 7 L.Ed. 108. (2) That where a statute creates a right and provides a special remedy, that remedy is exclusive. Wilder Manufacturing Co. v. Corn Products Co., 236 U.S. 165, 174, 175, 35 Sup.Ct. 398, 59 L.Ed. 520, Ann.Cas. 1916A, 118; Arnson v. Murphy, 109 U.S. 238, 3 Sup.Ct. 184, 27 L.Ed. 920; Barnet v. National Bank, 98 U.S. 555, 558, 25 L.Ed. 212; Farmers' & Mechanics' National Bank v. Dearing, 91 U.S. 29, 35, 23 L.Ed. 196. Still the fact that the right and the remedy are thus intertwined might not, if the provision stood alone, require us to hold that the remedy expressly given excludes a right of review by the Court of Claims, where the decision of the special tribunal involved no disputed question of fact and the denial of compensation was rested wholly upon the construction of the act. See Medbury v. United States, 173 U.S. 492, 198, 19 Sup.Ct. 503, 43 L.Ed. 779;Parish v. MacVeagh, 214 U.S. 124, 29 Sup.Ct. 556, 53 L.Ed. 936; McLean v. United States, 226 U.S. 374, 33 Sup.Ct. 122, 57 L.Ed. 260; United States v. Laughlin (No. 200), 249 U.S. 440, 39 Sup.Ct. 340, 63 L.Ed. 696, decided April 14, 1919. But here Congress has provided:*
> *[U.S. v. Babcock, 250 U.S. 328, 39 S.Ct. 464 (1919)]*

6. Those who participate can be directed which federal courts they may litigate in and can lawfully be deprived of a Constitutional Article III judge or Article III court and forced to seek remedy ONLY in an Article I or Article IV legislative or administrative tribunal within the Legislative rather than Judicial branch of the government.

> *Although* Crowell *and* Raddatz *do not explicitly distinguish between rights created by Congress and other rights, such a distinction underlies in part* Crowell's *and* Raddatz' *recognition of a critical difference between rights created by federal statute and rights recognized by the Constitution. Moreover, such a distinction seems to us to be necessary in light of the delicate accommodations required by the principle of separation of powers reflected in Art. III. The constitutional system of checks and balances is designed to guard against "encroachment or aggrandizement" by Congress at the expense of the other branches of government.* Buckley v. Valeo, *424 U.S., at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a "privilege" in this case, such as a "trade or business"], it clearly has the discretion, in defining that right, to create presumptions, or assign burdens of proof, or prescribe remedies; it may also provide that persons seeking to vindicate that right must do so before particularized tribunals created to perform the specialized adjudicative tasks related to that right.FN35 Such provisions do, in a sense, affect the exercise of judicial power, but they are also incidental to Congress' power to define the right that it has created. No comparable justification exists, however, when the right being adjudicated is not of congressional creation. In such a situation, substantial inroads into functions that have traditionally been performed by the Judiciary cannot be characterized merely as incidental extensions of Congress' power to define rights that it has created. Rather, such inroads suggest unwarranted encroachments upon the judicial power of the United States, which our Constitution reserves for Art. III courts.*
> *[Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. at 83-84, 102 S.Ct. 2858 (1983)]*

Since the founding of our country, franchises have systematically been employed in every area of government to transform a government based on equal protection into a for-profit private corporation based on privilege, partiality, and favoritism. The affects of this form of corruption are exhaustively described in the following memorandum of law on our website:

Government Instituted Slavery Using Franchises, Form #05.030 http://sedm.org/Forms/FormIndex.htm

What are the mechanisms by which this corruption has been implemented by the Executive Branch? This section will detail the main mechanisms to sensitize you to how to fix the problem and will relate how it was implemented by exploiting the separation of powers doctrine.

The foundation of the separation of powers is the notion that the powers delegated to one branch of government by the Constitution cannot be re-delegated to another branch.

> *". . .a power definitely assigned by the Constitution to one department can neither be surrendered nor delegated by that department, nor vested by statute in another department or agency. Compare Springer v. Philippine Islands,277 U.S. 189, 201, 202, 48 S.Ct. 480, 72 L.Ed. 845."*
> *[Williams v. U.S., 289 U.S. 553, 53 S.Ct. 751 (1933)]*

Keenly aware of the above limitation, lawmakers over the years have used it to their advantage in creating a tax system that is exempt from any kind of judicial interference and which completely destroys all separation of powers. Below is a summary of the mechanism, in the exact sequence it was executed at the federal level:

1. Create a franchise based upon a "public office" in the Executive or Legislative Branch. This:
   1.1. Allows statutes passed by Congress to be directly enforced against those who participate.
   1.2. Eliminates the need for publication in the Federal Register of enforcement implementing regulations for the statutes. See 5 U.S.C. §553(a) and 44 U.S.C. §1505(a)(1).
   1.3. Causes those engaged in the franchise to act in a representative capacity as "public officers" of the United States government pursuant to Federal Rule of Civil Procedure 17(b), which is defined in 28 U.S.C. §3002(15)(A) as a federal corporation.
   1.4. Causes all those engaged in the franchise to become "officers of a corporation", which is the United States, pursuant to 26 U.S.C. §6671(b) and 26 U.S.C. §7343.
2. Give the franchise a deceptive "word of art" name that will deceive everyone into believing that they are engaged in it.
   2.1. The franchise is called a "trade or business" and is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office". How many people know this and do they teach this in the public (government) schools or the IRS publications? NOT!
   2.2. Earnings connected with the franchise are called "effectively connected with a trade or business in the United States". The term "United States" deceptively means the GOVERNMENT, and not the geographical United States.
3. In the franchise agreement, define the effective domicile or choice of law of all those who participate as being on federal territory within the exclusive jurisdiction of the United States. 26 U.S.C. §7408(d) and 26 U.S.C. §7701(a)(39) place the effective domicile of all "franchisees" called "taxpayers" within the District of Columbia. If the feds really had jurisdiction within states of the Union, do you think they would need this devious device to "kidnap your legal identity" or "res" and move it to a foreign jurisdiction where you don't physically live?
4. Place a excise tax upon the franchise proportional to the income earned from the franchise. In the case of the Internal Revenue Code, all such income is described as income which is "effectively connected with a trade or business within the United States".

> *"**Excises are taxes laid upon the manufacture, sale or consumption of commodities within the country, upon licenses to pursue certain occupations and upon corporate privileges**...**the requirement to pay such taxes involves the exercise of** [220 U.S. 107, 152] **privileges, and the element of absolute and unavoidable demand is lacking**...*
>
> *...It is therefore well settled by the decisions of this court that when the sovereign authority has exercised the right to tax a legitimate subject of taxation as an exercise of a franchise or privilege, it is no objection that the measure of taxation is found in the income produced in part from property which of itself considered is nontaxable...*
>
> *Conceding the power of Congress to tax the business activities of private corporations.. the tax must be measured by some standard..."*

[Flint v. Stone Tracy Co., 220 U.S. 107 (1911)]

5. Mandate that those engaged in the franchise must have usually false evidence submitted by ignorant third parties that connects them to the franchise. IRS information returns, including Forms W-2, 1042s, 1098, and 1099, are the mechanism. 26 U.S.C. §6041 says that these information returns may ONLY be filed in connection with a "trade or business", which is a code word for the name of the franchise.
6. Write statutes prohibiting interference by the courts with the collection of "taxes" (kickbacks) associated with the franchise based on the idea that courts in the Judicial Branch may not interfere with the *internal* affairs of another branch such as the Executive Branch. Hence, the "INTERNAL Revenue Service". This will protect the franchise from interference by other branches of the government and ensure that it relentlessly expands.
   6.1. The Anti-Injunction Act, 26 U.S.C. §7421 is an example of an act that enjoins judicial interference with tax collection or assessment.
   6.2. The Declaratory Judgments Act, 28 U.S.C. §2201(a) prohibits federal courts from pronouncing the rights or status of persons in regard to federal "taxes". This has the effect of gagging the courts from telling the truth about the nature of the federal income tax.
   6.3. The word "internal" means INTERNAL to the Executive Branch and the United States government, not INTERNAL to the geographical United States of America.
7. Create administrative "franchise" courts in the Executive Branch which administer the program pursuant to Articles I and IV of the United States Constitution.
   7.1. U.S. Tax Court. 26 U.S.C. §7441 identifies the U.S. Tax Court as an Article I court.
   7.2. U.S. District Courts. There is no statute establishing any United States District Court as an Article III court. Consequently, even if the judges are Article III judges, they are not filling an Article III office and instead are filling an Article IV office. Consequently, they are Article IV judges. All of these courts were turned into franchise courts in the Judicial Code of 1911 by being renamed from the "District Court of the United States" to the "United States District Court".

For details on the above scam, see:

What Happened to Justice?, Form #06.012 http://sedm.org/Forms/FormIndex.htm

8. Create other attractive federal franchises that piggyback in their agreements a requirement to participate in the franchise. For instance, the original Social Security Act of 1935 contains a provision that those who sign up for this program, also simultaneously become subject to the Internal Revenue Code.

> *Section 8 of the Social Security Act*
> *INCOME TAX ON EMPLOYEES*
>
> *SECTION 801. In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages (as defined in section 811) received by him after December 31, 1936, with respect to employment (as defined in section 811) after such date:*
> *(1) With respect to employment during the calendar years 1937, 1938, and 1939, the rate shall be 1 per centum.*
> *(2) With respect to employment during the calendar years 1940, 1941, and 1942, the rate shall 1 1/2 per centum.*
> *(3) With respect to employment during the calendar years 1943, 1944, and 1945, the rate shall be 2 per centum.*
> *(4) With respect to employment during the calendar years 1946, 1947, and 1948, the rate shall be 2 1/2 per centum.*
> *(5) With respect to employment after December 31, 1948, the rate shall be 3 per centum.*

9. Offer an opportunity for private citizens not domiciled within the jurisdiction of Congress to "volunteer" by license or private agreement to participate in the franchise and thereby become "public officers" within the Executive Branch. The W-4 and Social Security SS-5 is an example of such a contract.
   9.1. Call these volunteers "taxpayers".
   9.2. Call EVERYONE "taxpayers" so everyone believes that the franchise is MANDATORY.
   9.3. Do not even acknowledge the existence of those who do not participate in the franchise. These people are called "nontaxpayers" and they are not mentioned in any IRS publication.
   9.4. Make the process of signing the agreement invisible by calling it a "Withholding Allowance Certificate" instead of what it really is, which is a "license" to become a "taxpayer" and call all of your earnings "wages" and "gross income".

> *26 CFR §31.3401(a)-3 Amounts deemed wages under voluntary withholding agreements*
>
> *(a) In general.*

Notwithstanding the exceptions to the definition of wages specified in section 3401(a) and the regulations thereunder, the term "wages" includes the amounts described in paragraph (b)(1) of this section with respect to which there is a voluntary withholding agreement in effect under section 3402(p). *References in this chapter to the definition of wages contained in section 3401(a) shall be deemed to refer also to this section (§31.3401(a)–3.*

Title 26: Internal Revenue
PART 31—EMPLOYMENT TAXES AND COLLECTION OF INCOME TAX AT SOURCE
Subpart E—Collection of Income Tax at Source
§31.3402(p)-1 Voluntary withholding agreements.

(a) In general.

An employee and his employer may enter into an agreement under section 3402(b) to provide for the withholding of income tax upon payments of amounts described in paragraph (b)(1) of §31.3401(a)–3, made after December 31, 1970. ***An agreement may be entered into under this section only with respect to amounts which are includible in the gross income of the employee under section 61, and must be applicable to all such amounts paid by the employer to the employee.*** *The amount to be withheld pursuant to an agreement under section 3402(p) shall be determined under the rules contained in section 3402 and the regulations thereunder. See §31.3405(c)–1, Q&A–3 concerning agreements to have more than 20-percent Federal income tax withheld from eligible rollover distributions within the meaning of section 402.*

10. Create a commissioner to service the franchise who becomes the "fall guy", who then establishes a "bureau" without the authority of any law and which is a private corporation that is not part of the U.S. government.

53 Stat. 489
Revenue Act of 1939, 53 Stat. 489

Chapter 43: Internal Revenue Agents
Section 4000 Appointment
The Commissioner may, whenever in his judgment the necessities of the service so require, employ ***competent agents****, who shall be known and designated as internal revenue agents, and, except as provided for in this title,* ***no general or special agent or inspector of the Treasury Department*** *in connection with internal revenue, by whatever designation he may be known,* ***shall be appointed, commissioned, or employed****.*

The above means that everyone who works for the Internal Revenue Service is private contractor not appointed, commissioned, or employed by anyone in the government. They operation on commission and their pay derives from the amount of plunder they steal. See also:

Dept of Justice Admits under Penalty of Perjury that the IRS is Not an Agency of the Federal Government
http://famguardian.org/Subjects/Taxes/Evidence/USGovDeniesIRS/USGovDeniesIRS.htm

11. Create an environment that encourages irresponsibility, lies, and dishonesty within the bureau that administers the franchise.
    11.1. Indemnify these private contractors from liability by giving them "pseudonames" so that they can disguise their identify and be indemnified from liability for their criminal acts. The IRS Restructuring and Reform Act, Pub.Law 105-206, Title III, Section 3706, 112 Stat. 778 and IRM 1.2.4 both authorize these pseudonames.
    11.2. Place a disclaimer on the website of this private THIEF contractor indemnifying them from liability for the truthfulness or accuracy of any of their statements or publications. See IRM 4.10.7.2.8.

"IRS Publications, issued by the National Office, explain the law in plain language for taxpayers and their advisors... While a good source of general information, publications should not be cited to sustain a position." [IRM 4.10.7.2.8 (05-14-1999)]

    11.3. Omit the most important key facts and information from publications of the franchise administrator that would expose the proper application of the "tax" and the proper audience. See the following, which is over 2000 pages of information that are conveniently "omitted" from the IRS website about the proper application of the franchise and its nature as a "franchise":

Great IRS Hoax, Form #11.302
http://sedm.org/Forms/FormIndex.htm

    11.4. Establish precedent in federal courts that you can't trust anything that anyone in the government tells you, and especially those who administer the franchise. See:
http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm

12. Use the lies and deceptions created in the previous step to promote several false perceptions in the public at large that will expand the market for the franchise. These include:
    12.1. That the franchise is NOT a franchise, but a mandatory requirement that applies to ALL.
    12.2. That participation is mandatory for ALL, instead of only for franchisees called "taxpayers".
    12.3. That the IRS is an "agency" of the United States government that has authority to interact directly with the public at large. In fact, it is a "bureau" that can ONLY lawfully service the needs of other federal agencies within the Executive Branch and which may NOT interface directly with the public at large.
    12.4. That the statutes implementing the franchise are "public law" that applies to everyone, instead of "private law" that only applies to those who individually consent to participate in the franchise.
13. Create a system to service those who prepare tax returns for others whereby those who accept being "licensed" and regulated get special favors. This system created by the IRS essentially punishes those who do not participate by giving the horrible service and making them suffer inconvenience and waiting long in line if they don't accept the "privilege" of being certified. Once they are certified, if they begin telling people the truth about what the law says and encourage following the law by refusing to volunteer, their credentials are pulled. This sort of censorship is accomplished through:
    13.1. IRS Enrolled Agent Program.
    13.2. Certified Public Accountant (CPA) licensing.
    13.3. Treasury Circular 230.
14. Engage in a pattern of "selective enforcement" and propaganda to broaden and expand the scam. For instance:
    14.1. Refuse to answer simple questions about the proper application of the franchise and the taxes associated with it. See:

If the IRS Were Selling Used Cars http://famguardian.org/Subjects/Taxes/FalseRhetoric/IRSSellingCars.htm

    14.2. Prosecute those who submit false TAX returns, but not those who submit false INFORMATION returns. This causes the audience of "taxpayers" to expand because false reports are connecting innocent third parties to franchises that they are not in fact engaged in.
    14.3. Use confusion over the rules of statutory construction and the word "includes" to fool people into believing that those who are "included" in the franchise are not spelled out in the law in their entirety. This leaves undue discretion in the hands of IRS employees to compel ignorant "nontaxpayers" to become franchisees. See the following:

Meaning of the Words "Includes" and "Including", Form #05.014 http://sedm.org/Forms/FormIndex.htm

    14.4. Refuse to define the words used on government forms, use terms that are not defined in the code such as "U.S. citizen", and try to confuse "words of art" found in the law with common terms in order to use the presumptuous behavior of the average American to expand the misperception that everyone has a legal DUTY to become a "franchisee" and a "taxpayer".
    14.5. Refuse to accept corrected information returns that might protect innocent "nontaxpayers" so that they are inducted involuntarily into the franchise as well.

The above process is WICKED in the most extreme way. It describes EXACTLY how our public servants have made themselves into our masters and systematically replaced every one of our rights with "privileges" and franchises. The Constitutional prohibition against this sort of corruption are described as follows by the courts:

> *"It would be a palpable incongruity to strike down an act of state legislation which, by words of express divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that, as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it may not impose conditions which require the relinquishment of Constitutional rights. If the state may compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States may thus be manipulated out of existence."*
> *[Frost v. Railroad Commission, 271 U.S. 583, 46 S.Ct. 605 (1926)]*

> *"A right common in every citizen such as the right to own property or to engage in business of a character not requiring regulation CANNOT, however, be taxed as a special franchise by first prohibiting its exercise and then permitting its enjoyment upon the payment of a certain sum of money."*
> *[Stevens v. State, 2 Ark. 291; 35 Am. Dec. 72, Spring Val. Water Works v. Barber, 99 Cal. 36, 33 Pac. 735, 21 L.R.A. 416. Note 57 L.R.A. 416]*

> *"The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is an artificial entity which owes its existence and charter power to the State, but the individual's right to live and own property are natural rights for the enjoyment of which an excise cannot be imposed."*
> *[Redfield v. Fisher, 292 Oregon 814, 817]*

> *"Legislature…cannot name something to be a taxable privilege unless it is first a privilege." [Taxation West Key 43]…"The Right to receive income or earnings is a right belonging to every person and realization and receipt of income is therefore not a 'privilege', that can be taxed."*
> *[Jack Cole Co. v. MacFarland, 337 S.E.2d. 453, Tenn.*

Through the above process of corruption, the separation of powers is completely destroyed and nearly every American has essentially been "assimilated" into the Executive Branch of the government, leaving the Constitutional Republic bequeathed to us by our founding fathers vacant and abandoned. Nearly every service that we expect from government has been systematically converted over the years into a franchise using the techniques described above. The political and legal changes resulting from the above have been tabulated to show the "BEFORE" and the "AFTER" so their extremely harmful affects become crystal clear in your mind. This process of corruption, by the way, is not unique to the United States, but is found in every major industrialized country on earth.

Table 2: Effect of turning government service into a franchise

#	*Characteristic*	*DE JURE CONSTITUTIONAL GOVERNMENT*	*DE FACTO GOVERNMENT BASED ENTIRELY ON FRANCHISES*
1	Purpose of government	Protection	Provide "social services" and "social insurance" to government "employees" and officers
2	Nature of government	Public trust Charitable trust	For-profit private corporation (see 28 U.S.C. §3002(15)(A))
3	Citizens	The Sovereigns "nationals" but not "citizens" pursuant to 8 U.S.C. §§1101(a)(21) and 1452	1. "Employees" or "officers" of the government 2. "Trustees" of the "public trust" 3. "customers" of the corporation 4. Statutory "U.S. citizens" pursuant to 8 U.S.C. §1401
4	Effective domicile of citizens	Sovereign state of the Union	Federal territory and the District of Columbia
5	Purpose of tax system	Fund "protection"	1. Socialism. 2. Political favors. 3. Wealth redistribution 4. Consolidation of power and control (corporate fascism)
6	Equal protection	Mandatory	Optional
7	Nature of courts	Constitutional Article III courts in the Judicial Branch	Administrative or "franchise" courts within the Executive Branch
8	Branches within the government	Executive Legislative Judicial	Executive Legislative (Judiciary merged with Executive. See Judicial Code of 1911)
9	Purpose of legal profession	Protect individual rights	1. Protect collective (government) rights. 2. Protect and expand the government monopoly. 3. Discourage reforms by making litigation so expensive that it is beyond the reach of the average citizen. 4. Persecute dissent.
10	Lawyers are	Unlicensed	Privileged and licensed and therefore subject to control and censorship by the government.
11	Votes in elections cast by	"Electors"	"Franchisees" called "registered voters" who are surety for bond measures on the ballot. That means they are subject to a "poll tax".
12	Driving is	A common right	A licensed "privilege"
13	Marriage is	A common right	A licensed "privilege"
14	Purpose of the military	Protect the sovereign citizens No draft within states of the Union is lawful. See Federalist Paper #15	1. Expand the corporate monopoly internationally 2. Protect public servants from the angry populace who want to end the tyranny.

#	Characteristic	DE JURE CONSTITUTIONAL GOVERNMENT	DE FACTO GOVERNMENT BASED ENTIRELY ON FRANCHISES
15	Money is	1. Based on gold and silver. 2. Issued pursuant to Article 1, Section 8. Clause 5.	1. A corporate bond or obligation borrowed from the Federal Reserve at interest. 2. Issued pursuant to Article 1, Section 8. Clause 2.
16	Property of citizens is	Private and allodial	All property is donated to a "public use" and connected with a "public office" to procure the benefits of a franchise
17	Ownership of real property is	Legal	Equitable. The government owns the land, and you rent it from them using property taxes.
18	Purpose of sex	Procreation	Recreation
19	Responsibility	The individual sovereign is responsible for all his actions and choices.	The collective social insurance company is responsible. Personal responsibility is outlawed.

If you would like to know more about the subjects discussed in this section, please refer to the following free memorandums of law on our website focused exclusively on this subject:

1. *Corporatization and Privatization of the Government*, Form #05.024
   http://sedm.org/Forms/FormIndex.htm
2. *Government Instituted Slavery Using Franchises*, Form #05.030
   http://sedm.org/Forms/FormIndex.htm

6 The Founding Fathers rejected the idea of a government that is a corporate franchise[9]

As already explained, the Framers enumerated the power "To coin Money" among the "legislative" powers of Congress because that power originally had been part of the English King's "executive" prerogative.[10] So, too, had been the power of incorporation. As Blackstone wrote, because "[t]the king * * * the fountain of honour, of office, and of privilege", "the king has * * * the prerogative of conferring privileges on private persons", including "the prerogative of erecting corporations; whereby a number of private persons are united and knit together, and enjoy many liberties, powers, and immunities in their political capacity which they were utterly incapable of in their natural".[11] Further, "the king's consent is absolutely necessary to the erection of any corporation, either impliedly or expressly given".

> *The methods by which the king's consent is expressly given, are either by act of parliament or charter. By act of parliament, of which the royal assent is a necessary ingredient, corporations may undoubtedly be created: but it is observable, that most of these statutes, which are usually cited as having created corporations, do either confirm such as have been created by the king * * * or, they permit the king to erect a corporation in future * * * as is the case of the bank of England * * *. So the immediate creative act is usually performed by the king alone, in virtue of his royal prerogative.*[12]

Blackstone noted that "[t]he parliament * * * by its absolute and transcendent authority, may perform this [i.e., an act of incorporation] * * * and actually did perform it to a great extent" in the cases of "hospitals and houses of correction founded by charitable persons" and "in other cases of charitable foundations. But otherwise it has not formerly been usual thus to entrench upon the prerogative of the crown, and the king may prevent it when he pleases." [13] Thus, the power to incorporate under English law was no, or at least no exclusively, "legislative" power. For, even when a corporate charter

[9] Adapted from Pieces of Eight, by Edwin Viera, Second Edition, Copyright 2002, Sheridan Books, Inc., Fredericksburg, Virginia, pp. 261 through 265.

[10] See ante, at 118.

[11] 1 W. Blackstone, Commentaries, ante note 172, at 271, 272-73.

[12] Id. At 472, 473 (footnotes omitted).

[13] Id. At 474.

found its genesis in an actual Act of Parliament, as with any other statute it nevertheless needed the "royal asset [as] a necessary ingredient".[14]

Therefore, had the Framers desired to include a power to incorporate among the "legislative" powers of Congress under Article I of the Constitution, they would have had to exclude that power by implication from the "executive" powers of the President in Article II by explicitly enumerating it in Article I, just as they did with the power "To coin Money". Moreover, they would also have had explicitly to prohibit any exercise of that power by the President—because, under the historic English law, even if a corporation received its charter by Act of Parliament, "the king may prevent it when he pleases". That is, if Congress received the power to incorporate only by an implied grant under the Necessary and Proper Clause,[15] as the Supreme Court later held in McCulloch v. Maryland,[16] then arguably the President retained an implied negative power over legislative incorporations in his general "executive Power"[17]—a power of disallowance going beyond his normal power to veto other kinds of legislation.

After Colonies' Declaration of Independence from Britain, no power of incorporation appeared in the Articles of Confederation. Notwithstanding that, Congress incorporated the Bank of North America. In McCulloch, however, Chief Justice Marshall recognized that, "[u]nder the confederation, Congress, justifying the measure by its necessity, transcended perhaps its powers to obtain the advantage of a bank".[18] In the States, the power was apparently often deemed "legislative", rather than "executive" (although on what ground, given the antecedent English law, is unclear).[19] But, even had the power somehow been transformed into a purely "legislative" one there, it had not automatically and sub silentio pass to Congress on ratification of the Constitution, because Article I states that only "[a]ll legislative Powers herein granted shall be vested in * * * Congress",[20] not all conceivable "legislative Powers". And the power to incorporate nowhere appears in haec verba in the Constitution.

Conceivably, the absence of an enumerated Congressional power to incorporate stemmed from the notion that, because the power of incorporation as exercised by the King had been a power of dispensing with the common law in favor of corporators, and because an implied "dispensing" power in the "executive Power" was inconsistent with the President's duty to "take Care that the Laws be faithfully executed",[21] the power to incorporate need not have been enumerated.[22] This argument, however, is doubly defective. First, at most of it contends only (but does not, of course, prove) that the President's implied "executive Power" to incorporate was negated. It does not even assert, however, that the President's implied "executive Power" to prevent incorporation was extinguished. For the power to prevent incorporation could in some cases be seen as a power "faithfully]to] executive]]" the "Laws"—for instance, where Congress attempted to create a corporation with monopoly powers, in violation of the Constitution's limitation on grants and monopolies.

Second, this argument overlooks how, in the Federal Convention, the Framers actually considered, but rejected, a Congressional power of incorporation. The power was proposed in two forms: "To grant charters of incorporation in cases where the public good may require them, and the authority of a single State may be incompetent", and simply "To grant charters of incorporation", [23] Working on the Committee of Style's proposed draft of the Constitution, which included no such power:

> *Doc. Franklin moved to add after the words "post roads" Art. I, Section 8. "a power to provide for cutting canals where deemed necessary"*
>
> *Mr Wilson [seconded] the motion.*

[14] See id. At 184-185.

[15] U.S. Const. art. I, §8, cl. 18.

[16] 17 U.S. 94 (Wheat.) 316 (1819), discussed post, at 339-51, 375-76.

[17] U.S. Const. art II, §1, cl. 1.

[18] 7 U.S. (4 Wheat.) at 423 (dictum).

[19] See 1 W. Crosskey, Politics and the Constitution, ante note 96, at 436-37.

[20] U.S. Const. art. I, §1 (emphasis supplied).

[21] U.S. Const. art. II, §3.

[22] See 1 W. Crosskey, Politics and the Constitution, ante note 96, at 437.

[23] See 2 The Records of the Federal Convention, ante note 128, at 321, 322, 325.

> *Mr Sherman objected. The expence in such cases will fall on the U. States, and the benefit accrue to the places where the canals may be cut.*
>
> *Mr Wilson. Instead of being an expence to the U.S. they may be made a source of revenue.*
>
> *Mr Madison suggested an enlargement of the motion into a power "to grant charters of incorporation where the interest of the U.S. might require & the legislative provisions of individual States may be incompetent." His primary object was however to secure an easy communication between the States which the free intercourse now to be opened, seemed to call for. The political obstacles being removed, a removal of the natural ones as far as possible ought to follow. Mr Randolph [seconded] the proposition.*
>
> *Mr King thought the power unnecessary.*
>
> *Mr. Wilson. It is necessary to prevent a State from obstructing the general welfare.*
>
> *Mr. King. The States will be prejudiced and divided into parties by it. In Philad[elphia] & New York, It will be referred to the establishment of a Bank, which has been a subject of contention in those Cities. In other places, it will be referred to mercantile monopolies.*
>
> *Mr. Wilson mentioned the importance of facilitating by canals, the communication with the Western Settlements. As to Banks he did not think with Mr. King that the Power in that point of view would excite the prejudices & parties apprehended. As to mercantile monopolies they are already included in the power to regulate trade.*
>
> *Col: Mason was for limiting the power to the single case of Canals. He was afraid of monopolies of every sort, which he did not think were by any means already implied by the Constitution as supposed by Mr. Wilson.*
>
> *The motions being so modified as to admit a distinct question specifying & limited to the case of canals, N[ew] H[ampshire] no. Mas[sachusetts] no. C[onnecticut] no. N[ew] J[ersey] no. P[ennsylvania]a ay. Del[aware] no. M[arylan]d no. V[irgini]a ay. N[orth] C[arolina] no. S[outh] C[arolina[no. Geo[rgia] ay.*
>
> *The other part fell of course, as including the power rejected.*[24]

Interestingly in this debate, neither James Wilson (a proponent of a Congressional power of incorporation) nor anyone else said that a general power of incorporation, or a specific power to incorporate a bank, was already included, explicitly or by implication, in some other power the Constitution granted. Quite the contrary: Rufus King opposed adding a power of incorporation precisely because "[i]t will be referred to the establishment of a Bank" and to "mercantile monopolies". Wilson replied that "the power in that point of view"—that is, the power granted under James Madison's motion as applied specifically to banks—"would excite the prejudices & parties apprehended". So, Wilson apparently believed that a new power, not already included in the Constitution, was necessary for incorporation "in that point of view". George Mason denied that the power to create "mercantile monopolies" other than banks was implied, as Wilson argued, in the power "to regulate trade". And even Wilson's position was equivocal. For he supported Benjamin Franklin's and James Madison's motions with an eye towards the creation of canals, thereby evidencing his disbelief that, without the powers one of those motions proposed, Congress would be unable to create canals. Yet, obviously, a canal in any particular place would almost certainly be, in a practical if not a strictly legal sense, a "mercantile monopol[y]"-which, according to Wilson Congress supposedly could authorize under the power "to regulate trade".

The short of it all was that several proposals to empower Congress to incorporate were put forward—and the Framers disapproved every one. That the proposals were advanced at all evidences their proponent's belief, correct in light of the standing Anglo-American law, that they were necessary, either to incorporate canals or banks, or to incorporate a "mercantile monopol[y]". And that the proposals were voted down proves that the Constitution contains no authority, express or implied, for Congress to incorporate in general, or specifically to incorporate banks. These conclusions are confirmed by the U.S. Supreme Court in the Legal Tender Cases as follows:

> *"And after the first clause of the tenth section of the first article had been reported in the form in which it now stands, forbidding the states to make anything but gold or silver coin a tender in payment of debts, or to pass *444 any law impairing the obligation of contracts, when Mr. Gerry, as reported by Mr. Madison, 'entered into observations inculcating the importance of public faith, and the propriety of the restraint put on the states from impairing the obligation of contracts; alleging that congress ought to be laid under the like prohibitions;' and made a motion to **128 that effect; he was not seconded. Id. 546.As an illustration of the danger of giving too*

[24] Documents illustrative, ante note 191, at 724-25. See Debates on the Adoption of the Federal Convention, ante note 191, at 543-44;2 The records of the Federal Convention, ante note 128, at 515-16.

> *much weight, upon such a question, to the debates and the votes in the convention, it may also be observed that* ***propositions to authorize congress to grant charters of incorporation for national objects were strongly opposed, especially as regarded banks, and defeated.*** *Id. 440, 543, 544."*
> *[Legal Tender Cases, 110 U.S. 421, 443-444, 4 S.Ct. 122 (1884)]*

The most complete treatment of the power of the government to create corporations is found in the U.S. Supreme Court case of M'Culloch v. State, 17 U.S. 316, 1819 WL 2135 (U.S.,1819). In that case, the following about the authority of Congress to establish corporations:

1. The power to create corporations is nowhere expressly conferred within the United States Constitution.
2. The power is implied within the "necessary and proper" clauses of the constitution.
3. The power is regularly exercised by the state governments both before and after the Constitution was ratified and is also is not mentioned in the state constitutions ratified before the federal constitution was ratified either.

Below is a concise excerpt from the above case explaining why the court believed that the U.S. government had the right to create corporations:

> ***It is objected, that this act creates a corporation; which, being an exercise of a fundamental power of sovereignty, can only be claimed by congress, under their grant of specific powers. But to have enumerated the power of establishing corporations, among the specific powers of congress, would have been to change the whole plan of the constitution; to destroy its simplicity, and load it with all the complex details of a code of private jurisprudence.*** *The power of establishing corporations is not one of the ends of government; it is only a class of means for accomplishing its ends. An enumeration* ****358*** *of this particular class of means, omitting all others, would have been a useless anomaly in the constitution. It is admitted, that this is an act to sovereignty, and so is any other law; if the authority of establishing corporations be a sovereign power, the United States are sovereign, as to all the powers specifically given to their government, and as to all others necessary and proper to carry into effect those specified. If the power of chartering a corporation be necessary and proper for this purpose, congress has it to an extent as ample as any other sovereign legislature. Any government of limited sovereignty can create corporations only with reference to the limited powers that government possesses. The inquiry then reverts, whether the power of incorporating a banking company, be a necessary and proper means of executing the specific powers of the national government. The immense powers incontestably given, show that there was a disposition, on the part of the people, to give ample means to carry those powers into effect.* ***A state can create a corporation, in virtue of its sovereignty, without any specific authority for that purpose, conferred in the state constitutions. The United States are sovereign as to certain specific objects, and may, therefore, erect a corporation for the purpose of effecting those objects. If the incorporating power had been expressly granted as an end, it would have conferred a power not intended; if granted as a means, it would have conferred nothing more than was before given by necessary implication****.*
>
> *Nor does the rule of interpretation we contend for, sanction any usurpation, on the part of the national government; since, if the argument be, that the* ****359*** *implied powers of the constitution may be assumed and exercised, for purposes not really connected with the powers specifically granted, under color of some imaginary relation between them, the answer is, that this is nothing more than arguing from the abuse of constitutional powers, which would equally apply against the use of those that are confessedly granted to the national government; that the danger of the abuse will be checked by the judicial department, which, by comparing the means with the proposed end, will decide, whether the connection is real, or assumed as the pretext for the usurpation of powers not belonging to the government; and that, whatever may be the magnitude of the danger from this quarter, it is not equal to that of annihilating the powers of the government, to which the opposite doctrine would inevitably tend.*
>
> *[. . .]*
>
> ***The state powers are much less in point of magnitude, though greater in number; yet it is supposed, the states possess the authority of establishing corporations, whilst it is denied to the general government. It is conceded to the state legislatures, though not specifically granted, because it is said to be an incident of state sovereignty; but it *383 is refused to congress, because it is not specifically granted, though it may be necessary and proper to execute the powers which are specifically granted.*** *But the authority of legislation in the state government is not unlimited; there are several limitations to their legislative authority. First, from the nature of all government, especially, of republican government, in which the residuary powers of sovereignty, not granted specifically, by inevitable implication, are reserved to the people. Secondly, from the express limitations contained in the state constitutions. And thirdly, from the express prohibitions to the states contained in the United States constitution.* ***The power of erecting corporations is nowhere expressly granted to the legislatures of the states in their constitutions; it is taken by necessary implication: but it cannot be exercised to accomplish any of the ends which are beyond the sphere of their constitutional authority.*** *The power of erecting corporations is not an end of any government; it is a necessary means of accomplishing the ends of all governments. It is an authority inherent in, and incident to, all sovereignty.*

23** The history of corporations will illustrate this position. They were transplanted from the Roman law into the common law of England, and all the municipal codes of modern Europe. From England, they were derived to this country. But in the civil law, a corporation could be created by a mere voluntary association of individuals. 1 Bl. Com. 471. And in England, the authority of parliament ***384 is not necessary to create a corporate body. The king may do it, and may communicate his power to a subject (1 Bl. Com. 474), so little is this regarded as a transcendent power of sovereignty, in the British constitution. So also, in our constitution, it ought to be regarded as but a subordinate power to carry into effect the great objects of government. **The state governments cannot establish corporations to carry into effect the national powers given to congress, nor can congress create corporations to execute the peculiar duties of the state governments. But so much of the power or faculty of incorporation as concerns national objects has passed away from the state legislatures, and is vested in the national government. An act of incorporation is but a law, and laws are but means to promote the legitimate end of all government-the felicity of the people. All powers are given to the national government, as the people will. The reservation in the 10th amendment to the constitution, of 'powers not delegated to the United States,' is not confined to powers not expressly delegated. Such an amendment was indeed proposed; but it was perceived, that it would strip the government of some of its most essential powers, and it was rejected.** Unless a specific means be expressly prohibited to the general government, it has it, within the sphere of its specified powers. Many particular means are, of course, involved in the general means necessary to carry into effect the powers expressly granted, and in that case, the general means become ***385** the end, and the smaller objects the means.

It was impossible for the framers of the constitution to specify, prospectively, all these means, both because it would have involved an immense variety of details, and because it would have been impossible for them to foresee the infinite variety of circumstances, in such an unexampled state of political society as ours, for ever changing and forever improving. How unwise would it have been, to legislate immutably for exigencies which had not then occurred, and which must have been foreseen but dimly and imperfectly! The security against abuse is to be found in the constitution and nature of the government, in its popular character and structure. The statute book of the United States is filled with powers derived from implication. The power to lay and collect taxes will not execute itself. Congress must designate in detail all the means of collection. So also, the power of establishing post-offices and post-roads, involves that of punishing the offence of robbing the mail. But there is no more necessary connection between the punishment of mail-robbers, and the power to establish post-roads, than there is between the institution of a bank, and the collection of the revenue and payment of the public debts and expenses. So, light-houses, beacons, buoys and public piers, have all been established, under the general power to regulate commerce. But they are not indispensably necessary to commerce. It might linger on, without these aids, though exposed to more perils and losses. So, congress has authority to coin money, and to guard the purity of the circulating medium, by providing for the punishment ***386** of counterfeiting the current coin; but laws are also made for punishing the offence of uttering and passing the coin thus counterfeited. It is the duty of the court to construe the constitutional powers of the national government liberally, and to mould them so as to effectuate its great objects. Whence is derived the power to punish smuggling? It does not collect the impost, but it is a means more effectually to prevent the collection from being diminished in amount, by frauds upon the revenue laws. Powers, as means, may then be implied in many cases. And if so, why not in this case as well as any other?

***24** **The power of making all needful rules and regulations respecting the territory of the United States, is one of the specified powers of congress. Under this power, it has never been doubted, that congress had authority to establish corporations in the territorial governments. But this power is derived entirely from implication.** It is assumed, as an incident to the principal power. If it may be assumed, in that case, upon the ground, that it is a necessary means of carrying into effect the power expressly granted, why may it not be assumed, in the present case, upon a similar ground? It is readily admitted, there must be a relation, in the nature and fitness of things between the means used and the end to be accomplished. But the question is, whether the necessity which will justify a resort to a certain means, must be an absolute, indispensable, inevitable necessity? The power of passing all laws necessary and proper to carry into effect the other powers specifically granted, is a political power; it ***387** is a matter of legislative discretion, and those who exercise it, have a wide range of choice in selecting means. In its exercise, the mind must compare means with each other. But absolute necessity excludes all choice; and therefore, it cannot be this species of necessity which is required. Congress alone has the fit means of inquiry and decision. The more or less of necessity never can enter as an ingredient into judicial decision. Even absolute necessity cannot be judged of here; still less, can practical necessity be determined in a judicial forum. The judiciary may, indeed, and must, see that what has been done is not a mere evasive pretext, under which the national legislature travels out of the prescribed bounds of its authority, and encroaches upon state sovereignty, or the rights of the people. For this purpose, it must inquire, whether the means assumed have a connection, in the nature and fitness of things, with the end to be accomplished. The vast variety of possible means, excludes the practicability of judicial determination as to the fitness of a particular means. It is sufficient, that it does not appear to be violently and unnaturally forced into the service, or fraudulently assumed, in order to usurp a new substantive power of sovereignty. A philological analysis of the terms 'necessary and proper' will illustrate the argument. Compare these terms as they are used in that part of the constitution now in question, with the qualified manner in which they are used in the 10th section of the same article. In the latter, it is provided that 'no state shall, without the consent of congress, lay any imposts or duties on imports ***388** or exports, except what may be absolutely necessary for executing its inspection laws.' In the clause in question, congress is invested with the power 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers,' &c. There is here then, no qualification of the necessity; it need not be absolute; it may be taken in its ordinary grammatical sense. The word necessary, standing by itself, has no inflexible meaning; it is used in a sense more or less strict, according

to the subject. This, like many other words, has a primitive sense, and another figurative and more relaxed; it may be qualified by the addition of adverbs of diminution or enlargement, such as very, indispensably, more, less, or absolutely necessary; which last is the sense in which it is used in the 10th section of this article of the constitution. But that it is not always used in this strict and rigorous sense, may be proved, by tracing its definition, and etymology in every human language.

[. . .]

Among the enumerated powers, we do not find that of establishing a bank or creating a corporation. But there is no phrase in the instrument which, like the articles of confederation, excludes incidental or implied powers; and which requires that everything granted shall be expressly and minutely described. Even the 10th amendment, which was framed for the purpose of quieting the excessive jealousies which had been excited, omits the word 'expressly,' and declares only, that the powers 'not delegated to the United States, nor prohibited to the states, are reserved to the states or to the people;' thus leaving the question, whether the particular power which may become the subject of contest, has been delegated to the one government, or prohibited to the other, to depend on a fair construction of the whole instrument. The men who drew and adopted this amendment had experienced the embarrassments resulting from the insertion of this word in the articles *407 of confederation, and probably omitted it, to avoid those embarrassments. *A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code, and could scarcely be embraced by the human mind. It would, probably, never be understood by the public. Its nature, therefore, requires, that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects, be deduced from the nature of the objects themselves. That this idea was entertained by the framers of the American constitution, is not only to be inferred from the nature of the instrument, but from the language. Why else were some of the limitations, found in the 9th section of the 1st article, introduced? It is also, in some degree, warranted, by their having omitted to use any restrictive term which might prevent its receiving a fair and just interpretation. In considering this question, then, we must never forget that it is a constitution we are expounding."*
[M'Culloch v. State, 17 U.S. 316, 1819 WL 2135 (U.S.,1819)]

7 The United States Government is a "Federal Corporation" franchise

The U.S. Supreme Court has admitted that all governments are corporations. To wit:

"Corporations are also of all grades, and made for varied objects; ***all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property.*** *It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."*
[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]

The U.S. Supreme Court has also held that the "United States" is a corporation:

*At common law, a "corporation" was an "artificial perso[n] endowed with the legal capacity of perpetual succession" consisting either of a single individual (termed a "corporation sole") or of a collection of several individuals (a "corporation aggregate"). 3 H. Stephen, Commentaries on the Laws of England 166, 168 (1st Am. ed. 1845) . The sovereign was considered a corporation. See id., at 170; see also 1 W. Blackstone, Commentaries *467. Under the definitions supplied by contemporary law dictionaries, Territories would have been classified as "corporations" (and hence as "persons") at the time that 1983 was enacted and the Dictionary Act recodified. See* ***W. Anderson, A Dictionary of Law 261 (1893) ("All corporations were originally modeled upon a state or nation"); 1 J. Bouvier, A Law Dictionary Adapted to the Constitution and Laws of the United States of America 318-319 (11th ed. 1866) ("In this extensive sense the United States may be termed a corporation"); Van Brocklin v. Tennessee, 117 U.S. 151, 154 (1886) ("`The United States is a . . . great corporation . . . ordained and established by the American people'") (quoting United [495 U.S. 182, 202] States v. Maurice, 26 F.Cas. 1211, 1216 (No. 15,747) (CC Va. 1823) (Marshall, C. J.)); Cotton v. United States, 11 How. 229, 231 (1851) (United States is "a corporation").*** *See generally Trustees of Dartmouth College v. Woodward, 4 Wheat. 518, 561-562 (1819) (explaining history of term "corporation").*
[Ngiraingas v. Sanchez, 495 U.S. 182 (1990)]

The U.S. Code treats ALL GOVERNMENTS throughout the world as corporations who are "residents" of the place they were incorporated, in fact:

TITLE 26 > Subtitle A > CHAPTER 1 > Subchapter N > PART II > Subpart D > § 892
§ 892. Income of foreign governments and of international organizations

*(a) **Foreign governments***

(3) Treatment as resident

***For purposes of this title, a foreign government shall be treated as a corporate resident of its country**. A foreign government shall be so treated for purposes of any income tax treaty obligation of the United States if such government grants equivalent treatment to the Government of the United States.*

According to 28 U.S.C. §1349, if the United States government owns more than half of the stock of a corporation, then it is a federal corporation:

TITLE 28 > PART IV > CHAPTER 85 > § 1349
§ 1349. Corporation organized under federal law as party

The district courts shall not have jurisdiction of any civil action by or against any corporation upon the ground that it was incorporated by or under an Act of Congress, unless the United States is the owner of more than one-half of its capital stock.

The U.S. Code also admits that the term "United States" means a federal corporation:

United States Code
TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART VI - PARTICULAR PROCEEDINGS
CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE
SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS
Sec. 3002. Definitions

(15) "United States" means -
(A) a Federal corporation;
(B) an agency, department, commission, board, or other entity of the United States; or
(C) an instrumentality of the United States.

Therefore, the United States government is both a corporation and federal corporation which is a "resident" of the of place of its incorporation, which is the District of Columbia. The Corpus Juris Secundum Legal Encyclopedia also recognizes that the U.S. government, in relation to a state of the Union, is a "foreign corporation":

"A foreign corporation is one that derives its existence solely from the laws of another state, government, or country, and the term is used indiscriminately, sometimes in statutes, to designate either a corporation created by or under the laws of another state or a corporation created by or under the laws of a foreign country."

"A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation. The United States government is a foreign corporation with respect to a state."
[19 Corpus Juris Secundum (C.J.S.), Corporations, §883]

The Internal Revenue Code defines a corporation as follows:

TITLE 26 > Subtitle F > CHAPTER 79 > § 7701
§7701. Definitions

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

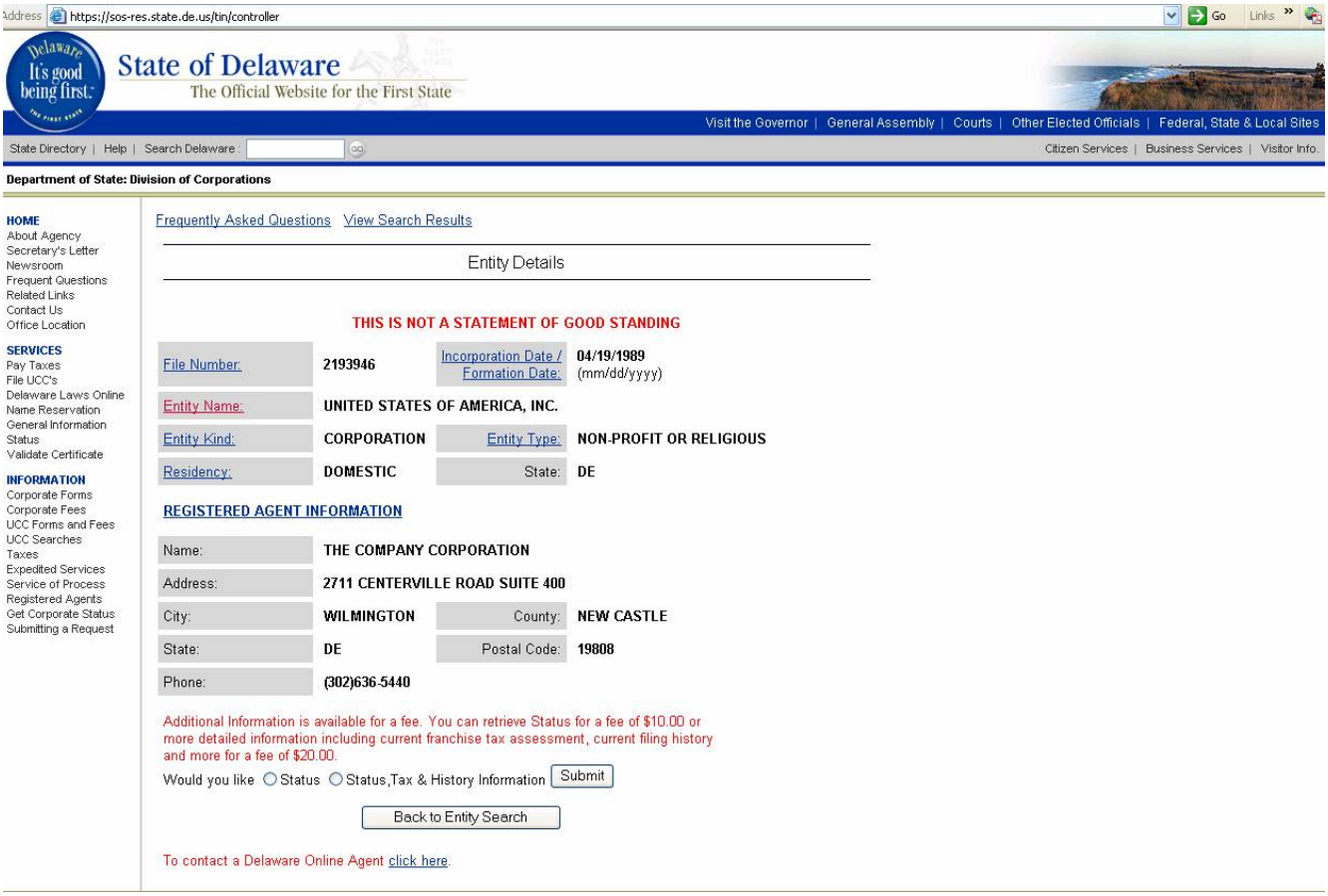
(3) Corporation

The term "corporation" includes associations, joint-stock companies, and insurance companies.

All of the federal corporations indicated in I.R.C. §7701(a)(3) are wholly owned subsidiaries of the U.S. government, because the only "taxpayers" within the I.R.C. Subtitle A are "public officers". This is further described below:

We can also find the "United States of America" corporation registered with the State of Delaware!

Figure 1: United States of America, Inc Corporate Registration



8 Three Main Corporate Entities: "State", "United States", and "United States of America"

The U.S. Supreme Court has recognized that all governments are corporations when it ruled the following:

> *"Corporations are also of all grades, and made for varied objects;* ***all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property****. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."*
> *[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]*

Not only are all governments corporations, but they are also "bodies politic". If you remove the "body politic" characteristic of a government, the only thing you have left is simply a private corporation no different from Fedex, Enron, or any other private corporation:

> *Both before and after the time when the Dictionary Act and § 1983 were passed,* ***the phrase "bodies politic and corporate" was understood to include the [governments of the] States****. See, e.g., J. Bouvier, 1 A Law Dictionary Adapted to the Constitution and Laws of the United States of America 185 (11th ed. 1866); W. Shumaker & G. Longsdorf, Cyclopedic Dictionary of Law 104 (1901);* Chisholm v. Georgia, *2 U.S. (2 Dall.) 419, 447, 1 L.Ed. 440 (1793) (Iredell, J.);* id., *at 468 (Cushing, J.);* Cotton v. United States, *52 U.S. (11 How.) 229, 231, 13 L.Ed. 675 (1851) ("****Every sovereign State is of necessity a body politic, or artificial person****");* Poindexter v. Greenhow, *114 U.S. 270, 288, 5 S.Ct. 903, 29 L.Ed. 185 (1885);* McPherson v. Blacker, *146 U.S. 1, 24, 13 S.Ct. 3, 6, 36 L.Ed. 869 (1892);* Heim v. McCall, *239 U.S. 175, 188, 36 S.Ct. 78, 82, 60 L.Ed. 206 (1915). See also* United States v. Maurice, *2 Brock. 96, 109, 26 F.Cas. 1211 (CC Va.1823) (Marshall, C.J.) ("****The United States is a government, and, consequently, a body politic and corporate****");* Van Brocklin v. Tennessee, *117 U.S. 151, 154, 6 S.Ct. 670, 672, 29 L.Ed. 845 (1886) (same). Indeed, the very legislators who passed § 1 referred to States in these terms. See, e.g., Cong. Globe, 42d Cong., 1st Sess., 661-662 (1871) (Sen. Vickers) ("What is a State? Is *79 it not a* ***body politic and corporate****?"); id., at 696 (Sen. Edmunds) ("A State is a corporation").*
>
> ***The reason why States are "bodies politic*** *and corporate****" is simple: just as a corporation is an entity that can act only through its agents, "[t]he State is a political corporate body, can act only through agents, and can command only by laws.****"* Poindexter v. Greenhow, supra, *114 U.S., at 288, 5 S.Ct. at 912-913. See also Black's Law Dictionary 159 (5th ed. 1979) ("****[B]ody politic or corporate****": "A social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good"). As a "****body politic and corporate****," a State falls squarely within the Dictionary Act's definition of a "person."*
>
> *While it is certainly true that the phrase "****bodies politic and corporate****" referred to private and public corporations, see ante, at 2311, and n. 9, this fact does not draw into question the conclusion that this phrase also applied to the States. Phrases may, of course, have multiple referents. Indeed, each and every dictionary cited by the Court accords a broader realm-one **2317 that comfortably, and in most cases explicitly, includes the sovereign-to this phrase than the Court gives it today. See 1B. Abbott, Dictionary of Terms and Phrases Used in American or English Jurisprudence 155 (1879) ("[T]he term* ***body politic*** *is often used in a general way, as meaning the state or the sovereign power, or the city government, without implying any distinct express incorporation"); W. Anderson, A Dictionary of Law 127 (1893) ("****[B]ody politic****": "The governmental, sovereign power: a city or a State"); Black's Law Dictionary 143 (1891) ("****[B]ody politic****": "It is often used, in a rather loose way, to designate the state or nation or sovereign power, or the government of a county or municipality, without distinctly connoting any express and individual corporate charter"); 1A. Burrill, A Law Dictionary and Glossary 212 (2d ed. 1871) ("****[B]ody politic****": "A body to take in succession, framed by policy"; "[p]articularly*80 applied, in the old books, to a Corporation sole"); id., at 383 ("Corporation sole" includes the sovereign in England).*
> *[Will v. Michigan Dept. of State Police, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich.,1989)]*

Our system of republican government is comprised of *three* main types of government corporations, listed below in the order they were created:

1. "States": States of the Union, which existed before the Articles of Confederation and the United States Constitution.
2. "United States of America": The states of the Union in their *corporate or consolidated capacity*.
3. "United States": The political entity created by the "United States of America" which was delegated exclusive authority over all matters *external* to the states of the Union and foreign in respect to them.

The U.S. Supreme Court eloquently explained the relationship between these three corporate entities in the case of United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936):

> *"It will contribute to the elucidation of the question if we first* ***consider the differences between the powers of the federal government in respect of foreign or external affairs and those in respect of domestic or internal affairs****. That there are differences between them, and that these differences are fundamental, may not be doubted.*
>
> *The two classes of powers are different, both in respect of their origin and their nature.* ***The broad statement that the federal government can exercise no powers except [299 U.S. 304, 316] those specifically enumerated in the Constitution, and such implied powers as are necessary and proper to carry into effect the enumerated powers, is categorically true only in respect of our internal affairs. In that field, the primary purpose of the Constitution was to carve from the general mass of legislative powers then possessed by the states such portions as it was thought desirable to vest in the federal government, leaving those not included in the enumeration still in the states.*** *Carter v. Carter Coal Co., 298 U.S. 238, 294 , 56 S.Ct. 855, 865. That this doctrine applies only to powers which the states had is self-evident. And since the states severally never possessed international powers, such powers could not have been carved from the mass of state powers but obviously were transmitted to the United States from some other source. During the Colonial period, those powers were possessed exclusively by and were entirely under the control of the Crown. By the Declaration of Independence, 'the Representatives of the United States of America' declared the United (not the several) Colonies to be free and independent states, and as such to have 'full Power to levy War, conclude Peace,*

contract Alliances, establish Commerce and to do all other Acts and Things which Independent States may of right do.'

As a result of the separation from Great Britain by the colonies, acting as a unit, the powers of external sovereignty passed from the Crown not to the colonies severally, but to the colonies in their collective and corporate capacity as the United States of America. Even before the Declaration, the colonies were a unit in foreign affairs, acting through a common agency-namely, the Continental Congress, composed of delegates from the thirteen colonies. *That agency exercised the powers of war and peace, raised an army, created a navy, and finally adopted the Declaration of Independence. Rulers come and go; governments end and forms of government change; but sovereignty survives. A political society cannot endure [299 U.S. 304, 317] without a supreme will somewhere. Sovereignty is never held in suspense. When, therefore, the external sovereignty of Great Britain in respect of the colonies ceased, it immediately passed to the Union. See Penhallow v. Doane, 3 Dall. 54, 80, 81, Fed.Cas. No. 10925. That fact was given practical application almost at once. The treaty of peace, made on September 3, 1783, was concluded between his Brittanic Majesty and the 'United States of America.' 8 Stat., European Treaties, 80.*

The Union existed before the Constitution, which was ordained and established among other things to form 'a more perfect Union.' Prior to that event, it is clear that ***the Union, declared by the Articles of Confederation to be 'perpetual,' was the sole possessor of external sovereignty, and in the Union it remained without change save in so far as the Constitution in express terms qualified its exercise. The Framers' Convention was called and exerted its powers upon the irrefutable postulate that though the states were several their people in respect of foreign affairs were one.*** *Compare The Chinese Exclusion Case, 130 U.S. 581, 604 , 606 S., 9 S.Ct. 623. In that convention, the entire absence of state power to deal with those affairs was thus forcefully stated by Rufus King:*

> *'The states were not 'sovereigns' in the sense contended for by some. They did not possess the peculiar features of [external] sovereignty,-they could not make war, nor peace, nor alliances, nor treaties. Considering them as political beings, they were dumb, for they could not speak to any foreign sovereign whatever. They were deaf, for they could not hear any propositions from such sovereign. They had not even the organs or faculties of defence or offence, for they could not of themselves raise troops, or equip vessels, for war.' 5 Elliot's Debates, 212.1 [299 U.S. 304, 318] It results that the investment of the federal government with the powers of external sovereignty did not depend upon the affirmative grants of the Constitution. The powers to declare and wage war, to conclude peace, to make treaties, to maintain diplomatic relations with other sovereignties, if they had never been mentioned in the Constitution, would have vested in the federal government as necessary concomitants of nationality. Neither the Constitution nor the laws passed in pursuance of it have any force in foreign territory unless in respect of our own citizens (see American Banana Co. v. United Fruit Co., 213 U.S. 347, 356 , 29 S.Ct. 511, 16 Ann.Cas. 1047); and operations of the nation in such territory must be governed by treaties, international understandings and compacts, and the principles of international law. As a member of the family of nations, the right and power of the United States in that field are equal to the right and power of the other members of the international family. Otherwise, the United States is not completely sovereign. The power to acquire territory by discovery and occupation (Jones v. United States, 137 U.S. 202, 212 , 11 S.Ct. 80), the power to expel undesirable aliens (Fong Yue Ting v. United States, 149 U.S. 698 , 705 et seq., 13 S.Ct. 1016), the power to make such international agreements as do not constitute treaties in the constitutional sense (Altman & Co. v. United States, 224 U.S. 583, 600 , 601 S., 32 S.Ct. 593; Crandall, Treaties, Their Making and Enforcement (2d Ed.) p. 102 and note 1), none of which is expressly affirmed by the Constitution, nevertheless exist as inherently inseparable from the conception of nationality. This the court recognized, and in each of the cases cited found the warrant for its conclusions not in the provisions of the Constitution, but in the law of nations.*

In Burnet v. Brooks, 288 U.S. 378, 396 , 53 S.Ct. 457, 461, 86 A.L.R. 747, we said, 'As a nation with all the attributes of sovereignty, the United States is vested with all the powers of government necessary to maintain an effective control of international relations.' Cf. Carter v. Carter Coal Co., supra, 298 U.S. 238 , at page 295, 56 S.Ct. 855, 865. [299 U.S. 304, 319] ***Not only, as we have shown, is the federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate and manifold problems, the President alone has the power to speak or listen as a representative of the nation. He makes treaties with the advice and consent of the Senate; but he alone negotiates.*** *Into the field of negotiation the Senate cannot intrude; and Congress itself is powerless to invade it. As Marshall said in his great argument of March 7, 1800, in the House of Representatives,* ***'The President is the sole organ of the nation in its external relations, and its sole representative with foreign nations.' Annals, 6th Cong., col. 613****. The Senate Committee on Foreign Relations at a very early day in our history (February 15, 1816), reported to the Senate, among other things, as follows:*

> ***'The President is the constitutional representative of the United States with regard to foreign nations. He manages our concerns with foreign nations and must necessarily be most competent to determine when, how, and upon what subjects negotiation may be urged with***

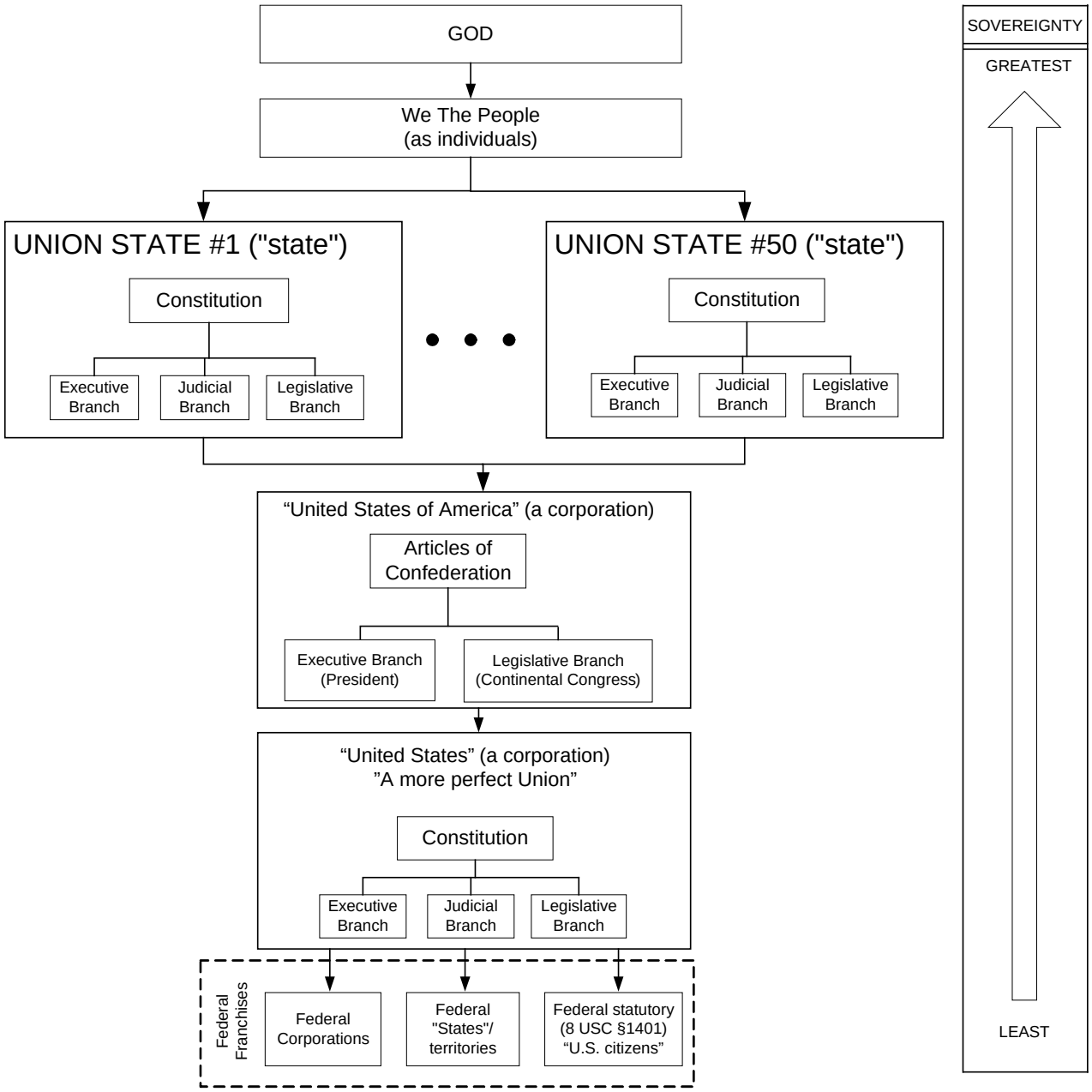
> ***the greatest prospect of success. For his conduct he is responsible to the Constitution.*** *The committee considers this responsibility the surest pledge for the faithful discharge of his duty. They think the interference of the Senate in the direction of foreign negotiations calculated to diminish that responsibility and thereby to impair the best security for the national safety. The nature of transactions with foreign nations, moreover, requires caution and unity of design, and their success frequently depends on secrecy and dispatch.' 8 U.S.Sen.Reports Comm. on Foreign Relations, p. 24.*

It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an [299 U.S. 304, 320] exertion of legislative power, but with such an authority plus the very delicate, plenary and exclusive power of the President as the sole organ of the federal government in the field of international relations-a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution. It is quite apparent that if, in the maintenance of our international relations, embarrassment-perhaps serious embarrassment-is to be avoided and success for our aims achieved, congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord to the President a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved. Moreover, he, not Congress, has the better opportunity of knowing the conditions which prevail in foreign countries, and especially is this true in time of war. He has his confidential sources of information. He has his agents in the form of diplomatic, consular and other officials. Secrecy in respect of information gathered by them may be highly necessary, and the premature disclosure of it productive of harmful results. Indeed, so clearly is this true that the first President refused to accede to a request to lay before the House of Representatives the instructions, correspondence and documents relating to the negotiation of the Jay Treaty-a refusal the wisdom of which was recognized by the House itself and has never since been doubted. In his reply to the request, President Washington said:

> *'The nature of foreign negotiations requires caution, and their success must often depend on secrecy; and even when brought to a conclusion a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely [299 U.S. 304, 321] impolitic; for this might have a pernicious influence on future negotiations, or produce immediate inconveniences, perhaps danger and mischief, in relation to other powers. The necessity of such caution and secrecy was one cogent reason for vesting the power of making treaties in the President, with the advice and consent of the Senate, the principle on which that body was formed confining it to a small number of members. To admit, then, a right in the House of Representatives to demand and to have as a matter of course all the papers respecting a negotiation with a foreign power would be to establish a dangerous precedent.' 1 Messages and Papers of the Presidents, p. 194.*

The marked difference between foreign affairs and domestic affairs in this respect is recognized by both houses of Congress in the very form of their requisitions for information from the executive departments. *In the case of every department except the Department of State, the resolution directs the official to furnish the information. In the case of the State Department, dealing with foreign affairs, the President is requested to furnish the information 'if not incompatible with the public interest.' A statement that to furnish the information is not compatible with the public interest rarely, if ever, is questioned. "*
[United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936)]

A diagram of the hierarchical relationship between these corporate entities may be helpful to solidify what we have learned in this section:



Some people question the validity of showing the Articles of Confederation in the above diagram because they assume that the Constitution repealed these Articles. It is a fact that the Articles of Confederation were ***never*** expressly repealed and therefore remain in full force. They are the only origin of the use of the phrase "United States of America" that we know of.

9 State corporations

9.1 States under the Articles of Confederation ("Republic of _____")

The first official act of separation of America from Britain was the Declaration of Independence issued on July 4, 1776. Following the issuance of that document, the former British colonies assembled into a confederation called the Continental Congress. The President of the Continental Congress was named George Hansen. Therefore, he was the FIRST "President of the United States of America". Under his leadership, the Continental Congress published the Articles of Confederation on November 15, 1777, which was subsequently ratified by all the former British Colonies on March 1, 1781.

The Articles of Confederation established a corporation called "The United States of America", which was identified by the U.S. Supreme Court as follows:

> ***As a result of the separation from Great Britain by the colonies, acting as a unit, the powers of external sovereignty passed from the Crown not to the colonies severally, but to the colonies in their collective and corporate capacity as the United States of America. Even before the Declaration, the colonies were a unit in foreign affairs, acting through a common agency-namely, the Continental Congress, composed of delegates from the thirteen colonies****. That agency exercised the powers of war and peace, raised an army, created a navy, and finally adopted the Declaration of Independence. Rulers come and go; governments end and forms of government change; but sovereignty survives. A political society cannot endure [299 U.S. 304, 317] without a supreme will somewhere. Sovereignty is never held in suspense. When, therefore, the external sovereignty of Great Britain in respect of the colonies ceased, it immediately passed to the Union. See Penhallow v. Doane, 3 Dall. 54, 80, 81, Fed.Cas. No. 10925. That fact was given practical application almost at once. The treaty of peace, made on September 3, 1783, was concluded between his Brittanic Majesty and the 'United States of America.' 8 Stat., European Treaties, 80.*
>
> *The Union existed before the Constitution, which was ordained and established among other things to form 'a more perfect Union.' Prior to that event, it is clear that* ***the Union, declared by the Articles of Confederation to be 'perpetual,' was the sole possessor of external sovereignty, and in the Union it remained without change save in so far as the Constitution in express terms qualified its exercise. The Framers' Convention was called and exerted its powers upon the irrefutable postulate that though the states were several their people in respect of foreign affairs were one.***
>
> *[United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936)]*

The above case distinguishes FOREIGN (international) affairs from DOMESTIC (INTERNAL AFFAIRS) within the states. For the purposes of INTERNAL affairs, the separate states under the Articles of Confederation behaved as independent, sovereign nations in nearly every respect. Each of these sovereign States were self-governing Republics which were legislatively "foreign" and "alien" in respect to any and every act of the Continental Congress. Because the Articles of Confederation identify themselves as "perpetual", then these separate, legislatively "foreign", and sovereign states and Republics continued to exist even after the USA Constitution was ratified. No act of Congress has ever repealed the Articles of Confederation and therefore, these states continue to exist even to this day, as does the corporation called "The United States of America" established by the Articles of Confederation.

The proper name for the Republics under the Articles of Confederation was and is "California, Virginia, Texas,…." Etc. It wasn't until the Constitution was ratified that these same political entities ALSO acquired an ADDITIONAL name as "State of California, State of Virginia, State of Texas…".

In acts of Congress written after the Constitution was ratified, the sovereign and legislatively foreign states under the Articles of Confederation are referred to as the "Republic of____". These entities are where all EXCLUSIVELY PRIVATE and therefore legislatively foreign property is held, protected, and maintained. As EXCLUSIVELY private property, this property is NOT SUBJECT to the legislative jurisdiction of ANY government:

> *When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain.* ***"A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and 125*125 has found expression in the maxim sic utere tuo ut alienum non lædas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things."*** *Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good.*
> *[Munn. v. Illinois, 94 U.S. 113 (1876),*
> *SOURCE: http://scholar.google.com/scholar_case?case=6419197193322400931]*

Based on the above, the key to whether a government can REGULATE or LEGISLATE for the use of specific property or rights to property then is whether:

1. The owner holds title as a "citizen" who has VOLUNTARILY SUBMITTED himself to the government. NO ONE can FORCE you to become a statutory citizen, and therefore no one can FORCE you to be subject to the CIVIL laws passed by the government you are a "citizen" of. Those who don't VOLUNTEER to become citizens and retain their status as statutory Non-citizen nationals CAN COMPLAIN if the government tries to regulate their use of EXCLUSIVELY PRIVATE PROPERTY. OR

> *"**The citizen cannot complain [about the laws or the tax system], because he has voluntarily submitted himself to such a form of government.** He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction."*
> *[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]]*

2. The owner donated the property in its entirety or ANY interest in the property to a public use or public purpose and thereby subjected the used to government regulations.

> *"Men are endowed by their Creator with certain unalienable rights,- 'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. **That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury,** and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public "benefit"]; **second, that if he devotes it to a public use, he gives to the public a right to control that use;** and third, that whenever the public needs require, the public may take it upon payment of due compensation."*
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

Anyone who has done NEITHER of the above:

1. Retains ABSOLUTE, UNQUALIFIED, FEE SIMPLE ownership over said property.
2. Resides in the Republic state, which is where ABSOLUTE OWNERSHIP is exercised over all EXCLUSLIVELY PRIVATE PROPERTY.
3. Resides or is domiciled OUTSIDE the "State of____".
4. Is legislatively foreign and alien in relation to all civil law of the government in question.

9.2 States under the USA Constitution ("State of_____")

This section describes how a specific state, the state of Texas, was divided into two contradictory parts:

1. The federal corporate state under the USA Constitution.
2. The republic or sovereign state under the Articles of Confederation.

This document provides evidence of how these two states were created and legally separated by our founding fathers. The implications of this process to **Jurisdiction**, the payment of taxes, insurance and the requirement of driver's and marriage licenses is substantial. We won't cover all of the states, but simply use the biggest state as an example. All the other states were done the same way. Our analysis will answer the an important question:

> *Is the constitutional prohibition found in Article 4, Section 3, Clause 1 against creating a "State within a State" violated by turning a republic state into a statutory corporation or statutory "State" within federal law?*

Let's start by looking at the term double standard. This is how Black's law Dictionary defines it; **double standard**.

> *"A set of principles permitting greater opportunity or greater lenience for one class of people than for another, usu. based on a difference such as gender or race. "*

It could also be based on citizenship or rights and privileges or contracts and franchises. The understanding of these words will be important to those of you who decide to take back control of their life by pursuing further study on this subject. For better understanding of this subject matter please read:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006 DIRECT LINK: http://sedm.org/Forms/MemLaw/WhyANational.pdf FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

As for the term "**dual nature**" I believe everyone will agree that it is something having a double character or purpose.

Now we will discover through the law and the legal meaning of certain words the reason for our two state dichotomy.

> *The U.S. Constitution; Article 4, Section 3, Clause 1:*
>
> ***New*** *States may be admitted by the Congress into this Union; But no new State shall be formed or* ***erected*** *within the* ***jurisdiction*** *of any other state; nor any State be formed by the junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.*

The first two sentences of this clause are the ones we will be focusing on. The first sentence seems relatively harmless. New states may be admitted by the Congress into this Union, right? That is what I thought until I decided to test my knowledge of certain words. For example:

> *"NEW. As an element in numerous compound terms and phrases of the law, this word may denote novelty, or the condition of being previously unknown or of recent or fresh origin, but ordinarily it is a purely relative term and is employed in contrasting the date, origin, or character of one thing with the corresponding attributes of another thing of the same kind or class.*
> *[Black's Law Dictionary, Second Edition, 1910]*

Most of us understand the first part of the definition of "new," but how many of us understood the second part?

> *"it is a purely relative term and is employed in* ***contrasting the*** *date,* ***origin, or character*** *of one thing with the corresponding attributes of another thing of the same kind or class."*

"Contrast" means:

> *to set in opposition in order to emphasize differences,*

. . .and "opposition" means

> *the condition of being in conflict.*

Therefore we can safely conclude that the "character" of the "**New**" state is one that is in conflict with the old one (in our case our Republic) in order to emphasize the differences.

Now let's look at the second sentence of that article; "But no new State shall be formed or erected within the jurisdiction of any other State." Like everyone, my first thought is that you can't form another state within the boundaries of any one state. But why didn't they say that? Why did they use the word jurisdiction which mainly applies to the judicial system of our government? In 1787 the term jurisdiction was defined as;

> *"The authority by which judicial officers take cognizance of and decide causes."*
> *[Bouvier's Law Dictionary 3rd Rev. 1914]*

Instead of jurisdiction they could have used the word "boundaries" or words "exterior limits." That would make more sense to the common man with common knowledge. The basic definition of jurisdiction is the right and power to interpret and apply the law. This definition is aptly applied to the courts in our judicial system, but how do we apply that to our sentence? It still seems confusing. Another common, but not legal, definition of jurisdiction is authority or control. (Am. Heritage Dict. 2nd college Ed.) That makes a little more sense but is still pretty vague. So now we can say:

> *"But no new State shall be formed or erected within the authority or control of any other State. "*

Until 1999 there was no legal definition of jurisdiction that had any connection with any physical boundaries of land or any powers of government. (with the exception of the territorial jurisdiction of a court which was defined as a geographic area such as a county or judicial district.) You will notice the expansion of the definition in the 7th edition of Black's Law Dictionary printed in 1999. Then in the 8th edition they expanded the definition of jurisdiction even further:

> *"Jurisdiction.*

> *A government's general power to exercise authority over all persons and things within its territory; esp., a state's power to create interests that will be recognized under common-law principles as valid in other states."*
> *[Black's Law Dictionary, Eighth Edition]*

No wonder this definition wasn't available when they wrote the Constitution. It never would have been ratified or adopted.

> ***"The determination of the Framers Convention and the ratifying conventions to preserve complete and unimpaired state self-government in all matters not committed to the general government is one of the plainest facts which emerges from the history of their deliberations**. And adherence to that determination is incumbent equally upon the federal government and the states. **State powers can neither be appropriated on the one hand nor abdicated on the other. As this court said in Texas v. White, 7 Wall. 700, 725, 'The preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National government.** The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States.' Every journey to a forbidden end begins with the first step; and the danger of such a step by the federal government in the direction of taking over the powers of the states is that the end of the journey may find the states so despoiled of their powers, or-what may amount to the same thing-so [298 U.S. 238, 296] relieved of the responsibilities which possession of the powers necessarily enjoins, as to reduce them to little more than geographical subdivisions of the national domain. It is safe to say that if, when the Constitution was under consideration, it had been thought that any such danger lurked behind its plain words, it would never have been ratified."*
> *[Carter v. Carter Coal Co., 298 U.S. 238 (1936)]*

We believe now you can start to understand why they waited 200 years to reveal their secret definition of the word "jurisdiction".

We can now also understand Article 4, Section 3, Clause 1 of the U.S. Constitution to mean:

> *"But no contrasting corporate state (de facto) shall be formed or erected within the territory of any other (de jure) state."*

That makes perfect sense! Or does it? The word use of jurisdiction in this sentence was and is very confusing. Why did they not use the word territory? Here is why.

> *"Territory - a part of a country separated from the rest, and subject to a particular jurisdiction. In American law - **a portion of the United States, not within the limits of any state, which has not yet been admitted as a state of the Union, but is organized, with a separate legislature, and with executive and judicial officers appointed by the president. "***
> *[Black's Law Dictionary, Second Edition, 1910]*

The reason they didn't use the word territory is because it states plainly the facts and would have given their plan away, whereas the other words they used mean the same thing but are very confusing and hard to understand when we apply our common definitions.

Let's compare the definition of territorial jurisdiction by dates. 1776 – 1999:

> ***"territorial jurisdiction.** Jurisdiction as considered as limited to cases arising or persons residing within a defined territory, as, a county."*
> *[Black's Law Dictionary, Second Edition, 1910, p. 673]*

In Black's Law 7th Ed., printed in 1999, they expanded the definition to include:

> *"2. Territory over which a government, one of its courts, or one of its subdivisions has jurisdiction."*
> *[Black's Law Dictionary, Seventh Edition, p. 857]*

The reason for the inclusion of this definition is because it now defines the jurisdiction of an incorporated state as compared to the previous definition which could also include a constitutional republic. They now define this corporate state as a federal state in Black's Law Dictionary.

> *"Federated State*. An independent central organism, having its own machinery absorbing, in view of international law, all the individual states associated together. "
> *[Black's Law Dictionary, Revised Fourth Edition, p.740]*

It is time to look at the word "erect" in that sentence. Most of us would agree that the common definition of this word would be to "construct or establish" and you would be correct in this general sense. But this is a legal document therefore you should know the legal definition of such words. This is how Black's Law Dictionary, Second Ed. defines it:

> *"**Erect** - One of the formal words of incorporation in royal charters. "*
> *[Black's Law Dictionary, Second Edition, p. 434]*

"We do, incorporate, **erect**, ordain, name, constitute, and establish." Does this sound familiar to anyone? Erect means to incorporate and in general terms incorporate means to create a corporation, but let's look further.

> *Incorporate - To unite with or blend indistinguishably into something already in existence.*
> *[Am. Heritage Dict., Second Ed.]*

> *"Incorporate. 1. To create a corporation; to confer a corporate franchise upon determinate persons. 2. To declare that another document shall be taken as part of the document in which the declaration is made as much as if it were set out at length therein. "*
> *[Black's Law Dictionary, 2nd Ed.]*

The second definition is saying **they can combine their corporate constitution with the republics constitution.** For **absolute proof of this trick** we have included a highlighted copy of Art.5, Judicial Department, of the Texas Constitution later so you may see how they did this.

It is now time to translate the first two sentences of Article 4, Section 3, Clause 1 of the U.S. Constitution with the legal definitions provided above. The U.S. Constitution says,

> *"New States may be admitted by the Congress into this Union; But no new State shall be formed or erected within the jurisdiction of any other state;"*

When we define the words therein and apply the definitions to these two sentences, it reads thus;

> *"States that contrast in origin or character to their Republics may be admitted by the Congress into this Union; But this contrasting corporate or federal state shall not have any authority or control, ["jurisdiction"], within the other state or Republic which is under the Articles of Confederation, because this contrasting corporate state consists of territory or property ceded to the United States [Art. 1, Sect. 8, Cl. 17] that does not come within the limits of the republics and are organized with a separate legislature and with executive and judicial officers appointed by the president. Therefore by erecting or incorporating we will unite and blend indistinguishably into the Republic while combining the constitution of the Republic with our federal state corporate constitution.*

And we shall call this contrasting corporate federal state the "STATE OF TEXAS" or any other "STATE OF _____ for that matter.

> *"For whatever is hidden is meant to be disclosed, and whatever is concealed is meant to be brought out into the open. "*
> *[Mark 4:22, New International Version, 1984]*

The Congress has provided themselves with a safety net though in Art. 4, Sect. 3, Cl. 2. The first sentence of this clause is quoted often, mainly for explaining the development and power of our legislative courts. The second sentence in this clause is the one they wrote to safeguard themselves in case you figured out what Art. 4, Sect. 3, Cl. 1 meant. Art. 4, Sect. 3, Cl. 2, second sentence:

> *". . .and nothing in this Constitution shall be so CONSTRUED as to PREJUDICE any CLAIMS of the United States, or of any particular State."*

Let's use Black's Law 8th Ed. to define the above sentence; and nothing in this Constitution shall be so (**construed** - analyze and explain the meaning of the sentence or passage.) as to (**prejudice** - damage or detriment one's legal right or claims) any (**claims** - assertion of a legal right.) of the United States, or any particular State.

So in common parlance what they are saying is:

> *When you are able to determine what the constitution really says and discover that you have been betrayed, you can't hold us responsible because this document gives us the authority to govern in this capacity. We assert this*

right and you can't damage it. Besides, you volunteered into our corporation therefore we can legally hold you responsible for all taxes, rules and regulations in this federal corporate State of Texas. "Ignorance of the Law is no excuse."

Those of you who question the true intentions of the men in charge of formulating our constitution need to read this:

Commentaries on the Constitution of the United States (1833),
by Joseph L. Story
Book 3, Chapter 1
Origin and Adoption of the Constitution

Judge Storey comments:

§ 276. The convention, at the same time, addressed a letter to congress, expounding their reasons for their acts, from which the following extract cannot but be interesting. "It is obviously impracticable (says the address) in ***the federal government of these states****, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all.* ***Individuals, entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend, as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights, which must be surrendered, and those, which may be reserved;*** *and on the present occasion this difficulty was increased by difference among the several states, as to their situation, extent, habits, and particular interests. In all our deliberations on this subject, we kept steadily in our view that, which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the convention to be less rigid on points of inferior magnitude, than might have been otherwise expected, And thus the constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession, which the peculiarity of our political situation rendered indispensable.*

(12 Journ. of Congress,109, 110; Journ. of Convention, 367, 368; 5 Marsh. Life of Wash. 129.) (emphasis added)

Are they kidding? Apparently not! Note that the rights and corresponding responsibilities they are referring to above that had to be surrendered to join the Union are referred to collectively as "State of____".

We can now confirm through the U.S. Constitution that the "State of Texas" is a federal (NOT "national") corporation consisting of property ceded to it by our Republic or sovereign state (recognized in the Articles of Confederation). This property and the corporation that manages it is what the "State of Texas" consists of. This "State of Texas" is the "body corporate" that makes up HALF of what all governments are. Recall that in order to satisfy the legal definition of "government", one must have BOTH a "body corporate" AND a "body politic".

Both before and after the time when the Dictionary Act and § 1983 were passed, ***the phrase "bodies politic and corporate" was understood to include the [governments of the] States****. See, e.g., J. Bouvier, 1 A Law Dictionary Adapted to the Constitution and Laws of the United States of America 185 (11th ed. 1866); W. Shumaker & G. Longsdorf, Cyclopedic Dictionary of Law 104 (1901);* Chisholm v. Georgia, *2 U.S. (2 Dall.) 419, 447, 1 L.Ed. 440 (1793) (Iredell, J.);* id., *at 468 (Cushing, J.);* Cotton v. United States, *52 U.S. (11 How.) 229, 231, 13 L.Ed. 675 (1851) ("****Every sovereign State is of necessity a body politic, or artificial person****");* Poindexter v. Greenhow, *114 U.S. 270, 288, 5 S.Ct. 903, 29 L.Ed. 185 (1885);* McPherson v. Blacker, *146 U.S. 1, 24, 13 S.Ct. 3, 6, 36 L.Ed. 869 (1892);* Heim v. McCall, *239 U.S. 175, 188, 36 S.Ct. 78, 82, 60 L.Ed. 206 (1915). See also* United States v. Maurice, *2 Brock. 96, 109, 26 F.Cas. 1211 (CC Va.1823) (Marshall, C.J.) ("****The United States is a government, and, consequently, a body politic and corporate****");* Van Brocklin v. Tennessee, *117 U.S. 151, 154, 6 S.Ct. 670, 672, 29 L.Ed. 845 (1886) (same). Indeed, the very legislators who passed § 1 referred to States in these terms. See, e.g., Cong. Globe, 42d Cong., 1st Sess., 661-662 (1871) (Sen. Vickers) ("What is a State? Is *79 it not a* ***body politic and corporate****?"); id., at 696 (Sen. Edmunds) ("A State is a corporation").*

The reason why States are "bodies politic *and corporate****" is simple: just as a corporation is an entity that can act only through its agents, "[t]he State is a political corporate body, can act only through agents, and can command only by laws.****"* Poindexter v. Greenhow, supra, *114 U.S., at 288, 5 S.Ct. at 912-913. See also Black's Law Dictionary 159 (5th ed. 1979) ("****[B]ody politic or corporate****": "A social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good"). As a "****body politic and corporate****," a State falls squarely within the Dictionary Act's definition of a "person."*

*While it is certainly true that the phrase "****bodies politic and corporate****" referred to private and public corporations, see ante, at 2311, and n. 9, this fact does not draw into question the conclusion that this phrase also applied to the States. Phrases may, of course, have multiple referents. Indeed, each and every dictionary cited by the Court accords a broader realm-one **2317 that comfortably, and in most cases explicitly, includes*

*the sovereign-to this phrase than the Court gives it today. See 1B. Abbott, Dictionary of Terms and Phrases Used in American or English Jurisprudence 155 (1879) ("[T]he term **body politic** is often used in a general way, as meaning the state or the sovereign power, or the city government, without implying any distinct express incorporation"); W. Anderson, A Dictionary of Law 127 (1893) ("**[B]ody politic**": "The governmental, sovereign power: a city or a State"); Black's Law Dictionary 143 (1891) ("**[B]ody politic**": "It is often used, in a rather loose way, to designate the state or nation or sovereign power, or the government of a county or municipality, without distinctly connoting any express and individual corporate charter"); 1A. Burrill, A Law Dictionary and Glossary 212 (2d ed. 1871) ("**[B]ody politic**": "A body to take in succession, framed by policy"; "[p]articularly*80 applied, in the old books, to a Corporation sole"); id., at 383 ("Corporation sole" includes the sovereign in England).*
[Will v. Michigan Dept. of State Police, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich.,1989)]

The "State of Texas" does not include your PRIVATE property, real or tangible, unless you have done any of the following and thereby donated said property to a "public use" by availing yourself of the "benefits" of a government franchise:

1. Registered it with the "State of Texas".
2. Incorporated within the "State of Texas".
3. Held title to the property as an officer of the government by associating a government issued identification number with the title holder.

For further evidence of this corporate federal state we will now consider the document that annexed Texas into the Union and see how it coincides perfectly with our interpretation of Article 4, Sect. 3, Cl. 1.

Joint Resolution
Annexing Texas to the United States

Source: Peters, Richard, ed., The Public Statutes at Large of the United States of America, v.5, pp. 797-798, Boston, Chas. C. Little and Jas. Brown, 1850

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress doth consent that the territory properly included within and rightfully belonging to the Republic of Texas, may be erected into a new State to be called the State of Texas, with a republican form of government adopted by the people of said Republic, by deputies in convention assembled, with the consent of the existing Government in order that the same may by admitted as one of the States of this Union.

2. And be it further resolved, That the foregoing consent of Congress is given upon the following conditions, to wit: First, said state to be formed, subject to the adjustment by this government of all questions of boundary that may arise with other government, --and the Constitution thereof, with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action on, or before the first day of January, one thousand eight hundred and forty-six. Second, said state when admitted into the Union, after ceding to the United States all public edifices, fortifications, barracks, ports and harbors, navy and navy yards, docks, magazines and armaments, and all other means pertaining to the public defense, belonging to the said Republic of Texas, shall retain funds, debts, taxes and dues of every kind which may belong to, or be due and owing to the said Republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the Government of the United States. Third -- New States of convenient size not exceeding four in number, in addition to said State of Texas and having sufficient population, may, hereafter by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution; and such states as may be formed out of the territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri Compromise Line, shall be admitted into the Union, with or without slavery, as the people of each State, asking admission shall desire; and in such State or States as shall be formed out of said territory, north of said Missouri Compromise Line, slavery, or involuntary servitude (except for crime) shall be prohibited.

3. And be it further resolved, That if the President of the United States shall in his judgment and discretion deem it most advisable, instead of proceeding to submit the foregoing resolution of the Republic of Texas, as an overture on the part of the United States for admission, to negotiate with the Republic; then,

Be it resolved, That a State, to be formed out of the present Republic of Texas, with suitable extent and boundaries, and with two representatives in Congress, until the next appointment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texian territory to the United States shall be agreed upon by the governments of Texas and the United States: And that the sum of one hundred thousand dollars be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree

upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two houses of Congress, as the President may direct.

Approved, March 1, 1845.

Let's analyze and interpret the first paragraph by inserting the definitions above after the key words which have been capitalized.

"That Congress doth consent that the TERRITORY [a portion of the United States, not within the limits of any state, which has not yet been admitted as a state of the Union, but is organized, with a separate legislature, and with executive and judicial officers appointed by the president. (Blk's Law, 2nd Ed.)] which [Congress shall have Power to exercise exclusive Legislation in all Cases whatsoever, • • • • and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; (Art. 1, Sect. 8, Cl.17)] properly included within and rightfully belonging to the Republic of Texas, may be ERECTED [incorporated as united with or blended indistinguishably into something already in existence (Am. Heritage Dict. 2nd Ed.)] and To declare that another document shall be taken as part of the document in which the declaration is made as much as if it were set out at length therein). [Blk's Law, 2nd Ed.] into a NEW [contrasting the date, origin, or character of one thing with the corresponding attributes of another thing of the same kind or class. (Black's Law Dictionary 2nd Ed.)] State to be called the State of Texas, with a republican form of government adopted by the people of said Republic, by deputies in convention assembled, with the consent of the existing Government in order that the same may be admitted as one of the States of this Union.

Can you see how this document corresponds beautifully with Art. 4, Sect. 3, Cl. 1 of the Constitution. These TRAITORS were geniuses! Also, take notice that the word "State" is capitalized in this joint resolution and refers to the corporate or federal State since it is the congress who is authoring this document. (Rules of capitalization and Statutory construction.) The word "state," in blue represents the republic since it is the foreign state in this federal document. These roles will be reversed when you are reading the Texas Constitution because the sovereign authoring that document (Texas Constitution) is the people of the Republic of Texas.

To verify that the government has actually combined the two constitutions, download a copy of the Texas Constitution and or Statutes at

http://www.constitution.legis.state.tx.us/

..then type in the find box the word "state." As you click on "Find next" you will notice that the word state is sometimes capitalized and other times it is written with a small "s." According to the rules of grammar the capital "S" denotes the sovereign who is writing the document which would be the Republic, and the small "s" denotes the foreign state, the corporate or federal state.

The following is a highlighted example from Article 5, Section 3 of the Texas Constitution. You will notice even the Republic's Supreme Court is capitalized and not the supreme court of the corporate state. The de jure state (republic) is in blue and the de facto state (corporation) is in red. You will find this anomaly throughout the entire Texas Constitution.

TEXAS CONSTITUTION
ARTICLE 5, JUDICIAL DEPARTMENT

Sec. 3-b. APPEAL FROM ORDER GRANTING OR DENYING INJUNCTION. The Legislature shall have the power to provide by law, for an appeal direct to the Supreme Court of this State from an order of any trial court granting or denying an interlocutory or permanent injunction on the grounds of the constitutionality or unconstitutionality of any statute of this State, or on the validity or invalidity of any administrative order issued by any state agency under any statute of this State.

(Added Nov. 5, 1940.)

Sec. 3-c. JURISDICTION TO ANSWER QUESTIONS OF STATE LAW CERTIFIED FROM FEDERAL APPELLATE COURT. (a) The supreme court and the court of criminal appeals have jurisdiction to answer questions of state law certified from a federal appellate court.

(b) The supreme court and the court of criminal appeals shall promulgate rules of procedure relating to the review of those questions.

(Added Nov. 5, 1985.)

Sec. 4. COURT OF CRIMINAL APPEALS; JUDGES. (a) The Court of Criminal Appeals shall consist of eight Judges and one Presiding Judge. The Judges shall have the same qualifications and receive the same salaries as the Associate Justices of the Supreme Court, and the Presiding Judge shall have the same qualifications and receive the same salary as the Chief Justice

The conclusion (for the moment) to this story is, THE STATE OF TEXAS IS A STATE OF THE UNION UNDER THE CONSTITUTION, BUT IT IS NOT SOVEREIGN! IT IS A CORPORATION! THE CONSTITUTION IS THEIR CORPORATE CHARTER. **THE REPUBLIC OR SOVEREIGN state OF TEXAS IS SOVEREIGN AND IS ONE OF THE STATES OF THE UNITED STATES OF AMERICA UNDER THE ARTICLES OF CONFEDERATION! PLEASE UNDERSTAND THE DIFFERENCE.**

For conclusive proof that the "State of Texas" is a corporate federal state please see the Statutes at Large of the United States of America from Dec. 1, 1845 to March 3, 1851 Volume IX. It states in pertinent part:

"Chapter I - An Act to extend the Laws of the United States over the State of Texas, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the laws of the United States are hereby declared to extend to and over, and to have full force and effect within the State of Texas, admitted at the present session of Congress into the ***Confederacy AND Union of the United States. (emphasis added)"***
[Statutes at Large of the United States of America from Dec. 1, 1845 to March 3, 1851 Volume IX]

Note the language above "into the Confederacy AND Union". The Confederacy they are talking about is that established under the Articles of Confederation, which identify themselves as "perpetual" and continue to this day. The "Union" they are referring to is that established by the USA Constitution.

We have been deceived by what is called "words of art." The men involved in creating the United States Constitution committed treason and were traitors. That would especially include George Washington. We believe Benjamin Franklin was quoted as saying: "We have given you a republic if you can keep it." We don't know about you folks, but we think he knew what was going on also! The American people were deceived from the beginning. But that doesn't matter now because our Constitutions and our Declaration of Independence say we can abolish our government any time we want.

I believe being armed with this information we can now challenge each and every public official in our government to either represent our republic, resign or be prosecuted as an enemy of our state. Their choice!

. . ."that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles and organizing its Powers in such form, as to them shall seem most likely to effect their Safety and Happiness."
[Declaration of Independence]

Remember both of our Constitutions, U.S. and Texas, guarantee us a republican form of government and the common law. The Texas constitution: Article 1, Sec.2. says:

"INHERENT POLITICAL POWER; REPUBLICAN FORM OF GOVERNMENT.

All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and, subject to this limitation only, ***they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient."***
[Texas Constitution: Article 1, Sec.2]

and the Declaration of Independence says:

"WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness— That to secure these Rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such

> ***Principles and organizing its Powers in such form, as to them shall seem most likely to effect their Safety and Happiness."***
> *[Declaration of Independence]*

All good things come from God. He is the only one you owe allegiance to. Put him first and the rest will fall in place, including government. I have provided you with the evidence. It is now up to you to change your circumstances. No one can do it for you. That is the whole concept of being self governing and keeping or getting back your Liberty. Those of you who enjoy the subsidies of the U.S. or State governments and remain statutory "U. S. Citizens" cannot complain about paying taxes or the unfairness of the laws and regulations. You can only be governed by your consent as evidenced in the Declaration of Independence.

9.3 Territories formed AFTER the ratification of the Constitution ("Territory of____")

Subsequent to the ratification of the USA Constitution, lands to the west of the colonies were organized into territories by act of Congress. While in the status of being a "territory", they are regarded as corporations:

> *At common law, a "corporation" was an "artificial perso[n] endowed with the legal capacity of perpetual succession" consisting either of a single individual (termed a "corporation sole") or of a collection of several individuals (a "corporation aggregate"). 3 H. Stephen, Commentaries on the Laws of England 166, 168 (1st Am. ed. 1845). The sovereign was considered a corporation. See id., at 170; see also 1 W. Blackstone, Commentaries *467.* ***Under the definitions supplied by contemporary law dictionaries, Territories would have been classified as "corporations" (and hence as "persons") at the time that 1983 was enacted and the Dictionary Act recodified.*** *See W. Anderson, A Dictionary of Law 261 (1893) ("All corporations were originally modeled upon a state or nation"); 1 J. Bouvier, A Law Dictionary Adapted to the Constitution and Laws of the United States of America 318-319 (11th ed. 1866) ("In this extensive sense the United States may be termed a corporation"); Van Brocklin v. Tennessee, 117 U.S. 151, 154 (1886) ("`The United States is a . . . great corporation . . . ordained and established by the American people'") (quoting United [495 U.S. 182, 202] States v. Maurice, 26 F. Cas. 1211, 1216 (No. 15,747) (CC Va. 1823) (Marshall, C. J.)); Cotton v. United States, 11 How. 229, 231 (1851) (United States is "a corporation"). See generally Trustees of Dartmouth College v. Woodward, 4 Wheat. 518, 561-562 (1819) (explaining history of term "corporation").*
> *[Ngiraingas v. Sanchez, 495 U.S. 182 (1990)]*

The big question is WHICH of the TWO TYPES of corporations are they in relation to the general/national government?:

1. FEDERAL corporation under the USA Constitution.
2. NATIONAL corporation under the exclusive jurisdiction of Congress, Article 1, Section 8, Clause 17.

In fact, they are the latter: NATIONAL and not FEDERAL corporations. Here is a hint:

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that* ***the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America****, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

AFTER territories organized and voted themselves to statehood:

1. They changed from NATIONAL corporations to FEDERAL corporations.
2. They changed from legislatively "DOMESTIC" to legislatively "FOREIGN" in relation to the national government.
3. They gained EXCLUSIVE jurisdiction over their own INTERNAL affairs.
4. They transitioned from being EXTERNALLY governed by the District of Columbia to be INTERNALLY governed by their own elected representatives.

5. Federal courts within the territories went from courts of GENERAL/EXCLUSIVE jurisdiction to that of SUBJECT MATTER (SPECIFIC) jurisdiction only.
6. State courts were erected within the territories having EXCLUSIVE jurisdiction.
7. Those who were "citizens" within territories went from STATUTORY "nationals and citizens" under 8 U.S.C. §1401 to:
   7.1. Statutory "aliens" under 26 U.S.C. §7701(b)(1)(A).
   7.2. "non-citizen nationals" under 8 U.S.C. §1101(a)(21) and 8 U.S.C. §452.
   7.3. Constitutional "Citizen" as mentioned in Article I, Section 2, Clause 2 of the United States Constitution.
   7.4. Constitutional "citizen of the United States" per the Fourteenth Amendment.

The following reference from the Corpus Juris Secundum (CJS) legal encyclopedia confirms that above conclusions and the proper legal relationship between a Territory ("Territory of___") and a Constitutional State ("State of_____") by identifying a FEDERAL/CONSTITUTIONAL "State" as a legislatively "foreign state" in relation to both "territories" AND ordinary acts of Congress (the "national government"). By "ordinary act of Congress" is meant the Internal Revenue Code, for instance:

> *"§1. Definitions, Nature, and Distinctions*
>
> ***"The word 'territory,' when used to designate a political organization has a distinctive, fixed, and legal meaning under the political institutions of the United States, and does not necessarily include all the territorial possessions of the United States, but may include only the portions thereof which are organized and exercise governmental functions under act of congress."***
>
> *"While the term 'territory' is often loosely used, and has even been construed to include municipal subdivisions of a territory, and 'territories of the' United States is sometimes used to refer to the entire domain over which the United States exercises dominion, the word 'territory,' when used to designate a political organization, has a distinctive, fixed, and legal meaning under the political institutions of the United States, and the term 'territory' or 'territories' does not necessarily include only a portion or the portions thereof which are organized and exercise government functions under acts of congress. The term 'territories' has been defined to be political subdivisions of the outlying dominion of the United States, and in this sense the term 'territory' is not a description of a definite area of land but of a political unit governing and being governed as such. The question whether a particular subdivision or entity is a territory is not determined by the particular form of government with which it is, more or less temporarily, invested.*
>
> ***"Territories' or 'territory' as including 'state' or 'states." While the term 'territories of the' United States may, under certain circumstances, include the states of the Union, as used in the federal Constitution and in ordinary acts of congress "territory" does not include a foreign state.***
>
> ***"As used in this title, the term 'territories' generally refers to the political subdivisions created by congress, and not within the boundaries of any of the several states."***
>
> *[86 Corpus Juris Secundum (C.J.S.), Territories, Section 1]*

The U.S. Supreme Court also identified the territories as NOT being included geographically within the "United States" as used in the USA Constitution OR within the meaning of "State" as used in the USA Constitution:

> *It is sufficient to observe in relation to these three fundamental instruments [Articles of Confederation, the United States Constitution, and the Treaty of Peace with Spain], that* ***it can nowhere be inferred that the *251 territories were considered a part of the United States****. The Constitution was created by the people of the* United States, *as a union of* states, *to be governed solely by representatives of the* states; *and even the provision relied upon here, that all duties, imposts, and excises shall be uniform 'throughout the United States,' is explained by subsequent provisions of the Constitution, that 'no tax or duty shall be laid on articles exported from any* state,*' and 'no preference shall be given by any regulation of commerce or revenue to the ports of one* state *over those of another; nor shall vessels bound to or from one* state *be obliged to enter, clear, or pay duties in another.' In short, the Constitution deals with* states, *their people, and their representatives.*
>
> *[. . .]*
>
> *"The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L.Ed. 332, in which this court held that, under that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court of the United States. It was argued that the word 'state.' in that connection, was used simply to denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is*

a state in the sense of that instrument. ***The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution , . . . and excludes from the term the signification attached to it by writers on the law of nations.' This case was followed in Barney v. Baltimore, 6 Wall. 280, 18 L.Ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395 , 41 L.Ed. 1049, 17 Sup.Ct. Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat. 91, 4 L.Ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that 'neither of them is a state in the sense in which that term is used in the Constitution.'*** *In Scott v. Jones, 5 How. 343, 12 L.Ed. 181, and in Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L.Ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress."*
[Downes v. Bidwell, 182 U.S. 244 (1901)]

9.4 Summary and conclusions

Based on the preceding subsections, we have proven that:

1. "Republic of__" means the sovereign state under the Articles of Confederation. The Articles of Confederation have never been repealed and refer to themselves as "perpetual". They preceded the U.S.A. Constitution.
2. "State of__" is a federal (NOT "national", but "federal") corporation under the corporate charter, the United States Constitution.
3. The "State of___" constitutional corporations are "foreign corporations" in relation to the national government. Another way of stating this is that they are legislatively but not constitutionally foreign.

> *"A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation. The United States government is a foreign corporation with respect to a state."*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §883]*

4. The property held in public trust and managed by the Constitutional federal corporations consists of:
   4.1. The authority and powers delegated by the Constitution.
   4.2. The community chattel property and land held in trust and on behalf of the national government.
5. The provisions of Art. 4, Section 3, Clause 1 prohibiting the creation of a "State within a State" refers to GEOGRAPHICAL states rather than VIRTUAL CORPORATIONS, or statutory "States" (under federal law).
6. It is a violation of fiduciary duty and a violation of the separation of powers for the officers of the constitutional state corporations to ALSO serve as public officers within the national government. Hence, these public corporations may not be regulated by the national government. Only when individual officers exceed their authority may they be brought within a federal court under the authority of the Fourteenth Amendment and 42 U.S.C. §1983.
7. There are 3 states of Texas, as there are 3 states of all of the original 15 states. The other states came up the commercial side into statehood as commercial territories and therefore never had a sovereign nation statehood.
   7.1. The state called "the state of Texas" is the dirt within the outer borders of Texas and the people sojourning on top of the land who came from God in Heaven.
   7.2. The state called "the State of Texas" is the people collectively operating in their sovereign commercial capacity through their lawfully elected house, senate, Secretary of State, Department of Treasury, and governor. Today we only have "comptrollers" which are only commercial fascist corporate bean counters of "this state."
   7.3. The state called "this state" is a legal subdivision of "the state of Texas" and of "the United States" called "THE STATE OF TEXAS" and is a communitarian welfare benefit plantation subsidiary of "the United States," a "district," as defined on the CIA website, and the benefits are administered though the Texas State Department of Labor, as are the benefits administered in all other states for their respective legal subdivisions, because the benefits of "the United States" delivered are in relationship to the labor of the people/employees/slaves and their ability to be taxed for the payment of the tribute and the interest on the debt of "the United States", which unapportioned debt service is applied to statutory "U.S. citizens"/"persons"/"employees"/slaves and collected through the clause 4 of the 14th Amendment.
8. The three states, "state of ____", "State of___", and "this state", are NOT equivalent or the same legal "person" because they have different capitalization. It is a maxim of law that nothing similar is the same. Therefore, each is a DIFFERENT entity with different properties, jurisdictions, courts, and officers.

> *"Quando duo juro concurrunt in und person, aequum est ac si essent in diversis.*
> *When two [OR MORE] rights concur in one person, it is the same as if they were in two separate persons. 4 Co. 118."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

9. The several counties of this state are "legal" subdivisions of the state as defined in the Texas Constitution of 1876 at Article 11, Section 1.
10. There can be no sovereign Texas judiciary in Article 5 of the Texas Constitution, because on November 5, 1985 the people amended out of the constitution at Article 5, section 12, the right of the judiciary to issue writs and process in the name of the lawful collective of the people commercial state called "the State of Texas." All law now moves only by private contract.
11. Writs and process are now only issued out of the federal commercial state district called "this state," "THE STATE OF TEXAS." The writs and process from the state called "this state" only apply to people who have become U.S. persons/citizens by applying for and accepting membership into the Social Security Administration and who have voluntarily become deemed employees of the government and therefore subject to benefits. See Ashwander v. TVA, 297 U.S. 288.
12. This analysis has examined the corporatization of Texas. Similar techniques were employed in all the other states. The reader is encouraged to perform a similar analysis for his/her state and submit their research to us for publication.

For those who are VISUAL learners, we have constructed the following table to show the CORPORATE relationships WITHIN each state that have just documented.

Table 3: State corporate entities

		CORPORATION NAME			
#	**Description**	**"Territory of___"**	**"Republic of_____"**	**"State of _____"**	**"United States of America"**
1	**Created by**	Act of Congress	Articles of Confederation	United States Constitution	Articles of Confederation
2	**Constitution**	None	State constitution	USA Constitution	Articles of Confederation
3	**Area of concern**	INTERNAL affairs	INTERNAL affairs	Federal affairs	EXTERNAL affairs (international relations)
4	**Land consists of**	Federal territory specified in act of Congress	Property not owned by the national government	None. A virtual entity.	Federal territories and possessions
5	**Civil law system**	Civil statutory law	Common law	Civil statutory law	Civil statutory law
6	**Citizens of its own?**	Yes. STATUTORY citizens under 8 U.S.C. §1401	Yes. State citizens or "non-citizen nationals" under 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452.	No.	Yes. State citizens or "non-citizen nationals" under 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452.
7	**A "government"?**	Yes	Yes	No. No body politic.	No. Does not govern people INTERNALLY. Handles only EXTERNAL affairs.
8	**Status of citizens under laws of NATIONAL government**	STATUTORY citizens under 8 U.S.C. §1401	STATUTORY "alien" per 26 U.S.C. §7701(b)(1)(A).	NONE. No "citizens".	STATUTORY "alien" per 26 U.S.C. §7701(b)(1)(A).
9	**Public officers of its own?**	Yes. Appointed by the President and Congress.	Yes. Voted into Office by electors.	No. FORBIDDEN To have public officers because no one can serve SIMULTANEOUSLY in a NATIONAL office and a STATE office without a conflict of interest.	Yes.
10	**Name in ordinary acts of Congress**	"State" in 4 U.S.C. §110(d).	1. "state" (legislatively foreign state) 2. "Republic of ___"	"State of _____"	"United States of America"

It is important to note WHICH of the corporations you are operating within. The way to easily determine which it is would be to examine the CONTENT of the perjury statement on the government form you are filling out and submitting to JOIN the program or system.

1. If the perjury statement says "under the laws of the State of___" as the voter registration or drivers license forms in California currently do, then:
   1.1. You have surrendered the protection of the common law.
   1.2. You have DIVORCED yourself from the Republic and surrendered your right to have or to own EXCLUSIVELY PRIVATE property.
   1.3. You have agreed to become a public officer within the "State of_____". Since the "State of___" has no TERRITORY of its own but only chattel property, it is a VIRTUAL entity that one can only become subject to the LAWS of by contracting into it.
2. The only kind of perjury statement you can sign if you want to maintain your EXCLUSLIVELY PRIVATE, legislatively "foreign", and "alien" status is:
   2.1. "under the laws of the REPUBLIC OF _____ and NOT STATE OF_____".
   2.2. From WITHOUT the "United States" and from WITHIN the "United States of America" per 28 U.S.C. §1746(1).

10 The De Jure United States is Bankrupt and has been replaced by a de facto private corporation[25]

The United States went "Bankrupt" in 1933 and was declared so by President Roosevelt by Executive Orders 6073, 6102, 6111 and Executive Order 6260, [See: Senate Report 93-549, pgs. 187 & 594 under the "Trading With The Enemy Act" [Sixty-Fifth Congress, Sess. I, Chs. 105, 106, October 6, 1917], and as codified at 12 U.S.C.A. §95a. The several States of the Union then pledged the faith and credit thereof to the aid of the National Government, and formed numerous socialist committees, such as the "Council Of State Governments," "Social Security Administration" etc., to purportedly deal with the economic "Emergency." These Organizations operated under the "Declaration Of INTERdependence" of January 22, 1937, and published some of their activities in "The Book Of The States." The 1937 Edition of The Book Of The States openly declared that the people engaged in such activities as the Farming/Husbandry Industry had been reduced to mere feudal "Tenants" on their Land. [Book Of The States, 1937, pg. 155] This of course was compounded by such activities as price fixing wheat and grains [7 U.S.C.A. §1903], quota regulation I7 U.S.C.A. §1371], and livestock products [7 U.S.C.A. §1903], which have been held consistently below the costs of production; interest on loans and inflation of the paper "Bills of Credit"; leaving the food producers and others in a state of peonage and involuntary servitude, constituting the taking of private property, for the benefit and use of others, without just compensation.

Note: The Council Of State Governments has now been absorbed into such things as the "National Conference Of Commissioners On Uniform State Laws," whose Headquarters Office is located at 676 North Street, Clair Street, Suite 1700, Chicago, Illinois 60611, and "all" being "members of the Bar," and operating under a different "Constitution And By-Laws" has promulgated, lobbied for, passed, adjudicated and ordered the implementation and execution of their purported statutory provisions, to "help implement international treaties of the United States or where world uniformity would be desirable." [See: 1990/91 Reference Book, National Council Of Commissioners On Uniform State Laws, pg. 2] This is apparently what Robert Bork meant when he wrote "we are governed not by law or elected representatives but by an unelected, unrepresentative, unaccountable committee of lawyers applying no will but their own." [See: The Tempting Of America. Robert H. Bork. pg. 130]

The United States thereafter entered the second World War during which time the "League of Nations" was reinstituted under pretense of the "United Nations" and the "Bretton Woods Agreement." [See: 60 Stat. 1401] The United States as a corporate body politic (artificial), came out of World War II in worse economic shape than when it entered, and in 1950 declared Bankruptcy and "Reorganization." The Reorganization is located in Title 5 of United States Codes Annotated. The "Explanation" at the beginning of 5 U.S.C.A. is most informative reading. The "Secretary of Treasury" was appointed as the "Receiver" in Bankruptcy. [See: Reorganization Plan No. 26. 5 U.S.C.A. §903. Public Law 94-564, Legislative History, pg. 5967] The United States went down the road and periodically filed for further Reorganization. Things and situations worsened, having done what they were Commanded NOT to do, [See: Madison's Notes, Constitutional Convention, August 16, 1787, Federalist Papers No. 44 and in 1965 passed the "Coinage Act of 1965" completely debasing

[25] Adapted from: http://usa-the-republic.com/emergency%20powers/United%20States%20Bankrupt.html. For additional information on this subject, see the writings of John Nelson.

the Constitutional Coin (gold & silver i.e. Dollar)]. [See: 18 U.S.C.A. §§331 & 332, U.S. vs. Marigold, 50 U.S. 560, 13 L.Ed. 257] At the signing of the Coinage Act on July 23, 1965, Lyndon B. Johnson stated in his Press Release that:

> *"When I have signed this bill before me, we will have made the first fundamental change in our coinage in 173 years. The Coinage Act of 1965 supersedes the Act of 1792. And that Act had the title: An Act Establishing a Mint and Regulating the Coinage of the United States ..."*

> *"Now I will sign this bill to make the first change in our coinage system since the 18th Century. To those members of Congress, who are here on this historic occasion, I want to assure you that in making this change from the 18th Century we have no idea of returning to it."*

It is important to take cognizance of the fact that NO Constitutional Amendment was ever obtained to FUNDAMENTALLY "CHANGE," amend, abridge, or abolish the Constitutional mandates, provisions, or prohibitions, but due to internal and external diversions surrounding the Viet Nam War, etc., the usurpation and breach went basically unchallenged and unnoticed by the general public at large, who became "a wealthy man's cannon fodder or cheap source of slave labor." [See: Silent Weapons For Quiet Wars, TM-SW7905.1, pgs. 6, 7, 8, 9, 12, 13 and 56] Congress was clearly delegated the Power and Authority to regulate and maintain the true and inherent "value" of the Coin within the scope and purview of Article I, Section 8, Clauses 5 & 6 and Article I, Section 10, Clause 1, of the ordained Constitution (1787), and further, under a corresponding duty and obligation to maintain said gold and silver Coin and Foreign Coin at and within the necessary and proper "equal weights and measures" clause. [See also: Bible, Deuteronomy, Chapter 25, verses 13 through 16, Public Law 97-289, 96 Stat. 1211]

Those exercising the Offices of the several States, in equal measure, knew such "De Facto Transitions" were unlawful and unauthorized, but sanctioned, implemented and enforced the complete debauchment and the resulting "governmental, social, industrial economic change" in the "De Jure" States and in United States of America [See: Public Law 94-564, Legislative History, pg. 5936, 5945, 31 U.S.C.A. §314, 31 U.S.C.A. §321, 31 U.S.C.A. §5112, C. (Colorado) R.S. 11-61-101, C.R.S. 39-22-103.5 and C.R.S. 18-11-203, and were and are now under the delusion that they can do both directly and indirectly what they were absolutely prohibited from doing. [See also, Federalist Papers No. 44, Craig vs. Missouri, 4 Peters 903]

In 1966, Congress being severely compromised, passed the "Federal Tax Lien Act of 1966, by which the entire taxing and monetary system i.e. "Essential Engine" [See: Federalist Papers No. 31] was placed under the Uniform Commercial Code. [See: Public Law 89-719, Legislative History, pg. 3722, also see: C. (Colorado) R.S. 5-1-106] The Uniform Commercial Code was, of course, promulgated by the National Conferences Of Commissioners On Uniform State Laws in collusion with the American Law Institute for the "banking and business interests." [See: Handbook Of The National Conference Of Commissioners On Uniform State Laws, (1966) Ed. pgs, 152 & 153] The United States being engaged in numerous U.N. conflicts, including the Korean and the Viet Nam conflicts, which were under the direction of the United Nations [See: 22 U.S.C.A. §287d], and agreeing to foot the bill [See: 22 U.S.C.A. §287j], and not being able to honor their obligations and re-hypothecated debt credit, openly and publicly dishonored and disavowed their "Notes" and "obligations" [12 U.S.C.A. §411] i.e. "Federal Reserve Notes" through Public Law 90-262, Section 2, 82 Stat. 50 (1968) to wit:

> *"Sec. 2. The first sentence of section 15 of the Federal Reserve Act (12 U.S.C. 391) is amended by striking 'and the funds provided in this Act for the redemption of Federal Reserve notes'."*

Things steadily grew worse and on March 28, 1970; President Nixon issued Proclamation No. 3972, declaring an "emergency" because the Postal Employees struck against the de facto government(?) for higher pay, due to inflation of the paper "Bills of Credit." [See: Senate Report No. 93-549. pg. 596] Nixon placed the U.S. Postal Department under control of the "Department of Defense." [See: Department Of The Army Field Manual. FM 41-10 (1969 ed.)]

> *"'The System has been faltering for a decade, but the bench mark date of the collapse is put at August 15, 1971. On this day, President Nixon reversed U.S. international monetary policy by officially declaring the non-convertibility of the U.S. dollar [F.R.N.] into gold."*
> *[See: Public Law 94-564, Legislative History, pg. 5937 & Senate Report No. 93-549, Foreword, pg. III. Proclamation No. 4074, pg. 597, 31 U.S.C.A. §314 & 31 U.S.C.A. §5112]*

On September 21, 1973. Congress passed Public Law 93-110, amending the Bretton Woods Par Value Modification Act, 82 Stat. 116, [31 U.S.C.A. §412], and reiterated the "Emergency," [12 U.S.C.A. §95a], and Section 8 of the Bretton Woods Agreements Act of 1945 [22 U.S.C.A. §286f], and which included "reports of foreign currency transactions." [Also see: Executive Order No. 10033] This Act further declared in Section 2(b) that:

"No provision of any law in effect on the date of enactment of this Act, and no rule, regulation, or order under authority of any such law, may be construed to prohibit any person from purchasing, holding, selling, or otherwise dealing with gold."

On January 19, 1976, Marjorie S. Holt noted for the record, a second "Declaration Of INTERdependence" and clearly identified the U.N. as a "Communist" organization, and that they were seeking both production and monetary control over the Union and the People through International Organization promoting the "One World Order," [8 U.S.C.A. §1101(40)] also see [50 U.S.C.A. §§781 & 783]

The social/economic situation worsened as noted in the Complaint/Petition filed in the U.S. Court of Claims, Docket No. 41-76, on February 11, 1976, by 44 Federal Judges. [Atkins et al. vs. U.S.] Atkins et al. complained that "As a result of inflation, the compensation of federal judges has been substantially diminished each year since 1969, causing direct and continuing monetary harm to plaintiffs ... the real value of the dollar decreased by approximately 34.5 percent from March 15th, 1969 to October 1, 1975. As a result, plaintiffs have suffered an unconstitutional deprivation of earnings," and in the prayer for relief claimed "damages for the constitutional violations enumerated above, measured as the diminution of his earnings for the entire period since March 9, 1969." It is quite apparent that the persons holding and enjoying Offices of Public Trust, Honor and for Profit knew of the emergency emergent problem and sought protection for themselves, to the damage and injury of the People and Children, who were classified as "a club that has many other members" who "have no remedy." And knowing that "heinous" acts had been committed, stated that they [judges/lawyers] would not apply the Law, nor would any substantive remedy be applied ("checked more or less, but never stopped) "until all of us [judges] are dead." Such persons Fraudulently swore an Oath to uphold, defend and preserve the sovereignty of the Nation and several Republican States of the Union, and breached the Duty to protect the People/Citizens and their Posterity from fraud, imposition, avarice and stealthy encroachment. [See: Atkins et al. vs. U.S., 556 F.2d. 1028, pg. 1072, 1074, The Tempting Of America, supra, pgs. 155-159, also see: 5 U.S.C.A. §§5305 & 5335, Senate Report No. 93-549, pgs. 69-71, C. (Colorado) R.S. 24-75-101] This is verified in Public Law 94-564, Legislative History, pg. 5944, which states:

"Moving to a floating exchange rate for international commerce means private enterprise and not central governments bear the risk of currency fluctuations."

Numerous serious debates were held in Congress, including but not limited to, Tuesday, July 27, 1976 [See: Congressional Record - House, July 27, 1976] concerning the International Financial Institutions and their operations. Representative, Ron Paul, Chairman of the House Banking Committee, made numerous references to the true practices of the "International" financial institutions, including but not limited to, the conversion of 27,000.000 (27 million) in gold, contributed by the United States as part of its "quota obligations," which the International Monetary Fund (Governor-Secretary of Treasury) sold [See: Public Law 94-564, Legislative History, pg. 5945 & 5946] under some very questionable terms and concessions. [Also see: The Ron Paul Money Book, (1991), by Ron Paul, Plantation Publishing. 837 W. Plantation, Clute, Texas 77531]

On October 28, 1977 the passage of Public Law 95-147, [91 Stat. 1227] declared most banking institutions, including State banks, to be under direction and control of the corporate "Governor" of the International Monetary Fund [See: Public Law 94-564, Legislative History, pg. 5942, United States Government Manual 1990/91, pgs. 480-481]. The Act further declared that:

"(2) Section 10(a) of the Gold Reserve Act of 1934 (31 U.S.C. 822a(b)) is amended by striking out the phrase 'stabilizing the exchange value of the dollar' ... "

" (c) The joint resolution entitled' Joint resolution to assure uniform value to the coins and currencies of the United States', approved June 5, 1933 (31 U.S.C. 463) shall not apply to obligations issued on or after the date of enactment of this section."

The United States, as Corporator, [22 U.S.C.A. §286e, et seq.] and "State" [C. (Colorado) R.S. 24-36-104, C.R.S. 24-60-1301(h)] had declared "Insolvency." [See: 26 U.S.C. §165(g)(1), U.C.C. §1-201(23), C.R.S. 39-22-103.5, Westfall vs, Braley, 10 Ohio 188, 75 Am. Dec. 509, Adams vs. Richardson, 337 S.W.2d. 911, Ward v. Smith, 7 Wall. 447] A permanent state of "Emergency" was instituted, formed and erected within the Union through the contrivances, fraud, and avarice of the International Financial Institutions, Organizations, Corporations and Associations, including the Federal Reserve, their "fiscal and depository agent." [22 U.S.C.A. §286d] This has lead to such "Emergency" legislation is the "Public Debt Limit- Balance Budget And Emergency Deficit Control Act of 1985," Public Law 99-177, etc.

The government, by becoming a corporator, [See: 22 U.S.C.A. §286e] lays down its sovereignty and takes on that of a private citizen. It can exercise no power which is not derived from the corporate charter. [See: The Bank of the United States vs. Planters Bank of Georgia, 6 L.Ed. (9 Wheat) 244, U.S. vs. Burr, 309 U.S. 242] The real party of interest is not the de jure "United States of America" or "State," but "The Bank" and 'The Fund." [22 U.S.C.A. §286, et seq., C. (Colorado) R.S. 11-60- 103] The acts committed under fraud, force, and seizures are many times done under "Letters of Marque and Reprisal" i.e. "recapture." [See: 31 U.S.C.A. §5323] Such principles as "Fraud and Justice never dwell together" [Wingate's Maxims 680], and "A right of action cannot arise out of fraud." [Broom's Maxims 297, 729; Cowper's Reports 343; 5 Scott's New Reports 558; 10 Mass. 276; 38 Fed. 800] And do not rightfully contemplate the thought concept, as "Due Process," "Just Compensation" and Justice itself. Honor is earned by honesty and integrity, not under false and fraudulent pretenses, nor will the color of the cloth one wears cover-up the usurpations, lies, trickery, and deceits. When Black is fraudulently declared to be White, not all will live in darkness. As astutely observed by Will Rogers, "there are men running governments who shouldn't be allowed to play with matches," and is as applicable today as Jesus' statements about Lawyers.

The contrived "emergency" has created numerous abuses and usurpations, and abridgments of delegated Powers and Authority. As stated in Senate Report 93-549:

> *"These proclamations give force to 470 provisions of Federal law. These hundreds of statutes delegate to the President extraordinary powers, ordinarily exercised by the Congress, which affect the lives of American citizens in a host of all-encompassing manners. This vast range of powers, taken together, confer enough authority to rule the country without reference to normal constitutional process.*
>
> *"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."*
>
> *[See: Foreword, pg. III,*
> *SOURCE: http://www.famguardian.org/Subjects/LawAndGovt/Articles/SenateReport93-549.htm]*

The "Introduction," on page 1, begins with a phenomenal declaration, to wit:

> *"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 ..."*

According to the research done in 16 American Jurisprudence, 2nd Edition, Sections 71 and 82, no "emergency" justifies a violation of any Constitutional provision. Arguendo, "Supremacy Clause" and "Separation of Powers," it is clearly admitted in Senate Report No. 93-549 that abridgment has occurred. The statements heard in the Federal and State Tribunals, on numerous occasions, that Constitutional arguments are "immaterial," "frivolous," etc., are based upon the concealment, furtherance, and compounding of the Frauds and "Emergency" created and sustained by the "Expatriated," ALIENS of the United Nations and its Organizations, Corporations, and Associations. [See: Letter, Insight Magazine, February 18, 1991, pg. 7, Lowell L. Flanders, President, U.N. Staff Union, New York] Please note that, [8 U.S.C.A. §1481] is one of the controlling Statutes on expatriation, as is [22 U.S.C.A. §§611, 612, & 613] and [50 U.S.C.A. §781].

The Internal Revenue Service entered into a "service agreement" with the U.S. Treasury Department [See: Public Law 94-564; Legislative History, pg. 5967; Reorganization Plan No. 26] and the Agency for International Development, pursuant to Treasury Delegation Order No. 91. The Agency For International Development is an International paramilitary operation [See: Department Of The Army Field Manual, (1969) FM 41-10, pgs. 1-4, Sec. 1-7(b) & 1-6, Section 1-10(7)(c)(1), 22 U.S.C.A. §284], and includes such activities as "Assumption of full or partial executive, legislative, and judicial authority over a country or area." [See: FM 41-10, pg. 1-7, Section 110(7)(c)(4)] also see, Agreement Between The United Nations And The United States Of America Regarding The Headquarters Of The United Nations, Section 7(d) & (8), 22 U.S.C.A. §287 (1979 Ed.) at pg. 241. It is to be further observed that the "Agreement" regarding the Headquarters District of the United Nations was NOT agreed to [See: Congressional Record - Senate, December 13, 1967, Mr. Thurnond], and is illegally in the Country in the first instant.

The International Organizational intents, purposes, and activities include complete control of "Public Finance" i.e. "control, supervision, and audit of indigenous fiscal resources; budget practices, taxation. expenditures of public funds, currency issues, and banking agencies and affiliates." [See: FM 41-10, pgs. 2-30 through 2-31, Section 251. Public Finance] This of course complies with "Silent Weapons For Quiet Wars" Research Technical Manual TM-SW7905.1, which discloses a

declaration of war upon the American people (See: pgs. 3 & 7), monetary control by the Internationalist, through information etc., solicited and collected by the Internal Revenue Service [See: TM-S\V7905.1, pg. 48, also see, 22 U.S.C.A. §286F & Executive Order No. 10033, 26 U.S.C.A. §6103(k)(4)] and who is operating and enforcing the seditious International program. [See: TM-S\V7905.1, pg. 52] The 1985 Edition of the Department Of Army Field Manual, FM 41-10 further describes the International "Civil Affairs" operations. At page 3-6 it is admitted that the A.I.D. is autonomous and under direction of the International Development Cooperation Agency, and at pages 3-8, that the operation is "paramilitary." The International Organization(s) intents and purposes was to promote, implement, and enforce a "DICTATORSHIP OVER FINANCE IN THE UNITED STATES." [See: Senate Report No. 93-549, pg. 186]

It appears from the documentary evidence that the Internal Revenue Service Agents etc., are "Agents of a Foreign Principal" within the meaning and intent of the "Foreign Agents Registration Act of 1938." They are directed and controlled by the corporate "Governor" of "The Fund" also known as "Secretary of Treasury" [See: Public Law 94-564, supra, pg. 5942, U.S. Government Manual 1990/91, pgs. 480 & 481, 26 U.S.C.A. §7701(a)(11), Treasury Delegation Order No. 150-10, and the corporate "Governor" of "The Bank" 22 U.S.C.A. §§286 and 286a, acting as "information service employees [22 U.S.C.A. §611(c)(ii)], and have been and do now "solicit, collect, disburse or dispense contribution [Tax - pecuniary contribution, Black's Law Dictionary 5th edition], loans, money or other things of value for or in interest of such foreign principal 22 U.S.C.A. §611(c)(iii), and they entered into agreements with a Foreign Principal pursuant to Treasury Delegation Order No. 91 i.e. the "Agency For International Development." [See: 22 U.S.C.A. §611(c)(2)] The Internal Revenue Service is also an agency of the International Criminal Police Organization and solicits and collects information for 150 Foreign Powers. [See: 22 U.S.C.A. §263a, The United States Government Manual, 1990/91, pg. 385, see also, The Ron Paul Money Book, pgs. 250-251] It should be further noted that Congress has appropriated, transferred, and converted vast sums to Foreign Powers [See: 22 U.S.C.A. §262c(b)] and has entered into numerous Foreign Taxing Treaties (conventions) [See: 22 U.S.C.A. §285g, 22 U.S.C.A. §287j] and other Agreements which are solicited and collected pursuant to 26 U.S.C. §6103(k)(4). Along with the other documentary evidence submitted herewith, this should absolve any further doubt as to the true character of the party. Such restrictions as "For the general welfare and common defense of the United States" [See: Constitution (1787), Article 1, Section 8, Clause 1] apparently aren't applicable, and the fraudulent re-hypothecated debt credit will be merely added to the insolvent nature of the continual "emergency," and the reciprocal social/economic repercussions laid upon present and future generations.

Among other reasons for lack of authority to act, such as a Foreign Agents Registration Statement, 22 U.S.C.A. §612 and 18 U.S.C.A. §§219 & 951, military authority cannot be imposed into civil affairs. [See: Department Of The Army Pamphlet 27100-70, Military Law Review, Vol. 70] The United Nations Charter, Article 2, Section 7, further prohibits the U.N. from "intervening in matters which are essentially within the domestic jurisdiction of any state ...." Korea, Viet Nam, Ethiopia, Angola, Kuwait, etc., etc., are evidence enough of the "BAD FAITH" of the United Nations and its Organizations, Corporations and Associations, not to mention the seizing of two daycare centers in the State of Minnesota by their agents, and holding the children as collateral hostages for payment/ransom of their fraudulent, dishonored, re-hypothecated debt credit, worthless securities. Such is the "Rule of Law" "as envisioned by the Founders" of the United Nations. Such is Communist terrorism, despotism and tyranny. ALL WERE AND ARE OUTLAWED HERE.

I hope this communication finds you well' and mentally strong for the occasion. It is quite apparent that the "Treasonous" and "Seditious" are brewing up a storm of untold magnitude. Bush's public address of September 11, 1991 [See: Weekly Compilation Of Presidential Documents] should further qualify what is being said here. He admitted "Interdependence" [See also: Public Law 94-564, Legislative History, pg. 5950], "One World Order" [See also: Extension Of Remarks, January 19, 1976, Marjorie S. Holt, 8 U.S.C.A. §1101(40)], affiliation and collusion with the Soviet Union Oligarchy [50 U.S.C.A. §781], direction by the U.N., 22 U.S.C.A. §611, etc.. You might also find it interesting that Treasury Delegation Order No. 92 states that the I.R.S. is trained under direction of the Division of "Human Resources" (U.N.) and the Commissioner (INTERNATIONAL), by the "Office Of Personnel Management." In the 1979 Edition of 22 U.S.C.A. §287, the United Nations, at pg. 248, you will find Executive Order No. 10422. The Office of Personnel Management is under direction of the Secretary General of the United Nations. And as stated previously, the I.R.S. is also a member in a one hundred fifty (150) Nation pact called the "International Criminal Police Organization"' found at [22 U.S.C.A. §263a]. The "Memorandum & Agreement" between the Secretary of Treasury/Corporate Governor of "The Fund" and "The Bank" and the Office of the U.S. Attorney General would indicate that the Attorney General and his associate are soliciting and collecting information for Foreign Principals. [See also, The United States Government Manual 1990/91, pg. 385, also see, The Ron Paul Money Book, supra, pgs. 250, 251]

It is worthy of note that each and every Attorney/Representative, Judge or Officer is required to file a "Foreign Agents Registration Statement" pursuant to [22 U.S.C.A. §§611(c)(I)(iv) & 612], if representing the interests of a Foreign Principal or Power. [See: 22 U.S.C.A. §613, Rabinowitz vs. Kennedy, 376 U.S. 605, 11 L.Ed.2d. 940, 18 U.S.C.A. §§219 & 951]

On January 17, 1980, the President and Senate confirmed another "Constitution," namely, the "Constitution Of The United Nations Industrial Development Organization," found at Senate, Treaty Document No. 97-19, 97th Congress, 1st Session. A perusal of this Foreign Constitution should more than qualify the internationalist intents. The "Preamble," Article 1, "Objectives," and Article 2, "Functions," clearly evidences their intent to direct, control, finance and subsidize all "natural and human resources" and "agro-related as well as basic industries," through "dynamic social and economic changes" "with a view to assisting in the establishment of a new international economic order." The high flown rhetoric is obviously of "Communist" origin and intents. An unelected, unrepresentative, unaccountable oligarchy of expatriates and aliens, who fraudulently claim, in the Preamble, that they intend to establish "rational and equitable international economic relations," yet openly declared that they no longer "stabilize the value of the dollar" nor "assure the value of the coin and currency of the United States" is purely misrepresentation, deceit and fraud. [See: Public Law 95-147, 91 Stat. 1227, at pg. 1229] This was augmented by [Public Law 101-167], 103 Stat. 1195, which discloses massive appropriations of re-hypothecated debt for the general welfare and common defense of other Foreign Powers, including "Communist" countries or satellites, International control of natural and human resources, etc. etc.. A "Resource" is a claim of "property" "and when related to people constitutes 'slavery'."

It is now necessary to ask, "Which Constitution they are operating under?" The "Constitution For The Newstates Of The United States." This effort was the subject matter of the book entitled: "The Emerging Constitution" by Rexford G. Tugwell, which was accomplished under the auspices of the Rockefeller tax-exempt foundation called the "Center For The Study of Democratic Institutions." The People and Citizens of the Nation were forewarned against formation of "Democracies." "Democracies have every been the spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general, been as short in their lives as they have been violent in their deaths." [See: Federalist Papers No. 10, also see, The Law, Fredrick Bastiat, Code Of Professional Responsibility, Preamble] This Alien Constitution, however, has nothing to do with democracy in reality. It is the basis of and for a despotic, tyrannical oligarch. Article I, "Rights and Responsibilities," Sections 1 and 15 evidence their knowledge of the "emergency." The Rights of expression, communication, movement, assembly, petition and Habeas Corpus are all excepted from being exercised under and in a "declared emergency." The Constitution for the Newstates of America, openly declares, among other seditious things and delusions that "Until each indicated change in the government shall have been completed the provisions of the existing Constitution and the organs of government shall be in effect." [See: Article XlI, Section 3] "All operations of the national government shall cease as they are replaced by those authorized under this Constitution." [See: Article XII, Section 4] This is apparently what Burger was promoting in 1976, after he resigned as Supreme Court Justice and took up the promotion of a "Constitutional Convention." No trial by jury is mentioned, "JUST" compensation has been removed, along with being informed of the "Nature & Cause of the Accusation," etc., etc., and every one will of course participate in the "democracy." This Constitution is but a reiteration of the Communist Doctrines, intents and purposes, and clearly establishes a "Police Power" State, under direction and control of a self appointed oligarchy.

Apparently the present operation of the "de facto" government is under Foreign/Alien Constitutions, Laws, Rules, and Regulations. The overthrow of the "essential engine" declared in and by the ordained and established Constitution for the United States of America (1787), and by and under the "Bill of Rights" (1791) is obvious. The covert procedure used to implement and enforce these Foreign Constitutions, Laws, Procedures, Rules, Regulations, etc., has not, to my knowledge, been collected and assimilated nor presented as evidence to establish seditious collusion and conspiracy.

Fortunately, and Unfortunately, in my Land it is necessary to seek, obtain, and present EVIDENCE to sustain a conviction and/or judgment. Our patience and tolerance for those who pervert the very necessary and basic foundations of society has been pushed to insufferable levels. They have "fundamentally" changed the form and substance of the de jure Republican form of Government, exhibited a willful and wanton disregard for the Rights, Safety, and Property of others, evinced a despotic design to reduce my people to slavery, peonage and involuntary servitude, under a fraudulent, tyrannical, seditious foreign oligarchy, with intent and purpose to institute, erect and form a "Dictatorship" over the Citizens and our Posterity. They have completely debauched the de jure monetary system, destroyed the Livelihood and Lives of thousands, aided and abetted our enemies, declared War upon us and our Posterity, destroyed untold families and made homeless over 750,000 children in the middle of winter, afflicted widows and orphans, turned Sodomites lose among our young, implemented foreign laws, rules, regulations and procedures within the body of the country, incited insurrection, rebellion, sedition and anarchy within the de jure society, illegally entered our Land, taken false Oaths, entered into Seditious Foreign

Constitutions, Agreements, Pacts, Confederations, and Alliances, and under pretense of "emergency," which they themselves created, promoted and furthered, formed a multitude of offices and retained those of alien allegiance to perpetuate their frauds and to eat out the substance of the good and productive people of our Land, and have arbitrarily dismissed and held mock trials for those who trespassed upon our lives, Liberties, Properties, and Families and endangered our Peace, Safety, Welfare, and Dignity. The damage, injury and costs have been higher than mere money can repay. They have done that which they were COMMANDED NOT TO DO. The time for just correction is NOW!

Sincere consideration of "Presentment" to a Grand Jury under the ordained and established Constitution for the United States of America (1787), Amendment V is in order. Numerous High Crimes and Misdemeanors have been committed under the Constitution for the United States of America, and Laws made in Pursuance thereof, and under the Constitution for the States, and the laws made in Pursuance thereof, and against the Peace and Dignity of the People including, but not limited to, C. (Colorado) R.S. 18-11-203 which defines and prescribes punishment for "Seditious Associations" which is applicable to the other constitutions, and the intents and professed purposes of their Organizations, Corporations and Associations. If the Presentment should be obstructed by the members of the Bar, ARREST THEM.

I could go on, but the story is long! I hope this information and research is of assistance to you. Much remains to be uncovered and disclosed, as it is necessary and imperative to secure the Lives, Liberties, Property, Peace and Dignity of the People and our Posterity. Good Hunting and the Good Lord be with you in all your endeavors.

11 Corporate "Franchisees" are "residents" and "trustees" of the entity granting the privilege[26]

Governments cannot create corporate franchises without also bestowing upon themselves the ability to regulate all those who participate in order to fulfill the purposes of the franchise. Private persons are not subject to government jurisdiction by default.

> *"The power to "legislate generally upon" [PRIVATE] life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state [e.g. "public"] action, was "repugnant" to the Constitution. Id., at 15. See also United States v. Reese,* 92 U.S. 214, 218 *(1876) ; United States v. Harris,* 106 U.S. 629, 639 *(1883) ; James v. Bowman,* 190 U.S. 127, 139 *(1903) . Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States,* 379 U.S. 241 *(1964) ; United States v. Guest,* 383 U.S. 745 *(1966) , their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."*
> *[*City of Boerne v. Florez, Archbishop of San Antonio, 521 U.S. 507 (1997) *]*

Likewise, governments can only lawfully tax those things that they create.

> *"What is a Constitution? It is the form of government, delineated by the mighty hand of the people, in which certain first principles of fundamental laws are established. The Constitution is certain and fixed; it contains the permanent will of the people, and is the supreme law of the land; it is paramount to the power of the Legislature, and can be revoked or altered only by the authority that made it.* ***The life-giving principle and the death-doing stroke must proceed from the same hand.*** *"*
> *[VanHorne's Lessee v. Dorrance, 2 U.S. 304 (1795)]*

> *"****The great principle is this: because the constitution will not permit a state to destroy, it will not permit a law [including a tax law] involving the power to destroy.*** *"*
> *[Providence Bank v. Billings, 29 U.S. 514 (1830)]*

> ***"The power to tax involves the power to destroy; the power to destroy may defeat and render useless the power to create; and there is a plain repugnance in conferring on one government [THE FEDERAL GOVERNMENT] a power to control the constitutional measures of another [WE THE PEOPLE], which other, with respect to those very measures, is declared to be supreme over that which exerts the control."***
> *[Van Brocklin v. State of Tennessee, 117 U.S. 151 (1886)]*

The purpose of offering franchises and incorporating the government is to increase government revenues, power, and control over private citizens at the expense of their liberty, happiness, and property and to their extreme detriment.

> *"The sentiments of men are known not only by what they receive, but what they reject also."*
> *[Thomas Jefferson: Autobiography, 1821. ME 1:28]*

[26] Adapted from Sovereignty Forms and Instructions Manual, Form #10.005, Section 1.21.4.

> *"Government big enough to supply everything you need is big enough to take everything you have. The course of history shows that as a government grows, liberty decreases."*
> *[Thomas Jefferson]*

> *"They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."*
> *[Benjamin Franklin]*

The following subsections will prove that:

1. When you sign up for a government franchise such as Social Security, Medicare, Unemployment, Employment, etc., you create a constructive trust and a "res" that is the subject of the trust.
2. The "res" becomes a "resident" within the jurisdiction of the government granting the franchise. This "resident" effectively is a statutory "alien" with a legal domicile within federal territory.
3. All franchisees are treated as officers of a federal corporation subject to federal law.
4. All franchisees are treated as "public officers" within the federal corporation subject to the penalty provisions of the I.R.C. pursuant to 26 U.S.C. §6671(b) and criminal provisions pursuant to 26 U.S.C. §7343.

Notice in the above that we use the phrase "are treated as" rather than "become". It is our contention that federal franchises cannot be used to create new public offices anywhere outside the District of Columbia, but rather add additional privileges to EXISTING public offices lawfully created under Title 5 of the U.S. Code. In fact, we prove elsewhere and in the following that offering franchises to otherwise PRIVATE human beings domiciled outside of federal territory is a criminal act of bribery that amounts to treason and a destruction of the separation of powers doctrine:

Reasonable Belief About Income Tax Liability, Form #05.007, Section 2 http://sedm.org/Forms/FormIndex.htm

11.1 Why franchisees are all privileged "aliens" and NOT sovereign nonresident nationals

The Original Thirteenth Amendment to the United States Constitution, lawfully ratified in 1812 made it not only an offense, but an expatriating act to confer, retain, or receive any title of nobility. That amendment was proposed in 1810 and officially adopted in 1812. The Original Thirteenth Amendment reads as follows:

> *"If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honour, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, **such person shall cease to be a citizen of the united States, and shall be incapable of holding any office of trust or profit under them, or either of them.**"*
> *[Original 13th Amendment to the Constitution for the united states of America]*

To lose one's citizenship and nationality is called "expatriation" within the legal field.

> *"**Expatriation is the voluntary renunciation or abandonment of nationality and allegiance."** Perkins v. Elg., 1939, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320. In order to be relieved of the duties of allegiance, consent of the sovereign is required. Mackenzi v. Hare, 1915, 239 U.S. 299, 36 S.Ct. 106, 60 L.Ed. 297. Congress has provided that the right of expatriation is a natural and inherent right of all people, and has further made a legislative declaration as to what acts shall amount to an exercise of such right. The enumerated methods set out in the chapter are expressly made the sole means of expatriation."*

> *"...municipal law determines how citizenship may be acquired..."*

> *"The renunciations not being given a result of free and intelligent choice, but rather because of mental fear, intimidation and coercion, they were held void and of no effect."*
> *[Tomoya Kawakita v. United States, 190 F.2d. 506 (1951)]*

Those who have been expatriated from a state become "aliens" in relation to that state. If they are also domiciliated, meaning they have a domicile on federal territory, they become privileged "residents" (aliens) in relation to both the de jure state and the corporate state.

How does all this relate to the affect of participating in franchises upon one's status in relation to the de jure constitutional government? Well, the practical effect upon one's status in relation to the government of signing up for, accepting the benefits of, or participating in any government franchise are all the following:

1. You accept the equivalent of a title of nobility in violation of the Constitution.

> *Articles of Confederation*
> *Article VI.*
>
> *No State, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King, Prince or State; nor shall any person holding any office of profit or trust under the United States, or any of them, accept any present, emolument, **office or title** of any kind whatever from any King, Prince or foreign State; nor shall the United States in Congress assembled, or any of them, grant any **title of nobility**.*
>
> ---
>
> *United States Constitution*
> *Article I, Section 9, Clause 8*
>
> ***No Title of Nobility shall be granted by the United States**: And no Person **holding any Office** of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or **Title, of** any kind whatever, from any King, Prince, or foreign State.*
>
> ---
>
> *United States Constitution*
> *Article 1, Section. 10*
>
> *No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or **grant any Title of Nobility**.*

2. You surrender the privileges and immunities of constitutional citizenship in exchange for the disabilities and privileges of alienage as mandated by the Original Thirteenth Amendment.
3. You become a privileged "resident alien" in relation to the existing government under the terms of the franchise agreement.

> ***"Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country**. Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they remain there, and being protected by it, they must defend it, **although they do not enjoy all the rights of citizens. They have only certain privileges which the law, or custom, gives them.** Permanent residents are those who have been given the right of perpetual residence. They are a sort of citizens of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children."*
> *[The Law of Nations, Vattel, p. 87;*
> *SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Resident-LawOfNations.pdf]*

4. You may not be treated as a constitutional "citizen" in relation to the government under the terms of the franchise agreement and may not claim any of the "benefits" or protections of being a constitutional "citizen". Instead, you become a STATUTORY citizen who is privileged and who is domiciled on federal territory not protected by the United States Constitution. It is furthermore proven in the following references that your status as a statutory "U.S. citizen" under 8 U.S.C. §1401 is in fact, yet another franchise that has nothing to do with domicile or residence:
   4.1. *Federal Jurisdiction*, Form #05.018, Section 5
   http://sedm.org/Forms/FormIndex.htm
   4.2. *Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006, Sections 3 through 3.3.
   http://sedm.org/Forms/FormIndex.htm

However, news of the adoption of the Original Thirteenth Amendment has been silenced because it would undermine and destroy nearly everything that our present government does, which is implemented almost entirely using franchises and privileges. If the Original Thirteenth Amendment remained on the books, NO ONE could call themselves an American or a Constitutional citizen and we would all be aliens in our own land because almost everyone participates in government franchises of one kind or another at this time. In a real de jure and constitutional government, there is no such thing as franchises or the titles of nobility they create because everyone is equal.

You can find the complete story behind the ratification of the Original Thirteenth Amendment and its subsequent mysterious "disappearance" from the Constitution in the following document on our website:

Consistent with this section, Article IV of the Articles of Confederation also says that paupers and vagabonds are not entitled to the privileges and immunities of citizenship.

> *"... the free inhabitants of each of these states, **paupers, vagabonds and fugitives from Justice excepted**, shall be entitled to all privileges and immunities of free citizens in the several states"*
> *[Articles of Confederation, Article IV]*

Here is the definition of "paupers and vagabonds":

> *"**Vagabond**. A vagrant or homeless wanderer **without means of honest livelihood**. Neering v. Illinois Cent. R. Co., 383 Ill. 366, 50 N.E.2d. 497, 502. One who wanders from place to place, having no fixed dwelling, or, if he has one, not abiding in it; a wanderer, especially such **a person who is lazy and generally worthless without means of honest livelihood.**"*
> *[Black's Law Dictionary, Sixth Edition, p. 1548]*

> *"**Vagrant**. At common law, wandering or going about from place to place by idle person who had **no lawful or visible means of support and who subsisted on charity and did not work, though able to do so**. State v. Harlowe, 174 Wash. 227, 24 P.2d. 601. A general term, including, in English law, the several classes of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues. One who wanders from place to place; an idle wander, specifically, **one who has no settled habitation, nor any fixed income or livelihood**. A vagabond; a tramp. **A person able to work who spends his time in idleness or immorality, having no property to support him and without some visible and known means of fair, honest, and reputable livelihood**. State v. Oldham, 224 N.C. 415, 30 S.E.2d. 318, 319. One who is apt to become a public charge through his own laziness. People, on Complaint of McDonough, v. Gesino, Sp.Sess., 22 N.Y.S.2d. 284, 285. See Vagabond; Vagrancy."*
> *[Black's Law Dictionary, Sixth Edition, p. 1548]*

Incidentally, the above also happens to describe most of the people who work for the government. Most are do-nothing no-loads who effectively are "retired on duty" (R.O.D.). Based on the above, those who must draw from the government through charity or socialist welfare programs as a private citizen cannot have the rights or privileges of constitutional citizenship under the original Articles of Confederation, and that is exactly what happens to those who participate in our present Social Security or the government's tax system: They become privileged statutory "resident aliens" or statutory "citizens" domiciled on federal territory rather than constitutional citizens.

Those participating in government franchises essentially elect the government as their "parens patriae", or government parent. The Corpus Juris Secundum Legal Encyclopedia also agrees with this section by affirming that those who are children or dependents or of unsound mind assume the domicile of the sovereign who is their "caretaker" or "parent".

> *PARTICULAR PERSONS*
> *Infants*
> *§20 In General*
>
> *An infant, being non sui juris, cannot fix or change his domicile unless emancipated. **A legitimate child's domicile usually follows that of the father**. In case of separation or divorce of parents, the child has the domicile of the parent who has been awarded custody of the child.*
> *[Corpus Juris Secundum (C.J.S.), Domicile, §20;*
> *SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf]*

As long as we are called "children of God" and are dependent exclusively on Him, we assume His domicile, which is the Kingdom of God. If we elect government as our parent or caretaker through franchises, we fire God as our provider and caretaker, become wards of the corporate government, and become government dependents who are "persons", "resident aliens", "public officers", "trustees", and franchisees of the government subject to their jurisdiction and who are their "property" and responsibility. In short, we become cattle and chattel of the government.

The considerations in this section are the reason why:

1. No social benefit program entitles those participating to an enforceable right under equity as against the government.

> *"We must conclude that **a person covered by the Act has not such a right in benefit payments**… This is not to say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional restraint."*
> *[Flemming v. Nestor, 363 U.S. 603 (1960)]*

2. Disputes relating to franchise "benefits" must be settled in administrative franchise courts in which you are unequal in relation to the government and approach them more as a beggar and an employee than a sovereign.

Why, you might ask, is this? Because they couldn't succeed in their dastardly plan to convert all your rights in to privileges if you retained your sovereignty and equity in relation to them under the terms of the franchise. They want to transport you to the plunder zone, which is the federal zone, and destroy and plunder you rather than protect you, in fact. They want to eliminate all constitutional courts and replace them with franchise courts and make you into a government "employee" or "public officer" called a statutory "U.S. citizen". That is why the U.S. Supreme Court referred to Social Security as a "statutory scheme". They weren't lying, folks!

11.2 Creation of the "Resident" entity

When two parties execute a franchise agreement or contract between them, they are engaging in "commerce". The practical consequences of the franchise agreement are the following:

1. The main source of jurisdiction for the government is over commerce.
2. The mutual consideration passing between the parties provides the nexus for government jurisdiction over the transaction.
3. Parties to the franchise agreement cannot engage in a franchise without implicitly surrendering governance over disputes to the government granting the franchise. In that sense, their effective domicile shifts to the location of the seat of the government granting the franchise.
4. The parties to the franchise agreement mutually and implicitly surrender their sovereign immunity under the Foreign Sovereign Immunities Act, 28 U.S.C. §1605(a)(2), which says that commerce within the legislative jurisdiction of the "United States" constitutes constructive consent to be sued in the courts of the United States. This is discussed in more detail in the previous section.

Another surprising result of engaging in franchises and public benefits that most people overlook is that the commerce it represents, in fact, can have the practical effect of making a "nonresident" party "resident" for the purposes of judicial jurisdiction. Here is the proof:

> *In International Shoe Co. v. Washington, 326 U.S. 310 (1945), the Supreme Court held that a court may exercise personal jurisdiction over a defendant consistent with due process only if he or she has "certain minimum contacts" with the relevant forum "such that the maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.' " Id. at 316 (quoting Milliken v. Meyer, 311 U.S. 457, 463 (1940)).* ***Unless a defendant's contacts with a forum are so substantial, continuous, and systematic that the defendant can be deemed to be "present" in that forum for all purposes, a forum may exercise only "specific" jurisdiction - that is, jurisdiction based on the relationship between the defendant's forum contacts and the plaintiff's claim.*** *The parties agree that only specific jurisdiction is at issue in this case.*
>
> *In this circuit, we analyze specific jurisdiction according to a three-prong test:*
>
> *(1) The non-resident defendant must purposefully direct his activities or consummate some transaction with the forum or resident thereof; or perform some act by which he purposefully avails himself of the privilege of conducting activities in the forum, thereby invoking the benefits and protections of its laws;*
> *(2) the claim must be one which arises out of or relates to the defendant's forum-related activities; and*
> *(3) the exercise of jurisdiction must comport with fair play and substantial justice, i.e. it must be reasonable.*
>
> *Schwarzenegger v. Fred Martin Motor Co., 374 F.3d. 797, 802 (9th Cir. 2004) (quoting Lake v. Lake, 817 F.2d. 1416, 1421 (9th Cir. 1987)). The first prong is determinative in this case. We have sometimes referred to it, in shorthand fashion, as the "purposeful availment" prong. Schwarzenegger, 374 F.3d. at 802. Despite its label, this prong includes both purposeful availment and purposeful direction. It may be satisfied by purposeful availment of the privilege of doing business in the forum; by purposeful direction of activities at the forum; or by some combination thereof.*
>
> *We have typically treated "purposeful availment" somewhat differently in tort and contract cases. In tort cases, we typically inquire whether a defendant "purposefully direct[s] his activities" at the forum state, applying an "effects" test that focuses on the forum in which the defendant's actions were felt, whether or not the actions*

themselves occurred within the forum. See Schwarzenegger, 374 F.3d. at 803 (citing Calder v. Jones, 465 U.S. 783, 789-90 (1984)). By contrast, in contract cases, we typically inquire whether a defendant "purposefully avails itself of the privilege of conducting activities" or "consummate[s] [a] transaction" in the forum, focusing on activities such as delivering goods or executing a contract. See Schwarzenegger, 374 F.3d. at 802. However, this case is neither a tort nor a contract case. Rather, it is a case in which Yahoo! argues, based on the First Amendment, that the French court's interim orders are unenforceable by an American court.
[Yahoo! Inc. v. La Ligue Contre Le Racisme Et L'Antisemitisme, 433 F.3d. 1199 (9th Cir. 01/12/2006)]

Legal treatises on domicile also confirm that those who are "wards" or "dependents" of the state or the government assume the same domicile or "residence" as their care giver. The practical effect of this is that by participating in government franchises, we become "wards" of the government in receipt of welfare payments such as Social Security, Medicare, etc. As "wards" under "guardianship" of the government, we assume the same domicile as the government who is paying us the "benefits", which means the District of Columbia. Our domicile is whatever the government, meaning the "court" wants it to be for their convenience:

PARTICULAR PERSONS
§ 24. Wards

While it appears that an infant ward's domicile or residence ordinarily follows that of the guardian *it does not necessarily do so,[27] as so a guardian has been held to have no power to control an infant's domicile as against her mother.[28] Where a guardian is permitted to remove the child to a new location, the child will not be held to have acquired a new domicile if the guardian's authority does not extend to fixing the child's domicile.* ***Domicile of a child who is a ward of the court is the location of the court.***[29]

Since a ward is not sui juris, he cannot change his domicile *by removal,[30] nor or does the removal of the ward to another state or county by relatives or friends, affect his domicile.[31]* ***Absent an express indication by the court, the authority of one having temporary control of a child to fix the child's domicile is ascertained by interpreting the court's orders.***[32]
[Corpus Juris Secundum (C.J.S.), Domicile, §24;
SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf*]*

This change in domicile of those who participate in government franchises and thereby become "wards" of the government is also consistent with the U.S. Supreme Court's view of the government's relationship to those who participate in government franchises. It calls the government a "parens patriae" in relation to them!:

"The proposition is that ***the United States, as the grantor of the franchises of the company, the author of its charter, and the donor of lands, rights, and privileges of immense value, and as parens patriae, is a trustee, invested with power to enforce the proper use of the property and franchises granted for the benefit of the public."***
[U.S. v. Union Pac. R. Co., 98 U.S. 569 (1878)]

PARENS PATRIAE. Father of his country; parent of the country. In England, ***the king****. In the United States, the state, as a sovereign-****referring to the sovereign power of guardianship over persons under disability****; In re Turner, 94 Kan. 115, 145 P. 871, 872, Ann.Cas.1916E, 1022; such as minors, and insane and incompetent persons; McIntosh v. Dill, 86 Okl. 1, 205 P. 917, 925.*
[Black's Law Dictionary, Sixth Edition, p. 1269]

One Congressman during the debates over the proposal of the Social Security Act in 1933 criticized the very adverse affects of the franchise upon people's rights, including that upon the domicile of those who participate, when he said:

Mr. Logan: "...Natural laws can not be created, repealed, or modified by legislation. ***Congress should know there are many things which it can not do...****"*

[27] Ky.--City of Louisville v. Sherley's Guardian, 80 Ky. 71.

[28] Ky.--Garth v. City Sav. Bank. 86 S.W. 520, 120 Ky. 280, 27 Ky.L. 675.

[29] Wash.-Matter of Adoption of Buehl, 555 P.2d. 1334, 87 Wash.2d. 649.

[30] Cd.-In re Henning's Estate, 60 P. 762, 128 C. 214.

[31] Md.Sudler v. Sudler, 88 A. 26, 121 Md. 46.

[32] Wash.-Matter of Adoption of Buehl, 555 P.2d. 1334, 87 Wash.2d. 649.

> *"It is now proposed to make the Federal Government the guardian of its citizens. If that should be done, the Nation soon must perish. There can only be a free nation when the people themselves are free and administer the government which they have set up to protect their rights.* ***Where the general government must provide work, and incidentally food and clothing for its citizens, freedom and individuality will be destroyed and eventually the citizens will become serfs to the general government...****"*
> *[Congressional Record - Senate, Volume 77- Part 4, June 10, 1933, Page 12522;*
> *SOURCE:* http://famguardian.org/TaxFreedom/CitesByTopic/Sovereignty-CongRecord-Senate-JUNE101932.pdf*]*

The Internal Revenue Code franchise agreement itself contains provisions which recognize this change in effective domicile to the District of Columbia within 26 U.S.C. §7408(d) and 26 U.S.C. §7701(a)(39).

> *TITLE 26 > Subtitle F > CHAPTER 79 > § 7701*
> *§ 7701. Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(39) Persons residing outside United States*
>
> ***If any citizen or resident of the United States does not reside in (and is not found in) any United States judicial district, such citizen or resident shall be treated as residing ["domiciled"] in the District of Columbia*** *for purposes of any provision of this title relating to—*
> *(A) jurisdiction of courts, or*
> *(B) enforcement of summons.*
>
> _____
>
> *TITLE 26 > Subtitle F > CHAPTER 76 > Subchapter A > § 7408*
> *§7408. Action to enjoin promoters of abusive tax shelters, etc.*
>
> *(d) Citizens and residents outside the United States*
>
> *If any citizen or resident of the United States does not reside in, and does not have his principal place of business in, any United States judicial district, such citizen or resident shall be treated for purposes of this section as residing in the District of Columbia.*

The only legitimate purpose of all law and government is "protection". A person who selects or consents to have a "domicile" or "residence" within the jurisdiction of the government granting the protection franchise has effectively contracted to procure "protection" of that "sovereign" or "state". In exchange for the promise of protection by the "state", they are legally obligated to give their "allegiance and support", thus nominating a Master who will be above them.

> ***"Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance."***
> *[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]*

Allegiance implies subservience to a superior sovereign. All allegiance must be voluntary and any consequences arising from compelled allegiance may not be enforced in a court of law. When you *revoke* your voluntary consent to the government's jurisdiction and the "domicile" or "residence" contract, you change your status from that of a "domiciliary" or "resident" (alien) pursuant to 26 U.S.C. §7701(b)(1)(A) or "inhabitant" or "U.S. person" pursuant to 26 U.S.C. §7701(a)(30) to that of a "transient foreigner". Transient foreigner is then defined below:

> *"**Transient foreigner**. One who visits the country, without the intention of remaining."*
> *[Black's Law Dictionary, Sixth Edition, p. 1498]*

Note again the language within the definition of "domicile" from Black's Law Dictionary relating to the word "transient", which confirms that what makes your stay "permanent" is *consent* to the jurisdiction of the "state" located in that place:

> *"Domicile. [. . .]****The established, fixed, permanent, or ordinary dwellingplace*** *or place of residence of a person,* ***as distinguished from his temporary and transient, though actual, place of residence****. It is his legal residence,* ***as distinguished from his temporary place of abode****; or his home, as distinguished from a place to which business or pleasure may temporarily call him. See also Abode; Residence."*
> *[Black's Law Dictionary, Sixth Edition, p. 485****]***

Since your Constitutional right to contract is unlimited, then you can have as many "residences" as you like, but you can have only *one* legal "domicile", because your allegiance must be undivided or you will have a conflict of interest and allegiance.

> *"No one can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon."*
> *[Matt. 6:23-25, Bible, NKJV]*

> ***"The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign**…."*
> *[Talbot v. Janson, 3 U.S. 133 (1795)]*

Now do you understand the reasoning behind the following maxim of law? You become a "subject" and a "resident" under the jurisdiction of a government's civil law by demanding its protection! If you want to "fire" the government as your "protector", you MUST quit demanding anything from it by filling out government forms or participating in its franchises:

> *Protectio trahit subjectionem, subjectio projectionem.*
> *Protection draws to it subjection, subjection, protection. Co. Litt. 65.*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

Remember, "resident" is a combination of two word roots: "res", which is legally defined as a "thing", and "ident", which stands for "identified".

> ***Res**. Lat. The subject matter of a trust or will. In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By "res," according to the modern civilians, is meant everything that may form an object of rights, in opposition to "persona," which is regarded as a subject of rights. "Res," therefore, in its general meaning, comprises actions of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*

> ***Res is everything that may form an object of rights and includes an object, subject-matter or status**. In re Riggle's Will, 11 A.D.2d. 51 205 N.Y.S.2d. 19, 21, 22. **The term is particularly applied to an object, subject-matter, or status, considered as the defendant in an action, or as an object against which, directly, proceedings are taken.** Thus, in a prize case, the captured vessel is "the res"; and proceedings of this character are said to be in rem. (See In personam; In Rem.) "Res" may also denote the action or proceeding, as when a cause, which is not between adversary parties, it entitled "In re _____".*
> *[Black's Law Dictionary, Sixth Edition, pp. 1304-1306]*

The "*object, subject matter, or status*" they are talking about above is the ALL CAPS incarnation of your legal birth name and the government-issued number, usually an SSN, that is associated with it. Those two things constitute the "straw man" or "trust" or "res" which you implicitly agree to represent at the time you sign up for any franchise, benefit, or "public right". When the government attacks someone for a tax liability or a debt, they don't attack you as a *private* person, but rather the collection of rights that attach to the ALL CAPS trust name and associated Social Security Number. They start by placing a lien on the number, which actually is THEIR number and not YOURS. 20 CFR §422.103(d) says the number is THEIR property. They can lien their property, which is public property in your temporary use and custody as a "trustee" of the "public trust". Everything that number is connected to acts as private property donated temporarily to a public use to procure the benefits of the franchise. It is otherwise illegal to mix public property, such as the Social Security Number, with private property, because that would constitute illegal and criminal embezzlement in violation of 18 U.S.C. §912.

> *"Men are endowed by their Creator with certain unalienable rights,-'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. **That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.***
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

Below is how the U.S. Supreme Court describes the practical effect of creating the trust and placing its "residence" or "domicile" within the jurisdiction the specific government or "state" granting the franchise:

> *"**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes**. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally reciprocal duties [e.g. CONTRACTUAL DUTIES!!] of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

The implication is that you cannot be sovereign if either you or the entities you voluntarily represent have a "domicile" or "residence" in any man-made government or in any place other than Heaven or the Kingdom of Heaven on Earth. If you choose a "domicile" or "residence" any place on earth, then you become a "subject" in relation to that place and voluntarily forfeit your sovereignty. This is NOT the status you want to have! A "resident" by definition MUST therefore be within the legislative jurisdiction of the government, because the government cannot lawfully write laws that will allow them to recognize or act upon anything that is NOT within their legislative jurisdiction.

All law is territorial in nature, and can act only upon the territory under the exclusive control of the government or upon its franchises, contracts, and real and chattel property, which are "property" under its management and control pursuant to Article 4, Section 3, Clause 2 of the United States Constitution. The only lawful way that government laws can reach beyond the territory of the sovereign who controls them is through explicit, informed, mutual consent of the individual parties involved, and this field of law is called "private law".

> *"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First 'that **every nation possesses an exclusive sovereignty and jurisdiction within its own territory**'; secondly, '**that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.**' The learned judge then adds: 'From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent." Story on Conflict of Laws §23."*
> *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

A person who is "subject" to government jurisdiction cannot be a "sovereign", because a sovereign is not *subject* to the law, but the AUTHOR of the law. Only citizens are the authors of the law because only "citizens" can vote.

> ***"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power."***
> *[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]*

11.3 Creation of the "Trustee" entity

> *"**Government is competent when all who compose it work as trustees for the whole people**. It can make constant progress when it keeps abreast of all the facts. It can obtain justified support and legitimate criticism when the people receive true information of all that government does.*

> *"If I know aught of the will of our people, they will demand that these conditions of effective government shall be created and maintained. They will demand a nation uncorrupted by cancers of injustice and, therefore, strong among the nations in its example of the will to peace.*
> *[Franklin D. Roosevelt, Second Inaugural Address, January 20, 1937;*
> *SOURCE: http://www.bartleby.com/124/pres50.html]*

All biological people start out as "sovereigns" who are foreign to nearly every subject matter of federal and state legislation:

> *"In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it."*
> *[Wilson v. Omaha Indian Tribe, 442 U.S. 653, 667 (1979)]*

> *The United States maintains it does not, invoking the Court's "longstanding interpretive presumption that `person' does not include the sovereign," a presumption that "may be disregarded only upon some affirmative showing of statutory intent to the contrary." Brief for United States as Amicus Curiae 7-8 (quoting Vermont*

Agency of Natural Resources v. United States ex rel. Stevens, 529 U.S. 765, 780-781 (2000)); see Will, 491 U.S. at 64.
[Inyo County, California v. Paiute Shoshone Indians, 538 U.S. 701 (2003)]

"Since in common usage, the term person does not include the sovereign, statutes not employing the phrase are ordinarily construed to exclude it."
[United States v. Cooper Corporation, 312 U.S. 600 (1941)]

When you exercise your right to contract by signing up for a government franchise or "public right", there is an implied waiver of sovereign immunity in respect to the other party to the contract and a new legal "person" is created who is within the jurisdiction of the franchise agreement. The legal "person" who is created by the contract is a "public officer" within the government granting the privilege or franchise. An example of such a statutory person is found in the penalty provisions of the Internal Revenue Code:

TITLE 26 > Subtitle F > CHAPTER 68 > Subchapter B > PART I > § 6671
§ 6671. Rules for application of assessable penalties

(b) Person defined

The term "person", as used in this subchapter, includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

The legal "person" described above is a person who consented to the franchise agreement and who may therefore become the lawful object of government enforcement activity. It otherwise constitutes an unconstitutional bill of attainder to administratively penalize anyone without their consent, as indicated in Article 1, Section 10 and Article 1, Section 9, Clause 3 of the U.S. Constitution.

U.S. Constitution
Article 1, Section 9, Clause 3

"'No State shall pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts.'" A bill of attainder is a legislative act which inflicts punishment without a judicial trial.

***Bill of attainder**. Legislative acts, no matter what their form, that apply either to named individuals or to easily ascertainable members of a group in such a way as to **inflict punishment on them without a judicial trial**. United States v. Brown, 381 U.S. 437, 448-49, 85 S.Ct. 1707, 1715, 14 L.Ed. 484, 492; United States v. Lovett, 328 U.S. 303, 315, 66 S.Ct. 1073, 1079, 90 L.Ed. 1252. An act is a "bill of attainder" when the punishment is death and a "bill of pains and penalties" when the punishment is less severe; both kinds of punishment fall within the scope of the constitutional prohibition. U.S.Const. Art. I, Sect 9, Cl. 3 (as to Congress);' Art. I, Sec, 10 (as to state legislatures).*
[Black's Law Dictionary, Sixth Edition, p. 165]

This "public officer" entity created by the exercise of your right to contract is alluded to in Bouvier's Maxims of Law, which states on the subject:

Quando duo juro concurrunt in und personâ, aequum est ac si essent in diversis.
*When two rights concur in one person [public AND private rights], it is the same as if they were in **two separate persons**. 4 Co. 118.*
[Bouvier's Maxims of Law, 1856;
SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]

The rights they are talking about are "private rights" and "public rights" coexisting in the same physical person. This public officer is also a "trustee" of the "public trust", because public service is a "public trust":

*"**Trustee**. Person holding property in trust. Restatement, Second, Trusts, §3(3). The person appointed, or required by law, to execute a trust. One in whom an implied agreement to administer or exercise it for the benefit or to the use of another. One who holds legal title to property "in trust" for the benefit of another person (beneficiary) and who must carry out specific duties with regard to the property. The trustee owes a fiduciary duty to the beneficiary. Reineck v. Smith, Ill., 289 U.S. 172, 53 S.Ct. 570, 77 L.Ed. 1109."*
[Black's Law Dictionary, Sixth Edition, p. 1514]

American Jurisprudence identifies a franchise as a temporary conveyance of "public property" to the franchisee for use and safekeeping for the benefit of the public at large:

> *"In a legal or narrower sense, the term "franchise" is more often used to designate a right or privilege conferred by law,* [33] *and the view taken in a number of cases is that to be a franchise, the right possessed must be such as cannot be exercised without the express permission of the sovereign power* [34] *–that is, a privilege or immunity of a public nature which cannot be legally exercised without legislative grant.* [35] *It is a privilege conferred by government on an individual or a corporation to do that "which does not belong to the citizens of the country generally by common right."* [36] *For example, a right to lay rail or pipes, or to string wires or poles along a public street, is not an ordinary use which everyone may make of the streets, but is a special privilege, or franchise, to be granted for the accomplishment of public objects* [37] *which, except for the grant, would be a*

[33] People ex rel. Fitz Henry v. Union Gas & E. Co. 254 Ill. 395, 98 N.E. 768; State ex rel. Bradford v. Western Irrigating Canal Co. 40 Kan 96, 19 P 349; Milhau v. Sharp, 27 NY 611; State ex rel. Williamson v. Garrison (Okla) 348 P.2d. 859; Ex parte Polite, 97 Tex Crim 320, 260 S.W. 1048.

The term "franchise" is generic, covering all the rights granted by the state. Atlantic & G. R. Co. v. Georgia, 98 U.S. 359, 25 L.Ed. 185.

A franchise is a contract with a sovereign authority by which the grantee is licensed to conduct a business of a quasi-governmental nature within a particular area. West Coast Disposal Service, Inc. v. Smith (Fla App) 143 So 2d 352.

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[35] State v. Real Estate Bank, 5 Ark. 595; Brooks v. State, 3 Boyce (Del) 1, 79 A 790; Belleville v. Citizens' Horse R. Co. 152 Ill. 171, 38 N.E. 584; State ex rel. Clapp v. Minnesota Thresher Mfg. Co. 40 Minn 213, 41 N.W. 1020.

[36] New Orleans Gaslight Co. v. Louisiana Light & H. P. & Mfg. Co. 115 U.S. 650, 29 L.Ed. 516, 6 S.Ct. 252; People's Pass. R. Co. v. Memphis City R. Co. 10 Wall (US) 38, 19 L.Ed. 844; Bank of Augusta v. Earle, 13 Pet (US) 519, 10 L.Ed. 274; Bank of California v. San Francisco, 142 Cal 276, 75 P 832; Higgins v. Downward, 8 Houst (Del) 227, 14 A 720, 32 A 133; State ex rel. Watkins v. Fernandez, 106 Fla 779, 143 So 638, 86 ALR 240; Lasher v. People, 183 Ill. 226, 55 N.E. 663; Inland Waterways Co. v. Louisville, 227 Ky. 376, 13 S.W.2d. 283; Lawrence v. Morgan's L. & T. R. & S. S. Co. 39 La Ann 427, 2 So 69; Johnson v. Consolidated Gas E. L. & P. Co. 187 Md 454, 50 A.2d. 918, 170 ALR 709; Stoughton v. Baker, 4 Mass 522; Poplar Bluff v. Poplar Bluff Loan & Bldg. Asso. (Mo App) 369 S.W.2d. 764; Madden v. Queens County Jockey Club, 296 NY 249, 72 N.E.2d. 697, 1 ALR2d 1160, cert den 332 U.S. 761, 92 L.Ed. 346, 68 S.Ct. 63; Shaw v. Asheville, 269 NC 90, 152 S.E.2d. 139; Victory Cab Co. v. Charlotte, 234 NC 572, 68 S.E.2d. 433; Henry v. Bartlesville Gas & Oil Co. 33 Okla 473, 126 P 725; Elliott v. Eugene, 135 Or 108, 294 P 358; State ex rel. Daniel v. Broad River Power Co., 157 S.C. 1, 153 S.E. 537; State v. Scougal, 3 SD 55, 51 N.W. 858; Utah Light & Traction Co. v. Public Serv. Com. 101 Utah 99, 118 P.2d. 683.

A franchise represents the right and privilege of doing that which does not belong to citizens generally, irrespective of whether net profit accruing from the exercise of the right and privilege is retained by the franchise holder or is passed on to a state school or to political subdivisions of the state. State ex rel. Williamson v. Garrison (Okla) 348 P.2d. 859.

Where all persons, including corporations, are prohibited from transacting a banking business unless authorized by law, the claim of a banking corporation to exercise the right to do a banking business is a claim to a franchise. The right of banking under such a restraining act is a privilege or immunity by grant of the legislature, and the exercise of the right is the assertion of a grant from the legislature to exercise that privilege, and consequently it is the usurpation of a franchise unless it can be shown that the privilege has been granted by the legislature. People ex rel. Atty. Gen. v. Utica Ins. Co. 15 Johns (NY) 358.

[37] New Orleans Gaslight Co. v. Louisiana Light & H. P. & Mfg. Co. 115 U.S. 650, 29 L.Ed. 516, 6 S.Ct. 252; People's Pass. R. Co. v. Memphis City R. Co. 10 Wall (US) 38, 19 L.Ed. 844; Bank of Augusta v. Earle, 13 Pet (US) 519, 10 L.Ed. 274; Bank of California v. San Francisco, 142 Cal 276, 75 P 832; Higgins v. Downward, 8 Houst (Del) 227, 14 A 720, 32 A 133; State ex rel. Watkins v. Fernandez, 106 Fla 779, 143 So 638, 86 ALR 240; Lasher v. People, 183 Ill. 226, 55 N.E. 663; Inland Waterways Co. v. Louisville, 227 Ky. 376, 13 S.W.2d. 283; Lawrence v. Morgan's L. & T. R. & S. S. Co. 39 La Ann 427, 2 So 69; Johnson v. Consolidated Gas E. L. & P. Co. 187 Md 454, 50 A.2d. 918, 170 ALR 709; Stoughton v. Baker, 4 Mass 522; Poplar Bluff v. Poplar Bluff Loan & Bldg. Asso. (Mo App) 369 S.W.2d. 764; Madden v. Queens County Jockey Club, 296 NY 249, 72 N.E.2d. 697, 1 ALR2d 1160, cert den 332 U.S. 761, 92 L.Ed. 346, 68 S.Ct. 63; Shaw v. Asheville, 269 NC 90, 152 S.E.2d. 139; Victory Cab Co. v. Charlotte, 234 NC 572, 68 S.E.2d. 433; Henry v. Bartlesville Gas & Oil Co. 33 Okla 473, 126 P 725; Elliott v. Eugene, 135 Or 108, 294 P 358; State ex rel. Daniel v. Broad River Power Co., 157 S.C. 1, 153 S.E. 537; State v. Scougal, 3 SD 55, 51 N.W. 858; Utah Light & Traction Co. v. Public Serv. Com. 101 Utah 99, 118 P.2d. 683.

A franchise represents the right and privilege of doing that which does not belong to citizens generally, irrespective of whether net profit accruing from the exercise of the right and privilege is retained by the franchise holder or is passed on to a state school or to political subdivisions of the state. State ex rel. Williamson v. Garrison (Okla) 348 P.2d. 859.

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> *trespass.* [38] ***In this connection, the term "franchise" has sometimes been construed as meaning a grant of a right to use public property, or at least the property over which the granting authority has control.*** [39]"
> *[American Jurisprudence 2d, Franchises, §1: Definitions]*

An example of the conveyance of "public property" for temporary use is the Social Security Number, which is identified as property NOT of the user, but of the Social Security Administration and the "public":

> *Title 20: Employees' Benefits*
> *PART 422—ORGANIZATION AND PROCEDURES*
> *Subpart B—General Procedures*
> *§422.103 Social security numbers.*
>
> *(d) Social security number cards.*
>
> *A person who is assigned a social security number will receive a social security number card from SSA within a reasonable time after the number has been assigned. (See §422.104 regarding the assignment of social security number cards to aliens.)* ***Social security number cards are the property of SSA and must be returned upon request.***

The conveyance of the Social Security Card and associated number to a private person makes that person into a "trustee" and "fiduciary" over the "public property" and creates an obligation to use everything it connects or attaches to ONLY for a "public purpose" and exclusively for the benefit of the public, who are the beneficiaries of the "public trust". He holds temporary "title" to the card while it is in his possession and loses title when he returns it to the government. SSA Form SS-5 is the method for requesting temporary custody of the public property called the Social Security Card and becoming a "trustee" over said property. You will note that the form is entitled "Application for Social Security Card" and NOT "Application for Social Security Benefits".

The ONLY definition of "income" found within the Internal Revenue Code, Section 643 is entirely consistent with the notion that it can only be earned by "trustees" or fiduciaries participating in federal franchises. The Social Security Trust, in fact, is the real "taxpayer". Those representing the trust by using the number, which is "public property", must implicitly agree to all the provisions within the trust indenture codified in I.R.C. Subtitle A and 42 U.S.C. Chapter 7.

> *TITLE 26 > Subtitle A > CHAPTER 1 > Subchapter J > PART I > Subpart A > § 643*
> *§ 643. Definitions applicable to subparts A, B, C, and D*
>
> *(b) Income*
>
> *For purposes of this subpart and subparts B, C, and D,* ***the term "income", when not preceded by the words "taxable", "distributable net", "undistributed net", or "gross", means the amount of income of the estate or trust for the taxable year determined under the terms of the governing instrument and applicable local law.*** *Items of gross income constituting extraordinary dividends or taxable stock dividends which the fiduciary, acting in good faith, determines to be allocable to corpus under the terms of the governing instrument and applicable local law shall not be considered income.*

As we alluded to in the previous section, when you sign up to the government franchise, a trust is created in which you as the natural person become the "trustee" and "public officer" or "fiduciary" serving on behalf of the government. The entities created by exercising your right to contract with the government offering the franchise usually consist of a "public office", which is a position of trust created for the exercise of powers under the franchise agreement. For instance, in exchange for exercising your First Amendment right to politically associate and thereby registering to vote in a community, you become a "public officer". This is confirmed by 18 U.S.C. §201(a)(1):

> *TITLE 18 > PART I > CHAPTER 11 > §201*
> *§201. Bribery of public officials and witnesses*

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[38] People ex rel. Foley v. Stapleton, 98 Colo 354, 56 P.2d. 931; People ex rel. Central Hudson Gas & E. Co. v. State Tax Com. 247 NY 281, 160 N.E. 371, 57 ALR 374; People v. State Tax Comrs. 174 NY 417, 67 N.E. 69, affd 199 U.S. 1, 50 L.Ed. 65, 25 S.Ct. 705.

[39] Young v. Morehead, 314 Ky. 4, 233 S.W.2d. 978, holding that a contract to sell and deliver gas to a city into its distribution system at its corporate limits was not a franchise within the meaning of a constitutional provision requiring municipalities to advertise the sale of franchises and sell them to the highest bidder.

A contract between a county and a private corporation to construct a water transmission line to supply water to a county park, and giving the corporation the power to distribute water on its own lands, does not constitute a franchise. Brandon v. County of Pinellas (Fla App) 141 So 2d 278.

(a) For the purpose of this section—

*(1) **the term "public official" means** Member of Congress, Delegate, or Resident Commissioner, either before or after such official has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, **or a juror**;*

The franchise agreement then functions as the equivalent of a trust and you become essentially an "employee" or "officer" of the trust. The trust, in turn, is a wholly owned subsidiary of the federal corporation called the "United States", and which is defined in 28 U.S.C. §3002(15)(A).

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART VI - PARTICULAR PROCEEDINGS
CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE
SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS
Sec. 3002. Definitions

*(15) **"United States" means** -*
*(A) **a Federal corporation**;*
(B) an agency, department, commission, board, or other entity of the United States; or
(C) an instrumentality of the United States.

A person who is acting as an "officer" or "public officer" of the United States federal corporation then becomes "an officer of a corporation" who is subject to the laws applying to the place of incorporation of that corporation, which is the District of Columbia in the case of the federal government. Federal Rule of Civil Procedure 17(b) recognizes this result explicitly by stating that the laws which apply are those of the place where the corporation itself is domiciled:

Federal Rules of Civil Procedure
IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:

(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;

(2) for a corporation [a federal corporation called the "United States", in this case], by the law under which it was organized; and

(3) for all other parties, by the law of the state where the court is located, except that:

(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and

(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

When you signed up to become the "trustee" of the trust by making application for the franchise or public benefit, the trust becomes a "resident" in the eyes of the government: it becomes a "thing" that is now "identified" and which is *within* their legislative jurisdiction and *completely subject* to it. Hence, it is a "RES-IDENT" within government jurisdiction. Notice that a "res" is defined above as the "*object of a trust above*". They created the trust and you are simply the custodian and "trustee" over it as a "public officer". As the Creator of the trust, they and not you have full control and discretion over it and all those who participate in it. That trust is the "public trust" created by the Constitution and all laws passed pursuant to it.

Executive Order 12731
"Part 1 -- PRINCIPLES OF ETHICAL CONDUCT

"Section 101. Principles of Ethical Conduct. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental

principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this order:

"(a) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.

TITLE 5--ADMINISTRATIVE PERSONNEL
CHAPTER XVI--OFFICE OF GOVERNMENT ETHICS
PART 2635--STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH--Table of Contents
Subpart A--General Provisions
Sec. 2635.101 Basic obligation of public service.

*(a) **Public service is a public trust**.*

Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

All those who swear an oath as "public officers" are also identified as "trustees" of the "public trust":

*"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [40] **Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts**. [41] **That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves. [42] and owes a fiduciary duty to the public. [43] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. [44]** Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.[45]"*
[63C Am.Jur.2d, Public Officers and Employees, §247]

Here is another example. Any bank which accepts federal FDIC insurance becomes a "financial agent for the United States".

[Code of Federal Regulations]
[Title 31, Volume 2]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office via GPO Access
[CITE: 31CFR202.2]
TITLE 31--MONEY AND FINANCE: TREASURY
CHAPTER II--FISCAL SERVICE, DEPARTMENT OF THE TREASURY
*PART 202_DEPOSITARIES AND **FINANCIAL AGENTS OF THE FEDERAL GOVERNMENT** \1*

[40] State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 ALR 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

[41] Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist) 161 Ill. App 3d 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

[42] Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill. App 3d 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

[43] United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L Ed 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L Ed 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass) 898 F.2d. 230, 29 Fed Rules Evid Serv 1223).

[44] Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill. App 3d 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

[45] Indiana State Ethics Comm'n v. Nelson (Ind App) 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

> *Sec. 202.2 Designations.*
>
> *(a) Financial institutions of the following classes are designated as Depositaries and Financial Agents of the Government if they meet the eligibility requirements stated in paragraph (b) of this section:*
> *(1) Financial institutions insured by the Federal Deposit Insurance Corporation.*
> *(2) Credit unions insured by the National Credit Union Administration.*
> *(3) Banks, savings banks, savings and loan, building and loan, and homestead associations, credit unions created under the laws of any State, the deposits or accounts of which are insured by a State or agency thereof or by a corporation chartered by a State for the sole purpose of insuring deposits or accounts of such financial institutions, United States branches of foreign banking corporations authorized by the State in which they are located to transact commercial banking business, and Federal branches of foreign banking corporations, the establishment of which has been approved by the Comptroller of the Currency.*
> *(b) In order to be eligible for designation, a financial institution is required to possess, under its charter and the regulations issued by its chartering authority, either general or specific authority to perform the services outlined in Sec. 202.3(b).* ***A financial institution is required also to possess the authority to pledge collateral to secure public funds.***
> *[44 FR 53066, Sept. 11, 1979, as amended at 46 FR 28152, May 26, 1981; 62 FR 45521, Aug. 27, 1997]*

The "privilege" or "benefit" of either receiving FDIC insurance, or recognition by the Comptroller of the Currency, or being established as a federal corporation makes the financial institute into a "Financial Agent of the Federal Government", e.g. a TRUSTEE!

The same analogy applies to the Social Security program. When you sign up, you become a "trustee" over the "res" created by your application, and the assets committed to that res consist of all your private property donated to the res of the trust and thereby donated to a "public use" to procure the benefits of the franchise, which consists of deferred employment compensation to the trustee for managing the trust. The U.S. Supreme Court has said that when a man donates his property to a "public use", he implicitly gives the public the right to control that use.

> *"Men are endowed by their Creator with certain unalienable rights,-'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted.* ***That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.***
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

If you would like to see all the proof that the Social Security system operates as a trust and you operate as a "trustee" and not "beneficiary" of that trust, read the following amazing document, which also provides a vehicle to RESIGN as trustee:

Resignation of Compelled Social Security Trustee, Form #06.002 http://sedm.org/Forms/FormIndex.htm

11.4 Example: Christianity

The very same principles as government operates under with respect to "resident" also apply to Christianity as well. When we become Christians, we consent to the contract or covenant with God called the Bible. That covenant requires us to accept Jesus Christ as our Lord and Savior. This makes us a "resident" of Heaven and "pilgrims and sojourners" (transient foreigners) on earth:

> *"For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ" [Philippians 3:20, Bible, NKJV]*

> *"Now, therefore, you are no longer strangers and foreigners [in relation to the Kingdom of Heaven], but* ***fellow citizens with the saints and members of the household of God****." [Ephesians 2:19, Bible, NKJV]*

> *"These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them* ***and confessed that they were strangers and pilgrims [transient foreigners] on the earth****." [Hebrews 11:13, Bible, NKJV]*

*"Beloved, I beg you **as sojourners and pilgrims**, abstain from fleshly lusts which war against the soul..."*
[1 Peter 2:11, Bible, NKJV]

For those who consent to the Bible covenant with God the Father, Jesus becomes our protector, spokesperson, Counselor, and Advocate before the Father. We become a Member of His family!

Jesus' Mother and Brothers Send for Him

While He was still talking to the multitudes, behold, His mother and brothers stood outside, seeking to speak with Him. Then one said to Him, "Look, Your mother and Your brothers are standing outside, seeking to speak with You."

But He answered and said to the one who told Him, "Who is My mother and who are My brothers?" And He stretched out His hand toward His disciples and said, "Here are My mother and My brothers! For whoever does the will of My Father in heaven is My brother and sister and mother."
[Matt. 12: 46-50, Bible, NKJV]

By doing God's will on Earth and accepting His covenant or private contract with us, which is the Bible, He becomes our Father and we become His children. The law of domicile says that children assume the *same* domicile as their parents and are legally dependent on them:

A person acquires a domicile of origin at birth.[46] The law attributes to every individual a domicile of origin,[47] which is the domicile of his parents,[48] or of the father,[49] or of the head of his family:[50] or of the person on whom he is legally dependent,[51] at the time of his birth. While the domicile of origin is generally the place where one is born [52] or reared,[53] may be elsewhere.[54] The domicile of origin has also been defined as the primary domicile of every person subject to the common law.[55]
[Corpus Juris Secundum (C.J.S.), Domicile, §7, p. 36;
SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf]

The legal dependence they are talking about is God's Law, which then becomes our main source of protection and dependence on God. We as believers then recognize Jesus' existence as a "thing" we "identify" in our daily life and in return, He recognizes our existence before the Father. Here is what He said on this subject as proof:

Confess Christ Before Men

"Therefore whoever confesses Me [recognizes My legal existence under God's law, the Bible, and acknowledges My sovereignty] before men, him I will also confess before My Father who is in heaven. But whoever denies Me before men, him I will also deny before My Father who is in heaven."
[Matt. 10:32-33, Bible, NKJV]

Below are some scriptural references that prove that all those who have availed themselves of the salvation franchise become "fiduciaries" of God.

*"Not everyone who **says** to Me, 'Lord, Lord,' shall enter the kingdom of heaven, **but he who does the will of My Father in heaven**."*
[Jesus in Matt. 7:21, Bible, NKJV]

[46] U.S. –Mississippi Bank of Choctaw Indians v. Holyfield, Missl, 109 S.Ct. 1597, 490 U.S. 30, 104 L.Ed.2d. 29.

[47] Mass.—Commonwealty v. Davis, 187 N.E. 33, 284 Mass. 41. N.Y.—In re Lydig's Estate, 180 N.Y.S. 843, 191 A.D. 117.

[48] Ga.—McDowell v. Gould, 144 S.E. 206, 166 Ga. 670. Iowa—In re Jones' Estate, 182 N.W. 227, 192 Iowa 78, 16 A.L.R. 1286.

[49] U.S.—Shishko v. State Farm. Ins. Co., D.C.Pa., 553 F.Supp. 308, affirmed 722 F.2d. 734 and Appeal of Shishko, 722 F.2d. 734.

[50] N.Y. –Cohen v. Delaware, L. & W.R. Co., 269 N.Y.S. 667, 160 Misc. 450.

[51] N.C.—Hall v. Wake County Bd. Of Elections, 187 S.E.2d. 52, 280 N.C. 600.

[52] U.S.—Gregg v. Louisiana Power and Light Co., C.A.La., 626 F.2d. 1315.

[53] Ky.—Johnson v. Harvey, 88 S.W.2d. 42, 261 Ky. 522.

[54] S.C. Cribbs v. Floyud, 199 S.E. 677, 188 S.C. 443.

[55] N.Y. –In re McElwaine's Will, 137 N.Y.S. 681, 77 Misc. 317.

*"**He who has [understands and learns] My commandments [laws in the Bible** (OFFSITE LINK)**] and keeps them, it is he who loves Me**. And he who loves Me will be loved by My Father, and I will love him and manifest Myself to him."*
[John 14:21, Bible, NKJV]

*"And we have known and believed the love that God has for us. **God is love, and he who abides in love [obedience to God's Laws] abides in [and is a FIDUCIARY of] God, and God in him.**"*
[1 John 4:16, Bible, NKJV]

*"Now by this we know that we know Him [God], if we **keep** His commandments. He who says, "I know Him," and does not **keep** His commandments, is a liar, and the truth is not in him. But whoever keeps His word, truly the love of God is perfected in him. By this we know that we are in Him [His fiduciaries]. He who says he abides in Him [as a fiduciary] ought himself also to walk just as He [Jesus] walked."*
[1 John 2:3-6, Bible, NKJV]

All of the following phrases above prove the existence of a fiduciary relation and/or agency:

***". . .he who does the will of My Father in heaven**."*

"God is love, and he who abides in love [obedience to God's Laws] abides in [and is a FIDUCIARY of] God, and God in him."

"But whoever keeps His word, truly the love of God is perfected in him. By this we know that we are in Him [His fiduciaries]."

In conclusion, you CAN'T claim to love God and therefore be a recipient of His gift of salvation WITHOUT becoming His fiduciary, steward, agent, and ambassador on a foreign mission to an alien planet: Earth! Furthermore, the Bible also implies that we CANNOT serve as an agent or fiduciary of ANYONE except the true and living God!:

*"**You shall have no other gods before Me.***

*"You shall not make for yourself a carved image--any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; [5]**you shall not bow down to them nor serve [worship or act as an AGENT for] them**. For I, the LORD your God, am a jealous God, visiting the iniquity of the fathers upon the children to the third and fourth generations of those who hate Me, [6]but showing mercy to thousands, to those who love Me and keep My commandments."*
[Exodus 20:3-4, Bible, NKJV]

The above is also confirmed by the following scripture:

*"Do not fear, for you will not be ashamed; neither be disgraced, for you will not be put to shame; for you will forget the shame of your youth, and will not remember the reproach of your widowhood anymore. **For your Maker is your husband, the Lord of hosts is His name; and your Redeemer is the Holy One of Israel; He is called the God of the whole earth**, for the Lord has called you like a woman forsaken and grieved in spirit, like a youthful wife when you were refused," says your God. "For a mere moment I have forsaken you, but with great mercies I will gather you. With a little wrath I hid My face from you for a moment; but with everlasting kindness I will have mercy on you," says the Lord, your Redeemer."*
[Isaiah 54:4-8, Bible, NKJV]

The California Family Code identifies those who are married as the equivalent of business partners with a fiduciary duty towards each other. Therefore, they are agents, fiduciaries, and "trustees" of each other acting in the other's best interest, not unlike we must act in relation to God as one of his children, stewards, and agents:

California Family Code
Section 721

(b) Except as provided in Sections 143, 144, 146, 16040, and 16047 of the Probate Code, in transactions between themselves, a husband and wife are subject to the general rules governing fiduciary relationships which control the actions of persons occupying confidential relations with each other. This confidential relationship imposes a duty of the highest good faith and fair dealing on each spouse, and neither shall take any unfair advantage of the other. This confidential relationship is a fiduciary relationship subject to the same rights and duties of nonmarital business partners, as provided in Sections 16403, 16404, and 16503 of the Corporations Code, including, but not limited to, the following:
[SOURCE: http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=3893365889+0+0+0&WAISaction=retrieve]

The above family code is a franchise, because you cannot become subject to it without first voluntarily applying for and accepting a "marriage license". There is no such thing in California as "common law marriage", and so you can't come under the jurisdiction of the California Family Code franchise without explicitly consenting in writing. This licensed marriage creates a fiduciary duty and "trustee" relation between the THREE parties, one of whom is the government. This is further explained in the document below:

Sovereign Christian Marriage, Form #13.009
http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm

11.5 Example: Opening a Bank Account

Let's use a simple example to illustrate our point in relation to the world. You want to open a checking account at a bank. You go to the bank to open the account. The clerk presents you with an agreement that you must sign before you open the account. If you won't sign the agreement, then the clerk will tell you that they can't open an account for you. Before you sign the account agreement, the bank doesn't know anything about you and you don't have an account there, so you are the equivalent of an "alien". An "alien" is someone the bank will not recognize or interact with or help. They can only lawfully help "customers", not "aliens". After you exercise your right to contract by signing the bank account agreement, then you now become a "resident" of the bank. You are a "resident" because:

1. You are a "thing" that they can now "identify" in their computer system and their records because you have an "account" there. They now know your name and "account number" and will recognize you when you walk in the door to ask for help.
2. They issued you an ATM card and a PIN so you can control and manage your "account". These things that they issued you are the "privileges" associated with being party to the account agreement. No one who is not party to such an agreement can avail themselves of such "privileges".
3. The account agreement gives you the "privilege" to demand "services" from the bank of one kind or another. The legal requirement for the bank to perform these "services" creates the legal equivalent of "agency" on their part in doing what you want them to do. In effect, you have "hired" them to perform a "service" that you want and need.
4. The account agreement gives the bank the legal right to demand certain behaviors out of you of one kind or another. For instance, you must pay all account fees and not overdraw your account and maintain a certain minimum balance. The legal requirement to perform these behaviors creates the legal equivalent of "agency" on your part in respect to the bank.
5. The legal obligations created by the account agreement give the two parties to it legal jurisdiction over each other defined by the agreement or contract itself. The contract fixes the legal relations between the parties. If either party violates the agreement, then the other party has legal recourse to sue for exceeding the bounds of the "contractual agency" created by the agreement. Any litigation that results must be undertaken consistent with what the agreement authorizes and in a mode or "forum" (e.g. court) that the agreement specifies.

11.6 Summary

The government does things *exactly* the same way as how Christianity itself functions: They have created a civil religion that is a substitute for and a violation of God's law and plan for society. In that sense, they are a counterfeit of God's Biblical plan and a cheap, satanic imitation. Satan has always been an imitator of God's creation. The only difference is the product they deliver. The bank delivers financial services, and the government delivers "protection" and "social" services. The account number is the social security number. You can't have or use a Social Security Number and avail yourself of its benefits without consenting to the jurisdiction of the franchise agreement and trust document that authorized its' issuance, which is the Social Security Act found in Title 42 of the U.S. Code.

> *CALIFORNIA CIVIL CODE*
> *DIVISION 3. OBLIGATIONS*
> *PART 2. CONTRACTS*
> *CHAPTER 3. CONSENT*
> *Section 1589*
>
> *1589. A voluntary acceptance of the benefit of a [government benefit] transaction is equivalent to a consent to all the obligations [and legal liabilities] arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

Therefore, you can't avail yourself of the "privileges" associated with the Social Security account agreement *without* also being a "resident" of the "United States", which means an alien who has signed a contract to procure services from the government. That contract can be explicit, which means a contract in writing, or implicit, meaning that it is created through your behavior. For instance, if you drive on the roads within a state, that act implied your consent to be bound by the vehicle code of that state. In that sense, driving a car became a voluntary exercise of your right to contract.

A mere innocent act can imply or trigger "constructive consent" to a legal contract, and in many cases, you may not even be aware that you are exercising your right to contract. Watch out! For instance, the criminal code in your state behaves like a contract. The "police" are simply there to enforce the contract. As a matter of fact, their job was created by that contract. This is called the "police power" of the state. If you do not commit any of the acts in the criminal or penal code, then you are not subject to it and it is "foreign" to you. You become the equivalent of a "resident" within the criminal code and subject to the legislative jurisdiction of that code ONLY by committing a "crime" identified within it. That "crime" triggers "constructive consent" to the terms of the contract and all the obligations that flow from it, including prison time and a court trial. This analysis helps to establish that in a free society, all law is a contract of one form or another, because it can only be passed by the consent of the majority of those who will be subject to it. The people who will be subject to the laws of a "state" are those with a "domicile" or "residence" within the jurisdiction of that "state". Those who don't have such a "domicile" or "residence" and who are therefore not subject to the civil laws of that state are called "transient foreigners". This is a very interesting subject that we find most people are simply fascinated with, because it helps to emphasize the "voluntary nature" of all law.

12 How Legitimate De Jure Governments are transformed into De Facto Private Corporations

This section will explain in greater detail the techniques described at the end of section 2 for transforming a legitimate de jure government into a de facto private corporation.

12.1 Background

Going along with the notion of corporatization of the government is privatization of the government. By privatization, we mean that:

1. Franchises are used to UNLAWFULLY recruit and procure new public officers of the private corporate government. When people sign up for franchises, they:
   1.1. Change their status and their domicile from foreign to domestic in relation to the national government under Federal Rule of Civil Procedure 17(b).
   1.2. Abandon the body politic and join the body corporate as an officer of the federal corporation participating in franchises. The Beast is really just a for profit de facto corporation impersonating a de jure government. As the Bible would say "It has a form of godliness, but denies the power [of the PEOPLE who created it] thereof."
   1.3. Abandon the rights protected by the Constitution and voluntarily exchange them for statutory privileges as a public officer in the government. Since all governments are corporations, then those receiving government benefits are "officers of a corporation" under 26 U.S.C. §6671(b) and 26 U.S.C. §7343. It is otherwise illegal to pay PUBLIC funds to private persons, so you must become a "public officer" and a "public person" to receive payments or "benefits" from the government.
2. Statutory "U.S. citizens" and "permanent residents" with a domicile in the "United States" are treated as de facto officers of a private federal corporation.
   2.1. They hired on as "employees" (5 U.S.C. §2105(a)) and public officers the minute they filled out a government form describing themselves as "U.S. citizens".
   2.2. Choosing the "U.S. citizen" status is the method by which they politically and legally associated with the body corporate but NOT the body politic.
   2.3. All the statutes passed by the corporation are special law and private law that can only lawfully apply to officers of the corporation called statutory "U.S. citizens" under 8 U.S.C. §1401. In that sense, nearly all law is just corporate policy disguised to look like public law that applies to those who don't work for the corporation. See:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037 http://sedm.org/Forms/FormIndex.htm

   2.4. Government agencies will summarily deny service to those who are not officers of the corporation called by impeding or refusing the processing of any government form submitted that does not describe the applicant as an officer of the corporation called a statutory "U.S. citizen".

2.5. Information returns such as IRS forms W-2, 1042-S, 1098, and 1099 connected with tax administration are being used to involuntarily "elect" formerly private parties into public office within the federal government without their consent. Since these returns are filed annually, people are "elected" annually into public office within the private corporate government. 26 U.S.C. §6041(a) says these information returns can only be lawfully filed for those engaged in a "trade or business", which in turn is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office". If you don't rebut these usually false reports, then you just got elected and will not only NOT receive compensation, but will have to PAY for the "privilege" of occupying said public office under the terms of the Internal Revenue Code Subtitles A and C public officer kickback program, franchise, and "employment" agreement. See:

Correcting Erroneous Information Returns, Form #04.001 http://sedm.org/Forms/FormIndex.htm

3. The state and federal governments we have now are private, for-profit corporations that are PRETENDING to be "public trusts" for the equal benefit of all, but really only benefit the rulers:

3.1. These corporations are no longer tied to a territory or land mass. After the Civil War and the enactment of the first federal income tax in 1862 and the corporatization of the U.S. government in 1871, all the states of the Union rewrote their constitutions to remove references to their territorial boundaries and became corporations with no territory. In a sense, they divorced themselves from the land and became a strictly political entity. Everything they do is a consequence of contract and consent, and contracts know no place. These contracts consist of franchise agreements, and all franchises are the subject of a contract[56]:

> *Debitum et contractus non sunt nullius loci.*
> *Debt and contract [franchise agreement, in this case] are of no particular place.*
>
> *Locus contractus regit actum.*
> *The place of the contract [franchise agreement, in this case] governs the act.*
>
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

Note that the de jure constitutions from before the Civil War were not repealed, but simply replaced with new ones no longer tied to specific territorial boundaries, making them "bodies corporate" and removing the status of "body politic" from them.

3.2. These de facto corporations are called the "State of_____" or the "United States". The corporate charter is called:

3.2.1. The United States Constitution instead of the "United States of America Constitution" in the case of the federal government.

3.2.2. The new State constitutions as opposed to the old de jure constitutions.

3.3. Those who are "employees" and "officers" of this corporation are the only ones with a "domicile" or "residence" within this private, for profit corporation. All such "persons" doing business with this corporation are required to present a "license" to act in the capacity of officer of this corporation, and this de facto license is called a Social Security Number (SSN) of the Taxpayer Identification Number (TIN). The instructions for IRS Form 1042-S admit that you only need the number when you are engaging in a "trade or business", which is then defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office":

> *Box 14, Recipient's U.S. Taxpayer Identification Number (TIN)*
>
> ***You must obtain a U.S. taxpayer identification number (TIN) for:***
>
> - *Any recipient whose income is effectively connected with the conduct of a trade or business in the United States.*
>
> ***Note**. For these recipients, exemption code 01 should be entered in box 6.*

[56] Larson v. South Dakota, 278 U.S. 429, 73 L.Ed. 441, 49 S.Ct. 196; Grand Trunk Western R. Co. v. South Bend, 227 U.S. 544, 57 L.Ed. 633, 33 S.Ct. 303; Blair v. Chicago, 201 U.S. 400, 50 L.Ed. 801, 26 S.Ct. 427; Arkansas-Missouri Power Co. v. Brown, 176 Ark. 774, 4 S.W.2d. 15, 58 ALR 534; Chicago General R. Co. v. Chicago, 176 Ill. 253, 52 N.E. 880; Louisville v. Louisville Home Tel. Co. 149 Ky. 234, 148 S.W. 13; State ex rel. Kansas City v. East Fifth Street R. Co., 140 Mo 539, 41 S.W. 955; Baker v. Montana Petroleum Co. 99 Mont. 465, 44 P.2d. 735; Re Board of Fire Comrs. 27 N.J. 192, 142 A.2d. 85; Chrysler Light & P. Co. v. Belfield, 58 N.D. 33, 224 N.W. 871, 63 ALR 1337; Franklin County v. Public Utilities Com., 107 Ohio St 442, 140 N.E. 87, 30 A.L.R. 429; State ex rel. Daniel v. Broad River Power Co., 157 S.C. 1, 153 S.E. 537; Rutland Electric Light Co. v. Marble City Electric Light Co. 65 Vt 377, 26 A 635; Virginia-Western Power Co. v. Commonwealth, 125 Va. 469, 99 S.E. 723, 9 ALR 1148, cert den 251 U.S. 557, 64 L.Ed. 413, 40 S.Ct. 179, disapproved on other grounds Victoria v. Victoria Ice, Light & Power Co. 134 Va. 134, 114 S.E. 92, 28 ALR 562, and disapproved on other grounds Richmond v. Virginia Ry. & Power Co. 141 Va. 69, 126 S.E. 353.

- *Any foreign person claiming a reduced rate of, or exemption from, tax under a tax treaty between a foreign country and the United States, unless the income is an unexpected payment (as described in Regulations section 1.1441-6(g)) or consists of dividends and interest from stocks and debt obligations that are actively traded; dividends from any redeemable security issued by an investment company registered under the Investment Company Act of 1940 (mutual fund); dividends, interest, or royalties from units of beneficial interest in a unit investment trust that are (or were, upon issuance) publicly offered and are registered with the Securities and Exchange Commission under the Securities Act of 1933; and amounts paid with respect to loans of any of the above securities.*
- *Any nonresident alien individual claiming exemption from tax under section 871(f) for certain annuities received under qualified plans.*
- *A foreign organization claiming an exemption from tax solely because of its status as a tax-exempt organization under section 501(c) or as a private foundation.*
- *Any QI.*
- *Any WP or WT.*
- *Any nonresident alien individual claiming exemption from withholding on compensation for independent personal services [services connected with a "trade or business"].*
- *Any foreign grantor trust with five or fewer grantors.*
- *Any branch of a foreign bank or foreign insurance company that is treated as a U.S. person.*

If a foreign person provides a TIN on a Form W-8, but is not required to do so, the withholding agent must include the TIN on Form 1042-S.

[IRS Form 1042-S Instructions, Year 2006, p. 14]

3.4. Government forms, such as tax and court forms, which ask you to declare that you are "within the State of____" or "within the United States" under penalty of perjury are really asking you to indicate that you are an officer serving WITHIN the government and therefore subject to the direct, statutory supervision of the government without the need for implementing regulations. It would otherwise be illegal for them to directly enforce federal or state statutes against private individuals, because the ability to regulate private conduct is repugnant to the Constitution.

> *"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States v. Reese,* 92 U.S. 214, 218 *(1876) ; United States v. Harris,* 106 U.S. 629, 639 *(1883) ; James v. Bowman,* 190 U.S. 127, 139 *(1903) . Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States,* 379 U.S. 241 *(1964) ; United States v. Guest,* 383 U.S. 745 *(1966) , their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."*
> *[City of Boerne v. Florez, Archbishop of San Antonio, 521 U.S. 507 (1997)]*

4. The goal of the state and federal governments has shifted from the ***equal*** benefit of all in the ***public*** under a charitable "public trust" to the ***private*** benefit of a few under a "private trust" . If you don't have a license number and participate in any government franchise, you don't even exist legally and they won't talk to you or service you. Equal protection, on the other hand, requires that they must service EVERYONE, including those without "employment" (public office) account numbers called Social Security Numbers (SSNs) or Taxpayer Identification Numbers (TINs). In effect, those having or using licenses to act as public officers in the form of Social Security Numbers and Taxpayer Identification Numbers are in receipt of an unconstitutional "title of nobility" and enjoy special privileges not enjoyed by private persons. This, of course, violates the intent of the U.S. Constitution, which forbids "titles of nobility" in Art. 1, Section 9, Clause 8 and Article 1, Section 10.
5. What courts call "public service" is really "private service" or simply "private employment".
   5.1. We never had a real judicial branch. Our federal courts have always been Executive Branch agencies that administer federal franchises.
   5.2. Our federal courts are really nothing but legislatively created corporate "franchise courts" and "corporate arbitration boards" established under Article 4, Section 3, Clause 2 of the constitution, not Article III constitutional courts.

   See:

What Happened to Justice?, Form #06.012 http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm

6. Government and especially courts are illegally abusing sovereign immunity to protect and extend the private, for profit corporate franchise monopolies represented by our present de facto state and federal corporate/private pseudo=governments:
   6.1. Sovereign immunity can only lawfully be used to protect a public purpose, not a private purpose.

6.2. Courts and executive branch agencies are lying to the public by labeling what they do as a "public purpose" that is susceptible to protection under the judicial doctrine of sovereign immunity.

7. Both State and Federal de facto Governments have abandoned the republics established by Article 4, Section 4 and the Articles of Confederation and unconstitutionally moved all their operations to federal territory and implemented nearly all of the services they offer exclusively through fee-based franchises. The Constitution identifies itself as "the law of the land" and "the land" they are talking about is ONLY federal territory! This devious scheme to replace "rights" with "privileges":

7.1. Can only lawfully operate on federal territory not protected by the Bill of Rights. The Declaration of Independence says our rights are "unalienable", which means that they cannot be bargained away in relation to the government in places where they exist and therefore cannot be forfeited under the terms of a franchise agreement. Consequently, any attempt to offer franchises to persons domiciled on land protected by the Bill of Rights constitutes a criminal conspiracy against rights in violation of 42 U.S.C. §1983 and 18 U.S.C. §241.

> *"We hold these truths to be self-evident, that **all men are created equal, that they are endowed by their Creator with certain unalienable Rights**, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, -"*
> *[Declaration of Independence]*

> *"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."*
> *[Black's Law Dictionary, Fourth Edition, p. 1693]*

7.2. Has shifted the basis for operating the government from that of "equal protection" to "unequal privilege". Everything that happens on federal territory is privileged and requires statutory authorization from the government because there are not rights on most federal territory, but only statutory privileges.

7.3. Compels those who require any kind of government service to commit perjury on a government form and declare themselves to be domiciled on federal territory by identifying themselves to be a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401, a statutory "resident" (alien) pursuant to 26 U.S.C. §7701(b)(1)(A), or a statutory "U.S. person" pursuant to 26 U.S.C. §7701(a)(30). This allows formerly "private" men and women to take on a "public" character and thereby become a "person", an "individual" as defined in 5 U.S.C. §552a(a)(2), and "federal personnel" as defined in 5 U.S.C. §552a(a)(13) who may then and only then lawfully participate in this enfranchised form of government as a "public officer".

7.4. Destroys the separation of powers between what is "public" and what is "private" and between the states of the Union and the federal government. The constitution is supposed to separate what is "public" from what is "private" in order mainly to protect what is private from the encroachments of the government. Everything that is "public" occurs on federal territory and your devious lawyer "public servants" must move you to federal territory and make you into a "public officer" before they can legislate for you or enforce the legislation against you. See the following for how they do this:

Federal Enforcement Authority Within States of the Union, Form #05.032 http://sedm.org/Forms/FormIndex.htm

7.5. Causes nearly all Americans to effectively become "public officers" within the government by virtue of their participation in federal franchises and makes them subject to law that is exclusively intended for the government rather than private individuals. See:

7.5.1. *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037
http://sedm.org/Forms/FormIndex.htm

7.5.2. *Proof that There is a "Straw Man"*, Form #05.042
http://sedm.org/Forms/FormIndex.htm

7.5.3. *Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008
http://sedm.org/Forms/FormIndex.htm

For details on how all government services have shifted over to franchises, see:

Government Instituted Slavery Using Franchises, Form #05.030 http://sedm.org/Forms/FormIndex.htm

8. The meaning of the word "state" has been systematically shifted from "We the People" collectively within a jurisdiction to the people working as public officers exclusively within the private corporation called "State of_____". Attorneys admitted to practice law now take an oath to the *government* and not the "state" which it serves. In that sense:

8.1. Persons within the government are no longer obligated to recognize the sovereignty of the People as human beings.

8.2. The source of sovereignty has shifted from "We the People" to the public servants, thereby creating a dulocracy. The words "so much license and privilege" in the definition should be a clue that the tables were turned upside down using franchises.

> *"**Dulocracy**. A government where servants and slaves have so much license and privilege that they domineer."*
> *[Black's Law Dictionary, Sixth Edition, p. 501]*

8.3. Attorneys have a conflict of interest and no longer serve "the state" in its classical de jure meaning.

> *"State. **A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries**, capable of making war and peace and of entering into international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moralitis, C.C.A.Md., 136 F.2d. 129, 130. In its largest sense, a "state" is a body politic or a society of men. Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765. **A body of people occupying a definite territory and politically organized under one government.** State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California)."*
> *[Black's Law Dictionary, Sixth Edition, p. 1407]*

> *"I do solemnly swear or affirm to support the Constitution of the United States. That **I will bear true faith and allegiance to the government** [not "the State", but the "government"] of the United States. That I will maintain respect due to the courts of justice, and judicial officers, and that **I will demean myself** as an attorney proctor, advocate, solicitor, and counselor of this court uprightly. (So help me God)*

> *"I certify that I am a member in good standing of the Bar of the State of California."*
> *[Oath taken by attorneys admitted to practice law in United States District Court, Southern California District; SOURCE: http://famguardian.org/Subjects/LawAndGovt/LegalEthics/PetForAdmToPractice-USDC.pdf]*

9. The purpose for the existence of our so-called "government" is the financial and personal benefit of those who serve in it and "invest" in it through payroll deductions, and not the "public" at large. In that sense, so-called "government employees" are engaging in a "private purpose" rather than a "public purpose". Anything you must surrender rights or obtain a license to participate in and which results in a government subsidy or "social insurance" constitutes a "private" and not "public" purpose.

> *"**Public purpose**. In the law of taxation, eminent domain, etc., this is a term of classification to distinguish the objects for which, according to settled usage, the government is to provide, from those which, by the like usage, are left to private interest, inclination, or liberality. The constitutional requirement that the purpose of any tax, police regulation, or particular exertion of the power of eminent domain shall be the convenience, safety, or welfare of the entire community and not the welfare of a specific individual or class of persons [such as, for instance, federal benefit recipients as individuals]. "Public purpose" that will justify expenditure of public money generally means such an activity as will serve as benefit to community as a body and which at same time is directly related function of government. Pack v. Southwestern Bell Tel. & Tel. Co., 215 Tenn. 503, 387 S.W.2d. 789, 794.*

> *The term is synonymous with governmental purpose. As employed to denote the objects for which taxes may be levied, it has no relation to the urgency of the public need or to the extent of the public benefit which is to follow; **the essential requisite being that a public service or use shall affect the inhabitants as a community, and not merely as individuals.** A public purpose or public business has for its objective the promotion of the public health, safety, morals, general welfare, security, prosperity, and contentment of all the inhabitants or residents within a given political division, as, for example, a state, the sovereign powers of which are exercised to promote such public purpose or public business."*
> *[Black's Law Dictionary, Sixth Edition, p. 1231, Emphasis added]*

> ***"To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.***
>
> ***Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges***

imposed by the Legislature upon persons or property to raise money for public purposes.' ***Cooley, Const. Lim., 479.***

Coulter, J., in Northern Liberties v. St. John's Church, 13 Pa. St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that ***taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.*** *' See, also Pray v. Northern Liberties, 31 Pa.St. 69; Matter of Mayor of N.Y., 11 Johns., 77; Camden v. Allen, 2 Dutch., 398; Sharpless v. Mayor, supra; Hanson v. Vernon, 27 Ia., 47; Whiting v. Fond du Lac, supra."*
[Loan Association v. Topeka, 20 Wall. 655 (1874)]

12.2 Corroborating evidence of privatization

We believe that it is easy to prove that we no longer have a government, but a private corporate monopoly orders of magnitude more evil than the Enron fraud. We call it "Enron to the tenth power". Below are several facts which easily prove this hypothesis. We encourage you to rebut any of these facts which prove our hypothesis, but no one to date has been able to rebut even one of them:

1. The "United States" is identified as a "federal corporation" in the statutes:

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART VI - PARTICULAR PROCEEDINGS
CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE
SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS
Sec. 3002. Definitions

(15) ***"United States" means*** *-*
(A) ***a Federal corporation****;*
(B) an agency, department, commission, board, or other entity of the United States; or
(C) an instrumentality of the United States.

2. The "United States" is a "foreign corporation" with respect to states of the Union:

"A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation. ***The United States government is a foreign corporation with respect to a state.****"*
[19 Corpus Juris Secundum (C.J.S.), Corporations, §883]

3. The domicile of the "United States" corporation is the District of Columbia, which also is a corporation:

Uniform Commercial Code (U.C.C.)
§ 9-307. LOCATION OF DEBTOR.

(h) [Location of United States.]

The United States is located in the ***District of Columbia****.*

[SOURCE:
http://www.law.cornell.edu/ucc/search/display.html?terms=district%20of%20columbia&url=/ucc/9/article9.htm#s9-307*]*

TITLE 26 > Subtitle A > CHAPTER 1 > Subchapter N > PART II > Subpart D > § 892
§892. Income of foreign governments and of international organizations

(a) ***Foreign governments***

(3) Treatment as resident

For purposes of this title, a foreign government shall be treated as a corporate resident of its country*. A foreign government shall be so treated for purposes of any income tax treaty obligation of the United States if such government grants equivalent treatment to the Government of the United States.*

If you want to see proof from the Statutes at Large that the District of Columbia is a corporation and not a geographic place, see:

SEDM Exhibits #08.008 and #08.009
http://sedm.org/Exhibits/ExhibitIndex.htm

4. The private corporation called the "United States" issues "stocks" in the corporation called Federal Reserve Notes. Those in possession of said stocks are bondholders", "stockholders", and "investors" of the corporation.
   4.1. Interest on these bonds called "Federal Reserve Notes" are paid to the Federal Reserve, which is neither federal nor a "reserve". Instead, it is a consortium of ***private***, for profit international banks. The Federal Reserve is no more "federal" than "Federal Express"!
   4.2. Black's Law Dictionary defines "money" in such a way that it excludes "notes", which also means that it excludes "Federal Reserve Notes".

> ***"Money**: In usual and ordinary acceptation it means coins and paper currency used as circulating medium of exchange, and **does not embrace notes**, bonds, evidences of debt, or other personal or real estate. Lane v. Railey, 280 Ky. 319, 133 S.W.2d. 74, 79, 81."*
> *[Black's Law Dictionary, Sixth Edition, p. 1005]*

   4.3. The courts have ruled that the formation of any corporation amounts to a contract with the officers and the stockholders of the corporation. Therefore, everyone in possession of said "bonds" and corporate "stocks" called Federal Reserve Notes are contractors of the United States!:

> *The court held that the first company's charter was a contract between it and the state, within the protection of the constitution of the United States, and that the charter to the last company was therefore null and void., Mr. Justice DAVIS, delivering the opinion of the court, said that, **if anything was settled by an unbroken chain of decisions in the federal courts, it was that an act of incorporation was a contract between the state and the stockholders, 'a departure from which now would involve dangers to society that cannot be foreseen, whould shock the sense of justice of the country, unhinge its business interests, and weaken, if not destroy, that respect which has always been felt for the judicial department of the government.'***
> *[New Orleans Gas Co. v. Louisiana Light Co., 115 U.S. 650 (1885)]*

5. The Constitution forbids any branch of the government to delegate any of its powers to any other branch and especially not to a private corporation such as the Federal Reserve. That is why:
   5.1. The U.S. Congress did not and cannot lawfully delegate its power to coin money to the PRIVATE Federal Reserve under Article 1, Section 8, Clause 5 of the Constitution.

> ***Where Congress exceeds its authority relative to the States, therefore, the departure from the constitutional plan cannot be ratified by the "consent" of state officials. An analogy to the separation of powers among the branches of the Federal Government clarifies this point. The Constitution's division of power among the three branches is violated where one branch invades the territory of another, whether or not the encroached-upon branch approves the encroachment.** In Buckley v. Valeo, 424 U.S. 1, 118 -137 (1976), for instance, the Court held that Congress had infringed the President's appointment power, despite the fact that the President himself had manifested his consent to the statute that caused the infringement by signing it into law. See National League of Cities v. Usery, 426 U.S., at 842 , n. 12. In INS v. Chadha, 462 U.S. 919, 944 -959 (1983), we held that the legislative veto violated the constitutional requirement that legislation be presented to the President, despite Presidents' approval of hundreds of statutes containing a legislative veto provision. See id., at 944-945. The constitutional authority of Congress cannot be expanded by the "consent" of the governmental unit whose domain is thereby narrowed, whether that unit is the Executive Branch or the States.*
> *[New York v. United States, 505 U.S. 144, 112 S.Ct. 2408, 120 L.Ed.2d. 120 (1992)]*

   5.2. Federal Reserve Notes are issued NOT under the Constitutional power to *coin* money found in Article 1, Section 8, Clause 5, but under the power *borrow* money found in Article 1, Section 8, Clause 2. The Treasury prints Federal Reserve Notes, sells them to the Federal Reserve for three cents on the dollar, and the United States Government then borrows them back AT INTEREST from the Federal Reserve.
6. All of the federal courts and agencies within the alleged "government" are listed as corporations within Dunn and Bradstreet's credit tracking system as "businesses". See:
   http://smallbusiness.dnb.com/
7. Walter Burien has been studying de facto state governments for years. He has uncovered extensive evidence that these state governments are "cooking the books" by keeping two sets of books. One set is identified as private, but all the assets and real earnings of the *private* government are carefully kept secret. He has been persecuted for exposing this dichotomy by these private governments. You can visit his website at:
   http://www.cafrman.com/
8. The U.S. Supreme Court has said that when an agent of the government exceeds his authority under the law, then he is acting as a "private individual" rather than a "public official".

> *"… **the maxim that the King can do no wrong has no place in our system of government; yet it is also true, in respect to the State itself, that whatever wrong is attempted in its name is imputable to its government and not to the State, for, as it can speak and act only by law, whatever it does say and do must be lawful. That which therefore is unlawful because made so by the supreme law, the Constitution of the United States, is not the word or deed of the State, but is the mere wrong and trespass of those individual persons who falsely spread and act in its name.**"*
>
> *"This distinction is essential to the idea of constitutional government. To deny it or blot it out obliterates the line of demarcation that separates constitutional government from absolutism, free self- government based on the sovereignty of the people from that despotism, whether of the one or the many, which enables the agent of the state to declare and decree that he is the state; to say 'L'Etat, c'est moi.' Of what avail are written constitutions, whose bills of right, for the security of individual liberty, have been written too often with the blood of martyrs shed upon the battle-field and the scaffold, if their limitations and restraints upon power may be overpassed with impunity by the very agencies created and appointed to guard, defend, and enforce them; and that, too, with the sacred authority of law, not only compelling obedience, but entitled to respect? And how else can these principles of individual liberty and right be maintained, if, when violated, the judicial tribunals are forbidden to visit penalties upon individual offenders, who are the instruments of wrong, whenever they interpose the shield of the state? **The doctrine is not to be tolerated**. The whole frame and scheme of the political institutions of this country, state and federal, protest against it. Their continued existence is not compatible with it. **It is the doctrine of absolutism, pure, simple, and naked, and of communism which is its twin, the double progeny of the same evil birth**."*
> *[Poindexter v. Greenhow, 114 U.S. 270, 5 S.Ct. 903 (1885)]*

Judges and federal prosecutors exceed their jurisdiction and authority all the time by self-servingly interpreting the meaning of words within federal law so that they apply outside of federal territory. For instance, they interpret the word "State" within federal statutes to include states of the Union, even though this is a violation of the Separation of Powers Doctrine.

> *In another, not unrelated context, Chief Justice Marshall's exposition in Cohens v. Virginia, 6 Wheat. 264, 5 L.Ed. 257 (1821), could well have been the explanation of the Rule of Necessity; he wrote that a court "must take jurisdiction if it should. **The judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the constitution. We cannot pass it by, because it is doubtful. With whatever doubts, with whatever difficulties, a case may be attended, we must decide it, if it be brought before us. We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the constitution**. Questions may occur which we would gladly avoid; but we cannot avoid them." Id., at 404 (emphasis added).*
> *[U.S. v. Will, 449 U.S. 200, 101 S.Ct. 471 (U.S.Ill.,1980)]*

For further evidence documenting this usurpation, see:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023 http://sedm.org/Forms/FormIndex.htm

9. Alleged "government employees", and especially those within the IRS and the federal judiciary, blatantly, frequently, and with impunity exceed the constitutional and statutory limitations upon their conduct. Consequently, they cease to represent the government and are acting merely as "private individuals" within what amounts to a "sham trust" that started out as a "public trust" and was transformed by usurpers into a private, for-profit, corporate monopoly:

> *"In addition, there are several well known subordinate principles. The Government may not be sued except by its consent. The United States has not submitted to suit for specific performance*99 or for an injunction. This immunity may not be avoided by naming an officer of the Government as a defendant. **The officer may be sued only if he acts in excess of his statutory authority or in violation of the Constitution for then he ceases to represent the Government.**"*
> *[U.S. ex. rel. Brookfield Const. Co. v. Stewart, 284 F.Supp. 94 (1964)]*

10. Judges act essentially as a "protection racket" for this organized crime corporate monopoly and syndicate. In many counties, judges pick the grand jurors. They always pick the most ignorant, compliant, complacent people to be on these grand juries who are most likely to act as putty in the hands of pseudo/corporate government prosecutors and who are least likely to prosecute the judges, who are the worst perpetrators of the scam. The jurors that these corrupted pseudo/franchise judges are most likely to pick are fellow federal "employees" called "U.S. citizens" with a financial conflict of interest in criminal violation of 18 U.S.C. §208 because in receipt of socialist benefits, such as Social Security, Medicare, etc. There is no better way to rig a trial than to fill the courtroom with officers of the government who are all "tax consumers". See:

Resignation of Compelled Social Security Trustee, Form #06.002 http://sedm.org/Forms/FormIndex.htm

11. The U.S. Supreme Court has held that when the federal corporation called the "United States" enters into private business, it takes on the character of any other ***private*** corporation:

> *"…when the United States [or a State, for that matter] enters into commercial business it abandons its sovereign capacity and is treated like any other corporation…"*
> *[91 Corpus Juris Secundum (C.J.S.), United States, §4]*

> *"What, then, is meant by the doctrine that contracts are made with reference to the taxing power resident in the State, and in subordination to it? Is it meant that when a person lends money to a State, or to a municipal division of the State having the power of taxation, there is in the contract a tacit reservation of a right in the debtor to raise contributions out of the money promised to be paid before payment?* ***That cannot be, because if it could, the contract (in the language of Alexander Hamilton) would 'involve two contradictory things: an obligation to do, and a right not to do; an obligation to pay a certain sum, and a right to retain it in the shape of a tax. It is against the rules, both of law and of reason, to admit by implication in the construction of a contract a principle which goes in destruction of it.' The truth is, States and cities, when they borrow money and contract to repay it with interest, are not acting as sovereignties. They come down to the level of ordinary individuals. Their contracts have the same meaning as that of similar contracts between private persons. Hence, instead of there being in the undertaking of a State or city to pay, a reservation of a sovereign right to withhold payment, the contract should be regarded as an assurance that such a right will not be exercised. A promise to pay, with a reserved right to deny or change the effect of the promise, is an absurdity."***
>
> *"Is, then, property, which consists in the promise of a State, or of a municipality of a State, beyond the reach of taxation? We do not affirm that it is. A State may undoubtedly tax any of its creditors within its jurisdiction for the debt due to him, and regulate the amount of the tax by the rate of interest the debt bears, if its promise be left unchanged. A tax thus laid impairs no obligation assumed. It leaves the contract untouched. But until payment of the debt or interest has been made, as stipulated,* ***we think no act of State sovereignty can work an exoneration from what has been promised to the [446] creditor; namely, payment to him, without a violation of the Constitution. 'The true rule of every case of property founded on contract with the government is this: It must first be reduced into possession, and then it will become subject, in common with other similar property, to the right of the government to raise contributions upon it. It may be said that the government may fulfil this principle by paying the interest with one hand, and taking back the amount of the tax with the other. But to this the answer is, that, to comply truly with the rule, the tax must be upon all the money of the community, not upon the particular portion of it which is paid to the public creditors, and it ought besides to be so regulated as not to include a lien of the tax upon the fund. The creditor should be no otherwise acted upon than as every other possessor of money; and, consequently, the money he receives from the public can then only be a fit subject of taxation when it is entirely separated' (from the contract), 'and thrown undistinguished into the common mass.' 3 Hamilton, Works, 514 et seq. Thus only can contracts with the State be allowed to have the same meaning as all other similar contracts have.*** *"*
> *[Murray v. City of Charleston, 96 U.S. 432 (1877)]*

12. The IRS is not an agency within the United States Government, but a private, for profit corporation. Evidence supporting this conclusions includes the following:
    12.1. The IRS has no statutory authority to even exist anywhere within 26 U.S.C. or with 31 U.S.C., which established the Treasury Department. It is a racketeering ring, as exhaustively proven in the following:

Origins and Authority of the Internal Revenue Service, Form #05.005 http://sedm.org/Forms/FormIndex.htm

    12.2. The IRS was incorporated in 1933 the state of Delaware as a private corporation. See the following for proof:

SEDM Exhibit #08.006 http://sedm.org/Exhibits/ExhibitIndex.htm

    12.3. The U.S. Dept. of Justice has admitted under penalty of perjury that the I.R.S. is not an agency of the United States Government. See:
    http://famguardian.org/Subjects/Taxes/Evidence/USGovDeniesIRS/USGovDeniesIRS.htm
    12.4. The "United States of America, Inc." is was registered as a private, for profit corporation. See the following for proof:

SEDM Exhibit #08.007 http://sedm.org/Exhibits/ExhibitIndex.htm

13. Both the states and the federal government have entered into "compacts" called Agreement on Coordination of Tax Administration (ACTA) that authorize *concurrent* jurisdiction over income taxes of "public officers" under the authority of the Public Salary Tax Act of 1939 and the Buck Act of 1940, 4 U.S.C. §105-110. These acts apply only within federal territory within the exterior limits of the state under the authority of the Buck Act, and yet:
    13.1. They are being enforced illegally outside of federal areas by the states. In that sense, states of the Union are acting as federal corporate subdivisions of the national government without any lawful authority.
    13.2. Are being enforced illegally outside of federal areas by the federal government.
    13.3. Are being misrepresented by the state and federal governments to the public at large as applying everywhere.

    All of the above types of unlawful tax enforcements outside of federal territories and federal areas represent "private business" which has NO public character because the law plainly does not authorize it. See the following for more proof:

State Income Taxes, Form #05.031 http://sedm.org/Forms/FormIndex.htm

14. The Social Security Act and the Internal Revenue Code Subtitle A are both "private law" and "special law" that only apply to those who individually consent expressly in writing or implicitly by their conduct. The IRS admitted this on government stationary!

IRS Agent Cynthia Mills letter, SEDM Exhibit #09.023 http://sedm.org/Exhibits/ExhibitIndex.htm

    As such, they represent a private "franchise" not unlike McDonalds or Burger King and private business that the federal government is engaging in within states of the Union and which does not apply to other than domiciliaries of federal territory wherever they are situated. When they apply it to those not domiciled on federal territory, it becomes "private business" and not a "public purpose". See sections 11 through 11.6 of the following:

Requirement for Consent, Form #05.003 http://sedm.org/Forms/FormIndex.htm

15. The Social Security Act only authorizes statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 and statutory "permanent residents" to participate. Constitutional citizens are not allowed to participate, which includes all those domiciled within the exclusive jurisdiction of states of the Union. See 20 CFR §422.103(d). What these two groups have in common is a legal domicile on federal territory and not within the exclusive jurisdiction of any state of the Union. The Social Security Administration tries to bend these rules by using the vague and undefined term "U.S. citizen" on the SSA Form SS-5, and refuses to answer questions about what it means, knowing full well that it is defined in 8 U.S.C. §1401 as a person subject to exclusive federal jurisdiction with a domicile on federal territory and not within any state of the Union and excludes all persons domiciled in states of the Union. See:

SEDM Exhibit #07.012 http://sedm.org/Exhibits/ExhibitIndex.htm

    This causes an unintentional and ignorant election to waive sovereign immunity under the authority of 28 U.S.C. §1605(a)(2) and 28 U.S.C. §1603(b)(3) and unlawfully extends federal civil jurisdiction into states of the Union and thereby destroys the separation of powers. Therefore, all such constructive fraud not authorized by law constitutes "private business" as defined by the Supreme Court and:
    15.1. Causes the SSA Form SS-5 form to act as a private contract to go to work for the government and become their "employee". 5 U.S.C. §2105 defines this "employee" as an elected or appointed officer of the government and NOT an ordinary "worker".
    15.2. Makes the Internal Revenue Code and Title 5 of the U.S. Code into an "employment agreement" for those who want to go to work for the "private corporation" called the United States as its "officers" or "public officers".
    15.3. Creates a gigantic monopoly in which the U.S. pseudo-government becomes a Kelly Girl that loans out its "employees" to private employers and makes them into "trustees" and "transferees" over earnings paid to its loaned out employees using the income tax system. These "trustees" and "transferees" are described in 26 U.S.C. §§6901 and 6903 and they are the only persons over whom the franchise court called "Tax Court" has jurisdiction.
16. The foundation of a de jure lawful, Constitutional government is "equal protection". The foundation of a private, for profit corporation is "privilege" and personal and collective "profit". The measure of whether we have a lawful de jure constitutional "government" v. a private corporation is the extent to which some citizens pay more for the same service than others or receive more benefit than others. The following commercial transactions all prove that we don't have a government, but a private corporation because some pay more than others for the SAME "service":
    16.1. The income tax under I.R.C. Section 1 imposes a graduated rate of tax rather than a flat rate. The vast majority of Americans file the IRS Form 1040 which applies this graduated rate of tax. The graduated rate can only be enforced where there is no constitutional protections and therefore no requirement for equal protection. That place is federal territory, and more especially, employment with the government as a "public officer" within the

District of Columbia. Several state courts have ruled that graduated rates of tax are unconstitutional if enforced within states of the Union on other than federal territory. See Culliton v. Chase, 25 P.2d. 81 (1933) and Jensen v. Henneford, 53 P.2d. 607 (1936).

16.2. Not all citizens or residents receive the same amount in their government payments. Some citizens receive more in their social security checks than others. *All* must receive an EQUAL amount regardless of what they pay in order for the government to not be operating in a private capacity.

16.3. Nearly everything our government does involves some type of commerce and a "service" connected with it. All such transactions are implemented using "franchises", and since franchises are based on consent, the requirement for equal protection no longer applies. This includes Social Security, Medicare, Unemployment Insurance, professional licenses, driver's license, and marriage licenses.

We have proven that the government has become a private corporate monopoly that has replaced the need for equal protection with privileges and franchises. The U.S. Supreme Court has said that this is unconstitutional:

> *"It would be a palpable incongruity to strike down an act of state legislation which, by words of express divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that, as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it may not impose conditions which require the relinquishment of Constitutional rights. If the state may compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States may thus be manipulated out or existence."*
> *[Frost v. Railroad Commission, 271 U.S. 583, 46 S.Ct. 605 (1926)]*

12.3 Abuse of taxing power to redistribute wealth

The U.S. Supreme Court has held many times that the ONLY purpose for lawful, constitutional taxation is to collect revenues to support ONLY the machinery and operations of the government and its "employees". This purpose, it calls a "public use" or "public purpose":

> *"The power to tax is, therefore, the strongest, the most pervading of all powers of government, reaching directly or indirectly to all classes of the people.* ***It was said by Chief Justice Marshall, in the case of McCulloch v. Md., 4 Wheat. 431, that the power to tax is the power to destroy.*** *A striking instance of the truth of the proposition is seen in the fact that the existing tax of ten per cent, imposed by the United States on the circulation of all other banks than the National Banks, drove out of existence every *state bank of circulation within a year or two after its passage. This power can be readily employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there is no implied limitation of the uses for which the power may be exercised.*
>
> ***To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.***
>
> ***Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.***
>
> *Coulter, J., in Northern Liberties v. St. John's Church, 13 Pa. St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that* ***taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.'*** *See, also Pray v. Northern Liberties, 31 Pa.St. 69; Matter of Mayor of N.Y., 11 Johns., 77; Camden v. Allen, 2 Dutch., 398; Sharpless v. Mayor, supra; Hanson v. Vernon, 27 Ia., 47; Whiting v. Fond du Lac, supra."*
> *[Loan Association v. Topeka, 20 Wall. 655 (1874)]*
>
> ---
>
> *"A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the support of the government. The word has never thought to connote the expropriation of money from one group for the benefit of another."*
> *[U.S. v. Butler, 297 U.S. 1 (1936)]*

Black's Law Dictionary defines the word "public purpose" as follows:

> *"**Public purpose**. In the law of taxation, eminent domain, etc., this is a term of classification to distinguish the objects for which, according to settled usage, the government is to provide, from those which, by the like usage, are left to private interest, inclination, or liberality. The constitutional requirement that the purpose of any tax, police regulation, or particular exertion of the power of eminent domain shall be the convenience, safety, or welfare of the entire community and not the welfare of a specific individual or class of persons [such as, for instance, federal benefit recipients as individuals]. "Public purpose" that will justify expenditure of public money generally means such an activity as will serve as benefit to community as a body and which at same time is directly related function of government. Pack v. Southwestern Bell Tel. & Tel. Co., 215 Tenn. 503, 387 S.W.2d. 789, 794.*
>
> *The term is synonymous with governmental purpose. As employed to denote the objects for which taxes may be levied, it has no relation to the urgency of the public need or to the extent of the public benefit which is to follow; **the essential requisite being that a public service or use shall affect the inhabitants as a community, and not merely as individuals.** A public purpose or public business has for its objective the promotion of the public health, safety, morals, general welfare, security, prosperity, and contentment of all the inhabitants or residents within a given political division, as, for example, a state, the sovereign powers of which are exercised to promote such public purpose or public business."*
> *[Black's Law Dictionary, Sixth Edition, p. 1231, Emphasis added]*

A related word defined in Black's Law Dictionary is "public use":

> ***Public use**. Eminent domain. The constitutional and statutory basis for taking property by eminent domain. For condemnation purposes, "public use" is one which confers some benefit or advantage to the public; it is not confined to actual use by public. It is measured in terms of right of public to use proposed facilities for which condemnation is sought and, as long as public has right of use, whether exercised by one or many members of public, a "public advantage" or "public benefit" accrues sufficient to constitute a public use. Montana Power Co. v. Bokma, Mont., 457 P.2d. 769, 772, 773.*
>
> *Public use, in constitutional provisions restricting the exercise of the right to take property in virtue of eminent domain, means a use concerning the whole community distinguished from particular individuals. But each and every member of society need not be equally interested in such use, or be personally and directly affected by it; if the object is to satisfy a great public want or exigency, that is sufficient. Ringe Co. v. Los Angeles County, 262 U.S. 700, 43 S.Ct. 689, 692, 67 L.Ed. 1186. The term may be said to mean public usefulness, utility, or advantage, or what is productive of general benefit. It may be limited to the inhabitants of a small or restricted locality, but must be in common, and not for a particular individual. The use must be a needful one for the public, which cannot be surrendered without obvious general loss and inconvenience. A "public use" for which land may be taken defies absolute definition for it changes with varying conditions of society, new appliances in the sciences, changing conceptions of scope and functions of government, and other differing circumstances brought about by an increase in population and new modes of communication and transportation. Katz v. Brandon, 156 Conn. 521, 245 A.2d. 579, 586.*
>
> *See also Condemnation; Eminent domain.*
> *[Black's Law Dictionary, Sixth Edition, p. 1232]*

Black's Law Dictionary also defines the word "tax" as follows:

> *"Tax: A charge by the government on the income of an individual, corporation, or trust, as well as the value of an estate or gift. The objective in assessing the tax is to generate revenue to be used for the needs of the public.*
>
> *A pecuniary [relating to money] burden laid upon individuals or property to support the government, and is a payment exacted by legislative authority. In re Mytinger, D.C.Tex. 31 F.Supp. 977,978,979.* ***Essential characteristics of a tax are that it is NOT A VOLUNTARY PAYMENT OR DONATION, BUT AN ENFORCED CONTRIBUTION, EXACTED PURSUANT TO LEGISLATIVE AUTHORITY.*** *Michigan Employment Sec. Commission v. Patt, 4 Mich.App. 228, 144 N.W.2d.663, 665. …"*
> *[Black's Law Dictionary, Sixth Edition, p. 1457]*

So in order to be legitimately called a "tax" or "taxation", the money we pay to the government must fit all of the following criteria:

1. The money must be used ONLY for the support of government.
2. The subject of the tax must be "liable", and responsible to pay for the support of government under the force of law.
3. The money must go toward a "public purpose" rather than a "private purpose".
4. The monies paid cannot be described as wealth transfer between two people or classes of people within society.
5. The monies paid ***cannot*** aid one group of private individuals in society at the expense of another group, because this violates the concept of equal protection of law for all citizens found in Section 1 of the Fourteenth Amendment.

If the monies demanded by government do ***not*** fit ***all*** of the above requirements, then they are being used for a "private" purpose and ***cannot*** be called "taxes" or "taxation", according to the U.S. Supreme Court. Actions by the government to enforce the payment of any monies that do ***not*** meet all the above requirements can therefore only be described as:

1. Theft and robbery by the government in the guise of "taxation"
2. Government by decree rather than by law
3. Tyranny
4. Socialism
5. Mob rule and a tyranny by the "have-nots" against the "haves"
6. 18 U.S.C. §241: Conspiracy against rights. The IRS shares tax return information with states of the union, so that both of them can conspire to deprive you of your property.
7. 18 U.S.C. §242: Deprivation of rights under the color of law. The Fifth Amendment says that people in states of the Union cannot be deprived of their property without due process of law or a court hearing. Yet, the IRS tries to make it appear like they have the authority to just STEAL these people's property for a fabricated tax debt that they aren't even legally liable for.
8. 18 U.S.C. §247: Damage to religious property; obstruction of persons in the free exercise of religious beliefs
9. 18 U.S.C. §872: Extortion by officers or employees of the United States.
10. 18 U.S.C. §876: Mailing threatening communications. This includes all the threatening notices regarding levies, liens, and idiotic IRS letters that refuse to justify why government thinks we are "liable".
11. 18 U.S.C. §880: Receiving the proceeds of extortion. Any money collected from Americans through illegal enforcement actions and for which the contributors are not "liable" under the law is extorted money, and the IRS is in receipt of the proceeds of illegal extortion.
12. 18 U.S.C. §1581: Peonage, obstructing enforcement. IRS is obstructing the proper administration of the Internal Revenue Code and the Constitution, which require that they respect those who choose NOT to volunteer to participate in the federal donation program identified under subtitle A of the I.R.C.
13. 18 U.S.C. §1583: Enticement into slavery. IRS tries to enlist "nontaxpayers" to rejoin the ranks of other peons who pay taxes they aren't demonstrably liable for, which amount to slavery.
14. 18 U.S.C. §1589: Forced labor. Being forced to expend one's personal time responding to frivolous IRS notices and pay taxes on my labor that I am not liable for.

The U.S. Supreme Court has further characterized all efforts to abuse the tax system in order to accomplish "wealth transfer" as "political heresy" that is a denial of republican principles that form the foundation of our Constitution, when it issued the following strong words of rebuke. Incidentally, the case below also forms the backbone of reasons why the Internal Revenue Code can never be anything more than private law that only applies to those who volunteer into it:

> *"The Legislature may enjoin, permit, forbid, and punish; they may declare new crimes; and establish rules of conduct for all its citizens in future cases; they may command what is right, and prohibit what is wrong; but* ***they [the government] cannot change innocence [a "nontaxpayer"] into guilt [a "taxpayer"]; or punish innocence as a crime [criminally prosecute a "nontaxpayer" for violation of the tax laws]; or violate the right of an antecedent lawful private contract; or the right of private property. To maintain that our Federal, or State, Legislature possesses such powers [of THEFT and FRAUD], if they had not been expressly restrained; would, *389 in my opinion, be a political heresy, altogether inadmissible in our free republican governments.****"*
> *[Calder v. Bull, 3 U.S. 386 (1798)]*

We also cannot assume or suppose that our government has the authority to make "gifts" of monies collected through its taxation powers, and especially not when paid to private individuals or foreign countries because:

1. The Constitution DOES NOT authorize the government to "gift" money to anyone within states of the Union or in foreign countries, and therefore, this is not a Constitutional use of public funds, nor does unauthorized expenditure of such funds produce a tangible public benefit, but rather an injury, by forcing those who do not approve of the gift to subsidize it and yet not derive any personal benefit whatsoever for it.

2. The Supreme Court identifies such abuse of taxing powers as "robbery in the name of taxation" above.

Based on the foregoing analysis, we are then forced to divide the monies collected by the government through its taxing powers into only two distinct classes. We also emphasize that every tax collected and every expenditure originating from the tax paid MUST fit into one of the two categories below:

Table 4: Two methods for taxation

#	Characteristic	Public use/purpose	Private use/purpose
1	***Authority for tax***	U.S. Constitution	Legislative fiat, tyranny
2	***Monies collected described by Supreme Court as***	Legitimate taxation	"Robbery in the name of taxation" (see *Loan Assoc. v. Topeka*, above)
3	***Money paid only to following parties***	Federal "employees", contractors, and agents	Private parties with no contractual relationship or agency with the government
4	***Government that practices this form of taxation is***	A righteous government	A THIEF
5	***This type of expenditure of revenues collected is:***	Constitutional	Unconstitutional
6	***Lawful means of collection***	Apportioned direct or indirect taxation	Voluntary donation (cannot be lawfully implemented as a "tax")
7	***Tax system based on this approach is***	A lawful means of running a government	A charity and welfare state for private interests, thieves, and criminals
8	***Government which identifies payment of such monies as mandatory and enforceable is***	A righteous government	A lying, thieving government that is deceiving the people.
9	***When enforced, this type of tax leads to***	Limited government that sticks to its corporate charter, the Constitution	Socialism Communism Mafia protection racket Organized extortion
10	***Lawful subjects of Constitutional, federal taxation***	Taxes on imports into states of the Union coming from foreign countries. See Constitution, Article 1, Section 8, Clause 3 (external) taxation.	No subjects of lawful taxation. Whatever unconstitutional judicial fiat and a deceived electorate will tolerate is what will be imposed and enforced at the point of a gun
11	***Tax system based on this approach based on***	Private property	All property being owned by the state through eminent domain. Tax becomes a means of "renting" what amounts to state property to private individuals for temporary use.

The U.S. Supreme Court also helped to clarify how to distinguish the two above categories when it said:

> *"It is undoubtedly the duty of the legislature which imposes or authorizes municipalities to impose a tax to see that it is not to be used for purposes of private interest instead of a public use, and the courts can only be justified in interposing when a violation of this principle is clear and the [87 U.S. 665] reason for interference cogent.* ***And in deciding whether, in the given case, the object for which the taxes are assessed falls upon the one side or the other of this line, they must be governed mainly by the course and usage of the government, the objects for which taxes have been customarily and by long course of legislation levied, what objects or purposes have been considered necessary to the support and for the proper use of the government, whether state or municipal. Whatever lawfully pertains to this and is sanctioned by time and the acquiescence of the people may well be held to belong to the public use, and proper for the maintenance of good government, though this may not be the only criterion of rightful taxation."***
> *[Loan Association v. Topeka, 20 Wall. 655 (1874)]*

If we give our government the benefit of the doubt by "assuming" or "presuming" that it is operating lawfully and consistent with the model on the left above, then we have no choice but to conclude that everyone who lawfully receives any kind of federal payment MUST be either a federal "employee" or "federal contractor" on official duty, and that the compensation received must be directly connected to the performance of a sovereign or Constitutionally authorized function of government. Any other conclusion or characterization of a lawful tax other than this is irrational, inconsistent with the rulings of the U.S. Supreme Court on this subject, and an attempt to deceive the public about the role of limited Constitutional government based on Republican principles. This means that you cannot participate in any of the following federal social insurance programs WITHOUT being a federal "employee", and if you refuse to identify yourself as a federal employee, then you are admitting that your government is a thief and a robber that is abusing its taxing powers:

1. Subtitle A of the Internal Revenue Code. I.R.C. (26 U.S.C.) sections 1, 32, and 162 all confer privileged financial benefits to the participant which constitute federal "employment" compensation.
2. Social Security.
3. Unemployment compensation.
4. Medicare.

An examination of the Privacy Act, 5 U.S.C. §552a(a)(13), in fact, identifies all those who participate in the above programs as "federal personnel", which means federal "employees". To wit:

> *TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552a*
> *§ 552a. Records maintained on individuals*
>
> *(a) Definitions.— For purposes of this section—*
>
> ***(13)** the term "Federal personnel" means officers and employees of the Government of the United States, members of the uniformed services (including members of the Reserve Components), **individuals entitled to receive immediate or deferred retirement benefits under any retirement program of the Government of the United States (including survivor benefits)**.*

The "individual" they are talking about above is further defined in 5 U.S.C. §552a(a)(2) as follows:

> *TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552a*
> *§ 552a. Records maintained on individuals*
>
> *(a) Definitions.— For purposes of this section—*
>
> *(2) the term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;*

The "citizen of the United States" they are talking above is based on the statutory rather than constitutional definition of the "United States", which means it refers to the federal zone and excludes states of the Union. Also, note that both of the two preceding definitions are found within Title 5 of the U.S. Code, which is entitled "Government Organization and Employees". Therefore, it refers ONLY to government employees and excludes private employees. There is no definition of the term "individual" anywhere in Title 26 (I.R.C.) of the U.S. Code or any other title that refers to private natural persons, because Congress cannot legislative for them. Notice the use of the phrase "private business" in the U.S. Supreme Court ruling below:

> *"The individual may stand upon his constitutional rights as a citizen. **He is entitled to carry on his private business in his own way [unregulated by the government]. His power to contract is unlimited. He owes no duty to the State or to his neighbor to divulge his business, or to open his doors to an investigation, so far as it may tend to criminate him. He owes no such duty to the State, since he receives nothing therefrom, beyond the protection of his life and property.** His rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. **He owes nothing to the public [including so-called "taxes" under Subtitle A of the I.R.C.] so long as he does not trespass upon their rights.**"*
> *[Hale v. Henkel, 201 U.S. 43, 74 (1906)]*

The purpose of the Constitution and the Bill of Rights instead is to REMOVE authority of the Congress to legislate for private persons and thereby protect their sovereignty and dignity. That is why the U.S. Supreme Court ruled the following:

> *"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.**"*
> *[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v. Harper, 494 U.S. 210 (1990)]*

QUESTIONS FOR DOUBTERS: If you aren't a federal "employee" as a person participating in Social Security and the Internal Revenue Code, then why are all of the Social Security Regulations located in Title 20 of the Code of Federal Regulations under parts 400-499, entitled "Employee Benefits"? See for yourself:

http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=f073dcf7b1b49c3d353eaf290d735663&c=ecfr&tpl=/ecfrbrowse/Title20/20tab_02.tpl

Another very important point to make here is that the purpose of nearly all federal law is to regulate "public conduct" rather than "private conduct". Congress must write laws to regulate and control every aspect of the behavior of its employees so that they do not adversely affect the rights of private individuals like you, who they exist exclusively to serve and protect. Most federal statutes, in fact, are exclusively for use by those working in government and simply do not apply to private citizens in the conduct of their private lives. Federal law cannot apply to the private public at large because the Thirteenth Amendment says that involuntary servitude has been abolished. If involuntary servitude is abolished, then they can't use, or in this case "abuse" the authority of law to impose ANY kind of duty against anyone in the private public except possibly the responsibility to avoid hurting their neighbor and thereby depriving him of the equal rights he enjoys.

> *For the commandments, "You shall not commit adultery," "You shall not murder," "You shall not steal," "You shall not bear false witness," "You shall not covet," and if there is any other commandment, are all summed up in this saying, namely, "You shall love your neighbor as yourself."*
>
> ***Love does no harm to a neighbor; therefore love is the fulfillment of [the ONLY requirement of] the law [which is to avoid hurting your neighbor and thereby love him]**.*
> *[Romans 13:9-10, Bible, NKJV]*
>
> ---
>
> *"Do not strive with a man without cause, **if he has done you no harm**."*
> *[Prov. 3:30, Bible, NKJV]*

Thomas Jefferson, our most revered founding father, summed up this *singular* duty of government to LEAVE PEOPLE ALONE and only interfere or impose a "duty" using the authority of law when and only when they are hurting each other in order to protect them and prevent the harm when he said.

> *"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--**a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free** to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities."*
> *[Thomas Jefferson: 1st Inaugural, 1801. ME 3:320]*

The U.S. Supreme Court confirmed this view, when it ruled:

> *"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States v. Reese, 92 U.S. 214, 218 (1876); United States v. Harris, 106 U.S. 629, 639 (1883); James v. Bowman, 190 U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964); United States v. Guest, 383 U.S. 745 (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."*
> *[City of Boerne v. Florez, Archbishop of San Antonio, 521 U.S. 507 (1997)]*

What the U.S. Supreme Court is saying above is that the government has no authority to tell you how to run your *private life*. This is contrary to the whole idea of the Internal Revenue Code, whose main purpose is to monitor and control *every aspect* of those who are subject to it. In fact, it has become the chief means for Congress to implement what we call "social engineering". Just by the deductions they offer, people are incentivized into all kinds of crazy behaviors in pursuit of reductions in a liability that they in fact do not even have. Therefore, the only reasonable thing to conclude is that Subtitle A of the Internal Revenue Code, which would "appear" to regulate the private conduct of *all* individuals in states of the Union, in fact only applies to federal instrumentalities or "public employees" in the official conduct of their duties on behalf of the municipal corporation located in the District of Columbia, which 4 U.S.C. §72 makes the "seat of government". The I.R.C. therefore essentially amounts to a part of the job responsibility and the "employment contract" of "public employees" and federal instrumentalities. This was also confirmed by the House of Representatives, who said that only those who take an oath of "public office" are subject to the requirements of the personal income tax. See:

http://famguardian.org/Subjects/Taxes/Evidence/PublicOrPrivate-Tax-Return.pdf

Within the Internal Revenue Code, those legal "persons" who work for the government are identified as engaging in a "public office". A "public office" within the Internal Revenue Code is called a "trade or business", which is defined below. We emphasize that engaging in a privileged "trade or business" is the main excise taxable activity that in fact and in deed is what REALLY makes a person a "taxpayer" subject to the Internal Revenue Code, Subtitle A:

> *26 U.S.C. Sec. 7701(a)(26)*
>
> *"The term 'trade or business' includes the performance of the functions of a public office."*

Below is the definition of "public office":

> *Public office*
>
> *"Essential characteristics of a '**public office**' are:*
> *(1) Authority conferred by law,*
> *(2) Fixed tenure of office, and*
> *(3) Power to exercise some of the sovereign functions **of government**.*
> *(4) Key element of such test is that "officer is carrying out a sovereign function'.*
> *(5) Essential elements to establish public position as 'public office' are:*
> *(a) Position must be created by Constitution, legislature, or through authority conferred by legislature.*
> *(b) Portion of sovereign power of government must be delegated to position,*
> *(c) Duties and powers must be defined, directly or implied, by legislature or through legislative authority.*
> *(d) Duties must be performed independently without control of superior power other than law, and*
> *(e) Position must have some permanency."*
> *[Black's Law Dictionary, Sixth Edition, p. 1230]*

Those who are fulfilling the "functions of a public office" are under a legal, fiduciary duty as "trustees" of the "public trust", while working as "volunteers" for the "charitable trust" called the "United States Government Corporation", which we affectionately call "U.S. Inc.":

> *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [57] **Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts**. [58] **That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves. [59] and owes a fiduciary duty to the public. [60] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. [61]** Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.[62]"*
> *[63C Am.Jur.2d, Public Officers and Employees, §247]*

"U.S. Inc." is a federal corporation, as defined below:

> *"Corporations are also of all grades, and made for varied objects; **all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise***

[57] State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 ALR 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

[58] Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist) 161 Ill. App 3d 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

[59] Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill. App 3d 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

[60] United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L Ed 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L Ed 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass) 898 F.2d. 230, 29 Fed Rules Evid Serv 1223).

[61] Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill. App 3d 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

[62] Indiana State Ethics Comm'n v. Nelson (Ind App) 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

> ***of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property****. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."*
> *[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]*

> *TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE*
> *PART VI - PARTICULAR PROCEEDINGS*
> *CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE*
> *SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS*
> *Sec. 3002. Definitions*
>
> *(15) "**United States" means** -*
> *(A) **a Federal corporation**;*
> *(B) an agency, department, commission, board, or other entity of the United States; or*
> *(C) an instrumentality of the United States.*

Those who are acting as "public officers" for "U.S. Inc." have essentially donated their formerly private property to a "public use". In effect, they have joined the SOCIALIST collective and become partakers of money STOLEN from people, most of whom, do not wish to participate and who would quit if offered an informed choice to do so.

> ***"My son, if sinners [socialists, in this case] entice you,***
> ***Do not consent [do not abuse your power of choice]***
> ***If they say, "Come with us,***
> ***Let us lie in wait to shed blood [of innocent "nontaxpayers"];***
> ***Let us lurk secretly for the innocent without cause;***
> *Let us swallow them alive like Sheol,*
> *And whole, like those who go down to the Pit:*
> ***We shall fill our houses with spoil [plunder];***
> ***Cast in your lot among us,***
> ***Let us all have one purse [share the stolen LOOT]"--***
>
> ***My son, do not walk in the way with them [do not ASSOCIATE with them and don't let the government FORCE you to associate with them either by forcing you to become a "taxpayer"/government whore or a "U.S. citizen"],***
> *Keep your foot from their path;*
> *For their feet run to evil,*
> *And they make haste to shed blood.*
> *Surely, in vain the net is spread*
> *In the sight of any bird;*
> ***But they lie in wait for their own blood.***
> ***They lurk secretly for their own lives.***
> ***So are the ways of everyone who is greedy for gain [or unearned government benefits];***
> ***It takes away the life of its owners."***
> *[Proverbs 1:10-19, Bible, NKJV]*

Below is what the U.S. Supreme Court says about those who have donated their private property to a "public use". The ability to volunteer your private property for "public use", by the way, also implies the ability to UNVOLUNTEER at any time, which is the part no government employee we have ever found is willing to talk about. I wonder why….DUHHHH!:

> *"Men are endowed by their Creator with certain unalienable rights,-'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. **That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.***
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

Any legal person, whether it be a natural person, a corporation, or a trust, may become a "public office" if it volunteers to do so. A subset of those engaging in such a "public office" are federal "employees", but the term "public office" or "trade or business" encompass much more than just government "employees". In law, when a legal "person" volunteers to accept the legal duties of a "public office", it therefore becomes a "trustee", an agent, and fiduciary (as defined in 26 U.S.C. §6903) acting on behalf of the federal government by the operation of private contract law. It becomes essentially a "franchisee" of the federal government carrying out the provisions of the franchise agreement, which is found in:

1. Internal Revenue Code, Subtitle A, in the case of the federal income tax.
2. The Social Security Act, which is found in Title 42 of the U.S. Code.

If you would like to learn more about how this "trade or business" scam works, consult the authoritative article below:

The "Trade or Business" Scam, Form #05.001 http://sedm.org/Forms/MemLaw/TradeOrBusScam.pdf

If you would like to know more about the extreme dangers of participating in all government franchises and why you destroy ALL your Constitutional rights and protections by doing so, see:

1. *Government Instituted Slavery Using Franchises*, Form #05.030
   http://sedm.org/Forms/FormIndex.htm
2. Liberty University, Section 4:
   http://sedm.org/LibertyU/LibertyU.htm

The IRS Form 1042-S Instructions confirm that all those who use Social Security Numbers are engaged in the "trade or business" franchise:

> ***Box 14, Recipient's U.S. Taxpayer Identification Number (TIN)***
>
> *You must obtain and enter a U.S. taxpayer identification number (TIN) for:*
>
> - *Any recipient whose income is effectively connected with the conduct of a* trade or business *in the United States.*
>
> *[*IRS Form 1042-S Instructions*, p. 14]*

Engaging in a "trade or business" therefore implies a "public office", which makes the person using the number into a "public officer" who has donated his formerly private time and services to a "public use" and agreed to give the public the right to control and regulate that use through the operation of the franchise agreement, which is the Internal Revenue Code, Subtitle A and the Social Security Act found in Title 42 of the U.S. Code. The Social Security Number is therefore the equivalent of a "license number" to act as a "public officer" for the federal government, who is a fiduciary or trustee subject to the plenary legislative jurisdiction of the federal government pursuant to 26 U.S.C. §7701(a)(39), 26 U.S.C. §7408(c), and Federal Rule of Civil Procedure Rule 17(b), regardless of where he might be found geographically, including within a state of the Union. The franchise agreement governs "choice of law" and where it's terms may be litigated, which is the District of Columbia, based on the agreement itself.

Now let's apply what we have learned to your employment situation. God said you cannot work for two companies at once. You can only serve ***one*** company, and that company is the federal government if you are receiving federal benefits:

> *"No one can serve two masters [two employers, for instance]; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon [government]."*
> *[Luke 16:13, Bible, NKJV. Written by a tax collector]*

Everything you make while working for your slave master, the federal government, is ***their*** property over which you are a fiduciary and "public officer".

> *"THE" + "IRS" ="THEIRS"*

A federal "public officer" has no rights in relation to their master, the federal government:

> *"The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v. Johnson, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. O'Connor v. Ortega, 480 U.S. 709, 723 (1987) (plurality opinion); id., at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. Gardner v. Broderick, [497 U.S. 62, 95] 392 U.S. 273, 277 -278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. Connick v. Myers, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. Public Workers v. Mitchell, 330 U.S. 75, 101 (1947); Civil Service Comm'n v. Letter Carriers, 413 U.S. 548, 556 (1973); Broadrick v. Oklahoma, 413 U.S. 601, 616 -617 (1973)."*
> *[Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990)]*

Your existence and your earnings as a federal "public officer" and "trustee" and "fiduciary" are entirely subject to the whim and pleasure of corrupted lawyers and politicians, and you must beg and grovel if you expect to retain anything:

> *"In the general course of human nature, A POWER OVER A MAN's SUBSISTENCE AMOUNTS TO A POWER OVER HIS WILL."*
> *[Alexander Hamilton, Federalist Paper No. 79]*

You will need an "exemption" from your new slave master specifically spelled out in law to justify ***anything*** you want to keep while working on the federal plantation. The 1040 return is a profit and loss statement for a federal business corporation called the "United States". You are in partnership with your slave master and they decide what scraps they want to throw to you in your legal "cage" AFTER they figure out whatever is left in financing their favorite pork barrel project and paying off interest on an ever-expanding and endless national debt. Do you really want to reward this type of irresponsibility and surety?

The W-4 therefore essentially amounts to a federal employment application. It is your badge of dishonor and a tacit admission that you can't or won't trust God and yourself to provide for yourself. Instead, you need a corrupted "protector" to steal money from your neighbor or counterfeit (print) it to help you pay your bills and run your life. Furthermore, if your private employer forced you to fill out the W-4 against your will or instituted any duress to get you to fill it out, such as threatening to fire or not hire you unless you fill it out, then he/she is:

1. Acting as an employment recruiter for the federal government.
2. Recruiting you into federal slavery in violation of the Thirteenth Amendment, and 42 U.S.C. §1994.
3. Involved in a conspiracy to commit grand theft by stealing money from you to pay for services and protection you don't want and don't need.
4. Involved in racketeering and extortion in violation of 18 U.S.C. §1951.
5. Involved in money laundering for the federal government, by sending in money stolen from you to them, in violation of 18 U.S.C. §1956.

The higher ups at the IRS probably know the above, and they certainly aren't going to tell private employers or their underlings the truth, because they aren't going to look a gift horse in the mouth and don't want to surrender their defense of "plausible deniability". They will NEVER tell a thief who is stealing for them that they are stealing, especially if they don't have to assume liability for the consequences of the theft. No one who practices this kind of slavery, deceit, and evil can rightly claim that they are loving their neighbor and once they know they are involved in such deceit, they have a duty to correct it or become an "accessory after the fact" in violation of 18 U.S.C. §3. This form of deceit is also the sin most hated by God in the Bible. Below is a famous Bible commentary on Prov. 11:1:

> *"As religion towards God is a branch of universal righteousness (he is not an honest man that is not devout), so* ***righteousness towards men is a branch of true religion, for he is not a godly man that is not honest****, nor can he expect that his devotion should be accepted; for,* ***1. Nothing is more offensive to God than deceit in commerce. A false balance is here put for all manner of unjust and fraudulent practices [of our public dis-servants] in dealing with any person [within the public], which are all an abomination to the Lord, and render those abominable [hated] to him that allow themselves in the use of such accursed arts of thriving. It is an affront to justice, which God is the patron of, as well as a wrong to our neighbour, whom God is the protector of. Men [in the IRS and the Congress] make light of such frauds, and think there is no sin in that which there is money to be got by, and, while it passes undiscovered, they cannot blame themselves for it; a blot is no blot till it is hit, Hos. 12:7, 8. But they are not the less an abomination to God, who will be the***

> ***avenger of those that are defrauded by their brethren. 2. Nothing is more pleasing to God than fair and honest dealing, nor more necessary to make us and our devotions acceptable to him: A just weight is his delight.*** *He himself goes by a just weight, and holds the scale of judgment with an even hand, and therefore is pleased with those that are herein followers of him. A balance cheats, under pretence of doing right most exactly, and therefore is the greater abomination to God."*
> *[Matthew Henry's Commentary on the Whole Bible; Henry, M., 1996, c1991, under Prov. 11:1]*

The Bible also says that those who participate in this kind of "commerce" with the government are practicing harlotry and idolatry. The Bible book of Revelations describes a woman called "Babylon the Great Harlot".

> *"And I saw a woman sitting on a scarlet beast which was full of names of blasphemy, having seven heads and ten horns. The woman was arrayed in purple and scarlet, and adorned with gold and precious stones and pearls, having in her hand a golden cup full of abominations and the filthiness of her fornication. And on her forehead a name was written:*
>
> *MYSTERY, BABYLON THE GREAT, THE MOTHER OF HARLOTS AND OF THE ABOMINATIONS OF THE EARTH.*
>
> *I saw the woman, drunk with the blood of the saints and with the blood of the martyrs of Jesus. And when I saw her, I marveled with great amazement."*
> *[Rev. 17:3-6, Bible, NKJV]*

This despicable harlot is described below as the "woman who sits on many waters".

> *"Come, I will show you the judgment of the great harlot [Babylon the Great Harlot] who sits on many waters, with whom the kings of the earth [politicians and rulers] committed fornication, and the inhabitants of the earth were made drunk [indulged] with the wine of her fornication."*
> *[Rev. 17:1-2, Bible, NKJV]*

These waters are simply symbolic of a democracy controlled by mobs of atheistic people who are fornicating with the Beast and who have made it their false, man-made god and idol:

> *"The waters which you saw, where the harlot sits, are peoples, multitudes, nations, and tongues."*
> *[Rev. 17:15, Bible, NKJV]*

The Beast is then defined in Rev. 19:19 as "the kings of the earth", which today would be our political rulers:

> *"And I saw* ***the beast, the kings of the earth****, and their armies, gathered together to make war against Him who sat on the horse and against His army."*
> *[Rev. 19:19, Bible, NKJV]*

Babylon the Great Harlot is "fornicating" with the government by engaging in commerce with it. Black's Law Dictionary defines "commerce" as "intercourse":

> *"****Commerce****. …****Intercourse*** *by way of trade and traffic between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it is carried on…"*
> *[Black's Law Dictionary, Sixth Edition, p. 269]*

If you want your rights back people, you can't pursue government employment in the context of your private job. If you do, the Bible, not us, says you are a harlot and that you are CONDEMNED to hell!

> *And I heard another voice from heaven saying, "Come out of her, my people, lest you share in her sins, and lest you receive of her plagues. For her sins have reached to heaven, and God has remembered her iniquities. Render to her just as she rendered to you, and repay her double according to her works; in the cup which she has mixed, mix double for her. In the measure that she glorified herself and lived luxuriously, in the same measure give her torment and sorrow; for she says in her heart, 'I sit* as *queen, and am no widow, and will not see sorrow.' Therefore her plagues will come in one day—death and mourning and famine. And she will be utterly burned with fire, for strong* is *the Lord God who judges her.*
> *[Rev. 18:4-8, Bible, NKJV]*

12.4 Abuse of Franchises to compel conversion of "Unalienable Rights" into statutory "privileges"

All corporations are what is called "franchises". Below is the definition of "franchise":

> *FRANCHISE. **A special privilege conferred by government on individual or corporation, and which does not belong to citizens of country generally of common right.** Elliott v. City of Eugene, 135 Or. 108, 294 P. 358, 360. In England it is defined to be a royal privilege in the hands of a subject.*
>
> *A "franchise," as used by Blackstone in defining quo warranto, (3 Com. 262 [4th Am. Ed.] 322), had reference to a royal privilege or branch of the king's prerogative subsisting in the hands of the subject, and must arise from the king's grant, or be held by prescription, but today we understand a franchise to be some special privilege conferred by government on an individual, natural or artificial, which is not enjoyed by its citizens in general. State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.*
>
> ***In this country a franchise is a privilege or immunity of a public nature, which cannot be legally exercised without legislative grant. To be a corporation is a franchise.** The various powers conferred on corporations are franchises. The execution of a policy of insurance by an insurance company **[e.g. Social Insurance/Social Security]**, and the issuing a bank note by an incorporated bank **[such as a Federal Reserve NOTE]**, are franchises. People v. Utica Ins. Co.. 15 Johns., N.Y., 387, 8 Am.Dec. 243. But it does not embrace the property acquired by the exercise of the franchise. Bridgeport v. New York & N. H. R. Co., 36 Conn. 255, 4 Arn.Rep. 63. Nor involve interest in land acquired by grantee. Whitbeck v. Funk, 140 Or. 70, 12 P.2d. 1019, 1020 **In a popular sense, the political rights of subjects and citizens are franchises, such as the right of suffrage. etc. Pierce v. Emery, 32 N.H. 484; State v. Black Diamond Co., 97 Ohio.St. 24, 119 N.E. 195, 199, L.R.A.l918E, 352.***
>
> *Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.*
>
> *Exclusive Franchise. See Exclusive Privilege or Franchise.*
>
> *General and Special. The charter of a corporation is its "general" franchise, while a "special" franchise consists in any rights granted by the public to use property for a public use but-with private profit. Lord v. Equitable Life Assur. Soc., 194 N.Y. 212, 81 N.E. 443, 22 L.R.A.,N.S., 420.*
>
> *Personal Franchise. A franchise of corporate existence, or one which authorizes the formation and existence of a corporation, is sometimes called a "personal" franchise. as distinguished from a "property" franchise, which authorizes a corporation so formed to apply its property to some particular enterprise or exercise some special privilege in its employment, as, for example, to construct and operate a railroad. See Sandham v. Nye, 9 Misc.ReP. 541, 30 N.Y.S. 552.*
>
> *Secondary Franchises. The franchise of corporate existence being sometimes called the "primary" franchise of a corporation, its "secondary" franchises are the special and peculiar rights, privileges, or grants which it may, receive under its charter or from a municipal corporation, such as the right to use the public streets, exact tolls, collect fares, etc. State v. Topeka Water Co., 61 Kan. 547, 60 P. 337; Virginia Canon Toll Road Co. v. People, 22 Colo. 429, 45 P. 398, 37 L.R.A. 711. The franchises of a corporation are divisible into (1) corporate or general franchises; and (2) "special or secondary franchises. The former is the franchise to exist as a corporation, while the latter are certain rights and privileges conferred upon existing corporations. Gulf Refining Co. v. Cleveland Trust Co., 166 Miss. 759, 108 So. 158, 160.*
>
> *Special Franchisee. See Secondary Franchises, supra.*
> *[Black's Law Dictionary, Fourth Edition, pp. 786-787]*

A "franchise" is an arrangement usually between you and the government, the voluntary acceptance of which puts you into a "privileged" state and causes a surrender of constitutional rights of one kind or another. The courts call "franchises" by various pseudonames such as "public right" to disguise the nature of the inferior relation to the government of "franchisees". Franchises include:

1. Domicile in the forum state, which causes one to end up being one of the following:
   1.1. Statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 if a domestic national.
   1.2. Statutory "Permanent resident" pursuant to 26 U.S.C. §7701(b)(1)(A) if a foreign national.
2. Becoming a registered "voter" rather than an "elector".
3. I.R.C. Section 501(c)(3) status for churches. Churches that register under this program become government "trustees" and "public officials" that are part of the government. Is THIS what you call "separation of church and state"? See: http://famguardian.org/Subjects/Spirituality/spirituality.htm#TAXATION_OF_CHURCHES_AND_CHURCH_GOERS:

4. Serving as a jurist. 18 U.S.C. §201(a)(1) says that all persons serving as federal jurists are "public officials".
5. Attorney licenses. All attorneys are "officers of the court" and the courts in turn are part of the government. See the following for details:

   Why You Don't Want An Attorney
   http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Corruption/WhyYouDontWantAnAtty/WhyYouDon'tWantAnAttorney.htm

6. Marriage licenses. See the following for details:

   Sovereign Christian Marriage, Form #13.009
   http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm

7. Driver's licenses. See the following for details:

   Defending Your Right to Travel, Form #06.010
   http://sedm.org/ItemInfo/Ebooks/DefYourRightToTravel.htm

8. Professional licenses.
9. Fishing licenses.
10. Social Security benefits. See the following for details:

    Resignation of Compelled Social Security Trustee, Form #06.002
    http://sedm.org/Forms/Emancipation/SSTrustIndenture.pdf

11. Medicare.
12. Medicaid.
13. FDIC insurance of banks. 31 CFR §202.2 says all FDIC insured banks are "agents" of the federal government and therefore "public officers".

The U.S. Supreme Court acknowledged that private conduct is beyond the reach of the government and that certain harmful, and therefore regulated activities may cause the actors to become "public officers" when it held the following.

> *"One great object of the Constitution is to permit citizens to structure their private relations as they choose subject only to the constraints of statutory or decisional law. [500 U.S. 614, 620]*
>
> *To implement these principles, courts must consider from time to time where the governmental sphere [e.g. "public purpose" and "public office"] ends and the private sphere begins. Although the conduct of private parties lies beyond the Constitution's scope in most instances, governmental authority may dominate an activity to such an extent that its participants must be deemed to act with the authority of the government and, as a result, be subject to constitutional constraints. This is the jurisprudence of state action, which explores the "essential dichotomy" between the private sphere and the public sphere, with all its attendant constitutional obligations. Moose Lodge, supra, at 172."*
>
> *[. . .]*
>
> *Given that the statutory authorization for the challenges exercised in this case is clear, the remainder of our state action analysis centers around the second part of the Lugar test, whether a private litigant, in all fairness, must be deemed a government actor in the use of peremptory challenges. Although we have recognized that this aspect of the analysis is often a fact-bound inquiry, see Lugar, supra, 457 U.S. at 939, our cases disclose certain principles of general application. Our precedents establish that, in determining whether a particular action or course of conduct is governmental in character, it is relevant to examine the following:*
>
> *[1] the extent to which the actor relies on governmental assistance and benefits, see Tulsa Professional Collection Services, Inc. v. Pope, 485 U.S. 478 (1988) ; Burton v. Wilmington Parking Authority, 365 U.S. 715 (1961) ;*
>
> *[2] whether the actor is performing a traditional governmental function, see Terry v. Adams, 345 U.S. 461 (1953) ; Marsh v. Alabama, 326 U.S. 501 (1946) ; cf. San Francisco Arts & Athletics, Inc. v. United States Olympic [500 U.S. 614, 622] Committee, 483 U.S. 522, 544 -545 (1987);*
>
> *[3] and whether the injury caused is aggravated in a unique way by the incidents of governmental authority, see Shelley v. Kraemer, 334 U.S. 1 (1948).*
>
> *Based on our application of these three principles to the circumstances here, we hold that the exercise of peremptory challenges by the defendant in the District Court was pursuant to a course of state action.*
> *[Edmonson v. Leesville Concrete Company, 500 U.S. 614 (1991)]*

Note that the "statutory or decisional law" they are referring to above are ONLY.

1. Criminal law.
2. Franchises that you consensually engage in using your right to contract.

For an explanation of why this is, see:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037 http://sedm.org/Forms/FormIndex.htm

Nearly every type of government-issued benefit, license, or "privilege" you could possibly procure makes you into a "public officer", "public official", "fiduciary", "alien", "resident", 'transferee", or "trustee" of the government of one kind or another with a "residence" on federal territory.

> *"All the powers of the government [including ALL of its civil enforcement powers against the public] must be carried into operation* ***by individual agency, either through the medium of public officers, or contracts made with [private] individuals.****"*
> *[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]*

The application or license to procure the "benefits" of the franchise constitutes the contract mentioned above that creates the public office and the "RES" which is "IDENT-ified" within the government's legislative jurisdiction on federal territory. Hence "RES-IDENT"/"resident".

> ***"Res****. Lat.* ***The subject matter of a trust or will [or legislation]****. In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species.* ***By "res," according to the modern civilians, is meant everything that may form an object of rights, in opposition to "persona," which is regarded as a subject of rights. "Res," therefore, in its general meaning, comprises actions [or CONSEQUENCES of choices and CONTRACTS/AGREEMENTS you make by procuring BENEFITS] of all kinds; while in its restricted sense it comprehends every object of right, except actions.*** *This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*
>
> ***Res is everything that may form an object of rights and includes an object, subject-matter or status.*** *In re Riggle's Will, 11 A.D.2d. 51 205 N.Y.S.2d. 19, 21, 22.* ***The term is particularly applied to an object, subject-matter, or status, considered as the defendant [hence, the ALL CAPS NAME] in an action, or as an object against which, directly, proceedings are taken.*** *Thus, in a prize case, the captured vessel is "the res"; and proceedings of this character are said to be in rem. (See In personam; In Rem.) "Res" may also denote the action or proceeding, as when a cause, which is not between adversary parties, is entitled "In re _____".*
> *[Black's Law Dictionary, Sixth Edition, pp. 1304-1306]*

The "subject matter or status" they are talking about includes all privileged statuses such as "taxpayer", "benefit recipient", "citizen", or "resident". Even domicile is a type of franchise--a "protection franchise", to be precise. This "res-ident" is what most people in the freedom community would refer to as your "straw man". If a state-issued license or benefit is at issue, the territory that the privilege or franchise attaches to is federal territory that is usually in a federal area within the exterior limits of the state. The reason all licenses must presume domicile of the "person" on federal territory is that they are implemented using civil law and they regulate the exercise of rights protected by the Constitution, which in turn is a violation of rights. The Constitution and the Bill of Rights portion of the Constitution does not apply on federal territory, and therefore there is no conflict with the Constitution in regulating the exercise of rights there.

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that* ***the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America****, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*

[Downes v. Bidwell, 182 U.S. 244 (1901)]

In that sense, applying for any kind of "privilege" or franchise from the government amounts to your constructive consent to be treated as a "resident alien" who is domiciled on federal territory and who has no constitutional rights. The following articles and forms describe this straw man and provide tools to notify the government that you have disconnected yourself from this "straw man" who is the "public officer" that is the only proper or lawful subject of most federal legislation:

1. *Proof that There is a "Straw Man"*, Form #05.042
   http://sedm.org/Forms/FormIndex.htm
2. State Created Office of "Person" (OFFSITE LINK)
   http://famguardian.org/Subjects/Freedom/Sovereignty/OfficeOfPerson.htm
3. *IRS Form 56: Notice Concerning Fiduciary Relationship*, Form #04.204
   http://sedm.org/Forms/FormIndex.htm
4. *Affidavit of Corporate Denial*, Form #02.004
   http://sedm.org/Forms/FormIndex.htm

Participating in federal franchises has the following affects upon the legal status of various types of "persons" listed below. The right column describes the status of the "public officer" you represent while you are acting in that capacity. The right column is a judicial creation not found directly in the statutes and which results from the application of the Foreign Sovereign Immunities Act, 28 U.S.C. §1605. It does not describe your own private status. This "public officer" in the right column is the "straw man" that is the subject of nearly all federal legislation that could or does regulate your conduct. Without the existence of the straw man, the Thirteenth Amendment would make it illegal to enforce federal civil law against human beings because of the prohibition against involuntary servitude. For details on how the change in "choice of law" is effected by you voluntarily consenting to assume the duties of the "public officer" straw man, read sections 12 through 12.5 of our pamphlet below:

Government Instituted Slavery Using Franchises, Form #05.030
http://sedm.org/Forms/FormIndex.htm

Table 5: Affect of participating in corporate franchises

Entity type	**Sovereign status within federal law WITHOUT franchises**	**Status in federal law AFTER accepting franchise**
Natural Person born within and domiciled within a state of the Union	"Nonresident alien"	"Resident alien"
	Private person	"Public officer" Trustee of the "public trust"
	Constitutional but not statutory "citizen" Non-citizen national (See Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006)	Statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 because representing a federal corporation under 28 U.S.C. §3002(15)(A) which is a "citizen" pursuant to Federal Rule of Civil Procedure 17(b) NOT a constitutional "citizen of the United States" pursuant to Fourteenth Amendment
	"Stateless person" "Transient foreigner"	Inhabitant
	Foreign person	Domestic person "U.S. person" (26 U.S.C. §7701(a)(30)) Domiciliary
State of the Union	"state" "foreign state"	Statutory "State" as defined in 4 U.S.C. §110(d) (see Federal Trade Zone Act, 1934, 19 U.S.C. 81a-81u)
Trust	Foreign person Foreign estate (26 U.S.C. §7701(a)(31)) Nonstatutory trust	Domestic person "U.S. person" (26 U.S.C. §7701(a)(30)) Statutory trust
State corporation	Foreign person Foreign estate (26 U.S.C. §7701(a)(31))	Domestic person "U.S. person" (26 U.S.C. §7701(a)(30))
Federal corporation	Domestic person "U.S. person" "Person" (already privileged)	Domestic person "U.S. person" (26 U.S.C. §7701(a)(30)) "Person" (already privileged)

WARNING: Participating in ANY government franchise can leave you entirely without standing or remedy in any federal court! Essentially, by eating out of the government's hand, you are SCREWED, BLACK AND BLUED, and TATTOOED!

> ***"These general rules are well settled: (1) That the United States, when it creates rights in individuals against itself [a "public right", which is a euphemism for a "franchise" to help the court disguise the nature of the transaction], is under no obligation to provide a remedy through the courts.*** *United States ex rel. Dunlap v. Black, 128 U.S. 40, 9 Sup.Ct. 12, 32 L.Ed. 354; Ex parte Atocha, 17 Wall. 439, 21 L.Ed. 696; Gordon v. United States, 7 Wall. 188, 195, 19 L.Ed. 35; De Groot v. United States, 5 Wall. 419, 431, 433, 18 L.Ed. 700 Comegys v. Vasse, 1 Pet. 193, 212, 7 L.Ed. 108. (2) That where a statute creates a right and provides a special remedy, that remedy is exclusive. Wilder Manufacturing Co. v. Corn Products Co., 236 U.S. 165, 174, 175, 35 Sup.Ct. 398, 59 L.Ed. 520, Ann.Cas. 1916A, 118; Arnson v. Murphy, 109 U.S. 238, 3 Sup.Ct. 184, 27 L.Ed. 920; Barnet v. National Bank, 98 U.S. 555, 558, 25 L.Ed. 212 Farmers' & Mechanics' National Bank v. Dearing, 91 U.S. 29, 35, 23 L.Ed. 196. Still the fact that the right and the remedy are thus intertwined might not, if the provision stood alone, require us to hold that the remedy expressly given excludes a right of review by the Court of Claims, where the decision of the special tribunal involved no disputed question of fact and the denial of compensation was rested wholly upon the construction of the act. See Medbury v. United States, 173 U.S. 492, 198, 19 Sup.Ct. 503, 43 L.Ed. 779; Parish v. MacVeagh, 214 U.S. 124, 29 Sup.Ct. 556, 53 L.Ed. 936; McLean v. United States, 226 U.S. 374, 33 Sup.Ct. 122, 57 L.Ed. 260; United States v. Laughlin (No. 200), 249 U.S. 440, 39 Sup.Ct. 340, 63 L.Ed. 696, decided April 14, 1919. But here Congress has provided:*
> *[U.S. v. Babcock, 250 U.S. 328, 39 S.Ct. 464 (1919)]*

Signing up for government entitlements hands them essentially a blank check, because they, and not you, determine the cost for the service and how much you will pay for it beyond that point. This makes the public servant into your Master and beyond that point, you must lick the hands that feed you. Watch Out! NEVER, EVER take a hand-out from the government of ANY kind, or you'll end up being their CHEAP WHORE. The Bible calls this WHORE "Babylon the Great Harlot". Remember: Black's Law Dictionary defines "commerce", e.g. commerce with the GOVERNMENT, as "intercourse". Bend over!

> ***Commerce***. *…**Intercourse** by way of trade and traffic between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [**governments**] and agencies by which it is promoted and the means and appliances by which it is carried on…"*
> *[Black's Law Dictionary, Sixth Edition, p. 269]*

Government franchises and licenses are the main method for destroying the sovereignty of the people pursuant to 28 U.S.C. §1603(b)(3) and 28 U.S.C. §1605(a)(2). For further details, read the Sovereignty Forms and Instructions Manual, Form #10.005, Sections 1.4 though 1.11.

12.5 Franchise Courts: The Executive Branch judicial "protection racket"

> *"The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, selfappointed, or elective, may justly be pronounced the very definition of tyranny."*
> *[James Madison, Federalist Paper #47, January 30, 1788]*

The quote above from founding father James Madison establishes that when powers of one branch of government are consolidated into any other branch, we will have tyranny. The originator of the Separation of Powers upon which our constitutional design for government was based also said the same thing:

> *"When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner."*
> *[Montesquieu, The Spirit of the Laws,* vol. 1, *trans. Thomas Nugent (London: J. Nourse, 1777), pp. 221-237, passim.]*

Franchise courts are an example where such tyranny occurs because they consolidate judicial functions into the executive branch of the government. All franchise courts such as the U.S. Tax Court are in the Executive Branch, as held by the U.S. Supreme Court in Freytag v. Commissioner, 501 U.S. 868 (1991).

> *"Since **the Tax Court is not a court of law**, unless the Chief Judge is the head of a department, the appointment of the Special Trial Judge was void. **Unlike the Court, I think he is**. [501 U.S. 915]*

> *I have already explained that **the Tax Court, like its predecessors, exercises the executive power of the United States**. This does not, of course, suffice to market a "Departmen[t]" for purposes of the Appointments Clause. **If, for instance, the Tax Court were a subdivision of the Department of the Treasury -- as the Board of Tax Appeals used to be -- it would not qualify. In fact, however, the Tax Court is a freestanding, self-contained entity in the Executive Branch, whose Chief Judge is removable by the President (and, save impeachment, no one else). Nevertheless, the Court holds that the Chief Judge is not the head of a department.**"*
> *[Freytag v. Commissioner, 501 U.S. 868, 914-915 (1991)]*

We can now apply these concepts to show those areas in the courts where judicial discretion is being abused as the equivalent of a "protection racket" for an organized crime syndicate called the "United States" in order to spread a private corporate monopoly over certain segments of the private commercial marketplace. These areas include "social insurance", postal delivery, courts, and police protection. A truly free economy would allow and even promote privatization of all these areas and prohibit the courts by statutes from doing all the following things:

1. Constitutional courts may not shirk or undermine their duty to protect PRIVATE rights. The purpose of the creation of all government, in fact, is to protect PRIVATE rights. The first step in protecting PRIVATE rights is to prevent them from being converted into public rights, public offices, or a public use without the consent of the owner.
2. De jure constitutional courts cannot participate in or allow Congress to put into effect ANY enactment that would undermine the protection of private rights. For instance, they cannot invoke the Declaratory Judgments Act, 28 U.S.C. §2201(a) to evade the duty to issue a declaratory judgment in the case of a NONTAXPAYER. All statutory "taxpayers" under the I.R.C. are public officers in the U.S. government, but NONTAXPAYERS are PRIVATE human beings with constitutional rights that are UNALIENABLE and MUST be protected by all de jure constitutional courts.
3. Franchises within the government may not lawfully be protected by the courts using sovereign immunity. If the courts extend sovereign immunity to protect any government franchise, then they are furthering private business interests at the expense of the Constitutional rights to property of individuals.
4. The government may not deny that any franchise they are administering is private business and not government business or a "public purpose".
5. The government may not exempt itself from the provisions of the Sherman Antitrust Act in the area of franchises or benefits it offers. In all cases involving franchises, the federal government, like every other private corporation, must implicitly surrender sovereign immunity and be sued in any court, not just federal court, for any infractions or violations under the franchise agreement.
6. The federal government may not use Article III constitutional courts to enforce participation in or collection of revenues to pay any franchise, nor may they impose an obligation upon private citizens to officiate over disputes arising under the private franchise agreement by forcing them to act as jurists in courts that are hearing cases involving franchises. This causes public institutions to be abused for a "private purpose", which amounts to theft of peoples time for the private benefit of a few individuals in the government. 18 U.S.C. §201(a)(1) says that all those presiding as jurists are "public officers", and public property may not be abused for private gain without committing embezzlement.
7. The courts must carefully distinguish between "United States" when used in the context of the government only and "United States" when used in the context of a specific geographic place. They deliberately confuse these two in the Internal Revenue Code in order to deceive people into believing that participation in the Internal (to the government) Revenue Code "scheme" pertains to all individuals, rather than more properly only to those within the government who are "public officers", federal corporations, and franchisees.

We remind our readers that no entity deserves to be called a "government" that interferes with anyone or any business setup to compete with the services it officers. To deny this:

1. Represents hypocrisy and unequal protection.
   1.1. It is hypocrisy for the government to promote capitalism and competition in the private industry and yet prevent the privatization or competition in the services that government itself offers. If the property taxes are too high and therefore police and fire protection and schools cost too much, citizens should be able to select which of those services they want to contract out and fire the government in and they should be billed for and be required to pay for only those services that they specifically and individually request in a written contract.
   1.2. It is hypocrisy on the one hand to pass a law prohibiting monopolies, and yet also further the largest corporate monopoly in the world, the U.S. government, or "U.S. Inc".
2. Denies the intent of the Constitution, which is to preserve as much SELF government to the people as possible:

> ***"The determination of the Framers Convention and the ratifying conventions to preserve complete and unimpaired state self-government in all matters not committed to the general government is one of the plainest facts which emerges from the history of their deliberations**. And adherence to that determination is*

> *incumbent equally upon the federal government and the states.* ***State powers can neither be appropriated on the one hand nor abdicated on the other. As this court said in Texas v. White, 7 Wall. 700, 725, 'The preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National government.*** *The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States.' Every journey to a forbidden end begins with the first step; and the danger of such a step by the federal government in the direction of taking over the powers of the states is that the end of the journey may find the states so despoiled of their powers, or-what may amount to the same thing-so [298 U.S. 238, 296] relieved of the responsibilities which possession of the powers necessarily enjoins, as to reduce them to little more than geographical subdivisions of the national domain. It is safe to say that if, when the Constitution was under consideration, it had been thought that any such danger lurked behind its plain words, it would never have been ratified."*
> *[Carter v. Carter Coal Co., 298 U.S. 238 (1936)]*

3. Denies the legislative intent of the Declaration of Independence, that says it is the right and DUTY even of people to setup their own governments, and by implication government services, that provide better security and safety for their rights.

> *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --**That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government**, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness."*
> *[Declaration of Independence]*

The "form of government" referred to above by Jefferson is all the component services offered by the government, which we believe can and should be subject to competition and choice and privatization.

4. Denies others the right of *self*-government in a way they choose.

Ultimately, the courts are being abused for is to create a corporate welfare state for a gigantic private corporate monopoly of malfeasant, inefficient tyrants who demand to be worshipped and glorified as a pagan deity and a religion, not a government. They are Microsoft to the Tenth power, not a government. This is exhaustively proven in the following document:

Socialism: The New American Civil Religion, Form #05.016 http://sedm.org/Forms/FormIndex.htm

In modern lingo, they are a fascist corporate dictatorship, whereby privilege and "adhesion contracts" have replaced equal protection and equal rights. Benito Mussolini (1883-1945) named his form of socialism, "fascism" after the "fasces", the symbol of bound sticks used as a totem of power in ancient Rome, which is now the symbol for the United States Tax Court which symbol is a descriptive and appropriate symbol for this particularized tribunal because this so-called court is Satanic and Fascist and created to give only the illusion of justice while establishing compliance to the 2nd Plank of the Communist Manifesto.

Figure 2: U.S. Tax Court Symbol

The same "fasces" used in the U.S. Tax Court symbol above also appears in the statue outside the U.S. Supreme Court. Notice what is in the left hand of the warrior and that it is a warrior. That warrior is your government, who is warring against your rights:

Figure 3: Statue outside the U.S. Supreme Court

12.6 Rules for determining whether a corporation is an extension of the government

An important aspect of discerning whether government functions have been privatized is the ability to determine whether a corporation is considered an officer or agent of the government by the courts. On this subject, the U.S. Supreme Court has held the following:

> ***The ultimate question for determination is whether the employment of defendant Strang as an inspector by the United States Shipping Board Emergency Fleet Corporation, without more, made him an agent of the government within the meaning of section 41, Criminal Code.***
>
> *'Sec. 41. No officer or agent of any corporation, join-stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint-stock company, association, or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation, joint-stock company, association, or firm. Whoever shall violate the provision of this section shall be fined not more than two thousand dollars and imprisoned not more than two years.' Comp. St. § 10205.*
>
> *Holding that this employment did not suffice to create the relation alleged, the trial court sustained a demurrer to the indictment. It contains four counts, three of which charge that Strang unlawfully acted as agent of the United States in transacting business with the Duval Ship Outfitting Company, a copartnership of which he was a member, in that while an employee of the Fleet Corporation as an inspector he signed and executed (February, 1919) three separate orders to the Outfitting Company for repairs and alterations on the steamship Lone Star. The other defendants are charged with aiding and abetting him. The trial court and counsel here have treated the fourth count as charging all the defendants with conspiracy to commit the offenses set forth in the three preceding counts. United States v. Colgate & Co., 250 U.S. 300, 39 Sup.Ct. 465, 63 L.Ed. 992, 7 A. L. R. 443.*

> ***Counsel for the government maintain that the Fleet *493 Corporation is an agency or instrumentality of the United States formed only as an arm for executing purely governmental powers and duties vested by Congress in the President and by him delegated to it; that the acts of the corporation within its delegated authority are the acts of the United **166 States; that therefore in placing orders with the Duval Company in behalf of the Fleet Corporation while performing the duties as inspector Strang necessarily acted as agent of the United States.***
>
> *The demurrer was properly sustained.*
>
> *As authorized by the Act of September 7, 1916 (39 Stat. 728), the United States Shipping Board caused the Fleet Corporation to be organized (April 16, 1917) under laws of the District of Columbia with $50,000,000 capital stock, all owned by the United States, and it became an operating agency of that board. Later, the President directed that the corporation should have and exercise a specified portion of the power and authority in respect of ships granted to him by the Act of June 15, 1917 (40 Stat. 182), and he likewise authorized the Shipping Board to exercise through it another portion of such power and authority. See The Lake Monroe, 250 U.S. 246, 252, 39 Sup.Ct. 460, 63 L.Ed. 962.* ***The corporation was controlled and managed by its own officers and appointed its own servants and agents who became directly responsible to it. Notwithstanding all its stock was owned by the United States it must be regarded as a separate entity. Its inspectors were not appointed by the President, nor by any officer designated by Congress; they were subject to removal by the corporation only and could contract only for it. In such circumstances we think they were not agents of the United States within the true intendment of section 41.***
>
> ***Generally agents of a corporation are not agents of the stockholders and cannot contract for the latter. Apparently this was one reason why Congress authorized organization of the Fleet Corporation. *494 Bank of the United States v. Planters' Bank of Georgia, 9 Wheat. 904, 907, 908, 6 L.Ed. 244; Bank of Kentucky v. Wister et al., 2 Pet. 318, 7 L.Ed. 437; Briscoe et al. v. Bank of Kentucky, 11 Pet. 257, 9 L.Ed. 709; Salas v. United States, 234 Fed. 842, 148 C. C. A. 440.*** *The view of Congress is further indicated by the provision in section 7, Appropriation Act of October 6, 1917 (40 Stats. 345, 384 [Comp. St. 1918, Comp. St. Ann. Supp. 1919, § 251b]):*
>
> *'Provided, that the United States Shipping Board Emergency Fleet Corporation shall be considered a government establishment for the purposes of this section.'*
>
> *Also, by the Act of October 23, 1918 (chapter 194, 40 Stats. 1015 [Comp. St. Ann. Supp 1919, § 10199]) which amends section 35, Criminal Code, and renders it criminal to defraud or conspire to defraud a corporation in which the United States owns stock.*
>
> *[U.S. v. Strang, 254 U.S. 491, 41 S.Ct. 165 (U.S. 1921)]*

The rules for determining whether a corporation whose stock is owned by the government is considered part of the government are summarized below:

1. Agents of a corporation are not agents of the stockholders and cannot contract for the latter. Therefore, even if the government owns the stock of a corporation, the agents or officers of the corporation cannot be considered an agency or instrumentality of the government.
2. An officer or agent of the corporation can only be considered part of the government to the extent that he or she:
   2.1. Is appointed by the President or by an officer designated by Congress.
   2.2. Is able to contract for or on behalf of the government.

In fulfillment of the above, the reader should note that the definition of "employee" found in Title 5 of the U.S. Code has as a prerequisite that all "employees" are officers of the "United States":

> *TITLE 5 > PART III > Subpart A > CHAPTER 21 > § 2105*
> *§ 2105. Employee*
>
> *(a) For the purpose of this title, "employee", except as otherwise provided by this section or when specifically modified,* ***means an officer and an individual*** *who is—*
>
> *(1) appointed in the civil service by one of the following acting in an official capacity—*
> *(A) the President;*
> *(B) a Member or Members of Congress, or the Congress;*
> *(C) a member of a uniformed service;*
> *(D) an individual who is an employee under this section;*
> *(E)* ***the head of a Government controlled corporation; or***
> *(F) an adjutant general designated by the Secretary concerned under section 709 (c) of title 32;*

(2) engaged in the performance of a Federal function under authority of law or an Executive act; and

(3) subject to the supervision of an individual named by paragraph (1) of this subsection while engaged in the performance of the duties of his position.

Consequently:

1. "employees" described in 5 U.S.C. §2105 would be considered "officers and agents of the United States" and therefore part of the government.
2. Only the head of a government controlled corporation would qualify as an "employee", officer, or agent of the government. Everyone below him or her would not.

If you would like to know what the Congressional Research Service (CRS) identifies as specific federal corporations, see:

Federal Government Corporations: An Overview, CRS Report #RL30365, Congressional Research Service, Jan. 7, 2009
http://famguardian.org/Subjects/Freedom/ThreatsToLiberty/RL30365.pdf

13 Legal Evidence of Corporatization of State and Federal Governments

The following subsections document how the state and federal governments have been corporatized. They appear in the time order they were accomplished.

If you would like detailed research into all of the above steps, including the full text of enactments of Congress and Executive Orders mentioned in the following subsections, we recommend:

Highlights of American Legal and Political History CD, Form #11.202
http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm

13.1 Historical Outline of the transformation

This section describes, in chronological order, the specific events which transformed a de jure or original jurisdiction government into a for profit, private corporation.

1863: Martial Law is declared by President Lincoln on April 24th, 1863, with General Orders No. 100; under martial law authority, Congress and President Lincoln institute continuous martial law by ordering the states (people) either conscribe troops and or provide money in support of the North or be recognized as enemies of the nation; this martial law Act of Congress is still in effect today. This martial law authority gives the President (with or without Congress) the dictatorial authority to do anything that can be done by government in accord with the Constitution of the United States of America. This conscription act remains in effect to this very day and is the foundation of Presidential Executive Orders authority; it was magnified in 1917 with The Trading with the Enemy Act (Public Law 65-91, 65th Congress, Session I, Chapters 105, 106, October 6, 1917). and again in 1933 with the Emergency War Powers Act, which is ratified and enhanced almost every year to this date by Congress. Today these Acts address the people of the United States themselves as their enemy.

1871: District of Columbia Organic Act of 1871, 16 Stat. 419-429 created a "municipal corporation" to govern the District of Columbia. Considering the fact that the municipal corporation itself was incorporated in 1801, an "Organic Act" (first Act affecting D.C. which invokes the term "organic") and using the term "municipal corporation" in 1871 can only mean a private corporation owned by the municipality. The fact that it is a PRIVATE corporation is covered in the next section. Hereinafter we will call that private corporation, "Corp. U.S." By consistent usage, Corp. U.S. trademarked the name, "United States Government" referring to themselves. The District of Columbia Organic Act of 1871, 16 Stat. 419-429 places Congress in control (like a corporate board) and gives the purpose of the act to form a governing body over the municipality; this allowed Congress to direct the business needs of the government under the existent martial law and provided them with corporate abilities they would not otherwise have. This was done under the constitutional authority for Congress to pass any law within the ten mile square of the District of Columbia. See section 13.2 to see the effect of the District of Columbia Act of 1871.

In said Act, Corp. U.S. adopted their own constitution (United States Constitution), which was identical to the national Constitution ("Constitution of the United States of America") except that it was missing the national constitution's 13th Amendment and the national constitution's 14th, 15th and 16th amendments are respectively numbered 13th, 14th and 15th amendments in the Corp. U.S. Constitution. *At this point take special notice and remember this Corp. U.S. method of adopting their own Constitution, they will add to it in the same manner in 1913.* For the background on the original Thirteenth Amendment, see:

1. Legal Brief Explaining the Scam
   http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Missing13thAmendment.pdf
2. Evidence of Existence of the Original Thirteenth Amendment
   http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Missing13thAmendment-1819-laws-of-virginia.pdf

You can read the full text of the act on our website below:

District of Columbia Organic Act of 1871, 16 Stat. 419-429, SEDM Exhibit #08.008
http://sedm.org/Exhibits/ExhibitIndex.htm

1878: District of Columbia Organic Act of 1878, 20 Stat. 102-108. Provided a permanent form of government for the District of Columbia. The act designates the District as a municipal corporation. You can read the full text of the act on our website below:

District of Columbia Organic Act of 1878, 20 Stat. 102-108, SEDM Exhibit #08.009
http://sedm.org/Exhibits/ExhibitIndex.htm

1912: Corp. U.S. began to generate debts via bonds etc., which came due in 1912, but they could not pay their debts so the 7 families that bought up the bonds demanded payment and Corp. U.S. could not pay. Said families settled the debt for the payments of all of Corp. U.S.' assets and for all of the assets of the Treasury of the United States of America.

1913: As 1913 began, Corp. U.S. had no funds to carry out the necessary business needs of the government so they went to said families and asked if they could borrow some money. The families said no (Corp. U.S. had already demonstrated that they would not repay their debts in full). The families had foreseen this situation and had the year before finalized the creation of a private corporation of the name "Federal Reserve Bank". Corp. U.S. formed a relationship with the Federal Reserve Bank whereby they could transact their business via note rather than with money. Notice that this relationship was one made between two private corporations and did not involve government; that is where most people error in understanding the Federal Reserve Bank system—again it has no government relation at all. The private contracts that set the whole system up even recognize that if anything therein proposed is found illegal or impossible to perform it is excluded from the agreements and the remaining elements remain in full force and effect.

1913: Almost simultaneously with the last fact (also in 1913), Corp. U.S. adopts (as if ratified) their own 16th amendment. Tax protesters challenge the IRS tax collection system based on this fact, however when we remember that Corp. U.S. originally created their constitution by simply drafting it and adopting it; there is no difference between that adoption and this—such is the nature of corporate enactments—when the corporate board (Congress) tells the secretary to enter the amendment as ratified (even thought the States had not ratified it) the Secretary was instructed that the Representatives word alone was sufficient for ratification. You must also note, this amendment has nothing to do with our nation, with our people or with our national Constitution, which already had its own 16th amendment. The Supreme Court (in Brushaber v. Union Pacific R. Co., 240 U.S. 1 (1916)) ruled the 16th amendment did nothing that was not already done other than to make plain and clear the right of the United States (Corp. U.S.) to tax corporations and government employees. We agree, considering that they were created under the authority of Corp. U.S.

1913: Next (also 1913) Corp. U.S., through Congress, adopts (as if ratified) its 17th amendment. This amendment is not only not ratified, it is not constitutional; the nation's Constitution forbids Congress from even discussing the matter of where Senators are elected, which is the subject matter of this amendment; therefore they cannot pass such and Act and then of their own volition, order it entered as ratified. According to the United States Supreme Court, for Congress to propose such an amendment they would first have to pass an amendment that gave them the authority to discuss the matter.

1914: Accordingly, in 1914, the Freshman class and all Senators that successfully ran for reelection in 1913 by popular vote were seated in Corp. U.S. Senate capacity only; their respective seats from their States remained vacant because neither the State Senates nor the State Governors appointed new Senators to replace them as is still required by the national Constitution for placement of a national Senator.

1916: In 1916, President Wilson is reelected by the Electoral College but their election is required to be confirmed by the constitutionally set Senate; where the new Corp. U.S. only Senators were allowed to participate in the Electoral College vote confirmation the only authority that could possibly have been used for electoral confirmation was corporate only. Therefore, President Wilson was not confirmed into office for his second term as President of the United States of America and was only seated in the Corp. U.S. Presidential capacity. Therefore the original jurisdiction government's seats were vacated because the people didn't seat any original jurisdiction government officers. *It is important to note here that President Wilson retained his capacity as Commander in Chief of the military. Many people wonder about this fact imagining that such a capacity is bound to the President of the nation; however, When John Adams was President he assigned George Washington to the capacity of Commander in Chief of the military in preparation for an impending war with France. During this period, Mr. Adams became quite concerned because Mr. Washington became quite Ill. and passed on his acting military authority through his lead General Mr. Hamilton and Mr. Adams was concerned that if war did break out Mr. Hamilton would use that authority to create a military dictatorship of the nation. Mr. Adams averted the war through diplomacy and the title of Commander in Chief was returned to him.* (See: John Adams, by David McCullough, this book covers Mr. Adams concerns over this matter quite well. Mr. Adams was a fascinating man.)

1917: In 1917, Corp. U.S. enters W.W. I and passes their Trading with the Enemies Act, 40 Stat. 411.

> *". . .any person within the United States or any place subject to the jurisdiction thereof"!!!*
> *[Trading with the Enemy Act, 40 Stat. 411]*

The term "subject to the jurisdiction thereof" above was the Territorial United States or the federal zone and did not include any state of the Union, but **the People were not told this.**

1933: March 6. In 1933, Corp. U.S. is bankrupt. Franklin Delano Roosevelt then declared a banking holiday on March 6, 1933 via Presidential Proclamation 2039. The purpose was to exchange money backed Federal Reserve Notes with "legal tender" Federal Reserve Notes.

1933: March 9: The Emergency Banking Relief Act, 48 Stat. 1, enacted March 9, 1933 amends the Trading with the Enemies Act to recognize the people of the United States as enemies of Corp. U.S. Following is the original October 6, 1917 combined with the Amendments of March 9, 1933. Note: **Bold faced** and single underlines are added by the author for emphasis and understanding. Double underlines and ~~strike-through deletions~~ are Amendments to the original "Trading With the Enemy Act" made in the Emergency Banking Relief Act of March 9, 1933.

> ***SIXTY FIFTH CONGRESS Sess. I Chapter 106, Page 411, October 6, 1917***
>
> ***CHAP 106—An Act To define, regulate, and punish trading with the enemy, and for other purposes.***

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled**, that this Act shall be known as the "Trading With the Enemy Act."*

*SEC. 2. That the word "**enemy**" as used herein shall be deemed to mean, for the purposes of such trading and of this Act—*

*(a) Any individual, partnership, or other party of individuals, or any nationality, resident within the territory (including that occupied by the military and naval forces of any **nation with which the United States is at war** or resident outside the United States and doing business within such territory and any corporation incorporated within any country **other than the United States** and doing business with such [enemy] territory, and any corporation incorporated within such **territory with which the United States is at war** or incorporated within any country **other than the United States**.*

*(b) The government of any nation **with which the United States is at war**, or any political or municipal subdivision thereof.*

*(c) Such other individuals or body or class of individuals, as may be natives, citizens, or subjects of any nation **with which the United States is at war**, **other than citizens of the United States**, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require may, by proclamation, include within the term enemy"*

*[this section then continues to define an "ally of an enemy" in the same terms as the "enemy" and again states, "**other than citizens of the United States**,"]*

Public Laws of the Seventy-Third Congress, Chapter 1, Title I, March 9, 1933 Sec. 2

*Subdivision (b) of Section 5 of the Act of October 6, 1917 (40 Stat. L. 411), as amended, is **hereby amended to read as follows**:*

*SEC. 5(b) "During time of war or during any other period of national emergency declared by the President, the President may through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions of foreign exchange, export or earmarkings of gold or silver coin or bullion or currency, transfers of credits ~~in any form (other than credits relating solely to transactions to be executed wholly within the United States)~~ between or payments by banking institutions as defined by the President, and export, hoarding melting, or earmarking of gold or silver coin or bullion or currency by any person within the United States or any place subject to the jurisdiction thereof; ~~and transfers of evidences of indebtedness or of ownership of property between the United States and any foreign country, whether enemy, ally of enemy or otherwise, or between residents of one or~~ and ~~he~~ the President may require any ~~such~~ person engaged in any such transaction **referred to in this subdivision** to furnish under oath, complete information relative thereto, including the production of any books of account, contracts, letters or other papers, in connection therewith in the custody or control of such person, either before or after such transaction is completed. **Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction be fined not more than $10,000, or, if a natural person, may be imprisoned for not more than ten years, or both;'…"***

SOME DARE CALL IT TREASON!

Constitution for the United States, Article III, Section 3, Clause 1

"Treason against the United States shall consist only of levying war against them, or adhering to their enemies…"

After gold was outlawed, Fort Knox was established in Kentucky and nine railroad cars full of gold arrived in Fort Knox containing all the gold that had been confiscated.

1935+: Some time after 1935, you ask Social Security Administration for a relationship with their program. With the express purpose of generating Beneficiary funds to United States General Trust Fund (GTF) the Social Security Administration creates an entity with a name (that sounds like your name but is spelled with all capital letters) and an account number (Social Security number). They give you the Social Security card and let you know that the card does not belong to you but you are to hold it for them until they want it back. If you are willing to accept that responsibility over the card you activate the card by signing it, which gives you the ability to act as the fiduciary for the cards actual owner Corp. U.S. and you can use the card's name and number to thus transact business relations for the card's actual owner. You are also to note that though the card verifies its agency (you as the single person with authority to control the entity so created)

it is not for use as identification. On review: notice the Social Security Administration was the creator of the entity, they offered you the opportunity to serve its Trustee capacity (by lending it actual consciousness and physical capacity), they gave you something (the card) that does not belong to you to hold in trust and they reserved the actual owner of the thing (Corp. U.S.) as the beneficiary of the entity—by definition, this only describes the creation and existence of a Trust. More importantly: the name they gave this Trust is not your name, the number they gave the Trust is not your number and your lending actual consciousness and physical capacity to this Trust's Trustee capacity does not limit you or your capacity to separately act in your natural sovereign capacity in any way—what you do, when you do it and how you do it is still totally up to you.

1944 and 1945: Under the Bretton Woods Agreement, Corp. U.S. is quit claimed to the International Monetary Fund, and becomes a foreign controlled private corporation. The **Bretton Woods Agreements** of 1944 and 1945 established the International Bank for Reconstruction and Development (a.k.a. the World Bank) and the International Monetary Fund. The United Nations Monetary and Financial Conference was held in July 1944 at Bretton Woods, New Hampshire. The organizations became operational in 1946 after a sufficient number of countries had ratified the agreement. The architecture of a post-World War II international financial system has largely stayed in place, despite major shifts in monetary policy (including eliminating the gold standard).

This is an International Agreement [Treaty] which by the Constitution had to be signed by the President and then ratified by 2/3rds of the Senate. So this obviously was not done under the treaty power. Therefore the "United States" in this statute could not have been the government but must be the 1871 corporation known as the "District of Columbia" with the "United States Government" reorganized under it in 1878.

What are the elements of a Quit Claim Deed?

1. There must be a Grantor (The true United States Government)
2. There must be a Grantee (The International Monetary Fund)
3. There must be assets or rights granted (The Treasury of the Corporation known as the United States")

Congress passes the Bretton Woods Agreement granting to the IMF the "United States Treasury" as "The individual drawing account" for the IMF. The President by and with the advice and consent of the Senate shall appoint a governor of the Fund who shall serve as government of the Bank (22 U.S.C. §286a). The person chosen by the President as Governor of the Bank and IMF is The Secretary of the Treasury (acting as a Foreign Agent).

Hidden Agenda: U.S. Inc. is quit-claimed into the newly formed International Monetary Fund in exchange for the power allowing U.S. Inc.'s President the right of naming (seating and controlling) the governors and general managers of the International Monetary Fund, The World Bank for Reconstruction and Development, and the Inter-American Bank also formed in that agreement (codified at United States Code Title 22 § 286). It must be noted that this act created an unlawful conflict of interest between US Inc. (with its new foreign owner) and its purpose of carrying out the business needs of the national government. This is the cause of our use of the term "original-jurisdiction" government. With the new foreign owner of U.S. Inc. a conflict of interest is created between the national government and U.S. Inc., even though the contracted purpose of U.S. Inc. has not changed on its face

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1968: In 1968, at the National Governor's Conference in Lexington, Kentucky, the IMF leaders of the event proposed the dilemma the State governors were in for carrying out their business dealings in Federal Reserve Notes (foreign notes), which is forbidden in the national and State constitutions, alleging that if they did not do something to protect themselves the people would discover what had been done with their money and would likely to kill them all and start over. They suggested the States form corporations like Corp. U.S. and showed the advantages of the resultant uniform codes that could be created, which would allow better and more powerful control over the people, which thing the original jurisdiction governments of this nation had no capacity to do. Our Constitutions secure that the governments do not govern the people rather they govern themselves in accord with the limits of Law. The people govern themselves. Such is the foundational nature of our Constitutional Republic.

1971: By 1971, every State government in the union of States had formed such private corporations (Corp. State), in accord with the IMF admonition, and the people ceased to seat original jurisdiction government officials in their State government seats. These private corporations are called "State of _____" instead of "_____ Republic" within corporate registries such as Dunn and Bradstreet.

1971: Proclamation #4074 was issued by President Nixon, which dismantled the Bretton Woods agreement and devalues the dollar by announcing the U.S. currency no longer redeemable to foreign countries at a fixed Gold price of $35 an ounce. Now the U.S. currency will float. So the Dollar is allowed to "float" which means the Dollar is allowed to assume a somewhat free market value (except for Federal Reserve Bank manipulations). This makes Federal Reserve Notes the de facto fiat currency and allows them to act essentially as corporate script for the federal slave plantation which ac essentially as a political commodity and a "permission slip" to conduct commerce as a government "public officer".

Get it into your brain the U.S. currency "floats" in value. It is only the international money system that has conditioned people to think that the dollar is fixed and commodity constantly change prices. You have fallen into the monetary game/trap the Bankers want you to live and work within. Free your mind from the mental programming you have received! Understand commodities are "real" substance. Gold represents "true" monetary value/substance. Federal Reserve Notes are valueless pieces of printed paper used for daily commercial exchange purposes, they have zero "true" value. Granted any one commodity does change value from the supply and demand market forces but the total overall commodity index is relatively stable in value over long periods of time and it is really the Dollar/FRN's that goes up and down in value.

After this Proclamation on Aug 15, 1971; Gold prices over the following ten years go from $35 per ounce to over $600 per ounce [Gold price chart]. Remember correct your thinking process: Gold is a stable value and the Dollar "floats". What this means is the artificial government fixed value of the Dollar underwent a 10 year free market correction to end up at less than $1/10^{th}$ the original value. U.S. Currency made a huge Free Market devaluation of over 1,000% in ten years. This ten year free fall drop in Dollar value was seen in the U.S. has double digit inflation.

So when people say gold went up today, all they are saying is that the federal reserve note became more worthless than it was yesterday because you now need more paper to buy what you bought yesterday. That is how they put more debt, their notes, in service. Now you have to work a longer time to obtain more paper to buy that same ounce of gold.

Here is a brief recap of when our "substance" was stolen from "We the People". In 1810 the Dollar was fixed at a Gold price of $20.67 per ounce so One Dollar was worth 25.8 grains of Gold. In 1934 President Franklin Roosevelt changed the Dollar to a fixed Gold Price of $35 per ounce so One Dollar was worth 13.7 grains of Gold. After President Nixon allows the Dollar to float a Gold price of $340 per ounce really means One Dollar was worth only 0.7 grains of Gold. Understand that with Gold priced at $340 per ounce our "Dollar" is worth only 2% of what is was worth before 1933 (now gold is over $400 per ounce and climbing). Is it any wonder that $100 dollars does not buy much any more. What has happened is when the bankers removed the gold backing to make way for their private paper notes, they stole the gold from "We the People" who had the rightful claim to the actual physical Gold backing the Dollar. The Bankers have inflated the currency or amount of paper money needed to obtain the same weight of Gold. They made the people think that gold went up but the reality it was their paper money that became more worthless over time. Remember that one ounce of gold remained the same but you needed more paper to obtain the same weight in Gold which means your "value" is constant disappearing. For further details on the money scam, see:

The Money Scam, Form #05.041 http://sedm.org/Forms/FormIndex.htm

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Now, having stated these historical facts, we ask you not to believe us, but rather prove these facts for yourself. We then ask you to contact us and share your discovery with us.

When you find there is no error in this historical outline, then remember these simple facts and let no one dissuade you from the truth.

The Bottom Line: when you speak about these private foreign corporations remember **that is what they are** and stop calling them government.

Further, it is very important that we cease to attempt to fix them. It is far more important that we learn how to reseat our original jurisdiction government and spread the word about the truth. By reseating our State and national governments in their original jurisdiction nature, we gain the capacity to hold these private foreign corporations accountable. They owe us a lot of money, in fact they owe us more money than there is available in the world. In fact it is impossible for them to pay and that gives us the leverage we need to take back our nation and put things right. The process is a simple one. The difficulty is in getting our people to wake up to the truth. That's why we ask you to prove the truth for yourself and contact us with your discovery.

That means that you must stop acting and communicating like you are anything other than the sovereign that God created you to be. And, stop referring to Corp. U.S. or the STATE OF 'X' as anything other than the private foreign corporations that they are. And, finally, stop listening to the Bigfoot Patriot Mythology that is espoused by those that only give these facts lip service.

It's time to wake up and follow the truth, time to repent and become a moral and honorable society instead of lauding our Piety while we stand guilty of:

1. Not knowing the truth;
2. Not living the truth;
3. Believing God will save us even though we have the tools to know the truth the ability to use the tools but we refuse to live by the truth and use the tools we have to save ourselves and thereby become free.

The biggest problem with those who get all excited about uniting against the tyranny of Corp. U.S. is that they are blind to the truth, having no remedy, so they bail out of "the system" hell bent for a rebellion that even the scripture says cannot be won with conventional weapons of war. We wish that more people would instead follow the admonition of the King of Kings and unite with truth to legally, lawfully and peacefully reseat our original jurisdiction government thereby taking back the control of our nation in accord with the organic law.

13.2 Articles of Confederation

Furthermore, under the Articles of Confederation, the term "United States of America" is the "stile" or phrase that was used to *describe* the Union formed legally by those Articles:

> *Articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and* *Georgia.*
>
> *Article I. The Stile of this Confederacy shall be"The United States of America."*
>
> *Article II. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled."*
>
> *[Articles of Confederation, 1776]*

When they came together the first time to form a Union of several (plural) States, they decided to call themselves the "United States of America".

Note also that those Articles clearly distinguished "United States of America" from "United States" in Congress assembled. The States formally delegated certain powers to the federal government, which is clearly identified in those Articles as the "United States".

13.3 Bouvier's Law Dictionary

Bouvier's Law Dictionary defines "United States of America" as follows:

UNITED STATES OF AMERICA. *The name of this country. The United States, now thirty-one in number, are Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Wisconsin, and California.*

2. The territory of which these states are composed was at one time dependent generally on the crown of Great Britain, though governed by the local legislatures of the country. It is not within the plan of this work to give a history of the colonies; on this subject the reader is referred to Kent's Com. sect. 10; Story on the Constitution, Book 1; 8 Wheat. Rep. 543; Marshall, Hist. Colon.

3. The neglect of the British government to redress grievances which had been felt by the people, induced the colonies to form a closer connexion than their former isolated state, in the hopes that by a union they might procure what they had separately endeavored in vain, to obtain. In 1774, Massachusetts recommended that a congress of the colonies should be assembled to deliberate upon the state of public affairs; and on the fourth of September of the following year, the delegates to such a congress assembled in Philadelphia. Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, and Virginia, were represented by their delegates; Georgia alone was not represented. This congress, thus organized, exercised de facto and de jure, a sovereign authority, not as the delegated agents of the governments de facto of the colonies, but in virtue of the original powers derived from the people. This, which was called the revolutionary government, terminated only when superseded by the confederated government under the articles of confederation, ratified in 1781. Serg. on the Const. Intr. 7, 8.

4. The state of alarm and danger in which the colonies then stood induced the formation of a second congress. The delegates, representing all the states, met in May, 1775. This congress put the country in a state of defence, and made provisions for carrying on the war with the mother country; and for the internal regulations of which they were then in need; and on the fourth day of July, 1776, adopted and issued the Declaration of Independence. (q.v.) The articles of confederation, (q.v.) adopted on the first day of March, 1781, 1 Story on the Const. Sec. 225; 1 Kent's Comm. 211, continued in force until the first Wednesday in March, 1789, when the present constitution was adopted. 5 Wheat. 420.

5. The United States of America are a corporation endowed with the capacity to sue and be sued, to convey and receive property. 1 Marsh. Dec. 177, 181. But it is proper to observe that no suit can be brought against the United States without authority of law.

6. The states, individually, retain all the powers which they possessed at the formation of the constitution, and which have not been given to congress. (q.v.)

7. Besides the states which are above enumerated, there are various territories, (q.v.) which are a species of dependencies of the United States. New states may be admitted by congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of congress. Const. art. 4, s. 3. And the United States shall guaranty to every state in this union, a republican form of government. Id. art. 4, s. 4. See the names of the several states; and Constitution of the United States.

[Bouvier's Law Dictionary, 1856; SOURCE: http://famguardian.org/Publications/Bouviers/bouvieru.txt]

Note that the plural verb "are" was used, providing further evidence that the "United States of America" *are* plural, as implied by the plural term "States". Also, the author of that definition switches to "United States" in the second sentence. This only adds to the confusion, because the term "United States" has three (3) different legal meanings.

13.4 District of Columbia Became a PRIVATE Corporation in 1871

The "District of Columbia" was created as a private municipal corporation by the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. The relevant portions of that act read as follows:

CHAP. LXII. – An Act to provide a Government for the District of Columbia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ***That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same is hereby, created into a government of the name of the District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes****, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this act.*

[Statutes at Large, 16 Stat. 419 (1871);
SOURCE: http://famguardian.org/Subjects/Taxes/16Amend/SpecialLaw/DCCorpStatuesAtLarge.pdf]

We are not here going to delve into the Act in its entirety, suffice it to say, looking over the situation we find the Act is one made by the original jurisdiction Congress, set by the Constitution for the United States of America. The first thing we notice is that the act created "**a body corporate for municipal purposes**", and NOT a "**body corporate AND politic**". This subtle distinction is important, because **a "body politic and corporate" is a de jure government, while a "body corporate" with the phrase "politic" removed is simply a private corporation that is NOT a "government"**. The U.S. Supreme Court confirmed this conclusion when it held the following:

> *Both before and after the time when the Dictionary Act and § 1983 were passed, **the phrase "bodies politic and corporate" was understood to include the [governments of the] States**. See, e.g., J. Bouvier, 1 A Law Dictionary Adapted to the Constitution and Laws of the United States of America 185 (11th ed. 1866); W. Shumaker & G. Longsdorf, Cyclopedic Dictionary of Law 104 (1901);* Chisholm v. Georgia, *2 U.S. (2 Dall.) 419, 447, 1 L.Ed. 440 (1793) (Iredell, J.);* id., *at 468 (Cushing, J.);* Cotton v. United States, *52 U.S. (11 How.) 229, 231, 13 L.Ed. 675 (1851) ("**Every sovereign State is of necessity a body politic, or artificial person**");* Poindexter v. Greenhow, *114 U.S. 270, 288, 5 S.Ct. 903, 29 L.Ed. 185 (1885);* McPherson v. Blacker, *146 U.S. 1, 24, 13 S.Ct. 3, 6, 36 L.Ed. 869 (1892);* Heim v. McCall, *239 U.S. 175, 188, 36 S.Ct. 78, 82, 60 L.Ed. 206 (1915). See also* United States v. Maurice, *2 Brock. 96, 109, 26 F.Cas. 1211 (CC Va.1823) (Marshall, C.J.) ("**The United States is a government, and, consequently, a body politic and corporate**");* Van Brocklin v. Tennessee, *117 U.S. 151, 154, 6 S.Ct. 670, 672, 29 L.Ed. 845 (1886) (same). Indeed, the very legislators who passed § 1 referred to States in these terms. See, e.g., Cong. Globe, 42d Cong., 1st Sess., 661-662 (1871) (Sen. Vickers) ("What is a State? Is *79 it not a **body politic and corporate**?"); id., at 696 (Sen. Edmunds) ("A State is a corporation").*

> ***The reason why States are "bodies politic** and corporate**" is simple: just as a corporation is an entity that can act only through its agents, "[t]he State is a political corporate body, can act only through agents, and can command only by laws."** Poindexter v. Greenhow, supra, *114 U.S., at 288, 5 S.Ct. at 912-913. See also Black's Law Dictionary 159 (5th ed. 1979) ("**[B]ody politic or corporate**": "**A social compact** by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good"). As a "**body politic and corporate**," a State falls squarely within the Dictionary Act's definition of a "person."*

> *While it is certainly true that the phrase "**bodies politic and corporate**" referred to private and public corporations, see ante, at 2311, and n. 9, this fact does not draw into question the conclusion that this phrase also applied to the States. Phrases may, of course, have multiple referents. Indeed, each and every dictionary cited by the Court accords a broader realm-one **2317 that comfortably, and in most cases explicitly, includes the sovereign-to this phrase than the Court gives it today. See 1B. Abbott, Dictionary of Terms and Phrases Used in American or English Jurisprudence 155 (1879) ("[T]he term **body politic** is often used in a general way, as meaning the state or the sovereign power, or the city government, without implying any distinct express incorporation"); W. Anderson, A Dictionary of Law 127 (1893) ("**[B]ody politic**": "The governmental, sovereign power: a city or a State"); Black's Law Dictionary 143 (1891) ("**[B]ody politic**": "It is often used, in a rather loose way, to designate the state or nation or sovereign power, or the government of a county or municipality, without distinctly connoting any express and individual corporate charter"); 1A. Burrill, A Law Dictionary and Glossary 212 (2d ed. 1871) ("**[B]ody politic**": "A body to take in succession, framed by policy"; "[p]articularly*80 applied, in the old books, to a Corporation sole"); id., at 383 ("Corporation sole" includes the sovereign in England).*
> *[Will v. Michigan Dept. of State Police, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich.,1989)]*

Note also the following language, which establishes that even PRIVATE corporations can truthfully be described as BOTH "bodies corporate and bodies politic".

> *"While it is certainly true that the phrase "**bodies politic and corporate**" referred to private and public corporations, see ante, at 2311, and n. 9,"*

Hence, calling a creation by Congress a "government" doesn't MAKE it a "body politic", a PUBLIC entity, or a de jure government. A "body politic" at least needs to REPRESENT the people it serves and the District of Columbia corporation doesn't do this. Rather, as a federal territory, it is organized more akin to a British Crown colony than a republican state of America:

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that **the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of***

> ***the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America***, *and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

We allege that the District of Columbia is NOT a "body politic" for the people who live there, because they have no representation in Congress like all the other Constitutional States. The fact that the act creating it as a corporation also called it a "government" STILL doesn't make it anything more than a PRIVATE municipal corporation because said act NEVER expressly identified it as a PUBLIC corporation nor called it a "body politic".

The U.S. Supreme Court also held that the formation of a corporation alone does not "confer political power or political character", which is to say, form a "body politic". The creation of a "body politic" within any act of Congress therefore requires an *express declaration*, which declaration is nowhere to be found within the organic act of 1871, 16 Stat. 419, or any subsequent act affecting the District of Columbia:

> *"**The mere creation of a corporation, does not confer political power or political character. So this Court decided in Dartmouth College v. Woodward, already referred to.** If I may be allowed to paraphrase the language of the Chief Justice, I would say, a bank incorporated, is no more a State instrument, than a natural person performing the same business would be. If, then, a natural person, engaged in the trade of banking, should contract with the government to receive the public money upon deposit, to transmit it from place to place, without charging for commission or difference of exchange, and to perform, when called upon, the duties of commissioner of loans, would not thereby become a public officer, how is it that this artificial being, created by law for the purpose of being employed by the government for the same purposes, should become a part of the civil government of the country? Is it because its existence, its capacities, its powers, are given by law? because the government has given it power to take and hold property in a particular form, and to employ that property for particular purposes, and in the disposition of it to use a particular name? because the government has sold it a privilege [22 U.S. 738, 774] for a large sum of money, and has bargained with it to do certain things; is it, therefore, a part of the very government with which the contract is made?"*
> *[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]*

The District of Columbia Organic Act of 1871 describes its venue as:

> *". . .all that part of the territory of the United States included within the limits of the District of Columbia".*

The District of Columbia was originally provided for in the Constitution for the United States of America (Sept. 17, 1787) at Article 1 Section 8, specifically in the last two clauses. Then, on July 16, 1790, in accord with the provisions of those clauses, the Territory was formed in the District of Columbia Act, 1 Stat. 130, wherein the "ten mile square" territory was permanently created and made the permanent location of the country's government, that is to say, the "territory" includes the actual government. Under the Act Congress also made the President the civic leader of the local government in all matters in said Territory and the date for transfer of all offices to this new location was then set at the first Monday in December, 1800. You can view this act at the link below:

http://famguardian.org/TaxFreedom/CitesByTopic/DistrictOfColumbia-1Stat130.pdf

Then on February 27, 1801, 2 Stat. 103-108, under the second District of Columbia Act, two counties were formed and their respective officers and district judges were appointed. You can read this act below:

http://famguardian.org/TaxFreedom/CitesByTopic/DistrictOfColumbia-2Stat103-108-18010227.pdf

Further, the established town governments of Alexandria, Georgetown and Washington were recognized as constituted and placed under the laws of the District, its judges, etc. Then on March 3, 1801, 2 Stat. 115-116 a Supplementary Act to that last Act, noted here, added the authority that the Marshals appointed by the respective District Court Judges collectively form a County Commission with the authority to appoint all officers as may be needed in similarity to the respective State officials in the states whence the counties Washington and Alexandria came, those being Maryland and Virginia, respectively. See:

http://famguardian.org/TaxFreedom/CitesByTopic/DistrictOfColumbia-2Stat115-116.pdf

According to the United States Supreme Court those charter acts (first acts) were the official incorporation of the townships of Alexandria, Georgetown, and Washington that formed the District of Columbia as chartered by Congress in accord with the Constitution's provision. Cohens v. Virginia, 19 U.S. 264 (1821). You can read this case below:

http://famguardian.org/TaxFreedom/CitesByTopic/DistrictOfColumbia-CohensVVirginia-19US164-1821.pdf

Nowhere between 1790 and the Organic Act of 1871, however, has the U.S. Supreme Court ever recognized the phrase "District of Columbia" as a corporation by itself. Since 1801, the Supreme Court called the City of Washington "a corporation", with the right to sue and be sued in Cohens v. Virginia, 19 U.S. 264 (1821). The "District of Columbia", however, was not officially and separately recognized as a "corporation" by the courts until ***after*** the act of 1871. Some people erroneously try to argue the contrary. Below is an example that has ***no evidentiary support***, and the source is identified. Those parts which are in error are underlined:

> *"The United States Supreme Court has repeatedly called this act the "District of Columbia Organic Act" or the "Charter Act of the District" and recognized it as the incorporation of the "municipality" known as the "District of Columbia". Then on March 3, 1801 a Supplementary Act to that last Act, noted here, added the authority that the Marshals appointed by the respective District Court Judges collectively form a County Commission with the authority to appoint all officers as may be needed in similarity to the respective State officials in the states whence the counties Washington and Alexandria came, those being Maryland and Virginia, respectively.*
>
> *According to the United States Supreme Court those charter acts (first acts) were the official incorporation of the formal municipal government of the District of Columbia as chartered by Congress in accord with the Constitution's provision. Again, the Supreme Court called that body of government "a corporation", with the right to sue and be sued. Since 1801 The District of Columbia has been consistently recognized as a "municipal corporation" with its own government."*
> *[Teamlaw Website, SOURCE: http://www.teamlaw.org/HistoryOutline.htm;*
> Click on the link "Follow this link to see the effect of the District of Columbia Act of 1871."]

Finally in The Organic Act of 1878, 20 Stat. 102-108, the District of Columbia was made into a municipal corporation.

We searched all rulings of the U.S. Supreme Court from the beginning, and there is no mention of the phrase "District of Columbia Organic Act" or "Charter Act of the District of Columbia" or of "incorporation" in reference to the phrase "District of Columbia". This is simply false. Between 1801 and 1871, the term "corporation" is only used to refer to the ***cities*** that are geographically within the District of Columbia, but ***not*** to the "District of Columbia" separately as a "corporation".

That sets the basics for the first rule of our Standard for Review, know the parties. What we have presented is sufficient to show the basics of who the parties are as they related to resolving the answer to the question above. We admonish everyone to prove the facts for themselves by their own research.

The second rule from our Standard for Review is: "Then you must understand the environmental nature of the relationship." With that in mind let's consider the events of the time: the Civil War had recently ended and the country was still under Lincoln's Conscription Act (Martial Law). Congress had at least three problems they could see no way to directly cure by following the laws of the land: they were out of funds, they had promised 40 acres of land to each slave that left the South to fight for the North and they had to reintegrate the south into the Union, which they could not do without controlling the appointment of the Southern States Congressional members. There were other problems but these three stand out from the rest. That is enough about the environment for the purposes of this review, however the more you study the historical events of this time the more obvious the relationships will become and the more proof you will amass to prove the facts of what actually happened. In the interest of time and space in this response we will move on.

The last step of the Standard for Review's discovery process requires a review of the actual terms of the relationship. Thus, we review the first paragraph of the District of Columbia Organic Act of 1871, which follows:

> *"That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same is hereby, created into a government by the name of the District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes … and exercise all other powers of a municipal corporation"*

When you consider the historical facts, the only meaning left for the terms given in the opening paragraph of the District of Columbia Organic Act of 1871 (and that which follows) is:

1. The "corporation" that was created is not a "**body politic AND corporate**" but simply a "**body corporate**", which means it is not a government within the meaning of the original jurisdiction of the constitution, but simply a private, for-profit corporation.
2. The "corporation" that was created is owned by the "United States", which is also a corporation. See 28 U.S.C. §3002(15)(A).
3. The only "government" created in that Act was the same government any private corporation has within the operation of its own corporate construct. Thus, we call it Corp. U.S.

We also note Congress reserved the right, granted them in the Constitution, to complete dictatorial authority over their Corp. U.S. construct, without regard for its internal operations or officers. Thus, Congress can use it within the ten mile square as they see fit to both govern the municipality as if it were the municipal government and to use it to do things the Constitution did not grant them the privilege of doing.

The U.S. Supreme Court has identified the nature of this private corporation called the "District of Columbia" by identifying it as equivalent to the "national government". To wit:

> *The argument that congressional powers over the District are not to be exercised outside of its territorial limits also is pressed upon us. But this same contention has long been held by this Court to be untenable.*
>
> *In Cohens [337 U.S. 582 , 601] v. Commonwealth of Virginia, 6 Wheat. 264, 429, Chief Justice Marshall, answering the argument that Congress, when legislating for the District, 'was reduced to a mere local legislature, whose laws could possess no obligation out of the ten miles square,' said 'Congress is not a local legislature, but exercises this particular power, like all its other powers, in its high character, as the legislature of the Union.*
>
> *The American people thought it a necessary power, and they conferred it for their own benefit. Being so conferred it carries with it all those incidental powers which are necessary to its complete and effectual execution.' In O'Donoghue v. United States, 289 U.S. 516, 539 , 746, this Court approved a statement made by Circuit Judge Taft, later Chief Justice of this Court, speaking for himself and Judge (later Mr. Justice) Lurton, that "The object of the grant of exclusive legislation over the district was, therefore, national in the highest sense, and the city organized under the grant became the city, not of a state, not of a district, but of a nation.*
>
> *In the same article which granted the powers of exclusive legislation over its seat of government are conferred all the other great powers which make the nation, including the power to borrow money on the credit of the United States. He would be a strict constructionist, indeed, who should deny to congress the exercise of this latter power in furtherance of that of organizing and maintaining a proper local government at the seat of government. Each is for a national purpose, and the one may be used in aid of the other.' * * *' And, just prior to enactment of the statute now challenged on this ground, the Court of Appeals for the District itself, sitting en banc, and relying on the foregoing authorities, had said that **Congress 'possesses full and unlimited jurisdiction to provide for the general welfare' of District citizens 'by any and every act of legislation which it may deem conducive to that end.** * * * [337 U.S. 582 , 602] when it legislates for the District, Congress acts as a legislature of national character, exercising complete legislative control as contrasted with the limited power of a state legislature, on the one hand, and as contrasted with the limited sovereignty which Congress exercises within the boundaries of the states, on the other.' Neild v. District of Columbia, 71 App.D.C. 306, 110 F.2d. 246, 250.*
> *[National Mut. Ins. Co. of Dist. Of Col. v. Tidewater Transfer Co., 337 U.S. 582 (1949)]*

In said Act, Corp. U.S. adopted their own constitution (United States Constitution), which was identical to the national Constitution (Constitution of the United States of America) except that it was missing the national constitution's 13th Amendment and the national constitution's 14th, 15th and 16th amendments are respectively numbered 13th, 14th and 15th amendments in the Corp. U.S. Constitution.

> *". . .and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this act."*
> *[Statutes at Large, 16 Stat. 419 (1871);*
> *SOURCE: http://famguardian.org/Subjects/Taxes/16Amend/SpecialLaw/DCCorpStatuesAtLarge.pdf]*

The Thirteenth Amendment that was dropped from the District of Columbia Constitution read as follows:

> *"If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honour, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."*

At this point take special notice and remember this Corp. U.S. method of adopting their own Constitution, they will add to it in the same manner in 1913. All the hype about the missing original Thirteenth Amendment originates from the adoption essentially of a municipal constitution for the corporate "District of Columbia", which omitted the key provisions in the original Thirteenth Amendment that would have prevented officers of the de jure original government from also serving in the offices of the new private corporation called the "District of Columbia".

It is the private corporation called the "District of Columbia" created by the Act of 1871 that is the same entity which is the subject of the entire Internal Revenue Code, Subtitle A and of the Uniform Commercial Code. These authorities therefore become essentially "rules and regulations" respecting the territory and other property of the United States" mentioned in Article 4, Section 3, Clause 2 of the Constitution, and which includes the private corporation called the "District of Columbia". To wit:

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]*
> *Sec. 7701. - Definitions*
>
> *(a) Definitions*
>
> *(9) United States*
>
> *The term "United States" when used in a geographical sense includes only the [corporate] States and the District of Columbia [also a corporation].*
>
> *(10) State*
>
> *The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*
>
> _____
>
> *Uniform Commercial Code (U.C.C.)*
> *§ 9-307. LOCATION OF DEBTOR.*
>
> *(h) [Location of United States.]*
>
> *The United States [corporation] is located in the **District of Columbia [also a corporation]**.*
> *[SOURCE:*
> *http://www.law.cornell.edu/ucc/search/display.html?terms=district%20of%20columbia&url=/ucc/9/article9.htm#s9-307]*

The "District of Columbia" private corporation was modeled after the first Bank of the United States, which was also a corporation and which also was intended to operate outside of the District of Columbia and directly upon citizens in states of the Union. The limitations of such a corporation operating within states of the Union is exhaustively analyzed in the case of Osborn v. Bank of U.S., 22 U.S. 738 (1824), if you would like to investigate further. The limitations upon the operation of this private corporation when it interacts with persons within a state of the Union, as explained in Osborn, are as follows:

1. The corporation itself is NOT a "public office" by virtue of having been created and chartered by the U.S. government.

> *If the Court adopt this reasoning of one of themselves, the point is decided. The act of incorporation, in the case supposed, does neither create a public office, nor a public corporation. **The association, notwithstanding their charter, remain a private association, the proprietors and conductors of a private trade, bound by contract, for a consideration paid, to perform certain employments for the government.**"*
>
> *[. . .]*
>
> *The appellants rely greatly on the distinction between the Bank and the public institutions, such as the mint or the post office. The agents in those offices are, it is said, officers of government, and are excluded from a seat in*

> *Congress.* ***Not so the directors of the Bank. The connexion of the government with the Bank, is likened to that with contractors.***
>
> ***It will not be contended, that the directors, or *867 other officers of the Bank, are officers of government.*** *But it is contended, that, were their resemblance to contractors more perfect than it is, the right of the State to control its operations, if those operations be necessary to its character, as a machine employed by the government, cannot be maintained. Can a contractor for supplying a military post with provisions, be restrained from making purchases within any State, or from transporting the provisions to the place at which the troops were stationed? or could he be fined or taxed for doing so? We have not yet heard these questions answered in the affirmative. It is true, that the property of the contractor may be taxed, as the property of other citizens; and so may the local property of the Bank. But we do not admit that the act of purchasing, or of conveying the articles purchased, can be under State control.*
> *[Osborn v. Bank of U.S., 22 U.S. 738, 771-772 (1824)]*

2. The corporation has no political power or political character, and therefore is NOT a "body politic":

> *"The mere creation of a corporation, does not confer political power or political character. So this Court decided in Dartmouth College v. Woodward, already referred to. If I may be allowed to paraphrase the language of the Chief Justice, I would say, a bank incorporated, is no more a State instrument, than a natural person performing the same business would be."*
> *[Osborn v. Bank of U.S., 22 U.S. 738, 773 (1824)]*

3. It is not subject to taxation or regulation by the state it is located in.

> *"A stamp duty is one mode of collecting revenue from individuals engaged in private trade, but it is not the only mode.* ***The principle which exempts the Bank of the United States from the payment of a stamp duty imposed by a State, is supposed to exempt it from the payment of any tax assessed by State authority. It is deemed an incident attached to the charter, because that charter is conferred by the supreme authority. It is said, that if any other than the supreme authority that confers the faculty, is permitted to tax the trade or business to be carried on under it, the faculty itself may be rendered useless, and the object of granting it entirely defeated. The power to confer the faculty, and the power to tax the business, if vested in different hands, are thus held to be incompatible, and from this incompatibility the exemption is deemed a necessary incident to the charter, because, without it, it cannot exist.*** *For we must here repeat, that this Court have said, that a corporation 'possesses only those properties which the charter of its creation confers upon it, either expressly, or as incidental to its very existence.*[FN5]*"*
> *[Osborn v. Bank of U.S., 22 U.S. 738, 778-779 (1824)]*

4. Any disputes between it and persons domiciled within the state it is located within must litigated consistent with the charter of the corporation. In the case of the Bank of the United States, the charter granted authority to the federal courts and therefore the suit was conducted in the federal courts:

> *"It is competent for Congress to determine what Court shall have jurisdiction in this class of cases, which it has done as to the Bank, by giving it, the right of suing in the Circuit Courts of the Union."*
>
> *[. . .]*
>
> *The act of incorporation, then, confers jurisdiction on the Circuit Courts of the United States, if Congress can confer it.*
> *[Osborn v. Bank of U.S., 22 U.S. 738, 798, 818 (1824)]*

Below is a summary of the history of the District of Columbia from NARPAC Website:

1. GENERAL HISTORY OF THE DISTRICT OF COLUMBIA
   1.1. When the United States Constitution was adopted on September 15, 1787, Article 1, Section 8, Clause 17, included language authorizing the establishment of a federal district. This district was not to exceed 10 miles square, under the exclusive legislative authority of Congress. On July 16, 1790, Congress authorized President George Washington to choose a permanent site for the capital city and, on December 1, 1800, the capital was moved from Philadelphia to an area along the Potomac River. The census of 1800 showed that the new capital had a population of 14,103.
   1.2. The District of Columbia Bicentennial Commission was established to develop plans for the celebration of various anniversary dates in District of Columbia history. The commission is comprised of 39 members with a specified number of commissioners appointed by the mayor, the chairman of the D.C. Council, council members, the District delegate to the House of Representatives, the courts, and the District of Columbia Bar.

1.3. Among the events celebrated are the 200th anniversary of the Residency Act, which established that there shall be a permanent seat of government on the Potomac River (July 16, 1990); the 200th anniversary of President George Washington's proclamation of the site for the federal district (January 24, 1991); and the 200th anniversary of the arrival of Pierre L'Enfant, Benjamin Banneker and Andrew Ellicott. The commission may designate other bicentennial events for celebration.

1.4. There have been several forms of appointed and elected governments in the District of Columbia: an appointed, three-member commission (1790-1802); elected councils and an appointed mayor (1802-1820); elected councils and an elected mayor (1820-1871); an appointed governor, a two-house legislature (one appointed and the other elected), and an elected , non-voting delegate to the Congress (1871-1874); and another appointed, three-member commission (1874-1967). Following the defeat by Congress of a home rule effort in 1967, then-President Lyndon B. Johnson reorganized the District government and created the positions of an appointed mayor/commissioner and an appointed nine-member council.

1.5. District residents won the right to vote in a presidential election on March 29, 1961, to elect a board of education in 1968 and, in 1970, to elect a non-voting delegate to the House of Representatives. In 1973, Congress approved a bill that provided District residents with an elected form of government with limited home rule authority; as a result, District residents voted for a mayor and a council for the first time in more than 100 years. District residents accepted the home rule charter by referendum vote in 1974. Congress delegated to the District government the authority, functions and powers of a state, with a very important exception:

1.6. Congress retains control over the District's revenue and expenditures by annually reviewing the entire District government budget. In addition, Congress has repeatedly prohibited the District from imposing a non-resident income tax.

1.7. In 1980, District voters approved a statehood initiative by a majority of 60 percent; delegates to a statehood constitutional convention were elected in 1981 and, in 1983, a bill for the admission of the state of New Columbia was introduced in Congress. The "Constitution for the State of New Columbia" is still under congressional consideration and is reintroduced into each new congressional session. Under the specifications of the statehood initiatives, most of the land area of the District of Columbia would become the state of New Columbia; the District of Columbia would continue to exist, albeit reduced in size to an area consisting of the White House, the Capitol, the Supreme Court, the Mall and federal monuments and government buildings adjacent to the Mall.

2. CHRONOLOGY OF SOME EVENTS IN THE HISTORY OF THE DISTRICT OF COLUMBIA

2.1. May 15, 1751: The Maryland Assembly appoints commissioners to lay a town on the Potomac River, above the mouth of Rock Creek, on 60 acres of land to be purchased from George Gordon and George Beall. This settlement becomes Georgetown.

2.2. February 27, 1752: The survey and plat of Georgetown into 80 lots is completed.

2.3. September 17, 1787: The Constitution is signed by the members of the Constitutional Convention.

2.4. June 21, 1788: The 1788 U.S. Constitution, as adopted by the Constitutional Convention on September 15, 1787, is ratified by the states. Article 1, Section 8, Clause 17, gives Congress authority "to exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States...."

2.5. July 16, 1790: The Residency Act of 1790 gives the president power to choose a site for the capital city on the east bank of the Potomac River between the mouth of the Eastern Branch and the Connogocheague Creek (now Conococheague) near Hagerstown, nearly 70 miles upstream.

2.6. January 22, 1791: George Washington appoints Thomas Johnson and Daniel Carroll of Rock Creek, representing Maryland and Dr. David Stuart, to represent Virginia, as "Commissioners for surveying the District of (sic) Territory accepted by the said Act for the permanent seat of the Government of the United States...."

2.7. January 24, 1791: President George Washington selects a site that includes portions of Maryland and Virginia.

2.8. December 1, 1800: The federal capital is transferred from Philadelphia to the site on the Potomac River now called the City of Washington, in the territory of Columbia. At the time of the 1800 census, the population of the new capital included 10,066 whites,793 free Negroes and 3,244 slaves.

2.9. February 27, 1801: Congress divides the [District] into the counties of Washington and Alexandria.

2.10. May 3, 1802: Congress grants the City of Washington its first municipal charter. Voters, defined as white males who pay taxes and have lived in the city for at least a year, receive the right to elect a 12-member council. The mayor is appointed by the president.

2.11. May 4, 1812: Congress amends the charter of the City of Washington to provide for an eight-member board of aldermen and a 12-member common council. The aldermen and the common council elect the mayor.

2.12. March 15, 1820: Under the Act of 1820, Congress amends the Charter of the City of Washington for the direct election of the mayor by resident voters.

2.13. July 9, 1846: Congress passes a law returning the city of Alexandria and Alexandria County to the state of Virginia.
2.14. May 17, 1848: Congress adopts a new charter for the City of Washington and expands the number of elected offices to include a board of assessors, a surveyor, a collector and a registrar.
2.15. April 16, 1862: Congress abolishes slavery in the federal district (the City of Washington, Washington County, and Georgetown). This action predates both the Emancipation Proclamation and the adoption of the 13th Amendment to the Constitution.
2.16. January 8, 1867:Congress grants black males the right to vote in local elections.
2.17. June 1, 1871: The elected mayor and council of Washington City and Georgetown, and the County Levy Court are abolished by Congress and replaced by a governor and council appointed by the president. An elected House of Delegates and a non-voting delegate to Congress are created. In this act, the jurisdiction and territorial government came to be called the District of Columbia, thus combining the governments of Georgetown, the City of Washington and the County of Washington. A seal and motto, "Justitia Omnibus" (Justice for All), are adopted for the District of Columbia.
2.18. June 20, 1874: The territorial government of the District of Columbia, including the non-voting delegate to Congress, is abolished. Three temporary commissioners and a subordinate military engineer are appointed by the president.
2.19. June 11, 1878: In The Organic Act of 1878 [20 Stat. 102-108], Congress approves the establishment of the District of Columbia government as a municipal corporation governed by three presidentially appointed commissioners _ two civilian commissioners and a commissioner from the military corps of engineers. This form of government lasted until August 1967.
2.20. July 4, 1906: The District Building, on 14th Street and Pennsylvania Avenue, becomes the official City Hall.
2.21. July 1, 1952: The Reorganization Plan of 1952 transfers to the three commissioners the functions of more than 50 boards.
2.22. March 29, 1961: The 23rd Amendment to the Constitution gives District residents the right to vote for president.
2.23. February 20, 1967: The Washington Metropolitan Area Transit Authority is created through a compact between the District of Columbia, Maryland and Virginia.
2.24. April 22, 1968: District residents receive the right to elect a Board of Education.
2.25. December 24, 1973: Congress approves the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198, which establishes an elected mayor and a 13-member council.
2.26. May 7, 1974: Voters of the District of Columbia approve by referendum the District Charter and the establishment of advisory neighborhood commissions.
2.27. General elections are held for mayor and council on November 5, 1974.
2.28. January 2, 1975: The newly elected Mayor Walter Washington and first elected council take office.
2.29. February 3, 1976: The first election for advisory neighborhood commissioners is held.
2.30. March 29, 1978: The first segment of the Metrorail Red Line opens.
2.31. August 22, 1978: Congress approves the District of Columbia Voting Rights Amendment, which would give District residents voting representation in the House and the Senate. The proposed constitutional amendment was not ratified by the necessary number of states (38) within the allotted seven years.
2.32. January 2, 1979: The Mayor Marion Barry takes office.
2.33. November 4, 1980: District electors approve the District of Columbia Statehood Constitutional Convention of 1979, which became D.C. Law 3-171 and which called for convening a state constitutional convention.
2.34. November 2, 1982: After the constitutional convention, a Constitution for the State of New Columbia is ratified by District voters.
2.35. October 1, 1984: The District enters the municipal bond market.
2.36. October 29, 1986: Congress approves an amendment to the District of Columbia Stadium Act of 1957, which authorizes the transfer of Robert F. Kennedy Stadium from the federal government to the District of Columbia government.
2.37. February 20, 1987: The Metropolitan Washington Airports Authority is created to acquire Washington National and Washington - Dulles International airports from the federal government, pursuant to P.L. 99-151, The Metropolitan Washington Airports Act of 1986. The authority begins operating the airports on June 7, 1987.
2.38. October 1, 1987: Saint Elizabeth's Hospital is transferred to the District of Columbia government pursuant to P.L. 98-621, The St. Elizabeth's Hospital and the D.C. Mental Health Services Act of 1984.
2.39. January 2, 1992: Mayor Sharon Pratt Dixon, the first woman mayor, takes office.
2.40. January 2, 1995: Marion Barry takes office for an unprecedented fourth term as Mayor of the District of Columbia.

2.41. April 17, 1995: President Clinton signed the law creating a presidentially appointed District of Columbia Financial Control Board and a mayor-appointed Chief Financial Officer.
2.42. July 13, 1995: The newly appointed financial control board holds its first public meeting. It is composed of Dr. Andrew Brimmer, chair; and members:
2.43. Joyce A. Ladner, Constance B. Newman, Stephen D. Harlan and Edward A.
2.44. Singletary. John Hill is the Executive Director and Daniel Rezneck is the General Counsel.
2.45. February 14, 1996: Mayor Barry announces a transformation plan to reduce the size of government and increase its efficiency.

Source: http://www.narpac.org/ITXDCHIS.HTM

13.5 Incorporation of the "United States of America" in Delaware

To make matters worse and to propagate more confusion, the entity "UNITED STATES OF AMERICA" incorporated twice in the State of Delaware:

http://www.supremelaw.org/cc/usa.inc
http://www.supremelaw.org/cc/usa.corp

13.6 Actions in Federal Court relating to income taxation

Pay attention to what was said in that definition of "United States of America" in Bouvier's Law Dictionary:

> *"no suit can be brought against the United States without authority of law".*
> *[Bouvier's Law Dictionary, 1856; SOURCE: http://famguardian.org/Publications/Bouviers/bouvieru.txt]*

That statement is not only correct. It also provides another important clue. Congress has conferred legal standing on the "United States" to sue and be sued at 28 U.S.C. §1345 and 1346 respectively:

> *TITLE 28 > PART IV > CHAPTER 85 > § 1345*
> *§ 1345. United States as plaintiff*
>
> *Except as otherwise provided by Act of Congress, the district courts shall have original jurisdiction of all civil actions, suits or proceedings commenced by the United States, or by any agency or officer thereof expressly authorized to sue by Act of Congress.*
>
> ---
>
> *TITLE 28 > PART IV > CHAPTER 85 > § 1346*
> *§ 1346. United States as defendant*
>
> *(a)The district courts shall have original jurisdiction, concurrent with the United States Court of Federal Claims, of: . . .*

Congress has NOT conferred comparable legal standing upon the "United States of America" to sue, or be sued, as such.

The main problem that arises from these questions is that United States* Attorneys are now filing lawsuits and prosecuting criminal INDICTMENTS in the name of the "UNITED STATES OF AMERICA" [*sic*] but without any powers of attorney to do so. Compare 28 U.S.C. §547 (which confers powers of attorney to represent the "United States" and *its* agencies in federal courts):

> *TITLE 28 > PART II > CHAPTER 35 > § 547*
> *§ 547. Duties*
>
> *Except as otherwise provided by law, each United States attorney, within his district, shall—*
>
> *(1)prosecute for all offenses **against the United States**;*
>
> *(2)prosecute or defend, for the Government, all civil actions, suits or proceedings in which the United States is concerned;*

> *(3)appear in behalf of the defendants in all civil actions, suits or proceedings pending in his district against collectors, or other officers of the revenue or customs for any act done by them or for the recovery of any money exacted by or paid to these officers, and by them paid into the Treasury;*
>
> *(4)institute and prosecute proceedings for the collection of fines, penalties, and forfeitures incurred for violation of any revenue law, unless satisfied on investigation that justice does not require the proceedings; and*
>
> *(5)make such reports as the Attorney General may direct.*

They are NOT "United States of America Attorneys", OK? Why? Because:

1. They do NOT have any powers of attorney to represent Delaware corporations in federal courts; Congress never appropriated funds for them to do so and Congress never conferred any powers of attorney on them to do so either.
2. The 50 States are already adequately represented by their respective State Attorneys General; therefore, U.S. Attorneys have no powers of attorney to represent any of the 50 States of the Union, or any of *their* agencies, either.

They are "U.S. Attorneys" NOT "U.S.A. Attorneys", OK?

Accordingly, it is willful misrepresentation for any U.S. Attorney to attempt to appear in any State or federal court on behalf of the "UNITED STATES OF AMERICA" [*sic*]. And, such misrepresentation is actionable under the McDade Act, 28 U.S.C. §530B:

> *TITLE 28 > PART II > CHAPTER 31 > § 530B*
> *§ 530B. Ethical standards for attorneys for the Government*
>
> *(a)An attorney for the Government shall be subject to State laws and rules, and local Federal court rules, governing attorneys in each State where such attorney engages in that attorney's duties, to the same extent and in the same manner as other attorneys in that State.*
>
> *(b)The Attorney General shall make and amend rules of the Department of Justice to assure compliance with this section.*
>
> *(c)As used in this section, the term "attorney for the Government" includes any attorney described in section 77.2(a) of part 77 of title 28 of the Code of Federal Regulations and also includes any independent counsel, or employee of such a counsel, appointed under chapter 40.*

13.7 States of the Union have been replaced by Federal Corporations[63]

The governments of each state of the Union preside over TWO mutually exclusive and separate jurisdictions, which we summarize below:

1. Republic State. Land within the exclusive jurisdiction of the state fall within this area.
2. Corporate State. This area consists of federal areas within the exterior limits of the state. These areas are federal territory not protected by the Constitution of the United States or the Bill of Rights and are "instrumentalities" of the federal government. Jurisdiction over these areas is shared with the federal government under the auspices of the following legal authorities:
   2.1. Buck Act, 4 U.S.C. §108-116
   2.2. The Assimilated Crimes Act, 18 U.S.C. §13.
   2.3. The Rules of Decision Act, 28 U.S.C. §1652. This act prescribes which of the two conflicting laws shall prevail in the case of crimes on federal territory.
   2.4. 28 U.S.C. §2679, which says that any action against an officer or employee of the United States in which the officer or employee is acting outside their authority may be prosecuted in a state court and is not a "federal question".
   2.5. Agreement on Coordination of Tax Administration (ACTA) between the state and the Secretary of the Treasury.

The situation above in respect to a state is not unlike our national government, which has two mutually exclusive jurisdictions:

[63] Adapted from section 4 of SEDM Form #05.031 entitled *State Income Taxes*.

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]*

> *"The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

The hard part is figuring out which of the two jurisdictions that any particular state statute or law applies to. What makes this process difficult are the following complicating factors:

1. There is no constitutional requirement that the laws passed by the state legislature must clearly state which of the two jurisdiction they apply to. This was also confirmed in the following exhibit, which is a letter from a United States Congressman:

   Congressman Zoe Lofgren Letter, Exhibit #04.003
   http://sedm.org/Exhibits/ExhibitIndex.htm
2. Crafty state legislators deliberately obfuscate the laws they write so as to encourage those within the Republic to obey laws that in fact only apply to the Corporate state so as to unlawfully increase their revenues, power, and control.
3. Courts of INjustice and the judges who serve in them refuse to acknowledge that most statutes passed by the legislature can only lawfully affect federal areas and persons who consent to be treated as though they inhabit these areas.

Within federal law, the Republic portion of each state is referred to as a "foreign state". To wit:

> *"Foreign states. Nations which are outside the United States. Term may also refer to another state; i.e. a sister state."*
> *[Black's Law Dictionary, Sixth Edition, p. 648]*

> *"Generally, the states of the Union sustain toward each other the relationship of independent sovereigns or independent foreign states, except in so far as the United States is paramount as the dominating government, and in so far as the states are bound to recognize the fraternity among sovereignties established by the federal Constitution, as by the provision requiring each state to give full faith and credit to the public acts, records, and judicial proceedings of the other states..."*
> *[81A Corpus Juris Secundum (C.J.S.), United States, §29]*

> *"The United States Government is a foreign corporation with respect to a state." [N.Y. v. re Merriam 36 N.E. 505; 141 N.Y. 479; affirmed 16 S.Ct. 1073; 41 L.Ed. 287] [underlines added]*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §884]*

Even the U.S. Supreme Court admits that the Republic portion of states of the Union are "foreign states" with respect to the federal government:

> *We have held, upon full consideration, that although under existing statutes a circuit court of the United States has jurisdiction upon habeas corpus to discharge from the custody of **state officers** or tribunals one restrained of his liberty in violation of the Constitution of the United States, it is not required in every case to exercise its power to that end immediately upon application being made for the writ. 'We cannot suppose,' this court has said, 'that Congress intended to compel those courts, by such means, to draw to themselves, in the first instance, the control of all criminal prosecutions **commenced in state courts** exercising authority within the same territorial limits, where the accused claims that he is held in custody in violation of the Constitution of the United States. The injunction to hear the case summarily, and thereupon 'to dispose of the party as law and justice require' [R. S. 761], does not deprive the court of discretion as to the time and mode in which it will exert the powers conferred upon it. That discretion should be exercised in the light of the relations existing, under our system of government, between the judicial tribunals of the Union and of the states, and in recognition of the fact that the public good requires that those relations be not disturbed by unnecessary conflict between courts equally bound to guard and protect rights secured by the Constitution. **When the petitioner is in custody by state authority** for an act done or omitted to be done in pursuance of a law of the*

*United States, or of an order, process, or decree of a court or judge thereof; **or where, being a subject or citizen of a foreign state, and domiciled therein, he is in custody, under like authority, for an act done or omitted under any alleged right, title, authority, privilege, protection, or exemption claimed under the commission, or order, or sanction of any foreign state, or under color thereof, the validity and effect whereof depend upon the law of nations; in such and like cases of urgency, involving the authority and operations of the general government, or the obligations of this country to, or its relations with, foreign nations, [180 U.S. 499, 502] the courts of the United States have frequently interposed by writs of habeas corpus and discharged prisoners who were held in custody under state authority.** So, also, when they are in the custody of a state officer, it may be necessary, by use of the writ, to bring them into a court of the United States to testify as witnesses.' Ex parte Royall, 117 U.S. 241, 250 , 29 S.L.Ed. 868, 871, 6 Sup.Ct.Rep. 734; Ex parte Fonda, 117 U.S. 516, 518 , 29 S.L.Ed. 994, 6 Sup.Ct.Rep. 848; Re Duncan, 139 U.S. 449 , 454, sub nom. Duncan v. McCall, 35 L.Ed. 219, 222, 11 Sup.Ct.Rep. 573; Re Wood, 140 U.S. 278 , 289, Sub nom. Wood v. Bursh, 35 L.Ed. 505, 509, 11 Sup.Ct.Rep. 738; McElvaine v. Brush, 142 U.S. 155, 160 , 35 S.L.Ed. 971, 973, 12 Sup.Ct.Rep. 156; Cook v. Hart, 146 U.S. 183, 194 , 36 S.L.Ed. 934, 939, 13 Sup.Ct.Rep. 40; Re Frederich, 149 U.S. 70, 75 , 37 S.L.Ed. 653, 656, 13 Sup.Ct.Rep. 793; New York v. Eno, 155 U.S. 89, 96 , 39 S.L.Ed. 80, 83, 15 Sup.Ct.Rep. 30; Pepke v. Cronan, 155 U.S. 100 , 39 L.Ed. 84, 15 Sup.Ct.Rep. 34; Re Chapman, 156 U.S. 211, 216 , 39 S.L.Ed. 401, 402, 15 Sup.Ct.Rep. 331; Whitten v. Tomlinson, 160 U.S. 231, 242 , 40 S.L.Ed. 406, 412, 16 Sup.Ct.Rep. 297; Iasigi v. Van De Carr, 166 U.S. 391, 395 , 41 S.L.Ed. 1045, 1049, 17 Sup.Ct.Rep. 595; Baker v. Grice, 169 U.S. 284, 290 , 42 S.L.Ed. 748, 750, 18 Sup.Ct.Rep. 323; Tinsley v. Anderson, 171 U.S. 101, 105 , 43 S.L.Ed. 91, 96, 18 Sup.Ct.Rep. 805; Fitts v. McGhee, 172 U.S. 516, 533 , 43 S.L.Ed. 535, 543, 19 Sup.Ct.Rep. 269; Markuson v. Boucher, 175 U.S. 184 , 44 L.Ed. 124, 20 Sup.Ct.Rep. 76.*

There are cases that come within the exceptions to the general rule. In Loney's Case, 134 U.S. 372 , 375, sub nom. Thomas v. Loney, 33 L.Ed. 949, 951, 10 Sup.Ct.Rep. 584, 585, it appeared that Loney was held in custody by the state authorities under a charge of perjury committed in giving his deposition as a witness before a notary public in Richmond. Virginia, in the case of a contested election of a member of the House of Representatives of the United States. He was discharged upon a writ of habeas corpus sued out from the circuit court of the United States, this court saying: 'The power of punishing a witness for testifying falsely in a judicial proceeding belongs peculiarly to the government in whose tribunals that proceeding is had. It is essential to the impartial and efficient administration of justice in the tribunals of the nation, that witnesses should be able to testify freely before them, unrestrained by legislation of the state, or by fear of punishment in the state courts. The administration of justice in the national tribunals would be greatly embarrassed and impeded if a witness testifying before a court of the United States, or upon a contested election of a member of Congress, were liable to prosecution and punishment in the courts of the state upon a charge of perjury, preferred by a disappointed suitor or contestant, or instigated by local passion or prejudice.' So, in Ohio v. Thomas, 173 U.S. 276, 284 , 285 S., 43 L.Ed. 699, 702, 19 Sup.Ct.Rep. 453, 456, which was the case of the arrest of the acting governor [180 U.S. 499, 503] of the Central Branch of the National Home for Disabled Volunteer Soldiers, at Dayton, Ohio, upon a charge of violating a law of that state, the action of the circuit court of the United States discharging him upon habeas corpus, while in custody of the state authorities, was upheld upon the ground that the state court had no jurisdiction in the premises, and because the accused, being a Federal officer, 'may, upon conviction, be imprisoned as a means of enforcing the sentence of a fine, and thus the operations of the Federal government might in the meantime be obstructed.' The exception to the general rule was further illustrated in Boske v. Comingore, 177 U.S. 459, 466 , 467 S., 44 L.Ed. 846, 849, 20 Sup.Ct.Rep. 701, 704, in which the applicant for the writ of habeas corpus was discharged by the circuit court of the United States, while held by state officers, this court saying: 'The present case was one of urgency, in that the appellee was an officer in the revenue service of the United States whose presence at his post of duty was important to the public interests, and whose detention in prison by the state authorities might have interfered with the regular and orderly course of the business of the department to which he belonged.'
[State of Minnesota v. Brundage, 180 U.S. 499 (1901)]
[NOTE: The federal Courts of the United States as used above do not have the authority to interpose in foreign countries, but only in states of the Union for violations of the Constitution, and since they did interpose above, and since they did so in a "foreign state" and described that foreign state as a state of the Union, they are admitting of no federal legislative jurisdiction within any state of the Union]

The U.S. Supreme Court recognized that all territories constitute "corporations", which implies that they are federal corporations owned by the federal government.

*At common law, a "corporation" was an "artificial perso[n] endowed with the legal capacity of perpetual succession" consisting either of a single individual (termed a "corporation sole") or of a collection of several individuals (a "corporation aggregate"). 3 H. Stephen, Commentaries on the Laws of England 166, 168 (1st Am. ed. 1845). The sovereign was considered a corporation. See id., at 170; see also 1 W. Blackstone, Commentaries *467. **Under the definitions supplied by contemporary law dictionaries, Territories would have been classified as "corporations" (and hence as "persons")** at the time that 1983 was enacted and the Dictionary Act recodified. See W. Anderson, A Dictionary of Law 261 (1893) ("All corporations were originally modeled upon a state or nation"); 1 J. Bouvier, A Law Dictionary Adapted to the Constitution and Laws of the United States of America 318-319 (11th ed. 1866) ("In this extensive sense the United States may be termed a corporation"); Van Brocklin v. Tennessee, 117 U.S. 151, 154 (1886) ("`The United States is a . . . great corporation . . . ordained and established by the American people'") (quoting United States v. Maurice, 26 F.Cas. 1211, 1216 (No. 15,747) (CC Va. 1823) (Marshall, C. J.)); Cotton v. United States, 11 How. 229, 231*

(1851) (United States is "a corporation"). See generally Trustees of Dartmouth College v. Woodward, 4 Wheat. 518, 561-562 (1819) (explaining history of term "corporation").
[Ngiraingas v. Sanchez, 495 U.S. 182 (1990)]

The Corporate State essentially acts as an agency or instrumentality of the U.S. government, assisting in the management and control over federal areas. This agency is created by an Agreement on Coordination of Tax Administration (ACTA) agreement between the state and the federal government, and it represents a delegation of authority by the federal government to allow the state government to enforce their taxes and laws ONLY within the Corporate State and the federal areas within the exterior limits of the state which comprise it. The U.S. Supreme Court confirmed that corporate charters are nothing more than contracts between the officers of the corporation and the government granting the franchise, which in the case of the ACTA agreements is the federal government, when it said:

> *The court held that the first company's charter was a contract between it and the state, within the protection of the constitution of the United States, and that the charter to the last company was therefore null and void., Mr. Justice DAVIS, delivering the opinion of the court, said that, **if anything was settled by an unbroken chain of decisions in the federal courts, it was that an act of incorporation was a contract between the state and the stockholders, 'a departure from which now would involve dangers to society that cannot be foreseen, whould shock the sense of justice of the country, unhinge its business interests, and weaken, if not destroy, that respect which has always been felt for the judicial department of the government.'***
> *[New Orleans Gas Co. v. Louisiana Light Co., 115 U.S. 650 (1885)]*

The "stockholders" they are talking about above are the officers of the state government, who are in effect assimilated into the "United States" federal corporation by virtue of participating in the "trade or business" franchise created within federal areas of the state by the Buck Act and the Public Salary Tax Act. Federal areas within the exterior limits of states of the Union and the state governments therefore qualify as "possessions" of the United States upon execution of the ACTA agreement, and therefore "States" within federal law:

> *TITLE 4 > CHAPTER 4 > § 110*
> *§ 110. Same; definitions*
>
> *(d) The term "State" includes any Territory or possession of the United States.*

The term "possession" is nowhere defined in the law that we have been able to locate. However, Black's Law Dictionary indicates that all "rights" or franchises constitute "property".

> *"Property. That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict legal sense, an aggregate of rights which are guaranteed and protected by the government. Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude every one else from interfering with it. That dominion or indefinite right of particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy.*
>
> *The word is also commonly used to denote everything which is the subject of ownership; corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal; everything that has an exchangeable value or which goes to make up wealth or estate. **It extends to every species of valuable right and interest, and includes** real and personal property, easements, **franchises**, and incorporeal hereditaments, and includes every invasion of one's property rights by actionable wrong. Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.*
>
> *[. . .]*
>
> *Property within constitutional protection, denotes group of rights inhering in citizen's relation to physical thing, as right to possess, use and dispose of it. Cereghino v. State By and Through State Highway Commission, 230 Or. 439, 370 P.2d. 694, 697."*
> *[Black's Law Dictionary, Sixth Edition, p. 1216]*

If franchises are property and the ACTA agreement creates a franchise, then the collections of rights, privileges, and benefits it conveys to the federal government constitutes "property" and therefore a "possession of the United States" from a legal perspective. An example of federal territorial possessions include American Samoa and Swain's Island, which are mentioned in 48 U.S.C. Chapter 13. Over possessions of the United States, federal legislative jurisdiction is "plenary",

meaning exclusive, except to the extent that they surrender any portion of it through legislation implementing what is called "comity".

> *"Plenary. Full, entire, complete, absolute, perfect, unqualified. Mashunkashney v. Mashunkashney, 191 Okl. 501, 134 P.2d. 976, 979."*
> *[Black's Law Dictionary, Sixth Edition, p. 1154]*

All such surrenders of sovereignty over federal areas or possessions are called "comity":

> *comity. Courtesy; complaisance; respect; a **willingness to grant a privilege [a franchise]**, not as a matter of right, but out of deference and good will. Recognition that one sovereignty allows within its territory to the legislative, executive, or judicial act of another sovereignty, having due regard to rights of its own citizens. Nowell v. Nowell, Tex.Civ.App., 408 S.W.2d. 550, 553. In general, principle of "comity" is that courts of one state or jurisdiction will give effect to laws and judicial decisions of another state or jurisdiction, not as a matter of obligation, but out of deference and mutual respect. Brown v. Babbitt Ford, Inc., 117 Ariz. 192, 571 P.2d. 689, 695. See also Full faith and credit clause.*
> *[Black's Law Dictionary, Sixth Edition, p. 267]*

An example of comity in action is the Buck Act, in which Congress authorized "States" as defined in 4 U.S.C. §110(d) to tax federal "public officials" working within federal areas.

> *TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES*
> *CHAPTER 4 - THE STATES*
> *Sec. 110. Same; definitions*
>
> *(d) The term "State" includes any Territory or possession of the United States.*

This provision was implemented as an outgrowth of the Public Salary Tax Act of 1939. You can read this act below:

http://famguardian.org/PublishedAuthors/Govt/HistoricalActs/PublSalaryTaxAct1939.htm

To wit:

> *TITLE 4 > CHAPTER 4 > § 106*
> *§106. Same; income tax*
>
> *(a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.*
>
> *(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940.*

The state maintains a "trusteeship" over federal areas within its border and acts as the equivalent of a federal "Government corporation". To wit:

> *TITLE 5 > PART I > CHAPTER 1 > § 103*
> *§ 103. Government corporation*
>
> *For the purpose of this title—*
>
> *(1) "Government corporation" means a corporation owned **or controlled by the Government of the United States**; and*

The "control" referred to above is the authority delegated by the Buck Act, the Public Salary Tax Act, the Agreement on Coordination of Tax Administration (ACTA), and the Assimilated Crimes Act from the federal government to the "State" (federal territory but NOT Constitutional "State") government. To view the Public Salary Tax Act, see:

http://famguardian.org/PublishedAuthors/Govt/HistoricalActs/PublSalaryTaxAct1939.htm

The subject of taxation of territories and possessions is discussed in the *Great IRS Hoax*, Form #11.302, Section 5.14 available below:

http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm

The U.S. Supreme Court has also held that all federal territories are "corporations", which implies that possessions can just as readily be thought of the same way:

> ***At common law, a "corporation" was an "artificial perso[n] endowed with the legal capacity of perpetual succession" consisting either of a single individual (termed a "corporation sole") or of a collection of several individuals (a "corporation aggregate").*** *3 H. Stephen, Commentaries on the Laws of England 166, 168 (1st Am. ed. 1845). The sovereign was considered a corporation. See id., at 170; see also 1 W. Blackstone, Commentaries *467.* ***Under the definitions supplied by contemporary law dictionaries, Territories would have been classified as "corporations" (and hence as "persons") at the time that 1983 was enacted and the Dictionary Act recodified. See W. Anderson, A Dictionary of Law 261 (1893) ("All corporations were originally modeled upon a state or nation")****; 1 J. Bouvier, A Law Dictionary Adapted to the Constitution and Laws of the United States of America 318-319 (11th ed. 1866) ("In this extensive sense the United States may be termed a corporation");* ***Van Brocklin v. Tennessee, 117 U.S. 151, 154 (1886) ("`The United States is a . . . great corporation . . . ordained and established by the American people'") (quoting United [495 U.S. 182, 202] States v. Maurice, 26 F.Cas. 1211, 1216 (No. 15,747) (CC Va. 1823) (Marshall, C. J.)); Cotton v. United States, 11 How. 229, 231 (1851) (United States is "a corporation")****. See generally Trustees of Dartmouth College v. Woodward, 4 Wheat. 518, 561-562 (1819) (explaining history of term "corporation").*
> *[Ngiraingas v. Sanchez, 495 U.S. 182 (1990)]*

Notice that the term "individual" above is referred to as a "corporation sole". This "individual" is an "agent" of the government because all corporations are creations of the government:

> *"All the powers of the government [including ALL of its civil enforcement powers against the public] must be carried into operation* ***by individual agency, either through the medium of public officers, or contracts made with [private] individuals.****"*
> *[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]*

We allege that it is THIS "individual" who is a corporation is the only proper subject of the federal income tax and every other type of government legislation. This is the same "individual" defined in the I.R.C. below:

> *26 CFR §1.1441-1 Requirement for the deduction and withholding of tax on payments to foreign persons.*
>
> ***(c) Definitions***
>
> ***(3) Individual.***
>
> *(i) Alien individual.*
>
> *The term alien individual means an individual who is not a citizen or a national of the United States. See Sec. 1.1-1(c).*
>
> *(ii) Nonresident alien individual.*
>
> *The term nonresident alien individual means a person described in section 7701(b)(1)(B), an alien individual who is a resident of a foreign country under the residence article of an income tax treaty and Sec. 301.7701(b)-7(a)(1) of this chapter, or an alien individual who is a resident of Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands, the U.S. Virgin Islands, or American Samoa as determined under Sec. 301.7701(b)-1(d) of this chapter. An alien individual who has made an election under section 6013 (g) or (h) to be treated as a resident of the United States is nevertheless treated as a nonresident alien individual for purposes of withholding under chapter 3 of the Code and the regulations thereunder.*

We will now end this section by comparing the Republic State with the Corporate State to make the content of this section perfectly clear for visually minded readers:

Table 6: Comparison of Republic State v. Corporate State

#	*Attribute*	*Republic State*	*Corporate State*
1	**Nature of government**	De jure	De facto
2	**Composition**	Physical state (Attaches to physical territory)	Virtual state (Attaches to status of people on the land)
3	**Name**	"Republic of _____" "The State"	"State of _____" "this State"
4	**Name of this entity in federal law**	Called a "state" or "foreign state"	Called a "State" as defined in 4 U.S.C. §110(d)
5	**Territory over which "sovereign"**	All land not under exclusive federal jurisdiction within the exterior borders of the Constitutional state.	Federal territory within the exterior limits of the state borrowed from the federal government under the Buck Act, 4 U.S.C. §110(d).
6	**Protected by the Bill of Rights, which is the first ten amendments to the United States Constitution?**	Yes	No (No rights. Only statutory "privileges", mostly applied for)
7	**Form of government**	Constitutional Republic	Legislative totalitarian socialist democracy
8	**A corporation?**	Yes	Yes
9	**A federal corporation?**	No	Yes
10	**Exclusive jurisdiction over its own lands?**	Yes	No. Shared with federal government pursuant to Buck Act, Assimilated Crimes Act, and ACTA Agreement.
11	**"Possession" of the United States?**	No (sovereign and "foreign" with respect to national government)	Yes
12	**Subject to exclusive federal jurisdiction?**	No	Yes
13	**Subject to federal income tax?**	No	Yes
14	**Subject to state income tax?**	No	Yes
15	**Subject to state sales tax?**	No	Yes
16	**Subject to national military draft? (See SEDM Form #05.030 http://sedm.org/Forms/FormIndex.htm)**	No	Yes
17	**Citizenship of those domiciled therein**	1. Constitutional but not statutory citizen. 2. "national" or "state national" pursuant to 8 U.S.C. §§1101(a)(21) and 1452. Not a statutory "U.S. citizen" pursuant to 8 U.S.C. §1408.	Statutory "U.S. citizen" pursuant to 8 U.S.C. §1401
18	**Licenses such as marriage license, driver's license, business license required in this jurisdiction?**	No	Yes
19	**Voters called**	"Electors"	"Registered voters"
20	**How you declare your domicile in this jurisdiction**	1. Describing yourself as a "state national" but not a statutory "U.S. citizen on all government forms. 2. Registering as an "elector" rather than a voter. 3. Terminating participation in all federal benefit programs.	1. Describing yourself as a statutory "U.S. citizen" on any state or federal form. 2. Applying for a federal benefit. 3. Applying for and receiving any kind of state license.
21	**Standing in court to sue for injury to rights**	Constitution and the common law.	Statutory civil law
22	**"Rights" within this jurisdiction are based upon**	The Bill of Rights	Statutory franchises
23	**"Citizens", "residents", and "inhabitants" of this jurisdiction are**	Private human beings	Public entities such as government employees, instrumentalities, and corporations (franchisees of the government) ONLY
24	**Civil jurisdiction originates from**	Voluntary choice of domicile on the territory of the sovereign AND your consent. This means you must be a "citizen" or a "resident" BEFORE this type of law can be enforced against you.	Your right to contract by signing up for government franchises / "benefits". Domicile/residence is NOT a requirement or the requirement appears in the statutes but is ignored as a matter of policy.

13.8 Your City and County are Corporations Traded Commercially

Dunn and Bradstreet is responsible for keeping records on various publicly traded corporations and businesses. As an experiment, search for your city and county, and see if they are publicly traded corporations. You may be surprised to find

that they are. It's all commercial. Below is one example search of Dunn and Bradstreet records sent to us by a reader that proves that the state bar, the city, and the county where he lives are publicly traded corporations, not governments.

Check out your CITY OF _____ AND COUNTY OF _____.
You might want to know how they are traded on the market! It's all commercial!

Note that the "CITY OF AUSTIN also trades as CITY CLERK"

Get Credit Reports | Collect Debt | Find New Customers
Manage My Business Credit | View My Reports/Alerts

Welcome John Doe
To view your reports and alerts, go to View My Reports/Alerts.

Company Search Results

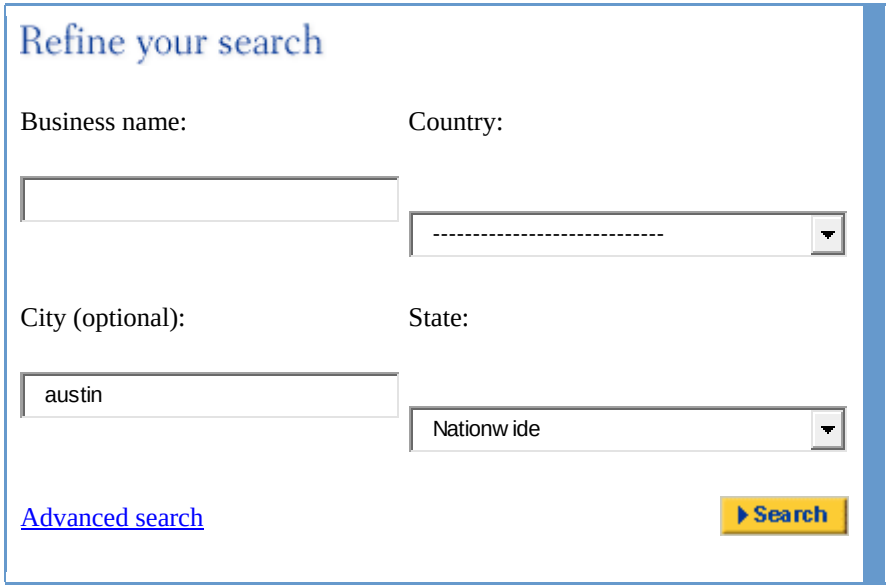
Don't see the company you are looking for? Try an advanced search.
Looking for your own company and it is not listed? You may need to Get a D-U-N-S number.

< Previous Showing 1 of 1 Sort by: Relevance Sort Next >

BR	TRAVIS, COUNTY OF	1000 Guadalupe St Ste 222, Austin, TX	Select
BR	State Bar Of Texas Also Trades As: Clerk Supreme Court Of Texas	No Physical Address, Austin, TX	Select
BR	CITY OF AUSTIN Also Trades As: CITY CLERK	301 W 2nd St Fl 1, Austin, TX	Select
	STATE BAR OF TEXAS Also Trades As: CLERK SUPREME COURT OF TEXAS	, Austin, TX	Select

< Previous Page 1 Next >

_____



If you want to check out this SCAM for yourself, visit:

http://smallbusiness.dnb.com/

13.9 Corporatization of the U.S. government well underway[64]

Still think you're free ? Still think all you have to do is vote the incumbent out of office and everything will automatically return to 'normal' ? It's too late ! Protesting, voting, or - laughably - letters to the editor won't change anything! Look at the corporate info I found at the Delaware Secretary of State website at:

https://sos-res.state.de.us/tin/GINameSearch.jsp

Here is just a short listing, and there are probably many more in other states that we have not yet found:

1. INTERNAL REVENUE TAX AND AUDIT SERVICE (IRS) FOR-PROFIT General Delaware Corporation Incorporation date 7/12/33 File No. 0325720
2. FEDERAL RESERVE ASSOCIATION (Federal Reserve) NON-PROFIT Delaware Corporation Incorporation date 9/13/14 File No. 0042817
3. CENTRAL INTELLIGENCE AUTHORITY INC. (CIA) FOR-PROFIT General Delaware Corporation Incorporation Date 3/9/83 File No. 2004409

> *background info:*
>
> *Transfers: With the National Security Council to the Executive Office of the President by Reorganization Plan No. 4 of 1949, effective August 20, 1949; to independent agency status by EO 12333, December 4, 1981.*
>
> *Central Intelligence Group established under the National Intelligence Authority by Presidential directive, January 22, 1946, to plan and coordinate foreign intelligence activities. By National Intelligence Authority Directive 4, April 2, 1946, NIA assumed supervision of the SSU dissolution during spring and summer 1946, assigning some components to Central Intelligence Group at request of Director of Central Intelligence, and effecting incorporation of the remaining units into other War Department organizations. SSU officially abolished by General Order 16, SSU, October 19, 1946. Central Intelligence Group and National Intelligence Authority abolished by National Security Act, which created the CIA, 1947. SEE 263.1.*

4. FEDERAL LAND ACQUISITION CORP. FOR-PROFIT General Delaware Corporation Incorporation Date 8/22/80 File No. 0897960
5. RTC COMMERCIAL ASSETS TRUST 1995-NP3-2 FOR PROFIT Delaware Statutory Trust Incorporation Date 10/24/95 File No. 2554768.
6. SOCIAL SECURITY CORP, DEPART. OF HEALTH, EDUCATION AND WELFARE FOR PROFIT General Delaware Corporation Incorporation date: 11/13/89 File No. 2213135
7. UNITED STATES OF AMERICA, INC. NON-PROFIT Delaware Corporation Incorporation Date 4/19/89 File No. 2193946

Keep in mind - these are just the listings I could find. For example, I tracked down the Bureau of Engraving and Printing - in the state of Texas (foreign corp from the District of Columbia).

This means, as 'citizens,' we are assets of the corporation. It doesn't matter who is in office, the board of directors and the shareholders own and run the country - just as in any other corporation. Roosevelt's quote has an entirely different meaning now:

> *"The real truth of the matter is, as you and I know, that a financial element in the large centers has owned the government of the U.S. since the days of Andrew Jackson."*
> *[Franklin D. Roosevelt, Letter written Nov. 21, 1933 to Colonel E. Mandell House]*

The thing to find out, and we're hoping the corporate records will show, is who are the shareholders? Who profits - for example - from the 'private, for-profit, corporate CIA' or the 'private, for-profit, corporate IRS' or the 'private, for-profit

[64] Adapted from: http://famguardian.org/Subjects/Freedom/Articles/CorporatizationOfGovt.htm.

Social Security' - that those in charge are now telling us is 'broke.' Who is on the board of directors of 'UNITED STATES OF AMERICA, INC.'

Ask anyone you know if they are aware of this. Call your congressman's office and ask them. Why doesn't anyone know? Why isn't this casually mentioned in the news? 'The Board of Directors of the United States of America, Inc., today ruled.....' 'The Board of Directors of the Social Security.....' 'Today, the Central Intelligence Authority filed as a private for-profit corporation.' Why do those in charge never mention this ? Why, searching on any search engine, doesn't this information come up?

Because we're being lied to !

Ever wonder why those who fight the IRS are not allowed to bring up their Constitutional Rights in tax court ? Constitutional Rights do not apply in an equity court against a government that is a private corporation all of whose laws are simply work rules for its "employees" and "officer". Contract law supersedes individual and Constitutional Rights. Corporate law is a totally different animal from common law. Ask any corporate attorney.

You've inadvertently signed or consented to franchise agreements with this bastard entity posing as the 'free' United States of America - when you registered to vote, when you applied for a checking account (at a Federal Reserve corp bank - look at your signature card, it states you will comply with all rulings from the Secretary of the Treasury), when you applied for a social security card.....

Ever look at the trust corporations (such as the RESOLUTION TRUST CORP (RTC) associated with the UNITED STATES OF AMERICA, INC.?

> *Trust - a fiduciary relationship in which one party holds legal title to another's property for the benefit of a party who holds equitable title to the property.*

Who holds the equitable title? Ever notice property deeds state 'tenant' when referring to the supposed owner? We are ruled by fictitious entities - corporations are fictions. We have been lied to, our entire lives, that we are free !

The United States is owned, lock, stock, and barrel. Each of us as "citizens of the United States" is owned. The question to which I want the answer is: Who owns us ?

> *"The few who understand the system, will either be so interested in its profits, or so dependent on its favors that there will be no opposition from that class, while on the other hand, the great body of people, mentally incapable of comprehending the tremendous advantages...will bear its burden without complaint, and perhaps without suspecting that the system is inimical to their best interests."*
> *[Rothschild Brothers of London communique to associates in New York June 25, 1863;*
> *[SOURCE: http://www.urbansurvival.com/week.htm#corps*

Another U.S. Corporation - U.S. Treasury. If you didn't follow our contributed piece last week on how major U.S. government agencies are being set up as corporations, you want to be sure to click over to below link and read up. Then, read this from our intrepid researcher:

- *UNITED STATES TREASURY / U.S. TREASURY, INC. Incorporation Date 02/08/1990 File No. 2221617 For profit General Delaware Corporation."*

And, they say, Matrix ? Yeah, right !

13.10 28 U.S.C. §3002(15)(A)

Some freedom activists cite 28 U.S.C. §3002 as their only "proof" that the "United States" was incorporated by Congress. This is shaky ground unless supported by other additional evidence found elsewhere in this pamphlet. Here's the pertinent text of that statute:

> *TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A > § 3002*
> *§ 3002. Definitions*

> *As used in this chapter:*
>
> *...*
>
> *(15) **"United States" means --***
> *(A) **a Federal corporation;***
> *(B) an agency, department, commission, board, or other entity of the United States; or*
> *(C) an instrumentality of the United States.*

First of all, note well that the stated scope of this definition is limited to "this chapter" i.e. Title 28, *CHAPTER 176–Federal Debt Collection Procedures. The above definition is consistent with the Corpus Juris Secundum definition of "United States", which establishes the "United States" government as a foreign corporation in relation to those domiciled within a constitutional state of the Union:

> *"A foreign corporation is one that derives its existence solely from the laws of another state, government, or country, and the term is used indiscriminately, sometimes in statutes, to designate either a corporation created by or under the laws of another state or a corporation created by or under the laws of a foreign country."*
>
> *"A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation. **The United States government is a foreign corporation with respect to a state.**"*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §883]*

Overlooking the limited scope of definitions such as 28 U.S.C. §3002(15)(A) is a very common error among many, if not all self-styled experts. At best, this section cannot be used as the ONLY evidence that the federal government should be treated as a valid corporation for all other intents and purposes.

Secondly, the statute at 28 U.S.C. §3002 defines the term "United States" to embrace all existing federal corporations and instrumentalities. This would include wholly owned corporations such as, for instance, the Federal Deposit Insurance Corporation (FDIC), The Red Cross, Fannie Mae, etc.

Thirdly, in Eisner v. Macomber, 252 U.S. 189 (1920) the U.S. Supreme Court told Congress that it was barred from re-defining any terms that are used in the federal Constitution.

> *"In order, therefore, that the clauses cited from Article I of the Constitution may have proper force and effect, save only as modified by the [Sixteenth] Amendment, and that the latter also may have proper effect, it becomes essential to distinguish between what is and what is not "income," as the term is there used; and to apply the distinction, as cases arise, according to truth and substance, without regard to form. **Congress cannot by any definition it may adopt conclude the matter, since it cannot by legislation alter the Constitution, from which alone it derives its power to legislate, and within whose limitations alone that power can be lawfully exercised."***
> *[Eisner v. Macomber, 252 U.S. 189 (1920)]*

"United States" occurs in several places within the Constitution, because it is central to the entire purpose of that Constitution. Therefore, the legislative attempt to re-define "United States" at section 3002:

1. Must be limited to areas where Congress has EXCLUSIVE legislative jurisdiction and which are NOT protected by the Constitution. Namely, federal territory.
2. Would necessarily unconstitutional if enforced within a constitutional state of the Union, because it violates the Eisner Prohibition.

Fourthly, 28 U.S.C. §3002(15)(A) also exhibits 2 subtle tautologies, which render it null and void for vagueness. Here they are, in case you missed them:

> *"United States" means …an agency, department, commission, board, or other entity of the United States; or*
> *"United States" means … an instrumentality of the United States.*

It is a fundamental violation of proper English grammar to use the term being defined in any definition of that term, and such a violation has clearly happened here. If you don't yet recognize the tautologies, then change one part of this definition to read:

14 How CorpGov forces you to UNLAWFULLY become its "employee" or "officer"[65]

Government-issued identification is the method by which most people in private industry authenticate the identity of the holder. This authentication usually occurs in the context of a commercial transaction of some kind in order to prevent fraud and to secure the transaction in case the services contracted are not paid for or the contract terms are violated. The issuance of government ID therefore constitutes a formal recognition of the legitimacy of the identity of a person by the government involved.

The primary method of issuing government identification documents is at the state level by the issuance of either a driver's license or a state ID, both of which are issued usually by the Department of Motor Vehicles within the corporate and not de jure state. In all cases we are familiar with, these government issued driver's licenses and state ID's may *only* be issued to persons who have a "domicile" within the CORPORATE and not DE JURE "State", and who therefore consent or agree to be subject to the civil laws and "employment agreement" applying to officers of that state:

> *California Vehicle Code*
>
> *516. "**Resident**" means any person who manifests an intent to live or be located in this state on more than a temporary or transient basis. Presence in the state for six months or more in any 12-month period gives rise to a rebuttable presumption of residency.*
>
> *The following are evidence of residency for purposes of **vehicle** registration:*
> *(a) Address where registered to vote.*
> *(b) Location of employment or place of business.*
> *(c) Payment of **resident** tuition at a public institution of higher education.*
> *(d) Attendance of dependents at a primary or secondary school.*
> *(e) Filing a homeowner's property tax exemption.*
> *(f) Renting or leasing a home for use as a residence.*
> *(g) Declaration of residency to obtain a license or any other privilege or benefit not ordinarily extended to a nonresident.*
> *(h) Possession of a California driver's license.*
> *(i) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.*
> *[SOURCE: http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=49966114921+5+0+0&WAISaction=retrieve]*
>
> ---
>
> *California Vehicle Code*
>
> *12505. (a) (1) For purposes of this division only and notwithstanding Section 516, **residency shall be determined as a person's state of domicile. "State of domicile" means the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent.***
> ***Prima facie evidence of residency for driver's licensing purposes includes, but is not limited to, the following:***
> ***(A) Address where registered to vote.***
> ***(B) Payment of resident tuition at a public institution of higher education.***
> ***(C) Filing a homeowner's property tax exemption.***
> ***(D) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.***
> ***(2) California residency is required of a person in order to be issued a commercial driver's license under this code.***
>
> ***(b) The presumption of residency in this state may be rebutted by satisfactory evidence that the licensee's primary residence is in another state.***
>
> *(c) Any person entitled to an exemption under Section 12502, 12503, or 12504 may operate a motor **vehicle** in this state for not to exceed 10 days from the date he or she establishes residence in this state, except that he or she shall obtain a license from the department upon becoming a **resident** before being employed for compensation by another for the purpose of driving a motor **vehicle** on the highways.*
> *[SOURCE: http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=49860512592+2+0+0&WAISaction=retrieve]*

Most private organizations will not accept privately issued ID or anything other than government issued ID, which in turn implies that only those who possess government issued ID within a jurisdiction may engage in commerce within that same

[65] Adapted from Section 7.7 of Government Establishment of Religion, Form #05.038; http://sedm.org/Forms/FormIndex.htm.

jurisdiction. In that sense, commerce within any jurisdiction is made into a "privilege" and a franchise that is only available to those who consent to choose a domicile within the corporate state because state-issued ID is not available to those with no domicile within the corporate state. The problem with this approach is that:

1. Having a domicile within a jurisdiction has nothing to do with maintaining safe roads that are the goal of "driver's licenses", and is therefore IRRELEVANT to the licensing or qualification process.
2. Those with no domicile within the jurisdiction where they physically are called "strangers" in the Bible, and the Bible forbids oppressing or discriminating against strangers and requires that citizens and strangers be treated EQUALLY. Refusing to issue ID's to strangers certainly constitutes "oppression" within the Biblical context:

> *"You shall neither mistreat a stranger nor oppress him, for you were strangers in the land of Egypt.*
> *[Exodus 22:21, Bible, NKJV]*
>
> *"One law shall be for the native-born and for the stranger who dwells among you."*
> *[Exodus 12:49, Bible, NKJV]*

Based on the above, the government has turned "oppressing strangers" into the source of nearly all of its jurisdiction by denying ID's to those who prefer to remain "strangers" and "transient foreigners" rather than "citizens", "residents", or "inhabitants". In that sense, they are interfering with free religious exercise, because the Bible COMMANDS Christians to remain "strangers":

> *"Adulterers and adulteresses! Do you not know that friendship [and "citizenship"] with the world [or the governments of the world] is enmity with God?* ***Whoever therefore wants to be a friend ["citizen" or "taxpayer" or "resident" or "inhabitant"] of the world makes himself an enemy of God.****"*
> *[James 4:4, Bible, NKJV]*

3. Choice of domicile is a protected First Amendment choice of political association. The choice of legal domicile cannot lawfully be compelled by the government, because that would violate the First Amendment prohibition against "compelled association":

> *"The right to associate or not to associate with others solely on the basis of individual choice, not being absolute, may conflict with a societal interest in requiring one to associate with others, or to prohibit one from associating with others, in order to accomplish what the state deems to be the common good.* ***The Supreme Court, though rarely called upon to examine this aspect of the right to freedom of association, has nevertheless established certain basic rules which will cover many situations involving forced or prohibited associations.*** *Thus, where a sufficiently compelling state interest, outside the political spectrum, can be accomplished only by requiring individuals to associate together for the common good, then such forced association is constitutional.* [66] ***But the Supreme Court has made it clear that compelling an individual to become a member of an organization with political aspects, or compelling an individual to become a member of an organization which financially supports, in more than an insignificant way, political personages or goals which the individual does not wish to support, is an infringement of the individual's constitutional right to freedom of association.*** [67] *The First Amendment prevents the government, except in the most compelling circumstances, from wielding its power to interfere with its employees' freedom to believe and associate, or to not believe and not associate; it is not merely a tenure provision that protects public employees from actual or constructive discharge.* [68] *Thus, First Amendment principles prohibit a state from compelling*

[66] Lathrop v. Donohue, 367 U.S. 820, 81 S.Ct. 1826, 6 L.Ed.2d. 1191 (1961), reh'g denied, 368 U.S. 871, 82 S.Ct. 23, 7 L.Ed.2d. 72 (1961) (a state supreme court may order integration of the state bar); Railway Emp. Dept. v. Hanson, 351 U.S. 225, 76 S.Ct. 714, 100 L.Ed. 1112 (1956), motion denied, 351 U.S. 979, 76 S.Ct. 1044, 100 L.Ed. 1494 (1956) and reh'g denied, 352 U.S. 859, 77 S.Ct. 22, 1 L.Ed.2d. 69 (1956) (upholding the validity of the union shop provision of the Railway Labor Act).

The First Amendment right to freedom of association of teachers was not violated by enforcement of a rule that white teachers whose children did not attend public schools would not be rehired. Cook v. Hudson, 511 F.2d. 744, 9 Empl. Prac. Dec. (CCH) ¶ 10134 (5th Cir. 1975), reh'g denied, 515 F.2d. 762 (5th Cir. 1975) and cert. granted, 424 U.S. 941, 96 S.Ct. 1408, 47 L.Ed.2d. 347 (1976) and cert. dismissed, 429 U.S. 165, 97 S.Ct. 543, 50 L.Ed.2d. 373, 12 Empl. Prac. Dec. (CCH) ¶ 11246 (1976).

Annotation: Supreme Court's views regarding Federal Constitution's First Amendment right of association as applied to elections and other political activities, 116 L.Ed.2d. 997 , § 10.

[67] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) (conditioning public employment hiring decisions on political belief and association violates the First Amendment rights of applicants in the absence of some vital governmental interest).

[68] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990).

Annotation: Public employee's right of free speech under Federal Constitution's First Amendment–Supreme Court cases, 97 L.Ed.2d. 903.

any individual to associate with a political party, as a condition of retaining public employment. [69] The First Amendment protects nonpolicymaking public employees from discrimination based on their political beliefs or affiliation. [70] But the First Amendment protects the right of political party members to advocate that a specific person be elected or appointed to a particular office and that a specific person be hired to perform a governmental function. [71] In the First Amendment context, the political patronage exception to the First Amendment protection for public employees is to be construed broadly, so as presumptively to encompass positions placed by legislature outside of "merit" civil service. Positions specifically named in relevant federal, state, county, or municipal laws to which discretionary authority with respect to enforcement of that law or carrying out of some other policy of political concern is granted, such as a secretary of state given statutory authority over various state corporation law practices, fall within the political patronage exception to First Amendment protection of public employees. [72] However, a supposed interest in ensuring effective government and efficient government employees, political affiliation or loyalty, or high salaries paid to the employees in question should not be counted as indicative of positions that require a particular party affiliation. [73]"
[American Jurisprudence 2d, Constitutional Law, §546: Forced and Prohibited Associations]

4. The application for the license compels a surrender of sovereignty because it mandates the use of government issued identifying numbers such as Social Security Numbers. The issuance and use of these numbers makes the holders into "public officers", fiduciaries, "trustees", or agents of the government without compensation. See:

Resignation of Compelled Social Security Trustee, Form #06.002 http://sedm.org/Forms/FormIndex.htm

5. By compelling a surrender of rights and sovereignty in obtaining the ID, the government is using franchises to compel the surrender of Constitutional rights, which the U.S. Supreme Court said is unconstitutional if the surrender occurred on land protected by the Bill of Rights.

> *"It would be a palpable incongruity to strike down an act of state legislation which, by words of express divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable privilege which the state threatens otherwise to withhold.* ***It is not necessary to challenge the proposition that, as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it may not impose conditions which require the relinquishment of Constitutional rights. If the state may compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States may thus be manipulated out or existence.*** *"*
> *[Frost v. Railroad Commission, 271 U.S. 583, 46 S.Ct. 605 (1926)]*

First Amendment protection for law enforcement employees subjected to discharge, transfer, or discipline because of speech, 109 A.L.R. Fed. 9.

First Amendment protection for judges or government attorneys subjected to discharge, transfer, or discipline because of speech, 108 A.L.R. Fed. 117.

First Amendment protection for public hospital or health employees subjected to discharge, transfer, or discipline because of speech, 107 A.L.R. Fed. 21.

First Amendment protection for publicly employed firefighters subjected to discharge, transfer, or discipline because of speech, 106 A.L.R. Fed. 396.

[69] Abood v. Detroit Bd. of Ed., 431 U.S. 209, 97 S.Ct. 1782, 52 L.Ed.2d. 261, 95 L.R.R.M. (BNA) 2411, 81 Lab.Cas. (CCH) ¶ 55041 (1977), reh'g denied, 433 U.S. 915, 97 S.Ct. 2989, 53 L.Ed.2d. 1102 (1977); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[70] LaRou v. Ridlon, 98 F.3d. 659 (1st Cir. 1996); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[71] Vickery v. Jones, 100 F.3d. 1334 (7th Cir. 1996), cert. denied, 117 S.Ct. 1553, 137 L.Ed.2d. 701 (U.S. 1997).

Responsibilities of the position of director of a municipality's office of federal programs resembled those of a policymaker, privy to confidential information, a communicator, or some other office holder whose function was such that party affiliation was an equally important requirement for continued tenure. Ortiz-Pinero v. Rivera-Arroyo, 84 F.3d. 7 (1st Cir. 1996).

[72] McCloud v. Testa, 97 F.3d. 1536, 12 I.E.R. Cas. (BNA) 1833, 1996 FED App. 335P (6th Cir. 1996), reh'g and suggestion for reh'g en banc denied, (Feb. 13, 1997).

Law Reviews: Stokes, When Freedoms Conflict: Party Discipline and the First Amendment. 11 JL &Pol 751, Fall, 1995.

Pave, Public Employees and the First Amendment Petition Clause: Protecting the Rights of Citizen-Employees Who File Legitimate Grievances and Lawsuits Against Their Government Employers. 90 N.W. U LR 304, Fall, 1995.

Singer, Conduct and Belief: Public Employees' First Amendment Rights to Free Expression and Political Affiliation. 59 U Chi LR 897, Spring, 1992.

As to political patronage jobs, see § 472.

[73] Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

Consequently, the only place that driver's licenses can be issued is on federal territory not protected by the Constitution and where Constitutional Rights do not exist that could be surrendered.

It is primarily by this method of refusing to issue ID's to transients or persons who have no domicile or "residence" in CorpGov that the government unconstitutionally compels a violation of the First Amendment by those who are "transient foreigners" with respect to a jurisdiction and compels these persons to become subject to their jurisdiction, "taxpayers", "citizens", "residents", and "inhabitants".

The Constitution requires that all persons within a jurisdiction shall have the same rights as those similarly situated physically within that jurisdiction, even though they do not have a domicile in that place and are "nonresidents":

> ***American Jurisprudence 2d, Constitutional Law, §856: Residence and State Citizenship***
>
> *In considering the application of the Equal Protection Clause of the Fourteenth Amendment to legislation discriminating between the residents and nonresidents of a state, the Equal Protection Clause cannot be invoked unless the action of a state denies the equal protection of the laws to persons "within its jurisdiction." If persons are, however, in the purview of this clause, within the jurisdiction of a state, the clause guarantees to all so situated, whether citizens or residents of the state or not, the protection of the state's laws equally with its own citizens.*[74] ***A state is not at liberty to establish varying codes of law, one for its own citizens and another governing the same conduct for citizens of sister states, except in a case when the apparent discrimination is not to cast a heavier burden upon the nonresident in its ultimate operation than the one falling upon residents, but is to restore the equilibrium by withdrawing an unfair advantage.***[75] *On the other hand, a nonresident may not complain of a restriction no different from that placed upon residents.*[76]
>
> *The limitation on the right of one state to establish preferences in favor of its own citizens does not depend solely on the guarantee of equal protection of the laws,*[77] *which does not protect persons not within the jurisdiction of such a state. These limitations are broader, and nonresidents of a state who are noncitizens are also–even though they are not within the jurisdiction of a state, as that phrase is employed in the Equal Protection Clause–protected from discrimination by Article IV, § 2 of the Federal Constitution, which secures equal privileges and immunities in the several states to the citizens of each state.* ***Moreover, any citizen of the United States, regardless of residence or whether he or she is within the jurisdiction of a state, is protected in the privileges and immunities which arise from his United States citizenship by the privileges and immunities clause of the Fourteenth Amendment.***
>
> *There is much authority which recognizes the right of the state under certain circumstances to classify residents and nonresidents.*[78] *Utilization of different, but otherwise constitutionally adequate, procedures for residents*

[74] Wheeling Steel Corp. v. Glander, 337 U.S. 562, 69 S.Ct. 1291, 93 L.Ed. 1544, 40 Ohio.Op. 101, 55 Ohio L. Abs. 305 (1949).

South Carolina's exemption statute that limits exemption for personal injury awards to only South Carolina residents did not deprive a nonresident of equal protection of the laws where the classification of residents versus nonresidents was reasonably related to the legislative purpose of protecting residents from financial indigency, and where the classification was based upon the state's interest in preventing its citizens from becoming dependent on the state for support. American Service Corp. of South Carolina v. Hickle, 312 S.C. 520, 435 S.E.2d. 870 (1993), reh'g denied, (Oct. 20, 1993) and cert. denied, 510 U.S. 1193, 114 S.Ct. 1298, 127 L.Ed.2d. 651 (1994).

[75] Smith v. Loughman, 245 N.Y. 486, 157 N.E. 753 (1927), cert. denied, 275 U.S. 560, 48 S.Ct. 119, 72 L.Ed. 426 (1927) and reargument denied, 247 N.Y. 546, 161 N.E. 176 (1928).

A statute requiring out-of-state hunters to be accompanied by resident guides denied equal protection; the statutory classification and its legitimate objectives were tenuous and remote. State v. Jack, 167 Mont. 456, 539 P.2d. 726 (1975).

[76] People ex rel. Salisbury Axle Co. v. Lynch, 259 N.Y. 228, 181 N.E. 460 (1932).

[77] Smith Setzer &Sons, Inc. v. South Carolina Procurement Review Panel, 20 F.3d. 1311 (4th Cir. 1994); Kasom v. City of Sterling Heights, 600 F. Supp. 1555 (E.D. Mich. 1985), judgment aff'd, 785 F.2d. 308 (6th Cir. 1986).

The state had a legitimate and substantial interest in granting a preference to bidders for state highway contracts who contribute to the state's economy through construction activities within the state. APAC-Mississippi, Inc. v. Deep South Const. Co., Inc., 288 Ark. 277, 704 S.W.2d. 620 (1986).

Classifications between resident and nonresident vendors established by a statute which gives preference to resident vendors, under certain circumstances, when the state purchases supplies, services, and goods are rationally related to the state's legitimate interest to benefit its taxpayers, and thus do not deny equal protection of the laws to nonresidents, even though nonresidents who maintain offices in the state and pay state taxes are accorded a preference over other nonresidents. Gary Concrete Products, Inc. v. Riley, 285 S.C. 498, 331 S.E.2d. 335 (1985).

Note, however, that such schemes may violate the privileges and immunities clauses of Article IV, § 2 of the United States Constitution, and the Fourteenth Amendment thereto.

[78] Martinez v. Bynum, 461 U.S. 321, 103 S.Ct. 1838, 75 L.Ed.2d. 879, 10 Ed.Law.Rep. 11 (1983) (nonresident school students); Zobel v. Williams, 457 U.S. 55, 102 S.Ct. 2309, 72 L.Ed.2d. 672 (1982) (holding that new residents of a state may not be subjected to discriminatory treatment simply because of their recent migration); Jones v. Helms, 452 U.S. 412, 101 S.Ct. 2434, 69 L.Ed.2d. 118 (1981), on remand to, 660 F.2d. 120 (5th Cir. 1981); Fireside

and nonresidents does not, by itself, trigger heightened scrutiny under the Equal Protection Clause.[79] *Thus, reasonable residency requirements are permissible under the Equal Protection Clause in cases involving voting in elections,*[80] *or local referendums,*[81] *for holding public office,*[82] *for jury service,*[83] *and for the purpose of receiving various types of government benefits,*[84] *or for tuition purposes,*[85] *are quite common, and are generally, though not always, held to be valid and proper. However, a statute providing for county-wide territorial jurisdiction of a municipal court may violate the equal protection rights of county residents who are subject to the municipal court's territorial jurisdiction, but not enfranchised to elect municipal judges.*[86] *Residence may also be a proper condition precedent to commencement of various suits.* ***On the other hand, many license and tax laws which discriminate against nonresidents have been held to violate the Equal Protection Clause.***[87]

Nissan, Inc. v. Fanning, 30 F.3d. 206 (1st Cir. 1994) (nonresident automobile dealership owners); Mohme v. City of Cocoa, 328 So.2d. 422 (Fla. 1976), appeal after remand, 356 So.2d. 2 (Fla. Dist. Ct. App. 4th Dist. 1977); State v. Alley, 274 A.2d. 718 (Me. 1971).

A program of state bounties for destruction of Maryland-titled junk cars was not violative of the Equal Protection Clause, despite stricter proof of ownership requirements for out-of-state scrap processors. Hughes v. Alexandria Scrap Corp., 426 U.S. 794, 96 S.Ct. 2488, 49 L.Ed.2d. 220 (1976).

A Kansas statute and rules of court permitting an out-of-state lawyer to practice before Kansas tribunals only if he associates a member of the Kansas bar with him, as an attorney of record, does not violate the Fourteenth Amendment either on its face or as applied to a lawyer maintaining law offices and a practice of law both out of state and in Kansas. Martin v. Walton, 368 U.S. 25, 82 S.Ct. 1, 7 L.Ed.2d. 5 (1961), reh'g denied, 368 U.S. 945, 82 S.Ct. 376, 7 L.Ed.2d. 341 (1961).

[79] Whiting v. Town of Westerly, 942 F.2d. 18 (1st Cir. 1991).

[80] Rosario v. Rockefeller, 410 U.S. 752, 93 S.Ct. 1245, 36 L.Ed.2d. 1 (1973), reh'g denied, 411 U.S. 959, 93 S.Ct. 1920, 36 L.Ed.2d. 419 (1973) (a 30-day residential requirement is permissible); Marston v. Lewis, 410 U.S. 679, 93 S.Ct. 1211, 35 L.Ed.2d. 627 (1973) (a 50-day durational voter residency requirement and a 50-day voter registration requirement for state and local elections are not unconstitutional under the Equal Protection Clause); Ballas v. Symm, 494 F.2d. 1167 (5th Cir. 1974); Opinion of the Justices, 111 N.H. 146, 276 A.2d. 825 (1971).

A governmental unit may, consistently with equal protection requirements, legitimately restrict the right to participate in its political processes to those who reside within its borders. Holt Civic Club v. City of Tuscaloosa, 439 U.S. 60, 99 S.Ct. 383, 58 L.Ed.2d. 292 (1978).

Excluding out-of-state property owners from voting on a water district matter while granting that right to Colorado residents who own property within the district but who do not live within the district does not violate the Fourteenth Amendment. Millis v. Board of County Com'rs of Larimer County, 626 P.2d. 652 (Colo. 1981).

On the other hand, under the Equal Protection Clause, persons living on the grounds of the National Institutes of Health, a federal enclave situated in Maryland, are entitled to protect their stake in elections by exercising their right to vote, and their living on such grounds cannot constitutionally be treated as basis for concluding that they do not meet Maryland residency requirements for voting. Evans v. Cornman, 398 U.S. 419, 90 S.Ct. 1752, 26 L.Ed.2d. 370 (1970).

[81] As to residence qualifications of the signers of initiative or referendum petitions, see 42 Am Jur 2d, Initiative and Referendum § 29.

[82] See 63C Am.Jur.2d, Public Officers and Employees, §81.

[83] See 47 Am Jur 2d, Jury §§ 100, 147-149.

[84] Memorial Hospital v. Maricopa County, 415 U.S. 250, 94 S.Ct. 1076, 39 L.Ed.2d. 306 (1974) (a state statute requiring a year's residence in a county as a condition to an indigent's receiving nonemergency hospitalization or medical care at the county's expense is repugnant to the Equal Protection Clause); Cole v. Housing Authority of City of Newport, 435 F.2d. 807 (1st Cir. 1970) (two-year residency requirement for eligibility for low-income housing violates the Equal Protection Clause).

In the absence of a showing that the provisions of state statutes and of a District of Columbia statute enacted by Congress, prohibiting public assistance benefits to residents of less than a year, were necessary to promote compelling governmental interests, such prohibitions create a classification which constitutes an invidious discrimination denying such residents equal protection of the laws. Shapiro v. Thompson, 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d. 600 (1969).

But the exclusion of migrant agricultural workers from the beneficial provisions of various federal and state statutes concerning social legislation in such areas as unemployment compensation, minimum hours and wages, Social Security, and worker's compensation is not unconstitutional. Doe v. Hodgson, 478 F.2d. 537, 21 Wage &Hour Cas. (BNA) 23, 71 Lab.Cas. (CCH) ¶ 32909 (2d Cir. 1973), cert. denied, 414 U.S. 1096, 94 S.Ct. 732, 38 L.Ed.2d. 555, 21 Wage &Hour Cas. (BNA) 446, 72 Lab.Cas. (CCH) ¶ 33004 (1973).

[85] Vlandis v. Kline, 412 U.S. 441, 93 S.Ct. 2230, 37 L.Ed.2d. 63 (1973).

For a state university to require proof that a law student had actually secured postgraduation employment in the state as a condition precedent to granting him residence status for purposes of tuition fees violated the Equal Protection Clause. Kelm v. Carlson, 473 F.2d. 1267, 67 Ohio.Op.2d. 275 (6th Cir. 1973).

But a state statute requiring four months' continuous residency independent of school attendance in order to establish domicil in the state for tuition purposes does not violate the Equal Protection Clause. Thompson v. Board of Regents of University of Nebraska, 187 Neb. 252, 188 N.W.2d.840 (1971).

[86] State v. Webb, 323 Ark. 80, 913 S.W.2d. 259 (1996), opinion supplemented on other grounds on denial of reh'g, 323 Ark. 80, 920 S.W.2d. 1 (1996).

[87] See 51 Am Jur 2d, Licenses and Permits §§ 31, 79, 121, 123; 71 Am Jur 2d, State and Local Taxation § 172.

As to particular types of licenses or permits, see specific topics (e.g., as to fishing or hunting licenses, see 35 Am Jur 2d, Fish and Game §§ 34, 45).

> ***A statute which discriminates unjustly against residents in favor of nonresidents violates the Equal Protection Clause;***[88] ***however, there must be an actual discrimination against residents in order to invalidate a statute. Where residents and nonresidents are treated alike, there is no discrimination.***[89] *A state regulatory statute exempting nonresidents does not deny the equal protection of the laws guaranteed by the Fourteenth Amendment, where it rests upon a state of facts that can reasonably be conceived to constitute a distinction or difference in state policy.*[90]
>
> *The constitutional guarantee as to the equal protection of the laws may render invalid statutes and ordinances which effect an unlawful discrimination in favor of a municipality or its inhabitants. Such enactments invalidly attempt to give a preference to a class consisting of residents of a political subdivision of a state.*[91]
> *[American Jurisprudence 2d, Constitutional Law, §856: Residence and State Citizenship]*

The moment one becomes a "citizen", "resident" (alien), or "inhabitant" of a jurisdiction, they no longer have sovereignty or sovereign immunity under the laws of that jurisdiction. This fact is confirmed by the Foreign Sovereign Immunities Act, which says:

> *TITLE 28 > PART IV > CHAPTER 97 > § 1603*
> *§ 1603. Definitions*
>
> *(b) An "agency or instrumentality of a foreign state" means any entity—*
>
> *(3)* ***which is neither a citizen of a State of the United States as defined in section 1332 (c) and (e) of this title****, nor created under the laws of any third country.*

Consequently, the government, by refusing to issue ID to nonresident persons physically located within the boundaries of its jurisdiction but who do not maintain a domicile there, is:

1. Engaging in compelled association in violation of the First Amendment.
2. Engaging in a conspiracy against rights, by forcing those who simply want to work and support themselves to engage in government franchises that cause a surrender of constitutional rights.
3. Engaging in racketeering in violation of 18 U.S.C. §1951, by essentially forcing those who do not wish to associate with a "state" or choose a "domicile" therein to accept legal disabilities within the marketplace because they cannot obtain employment or engage in commerce.

Those "transient foreigners" who have no domicile or "residence" within the government's jurisdiction and who therefore retain their sovereignty, when they try to assert the same right to refuse to recognize the very government that refuses to recognize them, can and often are destroyed and harassed by the taxing authorities for asserting the same EQUAL right that the government has asserted. This kind of hypocrisy and inequality is absolutely reprehensible.

Now let's apply the same EQUAL standard to the government. If all men are created equal, then no creation of a single man or group of men can be delegated any more rights than a single man. Consequently, those persons who wish to get together and form their own competing "state" or government and issue their own licenses and ID are often discriminated against by employers, financial institutions, and governments by the following means:

1. Government refuses to recognize the legitimacy of the ID's and calls them a "scam".
2. Government refuses to prosecute quasi-government institutions such as banks that refuse to recognize the legitimacy of the ID. This is illegal, because 31 CFR §202.2 requires that all banks that are FDIC insured are considered part of the government, and therefore their discrimination takes on the character of "state action" and is regulated by the Constitution.

> *Our precedents establish that, in determining whether a particular action or course of conduct is governmental in character, it is relevant to examine the following: the extent to which the actor relies on governmental assistance and benefits, see Tulsa Professional Collection Services, Inc. v. Pope,* 485 U.S. 478 *(1988); Burton*

[88] Little v. Smith, 124 Kan. 237, 257 P. 959, 57 A.L.R. 100 (1927).

[89] Geo. B. Wallace, Inc. v. Pfost, 57 Idaho 279, 65 P.2d. 725, 110 A.L.R. 613 (1937).

[90] Allied Stores of Ohio, Inc. v. Bowers, 358 U.S. 522, 79 S.Ct. 437, 3 L.Ed.2d. 480, 9 Ohio.Op.2d. 321, 82 Ohio L. Abs. 312 (1959).

[91] Schrager v. City of Albany, 197 Misc. 903, 99 N.Y.S.2d. 697 (Sup. Ct. 1950); Richter Concrete Corp. v. City of Reading, 166 Ohio.St. 279, 2 Ohio.Op.2d. 169, 142 N.E.2d. 525 (1957).

> *v. Wilmington Parking Authority, 365 U.S. 715 (1961); whether the actor is performing a traditional governmental function, see Terry v. Adams, 345 U.S. 461 (1953); Marsh v. Alabama, 326 U.S. 501 (1946); cf. San Francisco Arts & Athletics, Inc. v. United States Olympic [500 U.S. 614, 622] Committee, 483 U.S. 522, 544 -545 (1987); and whether the injury caused is aggravated in a unique way by the incidents of governmental authority, see Shelley v. Kraemer, 334 U.S. 1 (1948). Based on our application of these three principles to the circumstances here, we hold that the exercise of peremptory challenges by the defendant in the District Court was pursuant to a course of state action.*
> *[Edmonson v. Leesville Concrete Company, 500 U.S. 614 (1991)]*

3. Those who use the ID's are accused of issued "fake" ID's.
4. The Federal Trade Commission (FTC) prosecutes these entities for issuing fake ID's. See:

FTC Closes Down Fake I.D. Mill On The Internet http://www.ftc.gov/opa/2000/12/martinez.shtm

The implications of the above are clear:

1. Governments want to ensure that they have a monopoly on providing "protection", and that all those who would challenge such a monopoly are criminals and are persecuted and harassed endlessly. This violates the notion of equal protection of the law and constitutes hypocrisy. The main motivation for such hypocrisy is the desire to manufacture more "taxpayers", sponsors, and "citizens" who will subsidize a terrorist government to provide services that the compelled participants do not want, do not need, and which are actually harmful for them.
2. Governments want to compel you into becoming their "employee" and "officer" and connect your otherwise private property to "public office" and "public use" so they can control you and steal your property from you. This is done by connecting your property to government issued identifying numbers such as Social Security Numbers and Taxpayer Identification Numbers, all of which are ONLY available to "public offices" within the government and not private individuals. This explains why they DEMAND a government issued number whenever you apply for their state ID.
3. By refusing to recognize privately-issued IDs and refusing to prosecute those "public officers" under their control for refusal to recognize them, they are sanctioning compelled conversion of private property to a public use and a "public office" in obtaining government issued ID's. This is a criminal violation of 18 U.S.C. §654.

We emphasize that the central characteristic of socialism is state ownership or control over all property, and that control is effected by compelling you to participate in government franchises, such as domicile, "residence", government issued ID's, Social Security, professional licensing, etc. The method for avoiding these franchises is documented below:

Liberty University, Section 4: Avoiding Government Franchises and Licenses http://sedm.org/LibertyU/LibertyU.htm

One of our readers sent us a very insightful question about the content of this section which we would like to comment on:

> *QUESTION: Ultimately I am a little confused between the whole Private vs. Public thing. Ultimately hasn't everything been turned Commercial. See http://sedm.org/Forms/MemLaw/CorpGovt.pdf.*
>
> *I am wondering if there is even a "Public" anymore. What we're mistakenly calling Government apparently are just Private Corporations. If everything has been turned into a Commercial World there isn't really a Public / Private anymore. It just seems just one big system as follows:*
>
> *1. UNTIED STATES CORPORATION*
> *2. SUB CORPORATIONS OF THE USA*
> *3. STATES AS CORPORATIONS*
> *4. SUB CORPORATIONS OF THE STATE*
> *5. CITIES AS CORPORATIONS*
> *6. SUB CORPORATIONS OF CITIES*
> *7. IBM*
> *8. ABC*
> *9. WENDY'S*
> *ETC..ETC.*
>
> *My question is: The Biblical principle is you owe your allegiance to your Creator.*
>
> *1. Man owes allegiance to God the Creator*
> *2. "US Citizen" owes his allegiance to the USA*
> *3. "Taxpayer" owes his allegiance to the IRS*

and so forth.....

I am confused. How can I claim to be a "Private Worker" working for a "Private Company" per Private Contract when this "Private Company" had to get a License or get State issued Corporate Charter to do business / exist. If the STATE Created them...then they are a STATE Created Entity and therefore not a Private Entity or Public but just a subsidiary of the System that Created them. Therefore while I may be a Private Worker ....I am actually working for a Government/State created entity. I may as well be working for the Govt/State itself therefore making me a Government Worker. Hence then I still become required to pay the Govt/State wage taxes whether I fill out a W-4 or not with the so called "Private Company".

I could claim to be a non-resident, file a W-8 BEN, etc, etc. But again ultimately I am working for a Company that got created by the STATE and therefore I may as well be a STATE worker. Hence still required to pay the "wage" taxes like I am still a Govt Worker.

Where is my logic wrong???

ANSWER: Very interesting question! Your confusion is understandable, however, because there is a LOT to learn before you can see the whole picture clearly. It took us seven years of study to reach this point so please be patient with yourself. You apparently don't understand that the I.R.C. Subtitle A tax is a tax upon a "trade or business", which is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office", and you don't understand all the implications of that reality:

1. The nature of the I.R.C. as an excise tax upon the privileges and franchises of a "public office" in the U.S. government is documented below:

The "Trade or Business" Scam, Form #05.001 http://sedm.org/Forms/FormIndex.htm

2. Since the income tax is an excise tax upon "public offices", then it follows that:
   2.1. You are not a "taxpayer" if you are not a "public officer".
   2.2. Only the officers of the pseudo-government corporation are "public officers" as legally defined, and not the common worker. See 26 U.S.C. §6671(b) and 26 U.S.C. §7343. Ordinary workers are not "public officers".
   2.3. The pseudo-government that the officers of the corporation are "public officers" within depends on the nature of the corporate charter. If it is a state corporation, then they are "public officers" of the state and NOT the federal government. If it is a federal corporation, then they are officers of the federal and NOT state government.
   2.4. It is unlawful for a person who is a "public officer" within the U.S. government to serve outside the District of Columbia pursuant to 4 U.S.C. §72. Even if the corporation requested and obtained an Employee Identification Number (EIN), if the place of incorporation of the corporation is not physically located in the District of Columbia, then they are not a federal corporation and therefore not "public officers" within the meaning of the Internal Revenue Code. The only "public officers" the federal government can legislate for are its own public officers and not those of the state governments. The state and federal governments are "foreign" with respect to each other for the purposes of legislative jurisdiction.
3. The limits upon the agency of the corporation as "public officers" of the government extends only to the subjects indicated in the "social insurance" franchise agreement that they are party to, which is codified in the Social Security Act and Internal Revenue Code Subtitle A. Nothing beyond the franchise agreement itself may be enforced against the "public officers" of the federal government.
4. You can be an employee of a company in a common law sense without being a "public officer" of the U.S. government as legally defined and without being *the* "employee" defined in the I.R.C. at 26 U.S.C. §3401(c) or 5 U.S.C. §2105, both of whom are "public officers" in the U.S. government.

Treatise on the Law of Public Offices and Officers
Book 1: Of the Office and the Officer: How Officer Chosen and Qualified
Chapter I: Definitions and Divisions

§2 How Office Differs from Employment.-A public office differs in material particulars from a public employment, for, as was said by Chief Justice MARSHALL, "although an office is an employment, it does not follow that every employment is an office. A man may certainly be employed under a contract, express or implied, to perform a service without becoming an officer."

"We apprehend that the term 'office,'" said the judges of the supreme court of Maine, "implies a delegation of a portion of the sovereign power to, and the possession of it by, the person filling the office; and the exercise of such power within legal limits constitutes the correct discharge of the duties of such office. The power thus delegated and possessed may be a portion belonging sometimes to one of the three great departments and sometimes to another; still it is a legal power which may be rightfully exercised, and in its effects it will bind the rights of others and be subject to revision and correction only according to the standing laws of the state. An

employment merely has none of these distinguishing features. A public agent acts only on behalf of his principal, the public, whoso sanction is generally considered as necessary to give the acts performed the authority and power of a public act or law. ***And if the act be such as not to require subsequent sanction, still it is only a species of service performed under the public authority and for the public good, but not in the exercise of any standing laws which are considered as roles of action and guardians of rights.****"*

"The officer is distinguished from the employee," says Judge COOLEY, "in the greater importance, dignity and independence of his position; in being required to take an official oath, and perhaps to give an official bond; in the liability to be called to account as a public offender for misfeasance or non-feasance in office, and usually, though not necessarily, in the tenure of his position. In particular cases, other distinctions will appear which are not general."
[A Treatise on the Law of Public Offices and Officers, Floyd Russell Mechem, 1890, pp. 3-4, §2;
SOURCE: http://books.google.com/books?id=g-I9AAAAIAAJ&printsec=titlepage*]*

"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [92] ***Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts****.* [93] ***That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.*** [94] ***and owes a fiduciary duty to the public.*** [95] ***It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.*** [96] *Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.*[97]*"*
[63C Am.Jur.2d, Public Officers and Employees, §247]

5. If you aren't a "public officer" but an ordinary worker, then the only way you can lawfully earn "wages" and therefore be a "taxpayer" is to volunteer by signing and submitting and IRS Form W-4, and thereby become a federal "employee" in receipt of "income" connected to the "trade or business" and "social insurance" franchise:

26 CFR §31.3401(a)-3 Amounts deemed wages under voluntary withholding agreements

(a) In general.

Notwithstanding the exceptions to the definition of wages specified in section 3401(a) and the regulations thereunder, the term "wages" includes the amounts described in paragraph (b)(1) of this section with respect to which there is a voluntary withholding agreement in effect under section 3402(p). *References in this chapter to the definition of wages contained in section 3401(a) shall be deemed to refer also to this section (§31.3401(a)–3).*

(b) Remuneration for services.

(1) Except as provided in subparagraph (2) of this paragraph, ***the amounts referred to in paragraph (a) of this section include any remuneration for services performed by an employee for an employer which, without regard to this section, does not constitute wages under section 3401(a)****. For example, remuneration for services performed by an agricultural worker or a domestic worker in a private home (amounts which are*

[92] State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 ALR 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

[93] Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist) 161 Ill. App 3d 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

[94] Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill. App 3d 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

[95] United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L Ed 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L Ed 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass) 898 F.2d. 230, 29 Fed Rules Evid Serv 1223).

[96] Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill. App 3d 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

[97] Indiana State Ethics Comm'n v. Nelson (Ind App) 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

specifically excluded from the definition of wages by section 3401(a) (2) and (3), respectively) are amounts with respect to which a voluntary withholding agreement may be entered into under section 3402(p). See §§31.3401(c)–1 and 31.3401(d)–1 for the definitions of "employee" and "employer".

Title 26: Internal Revenue
PART 31—EMPLOYMENT TAXES AND COLLECTION OF INCOME TAX AT SOURCE
Subpart E—Collection of Income Tax at Source
§31.3402(p)-1 Voluntary withholding agreements.

(a) In general.

An employee and his employer may enter into an agreement under section 3402(b) to provide for the withholding of income tax upon payments of amounts described in paragraph (b)(1) of §31.3401(a)–3, made after December 31, 1970. ***An agreement may be entered into under this section only with respect to amounts which are includible in the gross income of the employee under section 61, and must be applicable to all such amounts paid by the employer to the employee.*** *The amount to be withheld pursuant to an agreement under section 3402(p) shall be determined under the rules contained in section 3402 and the regulations thereunder. See §31.3405(c)–1, Q&A–3 concerning agreements to have more than 20-percent Federal income tax withheld from eligible rollover distributions within the meaning of section 402.*

6. The filing of IRS Form W-2 against a worker is prima facie evidence that the worker is engaged in a "public office", as indicated in 26 U.S.C. §6041(a), where "trade or business" is defined in 26 U.S.C. §7701(a)(26) to mean a "public office". If he is not a "public officer", then it is a crime to file such a report in violation of 18 U.S.C. §912, impersonating a federal employee or officer. Per 26 U.S.C. §7434, it is a civil tort to file an IRS Form W-2 against a worker who never signed a W-4 and who is not ALREADY a "public officer". If a W-2 was filed against a nonconsenting worker, the form would have to report ZERO for "wages" because he didn't consent to connect himself to the franchise and thereby call his earnings reportable "wages" and "gross income" under the terms of the franchise agreement.
7. All "employees" within the I.R.C. are "public officers". This is confirmed by 26 U.S.C. §3401(c), 26 CFR §1.3401(c)-1, and 5 U.S.C. §2105.
8. There is no provision within the I.R.C. subtitle A that CREATES public offices. It is a tax upon EXISTING public offices. You can't lawfully "elect" yourself into a public office by simply filing a tax form. Instead, you must ALREADY lawfully occupy a public office and take an oath as a public officer BEFORE you can become a "taxpayer".
9. We have not found any evidence to suggest that just because you work for a corporation, that makes you an "officer of the corporation". Even if you were an officer of the corporation, that would not make you a "public officer" and a "trustee" of the government, nor can they make you such an officer without your consent. The Thirteenth Amendment hasn't been repealed. Involuntary servitude is still illegal, so you can still choose whether you want to be a franchisee called a "public officer", or simply a "worker" who earns no "wages" as legally defined and is therefore not a "taxpayer". In that sense, we have two governments operating side by side, just like service stations sell two types of gas:
   9.1. The "unleaded" government, which is the republic that only engages in EQUAL protection and not franchises, and does not offer "social insurance" or any other king of payments to the public at large, and which has no "taxpayers". This is the "Republic State" described earlier.
   9.2. The "premium" government, which is the socialist democracy that offers "social insurance" PLUS protection. This is the "Corporate State".

   The government that I am a "citizen" of is the "Republic State". I have commercially and legally divorced the Corporate State. I cannot have or use any federal identifying number, and I don't function as an "employee", but an independent contractor wherever I go. When someone wants to contract with me, they go through non-statutory foreign entities I create. These entities are my interface into the commercial world, which has become essentially entirely government owned and controlled.

Consequently, there is nothing to be confused about. Your confusion stems from an incomplete study or understanding of the nature of the income tax. Ultimately, the pseudo-government is in the "protection" business as a private corporation. You can't owe a tax unless you are a "citizen" or "resident", which are just code words in the I.R.C. for those who work for the corporation as "public officers" by electing to have a "domicile" on federal territory in the District of Columbia pursuant to:

1. 26 U.S.C. §911(d)(3).

2. 26 U.S.C. §7701(a)(9) and (a)(10).
3. 26 U.S.C. §7701(a)(39).
4. 26 U.S.C. §7408(d).

Since you can't be compelled to choose a domicile and all tax liability originates from your voluntary choice of domicile, then you can't become a "taxpayer" without your consent. At that point, it doesn't matter whether you are working for the "STATE" or not, as long as you own yourself and all the fruits of your labor. You need to read our document below for further details about how tax withholding and reporting works, because this will clear up your confusion:

Federal and State Tax Withholding Options for Private Employers, Form #04.101 http://sedm.org/Forms/FormIndex.htm

15 Conclusions and Summary

1. De jure constitutional governments are:
   1.1. Charitable trusts and public trusts, not corporations.
   1.2. Established as a "body politic" AND "body corporate", not just a "body corporate".
2. The Constitution does NOT confer the power to incorporate upon the national government. Neither does it confer the authority to delegate any government function to a private, for profit corporation such as the "District of Columbia". They therefore do NOT have it and have NEVER had it. This is confirmed by the debates in the federal convention. The Tenth Amendment reserves all powers not delegated to the national government to the people or the states. Therefore, the power to turn the government into a corporation is one of the reserved powers that the government may not employ in order to enslave those it is supposed to be protecting.
3. Most of the services associated with what most people regard as "government" have been maliciously transformed by errant public DIS-servants into private, for profit franchises which destroy the constitutional rights that a REAL de jure government is established to protect. This includes:
   3.1. Domicile in the forum state, which causes one to end up being one of the following:
      3.1.1. Statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 if a domestic national.
      3.1.2. Statutory "Permanent resident" pursuant to 26 U.S.C. §7701(b)(1)(A) if a foreign national.
   3.2. Becoming a registered "voter" rather than an "elector".
   3.3. I.R.C. §501(c)(3) status for churches. Churches that register under this program become government "trustees" and "public officials" that are part of the government. Is THIS what you call "separation of church and state"? See:
   http://famguardian.org/Subjects/Spirituality/spirituality.htm
   3.4. Serving as a jurist. 18 U.S.C. §201(a)(1) says that all persons serving as federal jurists are "public officials".
   3.5. Attorney licenses. All attorneys are "officers of the court" and the courts in turn are part of the government. See:
   http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Corruption/WhyYouDontWantAnAtty/WhyYouDon'tWantAnAttorney.htm
   3.6. Marriage licenses. See:
   http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm
   3.7. Driver's licenses. See:
   http://sedm.org/ItemInfo/Ebooks/DefYourRightToTravel.htm
   3.8. Professional licenses.
   3.9. Fishing licenses.
   3.10. Social Security benefits. See:
   http://sedm.org/Forms/Emancipation/SSTrustIndenture.pdf
   3.11. Medicare.
   3.12. Medicaid.
   3.13. FDIC insurance of banks. 31 CFR §202.2 says all FDIC insured banks are "agents" of the federal government and therefore "public officers".

   For further details, see:

Government Instituted Slavery Using Franchises, Form #05.030 http://sedm.org/Forms/FormIndex.htm

4. The corporatization and privatization of the United States government began with the incorporation of the District of Columbia in 1871. Statutes at Large, 16 Stat. 419 (1871)
5. The federal pseudo-government we have now has become a for-profit private corporation.
   5.1. The Constitution is the corporate charter.
   5.2. We The People are the stockholders.

5.3. Federal Reserve Notes are the corporate stocks in the corporation.

5.4. Members of the Executive and Legislative Branches, which are the only remaining branches, are the board of directors of this corporation.

5.5. The so-called "Federal Judiciary" always was and currently is an agency within the Executive Branch of the government, and the purpose of this administrative and not judicial agency is to arbitrate disputes relating to federal franchises pursuant to Article 4, Section 3, Clause 2 of the United States Constitution. The only Article III federal court in existence is the original jurisdiction U.S. Supreme Court and not any lower court. See:

What Happened to Justice?
http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm

5.6. This private corporation started out as a charitable "public trust" and has since become a "sham trust" administered primarily for the personal benefit of the trustees, who are the corporate board of directors called the President and Congress. The President, in fact, is the CEO. In a sense, our pseudo-government has become Enron to the tenth power!

6. Our money has been transformed into securities of the corporation:

6.1. Congress has replaced its power to coin money under Constitution Article 1, Section 8, Clause 5 with its power to issue obligations of the United States government, "Federal Reserve Notes", pursuant to Article 1, Section 8. Clause 2.

> ***"Money**: In usual and ordinary acceptation it means coins and paper currency used as circulating medium of exchange, and **does not embrace notes**, bonds, evidences of debt, or other personal or real estate. Lane v. Railey, 280 Ky. 319, 133 S.W.2d. 74, 79, 81."*
> *[Black's Law Dictionary, Sixth Edition, p. 1005]*

6.2. The Federal Reserve (FRN) is neither "federal" nor a reserve. It is a private, for profit consortium of banks. It is also a counterfeiting franchise that exists solely to print (e.g. STEAL) enough corporate bonds to subsidize the day-to-day operations of CorpGov. Member banks, in exchange for joining the franchise, are granted the ability essentially to create money out of thin air by lending ten times the amount of corporate bonds that they have on deposit. The fiat currency that is created by the counterfeiting franchise is created by monetizing loan documents and simply entering the amount created into a computer memory bank.

6.3. Statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 holding FRN corporate securities are the equivalent of shareholders of the corporation. That makes them stockholders in a federal corporation and contractors for the government, because the U.S. Supreme Court has held that an act of incorporation constitutes a contract between the government and the shareholders:

> *The court held that the first company's charter was a contract between it and the state, within the protection of the constitution of the United States, and that the charter to the last company was therefore null and void., Mr. Justice DAVIS, delivering the opinion of the court, said that, **if anything was settled by an unbroken chain of decisions in the federal courts, it was that an act of incorporation was a contract between the state and the stockholders, 'a departure from which now would involve dangers to society that cannot be foreseen, whould shock the sense of justice of the country, unhinge its business interests, and weaken, if not destroy, that respect which has always been felt for the judicial department of the government.'***
> *[New Orleans Gas Co. v. Louisiana Light Co., 115 U.S. 650 (1885)]*

7. The purpose of taxation in the de jure government of collecting revenues to support the institutionalized *equal* "protection" of the government has been replaced with the sole purpose of regulating the supply of fiat corporate securities (e.g. Federal Reserve Notes), where the private corporation which pretends to be government prints as much corporate securities as it needs to sustain its operation. Without the ability to retire excess currency generated by the Federal Reserve counterfeiting franchise, our monetary system would quickly become unstable and hyperinflation would result. All those stupid enough to be duped by the fraud of the income tax system essentially become surety to pay off the debts created by the Federal Reserve counterfeiting franchise. The income tax is a stupidity tax upon people who don't read, learn, or follow the law and who glorify the nanny corporate pseudo-government as a pagan deity. See:

Great IRS Hoax, Form #11.302
http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm

8. What were once de jure sovereign states of the Union have become federal corporations and U.S. pseudo-government subsidiaries:

8.1. De jure states of the Union tied to specific "territory" have now become "virtual states" or "private corporations" rather than geographic states and whose occupants are all statutory "U.S. citizens" and "residents" residing on federal territory regardless of where they physically live. This transformation began after the Civil War, when

most states rewrote their constitutions to remove references to their geographical boundaries. In that sense, they became strictly political and business entities with no actual "territory" of their own.

8.2. All "taxpayers" within the I.R.C. are aliens engaged in a "trade or business". This must be so, because one of the few things the federal government can do to reach inside a state is regulating the behavior of aliens. They can't control sovereign citizens, so they must make everyone into aliens in order to destroy the separation of powers completely and compress us into one mass, as Thomas Jefferson warned they would do:

> *In accord with ancient principles of the international law of nation-states, the Court in The Chinese Exclusion Case, 130 U.S. 581, 609 (1889), and in Fong Yue Ting v. United States, 149 U.S. 698 (1893), held broadly, as the Government describes it, Brief for Appellants 20, that* ***the power to exclude aliens is "inherent in sovereignty, necessary for maintaining normal international relations and defending the country against foreign encroachments and dangers - a power to be exercised exclusively by the political branches of government . . . ." Since that time, the Court's general reaffirmations of this principle have [408 U.S. 753, 766] been legion. 6 The Court without exception has sustained Congress' "plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden." Boutilier v. Immigration and Naturalization Service, 387 U.S. 118, 123 (1967). "[O]ver no conceivable subject is the legislative power of Congress more complete than it is over" the admission of aliens. Oceanic Navigation Co. v. Stranahan, 214 U.S. 320, 339 (1909).***
> *[Kleindienst v. Mandel, 408 U.S. 753 (1972)]*
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> *While under our constitution and form of government the great mass of local matters is controlled by local authorities, t****he United States, in their relation to foreign countries and their subjects or citizens, are one nation, invested with powers which belong to independent nations, the exercise of which can be invoked for the maintenance of its absolute independence and security throughout its entire territory.*** *The powers to declare war, make treaties, suppress insurrection, repel invasion, regulate foreign commerce, secure republican governments to the states, and admit subjects of other nations to citizenship, are all sovereign powers, restricted in their exercise only by the constitution itself and considerations of public policy and justice which control, more or less, the conduct of all civilized nations. As said by this court in the case of Cohens v. Virginia, 6 Wheat. 264, 413, speaking by the same great chief justice: '****That the United States form, for many, and for most important purposes, a single nation, has not yet been denied. In war, we are one people. In making peace, we are one people. In all commercial regulations, we are one and the same people. In many other respects, the American people are one; and the government which is alone capable of controlling and managing their interests in all these respects is the government of the Union****. It is their government, and in that character they have no other. America has chosen to [130 U.S. 581, 605] be in many respects, and to many purposes, a nation; and for all these purposes her government is complete; to all these objects, it is competent.* ***The people have declared that in the exercise of all powers given for these objects it is supreme. It can, then, in effecting these objects, legitimately control all individuals or governments within the American territory."***
>
> *[. . .]*
>
> *"****The power of exclusion of foreigners being an incident of sovereignty belonging to the government of the United States as a part of those sovereign powers delegated by the constitution****, the right to its exercise at any time when, in the judgment of the government, the interests of the country require it, cannot be granted away or restrained on behalf of any one.* ***The powers of government are delegated in trust to the United States, and are incapable of transfer to any other parties.*** *They cannot be abandoned or surrendered.* ***Nor can their exercise be hampered, when needed for the public good, by any considerations of private interest. The exercise of these public trusts is not the subject of barter or contract.****"*
> *[Chae Chan Ping v. U.S., 130 U.S. 581 (1889)]*

8.3. The exercise of the power to contract of the de jure Republic States have made them into Corporate States and federal subsidiaries of the United States federal government under the Agreement on Coordination of Tax Administration (ACTA) have made them into agents and fiduciaries of the "United States" mother corporation under the Buck Act, 4 U.S.C. §105 et seq, and moved their effective domicile to the District of Columbia pursuant to 26 U.S.C. §7408(d), 26 U.S.C. §7701(a)(39), and Federal Rule of Civil Procedure 17(b). By tacitly agreeing to participate in the "trade or business"/"public office"/"social insurance" franchise, they agreed to represent a federal corporation as officers of said corporation and the laws which apply are the place of incorporation of that federal corporation, which is the District of Columbia.

8.4. You must contract to procure the franchises of the Corporate States and the "United States" in order to "qualify" for them to service any of your needs. Those who refuse to partake of franchises are treated as though they don't exist at all by the pseudo-government. If you don't have a license number to act as a "public officer" called a "Social Security Number", then you may as well live in a foreign country, because they won't even talk to you.

8.5. When you engage in the franchise, your effective domicile becomes federal territory within the state and you become a "public officer" by virtue of partaking in the franchise.

8.6. The term "State of____" is the name for this de facto corporation.

California Revenue and Taxation Code

17018. "State" includes the District of Columbia, and the possessions of the United States.
[SOURCE:
http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=17001-18000&file=17001-17039.1]

8.7. The term "County of_____" means a subdivision of the de facto private CorpGov state. De jure counties are called "_____ county"

8.8. All those with a "residence" within this corporate state are officers and employees of CorpGov who are also resident aliens completely subject to federal jurisdiction.

8.9. The perjury statement on most state forms places you "within" this corporate, fictitious political state as a "public officer".

Perjury statement at the end of California Judicial Council Form CIV-010

"I declare under penalty of perjury ***under the laws of the State of California*** *that the foregoing are true and correct."*
[SOURCE:
http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=17001-18000&file=17001-17039.1]

Private persons are not physically present and domiciled within this corporate "State". The only "persons" the de jure government can lawfully legislate for without engaging in involuntary servitude in violation of the Thirteenth Amendment are "residents" of this fictitious corporate pseudo-government state. All of these "persons" are "public officers" participating in pseudo-government franchises who are also resident aliens. All of them are "residents" of the corporate state by virtue of signing up for the franchises using their right to contract. A person who is not a "public officer" participating in pseudo-government franchises would be committing perjury under penalty of perjury to admit that he is "under the laws of the State of _____" as a private person.

9. In order to form a legitimate government, you need people, laws, and territory. The Corporate States have people and laws but no territory of their own.

9.1. All of the "territory" of the Corporate States is borrowed from the federal pseudo-government under the Buck Act, 4 U.S.C. §105 et seq. This territory consists of the federal areas within the exterior limits of the state and it qualifies as a "possession" of the United States under the Buck Act, 4 U.S.C. §110(d) and is part of the federal zone.

9.2. The borrowed territory of the Corporate States is a place where both state and federal legislative jurisdiction coincide. It is the ONLY place, in fact, where these jurisdictions coincide because of the separation of powers doctrine. See:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023 http://sedm.org/Forms/FormIndex.htm

9.3. Virtually all the laws passed by the Corporate States are intended exclusively for this shared territory within the federal zone. Ditto for the federal pseudo-government.

9.4. The statutes and contracts which regulate the "sharing" of federal territory by the Corporate State are found in:

9.4.1. The Buck Act, 4 U.S.C. §105 et seq.

9.4.2. The Assimilated Crimes Act, 18 U.S.C. §13.

9.4.3. The Rules of Decision Act, 28 U.S.C. §1652. This act prescribes which of the two conflicting laws shall prevail in the case of crimes on federal territory.

9.4.4. 28 U.S.C. §2679, which says that any action against an officer or employee of the United States in which the officer or employee is acting outside their authority may be prosecuted in a state court and is not a "federal question".

9.4.5. Agreement on Coordination of Tax Administration (ACTA) between the state and the Secretary of the Treasury.

9.4.6. 26 U.S.C. §6361-6365, which governs states who are part to the above ACTA agreement. These statutes say they are repealed, but they implement contracts between the states and federal pseudo-government and so they can't be repealed. Those acts of Congress in sthe Statutes At Large that embody them are still in full force.

9.4.7. Regulations implementing 26 U.S.C. §6361-6365, which have not been repealed and are still in force.

10. The federal areas within the exterior limits of your state:

10.1. Are the effective domicile or "residence" of the pseudo-government apparatus of the Corporate State. Anyone who works as a public officer for the state pseudo-government is treated as a resident alien with a domicile in this place for the purposes of the official functions of their office.

> *TITLE 26 > Subtitle A > CHAPTER 1 > Subchapter N > PART II > Subpart D > § 892*
> *§ 892. Income of foreign governments and of international organizations*
>
> *(a) Foreign governments*
>
> *(3) Treatment as resident*
>
> ***For purposes of this title, a foreign government shall be treated as a corporate resident of its country**. A foreign government shall be so treated for purposes of any income tax treaty obligation of the United States if such government grants equivalent treatment to the Government of the United States.*

10.2. Are *not* protected by the Bill of Rights. EVERYTHING is a franchise and a privilege within these areas:

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that **the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America**, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

10.3. Are the effective domicile of all those who participate in pseudo-government franchises, including the income tax, driver's licenses, and marriage licenses.

10.4. Are the legal place where all business is conducted with the pseudo-government.

11. The all caps rendition of your birthname in association with a federally issued identifying number is the "res" and the "public officer" who is the legal object of all the pseudo-government laws that regulate franchises and "residents" of the fictitious corporate "State of____".

11.1. All these persons are "residents" of the federal territory within the exterior limits of the state. Since federal territory is not protected by the Bill of Rights, these fictitious entities have no rights, but only legislatively granted "privileges" as officers of the pseudo-government corporation.

11.2. These "straw men" persons are the only lawful "taxpayers", "individuals", and "residents" on most pseudo-government forms. They are the ONLY persons the pseudo-government can lawfully legislate for in the context of civil litigation.

11.3. If the pseudo-government writes a letter or correspondence or files a lawsuit against this artificial "res" and you respond, then you just "volunteered" to work for the pseudo-government for free and elected yourself into "public office" simply by cooperating with them. The Thirteenth Amendment says you can't be compelled to volunteer. In that sense, nearly all civil laws passed by the pseudo-government are entirely voluntary. If you don't want to work for the pseudo-government for free, simply decline their offer of "public office" by denying the existence of the straw man and demand compensation for acting on his behalf that you and not they determine. This technique is great for stopping tax collection activity.

11.4. If you want to harness the straw man entity for your own use and benefit but insulate yourself from the liabilities associated with said use, the following form is very helpful:

U.C.C. Security Agreement, Form #14.002 http://sedm.org/Forms/FormIndex.htm

11.5. If you want to DESTROY the straw man entity so the pseudo-government can't use it to harass you, use the following form:

Resignation of Compelled Social Security Trustee, Form #06.002 http://sedm.org/Forms/FormIndex.htm

12. What used to be called a "citizen" is now nothing more than a glorified privileged corporate "employee" or "officer" or "public officer" of a gigantic corporate monopoly. The term "United States" as used in most federal statutes implies the pseudo-GOVERNMENT corporation, and not the geographical states of the Union. In that sense, all states have transitioned from territorial political entities to entirely corporate and business entities.

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]*
> *Sec. 7701. - Definitions*
>
> *(a)Definitions*
> *(9) United States*
>
> *The term "United States" when used in a geographical sense includes only the States and the District of Columbia.*
>
> *(10) State*
>
> *The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*
>
> _____
>
> *Uniform Commercial Code (U.C.C.)*
> *§ 9-307. LOCATION OF DEBTOR.*
>
> *(h) [Location of United States]*
>
> *The United States is located in the **District of Columbia**.*
>
> *[SOURCE:*
> http://www.law.cornell.edu/ucc/search/display.html?terms=district%20of%20columbia&url=/ucc/9/article9.htm#s9-307*]*

13. The statutes or "laws" passed by the officers of CorpGov are nothing more than private internal directives or "rules" intended exclusively for company "employees" and "officers" called statutory "U.S. citizens" and "permanent residents", who collectively are domiciled in the District of Columbia. The authority to make these "rules" are described below:

> *United States Constitution*
> *Article 4, Section 3, Clause 2*
>
> *The Congress shall have Power to dispose of and make **all needful Rules and Regulations respecting the Territory or other Property belonging to the United States**; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.*

In that sense, nearly all federal statutory law is "private law" and "special law" which applies to those who implicitly consent by partaking of federal franchises and thereby joining the pseudo-government as one of their "public officers". Remember that all "franchises" are contracts, all contracts convey rights, and that all rights are property. Therefore, those participating in franchises are in custody or receipt or agency over public property. For details, see:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
http://sedm.org/LibertyU/LibertyU.htm

14. The corporate monopoly that our present de facto private, for profit, private corporate pseudo-government has created constitutes an establishment of religion in violation of the First Amendment to the United States Constitution. This is exhaustively proven in the following resources:
    14.1. *Government Establishment of Religion*, Form #05.038
    http://sedm.org/Forms/FormIndex.htm
    14.2. *Socialism: The New American Civil Religion*, Form #05.016
    http://sedm.org/Forms/FormIndex.htm
15. The Bible warns us that all of this was going to happen, but we didn't heed its warnings:
    15.1. The Book of Revelation describes an entity called "The Beast", which is then defined in Rev. 19:19 as "the kings of the earth". In modern times, that would be our political rulers.

15.2. Babylon the Great Harlot is described as the woman who sits on many waters, which are described as "peoples, multitudes, nations, and tongues" in Rev. 17:15.

15.3. Babylon the Great is fornicating with the Beast. Black's Law Dictionary defines "commerce" as "intercourse". The people are "fornicating" because the Bible says they are married to God and not the pseudo-government and may not commit such harlotry:

> *"**Commerce**. …**Intercourse** by way of trade and traffic between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it is carried on…"*
> *[Black's Law Dictionary, Sixth Edition, p. 269]*

> *"Do not fear, for you will not be ashamed; neither be disgraced, for you will not be put to shame; for you will forget the shame of your youth, and will not remember the reproach of your widowhood anymore. **For your Maker is your husband, the Lord of hosts is His name; and your Redeemer is the Holy One of Israel; He is called the God of the whole earth**, for the Lord has called you like a woman forsaken and grieved in spirit, like a youthful wife when you were refused," says your God. "For a mere moment I have forsaken you, but with great mercies I will gather you. With a little wrath I hid My face from you for a moment; but with everlasting kindness I will have mercy on you," says the Lord, your Redeemer."*
> *[Isaiah 54:4-8, Bible, NKJV]*

15.4. God's chosen elect have been readily and easily deceived by their crafty lawyer servants because they did not love the truth:

> *"**For the mystery of lawlessness is already at work**; only He [God] who now restrains will do so until He is taken out of the way. And then the lawless one [Satan] will be revealed, whom the Lord will consume with the breath of His mouth and destroy with the brightness of His coming. The coming of the lawless one [Satan] is according to **the working of Satan, with all power, signs, and lying wonders**, and with all unrighteous deception among **those who perish, because they did not receive the love of the truth, that they might be saved [don't be one of them!]**. **And for this reason God will send them strong delusion [from their own government], that they should believe a lie, that they all may be condemned who did not believe the truth but had pleasure in unrighteousness.**"*
> *[2 Thess. 2:3-17, Bible, NKJV]*

> *"**Woe to the rebellious children**," says the Lord, "**Who take counsel, but not of Me, and who devise plans, but not of My Spirit, that they may add sin to sin; who walk to go down to Egypt, and have not asked My advice, to strengthen themselves in the strength of Pharoah, and to trust in the shadow of Egypt! Therefore the strength of Pharoah shall be your shame, and trust in the shadow of Egypt shall be your humiliation**…*

> *Now go, write it before them on a tablet, and note it on a scroll, that it may be for time to come, forever and ever: that this is a rebellious people, **lying children, children who will not hear the law of the Lord**; who say to the seers, "Do not see," and to the prophets, "Do not prophesy to us right things' **Speak to us smooth [politically correct] things**, prophesy deceits. Get out of the way, turn aside from the path, cause the Holy One of Israel to cease from before us."*

> *Therefore thus says the Holy One of Israel:*

> ***"Because you despise this word [God's word], and trust in oppression and perversity, and rely on them, therefore this iniquity shall be to you like a breach ready to fall, a bulge in a high wall, whose breaking comes suddenly, in an instant. And He shall break it like the breaking of the potter's vessel, which is broken in pieces; He shall not spare. So there shall not be found among its fragments a shard to take fire from the hearth, or to take water from the cistern."***
> *[Isaiah 30:1-3, 8-14, Bible, NKJV]*

16. If you would like resources useful in discontinuing participation in all government franchises, please refer to the following:

Liberty University, Section 4: Avoiding Government Franchises and Licenses http://sedm.org/LibertyU/LibertyU.htm

17. If you would like forms useful in preventing both Executive Branch agencies and courts from confusing you with a "public officer" of CorpGov, the following forms should prove useful:
    17.1. *Resignation of Compelled Social Security Trustee*, Form #06.002
    http://sedm.org/Forms/FormIndex.htm
    17.2. *Affidavit of Corporate Denial*, Form #02.004
    http://sedm.org/Forms/FormIndex.htm

17.3. *IRS Form 56: Notice Concerning Fiduciary Relationship*, Form #04.204
http://sedm.org/Forms/FormIndex.htm

If you would like to examine over 600 Mbytes of court-admissible evidence supporting everything in this memorandum of law, we invite you to obtain the following CD-ROM from our website:

Highlights of American Legal and Political History CD, Form #11.202
http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm

16 Resources for Further Reading, Research, and Rebuttal

A number of additional resources are available for those who wish to further investigate the contents of the pamphlet:

1. *Government Instituted Slavery Using Franchises*, Form #05.030. Shows how franchises are the main method or device by which our de jure government has become a de facto private corporation.
   http://sedm.org/Forms/FormIndex.htm
2. *How Scoundrels Corrupted Our Republican Form of Government.*. Shows how our government has been turned into a totalitarian corporate monopoly.
   http://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm
3. *Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008
   http://sedm.org/Forms/FormIndex.htm
4. *The Government "Benefits" Scam*, Form #05.040
   http://sedm.org/Forms/FormIndex.htm
5. *Government Conspiracy to Destroy the Separation of Powers*, Form #05.023
   http://sedm.org/Forms/FormIndex.htm
6. *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037
   http://sedm.org/Forms/FormIndex.htm
7. *Socialism: The New American Civil Religion*, Form #05.016. Proves that our government has not only become a private corporation, but a civil religion that competes with churches and God Himself for the affection, worship, and allegiance of its "parishoners".
   http://sedm.org/Forms/FormIndex.htm
8. *Federal Government Corporations: An Overview*, CRS Report #RL30365-Congressional Research Service, Jan. 7, 2009
   http://famguardian.org/Subjects/Freedom/ThreatsToLiberty/RL30365.pdf
9. *Highlights of American Legal and Political History CD*, Form #11.202. Hundreds of megabytes of court-admissible evidence backing up everything in this pamphlet, right from the government's own archives, statutes, and regulations.
   http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm
10. *Authorities on the word "corporation"*-Family Guardian, Sovereignty Forms and Instructions, Cites by Topic
    http://famguardian.org/TaxFreedom/CitesByTopic/corporation.htm
11. *The United States isn't a Country, it's a corporation*
    http://famguardian.org/Subjects/Taxes/Articles/USCorporation.htm
12. *The Corporate Conception of the State and the Origins of Limited Constitutional Government*, Washington University Journal of Law and Policy. Vol. 6, Number 1, 2001
    http://famguardian.org/Subjects/LawAndGovt/History/CorporationsOfGovernment.pdf
13. *Federal Government Corporations: An Overview*, CRS Report #RL30365, Congressional Research Service, Jan. 7, 2009
    http://famguardian.org/Subjects/Freedom/ThreatsToLiberty/RL30365.pdf
14. *Corporate Takeover of the U.S. Government Well Underway*
    http://famguardian.org/Subjects/Freedom/Articles/CorporatizationOfGovt.htm