

CORPORATIZATION OF THE GOVERNMENT

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1 *"Neither the wisest Constitution or the wisest laws will secure liberty and happiness of a people whose manners*
2 *are universally corrupt. He therefore is the truest friend of the liberty of his country who tries most to promote*
3 *its virtues."*
4 [Samuel Adams]

5 *"The true danger is when liberty is nibbled away, for expedients, and by parts ... the only thing necessary for*
6 *evil to triumph is for good men to do nothing."*
7 [Edmund Burke]

8 **1 Introduction**

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

- 14 1. What most people call "government" is now nothing but a giant private corporate monopoly which violates the
15 Sherman Antitrust Act. We call this corporate monopoly "CorpGov" within this document.
- 16 2. The original republican government which was created by the Constitution is now completely gone and has been
17 replaced with a legislative democracy.
- 18 3. All the services offered by the original government have been systematically replaced with "franchises". Only those
19 who become "employees" or "officers" of the corporation can partake of any of the franchises.
- 20 4. What used to be "citizens" and "residents" and "inhabitants" are all now synonymous with "employees" and "officers"
21 of the corporation.
- 22 5. Those who refuse to become "employees" or "officers" of the CorpGov have no legal existence and no protection for
23 any of their rights in any of CorpGov's "courts".
- 24 6. The court system has been replaced with "franchise courts" and what started out as Constitutional judges have now
25 become franchise administrators serving in the Executive Branch of the government. The separation of powers
26 between the judicial branch and other branches has been completely destroyed because constitutional judges are no
27 longer necessary in a community comprised exclusively of "franchisees" in receipt of government privileges.
- 28 7. The income tax system has become a franchise whose main goal is to redistribute wealth according to public policy
29 and political whim. It doesn't pay for government services, but rather subsidizes political favors which benefit only
30 those who patronize and subsidize CorpGov.
- 31 8. The notion of equal protection which is the foundation of the United States Constitution has now been rendered largely
32 irrelevant, because equal protection does not constrain the administration of any franchise.
- 33 9. Those who do not wish to participate in government franchises are being systematically coerced and compelled to
34 associate with, subsidize, and participate in them illegally by enforcing the terms of the franchise agreements illegally
35 against them.
- 36 10. The legal profession has been turned into a franchise and become a subsidiary of CorpGov through licensing to
37 practice law. This ability to regulate the legal profession has become the main method by which attorneys who
38 discover the truths documented herein are effectively "gagged" and discredited by pulling their license and rendering
39 them poor and unable to practice law.

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

43 **2 Seeds of the corporatization and corruption of the government**¹

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

¹ Adapted from *Great IRS Hoax*, Section 4.3.1
<http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>.

1 We'll start off this section with a definition of "government" from Black's Law Dictionary. Note especially the definition
2 of "Republican government", which is the kind government we have here in America:

3 *Government.* From the Latin gubernaculum. Signifies the instrument, the helm, whereby the ship to which the
4 state was compared, was guided on its course by the "gubernator" or helmsman, and in that view, the
5 government is but an agency of the state, distinguished as it must be in accurate thought from its scheme and
6 machinery of government.

7 *In the United States, government consists of the executive, legislative, and judicial branches in addition to*
8 *administrative agencies. In a broader sense, includes the federal government and all its agencies and bureaus,*
9 *state and county governments, and city and township governments.*

10 *The system of polity in a state; that form of fundamental rules and principles which a national or state is*
11 *governed, or by which individual members of a body politic are to regulate their social actions. A constitution,*
12 *either written or unwritten, by which the rights and duties of citizens and public officers are prescribed and*
13 *defined, as a monarchical government, a republican government, etc. The machinery by which the sovereign*
14 *power in a state expresses its will and exercises its functions; or the framework of political institutions,*
15 *departments, and offices, by means of which the executive, judicial, legislative, and administrative business of*
16 *the state is carried on.*

17 *The whole class or body of officeholders or functionaries considered in the aggregate, upon whom devolves the*
18 *executive, judicial, legislative, and administrative business of the state.*

19 *In a colloquial sense, the United States or its representatives, considered as the prosecutor in a criminal action;*
20 *as in the phrase, "the government objects to the witness."*

21 *The regulation, restraint, supervision, or control which is exercised upon the individual members of an*
22 *organized jural society by those invested with authority; or the act of exercising supreme political power or*
23 *control.*

24 *See also De facto government; Federal government; Judiciary; Legislature; Seat of government.*

25 *Federal government.* The government of the United States of America, as distinguished from the governments
26 of the several states.

27 *Local government.* The government or administration of a particular locality, especially, the governmental
28 authority of a municipal corporation, as a city or county, over its local and individual affairs, exercised in
29 virtue of power delegated to it for that purpose by the general government of the state or nation.

30 *Mixed government.* A form of government combining some of the features of two or all of the three primary
31 forms, viz., monarchy, aristocracy, and democracy.

32 *Republican government. One in which the powers of sovereignty are vested in the people and are exercised*
33 *by the people, either directly, or through representatives chosen by the people, to whom those powers are*
34 *specially delegated. In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 36 L.Ed. 219; Minor v. Happersett, 88 U.S. (21*
35 *Wall.) 162, 22 L.Ed. 627.*
36 *[Black's Law Dictionary Sixth Edition, p. 695]*

37 The important term in the above definition is the term "state", which is then precisely defined as follows in that same legal
38 dictionary:

39 *"State. A people permanently occupying a fixed territory bound together by common-law habits and custom*
40 *into one body politic exercising, through the medium of an organized government, independent sovereignty and*
41 *control over all persons and things within its boundaries, capable of making war and peace and of entering into*
42 *international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201*
43 *207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v.*
44 *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.*
45 *Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d 636, 254 N.Y.S.2d 763, 765. A body of people*
46 *occupying a definite territory and politically organized under one government. State ex re. Maisano v.*
47 *Mitchell, 155 Conn. 256, 231 A.2d 539, 542. A territorial unit with a distinct general body of law.*
48 *Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to*
49 *an individual government unit of such nation (e.g. California).*

50 [...]

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

4 In a Republican Form of Government, the "state" then, is the People both individually and collectively, who are the
5 Sovereigns, and *they*, not their public servants, govern themselves using laws that they mutually and individually consent to
6 through their elected representatives. The Declaration of Independence says "that to secure these rights, governments are
7 instituted among men, deriving their just powers from the consent of the governed". That consent expresses itself in several
8 ways:

- 9 1. Pledging allegiance to the flag of our nation or state.
- 10 2. Swearing an oath. Jesus commanded us NOT to swear oaths in [Matt. 5:33-37](#).
- 11 3. Signing a government form containing a perjury statement that subjects us to the jurisdiction of that government.
- 12 4. Signing a government form obligating us to do something.
- 13 5. Voting for our elected representatives and then having them enact our laws (agreements) into positive law.
- 14 6. Submitting ourselves to the jurisdiction of the court when there is litigation. This includes entering a plea in a court of
15 justice when accused of a crime. Pleas must be consensual.
- 16 7. Sending our money to a public servant when they ask for it.
- 17 8. Volunteering to serve in the military BEFORE we are drafted.
- 18 9. By obeying the request of a public servant to do something.

19 Anything not consensual is therefore unjust and the Supreme Court describes it as a "despotism".

20 *"It must be conceded that there are rights in every free government beyond the control of the State [or a*
21 *covetous jury or majority of electors]. A government which recognized no such rights, which held the lives,*
22 *liberty and property of its citizens, subject at all times to the disposition and unlimited control of even the*
23 *most democratic depository of power, is after all a despotism. It is true that it is a despotism of the many--of*
24 *the majority, if you choose to call it so--but it is not the less a despotism."*
25 [*Loan Ass'n v. Topeka, 87 U.S. (20 Wall.) 655, 665 (1874)*]

26 The purpose of our system of justice is exclusively to ensure that everything that happens in society is done *only* by
27 consent, and to punish those:

- 28 1. Who deprive others of life, liberty, or property *without* their consent. Involuntary deprivation of any one of these three
29 is an injury, whether or not there is a law that criminalizes the behavior. The sole purpose law protects us by
30 preventing such injury.
- 31 2. Who compel people to do anything either through force, or fraud, or both. That is why kidnapping, fraud, extortion,
32 rape, and racketeering are all crimes.

33 Any good Republican government *must* ask for your individual consent preferably in writing in order to take your money or
34 property through taxation or judicial process. This is the requirement of the Fifth Amendment. There are only three types
35 of governments in the context of "consent":

- 36 1. When the government is honest, it will ask for consent directly and thereby inform you that you and not them are in
37 charge. This was the [de jure government](#) our founders gave us.
- 38 2. When the government is dishonest and deceptive and greedy and covetous of power and money but still at least a little
39 democratic in form, it will do it so indirectly that you never even knew you gave consent. In such a corrupted
40 government those who expose the deception and tyranny of the process by which consent was fraudulently procured
41 are then punished and persecuted. This is the [de facto government](#) we have today: one that punishes those who expose
42 the fraud and extortion that is the income tax and who also oppose any other type of government tyranny.
- 43 3. If the government is completely tyrannical, such as a monarchy or dictatorship, it will completely disregard the will of
44 the people and *never* ask them for permission or consent to do anything. Sovereignty resides in the king or dictator and
45 not the people under such a government. This is the type of government we have within the federal zone or federal
46 "United States"^[1], where the people within it are ruled by people who do not live there, but instead by a Congress full
47 of people who are alien to it and who came from states of the Union.

48 The most substantive evidence that we have good government is that it is continually asking for our consent in a very
49 explicit way and always reminding us that *we, and not them*, are in charge!

1 *"Remember the word that I said to you, "A servant is not greater than his master." If they persecuted Me, they*
2 *will also persecute you. If they kept My word, they will keep yours also."*
3 *[Jesus in [John 15:20](#), Bible, NKJV]*

4 When people get together and decide to give consent as a collective, they do so only through a written Constitution (which
5 is a contract) or through enacted positive law. The Supreme Court calls this approach "government by compact":

6 *"In Europe, the executive is synonymous with the sovereign power of a state...where it is too commonly*
7 *acquired by force or fraud, or both...In America, however the case is widely different. Our government is*
8 *founded upon compact [consent expressed in a written contract called a Constitution or in positive law].*
9 *Sovereignty was, and is, in the people."*
10 *[Glass v. The Sloop Betsy, 3 (U.S.) Dall 6]*

11 Note the above profound statement of the U.S. Supreme Court: *"In Europe, the executive is synonymous with the sovereign*
12 *power of a state...where it is too commonly acquired by force or fraud, or both."* This is what happens when governments
13 are created or choose to operate without the consent of the people they exist to serve: force or fraud. This is also exactly
14 what happens, for instance, in a pure democracy where the majority rules unconstrained by a bill of rights, but it can't
15 happen in a Republic. The existence of force or fraud within any government, in fact, is the essence of tyranny. The
16 unlawful application of force or fraud is also precisely the same disease that now afflicts and corrupts our allegedly
17 republican form of government, and which has thereby transformed it into a de facto socialist democracy which disrespects
18 the Constitutional rights of individuals and abuses and enslaves its citizens in violation of the Thirteenth Amendment. This
19 force or fraud is implemented mainly using deceptive definitions, vaguely written laws that are subject to misinterpretation,
20 and collusion between the Judicial and the Executive Branches to in effect undermine the Constitution and consolidate all
21 power into the hands of the Executive Branch of the government. The tools that our treasonous politicians have used to
22 effect this will be thoroughly documented and explained later in the book in section 6.1.

23 Here is the legal definition of "compact" to prove our point that the Constitution and all federal law written in furtherance
24 of it are indeed a "compact":

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

32 Enacting a mutual agreement into positive law then, becomes the vehicle for expressing the fact that the People collectively
33 agreed and consented to the law and to accept any adverse impact that law might have on their liberty. Public servants
34 then, are just the apparatus that the sovereign People use for governing themselves. As the definition above shows, the
35 apparatus and machinery of government is simply the "rudder" that steers the ship, but the Captain of the ship is the People
36 individually and collectively. In a true Republican Form of Government, the REAL government is the people individually
37 and collectively, and not their public servants.

38 An excellent free video animation is provided on our website to help illustrate in very simple terms that all just government
39 is based on consent, and that liberty can only exist where the actions of all parties are free of force, fraud, and duress. It is
40 called "The Philosophy of Liberty" and we highly encourage you to view it:

41 <http://famguardian.org/Subjects/Freedom/Articles/PhilosophyOfLiberty-english.swf>

42 We will now summarize the above analysis succinctly into a single terse definition of "government", in the case of our
43 Republican Form of Government mandated by Article 4, Section 4 of the U.S. Constitution:

44 *"Government. The means by which the sovereigns, who are the People individually and collectively and who*
45 *are called the "state", exercise their divine and natural right directly from God to regulate and control and*
46 *govern their own affairs so as to:*

- 47 1. *Protect each other from harm to their life, liberty, and property. See the last six commandments of*
48 *the ten commandments found in Exodus 20:12-17. The greatest protection of our liberties comes*
49 *from a separation of powers within government, so that power cannot concentrate and produce*

1 tyranny. This is the basis of having a Republican Form of Government and it is called the
2 "Separation of Powers Doctrine" in the legal field.

- 3 2. Provide the maximum liberty to every member of society. In the legal realm, this is called "equal
4 protection of the laws" and its purpose is to eliminate partiality in judgment. The following
5 scriptures from God's Laws prohibit partiality in judgment: Exodus 23:3, Leviticus 19:15, Deut.
6 1:17, Deut. 10:17, Deut. 16:19, Job 13:10, Prov. 18:5, Prov. 24:23, Prov. 28:21. Romans 2:11,
7 James 2:9, James 3:17. The declaration of independence also says that all men are created equal
8 and those who are equal cannot be discriminated against or have their liberty taken away because
9 they are black, poor, disadvantaged, or a "nontaxpayer".
- 10 3. Honor their God and perfect their faith and salvation by obeying His sacred laws, and NO OTHER
11 LAW. See Ecclesiastes 12:13, which says that man's sole purpose on earth is to fear God and keep
12 His holy commandments. James 2:14-26 also says that our faith is perfected by our works of
13 obedience to a sovereign God and His laws, and that faith without works is dead faith. Genesis 1:28
14 also identifies the source of ALL of our delegated authority to govern ourselves, which is God
15 Himself. Here, in fact, is what God says on this very subject of writing laws that conflict with God's
16 laws:

17 But to the wicked, God says:

18 "What right have you to declare My statutes [write man's vain law], or
19 take My covenant [the Bible] in your mouth, seeing you hate instruction
20 and cast My words behind you? When you saw a thief, you consented with
21 him, and have been a partaker with adulterers. You give your mouth to
22 evil, and your tongue frames deceit. You sit and speak against your
23 brother; you slander your own mother's son. These things you have done,
24 and I kept silent; you thought that I was altogether like you; but I will
25 reprove you, and set them in order before your eyes. Now consider this,
26 you who forget God, lest I tear you in pieces, and there be none to
27 deliver: Whoever offers praise glorifies Me; and to him who orders his
28 conduct aright [and bases it on God's laws] I will show the salvation of
29 God."
30 [Psalms 50:16-23, Bible, NKJV]

31 In satisfying the above requirements, the people satisfy the first of the two great commandments to love our God
32 with all our heart, mind, and soul, found in Exodus 20:2-11. The above requirements also fulfill the second of
33 the two great commandments to love our neighbor as ourself, which is found in Leviticus 19:18, Gal. 5:14,
34 Mark 12:28-33; Romans 13:9, Matt. 22:39; Luke 10:27; James 2:8 within the Bible.

35 The collective result of the sovereign people governing themselves under God's laws found in the Bible is
36 protection, both while they are on this earth and after they die. Man's laws only protect us while we are here in
37 body, but God's laws also protect us after we die and become spirit. Therefore, a just society will base its laws
38 entirely and exclusively upon God's laws so as to maximize protection for all people both here and in the
39 afterlife. Anything less will produce evil in the sight of the Lord, perversion of the purposes of government,
40 tyranny, and abuse of the legal and governmental apparatus for personal profit.

41 To answer the main question of this section on what exactly is government in the simplest possible way:

42 "IN AMERICA, GOVERNMENT IS US! WE ARE THE GOVERNMENT! EVERY ONE
43 OF US! Why? Because in America under a Republican Form of Government, the People
44 are the sovereigns, and not their public servants."

45 The above conclusions are consistent with the Supreme Court, which said on this very subject:

46 "From the differences existing between feudal sovereignties and Government founded on compacts, it
47 necessarily follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation
48 or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally
49 ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the
50 Government; here, never in a single instance; our Governors are the agents of the people, and at most stand
51 in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes
52 have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in
53 the sovereignty otherwise, or in any other capacity, than as private citizens."
54 [Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472 (1794)]

55 The above conclusions are also completely consistent with the words of President Abraham Lincoln, who said in his
56 famous Gettysburg Address during the Civil War in 1863:

1 *"It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we*
2 *take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly*
3 *resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of*
4 *freedom—and **that government of the people, by the people, for the people, shall not perish from the earth.***
5 *[Abraham Lincoln, Gettysburg Address, November 19, 1863]*

6 ". . .government of the people, by the people, and for the people" makes the People their own governors and government.
7 We simply can't have any rulers above us if our Constitution (Article 4, Section 2 and Fourteenth Amendment, Section 1)
8 makes everyone equal under the law and our Declaration of Independence says "All men are created equal". If the Judge
9 and the President and the Congressmen have the same rights as us, they can't be our rulers, and can only be our servants.
10 Even the Supreme Court agrees with the conclusion that the People are the sovereigns, which makes them their OWN
11 governors and rulers:

- 12 • [Boyd v. State of Nebraska, 143 U.S. 135 \(1892\)](#): "The words 'people of the United States' and 'citizens,' are
13 synonymous terms, and mean the same thing. **They both describe the political body who, according to our**
14 **republican institutions, form the sovereignty, and who hold the power and conduct the government through**
15 **their representatives.** They are what we familiarly call the 'sovereign people,' and every citizen is one of this
16 people, and a constituent member of this sovereignty. . . ."
- 17 • [Juilliard v. Greenman, 110 U.S. 421 \(1884\)](#): "There is no such thing as a power of inherent sovereignty in the
18 government of the United States. . . .In this country sovereignty resides in the people, and Congress can exercise no
19 power which they have not, by their Constitution entrusted to it. All else is withheld."
- 20 • [Hale v. Henkel, 201 U.S. 43 \(1906\)](#): "His [the individual's] rights are such as existed by the law of the land long
21 antecedent to the organization of the State, and can only be taken from him by due process of law, and in
22 accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of
23 himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public
24 so long as he does not trespass upon their rights."
- 25 • [Perry v. U.S., 294 U.S. 330 \(1935\)](#): "In the United States, sovereignty resides in the people. . . .the Congress cannot
26 invoke sovereign power of the People to override their will as thus declared."
- 27 • [Yick Wo v. Hopkins, 118 U.S. 356 \(1886\)](#): "Sovereignty itself is, of course, not subject to law, for it is the author
28 and source of law. . . .While sovereign powers are delegated to. . . .the government, sovereignty itself remains with the
29 people."

30 Another very important inference about the meaning of government is in order at this point. If WE are the government here
31 in America, and if WE accept any money from a public servant, then WE also become "[employees](#)" of the government
32 within a legal context. The tax code is written to apply entirely and exclusively to instrumentalities, "public officials", and
33 "employees" of the federal government, which is exactly what we become if we accept any amount of money from our
34 public servants that we did not in fact earn with our own personal sweat and labor. When public servants try to bribe you
35 with your own stolen "tax" money using a socialist handout program, they in effect are attempting to bring you under the
36 control of their laws as "[employees](#)" of the government! The only thing the government can lawfully spend money on is a
37 "public purpose", which means you must be a federal employee or instrumentality on official business executing a
38 constitutionally authorized government function in order to lawfully receive public funds. Otherwise, you are committing
39 theft and embezzlement by converting public funds to a private use. Remember that the primary purpose of law is to
40 control and limit what government can do so that the true sovereigns, the people, will be LEFT ALONE by the government.

41 *"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They*
42 *recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a*
43 *part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect*
44 *Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the***
45 **Government, the right to be let alone - the most comprehensive of rights and the right most valued by**
46 **civilized men.**"
47 *[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v.*
48 *Harper, 494 U.S. 210 (1990)]*

49 This status of having accepted their stolen loot and thereby becoming connected to them as an "employee" is the status
50 described in the Internal Revenue Code as being "[effectively connected](#) with a [trade or business](#) in the United States".
51 Those who are "effectively connected" are plugged into the government matrix. This point will become very important
52 later on in Chapter 5, where we talk about who the proper subjects of the Internal Revenue Code truly are. This status of

1 being “effectively connected” really means that we have become a government whore and adulterer. The legal dictionary
2 defines “commerce” as intercourse:

3 *“Commerce. ...**Intercourse** by way of trade and traffic between different peoples or states and the
4 citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the
5 instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it
6 is carried on...”*
7 *[Black’s Law Dictionary, Sixth Edition, p. 269]*

8 The Bible describes believers (us) as God’s bride.

9 *“**For your Maker is your husband, the Lord of hosts is His name; and your Redeemer is the Holy One of**
10 **Israel; he is called the God of the whole earth, for the Lord has called you like a woman forsaken and**
11 **grieved in spirit, like a youthful wife when you were refused,” says your God.”**
12 *[Isaiah 54:5-6, Bible, NKJV]**

13 When we as God’s bride accept stolen loot, and involve ourselves in commerce with the government, we become adulterers
14 and friends of the world:

15 *“Where do wars and fights come from among you? **Do they not come from your desires for pleasure**
16 **[unearned money] that war in your members [and your democratic governments]? You lust [after other**
17 **people’s money] and do not have. You murder [the unborn to increase your standard of living] and covet [the**
18 **unearned] and cannot obtain [except by empowering your government to STEAL for you!]. You fight and war**
19 **[against the rich and the nontaxpayers to subsidize your idleness]. Yet you do not have because you do not ask**
20 **[the Lord, but instead ask the deceitful government]. You ask and do not receive, because you ask amiss, that**
21 **you may spend it on your pleasures. Adulterers and adulteresses! Do you not know that friendship with the**
22 **world [or the governments of the world] is enmity with God?** Whoever therefore wants to be a friend of the
23 world [or the governments of the world] makes himself an enemy of God.”
24 *[James 4:4, Bible, NKJV]**

25 **3 Background on corporations and franchises generally**

26 All corporations are what is called “franchises”. Below is the definition of “franchise”:

27 *FRANCHISE. **A special privilege conferred by government on individual or corporation, and which does not**
28 **belong to citizens of country generally of common right.** Elliott v. City of Eugene, 135 Or. 108, 294 P. 358,
29 360. In England it is defined to be a royal privilege in the hands of a subject.*

30 *A “franchise,” as used by Blackstone in defining quo warranto, (3 Com. 262 [4th Am. Ed.] 322), had reference
31 to a royal privilege or branch of the king’s prerogative subsisting in the hands of the subject, and must arise
32 from the king’s grant, or be held by prescription, but today we understand a franchise to be some special
33 privilege conferred by government on an individual, natural or artificial, which is not enjoyed by its citizens in
34 general. State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.*

35 ***In this country a franchise is a privilege or immunity of a public nature, which cannot be legally exercised**
36 **without legislative grant. To be a corporation is a franchise.** The various powers conferred on corporations
37 are franchises. The execution of a policy of insurance by an insurance company [e.g. **Social**
38 **Insurance/Socialist Security**], and the issuing a bank note by an incorporated bank [such as a **Federal Reserve**
39 **NOTE**], are franchises. People v. Utica Ins. Co., 15 Johns., N.Y., 387, 8 Am.Dec. 243. But it does not embrace
40 the property acquired by the exercise of the franchise. Bridgeport v. New York & N. H. R. Co., 36 Conn. 255, 4
41 Arn.Rep. 63. Nor involve interest in land acquired by grantee. Whitbeck v. Funk, 140 Or. 70, 12 P.2d 1019,
42 1020 **In a popular sense, the political rights of subjects and citizens are franchises, such as the right of**
43 **suffrage. etc. Pierce v. Emery, 32 N.H. 484; State v. Black Diamond Co., 97 Ohio St. 24, 119 N.E. 195, 199,**
44 **L.R.A.1918E, 352.***

45 *Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.*

46 *Exclusive Franchise. See Exclusive Privilege or Franchise.*

47 *General and Special. The charter of a corporation is its “general” franchise, while a “special” franchise
48 consists in any rights granted by the public to use property for a public use but-with private profit. Lord v.
49 Equitable Life Assur. Soc., 194 N.Y. 212, 81 N. E. 443, 22 L.R.A.,N.S., 420.*

1 *Personal Franchise. A franchise of corporate existence, or one which authorizes the formation and existence of*
2 *a corporation, is sometimes called a "personal" franchise, as distinguished from a "property" franchise, which*
3 *authorizes a corporation so formed to apply its property to some particular enterprise or exercise some special*
4 *privilege in its employment, as, for example, to construct and operate a railroad. See Sandham v. Nye, 9*
5 *Misc.ReP. 541, 30 N.Y.S. 552.*

6 *Secondary Franchises. The franchise of corporate existence being sometimes called the "primary" franchise of*
7 *a corporation, its "secondary" franchises are the special and peculiar rights, privileges, or grants which it may,*
8 *receive under its charter or from a municipal corporation, such as the right to use the public streets, exact tolls,*
9 *collect fares, etc. State v. Topeka Water Co., 61 Kan. 547, 60 P. 337; Virginia Canon Toll Road Co. v. People,*
10 *22 Colo. 429, 45 P. 398 37 L.R.A. 711. The franchises of a corporation are divisible into (1) corporate or*
11 *general franchises; and (2) "special or secondary franchises. The former is the franchise to exist as a*
12 *corporation, while the latter are certain rights and privileges conferred upon existing corporations. Gulf*
13 *Refining Co. v. Cleveland Trust Co., 166 Miss. 759, 108 So. 158, 160.*

14 *Special Franchisee. See Secondary Franchises, supra.*
15 *[Black's Law Dictionary, 4th Edition, pp. 786-787]*

16 A "[franchise](#)" is an arrangement usually between you and the government, the voluntary acceptance of which puts you into
17 a "privileged" state and causes a surrender of constitutional rights of one kind or another. The courts call "franchises" by
18 various pseudonyms to disguise the nature of the inferior relation to the government of "franchisees", such as "public
19 right". Franchises include:

- 20 1. [Domicile](#) in the forum state, which causes one to end up being one of the following:
 - 21 1.1. Statutory "U.S. citizen" pursuant to [8 U.S.C. §1401](#) if a domestic national.
 - 22 1.2. Statutory "Permanent resident" pursuant to [26 U.S.C. §7701\(b\)\(1\)\(A\)](#) if a foreign national.
- 23 2. Becoming a registered "voter" rather than an "elector".
- 24 3. [I.R.C. 501\(c\)\(3\)](#) status for churches. Churches that register under this program become government "trustees" and
25 "public officials" that are part of the government. Is THIS what you call "separation of church and state"? See:
26 <http://famguardian.org/Subjects/Spirituality/spirituality.htm#TAXATION OF CHURCHES AND CHURCH GOERS>:
- 27 4. Serving as a jurist. [18 U.S.C. §201\(a\)\(1\)](#) says that all persons serving as federal jurists are "public officials".
- 28 5. Attorney licenses. All attorneys are "officers of the court" and the courts in turn are part of the government. See the
29 following for details:

[Why You Don't Want An Attorney](#)
<http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Corruption/WhyYouDontWantAnAtty/WhyYouDon'tWantAnAttorney.htm>

- 30 6. Marriage licenses. See the following for details:

[Sovereign Christian Marriage](#)
<http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm>

- 31 7. Driver's licenses. See the following for details:

[Defending Your Right to Travel](#)
<http://sedm.org/ItemInfo/Ebooks/DefYourRightToTravel.htm>

- 32 8. Professional licenses.
- 33 9. Fishing licenses.
- 34 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>

- 35 11. Medicare.
- 36 12. Medicaid.
- 37 13. FDIC insurance of banks. [31 CFR §202.2](#) says all FDIC insured banks are "agents" of the federal government and
38 therefore "public officers".

39 Nearly every type of government-issued benefit, license, or "[privilege](#)" you could possibly procure makes you into a
40 "[public officer](#)", "public official", "[fiduciary](#)", "alien", "[resident](#)", "[transferee](#)", or "trustee" of the government of one kind or
41 another with a "residence" on federal [territory](#). The application of license to procure the benefits of the franchise creates a
42 "RES" which is "IDENT-ified" within the government's legislative jurisdiction on federal territory. Hence "[RES-](#)
43 [IDENT](#)"/"[resident](#)".

44 *"Res. Lat. The subject matter of a trust or will [or legislation]. In the civil law, a thing; an object. As a term*
45 *of the law, this word has a very wide and extensive signification, including not only things which are objects of*
46 *property, but also such as are not capable of individual ownership. And in old English law it is said to have a*
47 *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 [for 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]

This "res-ident" is what most people in the freedom community would refer to as your "straw man". If it is a state-issued license or benefit, that federal [territory](#) is usually in a [federal area within the exterior limits of the state](#). The reason all licenses must presume federal [territory](#) is that licenses usually regulate the exercise of rights protected by the Constitution and the Bill of Rights portion of the Constitution does not apply on federal [territory](#). 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 strawman and provide tools to notify the government that you have disconnected yourself from this "strawman" who is the "public officer" that is the only proper or lawful subject of most federal legislation:

1. [Memorandum of Law on The Name](#) -describes the all caps "strawman"
<http://famguardian.org/Subjects/LawAndGovt/Articles/MemLawOnTheName.htm>
2. IRS Form 56: Notice Concerning Fiduciary Relationship, Form #04.010
<http://sedm.org/Forms/Tax/Form56/AboutIRSF56.htm>
3. Affidavit of Corporate Denial, Form #02.004
<http://sedm.org/Forms/Affidavits/AffCorpDenial.pdf>

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. It does not describe your own private status. This "public officer" is the "strawman" that is the subject of nearly all federal legislation that could or does regulate your conduct. For details on how the change in "choice of law" is effected by you voluntarily consenting to assume the duties of the "public officer" strawman, read sections 10 through 10.5 of our pamphlet below:

[Government Instituted Slavery Using Franchises](#), Form #05.030
<http://sedm.org/Forms/FormIndex.htm>

Table 1: 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 <u>statutory</u> "citizen" Non-citizen national (See Why You Are a "national" or a "state national" and NOT a "U.S. citizen")	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 Fed.R.Civ.P. 17(b) NOT a constitutional "citizen of the United States" pursuant to Fourteenth Amendment
	" Stateless person " "Transient foreigner"	Inhabitant
State of the Union	Foreign person	Domestic person " U.S. person " (26 U.S.C. §7701(a)(30)) Domiciliary
	"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	Domestic person
	Foreign estate	" U.S. person " (26 U.S.C. §7701(a)(30))

	(26 U.S.C. §7701(a)(31)) Nonstatutory trust	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)

1
2

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, Sections 1.4 through 1.11](#).

4 The Founding Fathers rejected the idea of a government that is a corporate franchise²

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.³ So, too, had been the power of incorporation. As Blackstone wrote, because “[t]he 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”.⁴ 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 asset 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.⁵*

Blackstone noted that “[t]he parliament * * * by it’s 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 intrench upon the prerogative of the crown, and the king may prevent it when he pleases.”⁶ Thus, the power to incorporate under English law was no, or at least no exclusively, “legislative” power. For, even when a corporate charter found its genesis in an actual Act of Parliament, as with any other statute it nevertheless needed the “royal asset [as] a necessary ingredient”.⁷

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,⁸ as the Supreme Court later held in *McCulloch v. Maryland*,⁹ then arguably the President retained an implied negative power over legislative incorporations in his general “executive Power”¹⁰—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”.¹¹ In the States, the power was apparently often deemed “legislative”, rather than “executive” (although on what ground, given the antecedent English law, is unclear).¹² But, even had the power somehow been transformed into a purely “legislative” one there, it had not automatically and sub silentio

² Adapted from *Pieces of Eight*, by Edwin Viera, Second Edition, Copyright 2002, Sheridan Books, Inc., Fredericksburg, Virginia, pp. 261 through 265.

³ See ante, at 118.

⁴ 1 W. Blackstone, *Commentaries*, ante note 172, at 271, 272-73.

⁵ Id. At 472, 473 (footnotes omitted).

⁶ Id. At 474.

⁷ See id. At 184-185.

⁸ U.S. Const. art. I, §8, cl. 18.

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

¹⁰ U.S. Const. art II, §1, cl. 1.

¹¹ 7 U.S. (4 Wheat.) at 423 (dictum).

¹² See 1 W. Crosskey, *Politics and the Constitution*, ante note 96, at 436-37.

1 pass to Congress on ratification of the Constitution, because Article I states that only “[a]ll legislative Powers herein
2 granted shall be vested in * * * Congress”,¹³ not all conceivable “legislative Powers”. And the power to incorporate
3 nowhere appears in haec verba in the Constitution.

4 Conceivably, the absence of an enumerated Congressional power to incorporate stemmed from the notion that, because the
5 power of incorporation as exercised by the King had been a power of dispensing with the common law in favor of
6 corporators, and because an implied “dispensing” power in the “executive Power” was inconsistent with the President’s
7 duty to “take Care that the Laws be faithfully executed”,¹⁴ the power to incorporate need not have been enumerated.¹⁵
8 This argument, however, is doubly defective. First, at most of it contends only (but does not, of course, prove) that the
9 President’s implied “executive Power” to incorporate was negated. It does not even assert, however, that the President’s
10 implied “executive Power” to prevent incorporation was extinguished. For the power to prevent incorporation could in
11 some cases be seen as a power “faithfully [to] executive]]” the “Laws”—for instance, where Congress attempted to create
12 a corporation with monopoly powers, in violation of the Constitution’s limitation on grants and monopolies.

13 Second, this argument overlooks how, in the Federal Convention, the Framers actually considered, but rejected, a
14 Congressional power of incorporation. The power was proposed in two forms: “To grant charters of incorporation in cases
15 where the public good may require them, and the authority of a single State may be incompetent”, and simply “To grand
16 charters of incorporation”,¹⁶ Working on the Committee of Style’s proposed draft of the Constitution, which included no
17 such power,

18 *Doc. Franklin moved to add after the words “post roads” Art. I, Section 8. “a power to provide for cutting*
19 *canals where deemed necessary”*

20 *Mr Wilson [seconded] the motion.*

21 *Mr Sherman objected. The expence in such cases will fall on the U. States, and the benefit accrue to the places*
22 *where the canals may be cut.*

23 *Mr Wilson. Instead of being an expence to the U.S. they may be made a source of revenue.*

24 *Mr Madison suggested an enlargement of the motion into a power “to grant charters of incorporation where*
25 *the interest of the U.S. might require & the legislative provisions of individual States may be incompetent.” His*
26 *primary object was however to secure an easy communication between the States which the free intercourse*
27 *now to be opened, seemed to call for. The political obstacles being removed, a removal of the natural ones as*
28 *far as possible ought to follow. Mr Randolph [seconded] the proposition.*

29 *Mr King thought the power unnecessary.*

30 *Mr. Wilson. It is necessary to prevent a State from obstructing the general welfare.*

31 *Mr. King. The States will be prejudiced and divided into parties by it. In Philad[elphia] & New York, It will be*
32 *referred to the establishment of a Bank, which has been a subject of contention in those Cities. In other places,*
33 *it will be referred to mercantile monopolies.*

34 *Mr. Wilson mentioned the importance of facilitating by canals, the communication with the Western*
35 *Settlements. As to Banks he did not think with Mr. King that the Power in that point of view would excite the*
36 *prejudices & parties apprehended. As to mercantile monopolies they are already included in the power to*
37 *regulate trade.*

38 *Col: Mason was for limiting the power to the single case of Canals. He was afraid of monopolies of every sort,*
39 *which he did not think were by any means already implied by the Constitution as supposed by Mr. Wilson.*

40 *The motions being so modified as to admit a distinct question specifying & limited to the case of canals,*

¹³ U.S. Const. art. I, §1 (emphasis supplied).
¹⁴ U.S. Const. art. II, §3.
¹⁵ See 1 W. Crosskey, Politics and the Constitution, ante note 96, at 437.
¹⁶ See 2 The Records of the Federal Convention, ante note 128, at 321, 322, 325.

1 N[ew] H[ampshire] no. Mas[sachusetts] no. C[onnecticut] no. N[ew] J[ersey] no. P[ennsylvania] a ay.
2 Del[aware] no. M[arylan]d no. V[irgini]a ay. N[orth] C[arolina] no. S[outh] C[arolina] no. Geo[r]gia ay.

3 The other part fell of course, as including the power rejected.¹⁷

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

17 The short of it all was that several proposals to empower Congress to incorporate were put forward—and the Framers
18 disapproved every one. That the proposals were advanced at all evidences their proponent’s belief, correct in light of the
19 standing Anglo-American law, that they were necessary, either to incorporate canals or banks, or to incorporate a
20 “mercantile monopol[y]”. And that the proposals were voted down proves that the Constitution contains no authority,
21 express or implied, for Congress to incorporate in general, or specifically to incorporate banks.

22 **5 The United States Government is a “Federal Corporation” franchise**

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

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

37 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
38 a federal corporation:

39 *TITLE 28 > PART IV > CHAPTER 85 > § 1349*
40 *§ 1349. Corporation organized under federal law as party*

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

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

45 *United States Code*
46 *TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE*

¹⁷ 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.

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. 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, 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:

[The Trade or Business Scam](http://sedm.org/Forms/FormIndex.htm), Form #05.001
<http://sedm.org/Forms/FormIndex.htm>

6 Corporate "Franchisees" are "residents" and "trustees" of the entity granting the privilege¹⁸

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

"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:

¹⁸ Adapted from Sovereignty Forms and Instructions Manual, Section 1.21.4.

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

8 **6.1 Creation of the “Resident” entity**

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

- 11 1. The main source of jurisdiction for the government is over commerce.
- 12 2. The mutual consideration passing between the parties provides the nexus for government jurisdiction over the
- 13 transaction.
- 14 3. Parties to the franchise agreement cannot engage in a franchise without implicitly surrendering governance over
- 15 disputes to the government granting the franchise.
- 16 4. The parties to the franchise agreement mutually and implicitly surrender their sovereign immunity under the Foreign
- 17 Sovereign Immunities Act, [28 U.S.C. §1605](#)(a)(2), which says that commerce within the legislative jurisdiction of the
- 18 “United States” constitutes constructive consent to be sued in the courts of the United States. This is discussed in more
- 19 detail in the previous section.

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

23 *In International Shoe Co. v. Washington, 326 U.S. 310 (1945), the Supreme Court held that a court may*
24 *exercise personal jurisdiction over a defendant consistent with due process only if he or she has "certain*
25 *minimum contacts" with the relevant forum "such that the maintenance of the suit does not offend 'traditional*
26 *notions of fair play and substantial justice.' " Id. at 316 (quoting Milliken v. Meyer, 311 U.S. 457, 463 (1940)).*
27 ***Unless a defendant's contacts with a forum are so substantial, continuous, and systematic that the defendant***
28 ***can be deemed to be "present" in that forum for all purposes, a forum may exercise only "specific"***
29 ***jurisdiction - that is, jurisdiction based on the relationship between the defendant's forum contacts and the***
30 ***plaintiff's claim.** The parties agree that only specific jurisdiction is at issue in this case.*

31 *In this circuit, we analyze specific jurisdiction according to a three-prong test:*

- 32 *(1) The non-resident defendant must purposefully direct his activities or consummate some transaction with the*
33 *forum or resident thereof; or perform some act by which he purposefully avails himself of the privilege of*
34 *conducting activities in the forum, thereby invoking the benefits and protections of its laws;*
35 *(2) the claim must be one which arises out of or relates to the defendant's forum-related activities; and*
36 *(3) the exercise of jurisdiction must comport with fair play and substantial justice, i.e. it must be reasonable.*

37 *Schwarzenegger v. Fred Martin Motor Co., 374 F.3d 797, 802 (9th Cir. 2004) (quoting Lake v. Lake, 817 F.2d*
38 *1416, 1421 (9th Cir. 1987)). The first prong is determinative in this case. We have sometimes referred to it, in*
39 *shorthand fashion, as the "purposeful availment" prong. Schwarzenegger, 374 F.3d at 802. Despite its label,*
40 *this prong includes both purposeful availment and purposeful direction. It may be satisfied by purposeful*
41 *availment of the privilege of doing business in the forum; by purposeful direction of activities at the forum; or*
42 *by some combination thereof.*

43 *We have typically treated "purposeful availment" somewhat differently in tort and contract cases. In tort cases,*
44 *we typically inquire whether a defendant "purposefully direct[s] his activities" at the forum state, applying an*
45 *"effects" test that focuses on the forum in which the defendant's actions were felt, whether or not the actions*
46 *themselves occurred within the forum. See Schwarzenegger, 374 F.3d at 803 (citing Calder v. Jones, 465 U.S.*
47 *783, 789-90 (1984)). By contrast, in contract cases, we typically inquire whether a defendant "purposefully*
48 *avails itself of the privilege of conducting activities" or "consummate[s] [a] transaction" in the forum, focusing*
49 *on activities such as delivering goods or executing a contract. See Schwarzenegger, 374 F.3d at 802. However,*
50 *this case is neither a tort nor a contract case. Rather, it is a case in which Yahoo! argues, based on the **First***
51 ***Amendment**, that the French court's interim orders are unenforceable by an American court.*
52 *[\[Yahoo! Inc. v. La Ligue Contre Le Racisme Et L'Antisemitisme, 433 F.3d 1199 \(9th Cir. 01/12/2006\)\]](#)*

1 The only legitimate purpose of all law and government is “protection”. A person who selects or consents to have a
2 “domicile” or “residence” within the jurisdiction of the government granting the franchise has effectively contracted to
3 procure “protection” of that “sovereign” or “state”. In exchange for the promise of protection by the “state”, they are
4 legally obligated to give their “allegiance and support”, thus nominating a Master who will be above them. Allegiance
5 implies subservience to a superior sovereign. All allegiance must be voluntary and any consequences arising from
6 compelled allegiance may not be enforced in a court of law. When you revoke your voluntary consent to the government’s
7 jurisdiction and the “domicile” or “residence” contract, you change your status from that of a “domiciliary” or “resident” or
8 “inhabitant” or “U.S. person” to that of a “transient foreigner”. Transient foreigner is then defined below:

9 *“Transient foreigner. One who visits the country, without the intention of remaining.”*
10 *[Black’s Law Dictionary, Sixth Edition,, p. 1498]*

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

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

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

21 *“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
22 one and despise the other. You cannot serve God and mammon.”*
23 *[Matt. 6:23-25, Bible, NKJV]*

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

26 ***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
27 word has a very wide and extensive signification, including not only things which are objects of property, but
28 also such as are not capable of individual ownership. And in old English law it is said to have a general
29 import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By “res,”
30 according to the modern civilians, is meant everything that may form an object of rights, in opposition to
31 “persona,” which is regarded as a subject of rights. “Res,” therefore, in its general meaning, comprises actions
32 of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference
33 to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*

34 ***Res is everything that may form an object of rights and includes an object, subject-matter or status. In re***
35 *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-*
36 *matter, or status, considered as the defendant in an action, or as an object against which, directly,*
37 *proceedings are taken. Thus, in a prize case, the captured vessel is “the res”; and proceedings of this*
38 *character are said to be in rem. (See In personam; In Rem.) “Res” may also denote the action or proceeding,*
39 *as when a cause, which is not between adversary parties, is entitled “In re _____”.*
40 *[Black’s Law Dictionary, Sixth Edition, pp. 1304-1306]*

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

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

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

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

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

26 All law is territorial in nature, and can act only upon the territory under the exclusive control of the government or upon its
27 franchises and contracts, which are "property" under its management and control. The only lawful way that government
28 laws can reach beyond the territory of the sovereign who controls them is through explicit, informed, mutual consent of the
29 individual parties involved, and this field of law is called "private law".

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

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

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

46 **6.2 Creation of the "Trustee" entity**

47 Let's start this section with a definition of "trustee":

48 "Trustee. Person holding property in trust. Restatement, Second, Trusts, §3(3). The person appointed, or
49 required by law, to execute a trust. One in whom an implied agreement to administer or exercise it for the
50 benefit or to the use of another. One who holds legal title to property "in trust" for the benefit of another

1 person (beneficiary) and who must carry out specific duties with regard to the property. The trustee owes a
2 fiduciary duty to the beneficiary. *Reineck v. Smith, Ill.*, 289 U.S. 172, 53 S.Ct. 570, 77 L.Ed. 1109.”
3 [Black’s Law Dictionary, Sixth Edition, p. 1514]

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

6 “In a legal or narrower sense, the term “franchise” is more often used to designate a right or privilege
7 conferred by law,¹⁹ and the view taken in a number of cases is that to be a franchise, the right possessed must
8 be such as cannot be exercised without the express permission of the sovereign power²⁰ –that is, a privilege or
9 immunity of a public nature which cannot be legally exercised without legislative grant.²¹ It is a privilege
10 conferred by government on an individual or a corporation to do that “which does not belong to the citizens of
11 the country generally by common right.”²² For example, a right to lay rail or pipes, or to string wires or poles
12 along a public street, is not an ordinary use which everyone may make of the streets, but is a special privilege,
13 or franchise, to be granted for the accomplishment of public objects²³ which, except for the grant, would be a

¹⁹ People ex rel. Fitz Henry v Union Gas & E. Co. 254 Ill 395, 98 NE 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 P2d 859; Ex parte Polite, 97 Tex Crim 320, 260 SW 1048.

The term “franchise” is generic, covering all the rights granted by the state. *Atlantic & G. R. Co. v Georgia*, 98 US 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.

²⁰ The term “franchise” is generic, covering all the rights granted by the state. *Atlantic & G. R. Co. v Georgia*, 98 US 359, 25 L ed 185.

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²¹ *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 NE 584; State ex rel. Clapp v Minnesota Thresher Mfg. Co. 40 Minn 213, 41 NW 1020.

²² *New Orleans Gaslight Co. v Louisiana Light & H. P. & Mfg. Co.* 115 US 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 NE 663; *Inland Waterways Co. v Louisville*, 227 Ky 376, 13 SW2d 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 A2d 918, 170 ALR 709; *Stoughton v Baker*, 4 Mass 522; *Poplar Bluff v Poplar Bluff Loan & Bldg. Asso. (Mo App)* 369 SW2d 764; *Madden v Queens County Jockey Club*, 296 NY 249, 72 NE2d 697, 1 ALR2d 1160, cert den 332 US 761, 92 L ed 346, 68 S Ct 63; *Shaw v Asheville*, 269 NC 90, 152 SE2d 139; *Victory Cab Co. v Charlotte*, 234 NC 572, 68 SE2d 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 SC 1, 153 SE 537; State v *Scougal*, 3 SD 55, 51 NW 858; *Utah Light & Traction Co. v Public Serv. Com.* 101 Utah 99, 118 P2d 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 P2d 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.

²³ *New Orleans Gaslight Co. v Louisiana Light & H. P. & Mfg. Co.* 115 US 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 NE 663; *Inland Waterways Co. v Louisville*, 227 Ky 376, 13 SW2d 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 A2d 918, 170 ALR 709; *Stoughton v Baker*, 4 Mass 522; *Poplar Bluff v Poplar Bluff Loan & Bldg. Asso. (Mo App)* 369 SW2d 764; *Madden v Queens County Jockey Club*, 296 NY 249, 72 NE2d 697, 1 ALR2d 1160, cert den 332 US 761, 92 L ed 346, 68 S Ct 63; *Shaw v Asheville*, 269 NC 90, 152 SE2d 139; *Victory Cab Co. v Charlotte*, 234 NC 572, 68 SE2d 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 SC 1, 153 SE 537; State v *Scougal*, 3 SD 55, 51 NW 858; *Utah Light & Traction Co. v Public Serv. Com.* 101 Utah 99, 118 P2d 683.

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trespass.²⁴ 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.²⁵
[Am.Jur. 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 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.

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 1 > CHAPTER 11 > §201](#)
[§201. Bribery of public officials and witnesses](#)

(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.

²⁴ People ex rel. Foley v Stapleton, 98 Colo 354, 56 P2d 931; People ex rel. Central Hudson Gas & E. Co. v State Tax Com. 247 NY 281, 160 NE 371, 57 ALR 374; People v State Tax Comrs. 174 NY 417, 67 NE 69, affd 199 US 1, 50 L ed 65, 25 S Ct 705.

²⁵ Young v Morehead, 314 Ky 4, 233 SW2d 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.

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

5 *Federal Rules of Civil Procedure*
6 [IV. PARTIES](#) > Rule 17.
7 [Rule 17. Parties Plaintiff and Defendant: Capacity](#)

8 (b) *Capacity to Sue or be Sued.*

9 *The capacity of an individual, **other than one acting in a representative capacity**, to sue or be sued shall be*
10 *determined by the law of the individual's domicile. **The capacity of a corporation [or its officers] to sue or be***
11 ***sued shall be determined by the law under which it was organized.** In all other cases capacity to sue or be*
12 *sued shall be determined by the law of the state in which the district court is held, except (1) that a partnership*
13 *or other unincorporated association, which has no such capacity by the law of such state, may sue or be sued in*
14 *its common name for the purpose of enforcing for or against it a substantive right existing under the*
15 *Constitution or laws of the United States, and (2) that the capacity of a receiver appointed by a court of the*
16 *United States to sue or be sued in a court of the United States is governed by [Title 28, U.S.C., §§ 754 and](#)*
17 [959\(a\)](#).

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

25 *Executive Order 12731*
26 *"Part 1 -- PRINCIPLES OF ETHICAL CONDUCT*

27 *"Section 101. Principles of Ethical Conduct. To ensure that every citizen can have complete confidence in the*
28 *integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental*
29 *principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this*
30 *order:*

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

33
34 *TITLE 5--ADMINISTRATIVE PERSONNEL*
35 *CHAPTER XVI--OFFICE OF GOVERNMENT ETHICS*
36 *PART 2635--STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH--*
37 *Table of Contents*
38 *Subpart A--General Provisions*
39 *Sec. 2635.101 Basic obligation of public service.*

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

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

46 *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be*
47 *exercised in behalf of the government or of all citizens who may need the intervention of the officer. ²⁶*
48 ***Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level***
49 ***of government, and whatever be their private vocations, are trustees of the people, and accordingly labor***
50 ***under every disability and prohibition imposed by law upon trustees relative to the making of personal***

²⁶ State ex rel. Nagle v Sullivan, 98 Mont 425, 40 P2d 995, 99 ALR 321; Jersey City v Hague, 18 NJ 584, 115 A2d 8.

1 financial gain from a discharge of their trusts.²⁷ That is, a public officer occupies a fiduciary relationship
2 to the political entity on whose behalf he or she serves.²⁸ and owes a fiduciary duty to the public.²⁹ It has
3 been said that the fiduciary responsibilities of a public officer cannot be less than those of a private
4 individual.³⁰ Furthermore, it has been stated that any enterprise undertaken by the public official which tends
5 to weaken public confidence and undermine the sense of security for individual rights is against public
6 policy.³¹
7 [63C Am.Jur.2d, Public Officers and Employees, §247]

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

10 [Code of Federal Regulations]
11 [Title 31, Volume 2]
12 [Revised as of July 1, 2006]
13 From the U.S. Government Printing Office via GPO Access
14 [CITE: 31CFR202.2]
15 TITLE 31--MONEY AND FINANCE: TREASURY
16 CHAPTER II--FISCAL SERVICE, DEPARTMENT OF THE TREASURY
17 PART 202 DEPOSITARIES AND FINANCIAL AGENTS OF THE FEDERAL GOVERNMENT \1\
18 Sec. 202.2 Designations.

19
20 (a) Financial institutions of the following classes are designated as Depositaries and Financial Agents of the
21 Government if they meet the eligibility requirements stated in paragraph (b) of this section:

22 (1) Financial institutions insured by the Federal Deposit Insurance Corporation.
23 (2) Credit unions insured by the National Credit Union
24 Administration.

25 (3) Banks, savings banks, savings and loan, building and loan, and homestead associations, credit unions
26 created under the laws of any State, the deposits or accounts of which are insured by a State or agency thereof
27 or by a corporation chartered by a State for the sole purpose of insuring deposits or accounts of such financial
28 institutions. United States branches of foreign banking corporations authorized by the State in which they are
29 located to transact commercial banking business, and Federal branches of foreign banking corporations, the
30 establishment of which has been approved by the Comptroller of the Currency.

31 (b) In order to be eligible for designation, a financial institution is required to possess, under its charter and
32 the regulations issued by its chartering authority, either general or specific authority to perform the services
33 outlined in Sec. 202.3(b). A financial institution is required also to possess the authority to pledge collateral
34 to secure public funds.

35 [44 FR 53066, Sept. 11, 1979, as amended at 46 FR 28152, May 26, 1981;
36 62 FR 45521, Aug. 27, 1997]

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

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

²⁷ Georgia Dep't of Human Resources v Sistrunk, 249 Ga 543, 291 SE2d 524. A public official is held in public trust. Madlener v Finley (1st Dist) 161 Ill App 3d 796, 113 Ill Dec 712, 515 NE2d 697, app gr 117 Ill Dec 226, 520 NE2d 387 and revd on other grounds 128 Ill 2d 147, 131 Ill Dec 145, 538 NE2d 520.

²⁸ Chicago Park Dist. v Kenroy, Inc., 78 Ill 2d 555, 37 Ill Dec 291, 402 NE2d 181, appeal after remand (1st Dist) 107 Ill App 3d 222, 63 Ill Dec 134, 437 NE2d 783.

²⁹ United States v Holzer (CA7 Ill) 816 F2d 304 and vacated, remanded on other grounds 484 US 807, 98 L Ed 2d 18, 108 S Ct 53, on remand (CA7 Ill) 840 F2d 1343, cert den 486 US 1035, 100 L Ed 2d 608, 108 S Ct 2022 and (criticized on other grounds by United States v Osser (CA3 Pa) 864 F2d 1056) and (superseded by statute on other grounds as stated in United States v Little (CA5 Miss) 889 F2d 1367) and (among conflicting authorities on other grounds noted in United States v Boylan (CA1 Mass) 898 F2d 230, 29 Fed Rules Evid Serv 1223).

³⁰ Chicago ex rel. Cohen v Keane, 64 Ill 2d 559, 2 Ill Dec 285, 357 NE2d 452, later proceeding (1st Dist) 105 Ill App 3d 298, 61 Ill Dec 172, 434 NE2d 325.

³¹ Indiana State Ethics Comm'n v Nelson (Ind App) 656 NE2d 1172, reh gr (Ind App) 659 NE2d 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

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

9 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
10 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](http://sedm.org/Forms/FormIndex.htm), Form #06.002
<http://sedm.org/Forms/FormIndex.htm>

11 **6.3 Example: Christianity**

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

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

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

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

24 "Beloved, I beg you **as sojourners and pilgrims**, abstain from fleshly lusts which war against the soul..."
25 [*1 Peter 2:11*, Bible, NKJV]

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

28 *Jesus' Mother and Brothers Send for Him*

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

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

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

39 *A person acquires a domicile of origin at birth.³² The law attributes to every individual a domicile of origin,³³*
40 *which is the domicile of his parents,³⁴ or of the father,³⁵ or of the head of his family:³⁶ or of the person on whom*

³² U.S. —Mississippi Bank of Choctaw Indians v. Holyfield, Missl, 109 S.Ct. 1597, 490 U.S. 30, 104 L.eEd.2d 29.

³³ Mass.—Commonwealth 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.

1 he is legally dependent,³⁷ at the time of his birth. While the domicile of origin is generally the place where one
2 is born³⁸ or reared,³⁹ may be elsewhere.⁴⁰ The domicile of origin has also been defined as the primary domicile
3 of every person subject to the common law.⁴¹
4 [Corpus Juris Secundum Legal Encyclopedia, Domicile, §7, p. 36;
5 SOURCE: <http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf>]

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

9 *Confess Christ Before Men*

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

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

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

19 "**He who has [understands and learns] My commandments [laws in the Bible (OFFSITE LINK)] and keeps**
20 **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
21 Myself to him."
22 [[John 14:21](#), Bible, NKJV]

23 "And we have known and believed the love that God has for us. **God is love, and he who abides in love**
24 **[obedience to God's Laws] abides in [and is a FIDUCIARY of] God, and God in him.**"
25 [[1 John 4:16](#), Bible, NKJV]

26 "Now by this we know that we know Him [God], if we keep His commandments. He who says, "I know Him,"
27 and does not keep His commandments, is a liar, and the truth is not in him. But whoever keeps His word, truly
28 the love of God is perfected in him. By this we know that we are in Him [His fiduciaries]. He who says he
29 abides in Him [as a fiduciary] ought himself also to walk just as He [Jesus] walked."
30 [[1 John 2:3-6](#), Bible, NKJV]

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

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

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

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

³⁴ 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.

³⁵ 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.

³⁶ N.Y.—Cohen v. Delaware, L. & W.R. Co., 269 N.Y.S. 667, 160 Misc. 450.

³⁷ N.C.—Hall v. Wake County Bd. Of Elections, 187 S.E.2d 52, 280 N.C. 600.

³⁸ U.S.—Gregg v. Louisiana Power and Light Co., C.A.La., 626 F.2d 1315.

³⁹ Ky.—Johnson v. Harvey, 88 S.W.2d 42, 261 Ky. 522.

⁴⁰ S.C. Cribbs v. Floyud, 199 S.E. 677, 188 S.C. 443.

⁴¹ N.Y.—In re McElwaine's Will, 137 N.Y.S. 681, 77 Misc. 317.

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

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

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

11 The above is also confirmed by the following scripture:

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

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

23 *California Family Code*
24 *Section 721*

25 *(b) Except as provided in Sections 143, 144, 146, 16040, and 16047 of the Probate Code, in transactions*
26 *between themselves, a husband and wife are subject to the general rules governing fiduciary relationships*
27 *which control the actions of persons occupying confidential relations with each other. This confidential*
28 *relationship imposes a duty of the highest good faith and fair dealing on each spouse, and neither shall take any*
29 *unfair advantage of the other. This confidential relationship is a fiduciary relationship subject to the same*
30 *rights and duties of nonmarital business partners, as provided in Sections 16403, 16404, and 16503 of the*
31 *Corporations Code, including, but not limited to, the following:*

32 [SOURCE: [http://www.leginfo.ca.gov/cgi-](http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=3893365889+0+0+0&WAIAction=retrieve)
33 [bin/waisgate?WAISdocID=3893365889+0+0+0&WAIAction=retrieve](http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=3893365889+0+0+0&WAIAction=retrieve)]

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

[Sovereign Christian Marriage](http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm)
<http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm>

39 **6.4 Example: Opening a Bank Account**

40 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.
41 You go to the bank to open the account. The clerk presents you with an agreement that you must sign before you open the
42 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
43 sign the account agreement, the bank doesn't know anything about you and you don't have an account there, so you are the
44 equivalent of an "alien". An "alien" is someone the bank will not recognize or interact with or help. They can only

1 lawfully help “customers”, not “aliens”. After you exercise your right to contract by signing the bank account agreement,
2 then you now become a “resident” of the bank. You are a “resident” because:

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

21 **6.5 Summary**

22 The government does things *exactly* the same way as that of the previous two sections. In that sense, they are a counterfeit
23 of God’s Biblical plan and a cheap, satanic imitation. Satan has always been an imitator of God’s creation. The only
24 difference is the product they deliver. The bank delivers financial services, and the government delivers “protection” and
25 “social” services. The account number is the social security number. You can’t have or use a social security number and
26 avail yourself of its benefits without consenting to the jurisdiction of the franchise agreement and trust document that
27 authorized its’ issuance, which is the Social Security Act found in Title 42 of the U.S. Code.

28 CALIFORNIA CIVIL CODE
29 DIVISION 3. OBLIGATIONS
30 PART 2. CONTRACTS
31 CHAPTER 3. CONSENT
32 [Section 1589](#)
33

34 *1589. A voluntary acceptance of the benefit of a [government benefit] transaction is equivalent to a consent to*
35 *all the obligations [and legal liabilities] arising from it, so far as the facts are known, or ought to be known, to*
36 *the person accepting.*

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

42 A mere innocent act can imply or trigger “constructive consent” to a legal contract, and in many cases, you may not even be
43 aware that you are exercising your right to contract. Watch out! For instance, the criminal code in your state behaves like a
44 contract. The “police” are simply there to enforce the contract. As a matter of fact, their job was created by that contract.
45 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
46 are not subject to it and it is “foreign” to you. You become the equivalent of a “resident” within the criminal code and
47 subject to the legislative jurisdiction of that code ONLY by committing a “crime” identified within it. That “crime”
48 triggers “constructive consent” to the terms of the contract and all the obligations that flow from it, including prison time
49 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
50 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
51 laws of a “state” are those with a “domicile” or “residence” within the jurisdiction of that “state”. Those who don’t have

1 such a “domicile” or “residence” and who are therefore not subject to the civil laws of that state are called “transient
2 foreigners”. This is a very interesting subject that we find most people are simply fascinated with, because it helps to
3 emphasize the “voluntary nature” of all law.

4 **7 Incorporation of District of Columbia**

5 The District of Columbia was created as a corporation by Act of Congress in 1871, 16 Stat. 419, 426, Sec. 34. The relevant
6 portions of that act read as follows:

7 *CHAP. LXII. – An Act to provide a Government for the District of Columbia*
8 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress*
9 *assembled, That all that part of the territory of the United States included within the limits of the District of*
10 *Columbia be, and the same is hereby, created into a government of the name of the District of Columbia, by*
11 *which name it is hereby constituted a body corporate for municipal purposes, and may contract and be*
12 *contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a*
13 *municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of*
14 *this act.*
15 *[Statutes at Large, 16 Stat. 419 (1871)]*

16 **8 States of the Union have been replaced by Federal Corporations⁴²**

17 The governments of each state of the Union preside over TWO mutually exclusive and separate jurisdictions, which we
18 summarize below:

- 19 1. Republic State. Land within the exclusive jurisdiction of the state fall within this area.
20 2. Corporate State. This area consists of federal areas within the exterior limits of the state. These areas are federal
21 territory not protected by the Constitution of the United States or the Bill of Rights and are “instrumentalities” of the
22 federal government. Jurisdiction over these areas is shared with the federal government under the auspices of the
23 following legal authorities:
24 2.1. The Assimilated Crimes Act, 18 U.S.C. §13.
25 2.2. The Rules of Decision Act, 28 U.S.C. §1652. This act prescribes which of the two conflicting laws shall prevail
26 in the case of crimes on federal territory.
27 2.3. 28 U.S.C. §2679(c) , which says that any action against an officer or employee of the United States in which the
28 officer or employee is acting outside their authority shall be prosecuted in a state court.
29 2.4. Agreements on Coordination of Tax Administration (ACTA) between the state and the Secretary of the Treasury.

30 The situation above in respect to a state is not unlike our national government, which has two mutually exclusive
31 jurisdictions:

32 *“It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to*
33 *its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District*
34 *of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these*
35 *authorities was the law in question passed?”*
36 *[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]*

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

⁴² Adapted from section 4 of SEDM Form #05.031 entitled *State Income Taxes*.

1 The hard part is figuring out which of the two jurisdictions that any particular state statute or law applies to. What makes
2 this process difficult are the following complicating factors:

- 3 1. There is no constitutional requirement that the laws passed by the state legislature must clearly state which of the two
4 jurisdiction they apply to. This was also confirmed in the following exhibit, which is a letter from a United States
5 Congressman:
6 <http://sedm.org/Exhibits/EX0007.pdf>
- 7 2. Crafty state legislators deliberately obfuscate the laws they write so as to encourage those within the Republic to obey
8 laws that in fact only apply to the Corporate state so as to unlawfully increase their revenues, power, and control.
- 9 3. Courts of INjustice and the judges who serve in them refuse to acknowledge that most statutes passed by the legislature
10 can only lawfully affect federal areas and persons who consent to be treated as though they inhabit these areas.

11 Within federal law, the Republic portion of each state is referred to as a “foreign state”. To wit:

12 *"Foreign states. Nations which are outside the United States. Term may also refer to another state; i.e. a sister*
13 *state."*
14 *[Black's Law Dictionary, Sixth Edition, p. 648]*

15 *"Generally, the states of the Union sustain toward each other the relationship of independent sovereigns or*
16 *independent foreign states, except in so far as the United States is paramount as the dominating government,*
17 *and in so far as the states are bound to recognize the fraternity among sovereignties established by the federal*
18 *Constitution, as by the provision requiring each state to give full faith and credit to the public acts, records, and*
19 *judicial proceedings of the other states..."*
20 *[81A Corpus Juris Secundum (C.J.S.) legal encyclopedia, United States, §29]*

21 *"The United States Government is a foreign corporation with respect to a state."* *[N.Y. v. re Merriam 36 N.E.*
22 *505; 141 N.Y. 479; affirmed 16 S.Ct. 1073; 41 L. Ed. 287] [underlines added]*
23 *[19 Corpus Juris Secundum (C.J.S.) legal encyclopedia, United States, §884]*

24 Even the U.S. Supreme Court admits that the Republic portion of states of the Union are “foreign states” with respect to the
25 federal government:

26 *We have held, upon full consideration, that although under existing statutes a circuit court of the United States*
27 *has jurisdiction upon habeas corpus to discharge from the custody of state officers or tribunals one restrained*
28 *of his liberty in violation of the Constitution of the United States, it is not required in every case to exercise its*
29 *power to that end immediately upon application being made for the writ. 'We cannot suppose,' this court has*
30 *said, 'that Congress intended to compel those courts, by such means, to draw to themselves, in the first instance,*
31 *the control of all criminal prosecutions commenced in state courts exercising authority within the same*
32 *territorial limits, where the accused claims that he is held in custody in violation of the Constitution of the*
33 *United States. The injunction to hear the case summarily, and thereupon 'to dispose of the party as law and*
34 *justice require' [R. S. 761], does not deprive the court of discretion as to the time and mode in which it will*
35 *exert the powers conferred upon it. That discretion should be exercised in the light of the relations existing,*
36 *under our system of government, between the judicial tribunals of the Union and of the states, and in*
37 *recognition of the fact that the public good requires that those relations be not disturbed by unnecessary*
38 *conflict between courts equally bound to guard and protect rights secured by the Constitution. When the*
39 *petitioner is in custody by state authority for an act done or omitted to be done in pursuance of a law of the*
40 *United States, or of an order, process, or decree of a court or judge thereof; or where, being a subject or citizen*
41 *of a foreign state, and domiciled therein, he is in custody, under like authority, for an act done or omitted under*
42 *any alleged right, title, authority, privilege, protection, or exemption claimed under the commission, or order,*
43 *or sanction of any foreign state, or under color thereof, the validity and effect whereof depend upon the law of*
44 *nations; in such and like cases of urgency, involving the authority and operations of the general government, or*
45 *the obligations of this country to, or its relations with, foreign nations, [180 U.S. 499, 502] the courts of the*
46 *United States have frequently interposed by writs of habeas corpus and discharged prisoners who were held in*
47 *custody under state authority. So, also, when they are in the custody of a state officer, it may be necessary, by*
48 *use of the writ, to bring them into a court of the United States to testify as witnesses.' Ex parte Royall, 117 U.S.*
49 *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*
50 *Sup. Ct. Rep. 848; Re Duncan, 139 U.S. 449 , 454, sub nom. Duncan v. McCall, 35 L. ed. 219, 222, 11 Sup. Ct.*
51 *Rep. 573; Re Wood, 140 U.S. 278 , 289, Sub nom. Wood v. Bursh, 35 L. ed. 505, 509, 11 Sup. Ct. Rep. 738;*
52 *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.*
53 *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*
54 *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,*
55 *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.*
56 *Ct. Rep. 331; Whitten v. Tomlinson, 160 U.S. 231, 242 , 40 S. L. ed. 406, 412, 16 Sup. Ct. Rep. 297; Iasigi v.*
57 *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,*
58 *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*

1 *Sup. Ct. Rep. 805; Fitts v. McGhee, 172 U.S. 516, 533 , 43 S. L. ed. 535, 543, 19 Sup. Ct. Rep. 269; Markuson*
2 *v. Boucher, 175 U.S. 184 , 44 L. ed. 124, 20 Sup. Ct. Rep. 76.*

3 *There are cases that come within the exceptions to the general rule. In Loncy's Case, 134 U.S. 372 , 375, sub*
4 *nom. Thomas v. Loney, 33 L. ed. 949, 951, 10 Sup. Ct. Rep. 584, 585, it appeared that Loney was held in*
5 *custody by the state authorities under a charge of perjury committed in giving his deposition as a witness before*
6 *a notary public in Richmond, Virginia, in the case of a contested election of a member of the House of*
7 *Representatives of the United States. He was discharged upon a writ of habeas corpus sued out from the circuit*
8 *court of the United States, this court saying: 'The power of punishing a witness for testifying falsely in a judicial*
9 *proceeding belongs peculiarly to the government in whose tribunals that proceeding is had. It is essential to the*
10 *impartial and efficient administration of justice in the tribunals of the nation, that witnesses should be able to*
11 *testify freely before them, unrestrained by legislation of the state, or by fear of punishment in the state courts.*
12 *The administration of justice in the national tribunals would be greatly embarrassed and impeded if a witness*
13 *testifying before a court of the United States, or upon a contested election of a member of Congress, were liable*
14 *to prosecution and punishment in the courts of the state upon a charge of perjury, preferred by a disappointed*
15 *suitor or contestant, or instigated by local passion or prejudice.'* So, in *Ohio v. Thomas, 173 U.S. 276, 284 , 285*
16 *S., 43 L. ed. 699, 702, 19 Sup. Ct. Rep. 453, 456, which was the case of the arrest of the acting governor [180*
17 *U.S. 499, 503] of the Central Branch of the National Home for Disabled Volunteer Soldiers, at Dayton, Ohio,*
18 *upon a charge of violating a law of that state, the action of the circuit court of the United States discharging*
19 *him upon habeas corpus, while in custody of the state authorities, was upheld upon the ground that the state*
20 *court had no jurisdiction in the premises, and because the accused, being a Federal officer, 'may, upon*
21 *conviction, be imprisoned as a means of enforcing the sentence of a fine, and thus the operations of the Federal*
22 *government might in the meantime be obstructed.'* The exception to the general rule was further illustrated in
23 *Boske v. Comingore, 177 U.S. 459, 466 , 467 S., 44 L. ed. 846, 849, 20 Sup. Ct. Rep. 701, 704, in which the*
24 *applicant for the writ of habeas corpus was discharged by the circuit court of the United States, while held by*
25 *state officers, this court saying: 'The present case was one of urgency, in that the appellee was an officer in the*
26 *revenue service of the United States whose presence at his post of duty was important to the public interests,*
27 *and whose detention in prison by the state authorities might have interfered with the regular and orderly course*
28 *of the business of the department to which he belonged.'*
29 *[State of Minnesota v. Brundage, 180 U.S. 499 (1901)]*
30 *[NOTE: The federal Courts of the United States as used above do not have the authority to interpose in foreign*
31 *countries, but only in states of the Union for violations of the Constitution, and since they did interpose above,*
32 *and since they did so in a "foreign state" and described that foreign state as a state of the Union, they are*
33 *admitting of no federal jurisdiction within any state of the Union]*

34 The Corporate State essentially acts as an agency or instrumentality of the U.S. government, assisting in the management
35 and control over federal areas. This agency is created by an ACTA agreement between the state and the federal
36 government, and it represents a delegation of authority by the federal government to allow the state government to enforce
37 their taxes and laws ONLY within the Corporate State and the federal areas within the exterior limits of the state which
38 comprise it. These federal areas qualify as “possessions” of the United States, and therefore “States” within federal law:

39 *TITLE 4 > CHAPTER 4 > § 110*
40 [§ 110. Same: definitions](#)

41 *(d) The term “State” includes any Territory or possession of the United States.*

42 The term “possession” is nowhere defined in the law that we have been able to locate. However, Black’s Law Dictionary
43 indicates that all “rights” or franchises constitute “property”.

44 *“Property. That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict*
45 *legal sense, an aggregate of rights which are guaranteed and protected by the government. *Fulton Light, Heat**
46 *& Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable*
47 *right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to*
48 *dispose of a thing in every legal way, to possess it, to use it, and to exclude every one else from interfering with*
49 *it. That dominion or indefinite right of particular things or subjects. The exclusive right of possessing,*
50 *enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that*
51 *right which one has to lands or tenements, goods or chattels, which no way depends on another man’s courtesy.*

52 *The word is also commonly used to denote everything which is the subject of ownership; corporeal or*
53 *incorporeal, tangible or intangible, visible or invisible, real or personal; everything that has an exchangeable*
54 *value or which goes to make up wealth or estate. It extends to every species of valuable right and interest, and*
55 *includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every*
56 *invasion of one’s property rights by actionable wrong. *Labberton v. General Cas. Co. of America, 53 Wash.2d**
57 *180, 332 P.2d 250, 252, 254.*

58 [. . .]

1 *Property within constitutional protection, denotes group of rights inhering in citizen's relation to physical*
2 *thing, as right to possess, use and dispose of it. Cereghino v. State By and Through State Highway*
3 *Commission, 230 Or. 439, 370 P.2d 694, 697."*
4 *[Black's Law Dictionary, Sixth Edition, p. 1216]*

5 If franchises are property and the ACTA agreement creates a franchise, then the collections of rights, privileges, and
6 benefits it conveys to the federal government constitutes "property" and therefore a "possession of the United States" from
7 a legal perspective. An example of federal territorial possessions include American Samoa and Swain's Island, which are
8 mentioned in 48 U.S.C. Chapter 13. Over possessions of the United States, federal legislative jurisdiction is "plenary",
9 meaning exclusive, except to the extent that they surrender any portion of it through legislation implementing what is called
10 "comity".

11 *"Plenary. Full, entire, complete, absolute, perfect, unqualified. Mashunkashney v. Mashunkashney, 191 Okl.*
12 *501, 134 P.2d 976, 979."*
13 *[Black's Law Dictionary, Sixth Edition, page 1154]*

14 All such surrenders of sovereignty over federal areas or possessions are called "comity":

15 *comity. Courtesy; complaisance; respect; a willingness to grant a privilege, not as a matter of right, but out of*
16 *deference and good will. Recognition that one sovereignty allows within its territory to the legislative,*
17 *executive, or judicial act of another sovereignty, having due regard to rights of its own citizens. Nowell v.*
18 *Nowell, Tex.Civ.App., 408 S.W.2d 550, 553. In general, principle of "comity" is that courts of one state or*
19 *jurisdiction will give effect to laws and judicial decisions of another state or jurisdiction, not as a matter of*
20 *obligation, but out of deference and mutual respect. Brown v. Babbitt Ford, Inc., 117 Ariz. 192, 571 P.2d 689,*
21 *695. See also Full faith and credit clause.*
22 *[Black's Law Dictionary, Sixth Edition, p. 267]*

23 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
24 tax federal "public officials" working within federal areas.

25 *TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES*
26 *CHAPTER 4 - THE STATES*
27 *Sec. 110. Same; definitions*

28 *(d) The term "State" includes any Territory or possession of the United States.*

29 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>

30 To wit:

31 *TITLE 4 > CHAPTER 4 > § 106*
32 *§106. Same; income tax*

33 *(a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted*
34 *taxing authority therein, having jurisdiction to levy such a tax, by reason of his residing within a Federal area*
35 *or receiving income from transactions occurring or services performed in such area; and such State or taxing*
36 *authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such*
37 *State to the same extent and with the same effect as though such area was not a Federal area.*

38 *(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after*
39 *December 31, 1940.*

40 The state maintains a "trusteeship" over federal areas within its border and act as the equivalent of a federal "Government
41 corporation". To wit:

42 *TITLE 5 > PART I > CHAPTER 1 > § 103*
43 *§ 103. Government corporation*

44 *For the purpose of this title—*

1 (1) "Government corporation" means a corporation owned or controlled by the Government of the United
2 States; and

3 The "control" referred to above is the authority delegated by the Buck Act, the Public Salary Tax Act, the Agreements on
4 Coordination of Tax Administration (ACTA), and the Assimilated Crimes Act. To view the Public Salary Tax Act, see:

<http://famguardian.org/PublishedAuthors/Govt/HistoricalActs/PublSalaryTaxAct1939.htm>

5 The subject of taxation of territories and possessions is discussed in the Great IRS Hoax, section 5.14 available below:

<http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>

6 We will now end this section by comparing the Republic State with the Corporate State to make the content of this section
7 perfectly clear for visually minded readers:

1 **Table 2: Comparison of Republic State v. Corporate State**

#	Attribute	Republic State	Corporate State
1	Name	“Republic of _____”	“State of _____”
2	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)
3	Protected by the Bill of Rights, which is the first ten amendments to the United States Constitution?	Yes	No (No rights. Only statutory “privileges”)
4	Form of government	Constitutional Republic	Legislative totalitarian socialist democracy
5	A corporation?	Yes	Yes
6	A federal corporation?	No	Yes
7	Exclusive jurisdiction over its own lands?	Yes	No. Shared with federal government pursuant to Buck Act, Assimilated Crimes Act, and ACTA Agreement.
8	“Possession” of the United States?	No (sovereign and “foreign” with respect to national government)	Yes
9	Subject to exclusive federal jurisdiction?	No	Yes
10	Subject to federal income tax?	No	Yes
11	Subject to state income tax?	No	Yes
12	Subject to state sales tax?	No	Yes
13	Subject to national military draft? (See SEDM Form #05.030 http://sedm.org/Forms/FormIndex.htm)	No	Yes
13	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
14	Licenses such as marriage license, driver’s license, business license required in this jurisdiction?	No	Yes
15	Voters called	“Electors”	“Registered voters”
16	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.

1 **9 Transforming all government services into corporate franchises and all Americans into**
2 **“public officers”**⁴³

3 “Governments never do anything by accident; if government does something you can bet it was carefully
4 planned.”
5 [Franklin D. Roosevelt, President of the United States]

6 Franchises are the main method by which the sovereignty of people in the states of the Union are destroyed. The gravely
7 injurious affects of participating in government franchises include the following.

- 8 1. Those who participate become domiciliaries of the federal zone, “U.S. persons”, and “resident aliens” in respect to the
9 federal government.
10 2. Those who participate become “trustees” of the “public trust” and “public officers” of the federal government and
11 suffer great legal disability as a consequence:

12 “As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be
13 exercised in behalf of the government or of all citizens who may need the intervention of the officer. 44
14 Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of
15 government, and whatever be their private vocations, are trustees of the people, and accordingly labor under
16 every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain
17 from a discharge of their trusts. 45 That is, a public officer occupies a fiduciary relationship to the political
18 entity on whose behalf he or she serves. 46 and owes a fiduciary duty to the public. 47 It has been said that
19 the fiduciary responsibilities of a public officer cannot be less than those of a private individual. 48
20 Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken
21 public confidence and undermine the sense of security for individual rights is against public policy.49”
22 [63C Am.Jur.2d, Public Officers and Employees, §247]

- 23 3. Those who participate are stripped of ALL of their constitutional rights and waive their Constitutional right not to be
24 subjected to penalties and other “bills of attainder” administered by the Executive Branch without court trials. They
25 then must function the degrading treatment of filling the role of a federal “public employee” subject to the supervision
26 of their servants in the government.
27 4. Those who participate may lawfully be deprived of equal protection of the law, which is the foundation of the U.S.
28 Constitution. This deprivation of equal protection can lawfully become a provision of the franchise agreement.
29 5. Those who participate can lawfully be deprived of remedy for abuses in federal courts.

30 “These general rules are well settled: (1) That the United States, when it creates rights in individuals against
31 itself [a “public right”, which is a euphemism for a “franchise” to help the court disguise the nature of the
32 transaction], is under no obligation to provide a remedy through the courts. *United States ex rel. Dunlap v.*
33 *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.*
34 *United States*, 7 Wall. 188, 195, 19 L. Ed. 35; *De Groot v. United States*, 5 Wall. 419, 431, 433, 18 L. Ed. 700;
35 *Comegys v. Vasse*, 1 Pet. 193, 212, 7 L. Ed. 108. (2) That where a statute creates a right and provides a
36 special remedy, that remedy is exclusive. *Wilder Manufacturing Co. v. Corn Products Co.*, 236 U. S. 165, 174,
37 175, 35 Sup. Ct. 398, 59 L. Ed. 520, Ann. Cas. 1916A, 118; *Arnson v. Murphy*, 109 U. S. 238, 3 Sup. Ct. 184,

⁴³ Adapted from Section 14 of:
Government Instituted Slavery Using Franchises, Form #05.030;
<http://sedm.org/Forms/FormIndex.htm>.

⁴⁴ State ex rel. Nagle v Sullivan, 98 Mont 425, 40 P2d 995, 99 ALR 321; Jersey City v Hague, 18 NJ 584, 115 A2d 8.

⁴⁵ Georgia Dept of Human Resources v Sistrunk, 249 Ga 543, 291 SE2d 524. A public official is held in public trust. *Madlener v Finley* (1st Dist) 161 Ill App 3d 796, 113 Ill Dec 712, 515 NE2d 697, app gr 117 Ill Dec 226, 520 NE2d 387 and revd on other grounds 128 Ill 2d 147, 131 Ill Dec 145, 538 NE2d 520.

⁴⁶ Chicago Park Dist. v Kenroy, Inc., 78 Ill 2d 555, 37 Ill Dec 291, 402 NE2d 181, appeal after remand (1st Dist) 107 Ill App 3d 222, 63 Ill Dec 134, 437 NE2d 783.

⁴⁷ *United States v Holzer* (CA7 Ill) 816 F2d 304 and vacated, remanded on other grounds 484 US 807, 98 L Ed 2d 18, 108 S Ct 53, on remand (CA7 Ill) 840 F2d 1343, cert den 486 US 1035, 100 L Ed 2d 608, 108 S Ct 2022 and (criticized on other grounds by *United States v Osser* (CA3 Pa) 864 F2d 1056) and (superseded by statute on other grounds as stated in *United States v Little* (CA5 Miss) 889 F2d 1367) and (among conflicting authorities on other grounds noted in *United States v Boylan* (CA1 Mass) 898 F2d 230, 29 Fed Rules Evid Serv 1223).

⁴⁸ Chicago ex rel. Cohen v Keane, 64 Ill 2d 559, 2 Ill Dec 285, 357 NE2d 452, later proceeding (1st Dist) 105 Ill App 3d 298, 61 Ill Dec 172, 434 NE2d 325.

⁴⁹ *Indiana State Ethics Comm'n v Nelson* (Ind App) 656 NE2d 1172, reh gr (Ind App) 659 NE2d 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

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 an Constitution 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 Executive 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's* 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](http://sedm.org/Forms/FormIndex.htm), 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 redelegated 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.
 - 1.3. Causes those engaged in the franchise to act in a representative capacity pursuant to Federal Rule of Civil Procedure 17(b) on behalf of the United States government, which is defined in 28 U.S.C. §3002(15)(A) as a federal corporation.

- 1 1.4. Causes all those engaged in the franchise to become “officers of a corporation”, which is the United States,
2 pursuant to 26 U.S.C. §6671(b) and 26 U.S.C. §7343.
- 3 2. Give the franchise a deceptive “word of art” name that will deceive everyone into believing that they are engaged in it.
4 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
5 office”. How many people know this and do they teach this in the public (government) schools or the IRS
6 publications? NOT!
- 7 2.2. Earnings connected with the franchise are called “effectively connected with a trade or business in the United
8 States”. The term “United States” deceptively means the GOVERNMENT, and not the geographical United
9 States.
- 10 3. In the franchise agreement, define the effective domicile or choice of law of all those who participate as being on
11 federal territory within the exclusive jurisdiction of the United States. 26 U.S.C. §7408(d) and 26 U.S.C. §7701(a)(39)
12 do this.
- 13 4. Place an excise tax upon the franchise proportional to the income earned from the franchise. In the case of the Internal
14 Revenue Code, all such income is described as income which is “effectively connected with a trade or business within
15 the United States”. Mandate that those engaged in the franchise must have evidence submitted that connects them to
16 the franchise. IRS information returns, including Forms W-2, 1042s, 1098, and 1099, are the mechanism. 26 U.S.C.
17 §6041 says that these information returns may ONLY be filed in connection with a “trade or business”, which is a code
18 word for the name of the franchise.
- 19 5. Write statutes prohibiting interference by the courts with the collection of “taxes” (kickbacks) associated with the
20 franchise based on the idea that courts in the Judicial Branch may not interfere with the internal affairs of another
21 branch such as the Executive Branch. This will protect the franchise from interference by other branches of the
22 government and ensure that it relentlessly expands.
23 5.1. The Anti-Injunction Act, 26 U.S.C. §7421 is an example of an act that enjoins judicial interference with tax
24 collection or assessment.
25 5.2. The Declaratory Judgments Act, 28 U.S.C. §2201(a) prohibits federal courts from pronouncing the rights or status
26 of persons in regard to federal “taxes”. This has the affect of gagging the courts from telling the truth about the
27 nature of the federal income tax.
28 5.3. The word “internal” means INTERNAL to the Executive Branch and the United States government, not
29 INTERNAL to the geographical United States of America.
- 30 6. Create administrative courts in the Executive Branch which administer the program pursuant to Articles I and IV of the
31 United States Constitution.
32 6.1. U.S. Tax Court. 26 U.S.C. §7441 identifies the U.S. Tax Court as an Article I court.
33 6.2. U.S. District Courts. There is not statute establishing any United States District Court as an Article III court.
34 Consequently, even if the judges are Article III judges, they are not filling an Article III office and instead are
35 filling an Article IV office. Consequently, they are Article IV judges.

36 For details on the above scam, see:

[What Happened to Justice?](http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm)

<http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm>

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

40 *Section 8 of the Social Security Act*
41 *INCOME TAX ON EMPLOYEES*

42
43 *SECTION 801. In addition to other taxes, there shall be levied, collected, and paid upon the income of every*
44 *individual a tax equal to the following percentages of the wages (as defined in section 811) received by him*
45 *after December 31, 1936, with respect to employment (as defined in section 811) after such date:*

- 46 (1) *With respect to employment during the calendar years 1937, 1938, and 1939, the rate shall be 1 per centum.*
- 47 (2) *With respect to employment during the calendar years 1940, 1941, and 1942, the rate shall be 1 1/2 per*
48 *centum.*
- 49 (3) *With respect to employment during the calendar years 1943, 1944, and 1945, the rate shall be 2 per centum.*
- 50 (4) *With respect to employment during the calendar years 1946, 1947, and 1948, the rate shall be 2 1/2 per*
51 *centum.*
- 52 (5) *With respect to employment after December 31, 1948, the rate shall be 3 per centum.*

- 53 8. Offer an opportunity for private citizens not domiciled within the jurisdiction of Congress to “volunteer” by license or
54 private agreement to participate in the franchise and thereby become “public officers” within the Executive Branch.
55 The W-4 and Social Security SS-5 is an example of such a contract.
56 8.1. Call these volunteers “taxpayers”.

- 1 8.2. Call EVERYONE “taxpayers” so everyone believes that the franchise is MANDATORY.
 2 8.3. Do not even acknowledge the existence of those who do not participate in the franchise. These people are called
 3 “nontaxpayers” and they are not mentioned in any IRS publication.
 4 8.4. Make the process of signing the agreement invisible by calling it a “Withholding Allowance Certificate” instead
 5 of what it really is, which is a “license” to become a “taxpayer” and call all of your earnings “wages” and “gross
 6 income”.

7 *26 CFR §31.3401(a)-3 Amounts deemed wages under voluntary withholding agreements*

8 *(a) In general. Notwithstanding the exceptions to the definition of wages specified in section 3401(a) and the*
 9 *regulations thereunder, the term “wages” includes the amounts described in paragraph (b)(1) of this section*
 10 *with respect to which there is a voluntary withholding agreement in effect under section 3402(p). References in*
 11 *this chapter to the definition of wages contained in section 3401(a) shall be deemed to refer also to this section*
 12 *(§31.3401(a)-3).*

13
 14 *Title 26: Internal Revenue*
 15 *PART 31—EMPLOYMENT TAXES AND COLLECTION OF INCOME TAX AT SOURCE*
 16 *Subpart E—Collection of Income Tax at Source*
 17 *§31.3402(p)-1 Voluntary withholding agreements.*

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

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

28 *53 State 489*
 29 *Revenue Act of 1939, 53 Stat. 489*

30
 31 *Chapter 43: Internal Revenue Agents*
 32 *Section 4000 Appointment*
 33 *The Commissioner may, whenever in his judgment the necessities of the service so require, employ competent*
 34 *agents, who shall be known and designated as internal revenue agents, and, except as provided for in this title,*
 35 *no general or special agent or inspector of the Treasury Department in connection with internal revenue, by*
 36 *whatever designation he may be known, shall be appointed, commissioned, or employed.*

- 37 10. Create an environment that encourages irresponsibility, lies, and dishonesty within the bureau that administers the
 38 franchise.
 39 10.1. Indemnify these private contractors from liability by giving them “pseudonyms” so that they can disguise their
 40 identify and be indemnified from liability for their criminal acts. The IRS Restructuring and Reform Act,
 41 Pub.Law 105-206, Title III, Section 3706, 112 Stat. 778 and IRM 1.2.4 both authorize these pseudonyms.
 42 10.2. Place a disclaimer on the website of this private THIEF contractor indemnifying them from liability for the
 43 truthfulness or accuracy of any of their statements or publications. See IRM 4.10.7.2.8.
 44 10.3. Omit the most important key facts and information from publications of the franchise administrator that would
 45 expose the proper application of the “tax” and the proper audience. See the following, which is over 2000 pages
 46 of facts that are conveniently “omitted” from the IRS website about the proper application of the franchise and its
 47 nature as a “franchise”:

The Great IRS Hoax
<http://famguardian.org/TaxFreedom/FormsInstr.htm>

- 48 10.4. Establish precedent in federal courts that you can’t trust anything that anyone in the government tells you, and
 49 especially those who administer the franchise. See:
 50 <http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm>
 51 11. Use the lies and deceptions created in the previous step to promote several false perceptions in the public at large that
 52 will expand the market for the franchise. These include:
 53 11.1. That the franchise is NOT a franchise, but a mandatory requirement that applies to ALL.

- 1 11.2. That participation is mandatory for ALL, instead of only for franchisees called “taxpayers”.
- 2 11.3. That the IRS is an “agency” of the United States government that has authority to interact directly with the public
- 3 at large. In fact, it is a “bureau” that can ONLY lawfully service the needs of other federal agencies within the
- 4 Executive Branch and which may NOT interface directly with the public at large.
- 5 11.4. That the statutes implementing the franchise are “public law” that applies to everyone, instead of “private law”
- 6 that only applies to those who individually consent to participate in the franchise.
- 7 12. Engage in a pattern of “selective enforcement” and propaganda to broaden and expand the scam. For instance:
- 8 12.1. Refuse to answer simple questions about the proper application of the franchise and the taxes associated with it.
- 9 See:
- 10 [If the IRS Were Selling Used Cars](http://famguardian.org/Subjects/Taxes/FalseRhetoric/IRSSellingCars.htm)

11 <http://famguardian.org/Subjects/Taxes/FalseRhetoric/IRSSellingCars.htm>
- 12 12.2. Prosecute those who submit false TAX returns, but not those who submit false INFORMATION returns. This
- 13 causes the audience of “taxpayers” to expand because false reports are connecting innocent third parties to
- 14 franchises that they are not in fact engaged in.
- 15 12.3. Use confusion over the rules of statutory construction and the word “includes” to fool people into believing that
- 16 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:
- 17 [The Meaning of the Words “Includes” and “Including”, Form #05.014](http://sedm.org/Forms/FormIndex.htm)

18 <http://sedm.org/Forms/FormIndex.htm>
- 19 12.4. Refuse to define the words used on government forms, use terms that are not defined in the code such as “U.S.
- 20 citizen”, and try to confuse “words of art” found in the law with common terms in order to use the presumptuous
- 21 behavior of the average American to expand the misperception that everyone has a legal DUTY to become a
- 22 “franchisee” and a “taxpayer”.
- 12.5. Refuse to accept corrected information returns that might protect innocent “nontaxpayers” so that they are
- inducted involuntarily into the franchise as well.

23 The above process is WICKED in the most extreme way. It describes EXACTLY how our public servants have made

24 themselves into our masters and systematically replaced every one of our rights with “privileges” and franchises. The

25 Constitutional prohibition against this sort of corruption are described as follows by the courts:

26 *“It would be a palpable incongruity to strike down an act of state legislation which, by words of express*

27 *divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by*

28 *which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable*

29 *privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that,*

30 *as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it*

31 *sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it*

32 *may not impose conditions which require the relinquishment of Constitutional rights. If the state may compel*

33 *the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender*

34 *of all. It is inconceivable that guaranties embedded in the Constitution of the United States may thus be*

35 *manipulated out or existence.”*

36 *[Frost v. Railroad Commission, 271 U.S. 583; 46 S.Ct. 605 (1926)]*

37 *“A right common in every citizen such as the right to own property or to engage in business of a character not*

38 *requiring regulation CANNOT, however, be taxed as a special franchise by first prohibiting its exercise and*

39 *then permitting its enjoyment upon the payment of a certain sum of money.”*

40 *[Stevens v. State, 2 Ark. 291; 35 Am. Dec. 72, Spring Val. Water Works v. Barber, 99 Cal. 36, 33 Pac. 735, 21*

41 *L.R.A. 416. Note 57 L.R.A. 416]*

42 *“The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is*

43 *an artificial entity which owes its existence and charter power to the State, but the individual’s right to live and*

44 *own property are natural rights for the enjoyment of which an excise cannot be imposed.”*

45 *[Redfield v. Fisher, 292 Oregon 814, 817]*

46 *“Legislature...cannot name something to be a taxable privilege unless it is first a privilege.” [Taxation West*

47 *Key 43]...“The Right to receive income or earnings is a right belonging to every person and realization and*

48 *receipt of income is therefore not a ‘privilege’, that can be taxed.”*

49 *[Jack Cole Co. v. MacFarland, 337 S.E.2d 453, Tenn.*

50 Through the above process of corruption, the separation of powers is completely destroyed and nearly every American has

51 essentially been “assimilated” into the Executive Branch of the government, leaving the Constitutional Republic

1 bequeathed to us by our founding fathers vacant and abandoned. Nearly every service that we expect from government has
 2 been systematically converted over the years into a franchise using the techniques described above. The political and legal
 3 changes resulting from the above have been tabulated to show the “BEFORE” and the “AFTER” so their extremely harmful
 4 affects become crystal clear in your mind. This process of corruption, by the way, is not unique to the United States, but is
 5 found in every major industrialized country on earth.

6 **Table 3: Affect 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 Papers #15	1. Expand the corporate monopoly internationally 2. Protect public servants from the angry populace who want to end the

#	Characteristic	DE JURE CONSTITUTIONAL GOVERNMENT	DE FACTO GOVERNMENT BASED ENTIRELY ON FRANCHISES
			tyranny.
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.

10 Conclusions and Summary

1. De jure constitutional governments are charitable trusts and public trusts, not corporations.
2. The Constitution does NOT confer the power to incorporate upon the national government. This is confirmed by the debates in the federal convention.
3. Most of the services associated with what most people regard as "government" have been turned into franchises which destroy the constitutional rights that government was 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/WhyYouDontWantAnAttorney.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".
4. The corporatization of the United States government began with the incorporation of the District of Columbia in 1871.
5. The federal 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 bonds or 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.

- 1 5.5. This corporation started out as a “public trust” and has since become a “sham trust” administered primarily for the
2 personal benefit of the trustees, who are the corporate board of directors. In a sense, our government has become
3 Enron to the tenth power!
- 4 6. Our money has been transformed into securities of the corporation:
- 5 6.1. Congress has replaced its power to coin money under Constitution Article 1, Section 8, Clause 5 with its power to
6 issue obligations of the United States government, “Federal Reserve Notes”, pursuant to Article 1, Section 8.
7 Clause 2.

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

- 12 6.2. The Federal Reserve is neither “federal” nor a reserve. It is a private, for profit consortium of banks. It is also a
13 counterfeiting franchise that exists solely to print (e.g. STEAL) enough corporate bonds to subsidize the day-to-
14 day operations of CorpGov. Member banks, in exchange for joining the franchise, are granted the ability
15 essentially to create money out of thin air by lending ten times the amount of corporate bonds that they have on
16 deposit. The fiat currency that is created by the counterfeiting franchise is created by monetizing loan documents
17 and simply entering the amount created into a computer memory bank.
- 18 7. The purpose of taxation in the de jure government of collecting revenues to support the institutionalized “protection” of
19 the government has been replaced with the sole purpose of regulating the supply of fiat currency, where the private
20 corporation which pretends to be government prints as much money as it needs to sustain its operation. Without the
21 ability to retire excess currency generated by the Federal Reserve counterfeiting franchise, our monetary system would
22 quickly become unstable and hyperinflation would result. All those stupid enough to be duped by the fraud of the
23 income tax system essentially become surety to pay off the debts created by the Federal Reserve counterfeiting
24 franchise. The income tax is a stupidity tax upon people who don’t read, learn, or follow the law and who glorify the
25 nanny corporate government as a pagan deity. See:

[The Great IRS Hoax: Why We Don't Owe Income Tax](http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm)
<http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>

- 26 8. What were once sovereign states of the Union have been federal corporations and subsidiaries:
- 27 8.1. You must contract to procure the franchises of these corporations for them to service your needs.
- 28 8.2. When you engage in the franchise, your effective domicile becomes federal territory within the state and you
29 become a “public officer” by virtue of partaking in the franchise.
- 30 8.3. The term “State of _____” is the name for this de facto corporation.

31 *California Revenue and Taxation Code*

32 *17018. "State" includes the District of Columbia, and the possessions of the United States.*
33 *[SOURCE:*
34 *<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=17001-18000&file=17001-17039.1>*

- 35 8.4. All those with a “residence” within this corporate state are officers and employees of CorpGov.
- 36 8.5. The perjury statement on most state forms places you “within” this corporate, fictitious political state as a “public
37 officer”.

38 *Perjury statement at the end of California Judicial Council Form CIV-010*

39 *"I declare under penalty of perjury **under the laws of the State of California** that the foregoing are true and*
40 *correct."*
41 *[SOURCE:*
42 *<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=17001-18000&file=17001-17039.1>*

43 Private persons are not physically present and domiciled within this corporate “State” are the only “persons” the
44 government can lawfully legislate for without engaging in involuntary servitude in violation of the Thirteenth
45 Amendment. All of these “persons” are “public officials” participating in government franchises. All of them are
46 “residents” of the corporate state by virtue of signing up for the franchises using their right to contract. A person
47 who is not a “public official” participating in government franchises would be committing perjury under penalty of
48 perjury to admit that he is “under the laws of the State of California” as a private person.

- 1 9. The all caps rendition of your birthname in association with a federally issued identifying number is the “res” and the
 2 “public officer” who is the legal object of all the government laws that regulate franchises and “residents” of the
 3 fictitious corporate “State of _____”.
- 4 9.1. All these persons are “residents” of the federal territory within the exterior limits of the state. Since federal
 5 territory is not protected by the Bill of Rights, these fictitious entities have no rights, but only legislatively granted
 6 “privileges” as officers of the government corporation.
- 7 9.2. These “strawmen” persons are the only lawful “taxpayers”, “individuals”, and “residents” on most government
 8 forms. They are the ONLY persons the government can lawfully legislate for in the context of civil litigation.
- 9 9.3. If the government writes a letter or correspondence or files a lawsuit against this artificial “res” and you respond,
 10 then you just “volunteered” to work for the government for free. The Thirteenth Amendment says you can’t be
 11 compelled to volunteer. In that sense, nearly all civil laws passed by the government are entirely voluntary. If
 12 you don’t want to work for the government for free, simply decline their offer by denying the existence of the
 13 strawman and demand compensation for acting on his behalf that you and not they determine. This technique is
 14 great for stopping tax collection activity.
- 15 9.4. If you want to harness the strawman entity for your own use and benefit but insulate yourself from the liabilities
 16 associated with said use, the following form is very helpful:
- UCC Security Agreement*, Form #06.007
<http://sedm.org/Forms/FormIndex.htm>
- 17 9.5. If you want to DESTROY the strawman entity so the government can’t use it to harass you, use the following
 18 form:
- Resignation of Compelled Social Security Trustee*, Form #06.002
<http://sedm.org/Forms/FormIndex.htm>
- 19 10. What used to be called a “citizen” is now nothing more than a glorified privileged corporate “employee” or “officer” or
 20 “public officer” of a gigantic corporate monopoly. The term “United States” as used in most federal statutes implies
 21 the GOVERNMENT corporation, and not the geographical states of the Union.

22 [TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.](#) [Internal Revenue Code]
 23 [Sec. 7701. - Definitions](#)

24 (a) Definitions

25 (9) United States

26 The term "United States" when used in a geographical sense includes only the [States](#) and the District of
 27 Columbia.

28 (10) State

29 The term "State" shall be construed to include the District of Columbia, where such construction is necessary to
 30 carry out provisions of this title.

32 Uniform Commercial Code (U.C.C.)
 33 § 9-307. LOCATION OF DEBTOR.

34 (h) [Location of United States.]

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

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

39 If you would like to examine over 600 Mbytes of court-admissible evidence supporting everything in this memorandum of
 40 law, we invite you to obtain the following CD-ROM from our website:

Highlights of American Legal and Political History CD
<http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm>

1 **11 Resources for Further Reading, Research, and Rebuttal**

2 A number of additional resources are available for those who wish to further investigate the contents of the pamphlet:

- 3 1. *How Scoundrels Corrupted Our Republican Form of Government.*. Shows how our government has been turned into a
4 totalitarian corporate monopoly.
5 <http://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>
- 6 2. *Socialism: The New American Civil Religion*, Form #05.016. Proves that our government has not only become a
7 private corporation, but a civil religion that competes with churches and God Himself for the affection, worship, and
8 allegiance of its “parishoners”.
9 <http://sedm.org/Forms/FormIndex.htm>
- 10 3. *Highlights of American Legal and Political History CD*. Hundreds of megabytes of court-admissible evidence backing
11 up everything in this pamphlet, right from the government’s own archives, statutes, and regulations.
12 <http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm>
- 13 4. *Authorities on the word “corporation”*-Family Guardian, Sovereignty Forms and Instructions, Cites by Topic
14 <http://famguardian.org/TaxFreedom/CitesByTopic/corporation.htm>
- 15 5. *The United States isn’t a Country, it’s a corporation*
16 <http://famguardian.org/Subjects/Taxes/Articles/USCorporation.htm>
- 17 6. *Corporate Takeover of the U.S. Government Well Underway*
18 <http://famguardian.org/Subjects/Freedom/Articles/CorporatizationOfGovt.htm>
- 19 7. *Government Instituted Slavery Using Franchises*, Form #05.030. Shows how franchises are the main method or device
20 by which our de jure government has become a de facto private corporation.
21 <http://sedm.org/Forms/FormIndex.htm>
- 22 8. *Government Conspiracy to Destroy the Separation of Powers*, Form #05.023
23 <http://sedm.org/Forms/FormIndex.htm>
- 24 9. *Why Your Government is Either A Thief or You Are A “Public Officer” for Income Tax Purposes*, Form #05.008
25 <http://sedm.org/Forms/FormIndex.htm>