

STATUS AND STANDING

What's your status? Do you know where you stand in commerce? How about in regards to the law? Many Americans assume that they their status and standing when it comes to the law, but many have been misled through lies, deception, fraud and propaganda.

Understanding Status is essential. All individuals take a position at law and in commerce when entering into any agreement or contract. Under Natural law, there is no limit to your rights and power to contract, unless you waive or limit those rights by consent or tacit agreement. Your status plays a big role in determining your position when it comes to the enforcement of your rights and claims in commerce and at law.

The issue of Status in commerce is strictly one of how we enter into contract. In doing business with the United States and/or its agents, we are the source of commercial energy in any contractual relationship. Commercially, we are typically are engaged in transfers for most transactions. Transfers are activities that take energy, goods and services from one party but no value or detriment is received in return. The nature of this oppression is mostly invisible. Americans are being forced into an "Economic & Political Slavery" by an elite aristocracy and consortium of international banksters through unlawful foreclosures, forfeitures of property and a war on crime and drugs.

Since the Civil War, the State has usurped its power from the American people through bureaucratic threats, duress, coercion, and manipulation of the economic and legal system. The State has been at war against the American People since then. The government bureaucracy took advantage of the civil disobedience and dissent to strip Americans of their sovereignty and have been chipping away at the limited authority and jurisdiction enumerated and placed upon the federal and state governments through the Constitution and Bill of Rights.

In 1863, Lincoln declared a state of Martial Law and suspended the Writ of Habeas Corpus in 1861 through General Orders 100: The Lieber Code (also known as the Code for the Government Armies in the Field). The Code was authored by Francis Lieber (Franz Lieber), a jurist and political philosopher from Germany who was a professor of history and political science at Columbia College (currently, Columbia University). Lieber assisted the War Department and President Lincoln in drafting legal guidelines for the Union army. These guidelines became known as the Lieber Code.

Under Art. 4 of the Code, Martial Law is defined as follows:

"Martial Law in a hostile country consists in the suspension, by the occupying military authority, of the criminal and civil law, and of the domestic administration and government in the occupied place or territory, and in the substitution of military rule and force for the same, as well as in the dictation of general laws, as far as military necessity requires this suspension, substitution, or dictation.

The commander of the forces may proclaim that the administration of all civil and penal law shall continue either wholly or in part, as in times of peace, unless otherwise ordered by the military authority."

Lincoln was assassinated shortly after the end of the Civil War and General Order 100 was never repealed or peace was never officially declared to end Martial Law. Accordingly, Americans have been under a perpetual state of war with the United States and under military rule and occupation ever since.

Under Art.2 of the Code, it states:

“Martial Law does not cease during the hostile occupation, except by special proclamation, ordered by the commander in chief; or by special mention in the treaty of peace concluding the war, when the occupation of a place or territory continues beyond the conclusion of peace as one of the conditions of the same.”

The Constitution for the United States of America was originally written as a ‘contract’ between the federal government in the District of Columbia and the free white males of the 13 original incorporated colonies that became states called the United States of America. These are the only parties to the contract of organic law for the government besides those who later became naturalized citizens. The UNITED STATES and the United States of America mean two different things when speaking in legal terms or legalese. The free white men of the 13 original colonies ordained the Constitution for or on behalf of the United States of America (13 Sovereign states at that time) and their ‘Posterity’ or descendants.

After the war, Congress passed the 13th Amendment ending slavery and involuntary servitude. Then they passed the 14th Amendment, creating a new class of citizenship, the subject citizen. A subject citizen was a corporate citizen or a subject of the de facto military government now in operation. Now, for the first time, legal entities (i.e. corporations, limited companies, and partnerships) could become citizens under the 14th Amendment and have legal rights under this status.

SUBJECT CITIZEN:

Amendment 14 - Citizenship Rights. Ratified 7/9/1868.

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion,

or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.
4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.
5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Denationalization – The Act of stripping a national group of their nationality and political identity

An example of denationalization can be found in the 1947 Nuremberg trial of Ulrich Greifelt and Others. During the proceedings, reference was made to the war crime of denationalization, citing the policy of forcibly “Germanizing” some groups within the local population of occupied Poland. Among the groups so treated were Poles, Alsace-Lorrainers, and Slovenes, as well as others deemed eligible for Germanization under the German People’s List.

It wasn’t until the 1862 during the Civil War that the issuance of paper “Green Backs” as “legal tender” and circulating medium of exchange occurred under our current monetary system. Under the pretext of the War Powers Act, Congress authorized the issuance of non-interest bearing Treasury notes and declared the bills of credit to be legal tender for all debts, public and private (with the exception of taxes on imports). The notes were deemed necessary to “float the debt of the United States for the war effort.

On June 3, 1864, Congress passed the National Currency Act (also termed the “National Bank Act”) to provide a national currency, secured by a pledge of United States bonds, and to provide for the Circulation and Redemption thereof. This Act recreated the central banking system as a “National Association”, which later evolved into the Federal Reserve Banks. All private bank notes issued under authority of the Act were: (a) issued and circulated the same as money, (b) had to be redeemable at “par value” (one-for-one) with the Coin, and (c) were declared to be tender for the payment of all debts public and private under Section 23. Pledging or hypothecating any of the notes in circulation under this Act was prohibited under Section 37.

On December 23, 1913, Congress passed “An Act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford a means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes”. The Act is commonly known as the “Federal Reserve Act”. Some of the purposes for enacting the Federal Reserve Act were to:

- 1) collect 94% of the “net earnings” of the Federal Reserve Banks under pretense of a “Franchise Tax” under Section 7;
- 2) legalize and extend a “float” on the debts by reducing the backing or reserve requirements to 40% of the notes in circulation and transactions accounts under Section 11;
- 3) authorize “hypothecation” of obligations including United States bonds or other securities which Federal Reserve Banks are authorized to hold under Section 14(a); and,
- 4) establish branches in foreign countries or dependencies of the United States for the furtherance of the foreign commerce of the United States" under Section 25.

It is important to understand the term “hypothecation” as stated in Section 14(a) of the Act.

1. Banking. Offer of stocks, bonds, or other assets owned by a party other than the borrower as collateral for a loan, without transferring title. If the borrower turns the property over to the lender who holds it for safekeeping, the action is referred to as a pledge. If the borrower retains possession, but gives the lender the right to sell the property in event of default, it is a true hypothecation.
2. Securities. The pledging of negotiable securities to collateralize a broker's margin loan. If the broker pledges the same securities to a bank as collateral for a broker's loan, the process is referred to as rehypothecation.

[Dictionary of Banking Terms, Fitch, pg. 228 (1997)]

Section 16 of the Federal Reserve Act, which is codified at 12 USC 411, declares that Federal Reserve Notes are obligations of the United States. The “full faith and credit” of the United States was thereby hypothecated and rehypothecated to the lending institutions for the issuance and emission of bills of credit as legal tender “for all taxes, customs, and other public dues”. The paper in circulation and transactions accounts could then be inflated 60% and the purchasing power depreciated and reduced by an equivalent amount.

The final “nail in the coffin” of lawful money in the United States was with the passage of the 192nd House Joint Resolution (HJR 192) – Public Law 73-10 in 1933. This Resolution made it against public policy to require payments in gold or a particular kind of coin or currency, or in an amount in money of the United States.

Now that all “lawful” money has been removed from circulation, there can be no payment of debts – only novation and/or discharge. Novation is the act of substituting a new obligation for an old debt that replaces an original party with a new party. Every time someone “pays” for

something with a Federal Reserve Note, they have essentially created a novation and that debt is transferred as an obligation backed by the full faith and credit of the United States. Discharge is any method by which a legal duty is extinguished by any of the following means:

- a) the payment of a debt or satisfaction of some other obligation;
- b) the release of a debtor from monetary obligations upon adjudication of bankruptcy;
- c) the dismissal of a case;
- d) the canceling or vacating of a court order; and
- e) the release of a prisoner from confinement.

The juristic person (the “Strawman”) that was registered upon the application for one’s birth certificate has been declared insolvent and is being administered under involuntary receivership. The only way to enact the proceeding and get complete discharge of any and all debts is to file a bankruptcy proceeding for the Strawman in US Bankruptcy Court. All States have adopted the provisions of UCC Article 3 section 305(a) of the Uniform Commercial Code (“UCC”) whose provisions deal with insolvency proceedings. An authenticated discharge from a Federal Bankruptcy judge must be honored by all States by operation of law.

“Congress has abrogated the States’ sovereign immunity in bankruptcy proceedings.” [see Hood v. Tennessee Student Assistance Corporation (In re Hood), 319 F.3d 755 (2003)]

“States, whether or not they choose to participate in the proceeding, are bound by a bankruptcy court’s discharge order no less than other creditors.” [see e.g., New York v. Irving Trust Co., 288 U.S. 329, 333; see also Hood, 541 U.S., at 448]

The fact that under the Organic Act of 1871, the United States has been organized and operating as a municipal corporation and partnering with private corporations and trading companies, it loses its sovereign immunity and descends to the level of a mere corporation. This applies to all State franchises that have incorporated as federal enclaves and issued general obligation bonds and trading in trade receivables/payables through the Court Registry Investment System (CRIS).

The Clearfield Doctrine is stare decisis upon all courts, and imposes that *“an entity cannot compel performance upon its corporate rules unless it, like any other corporation, is the “Holder-in-Due-Course” of some contract or commercial agreement between it, and the one on whom its demands for performance are made, and is willing to produce said document, and to place the same into evidence before trying to enforce its demands.”*

“Governments descend to the level of a mere private corporation, and take on the characteristics of a mere private citizen where private corporate commercial paper (Federal Reserve Notes) and securities (checks) is concerned. For purposes of suit, such corporations and individuals are regarded as entities entirely separated from government.” [see Clearfield Trust Company vs. United States, 318 US 363-371 (1942)].

In adopting the Bankruptcy Clause, Congress was able to enforce discharge orders. There was also a provision granting federal courts the authority to release debtors from state prisons.

“States agreed in the plan of the Convention not to assert any sovereign immunity defense they might have had in proceedings brought pursuant to “Laws on the subject of Bankruptcies.” [see Blatchford, 501 U.S., at 779]

Due to the securitization of all debts, the Department of Treasury becomes the secondary obligor on all the notes, bills and bonds attached to the original promissory note. The information is then communicated to the Bureau of Public Debt that keeps a daily account of the national debt. So-called lenders can go to the DOT to demand payment for uncollected debts to repay their creditors. The DOT uses your signature on the promissory notes as an asset to issue debt instruments to pre-pay their expenses. Once one is able to uncover the fraud and deception that is occurring, one can use one or more of the ten real defenses to discharge the obligation.

VOCABULARY

Bond – n. an obligation; a promise.

“An obligation, or in English, a ‘bond’, is a document written and sealed containing a confession of a debt; in later times, ‘contract’ is the genus, ‘obligation’ the species.” 2 Federick Pollock & Frederic W. Maitland, The History of English Law 207 (2d ed. 1899).

Bureau of Public Debt – n. A unit in the U.S. Department of the Treasury responsible for issuing and redeeming Treasury Bills, Notes and Bonds; and for managing the U.S. Savings Bond Program.

Citizen (United States) – n. A person who, by either birth or naturalization, owes allegiance to the United States and being entitled to enjoy all its civil rights and protections. [C.J.S. Citizens §§ 7, 12.]

Debt – n. 1. Liability on a claim; a specific sum of money due by agreement or otherwise <the debt amounted to \$2,500>. 2. The aggregate of all existing claims against a person, entity or state <the bank denied the loan application after analyzing the applicant’s outstanding debt>. 3. A nonmonetary thing that one person owes another, such as goods and services <her debt was to supply him with 20 international first-class tickets on the airline of his choice>. 4. A common-law writ by which a court adjudicates claims involving fixed sums of money <he brought Suit in Debt> - also termed (in definition 4) Writ of Debt. [C.J.S. Debt, Action of §§ 1-2, 7-11.]

Deed - n. 1. Something that is done or carried out; an act or action. 2. A written instrument by which land is conveyed. 3. At common law, any written instrument that is signed, sealed and delivered and that conveys some interest in property – also termed (in definitions 2 & 3) Evidence of Title and Contract under Seal.

Forfeiture – n. 1. The divestiture of property without compensation. 2. The loss of a right, privilege or property because of a crime, breach of obligation or neglect of duty. Title is instantaneously transferred to another, such as the government, a corporation or a private person. 3. Something (esp. money or property) lost or confiscated by this process; a penalty. 4. vb. Forfeit. 5. adj. forfeitable. [C.J.S. Racketeer Influenced and Corrupt Organizations (RICO) § 30.]

Impeachment – n. 1. The act (by a legislature) of calling for the removal from office of a public officer, accomplished by presenting a written charge of the official’s alleged misconduct; esp. the initiation of a proceeding in the U.S. House of Representatives against a federal official, such as the President or a judge. Congress’ authority to remove a federal official stems from Art. II, § 4 of the Constitution, which authorizes the removal of an official for “treason, bribery or other high crimes and misdemeanors”. The grounds upon which an official can be removed do not, however, have to be criminal in nature. They usu. involve some type of abuse of power or breach of the public trust. Articles of Impeachment – which can be approved by a simple majority in the House of Representatives – serve as the charging instrument for the later trial in the Senate. If the President is impeached, the Chief Justice of the Supreme Court presides over the Senate trial. The defendant can be removed from office by a two-thirds majority of the senators who are present. [C.J.S. United States §§ 23, 53, 56-57.] 2. The act of discrediting a witness, as by

catching the witness in a lie or by demonstrating that the witness has been convicted of a criminal offense. [C.J.S. Witnesses §§ 559-775.] 3. The act of challenging the accuracy or authenticity of evidence.

Nationality – n. 1. Nation. 2. The relationship between a citizen of a nation and the nation itself, customarily involving allegiance by the citizen and protection by the state; membership in a nation. This term is often used synonymously with citizenship. 3. The formal relationship between a ship and the nation under whose flag the ship sails. [C.J.S. Shipping § 1.]

Natural Born Citizen – n. A person born within the jurisdiction of a national government.

Political Question – n. A question that a court will not consider because it involves the exercise of discretionary power by the executive or legislative branch of government – also termed non-justiciable question. [C.J.S. Constitutional Law § 176.]

Treason – n. The offense of attempting to overthrow the government of the state to which one owes allegiance, either by making war against the state or by materially supporting its enemies – also termed high treason; *alta proditio*. [C.J.S. Treason §§ 2-3, 5.]

Deficit – n. 1. A deficiency or disadvantage; a deficiency in the amount or quality of something. 2. In economics, the excess of merchandise imports over merchandise exports during a specific period – also termed trade deficit or trade gap. 3. An excess of expenditures or liabilities over revenues or assets.

Department of the Treasury – n. The cabinet-level department of the federal government responsible for recommending tax and fiscal policies, collecting taxes, disbursing U.S. government funds, enforcing tax laws and manufacturing coins and currency. Created by Congress in 1789, it is headed by the Secretary of the Treasury – also termed Treasury Department. [C.J.S. United States § 51.]

Federal Enclave – n. Territory or land that a state has ceded to the United States. Examples of federal enclaves are military bases, national parks, federally administered highways and federal Indian reservations. The U.S. government has exclusive authority and jurisdiction over federal enclaves. [C.J.S. United States §§ 9-15.]

Foreclosure – n. A legal proceeding to terminate a mortgagor's interest in property, instituted by the lender (the mortgagee) either to gain title or to force a sale in order to satisfy the unpaid debt secured by the property. [Mortgages §§ 490-491, 495, 690-691, 695, 697.]

Insular Possession(s) – n. An island territory. [C.J.S. Territories §§ 2, 5, 7, 9-10.]

Lien – n. 1. A legal right or interest that a creditor has in another's property, lasting until a debt or duty that is secured is satisfied. Typically, the creditor does not take possession of the property on which the lien has been obtained – also termed pledge. [C.J.S. Liens §§ 2-3, 12, 18.] 2. vb. Lien. 3. adj. lienable, liened.

National Debt – n. The total financial obligation of the federal government, including such instruments as Treasury Bills, Notes and Bonds, as well as foreign debt. [C.J.S. United States §§ 153, 169.]

Oblige – vb. 1. To bind by legal or moral duty; obligate. 2. To bind by doing a favor or service.

Obligor – n. 1. One who has undertaken an obligation; a promisor or debtor - UCC §9-102(a)(59). 2. Under the Uniform Interstate Family Support Act, any person who owes a duty of support. 3. Archaic. One who obliges another to do something; obligee.

Office of the Law Revision Council – n. According to Wikipedia, the Law Revision Council prepares and publishes the United States Code, which is a consolidation and codification by subject matter of the general and permanent statutes of the United States. The Office was created in 1974 when the provisions of Title II, sec. 205, of H. Res. 988, 93rd United States Congress, were enacted by Public Law 93-554, 88 Stat. 1777.

Positive law – n. A system of law promulgated and implemented within a particular political community by political superiors, as distinct from moral law or law existing in an ideal community or in some nonpolitical community. Positive law typically consists of enacted law – the codes, statutes and regulations that are applied and enforced in the courts. The term derives from the medieval use of *positum* (Latin “established”), so that the phrase positive law literally means law established by human authority – also termed *jus positivum*; made law.

Prima Facie Law – n. A code or statute codified as prima facie evidence of the statutory law but have not yet been enacted as positive law. Positive law is described as the law which applies at a certain time (past or present) at a certain place, consisting of statutory law and case law as far as it is binding. More specifically, positive law may be characterized as “law actually and specifically enacted or adopted by proper authority for the government of an organized jural society.

Public Debt – n. A debt owed by a municipal, state or national government. [C.J.S. Municipal Corporations § 1609.]

Real Defenses – n. A type of defense that is good against any possible claimant, so that the maker or drawer of a negotiable instrument can raise it even against a holder in due course. The ten real defenses are: (1) fraud in the factum, (2) forgery of a necessary signature, (3) adjudicated insanity that, under state law, renders the contract void from its inception, (4) material alteration of the instrument, (5) infancy, which renders the contract voidable under state law, (6) illegality that renders the underlying contract void, (7) duress, (8) discharge in bankruptcy, or any discharge known to the holder in due course, (9) a suretyship defense (for example, if the holder knew that one indorser was signing as a surety or accommodation party), and (10) a statute of limitations (generally three years after dishonor or acceptance on a draft and six years after demand or other due date on a note) – also termed Absolute Defense; Universal Defense. [C.J.S. Bills and Notes; Letters of Credit § 191.]

Securitize(ation) – vb. 1. To convert (assets) into negotiable securities for resale in the financial market, allowing the issuing the financial institution to remove assets from it books and thereby

improve assets from its books and thereby improve its capital ratio and liquidity while making new loans with the security proceeds. 2. adj. securitized. 3. n. securitization.

Security – n. 1. Collateral given or pledged to guarantee the fulfillment of an obligation; esp., the assurance that a creditor will be repaid (usu. with interest) any money or credit extended to a debtor. [C.J.S. Secured Transactions §§ 3, 11, 84.] 2. A person who is bound by type of guaranty; surety. 3. The state of being secure, esp. from danger or attack. 4. An instrument that evidences that holder's ownership rights in a firm (e.g., a stock), the holder's creditor relationship with a firm or government (e.g., a bond), or the holder's other rights (e.g., an option). A security indicates an interest based on an investment in a common enterprise rather than a direct participation in the enterprise. Under an important statutory definition, a security is any interest or instrument relating to finances, including a note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in a profit-sharing agreement, collateral trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting trust certificate, certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase any of these things. A security also includes any put, call, straddle, option, or privilege on any security, certificate of deposit, group or index of securities, or any such device entered into on a nation securities exchange, relating to foreign currency. [C.J.S. Corporations §§ 664-665; Securities Regulation §§ 9, 384-387, 389-390, 392.]

Security Interest – n. A property interest created by agreement or by operation of law to secure performance of an obligation (esp. repayment of a debt). Although the UCC limits the creation of a security interest to personal property, the Bankruptcy Cod defines the term to mean “a lien created by an agreement.” – 11 USCA § 101(51). [C.J.S. Secured Transactions §§ 3, 7, 9-11, 22, 27.]