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To return to footnote, click on { }.

The Plea In Abatement Handbook

**For edifying and preserving
Good and Lawful
Christian Men and Women**

Author Unknown

Frequently Asked Questions

Q. Can the abatement process be successful for people in all situation?

A. The abatement process is not a silver bullet that will suddenly remedy all problems for all people. This is not and never has been its purpose. It is successful for Christians only, as, when non-christians have attempted to remove God, Christ, and Christianity from it, it has failed every time. Christianity is the only Law in American that is higher than that which the *de facto* government exercises. It is for this reason, the abatements are successful for Christians who are not rendering unto Caesar. Those who render unto Caesar will find that those renderings, known as minimum contacts, are the difference between success and failure of the abatement process. Voter registration, a license connected with the situation, contacts with agencies, employment with the government or a quasi-government agency, court appointed probation, a previous court appearance associated with the situation, commercial activity governed by the Uniform Commercial Code, being a 'resident' having an 'address' with a receptacle for 'free delivery,' instead of the status of 'transient' and having a 'location' at General Delivery and other similar benefits, privileges, and opportunities, are the types of minimum contacts you have to consider before using the abatement process. **Note: a 'trust' cannot use an abatement, as a trust is a fiction in Law, and therefore only deals in Equity, outside of the Christian Common Law or its processes.**

Q. Can one be arrested for using the abatement process?

A. There can be no guarantees with any thing we do in life, especially when dealing with a secular *de facto* "person" or "persons" under military mandates. Fundamental principles of Christian Law and the Common Law thereof, are still obeyed even by the 'low and lawless forms of government.' It is the Christian Duty of every Christian to know and understand these fundamental principles, so that they themselves do not violate them. In the three years of using the abatement process, there have been no arrests for using a properly processed and written abatement. There have been **two** arrests, to our knowledge, for misusing the abatement. Both were for threatening judges with the mandate that if they did not obey the abatement, \$10,000,000 liens would be placed against them. This kind of nonsense can only result in arrest. Abatements are not to be used for threats, but for simply stating Your Christian Law, and exercising Your Right of Avoidance.

Q. Will a ruling in My favor by a 'common law court' make My abatement more powerful?

A. The fastest way to sham your abatement is involving it with a 'common law court.' The reason? There is no such thing in Law as a 'common law court.' There were 'courts at common law' formed under a **substantive** Republican form of Government, by a duly elected Civil government. The current 'common law courts' operate out of necessity. Necessity is what the current *de facto* government operates under. There is a Maxim of Law that states, 'necessity knows no law.' Therefore, these courts, like the *de facto* government, are utterly 'lawless.' The only way in Law to end the current martial law and to create 'lawful' courts to hear common law, is to re-establish the *de jure* Civil Authority by way of forming Christian Jural Societies at the local levels.

Introduction to Pleas In Abatements.

While We look to all Christians to be self governing Christian Men and Women under God, We also realize that governments exist to keep “low and lawless forms of humanity” from doing violence to everyone, including themselves. As lawless as the current governments are, without them there would be total anarchy.

The real problem, of course, has nothing to do with law, but religion, as Washington said in his Farewell Address to the nation. One’s god dictates the kind of law one implements and also controls the application and development of that law over time. Given enough time, all Non-Christian systems of law self destruct in a fit of tyranny.

Thus, We seek to restore the vitality and enforcement of God’s Law for all men in all ages. This means, of course, a full restoration of common law which is simply the collected traditions of Christians learning to apply God’s Law to their everyday problems.

There are some, of course, who will disagree with this obvious Christian agenda, but that is their problem, not Ours. After many years of study in the origins of common law, We have no doubt of its Christian roots. For Us, the common law is simply God’s Law extended and applied by Christians throughout the history of England and America, and it will be Good and Lawful Christian Men and Women, who will extend and apply it today, to provide the Godly system that will once again, put the church on the march. **Note:** The *lex mercatoria* or commercial law (UCC, I.R.S. code, State codes etc.) was engrafted into the common law of England (see '[Glossary](#)' at 'Law Merchant'). When the State constitutions or codes mention that the rule of law in their courts shall conform to the common law of England, this means the *lex mercatoria*. This part of the common law of England is the only part they can hear, as private commercial corporate courts.

The Plea In Abatement Handbook is the first in a series of tools in an arsenal of lawful weapons that can be used to retard the advance of Imperial powers by *pietatus simulators*, until Christian jural societies can be established lawfully, and create their own Courts of Common Law.

Our position on restoring the people’s liberties and reconstructing the land is: “law is better than blood - one law for all.”

What Plea In Abatements Do.

Pleas in abatements respond to the majority of imperial powers paperwork – head on. When written and served properly, they have been very successful at stopping imperial suits – before they get started.

Abatements have the force and effect of an indictment and/or a civil case or suit.

When a defendant does not answer an abatement, a Default, properly written and served, becomes *Res Judicata*, i.e., final judgment has been made.

When properly served with default, they are a public record of wrong doing, and as such, can be used by the abating demandant (the one who serves the abatement) in further actions against

imperial powers fiduciaries (agents, bureaucrats, judges, etc.), such as Trespass on Case – **in their personal, not public, capacity.**

Abatements turn those who file imperial process against us, from plaintiffs, to defendant's, who under the rules of engagement during war, must strip themselves of all stratagems, and engage in their true character.

Abatements are low in cost to create and serve, and by ending an opponents case quickly, lower dramatically, the cost of maintaining and defending against imperial powers suits. Abatements follow the maxim of Law that, "the law looks to the end of all litigation." Contrast this with the current "law" in the courts: the only 'law' is what comes out of the judge's mouth – he has the Midas touch, i.e., what he touches or says becomes 'law' because he touched or said it. This is how 'law' is 'dictated' in private commercial corporate tribunals of 'traders and thieves.'

Abatements discussed, herein, have been served all over America, and have been used successfully against:

- Municipal Courts,
- Federal District Courts,
- Internal Revenue Service,
- Bureau of Land Management,
- Department of the Interior,
- State Taxing Entities,
- County and City Agencies, Bureaus, Departments,
- Banks and Loan Companies,
- and countless others.

The sample abatements listed after the text are based on more than three year's experience and thousands of actions served, in virtually every state in the union, in all types of courts, jurisdictions, and venues.

More importantly, research on the further development of the abatements has not only continued, but intensified, with a marked increase in the number of genuinely committed Christian Men and Women working on perfecting them.

Every word, clause, phrase, and sentence in the sample abatements have been diligently constructed, and if there was any doubt about using a specific word, etc., it was extensively researched, sometimes being replaced or removed.

The capitalization of nouns, appellations, and names, has been checked and re-checked.

The Maxims of Law used in the sample abatements have been carefully selected from Bouvier's Dictionary of Law (1856), Broom's Maxims (1845) and others.

The point of explaining the care that has been taken in compiling the sample abatements is; to caution Readers, that any changes made in abatements herein, adding words and sentences to existing text, etc., is dangerous, and may likely result in a document that is worthless.

No responsibility accepted for anyone, who makes any changes in the sample abatements. They are as complete as they can be, keeping in mind the importance of brevity, and conciseness, that is so important in all Lawful instruments.

Replacing the text of the appellation of demandant, name of the defendant, demandant's location for a defendant to respond to (if he can), defendant's address, and the type of abandoned paper you are returning should be the only changes necessary, in most cases.

We know, that in spite of warnings, thousands will make all sorts of, frivolous, unnecessary, and harmful changes in the samples, **the vast majority** of which will compromise the abatements effectiveness. We strongly caution the Reader against doing so.

Faith Helps.

The old adage that "faint heart ne'er won fair maid," can be re-worded as "lack of faith can cut your own throat in law."

Two years, a man back east served a plea in abatement to stop a foreclosure, one of the first we had ever done. The abatement successfully stopped the banks foreclosure for six months.

Six months later, the bank began sending nasty letters again, making threats, etc.. Instead of abating them, he got involved in Commercial Warrants, and sure enough, shamed his abatement.

In the end, the banks got what they wanted and the foreclosure was re-opened by the Warrants, which only made matters worse. The man's position now, is worse than before, because he wanted a quick and dirty way to end it all. It's sad that he never stopped to ask whether or not the Warrants were the Christian thing to do.

Faith in God's Law and common law, kept the wolf from the door in this man's case. Warrants did not just re-open the door to foreclosure, **it smashed the door**, utterly. Commercial liens have created the same problems for many.

In another case, a woman threatened a judge in her abatement, injecting into it, that if he didn't obey her abatement, she would file a \$10,00,000 lien against him. He promptly had her arrested for threatening a judicial officer. Abatements should never contain these types of things.

What is so shocking is, men and women of otherwise good will, are getting involved in a very dangerous game that is utterly contrary to God's Law and the common law, and they still call themselves Christians and patriots, "What communion hath light with darkness?" In other words, walking with Mercury, i.e., "commerce," and at the same time, walking with God are an impossibility, for "No man can serve two masters." We do not recommend you involve yourself with liens, warrants, **Title 42** lawsuits or any other commercial instruments at any time, no matter how great the temptation. Doubting God's Fidelity to his Word is equivalent to calling God a liar.

The General Rules

Pleas in abatements take their name from the fact that the process exists and can be used - **not because of any statute passed by some legislature** - but by virtue of its customary usage arising out of common law. The authority for its use, therefore, does not require any legislature's stamp of approval.

If the current courts were under law, pleas in abatements would have the effect of overthrowing an “action caused by the defendant’s pleading some matter of fact tending to impeach the correctness of the writ or declaration, which defeats the action for the present, but does not debar the plaintiff from recommencing it in a better way.”^[1] The only fact therefore, argued in an abatement, are the facts of defects in the plaintiffs initial process, that is, the very first piece of paperwork sent to you.

Thus, in lawful courts (not under 'The Law of War'), pleas in abatements suspend a suit until a plaintiff can correct errors in his original process. If errors are corrected in a response to the abatement, plaintiff's suit continues. This is why a plea in abatement is called a ‘dilatory plea,’ because it acts to delay proceedings of a plaintiff s suit, but does not prevent the plaintiff from correcting his errors and re-filing his suit.

‘Marks’ in abatements are statements to note, or to mark errors in a plaintiffs process so that a plaintiff can bring a correct, or better action against the Demandant. But, when proper pleas in abatements are issued against imperial powers, they have the effect of, but are not, process in equity or chancery practice and suspend “all proceedings in a suit, from the want of proper parties capable of proceeding therein.”^[2]

The ‘want of proper parties’ comes about, because the abatement is served by one who asserts his rights appertaining to a Christian, against those who are in another jurisdiction or foreign venue, and thus have no standing to respond to the abatement.

Parties under emergency powers, 'The Law of War,' 'International' and 'Municipal Law,' have no standing at Law and thus cannot answer pleas in abatements. They recognize the existence and power of common law, but can do nothing about it. The reason being, it is the duty of the military power to preserve the common law and any answer to a common law action, by martial powers courts tends to destroy ‘a venue’. If they jeopardize the common law venue, or any others, they put their own at risk.

The Rule is; those under 'The Law of War,' 'International' and 'Municipal law' cannot answer processes at Law.

Plea Out of Bar.

A plea in abatement is **not** a plea **in** bar, but **out** of bar. That is, a court cannot hear and judge matters that have not yet come under a court’s authority. For cases to come under court authority, all preliminary matters (errors in the original process) must have been resolved, or the plaintiff has failed to properly bring his case to the court.

Indeed, there is no case and hence, no court can hear anything. The case exists in the first place, because someone (plaintiff) serves a written action on someone else. Thus, courts are created by the paperwork.

The, plaintiff cannot put a case in bar, unless his process complies with court rules, the first of which is, plaintiff's process must have no errors in it. Errors constitute defective process and are sufficient cause for a respondent to issue an abatement.

Since abatements are pleas out of bar, courts cannot hear argument on a case, unless some act of the respondent, brings him in bar and makes him a defendant, i.e., by making some form of appearance; by entering a motion; asking the court questions; filing paperwork in the court, posting bail after an arrest, etc.. This is why one **never argues the merit or lack of merit in plaintiff's complaint, nor challenges jurisdiction, in an abatement.** Such arguments compromise the abatement and render its force and effect - null and void. Why?

Because, such argument joins respondent to plaintiff's action and converts respondent to a defendant (*persona*). In effect, respondent admits there is a cause of action, indicts himself, and converts his abatement to a demurrer and concedes jurisdiction.

Given the current state of courts, (*lex mercatoria* commercial/military tribunals), a defendant who thinks he knows the law is then angered by what appears to be gross violations of law and often attacks the court, the judge, makes threats, liars a judge or district attorney, or commits some other act that does nothing more than compound his previous errors. The temptation to respond in a rage and give the court 'what for' is strong. In this case, we make one recommendation - **don't do it**, - you'll be *in vinculus*.

Stick to the abatement process outlined herein, and control your emotions. The voice of God and the spirit of cool deliberation will win for you. Anything else will have severe repercussions.

The Rule is, pleas in abatements are pleas out of bar and grant no jurisdiction to a court, **when written and served properly.**

Note: If, for some reason you are pulled into a court, simply point out to the judge that the Scripture, which is your Law, is not present in the court, and therefore you have nothing to say, until your Law is being used in that court. The original reason people stood up when the judge entered the court, was because he entered, carrying the Bible. They stood in Reverence to the Scripture and The Word of God. By pointing out that the Scripture is your Law, you are importing your Law into the proceedings. If you don't do this, you will be considered by the court to be 'lawless.' You can also use this same method to 'exercise your Liberty to move along the common ways in your state.' When the cop asks you for your Drivers License, simply hand him your Family Bible and state that, 'this is My Law, which is the Word of God, and in My Law, I can do all things in Christ Jesus which strengthen Me, for I am not out here hurting or damaging anyone.'

When to Use Abatement Processes.

There are certain situations where an abatement is not used, and some Rule is needed that will show the Reader when an abatement will lie, and when not. Use of an abatement in nations under imperial law, is different from when a nation is at peace, internally or externally, with respect to the United States. And, while abatements are a major form of process, they have limits on their use.

Thus, if one uses a benefit, privilege, or opportunity, **not** allowed in common law, i.e., one that requires a license, and a case is brought by imperial powers for violations of such benefits, privileges, or opportunities the abatement is generally, not applicable.

But, if one is engaged in doing that which is allowed in common law, i.e., exercising a right common to all, but which has been converted to a benefit, privilege, or opportunity, by statute, then the abatement will lie.

The arrest of 'liberty of movement on the common ways' (traffic ticket) consistent with the customs and usage's in a state, is an example of trespass, against liberties held in common by the people. Such, is a criminal act against the people in general, and against a Good and Lawful Christian Man or Woman, in particular. Abatements are very effective in such cases.

Much is made of the so-called 'right to travel,' but such is really a privilege in commerce and has nothing to do with common law. Thus, wording in the previous paragraph is deliberately chosen as the basis of a 'mark' in an abatement. We do not use the idea of 'travel' or 'driving' in any common law abatement process, because both are commercial terms.

But, if one is engaged in doing that which is allowed in common law, i.e., exercising a right common to all, but which has been converted to a benefit, privilege, or opportunity, by statute, then the abatement will lie.

The phrase above, "trespass against liberties held in common by the people," replaces any reference to travel or driving in an abatement. Such wording defines a crime and a misdemeanor, in most states. (See the remarks on spelling the word 'state' in discussion of 'The Rules of English Grammar,' below.)

In contrast to the above, consider a situation where one works, is mustered into, or employed by imperial powers, i.e., "effectively connected in a trade or business within the United States."

First, the law says it is a privilege to work for civil governments.^{3}

Second, all privileges granted by civil government are taxable.^{4}

Thus, it is likely that pleas in abatements will not lie against process issued by imperial governments to seize wages and salaries paid by them, unless the entity who files the process to seize, is utterly incompetent. The abatement may work, but again, its use may be in vain.

Differences between the '*persona*' created by imperial governments, and a Good and Lawful Christian Man or Woman, are important and determine when the abatement will lie and when not State granted, imperial privileges, via the license (a token of the *persona*) **differ** from prerogatives held by a king, i.e., a Good and Lawful Christian Man. All Good and Lawful Christian Men have the prerogatives (*jussus* and *immunitas*) of the King.^{5}

A maxim of law is; *Domus sua cuique est tutissimum Refugium*, or “Every man’s house is his castle.”^[6] Registered churches in a 501(c)3 not-for-profit corporation, and Living Trusts, are both statutory and thus, cannot resist seizures, and abatements will not lie. Other examples are: private employment contracts v. independent contractor^[7]; employees of Departments of Motor Vehicles; and, others ‘privileged’ to be a fiduciary (agent, trustee, actor, representative) of an Imperial power, are subject and the abatement will not lie.

Scripture has something to say on these points, “Render therefore, unto Cesar the things which are Cesar’s; and unto God the things that are God’s.”^[8] These verses apply, especially to the resurrected, Roman Imperial Law, that now rules current governments.

It also relates to the money question, in that, Federal Reserve Notes are fictitious debt instruments created by imperial governments with no value or substance, while dollars specie (silver), have value and substance, and are lawful, civil, and Godly. If Cesar permits issuance of F.R.N.’s, he has jurisdiction (*imperium*) over their use. But, if Good and Lawful Christian Men deal only in dollars in silver, Caesar is dead - long live Christ Our King.

The Imperial powers do not want to open the money issue in any court. Remember: Imperial privileges created can also be abolished, destroyed, or taxed, by their Imperial creator.

On Appearance.

There is much discussion in the movement on the type of appearance one can make in court without granting jurisdiction. The consensus is, by special appearance only. But, do such appearances accomplish the desired result?

An appearance is any act or proceeding by which a defendant places himself before the court, in order to participate in an action. “Personal jurisdiction or power to render a judgment in personam may be acquired either by personal service of summons or by appearance. If a defendant or his attorney **does any act** with reference to the defense of the action, he is held to submit himself to the authority of the court and all defects in service of process are thereby cured.”^[9] (emphasis added).

“The modern law does not seek to compel appearance, but if the defendant is properly served and neglects to appear and plead, the court will render judgment against him for default of appearance. Inasmuch as the default constitutes an admission of the cause of action set forth in the declaration, all that the plaintiff has to prove is his damages.”^[10] ‘Special appearances’ are only for the purpose of determining whether a court has jurisdiction or not. But, where a court or, its principal, has a money interest in a case, the court always decides in its own favor.

Motions to courts grant jurisdiction to hear the motion, with the same result as a special appearance.

If one appears and answers ‘here’ when his name is called, he grants jurisdiction to a court over a *persona*, not over a Good and Lawful Christian Man. Saying ‘here,’ means, the Christian Man is present and is willing to be the surety for a *persona*. The Christian Man has waived all the rights of his *persona*, and the Christian’s right to abate the process.

The problem is, the Christian pays the fine and does the time, not a *persona*, because the Christian, as surety, applied for the benefit, privilege, or opportunity that created a *persona*.

The Christian has the 'benefit of discussion' in the court concerning a *persona*, but no prerogative to use his own law, (Scripture and common law), because he waived his rights when he answered for a *persona* without first, correcting plaintiff's process by abatement. The Christian appeared and perfected the errors in plaintiff's process, which is always defective against the Man, but not against the *persona*. From that point on, only the law of the *persona* can be used.

The 'benefit of discussion,' is; "A proceeding, at the instance of a surety, by which the creditor is obliged to exhaust the property of the principal debtor, towards the satisfaction of the debt, before having recourse to the surety; and this right of the surety is termed the 'benefit of discussion.'"^[11] **Note:** one has the 'benefit' of discussion, not the 'right' of discussion which can never exist under the Laws of War.

An important, out of print work gives an excellent discussion of the related concept of "pledge."^[12]

Never, never, confuse the difference between the Christian and a *persona*. They are never the same and neither can use the law of the other, because both are bound by the law of their respective creators. Christians have a relationship to God through Covenant created by Christ's sacrifice and resurrection. When a man becomes a Christian, his Christian appellation is written in the Lamb's Book of Life which is a private Christian name known only to God. The Covenant requires the Christian to abide by God's Law, not the man made law of the imperial *persona*.

The law of *persona* clouds a Christian's relationship to God and interferes with his duty to obey God. Imperial powers create a *persona* to give an appearance of legal process to justify trespass on the Christian's liberties, through the imposition of a *persona created by novation*.

Because the Christian and a *persona* are under different laws, there is an immediate conflict of laws, that are mutually exclusive ultimates, i.e., each, mutually excludes the other. This is the ultimate conflict of laws.

To illustrate by analogy, God looks at the Christian through Christ and sees one whose sins are 'white as snow.' An imperial powers judge looks through the Codes at the *persona* and sees one who is as black as the pit, because he is blinded to the existence of the Christian Man, who, even if he could see him, could not hear his testimony.

The law of *persona* is never law, for it is directly contrary to God's Law and common law. It is based on the Law of War, and is spawned by the god of war (Mars), while the Law of God is based on Himself and is the Law of Peace and Safety. Thus, the maxim: "The Law of God and the Law of the Land are all one; and both preserve and favor the common good of the land."^[13]

By way of contrast, the maxims of the Law of War are clearly opposed to all true law.

"*Silent leges inter armas;*" the laws are silent amidst arms.^[14] Thus, under the laws of war - real law, common law, and Constitutional law are silent. They have no voice, no force, or effect, unless the imperial powers feel the need to use them at their option.

In 1628, a 'Petition of Right' by Sir Edward Coke^[15] was issued against Charles I that stopped martial law in England. The relevant passage in the Petition is:

“And also sundry grievous offenders by colour thereof, claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused, or forborne to proceed against such offenders according to the same laws and statutes, upon pretence that the said offenders were punishable by martial law, and by authority of such commissions as aforesaid, which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm:”

There are many in the law reform movement who object, if not openly, then in the heart, each time we raise so-called religious arguments in Christian Jural Societies, in abatements, or other processes. Such men must reckon with the clear and unequivocal facts of God's Law and common law and, if they deny God, must learn to live with a dead *persona*, and rest content with the Imperial Heaven they now have. Only by asserting the Crown Rights of King Jesus, can we or any other people, have any defense against imperial powers.

The bottom line is, one cannot claim a king's prerogatives or sovereignty, without being an heir or son of the true King of Kings, Christ Jesus. “The Spirit Itself beareth witness with our spirit, that we are the children of God: And if children, then heirs; heirs of God and joint heirs with Christ; ...”^[16]

Perhaps now, we see why imperial powers create the fictitious *persona*, with fictitious alter egos, i.e., persons, individuals, human beings, natural persons, etc.,^[17] because they have no power over Christians whose law is God's Law and common law. Their power extends only to what they create, the *persona*, not to a Christian.

God's Law and man's law are opposed at every point in Creation. God is no respecter of persons,^[18] but man is, and his law reflects it, as seen above. Man knows he has no right to dominion over other men, but he nevertheless seeks to gain it, by creating the fictional *persona*, known only by the *nom de guerre*.^[19]

The Christian Man cannot control what imperial military powers of the State do with his name. But, he can control the way he responds to a *persona's nom de guerre*. The spelling makes all the difference between the real, substantive Good and Lawful Christian Man, and the fictitious vacuum that is a *persona*, which, so long as it exists, is the means whereby the Christian's life, liberty and property are raped, plundered, and pillaged, by lawless, greedy, little men.

We now know why names on Court Dockets (from which one's name is read) and names on imperial process are spelled in all capital letters, and why such names are called a *nom de guerre* (name of war), which are specific evidence of the existence of a fictitious *persona*. Arguing jurisdiction is a *fait accompli* and utterly irrelevant when one has already answered as surety for a *persona*.

One may think this is ‘fraud,’ but, all names are spelled this way on all imperial process and on the Docket sheet posted outside the door of courts - where all the world can see it. If one fails to note that his name is not spelled according to the Rules of English, that the true Christian name is not on the process, they have no one to blame but themselves. A name spelled in any way other than in the proper Christian form **is an error.**

The *persona* has no power to answer defective imperial process. It has no hands to write a response and no voice, because, as the creation of an imperial power it is an absolute fiction, created *ex nihilo*, out of nothing. And, there is nothing that can qualify as a contract to tell you when and how the *persona* is created, **it is always assumed**.

The maxim of law is: “Fictions arise from the law, and not law from fictions.”^[20] But, if the Christian fails to ‘appear’ or answer the process, the courts will issue default judgment against the *persona*, anyway. Thus, if a Christian wants to stay out of jail and keep his liberty and property, he had better respond to the process and inform the court of the errors that are always there.

With abatements, one responds without ‘appearing’ and process is not perfected on a *persona* until the court issues a Warrant. The Christian Man, however, is **severed from the *persona* by the abatement**, which is the only response that answers imperial process and stops default judgment against the Christian Man, **provided he has not traversed his case by writing something stupid in the abatement** (UCC codes, filing it in the court or removing Christ). **This is the reason why, technically, Non-Christians cannot use pleas in abatements.**

This may be difficult for some to swallow, but in more than two hundred years of Supreme Court decisions from the Runkle case (1799) to the present, which state, the laws of the nation pre-suppose Christianity – upon which they depend. Pleas in abatements are therefore, a specifically Christian remedy.

When a Non-Christian asks whether they may use Christian premises in an abatement, the Maxim of Law rules, “No man warring for God should be troubled by secular business.”^[21]

To continue, once an abatement is served, one **must not appear** until plaintiff answers the abatement - lawfully, which has never happened to an abator to date. Such an appearance **will set aside the abatement and grant jurisdiction to the court over the *persona***

It’s nerve racking when one serves an abatement against imperial powers and one’s court date passes without his making an appearance. But, trust in God, the abatement will not be answered properly and will go to default. Then, one serves default against plaintiff and the matter becomes *Res Judicata*, i.e., final judgment has been made. Imperial process goes to default for the same reasons that the imperial court will grant default judgment if one fails to appear and answer an imperial plaintiff’s process. (See, “Response Tactics,” below).

The truth is, no real man, Christian or otherwise, belongs in imperial powers courts. These courts may distinguish, but we must not.

As the Scripture says; “One law shall be to him that home born, and unto the stranger, that sojourneth among you.”^[22]

The Rule is: “The presence of the body cures the error in the name.”

The Rules of English.

A major problem created by imperial schools, posing as 'public schools,' that directly impacts on one's understanding of law is, the failure to teach 'The Rules of English Grammar.' For example, what words are capitalized and when. This difference alone has major significance in law. But, imperial schools are only half the problem.

The American people abuse the English language as if it were a right. In law, this is deadly, because it can put a defendant or plaintiff in jail without ever knowing why. We strongly recommend to Readers that they buy and study a handbook on 'The Rules of English Grammar,' and make it part of their life's work to put these Rules into effect - daily. We recommend the older works on Grammar, for obvious reasons.

'Nouns' name persons, places, or things. General nouns denoting a class of persons, places, or things, are never capitalized. If we mean a specific person, place, or thing, **only the first letter is** capitalized. Thus, the noun 'state'^{23} and 'State'^{24} are different words denoting two entirely different things. The former (state) is general and used at law, while the latter (State) is specific and denotes a created entity, i.e., a fictional *res*, i.e., a thing.

In today's courts; persons, places, things, and entire court processes, are often written in all capital letters, a clear violation of 'The Rules of English,' which must violate the common law as well. But, this is done to fully inform defendants and plaintiffs of the type of court that will hear a case. It says, clearly, that a court is sitting to hear matters in controversy - between *persona*, or, a *res* and *persona*, and thereby full disclosure is given to all.

Today's courts cannot deal with real people, places, and things, i.e., substance, because, being bound by imperial law, such courts can only deal with fictional *persona*. Thus, all parties agree to be named, and do appear by, fictitious names, spelled in all capital letters, i.e., a *nom de pierre* (war name).

An example of a war name is, JOHN DAVID SMITH or John D. Smith. In common law, the Christian name is spelled John David Smith. Because all corporations are also fictions of law, their names are spelled in all capitals or initialized or both. Thus, if I.B.M. is a party to an action, its name is written; INTERNATIONAL BUSINESS MACHINES, INC. on the court's Docket and in all process.

Initials or abbreviations of a name, are "no name at all," and their use creates another fiction. Government documents commonly make no provision in their forms for one to write out his middle name. This is a deliberate form of entrapment. This is the practice on all I.R.S. forms that only allow space for a middle initial. Under the Law of War, they can only ask for the fiction. The maxim is: "An alien enemy cannot maintain an action during the war in his own name." *Wharton Pa. Digest* §20.94. (1853)

One styles any plaintiff on process from an emergency powers court in all capitals, or initials, such as THE INTERNAL REVENUE SERVICE, or the UNITED STATES OF AMERICA.

Spell out all numerals or numbers in abatements, i.e., 'The Year of Our Lord and Saviour Jesus Christ, Nineteen hundred and Ninety-six.' Numbers are fictions in numerical form and have no substance. In common law it is best to spell all numbers in their word equivalents.

Next - is the use of parenthesis, brackets, curly braces, and boxes. All information contained therein is classed as; “extraneous, explanatory, and interpolated matter, with no force and effect in law.”^[25] As a side note, if you must use a ZIP Code, put brackets around it to deflect its force and effect in law.

The point of this discussion is, any name not correctly and fully spelled out is a misnomer, literally, misnamed, and is a solid plea in abatement. In all pleas in abatements there is some reference to the misnomer.

When raising misnomer, however, state only the facts that lead a court to conclude a misnomer has been used. Let the court come to its own conclusion.

Do not specifically allege ‘misnomer’ in the abatement.

If your name is a single letter and not a full name, make sure you **DO NOT PUT A PERIOD** after the single letter name, because it says that one of your names is abbreviated and is thus a fictitious *persona*. To save yourself the pains of being mis-interpreted, one might want to adopt a fully spelled name to replace a single letter name.

You may use periods after each line of your postal location (avoid using the commercial word ‘address,’ ‘General Delivery’ being a ‘location’ and **not** an address). Then, each line of one’s postal location is a self contained entity. Do not use commas to string together names and addresses.

English is important to understand because it speaks directly to ‘mis-joinder’ and ‘non-joinder’ issues. One cannot be mis-joined and is thus not joined in the action. No joinder, no case.

The above is only a summary of the relationship of English usage and the law.

The Rule is; Know the English language and use it like a weapon in law.

What’s in a Word?

If one makes a careful study of the way in which imperial powers word their paperwork, letters, and process, one will find a very deceitful use of certain words and phrases, all of which are designed to compel one to make a ‘voluntary appearance.’ And, since all appearances are voluntary, the words must carry the maximum impact, yet not cross over the line so as to violate the Rules of Imperial Process. Thus, one may see phrases such as “You must appear at ... blah, blah, blah, ... at such a date and time, ... blah, blah, blah.”

Has this sentence violated the Imperial Rules of Process?

Answer: No.

The reason: In Law, ‘must’ means ‘may.’ What’s really being said is, “We invite you to appear ...,” because your appearance must be voluntary. Such phrases are designed to strike fear into the heart of a defendant and provoke a knee jerk reaction that means the defendant loses!

Other words and phrases using the same kind of deceit are: “Notice of ...,” “Notice to Appear,” “Notice of Lien/Levy,” “Notice to Remove,” “Notice of Warrant,” “Notice of Trespass,” “Order to Show Cause,” “Order and Demand,” and “**IT IS SO ORDERED.**” From what we have all learned from above, we now know that the phrase “**IT IS SO ORDERED,**” because written in all caps, is unintelligible in English, and thus carries no Law and is abatable.

When in doubt, get an old dictionary of law.

Letters from the Government.

It is common for all branches of government to send letters to people they are setting up for persecution. The purpose of letters is not to inform you, but to inform them as to how much you know Law.

People normally respond to letters with more letters. But, letters, as such, have no force and effect in law. Thus, when you respond to a letter with another letter, this tells whoever sent you the letter, that you know nothing about law and that you can probably be pressured to roll over and pay without any further trouble on the government’s part. The letter is, therefore, merely a device used by governments to collect revenues, without the bother of issuing process and going to court. Any response other than an abatement will create a joinder and acquiescence on your part, and will submit you to their jurisdiction.

The problem is, a response letter joins you to an action without you knowing it.

The I.R.S. uses this tactic, very effectively. Threatening letters making outrageous demands for taxes you probably don’t owe, are typical. Your knee jerk reaction is, respond with a letter asking all kinds of questions that the I.R.S. could not care less about. The point of the outrageous letter and demands is, to provoke a response from you, get you to appear, or make a call to the I.R.S., in which they will apply more heat to force one to roll over. The I.R.S. doesn’t care whether you’ve properly paid “your fair share,” they want more. The object is, compel you to submit to an increase in your voluntary assessments, rather than fight them. The letters are thus, a tactic using fear and intimidation, and they exploit your ignorance of Law.

Remember, also, most I.R.S. agents are sub-contractors and work on commissions from property they seize.

Often, the news media blasts you with stories of how the very wealthy are put in jail by the I.R.S. or have to pay huge fines and penalties for not filing, or filing in error. These stories are numerous just before April 15th.

But, it doesn’t matter who sends you a letter: **do not respond with another letter!!!** Respond with lawful process, i.e., an abatement. Their letter may have no force and effect in law, but the abatement will. Usually, they just go away and you will hear no more. On the other hand, a persistent agent may continue to harass you to see if you are studied in the Law or just using someone else’s ‘silver bullet.’ If this is the case, continue to abate all letters or a summons. You will probably not receive any mail at General Delivery from them, but if you don’t remove your mail box and/or cancel your P.O. Box, they will try to access you there.

The Rule is, respond to all letters from any government agency with lawful process.

Response Tactics of Imperial Powers.

Since, under International/Municipal Law, “deceit” is legal,^[26] one must expect that all federal, state, county, city, and local imperial government officers and agents will use it to get what they want, which is, to compel the Good and Lawful Christian Man or Woman to answer for the *persona* and “voluntarily comply.”

Tactics used by imperial powers to get ‘voluntary compliance,’ would be a joke if the end result was not so vicious. They will lie, cheat, destroy evidence, and create evidence where it never existed. Thus, there is a wide variety of tactics of response, used by all government officers and agents to try to get someone who has served a plea in abatement, to respond in such a way as to nullify or circumvent the effect of the abatement. The idea is, they cannot set aside the abatement. They must deceive you, the abator, to do something that will, by your response, have the same effect. Then, they will re-issue a demand, bench warrant, or whatever, and proceed as if the abatement never existed, in the first place.

In the examples of Response Tactics that follow, we assume that some branch of government sends you something. It could be a letter from the I.R.S., a Notice to Appear on a traffic ticket, a demand from the local Fire Department to cut your grass, a building code violation, or almost anything else.

And, we assume you have properly responded to such forms of communication by serving an abatement and when the government agent did not respond, you served, after the lapse of ten days (not counting Sundays and Holy days) a Default against them.

Example One. ^[27]

A Sheriff Deputy shows up at your house with a warrant in his hand. Of course, the warrant will not be a genuine warrant with affidavit attached, court seal, or a judge’s signature in real ink.

The Deputy will call you to the door and after a few remarks, will say something like the following. “Hi, I’m here to talk to John Smith.” John Smith comes to the door and the Deputy says: “In regard to the abatement you served, the judge will agree to drop the Warrant, if you drop the abatement, and you won’t hear from us, again.”

There is only one possible response to this - **No!**

One may frame their words more diplomatically, but the general idea is, **refuse**.

This is the mildest and least confrontational type of compelling “voluntary appearance.” Most officers walk rather softly after they have been served an abatement.

Example Two.

Same scenario, same situation, same Deputy. This time says, “Uh, the judge wants to put out a warrant on you for not appearing on your court date, but he won’t, if you’ll come down to the court house to talk about the abatement you served him.”

In this approach, you are expected to meet the judge half way and go along. **Don’t!**

The bench warrant has already been issued on the Docket, and the Deputy may not even know it! But then again, they may know perfectly well that a warrant waiting for you. A warrant on the docket is only good inside the court. It does not go out on ‘wants and warrants’.

Again, the polite refusal will handle the situation.

Example Three.

In another case, the scenario is the same, except, John Smith is not home when the Deputy comes. John’s wife answers the door and when she found out what the Deputy wanted, she handed him a “Public Servant’s Questionnaire,” and he left.

Nothing more was heard on the matter.

Example Four.

In another case, after three abatements and three defaults on the same case involving an 'Order to Show Cause' in Federal District Court, the Sheriff’s in a county different from the county where the court sat, sent three Sheriff’s cars to the Smith’s house.

In broad daylight and in front of the neighbors, the Deputies made a great show of force and when they found out that Mr. Smith was not home, asked the Smith’s son where his father was.

The son said he didn’t know, the Deputies left, and no more was heard.

The point of this example is, the local Sheriff’s Office co-operated with the I.R.S. and used a half dozen Sheriff’s Deputies to put fear into the Abator and get him to come to court, partly by turning his neighbors against him.

Example Five.

In one bizarre case, the local Sheriff put pressure on Mr. Smith’s neighbor to talk to Mr. Smith and get him to go down and talk to the judge.

This is nothing more than pitting neighbor against neighbor. But, what this example does is point out very clearly, that imperial powers have no real power to compel performance when true law has been brought squarely before them. The bottom line is, if they had real law to back them up, imperial powers would not need to use fear, threats, and intimidation.

Another tactic of the imperial powers is an attempt to compromise an abatement by mail.

This works as follows: the imperial powers *personae*, after they have been properly abated and defaulted, send some letter or process to the abator by mail, in the name of the abator's *persona*,

Remember earlier, how we pointed out that the abatement has the effect of severing the connection between the Good and Lawful Christian Man and the *persona* (the *nom de guerre*).

What happens if, a Christian receives another piece of mail from the imperial power – in the name of a former *persona*, and he accepts the mail in the name of the *persona*?

Answer: the Christian and the *persona* are rejoined and the former abated process that was dead, is now alive and well, again. The reason is, the Christian has, by his own act, contradicted his abatement and default, and has proved, by accepting mail for the *persona*, that he is not who he claimed to be in the abatement, and that he is volunteering to be a surety once again, for the *persona*.

The solution is; write on the mail, “No such person at this location.” Do not write “Refused!!!”.

Response Tactics of the Good and Lawful Christian Man.

How does a Christian Man respond to the tactics of imperial powers in the above examples?

First, avoid idle conversation with those who try to talk you into removing your abatement. This is thin ice and you may be trapped by your own words into the “benefit of discussion.” Never answer your door unless you are expecting a friend or you know the caller. There is no law that says you have to answer your door for any one. When you receive phone calls from the entity, do not engage in any conversation with them. Remember that when they ask if this is ‘so and so,’ they are looking at paperwork with your *nom de guerre* on it. If you say, ‘yes, this is so and so,’ you are answering for that fiction.

Second, the officer wants to speak to the *persona*, who cannot speak, except by the mouth of Ba'al. It is better to send another abatement to refuse all discussion with an officer. They will use every word that comes out of your mouth, against you.

Third, if any further process comes into the presence of the Christian, whether by personal service of process, or by any other means, there is only one possible response for the Christian to take: **Abate it.**

Misnomer.

Misnomer means, literally, “mis-named.” More importantly, any process, bearing any name other than a man's full and properly spelled Christian name is an error subject to abatement.

“The name of men, at this day, are only sounds for distinction's sake, though perhaps they originally imported something more, as some natural qualities, features, or relation; but now there is no other use of them but to mark out the families or individuals we speak of, and to difference

them from all others; since, therefore, they are the only marks and indicia of things which human kind can understand each other by, we must see what certainty the law requires herein, and what the effects and consequences are of the omission of the name, or false specification of the party ...” {28}

And from a work compiled in 1670, “Misnomer, (compounded of the French *Mes.*, which in composition always signifies *amisse*, and *nomer*, Latin, *nominare*,) the using [of] one name for another, a mis-terming, or mis-naming” {29}

A misnomer is, **any spelling of a name not consistent with the Rules of English Grammar** and the way in which one **customarily uses his name**, such as the recordation in your Family Bible. Thus, a *nom de guerre*, a name spelled in all capital letters, such as JOHN DAVID SMITH or initialized as John D. Smith does not conform to the Rules of English and is thus, a misnomer.

Where a name appears in upper and lower case letters according to the Rules of English, and one of the names has been abbreviated or, initialized, it is also a misnomer. Thus, “We are of opinion that the word ‘misnomer,’ which means a naming amiss, is wide enough to cover the faulty indication of a Christian name by means of the initial: Vide, Bacon’s Abridgment, under “misnomer,” {30} and “initials were no name at all.” {31}

Thus, “Misnomer is a good plea in abatement, for since names are the only marks and indicia which human kind can understand each other by, if the name be omitted or mistaken, there is a complaint against nobody.” And, “... if the defendant has been arrested by a wrong name, the court will set aside the proceedings ... and discharge him if in custody.” {32}

“But, though a defendant may, by pleading in abatement, take advantage of a misnomer when there is a mistake in the writ or declaration, as to the name of baptism or surname; yet in such a plea he must set forth his right name, so as to give the plaintiff a better writ.” {33}

Now, even though a misnomer appears on imperial court process, a plaintiff may produce witnesses who will state that, the respondent never spells his name the way it is spelled in his abatement.

Therefore, if one spells out his first name, initializes his second name, and spells his last (surname) name, and process is issued in that name (a defendants normal spelling, even though incorrect by the Rules of English), an abatement that pleads misnomer, may not lie.

It is good practice to put a colon (:) between your Christian name, given at baptism, and your family name. The Christian name includes only ones first and second names. Get in the habit of writing out the full name, or one may use only the Christian name as a rule.

But, if one was given at birth, a name with only a single letter in it, **do not put a period after the single letter name**, which converts the name to a *nom de guerre*.

The Rule is: Always spell ones Christian or full name, according to the Rules of English.

Note: IRS agents, deliberately use misnomers for themselves. They call it an “officially registered pseudonym,” i.e., false name, to make it more difficult for one to find an agent’s personal property and seize it in a suit at Law.

Question: If what the I.R.S. does is lawful, why do they need an ‘officially registered pseudonym.?’ The Law of War maxim gives the answer.

Kitchen Sinkers.

It is a universal maxim that “less is more.” No where is this more applicable than in law and lawful process.

Yet, we’ve all heard of, and probably know, many amateur lawyer types in the law reform movement who have never heard of this maxim, and would reject it in a heart beat, because they are “The Kitchen Sinkers.”

When Kitchen Sinkers write process or a brief, they throw in everything they can think of, including the kitchen sink. And for this reason, such people seldom win any cases, not even against the dog catcher, precisely because of the unrelenting need to throw in the kitchen sink.

These guys can take simple process like a plea in abatement, that takes at most five or six pages, to say what needs to be said, and blow it up, into ten, fifteen, twenty, or thirty pages.

They can write paragraphs of one sentence that are five pages long!!! And, in the vast majority of cases, such paragraphs have no substance in law – at all. Instead, they are nothing but an exercise in how to vent one’s spleen in ten thousand words or more, without saying anything of real value.

They will sit at a typewriter or computer for hours, banging away in a rage and congratulating themselves on how ‘powerful’ their writing is. They build up an enormous raging sweat during this marathon of spleen venting and by the time they finish (assuming the process can be completed before the court deadline sixty days down the road) they are a bundle of knotted emotion and profanity. But, if they really do finish the job, they always qualify the end result by saying, “There’s some things I’d like to add, but, I don’t have time now.”

And at the end of it, the Kitchen Sinker sits back with great pride, looks at his stack of papers and says, “There, ah, show’d ‘em!”

In truth, courts pay no attention to such trash, especially since at least half the words, are devoted to slandering or libeling the judges’ bloodline back to his ninth great grand-parents on both sides of the family tree.

The Rule is; Avoid such people like the plague, because they are one.

On the Uniform Commercial Code.

There is the tendency in the law reform movement to use the Uniform Commercial Code on everything from signatures on checks, on mail, on applications, and on anything that even appears

to be paperwork or process from any government agency, bureau, department, or other imperial *res*.

Now, if those in the movement are so interested in restoring the common law and everything else that goes with it, why do they feel the need to use statutes??? And, the Uniform Commercial Codes, whether State or Federal, are statutes, none of which is law, or bears any resemblance to it.

“Individuals [private Christians] rely for protection of their rights on law, and not upon regulations and proclamations of departments of government, or officers who have been designated to carry ‘laws’ into effect.”

Common law and statutes do not mix. They are like oil and water. Yet, every time one hears a presentation on the common law, they invariably bring up the so-called sure fire silver bullets of the Uniform Commercial Code. So prevalent is this practice that in one recent newspaper article on the militia, the newspaper reporter said that the courts call these people “The UCC’ers.”

Would any right thinking UCC fan, use the I.R.S. Code to try and create a plea in abatement. I think not. Then, why do they use the UCC, that uses the same “words and phrases” definitions found in **Title 26**, The Internal Revenue Code??? Could it be that all the Titles and Codes, and, specifically, the Uniform Commercial Code are really just an imperial mine field???

Now, since people are so enamored of common law and still use UCC statutes, go ahead, use the UCC all you want, **BUT, DO NOT USE ANY UCC CITATIONS IN PLEAS IN ABATEMENTS – IF YOU WANT THE ABATEMENT TO WORK!!!**

Conflict of Laws.

Having spoken above on the Uniform Commercial Code, which is a statute, raises the question of the use of statutes in a plea in abatement.

After nearly three years of experience with pleas in abatements, we have concluded that it is not wise to use **any statute, including codification's of the common law**, that may, under some circumstances, compromise the abatement. As a result, we no longer recommend use of the 1872 Code of California, in any common law process.

Recognizing Defective Process.

For you to maintain your standing in Law, you must be able to distinguish between lawful process and defective process. This is especially important when you realize your perception of lawful process has been warped and is dysfunctional. It is your perception of process, and acting on that perception, that is fatal to maintaining your lawful standing – not the process itself. The key indicia in lawful process are: **One**, a seal from a court known and recognized in the state, and not the State; **Two**, signed in black ink by a constitutionally elected Judge in the Judicial Department in the state; **Three**, must describe with particularity the Christian Man or thing to be arrested or seized. Do not look to the federal constitution for the requirements. Your state constitution requirements are the standard and establish the conflict of laws necessary to abate the defective process.

Address vs. Location.

At Law, you are your own “Secretary of State.” You have established Christian self government in your House which communicates with outside imperial and lawless governments, which are foreign to your venue. It is your duty to maintain the integrity of your Christian self government and to that end you must understand certain terms which are misleading when first encountered.

There are several key terms concerning transmission of any communication between a private Christian man and imperial governments when the Post Office is involved. These terms apply whether we receive process from governments or, send process to governments.

Post Office functions have been converted under imperial law to a commercial venue under a separate entity now known as the 'Postal Service.' The constitutional or common law venues are not abolished; hidden, perhaps, but not abolished. Key terms below, clarify these differences if we note that Post Office terms used by imperial Postal Service, are given new names and redefined. The old ones still exist, but the new codes do not mention them.

The idea is, use constitutional and common law venues to avoid using any benefit, privilege, or opportunity.

Official terms that define the duties and powers of the Postal Service assume the District of Columbia is the ‘home’ point of origin.

The term ‘**domestic**’ commonly means; about the home, home grown, etc., but, in Postal Codes, the home point to determine the meaning of domestic, is the District of Columbia, and domestic mail moves between D.C., possessions and territories of the United States, Guam, Puerto Rico, Northern Marianas Islands, Virgin Islands, American Samoa, and the parts of states that are ceded, rented, leased, or under management of the Federal power. Mail moving within and between points outside of the above areas is ‘**non-domestic mail**.’

'Zip Codes,' are created fictions that number specific commercial geographic areas but are not part of the land itself. They are used to scan mail to determine if it is domestic or non-domestic. However, since words and numbers within brackets, etc., re-define enclosed ZIP Codes as “extraneous, explanatory, and interpolated matter,” ^[34] the ZIP code itself, has no force and effect in law when brackets are used.

Jurisdiction of the Postal Service extends as well to ‘addresses,’ which are converted to commercial benefits, technically governed by *lex mercatoria* and *commercias belli*.^[35] Those who use addresses are converted as well, to a *persona*.

Thus, the only Post Office service not using a benefit, privilege, or opportunity is 'General Delivery,' which is a traditionally vested right that existed before the Constitution. It is also a custom and usage of long duration.

Postmasters, who are given discretion in the matter, may not permit General Delivery.

See the section on 'General Delivery' for a more detailed explanation.

Serve It, Don't File It!!!

We have stated over and over again, that the current legal system is one of foreign law (Martial, International/Municipal, Law of War, etc.) and such courts we styled as Imperial Courts. Constitutional or common law process, cannot be heard in imperial courts.

This has not prevented people from filing abatements in such courts, anyway. **Because such courts cannot hear common law actions there is but one result – reiection!!!**

The problem is, when the abatement is rejected, people call or write to complain. After much discussion we learn the abator filed his process in the court. When reminded that Version 1.0 of the work tells him not to do this, Alzheimer's sets in and he doesn't remember this.

Once again, **Serve it, Don't File It!!!**

There are many reasons, of course, why we do not file an abatement in a court.

One, there is no court today that has authority to hear it.

Two, the court only hears a case – after all parties are joined in an action.

Three, abatements are served on one who becomes a plaintiff thereby, who is given an opportunity to respond with a better suit, if he can. But, fiduciaries of today's imperial governments cannot respond to pleas in abatements - only lawful entities can.

Four, if process comes from a court, abatements are still served on a person, i.e., a judge.

Five, all pleas in abatements in this Handbook are served on people in their private capacity, not as officers in their official capacity or, under their official title.

Six, the abator, creates his own court when the abatement is served. He cannot file it anywhere, in any court, because no court can hear any matter still under another court's jurisdiction.

Thus, for the last time; The Rule is; **Serve the abatement – don't file it!!!**

Serving Plea In Abatement Processes.

There are four ways to have your process served; by the Sheriff's Office, by Registered Mail, by State Marshall's, or by Elisors.

For service of process by the Sheriff's Office, take one copy each of the abatement, plus, one copy for your own records to the Sheriff s Office, Civil Division, and go to the Clerk's window.

Ask the Clerk for the Service of Process Instruction Sheet. This form is used to provide the necessary information to the Deputy who will serve the process. It contains a place for the location of the demandant (the one filing the abatement) and the defendant (the person against whom the abatement is being served, personally). The form also has spaces for the locations of all parties and the hours during which the process may be served. It is primarily self-explanatory.

When the Clerk asks for the case number, tell them you haven't got one yet and the Clerk will assign a Sheriff's case number to the abatement. Copy the Sheriff's case number to the appropriate place on each copy of the abatement, including your own copy.

Make sure all copies are time and date stamped by the Clerk.

When this process is finished, pay the Service of Process Fee, usually \$25.00 to \$50.00, and give the Clerk, or whoever is working the desk, all copies of the abatement that are to be served.

In a few days, you will receive at General Delivery, correspondence from the Sheriffs Office that contains the Sheriff's 'Proof of Service' forms which may be one to two pages or more, depending on how many defendants you have had abatements served on.

Attach the copies of the proof of service to your copy of the abatement.

From the actual date the Deputy served the defendant named in your abatement, go to the next day afterwards, and begin to count forward on your calendar until **ten days** have elapsed, **not counting Sundays and Holy days**. This date is the **Rule day**.

Mark on your calendar the **Due Date to Receive Response** or **Rule day**.

If no response to the abatement arrives at your General Delivery by the Due Date to Receive Response, serve the Default, Default Judgment, and Writ of Praecipe, immediately by Registered Mail.

Service of process by State Marshall's, takes place basically the same way it does with a Sheriff's Office.

For service of process by Registered Mail, use the Registered Mail Number for the Sheriff's case number.

Have the Postal clerk time and date stamp your process just like the Sheriff did above. Pay the clerk 50 cents and have her place the glue strip that comes out of the postage machine, onto the upper right hand corner of page one of the abatement and date stamp across this.

If the clerk will not put a time and date stamp on all copies of your paperwork, then fill out a Certificate of Mailing, one for each copy of your abatement, and staple one copy to each abatement, **before you put them in the envelopes**. Put each copy of the abatement, with its time/date stamped sticker or Certificate of Mailing, in the appropriate envelope, and post them as you would normally. By the way, a 'Certificate of Mailing' is time and date stamped - automatically - by the Postal Clerk.

Service of process by Elisor is the easiest way of all to get process served, **if you have a jural society from which the Elisor can be selected.**

First, you will have help filling out your process, which, with this book, means that all you'll need is someone with a computer and laser or ink jet printer.

Second, you have no problem getting the proper time and date stamp on your process, and, one can also put the jural society seal on the paperwork, if the society has a lawfully formed Court of Common Law.

Third, if the jural society has a lawfully formed court, then the process will call the person abated to the jural society court, who can, by its presence, put some teeth into your process.

The only tricky thing about jural societies, is, **they must be lawfully formed.** This means that the jural society must be formed and must have held open elections **for electors only,** within the county. **This is a prerequisite for forming a court of any kind.**

There are those who argue that 'common law courts' do not need a jural society to sanction its rulings. The truth is, if courts do not sit under a lawfully formed jural society, the people have no control over what courts do, and they are, by common law, nothing more than lawless, self serving mobs, considered in the Law as a 'shotgun court.'

Most of the so-called 'Our One Supreme Court', allegedly do 'quiet title' actions. But, under Martial Law, the imperial power is not interested in whether one has quiet title, but in possessory rights. 'Quiet titles' issued by such 'courts' will not stop an imperial power who is only interested in possession – not questions of who has the title.

Actions Against Women.

Actions filed against women by imperial courts are a special case and must be handled according to the common law doctrine of Coverture, which requires that a Man, being the covering for the Woman, must write and serve the abatement process in his name.

When Bouvier speaks of "Coverture," he says that: "The being of the wife is civilly merged with that of her husband," which in the Scripture is phrased as: "becoming one flesh."

But, whether a woman is married, lives with her parents, is single and lives alone, or is married at common law, one man is always her cover as far as the Scripture is concerned.

And, for purposes of serving process on her behalf, such process is written and served in his name, and she is designated as "*et uxor*," not "*alieni juris*."

"*Et uxor*" means, "and Lawful Wife." "*Alieni juris*" means, 'under control of another,' which can mean, under control of a lawless person.

If a woman has no husband, process is issued by the father, or a brother. If a woman's family is dead and she is single, a man friend must still stand as her covering.

In lawful systems, many civil actions cannot even be brought against a woman without the permission of her covering. This also applies to children under twenty-one years of age.

If a woman is single without anyone who can act for her, she may, by letter of attorney that specifically references coverture for purposes of civil actions, etc., have a friend act on her behalf, or, if a lawful jural society exists in her county, she may appoint the society as her covering. If the case is that she has no one that will act for her, she does it in her name, followed by a comma and *suae potestate esse*.

A word is needed here on what a true, common law marriage is. At the outset, it must be clear that a common law marriage is not mere co-habitation.

True common law marriage was the only form of marriage prior to the 'War of Secession.' After the War, when men and women of different races were married (miscegenation), it could only be done under license from the state, because of all the legal and familial problems such marriages created. The State thus became, through licensure, a third party to the marriage.

At any rate, in a common law marriage, a Man and Woman still have a marriage ceremony in an unincorporated (non-501C3) church, and the Guest Register (modern term), is a Witness Roll. The pastor issues a 'Certificate of Matrimony,' but there is no license issued by the State.

* * * * *

FOOTNOTES

- {1} Black's Law Dictionary, by Henry Campbell Black M.A., Third Edition, by The Publisher's Editorial Staff. West Publishing Company, St. Paul, Minnesota, 1923, page 8, "Abatement and Revival."
- {2} Ibid., page 8, under "Chancery Practice."
- {3} Hoke v. Henderson. 4 Dev. 33, 1833.
- {4} Jack T. Cole Co. v. MacFarland.
- {5} Lansing v. Smith, 4 Wendell 9, 24, (1829).
- {6} Selection of Legal Maxims: Classified and Illustrated by Herbert Broom. Esq., of the Inner Temple. Barrister-At-Law, T.& J.W. Johnson. Law Booksellers, Philadelphia, 1845, page 143.
- {7} See, Words and Phrases for **Title 26, The Internal Revenue Service Code.**
- {8} Matthew 22:21.
- {9} "Handbook of Common Law Pleading, by Benjamin J. Shipman, Third Edition by Henry Winthrop Ballantine, West Publishing Co. St. Paul, 1923, page 23.
- {10} Ibid., Shipman.
- {11} See "Discussion," in Black's Dictionary of Law, 3rd edition, West Publishing Company. St. Paul, Minnesota.
- {12} See, "Pledge," in "Handbook of Roman Law," by Max Radin. West Publishing Company, St. Paul, Minnesota (1927).
- {13} See, "Maxim." in Bouvier's Dictionary of Law, by John Bouvier, (1856).
- {14} Ibid. Bouvier's, "Maxim"
- {15} "Select Documents of English Constitutional History, " Edited by George Burton Adams and H. Morse Stephens, The MacMillan Company, New York. 1906. page 339-342.
- {16} Romans 8:16,17.
- {17} See various dictionaries, including Melinkoff's Dictionary of Law, Oxford English Dictionary, etc..
- {18} Acts 10:34.

- {19} Literally, “name of war.” For the Rule governing its use, see The California Style Manual, by Robert E. Formichi, published by The California Supreme Court, 1986, Section 196, page 13, “Style of Main Title.”
- {20} See “Maxim,” in Bouvier’s Dictionary of Law (1914), page 2142.
- {21} Ibid., Bouvier’s, page 2147.
- {22} Exodus 12:49.
- {23} ‘state,” Christian people having Dominion over all geographical territory – *res publica* – lords of the soil.
- {24} ‘State,” the name of the ministerial government, occupying a feud, established by constitutional compact among the Christian people holding and occupying a fixed geographical territory.
- {25} California Style Manual, supra., Section 150, page 106.
- {26} This is an axiom of International and Municipal Law, under The Laws of War, wherein the practice of deception is legal between belligerents.
- {27} All the examples cited here are summaries of actual situations that have happened in the past to those who have used the abatement process successfully.
- {28} A New Abridgment of the Law, by Matthew Bacon, with Large Additions and Corrections, by Sir Henry Gwyllim, and Charles Edward Dodd, Esq., and with Notes and References made to the Edition Published in 1809, by Bird Wilson, Esq., to which are added Notes and References to American and English Law and Decisions. By John Bouvier, Volume VII., Published by Thomas Davis, No. 171 Market Street, Philadelphia (1846), page 5.
- {29} Nomo-Lexicon, A Law Dictionary, by Thomas Blount, Facsimile of the Edition of 1670, Sherwin & Freutel, Publishers, Los Angeles (1970).
- {30} The Queen v. Plenty, Court of Queen’s Bench, 4 C.Q.B. 46.
- {31} Ibid. Queen v. Plenty.
- {32} 4 Bacon’s Abridgment, (D) Of Misnomer, and want of Addition, (1832), page 7.
- {33} Ibid., 4 Bacon’s Abridgment.
- {34} “The Style Manual,” for the California Supreme Courts, 1984.
- {35} “*commercii belli*” means, “commercial agreement in war,” or, “war contract.”

General Delivery

It is essential, for the success of your abatement, that you first locate at General Delivery, thereby eliminating ‘free delivery’ and the associated ‘benefits’ that you receive when having mail delivered to you at a P.O. Box, at home or at an office, etc.. The amount of postage you pay for delivery of a letter or package, only covers transportation along ‘post roads,’ i.e., post office to post office. The delivery by the postman to your home, etc., is done on a commercial ‘post route,’ and is called in the postal laws, ‘free delivery.’

The common law side of General Delivery is a traditionally vested right that cannot be denied to any Christian operating outside of a commercial venue. The evidence of this is in the fact that General Delivery has never been attached to any legislation by the *de facto* government. Therefore, it is part of the ‘*lex non scripta*’, which is the ‘unwritten law’ or ‘common law’.

Further evidence of this is in the fact that all Postal Laws since Lincoln’s War have not changed one iota concerning General Delivery service to ‘transients’. The non-commercial side remains as unrestricted today as it was when this country was founded, including two cents per ounce for postage from General Delivery to General Delivery.

On July 1st, 1863, ‘free city delivery service’ was instituted. Until this date, all postal matter was picked up by the ‘patron’ at the post office. Before this date, ‘customers’ did not exist in Postal Laws. Those today who receive mail at a P.O. Box at home or at an office, etc., are referred to as ‘customers,’ which is, of course, a purely commercial term, and means that anyone receiving ‘free delivery’ is considered to be in a commercial venue.

On the other hand, ‘patron’ is defined in the law as, ‘a protector or guardian’.

In 1893, Marshall Cushing wrote a book titled ‘The Story of Our Post Office.’ On page 186, he stated that “the general delivery clerk had to deal with the leading banker, the leading politician, the smart clergyman of the town and the family that will never allow their mail to be delivered by carrier.” Thus, in Chicago, 30 years after free delivery was born, some people still knew the implications of free delivery.

In 1931, Clyde Kelly, a Member of the Post Office and Post Roads Committee in Congress, wrote a book titled, ‘United States Postal Policy’. On ‘free delivery’ he said [it] “brings benefit to every citizen of the United States, whether he lives in city or country.” The key word here is ‘benefit’. Receiving a ‘benefit’ from the government will jeopardize your abatement.

“When it is said that a valuable consideration for a promise may consist of a benefit to the promisor, ‘benefit’ means that the promisor has, in return for his promise, acquired some legal right to which he would not otherwise have been entitled,” (Woolum v. Sizemore, 102 S.W. 323, 324).

In short, ‘free delivery’ is a benefit, the use of which, places one into a commercial venue, and thus surrenders a legal right to the government, which it would not otherwise be entitled to, i.e., unalienable rights.

Remember, one aspect of ‘unalienable’ is, “not transferable,” and “things which are not in commerce as, public roads, are, in their nature unalienable.” (Bouvier’s Law Dictionary, 1914). But, this does not mean that one cannot lose them. One can voluntarily opt for something else,

i.e., a free benefit from the government – on a ‘post route,’ thereby changing one’s status from unalienable to alienable – in commerce.

Kelly added, referring to the “benefits of the postal highway” that “it is more essential for the protection of the nation than the Army and the Navy; it is the democratic instrument of a democracy.” The newly formed *de facto* government desperately needed commercial residents receiving free delivery, to give them the ‘lienable human resources’ to bolster their assets.

Further evidence of the commercial aspect of free delivery, is seen in “The Postal Laws and Regulations of 1932”, wherein ‘letters’, delivered ‘free’ on ‘post routes’, are defined as “gas, electric, water, and tax bills or other statements of accounts, orders for merchandise, etc.” (which are all commercial terms).

In the same laws, concerning transient patrons, it states, “the use of the general delivery should be discouraged if it is possible to receive mail otherwise, but if a patron insists on receiving his or her mail through the general delivery, the request must be complied with.” In the current Postal Manual, transients are still totally unrestricted at General Delivery, to wit:

The Post Office Domestic Mail Manual at D930,!., states as follows: “General Delivery is intended for use primarily at: c. Any post office to serve transients and customers not permanently located.” At 1.2, it states: “Postmasters may restrict the use of general delivery by customers.” At 1.3, it states, “General delivery customers can be required to present suitable identification before mail is given to them.” At 1.4, it states: “General delivery mail is held for no more than 30 days, unless a shorter period is requested by the sender. Subject to 1.2, general delivery mail may be held for longer periods if requested by the sender or addressee.”

1.2 and 1.3 only restrict “customers,” and make no mention of “transients” from 1.1. Therefore “transients” are not restricted.

When the post office attempts to deny you general delivery, they use 1.4 as the reason. They arbitrarily interpret this rule as saying that you can only receive general delivery for no more than 30 days. What 1.4 says, in truth, is: if you do not pick up your mail within 30 days after it is received by them, they will return it to sender.

How do ‘residents’ fit into all this? Again, the 1932 laws only restrict ‘residents’ and ‘persons’ at General Delivery, the restrictions being identical to the restrictions for ‘customers’ today.

In Latin ‘*residere*’ (resident) means ‘sitting or sinking firmly’ and ‘*brevis*’ (transient) is ‘transitory, for a short time’.

As Christians, We must always look to Scripture and the Word of God as the final authority. As Scripture repeatedly points out, that, as Christians, We are ‘sojourners’.

‘Sojourner’ is defined in the Latin as ‘*hospes*’, meaning “the ‘stranger’ as guest, and the host who receives him; which is, an “antique custom” (Dictionary of Latin Synonymes, Little, Brown & Co., 1854).

In this sense, 'transient' and 'sojourner' are synonymous. To this day, the customs and usages of Christians, as sojourners, have remained in tact at General Delivery.

The problem of Postmasters trying to deny General Delivery for more than 30 days, has been an uphill battle for some. One must be prepared when confronting this problem.

First, cancel your P.O. Box and/or remove the mailbox from your house or driveway.

Second, never agree to resolve problems with anyone but the Postmaster himself. Meetings with a supervisor or Postal legal counsel can be fatal, because they can do and say anything. The Postmasters words and acts, however, must comply with law.

Third, bring your Family Bible with you, place it on the Postmasters desk and begin by informing him that you are a Good and Lawful Christian, thereby importing your Law into the meeting. Always put forth a benevolent attitude, carrying a demeanor of full knowledge of Postal Matters and of General Delivery. This will take diligent study.

Fourth, and most important of all, keep in mind at the meeting that you are not there to ask permission for General Delivery, but to retain a traditionally vested right that can not be denied to you, as a Christian.

The 'mails' are a subject of vital interest for us all, because Lincoln's War began under the guise of keeping the 'post roads' open, but thereafter, free delivery and a host of other 'benefits' became the means to convert every American who used them, from patrons to residents, not of their state, but of the Federal power, which opened the door to the Income Tax.. This is the hidden meaning in Kelly's words that free delivery is, '... more essential ... than the Army and Navy.'

The General Terms

When using the abatement process, one must always apply common sense in all of its facets. The following is a synopsis of a step by step procedure for the completion of this process.

1. There will be one Main Post Office in your town that receives General Delivery. Find this Post Office, acquire and fill out the General Delivery Service Application, **PS Form 1527**, Nov. 1987 or July 1995, as follows: **Question...** (I am applying for General Delivery Service for the following reasons) **Answer...** Transient, not permanently located. **Question...** (Address, City, State, ZIP+4 Code) **Answer...** None. Do not fill out a 'change of address form.' You are not changing addresses when you receive your postal matter at general delivery. You are going from an 'address' to a 'mailing location.' An 'address' is a 'commercial fiction.' If you fill out a 'change of address', you will be considered to be in a commercial venue and they will be able to limit you to 30 days.

You then remove your mail box from your house and/or P.O. Box and inform your postman that you only receive your postal matter at General Delivery. For those who live in an apartment, etc., where you can not remove your mail box, block the opening off and place a note on it that states that 'so and so' no longer receives mail at this address or is no longer a 'resident' here. **Note:** At some post offices, it is not required to fill out **Form 1527**. Inquire first, to find out if it is required by your post office.

2. Apply an abatement to your particular situation by changing the names, addresses, opposing party, and other pertinent items. An example I.R.S. abatement can be applied to a State tax agency by changing the pertinent titles. A traffic ticket abatement can be changed in the same manner to apply to a Federal court 'Order to show cause' or any other type of court summons. The basic wording need not be changed from the examples. If you do, do so at your own risk. The Default can be used with all abatements in the same manner.

Always use 'General Delivery' as your response location for the reason: 'General Delivery' is where your court is located, i.e., everywhere in General and nowhere in specific. The court is where the Christian sojourns, where ever that may be – and a lord of the soil is everywhere.

3. After the response location, always put small 's' superior and small 'c' court as the heading, along with your county name first, followed by a small 'c' county, and name of your state fully spelled out. The superior court is your court, which is a court, superior at Law, to all others. Never use 'State of,' because this refers to the internal administration of the *de facto* government.
4. Always style yourself the 'Demandant' and the opposition 'Defendant.' All other titles besides 'Demandant' are 'in equity', therefore, use of any other will sham your abatement, by creating a conflict of law within your own court.
5. Married women should always have their husband do the abatement in his name, with the husband's name followed by, '*et uxor.*' This is because a married Christian Woman has become 'one flesh' with her Christian Husband, and the law does not see or recognize her. For the foregoing reason the Wife's Christian name never appears in the abatement. The entity you are abating will know who the abatement is from, by the name on the abandoned papers you return with the abatement. Unmarried women with no covering should add to their name, '*suae potestate esse.*' This is because an unmarried woman has not become 'one flesh' with a Christian Man. It's best for an unmarried woman to have a male friend do the abatement in his name as a covering. This can be done by giving him a 'letter of attorney.' For children under twenty-one years of age, the father has to do the abatement. His title of '*suae potestate esse*' is followed by a comma and then: (for a son) '*filius familias,*' and (for a daughter) '*filia familias.*'
6. Always print the Defendant's personal name and their office exactly as it is on the process you are abating, i.e., STATE OF CALIFORNIA, BANK OF NEVADA, Bank of Nevada, GRANT COUNTY MUNICIPAL COURT, etc.

7. No matter how many pieces of paper you abate, always refer to them as abandoned paper in the singular. Abandoned paper refers to their resigning the paperwork to you, due to their lack of ability to produce lawful process in your venue. Abandonment makes it null and void. Attach all original papers to your abatement when service is done, and always mark across each piece, 'Refused for cause without dishonor and without recourse to Me.' (in upper and lower case letters).
8. In the text of the abatement, always capitalize Man, Woman, Me, My, Myself, Our, Right, and any other words relating to a Christian. Study the capitalization of words from a good book on English Grammar.
9. Always spell out numbers you use for yourself, such as dates, page numbers etc.. The page numbers are to be spelled out and made part of the others, as 'Page one of six', 'Page three of five' etc., thereby creating a complete document.
10. Never, never, ever use or cite any codes such as the Uniform Commercial Code, Penal Code, Code of Civil Procedure, Civil Code, I.R.S. Code, *ad nauseum*, all of which are private commercial law and only have force and effect if you're playing their sand box. The use of codes turns a plea in abatement into a statutory abatement, which makes you appear "*non compos mentis*" to the opposing party and will sham your court because you are importing foreign law, which has no standing in your court. The only Law you can use is Scripture, i.e. custom and usages common to all Christians, because it is the foundation of your 'state,' which is Christendom – but not the "State of" which is the commercial venue of all the codes.
11. The abatement has no force and effect in law, without the 'Ordering Clause.' Therefore, never fail to include this. Give the Defendant ten days to respond after the abatement has been served and always include the opportunity for the Defendant to ask for more time to respond. The ten days does not include Sundays and other Holy days. For example, if it is served on Monday and there are no Holy days, such as Easter, the Rule day would be Friday of the following week.
12. Post a 'Notice of Default' as soon as you have hand delivered the abatement to the defendants (or received a return receipt of Delivery by the Post Office or Sheriff's Office) in three places in your county and run the 'Public Notice' in your newspaper, to announce the date of default. The three places in your county, can be the court house, Post Office, Library or any other public place. Look for a locked glass case in any public buildings for this purpose. Post the notice in three places in your county for a period of eight weeks, one having to be at the county seat. If you can afford it, place a 'Public Notice' in a newspaper in your county one day a week for three weeks, cut out the first printing and attach a copy of it to the served default.
13. Always include a 'Verification by Asseveration' on the last page of your abatement and have two friends witness your sign manual on it, but this is not necessary on your default.

14. The two most common ways to have your abatement served, is by the Sheriff's Department and by the Post Office. If the service is done by Registered Mail, have the clerk hand date stamp the first page before you put it in the envelope. Always take an extra copy when doing this, and have the copy date stamped also. From this copy, make additional copies to be sent 'Registered Mail' to other defendants and to have a friend hand serve the defendant or defendants. This is done so you have two witnesses as evidence that they were served. The default occurs sooner and also insures that the defendant receives a copy before the hearing or court date. Write in the original Registered Mail or Sheriff's number from the first mailing or Sheriff's service on all other copies of the abatements and continue to use that first number on the defaults. **Note:** Do not use a different case number (other than the one from the abatement) on the default. If you do, your default will be of no effect. **Note: Never use Certified Mail** - it is for Commercial purposes.
15. The number you receive from the Sheriff is written in the place you provide for it, as Sheriff's case number, and the Registered Mail number, when using the Post Office for service, is to be written as Case number
16. If you receive any reply at General Delivery between the time the abatement is served and the 10 day default time, you must open it and reply (if it's addressed correctly.). If it's incorrect, you have a traditionally vested right to refuse foreign mail at General delivery. You do not have this right in a commercial venue, (i.e., at home or at a P.O. Box.). If the letter is addressed correctly on the outside, but is misnomered, etc., on the inside, simply continue to abate it in the same manner as your first one. You must use your Christian Discernment when confronting these situations. This self government through Jesus Christ is all important.

It is suggested that before one uses the abatement process, take the time to study the meaning of words unfamiliar to you, for in this way, you will become more comfortable doing the process (see '[Glossary](#)'). If we are to become self governing Christian Men and Women, We need to begin acquiring the knowledge so necessary to accomplish that purpose. The amount of contact you have with the current de facto government, will be a determining factor on the success or failure of your abatement, as these contacts give that government a way to encroach upon your life, liberty and property. An abatement will not be successful in cases where you have given up jurisdiction, by entering a court, posting bail, appeared at an administrative hearing, entered into signed agreements with the entity, heavy engagement in commercial activity (Corporate employment), answered to the *nom de guerre* at time of service of process (when you are asked if you are 'so and so', always answer 'no,'), committed an injury where there is a damaged victim, etc.. When in contact with these entities and agencies, the less said and done is the less they will use against you to plunder your substance. The sooner we begin to break these contacts and disengage in the *lex mercatoria*, the sooner we will understand what self government really means. We were never meant to be ruled by men, but ruled by God and His Word. Man is concerned with the present and past (the dead), while God looks to the present and future (the living). Living by God's Law preserves a people; while living by Man's laws destroys a people.

Maxims of Law in Abatements
From Broom's Maxims (1845)

These maxim's were selected for use in abatements and must be fully understood when used elsewhere. 'Maxims of Law' are truths of law immemorial, and can not be refuted. One should study and memorize them for a better understanding of how the law sees things.

At the end of Discussion: *Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit.*

The law does not allow of a captious and strained intendment, for such nice pretense of certainty confounds true and legal certainty.

At the end of Chapter one: *Ex Dolo malo non oritur Actio.*

A right of action cannot arise out of fraud.

Commentary: *Dolus malus* is defined to be craft, guile, or machination, employed for the purpose of deception or circumvention.

At the end of Chapter two, Firstly: *Ex nudo Pacto non oritur Actio.*

No cause of action arises from a bare agreement.

Commentary: A consideration of some sort or other is so absolutely necessary to the forming of a contract, that a *nudum pactum*, or agreement to do or pay any thing on one side, without any compensation on the other, is totally void in law, and a man cannot be compelled to perform it.

At end of Chapter two, Secondly: *Quod ab Initio non valet in Tractu Temporis non convalescit.*

That which was originally void does not by lapse of time become valid.

Commentary: When the proceeding adopted is altogether unwarranted, and different from that which, if any, ought to have been taken, then the proceeding is a nullity, and cannot be waived by any act of the party against it has been taken.

At the end of Chapter two, Thirdly: *Lex non cogit ad Impossibilia.*

Law does not seek to compel a man to do that which he cannot possibly perform.

In the Ordering Clause: *Nemo debet his vexari pro una et eadem Causa.*

It is a rule of law, that a man shall not be twice vexed for one and the same cause.

At the end of the Ordering Clause: *Omnia praesumuntur contra Spoliatorem.*

Every presumption is made against a wrong doer.

Commentary: Where the party has the Means in his power of rebutting and explaining the evidence adduced against him, if it does not tend to the truth, the omission to do so furnishes a strong inference against him.

At the end of Chapter three, Third: *Summa Ratio est quae pro Religione facit.*

If ever the laws of God and man are at variance, the former are to be obeyed in derogation of the latter.

Final Maxim of Law: *Vigilantibus, non dormientibus, Jura subveniunt.*

The laws assist those who are vigilant, not those who sleep over their rights.

* * * * *

Respond to: Joseph Edward: Xxxx
General Delivery
Madison Post Office
Madison, Wisconsin

superior court, Dane county, Wisconsin

| | | |
|----------------------------|---|--|
| Joseph Edward, Xxxx |) | Case No. _____ |
| <i>suae potestate esse</i> |) | |
| Demandant |) | Part One. |
| |) | Plea In Abatement |
| Against, |) | |
| |) | Notice of Default; Default Judgment; |
| O. Short, |) | And Praeipice. |
| DEPARTMENT OF THE TREASURY |) | |
| INTERNAL REVENUE SERVICE |) | Dated: The first day of the seventh month |
| |) | in the year of Our Lord and Saviour Jesus, |
| Defendant |) | the Christ, Nineteen hundred and ninety-six. |

By Joseph Edward: Xxxx, *suae potestate esse*:

In the matter of: Unlawful and invalid *persona designata*, JOSEPH E. XXXX,
nom de guerre:

Be it Known and Remembered by All to Whom These Presents Come and May Concern:

INTRODUCTION

This is a Plea In Abatement issued by common right pursuant to common law rules applicable to such cases, against the DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, an acting Alien Enemy agency of a statutorily created, foreign *de facto* corporation known as the UNITED STATES OF AMERICA and O. Short. Said agency is imposing a suretyship, by attaching an illegally presumed *persona designata, nom de guerre*, created by them as JOSEPH E. XXXX, upon This Good and Lawful Christian Man, Joseph Edward: Xxxx, *suae potestate esse*. This imposition is without authority, is counter to public morals, being in the Nature of a *Praemunire* which is outlawed by the General custom in this state and, thus, is in violation of the Wisconsin Constitution, the *!ex non scripta, which* is the *jus publicum* in this state:

Part One of this matter shall be known as Plea In Abatement and contains the following documents titled: **I. Plea In Abatement**; and, **II. Verification by Asseveration**.

Page one of seven

I. Plea In Abatement;

Discussion:

Whereas, 'Congress,' in the Preamble of Congressional Report No, 93-549, issued November 19, 1973, stated "A majority of the people of the United States have lived all their lives under emergency rule And, in the United States, actions taken by the Government in time of great crisis have - from at least, the Civil War - in important ways, shaped the present phenomenon of a permanent state of national emergency":

And whereas, according to The Supreme Court, 'Congress' has made little or no distinction between a "state of national emergency," and "a state of war":

And whereas, according to the Law of Nations, "the most immediate effect of a state of war is that it activates the Law of War itself.":

And whereas, according to the Law of War, "martial law is obtained during a state of war and in truth and reality, is no law at all":

And whereas, King Charles the First, in The Petition of Right of June 7, 1628, acknowledged that martial law is repugnant to common law, and is revoked and annulled forever in accordance with law of the land in The Great Charter of the Liberties of England and America:

Now therefore, any proceeding to the contrary violates the established customs and usages, threatens the peace and safety of the people in their Dominions, is an invasion upon the people and their Law and is a trespass against This Good and Lawful Christian Man.

*** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit *.**

Chapter one:

Invalidation and expurgation of records; and Averments

Your records are invalid for cause without dishonor and without recourse to Me, and are herewith, expurgated because they are irregular and unauthorized, based upon the following, to wit:

Comes Now, This Good and Lawful Christian Man, grateful to Almighty God for My Liberty, to humbly Extend Greetings and Salutations to you from Jesus, the Christ, and Myself by Visitation, to exercise Ministerial Powers in this Matter, to invalidate and expurgate your records:

Page two of seven

Your records contain the following Marks of Fraud:

First:

Mark: Your records do not have upon their face, My full Christian Appellation in upper and lower case letters and in addition, thereto, *suae potestate esse*, nor do your records, herewith invalidated and expurgated, apply to Me; and,

Second:

Mark: Your records are foreign to My Venue, which, no Oath, Promise, or Law attaches Me thereto; and,

Third:

Mark: Your agency and its agents are not established in the Wisconsin Constitution, are not recognized in this state, and are, therefore, *persona non grata*; and,

Fourth:

Mark: Your records have no foundation in Law; for the reason, they are not from an office recognized by the People or General Laws in this state; and,

Fifth:

Mark: Your records lack jurisdictional facts necessary to place or bring Me within your venue; and,

Sixth:

Mark: Your records are unintelligible and unrecognizable to Me; based upon the following: They are not written in Proper English; being such, they cannot be recognized lawfully in this state, for the reason; they violate Our general customs and usages; and have no effect, force or operation outside the venue from which they originate; and,

Seventh:

Mark: Your records fail to affirmatively show, upon their face, lawful authority for your presence in My Venue; and,

Eighth:

Mark: Your records fail to affirmatively show, upon their face, the lawful authority or necessity for your invasion of My Privacy and My Dominions; and,

Ninth:

Mark: Your records fail to affirmatively show, upon their face, your authority to violate, disparage, or trespass upon Me in any way; and,

Tenth:

Mark: Your records have no Warrant in Law and are not Judicial in Nature; and,

Eleventh:

Mark: Your records are not sealed with authority known and recognized in Wisconsin and is, therefore, a trespass into My Dominions; and,

Twelfth:

Mark: Your records fail to disclose any legal connection between Myself and your agency; and,

Thirteenth

Mark: Your records are defective and nugatory, upon their face, due to insufficient Law.

*** Ex Dolo malo non oritur Actio *.**

Chapter two:

Firstly:

Whereas, pursuant to constitutional due process requirements and The General Laws of Wisconsin, said Alien Enemy agency is not a State Judicial Office having power to issue orders or judgments of any kind:

And whereas, according to the custom in this state, The General Laws of Wisconsin, The Law of Nations and The Law of War, said Alien Enemy agency cannot invade or usurp My Dominions with contempt for the General custom in this state:

And whereas, your records are usurping My Authority in and over My Dominions:

And whereas, My Immunity from invasion is a recognized General custom in this state:

Now therefore, your records which are usurping My Authority, are a disturbance of the public peace, a public nuisance, and a trespass upon Me and My Dominions:

*** Ex nudo Pacto non oritur Actio *.**

Secondly:

Whereas, said Alien Enemy agency imposes a form of money inimical to the common good of the public according to the standard set by the Law of God and the Wisconsin Constitution:

Whereas, said Alien Enemy agency is attempting to extort a performance of suretyship from Me contrary to the Law of God, the General custom, *and morals in* this state:

Now therefore, your records and their purpose are *contra bonos mores*.

*** Quod ab Initio non valet in Tractu Temporis non convalescit *.**

Thirdly:

Whereas, your records contain the extraneous symbols, such as 05-22-96 and PERIOD ENDING 12-31-94, which symbology appears to denote time, but is unfamiliar to Me; for the *reason*, I Measure time in years of Our Lord and Saviour Jesus, the Christ, in accordance with the customs and usages in this state:

And whereas, provisions of the peoples customs and moral Law forbids Me use of said unrecognized way of measuring time:

And whereas, your records contain scandalous and libelous matter all to My harm, in particular, and to this state in general:

*** Lex non cogit ad Impossibilia *.**

Now, therefore:

I am invalidating and expurgating your records, and shall, henceforth, exercise My Right of Avoidance; for the reason: your records are irregular, unauthorized misnomered, defective upon their face and invalid, and are, herewith, abated for being a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a Conflict of Law.

Chapter three:

Ordering Clause;

**" Even direction of a court or judge, made or entered *in writing*,
and not included in a judgment, is denominated an order."**

Said Defendants shall abate the matter of imposing suretyship upon Me, through unlawful attachment to Me, of a *persona designata*, JOSEPH E. XXXX, *nom de guerre*, within ten (10) days of the ordering of this Plea In Abatement, or show cause why the Abatement should not lie. Any and all written response must include a detailed factual statement and supporting documentation, having standing in Law. If more time than ten (10) days is needed to respond, it may be granted on written request of the Defendants. Failure to obey this court order or failure to respond in the time prescribed, herein, will result in Default and a Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*, and may subject Defendants to Civil liabilities or Criminal punishment pursuant to 'The Law of Nations,' 'The Law of War,' and the 'Wisconsin Constitution' and the *lex non scripta* in this state:

*** Omnia praesumuntur contra Spoliatorem *.**

All response to this instant matter should be marked with the superior court case number, and directed to the following location:

Joseph Edward: Xxxx, *suae potestate esse*
General Delivery
Madison Post Office
Madison, Wisconsin

This Good and Lawful Christian Man will henceforth, exercise My Right of Avoidance and maintain My Dominions, My Immunities, and Our customs and usages, and stand upon the grounds set out above:

*** Summa Ratio est quae pro Religione facit *.**

Public notice of this Plea In Abatement and the Default Rule day of same is posted at _____ in Dane county, Wisconsin for all the world to Witness, for the next eight weeks, and in the public notice section of the _____ Newspaper for the next three weeks.

Sealed by the voluntary act of My Own Hand on this first day of the seventh month in the year of Our Lord and Savior Jesus, the Christ, nineteen-hundred ninety-six, in the Two-hundred and twentieth year of the Independence of America.

*** Vigilantibus, non dormientibus, Jura subveniunt *.**
L.S.

I have the Honor of Being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

II. Verification by Asseveration

In Witness, Knowing the Punishment for bearing false witness before Almighty God and Men. I solemnly aver, that I have read the annexed Plea In Abatement and know the contents thereof; that the same is true of My own knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I believe them to be true.

Sealed by the voluntary act of Our Own Hand on this first day of the seventh month in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, in the two-hundred and twentieth year of the Independence of America.

*** Vigilantibus, non dormientibus, Jura subveniunt *.**

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

On this first day of the seventh Month, in the year of Our Lord and Savior Jesus, the Christ, nineteen hundred ninety-six, We, the undersigned Good and Lawful Christian Men in this state, having ascertained that our Brother Joseph Edward: Xxxx has read and knows the contents of this Abatement, witnessed his execution and sealing of the same, and do herewith testify to the foregoing by voluntarily setting Our Hand and Sealing this Abatement.

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

Page seven of seven

Respond to: Joseph Edward: Xxxx
General Delivery
Madison Post Office
Madison, Wisconsin

superior court, Dane county, Wisconsin

| | | |
|----------------------------|---|---|
| Joseph Edward, Xxxx, |) | Case No. _____ |
| <i>suae potestate esse</i> |) | |
| Demandant |) | Part Two. |
| |) | Plea In Abatement |
| Against, |) | |
| |) | Notice of Default; Default Judgment; |
| O. Short, |) | And Praecipe. |
| DEPARTMENT OF THE TREASURY |) | |
| INTERNAL REVENUE SERVICE |) | Dated: The fifteenth day of the seventh month |
| |) | in the year of Our Lord and Saviour Jesus, |
| Defendant |) | the Christ, Nineteen hundred and ninety-six. |

Plea In Abatement

By Joseph Edward: Xxxx, *suae potestate esse*:

In the matter of: Unlawful and invalid *persona designata*, JOSEPH E. XXXX, *nom de guerre*:

Be it Known and Remembered by All to Whom These Presents Come and May Concern:

Introduction

This is Part two, of a plea in abatement issued by common right pursuant to common law rules applicable to such cases against O. Short and the DEPARTMENT OF THE TREASURY, and INTERNAL REVENUE SERVICE, an acting Enemy Alien agency of a statutorily created, foreign *de facto* corporation, known as the UNITED STATES OF AMERICA. Said agency is imposing a suretyship, by attaching an illegally presumed *persona designata, nom de guerre*, created by them as JOSEPH E. XXXX, upon This Good and Lawful Christian Man, Joseph Edward: Xxxx, *suae potestate esse*. This imposition is without authority, is counter to public morals, being in the Nature of a *Praemunire* which is outlawed by the General custom in this state and, thus, is in violation of the Wisconsin Constitution, the *lex non scripta*, which is the *jus publicum* in this state:

Page one of three

Part Two of this matter contains the following, titled: One, **Notice of Default**; Two, **Default Judgment**; and Three, **Praecipe**.

One. Default:

To: The INTERNAL REVENUE SERVICE, and all above named Defendants

Take notice that demand was herein lawfully made upon you to answer or otherwise plead to the plaint on file herein, a copy of which has heretofore been served on you, and of which you had and have knowledge of the matter therein.

Take further notice that your failure to answer or otherwise plead in response to the foregoing notice, within the time stated, the Demandant will forthwith cause your default be entered and move for judgment against you personally and officially for the relief demanded on the plaint.

Two. Order for Entry of Default and Default Judgment:

The Plea In Abatement in this action having been personally served upon O. Short, and the INTERNAL REVENUE SERVICE, the aforesaid Defendants, on the first day of the seventh month, in the Year of of Our Lord and Saviour Jesus, the Christ, nineteen hundred ninety-six, in the two hundred twentieth year of the Independence of America, a true copy of Proof of Service is annexed hereto, incorporated fully herein, and marked "EXHIBIT A," for your edification, and no answer, demurrer, motion, or other pleading to the plaint having in any manner been made by said Defendants;

Now, on motion of the Demandant:

It is ordered that the clerk of this court shall be, and is hereby, directed to enter the default of the aforesaid Defendants, and default judgment in favor of Demandant and against Defendants for the relief demanded in the plaint, and as follows:

That all records containing the *persona designata*, JOSEPH E. XXXX, *nom de guerre*, and all information they contain, be expurgated from all systems for the lawful reasons given in the plaint; and,

Let judgment enter accordingly.

Three, Praeipice:

The clerk of said court will please enter a default against the aforesaid Defendants in the above entitled cause because of Defendants' failure to respond on the rule day of the twelfth day of the seventh month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, and in the two-hundred twenty-first year of the Independence of America.

Sealed by the voluntary act of my own hand on the fifteenth day of the seventh month in the year of Our Lord and Saviour Jesus, the Christ nineteen-hundred ninety-six, and in the two-hundred twenty-first year of the Independence of America.

I have the Honor of Being, Private Christian. L.S.

(thumb print) _____, *suae potestate esse*

Sign Manual

Page three of three

Respond to: Joseph Edward: Xxxx
General Delivery
Madison Post Office
Madison, Wisconsin

superior court, Dane county, Wisconsin

| | | |
|------------------------------|---|--|
| Joseph Edward, Xxxx, |) | Case No. _____ |
| <i>suae potestate esse</i> , |) | |
| Demandant, |) | |
| |) | Part One. |
| Against, |) | Plea In Abatement |
| |) | |
| O. Short, |) | |
| DEPARTMENT OF THE TREASURY |) | |
| INTERNAL REVENUE SERVICE, |) | Dated: The eighth day of the seventh month |
| |) | in the year of Our Lord and Saviour Jesus, |
| Defendant |) | the Christ, Nineteen hundred and ninety-six. |

By Joseph Edward: Xxxx, *suae potestate esse*:

Be it Known and Remembered by All to Whom These Presents Come, and May Concern:

INTRODUCTION

This is a Plea In Abatement issued pursuant to common law rules applicable to such cases, against O. Short, an acting Alien Enemy agent of a statutorily created, foreign *de facto* corporation, known as the INTERNAL REVENUE SERVICE. Said agent is attempting to plunder, in the Nature of a *Praemunire*, which is outlawed by the General custom in this state and, thus, is in violation of The Law of Nations, The Law of War, The Wisconsin Constitution, and the *lex non scripta*, which is the *jus publicum* in this state:

Part One of this matter shall be known as Plea In Abatement and contains the following documents titled: I. **Plea In Abatement**; and, II. **Verification by Asseveration**.

I. Plea In Abatement;

Discussion;

Whereas, 'Congress', in the Preamble of Congressional Report No. 93-549, issued November 19, 1973, stated "A majority of the people of the United States have lived all of their lives under emergency rule ... And, in the United States, actions taken by the Government in time of great crisis have from, at least, the Civil War in important ways, shaped the present phenomenon of a permanent state of national emergency":

And whereas, according to The Supreme Court, 'Congress' has made little or no distinction between a "state of national emergency," and "a state of war":

And whereas, according to the Law of Nations, "the most immediate effect of a state of war is that it activates the Law of War itself."

And whereas, according to the Law of War, "martial law is obtained during a state of war and in truth and reality, is no law at all":

And whereas, King Charles the First, in The Petition of Right of June 7, 1628, acknowledged that martial law is repugnant to common law, and is revoked and annulled forever in accordance with law of the land in The Great Charter of the Liberties of England and America:

Now therefore, any proceeding to the contrary violates the established customs and usage's, breaches the peace and safety of the people in their Dominions, is an invasion against the people and their Law and is a trespass on This private Christian:

*** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit *.**

Chapter one:

Return of Abandoned Paper; and Averments

Please find attached the following abandoned paper: **AUTOMATED LETTER 2050 (REV. 9-94)**

Your abandoned paper is refused for cause without dishonor and without recourse to Me, and is returned, herewith, because it is irregular and unauthorized, based upon the following, to wit:

Comes Now, This Good and Lawful Christian Man, grateful to Almighty God for my Liberty, and humbly Extend Greetings and Salutations to you from Jesus, the Christ, and Myself by Visitation, to exercise Ministerial Powers in this Matter, to return your paper, which paper was abandoned by Defendant, but is not accepted.

Your abandoned paper contains the following Marks of Fraud:

First:

Mark: Your abandoned paper does not apply to Me, but to a *persona designata*, for the reason; it does not have upon it's face My full Christian Appellation in upper and lower case letters and in addition, thereto, *suae potestate esse*; and,

Second:

Mark: Your abandoned paper alleges violations of a law, foreign to My Venue, which, no Oath, Promise, or Law attaches Me thereto; and,

Third:

Mark: Your agency, its fiduciaries, and the *nom de guerre* O. Short, are not established in the Wisconsin Constitution and are, therefore, *persona non grata*; and.

Fourth:

Mark: Your abandoned paper has no foundation in Law; for the reason, it is not from an office recognized by the people or General laws in this state; and.

Fifth:

Mark: Your abandoned paper lacks jurisdictional facts necessary to place or bring Me within your venue; and,

Sixth:

Mark: Your abandoned paper is unintelligible and unfamiliar to Me; based upon the following: It is not written in Proper English; being such, it fails to apprise Me of the Nature of any matter alleged, and cannot be recognized lawfully in this state, for the reason; it violates Our general customs and usages; and has no force, effect, or operation outside the venue from which it originates; and,

Seventh:

Mark: Your abandoned paper fails to affirmatively show, upon it's face, lawful authority for your presence in My Venue; and,

Eighth:

Mark: Your abandoned paper fails to affirmatively show, upon it's face, the necessity for your invasion of My Privacy and Dominions; and,

Ninth:

Mark: Your abandoned paper fails to affirmatively show, upon it's face, your authority to violate or disparage Me in any way; and,

Tenth:

Mark: Your abandoned paper has no Warrant in Law and is not Judicial in Nature; and,

Eleventh:

Mark: Your abandoned paper is not sealed with authority recognized in Wisconsin and is, therefore, a trespass into My Dominions and a breach of the peace; and,

Twelfth:

Mark: Your abandoned paper fails to disclose any legal connection between Myself and your agency; and,

Thirteenth:

Mark: Your abandoned paper is defective and nugatory, due to insufficient Law:

*** Ex Dolo malo non oritur Actio ***

Chapter two:

Firstly:

Whereas, pursuant to constitutional due process requirements and The General Laws of Wisconsin, said Alien Enemy agent is not a State Judicial Officer having power to issue orders or judgments of any kind:

And whereas, according to the General custom in this state, The General laws of Wisconsin, 'The Law of Nations' and 'The Law of War,' said Alien Enemy belligerent cannot invade My Dominions with defective and nugatory paper:

And whereas, your abandoned paper containing threats of plunder, invades My Dominions:

And whereas, My Immunity from invasion is a recognized General custom in this state:

Now therefore, your abandoned paper containing threats of plunder and invasion are a disturbance of the public peace, a public nuisance, and a trespass upon Me:

*** Ex nudo Pacto non oritur Actio ***

Secondly:

Whereas, said Alien Enemy agent is attempting to impose a form of money inimical to public welfare according to the standard set by the Wisconsin Constitution:

Now therefore, your abandoned paper and its purpose is *contra bonos mores*:

*** Quod ab Initio non valet in Tractu Temporis non convalescit ***

Page four of eight

Thirdly:

Whereas, your abandoned paper contains the extraneous symbols, 05-22-96 and PERIOD ENDING 12-31-93, which symbology appears to denote time, but is unfamiliar to Me; for the reason, I measure time in years of Our Lord and Saviour Jesus, the Christ. In accordance with the customs and usages in this state:

And whereas, provisions of the peoples customs and moral Law forbids Me use of said unfamiliar way of measuring time:

And whereas, your abandoned paper contains scandalous and libelous matter all to My harm, in particular, and to this state in general:

*** Lex non cogit ad Impossibilia *.**

Now, therefore:

I am returning your abandoned paper, and shall, henceforth, exercise My Right of Avoidance; for the reason: your abandoned paper is irregular, unauthorized, misnomered, defective upon it's face and invalid. and is, herewith. abated for being a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a Conflict of Law.

Chapter three: Ordering Clause;

"Every direction of a court or judge, made or entered in writing, and not included in a judgment, is denominated an order."

Said Defendants shall abate the matter of FINAL NOTICE (NOTICE OF INTENT TO LEVY), within ten (10) days of the ordering of this Plea In Abatement, or show cause why the abatement should not lie. Any and all written response must include a detailed factual statement and supporting documentation, having standing in Law, If more than ten (10) days are needed to respond, it may be granted on written request of Defendant. Failure to obey this court order or failure to respond in the time prescribed, herein, will result in a Default and Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*, and may subject Defendant to Civil liabilities or Criminal punishment pursuant to The Law of Nations, The Law of War, the Wisconsin Constitution, and the *lex non scripta* in this state:

*** Omnia praesumuntur contra Spoliatores ***

Your response to this instant matter shall be marked with the superior court case number, and directed to the following location:

Joseph Edward: Xxxx, *suae potestate esse*
General Delivery
Madison Post Office
Madison, Wisconsin

Wherefore: Until this Conflict of Law is resolved, I wish you to do the following, to wit:

First:

Obtain process issued, under seal, from a court appertaining to a Wisconsin Judicial Department; and,

Second:

That said process be based on sworn Oath or Affirmation from a competent Witness or Damaged Victim; and,

Third:

That said process bear My full Christian Appellation in upper and lower case letters, and in addition, thereto, *suae potestate esse*, and must be handled and personally served upon Me by the Dane county Sheriff.

There is no need for Me to communicate until, in due course of Law, lawful process is served.

This private Christian, will henceforth, exercise My Right of Avoidance and maintain My Dominion, My Immunities, and Our customs and usages, and stand upon the grounds set out above:

*** Summa Ratio est quae pro Religione facit *.**

Sealed by the voluntary act of My Own Hand on this eighth day of the seventh month in the year of Our Lord and Savior Jesus, the Christ, nineteen hundred ninety-six, in the two hundred and twenty-first year of the Independence of America:

*** Vigilantibus, non dormientibus, Jura subveniunt *.**

L.S.

Page six of eight

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

Attachment: Abandoned paper of:

**INTERNAL REVENUE SERVICE
AUTOMATED LETTER 2050 (REV. 9-94)
FINAL NOTICE (NOTICE OF INTENT TO LEVY)**

Page seven of eight

II. Verification by Asseveration

In Witness, Knowing the punishment for bearing false witness before Almighty God and Men, I solemnly aver, that I have read the foregoing Plea In Abatement and know the contents thereof; that the same is true of My Own Knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I believe them to be true.

Sealed by the voluntary act of My Own Hand on this eighth day of the seventh month, in the year of Our Lord and Savior Jesus, the Christ, nineteen-hundred ninety-six, in the two-hundred and twenty-first year of the Independence of America.

*** Vigilantibus, non dormientibus, Jura subveniunt *.**

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

On this eighth day of the seventh Month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, we, the undersigned, Good and Lawful Christian Men in this state, having ascertained that Our Brother, John William, has read and Knows the contents of this Plea In Abatement, witnessed his execution and sealing of the same, and do hereby testify to the foregoing, by voluntarily setting Our Hand and Sealing this Abatement.

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

Page eight of eight

Respond to: Robert James: Xxxx
General Delivery
Van Nuys Post Office
Van Nuys, California

superior court, Los Angeles, California

| | | |
|----------------------------|---|--|
| Robert James, Xxxx |) | Case No. _____ |
| <i>suae potestate esse</i> |) | |
| Demandant |) | Part One. |
| |) | Plea In Abatement |
| Against, |) | |
| |) | Dated: The sixth day of the second month |
| Jack B. Talon, |) | in the year of Our Lord and Saviour Jesus, |
| INTERNAL REVENUE SERVICE |) | the Christ, Nineteen-hundred and ninety-six. |
| Defendant |) | |

By Robert James: Xxxx, *suae potestate esse*:

In the matter of: **NOTICE OF FEDERAL TAX LIEN 93-1001**

Be it Known and Remembered by All to Whom These Presents Come and May Concern:

INTRODUCTION

This is a Plea In Abatement issued pursuant to common law rules applicable to such cases, against Jack B. Talon, an acting Alien Enemy agent of a statutorily created, foreign *de facto* corporation, known as the INTERNAL REVENUE SERVICE. Said agent is attempting to plunder, in the Nature of a *Praemunire*, which is outlawed by the General custom in this state and, thus, is in violation of 'The Law of Nations,' 'The Law of War,' 'The 1849 California Constitution,' and the *lex non scripta*, which is the *jus publicum* in this state:

Part One of this matter shall be known as Plea In Abatement and contains the following documents titled: **I. Plea In Abatement**; and, **II. Verification by Asseveration**.

Page one of seven

I. Plea In Abatement;

Discussion;

Whereas, 'Congress', in the Preamble of Congressional Report No. 93-549, issued November 19, 1973, stated: "A majority of the people of the United States have lived all of their lives under emergency rule ... And, in the United States, actions taken by the Government in time of great crisis have - from, at least, the Civil War - in important ways, shaped the present phenomenon of a permanent state of national emergency":

And whereas, according to The Supreme Court, 'Congress' has made little or no distinction between a "state of national emergency," and "a state of war":

And whereas, according to the Law of Nations, "the most immediate effect of a state of war is that it activates the Law of War itself.":

And whereas, according to the Law of War, "martial law is obtained during a state of war and in truth and reality, is no law at all":

And whereas, King Charles the First, in 'The Petition of Right' of June 7, 1628, acknowledged that martial law is repugnant to common law, and *is* revoked and annulled forever in accordance with law of the land in 'The Great Charter of the Liberties of England and America':

Now therefore, any proceeding to the contrary violates the established customs and usage's, breaches the peace and safety of the people in their Dominions, is an invasion upon the people and their Law and is a trespass on This Good and Lawful Christian Man:

*** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit ***

Chapter one:

Return of Abandoned NOTICE; and Averments

Please find attached the following abandoned "NOTICE:" and "NOTICE OF FEDERAL TAX LIEN 93-1001."

Your abandoned NOTICE is invalid for cause without dishonor and without recourse to Me, and is, herewith, expurgated because it is irregular *and unauthorized*, based upon the following, to wit:

Comes Now, This Good and Lawful Christian Man, grateful to Almighty God for My Liberty, and humbly Extend Greetings and Salutations to you from Jesus, the Christ, and Myself by Visitation, to exercise Ministerial Powers in this Matter, to expurgate your NOTICE, which NOTICE was abandoned by Defendant, but is not accepted.

Your abandoned NOTICE contains the following Marks of Fraud:

First:

Mark: Your abandoned NOTICE does not apply to Me, but to a *persona designata*, for the reason; it does not have upon it's face My full Christian Appellation in upper and lower case letters and in addition, thereto, *suae potestate esse*; and,

Second:

Mark: Your abandoned NOTICE alleges authority of a law, foreign to My Venue, which, no Oath, Promise, or Law attaches Me thereto; and,

Third:

Mark: Your agency, its fiduciaries, and the *nom de guerre* Jack B. Talon, are not recognized by the 1849 California Constitution and are, therefore, *persona non grata*; and,

Fourth:

Mark: Your abandoned NOTICE has no foundation in Law; for the reason, it is not from or once recognized by the people or General laws in this state; and,

Fifth:

Mark: Your abandoned NOTICE lacks jurisdictional facts necessary to place or bring Me within your venue; and,

Sixth:

Mark: Your abandoned NOTICE is unintelligible and unfamiliar to Me; based upon the following: It is not written in Proper English; being such, it fails to apprise Me of the Nature of any matter alleged, and cannot be recognized lawfully in this state, for the reason; it violates Our general customs and usages; and has no force, effect, or operation outside the venue from which it originates; and,

Seventh:

Mark: Your abandoned NOTICE fails to affirmatively show, upon it's face, lawful authority for your presence in My Venue; and,

Eighth:

Mark: Your abandoned NOTICE fails to affirmatively show, upon it's face, the necessity for your invasion of My Privacy and Dominions; and,

Ninth:

Mark: Your abandoned NOTICE fails to affirmatively show, upon its face, your authority to violate, disparage or trespass upon Me in any way; and,

Tenth:

Mark: Your abandoned NOTICE has no Warrant in Law and is not Judicial in Nature; and,

Eleventh:

Mark: Your abandoned NOTICE is not sealed with authority recognized in California and is, therefore, a pass into My Dominions and a breach of the peace; and,

Twelfth:

Mark: Your abandoned NOTICE fails to disclose any legal connection between Myself and your agency; and,

Thirteenth:

Mark: Your abandoned NOTICE is defective and nugatory, due to insufficient Law:

*** Ex Dolo malo non oritur Actio *.**

Chapter two:

Firstly:

Whereas, pursuant to constitutional due process requirements and 'The General Laws of California,' said Alien Enemy agent is not a State Judicial Officer having power to issue orders or judgments of any kind:

And whereas, according to the General custom in this state, The General laws of California, The Law of Nations, and The Law of War, said Alien Enemy belligerent cannot invade My Dominions with a defective and nugatory NOTICE:

And whereas, your abandoned NOTICE containing threats of plunder, invades My Dominions:

And whereas, My Immunity from invasion is a recognized General custom in this state:

Now therefore, your abandoned NOTICE containing threats of plunder and invasion are a disturbance of the public peace, a public nuisance, and a trespass upon Me.

*** Ex nudo Pacto non oritur Actio ***

Secondly:

Whereas, said Alien Enemy agent is attempting to impose a form of money inimical to public welfare according to the standard set by the California Constitution:

Now therefore, your abandoned NOTICE and it's purpose is *contra bonos mores*:

*** Quod ab Initio non valet in Tractu Temporis non convalescit ***

Thirdly:

Whereas, your abandoned NOTICE contains the extraneous symbols, 01-9-96 and TAX YEAR ENDING 12-31-94, which symbology appears to denote time, but is unfamiliar to Me; for the reason, I measure time in years of Our Lord and Saviour Jesus, the Christ, in accordance with the customs and usages in this state:

And whereas, provisions of the peoples customs and moral Law forbids Me use of said unfamiliar way of measuring time:

And whereas, your abandoned NOTICE contains scandalous and libelous matter all to My harm, in particular, and to this state in general:

*** Lex non cogit ad Impossibilia ***

Now, therefore:

I am expurgating your abandoned NOTICE, and shall, henceforth, exercise My Right of Avoidance; for the reason your abandoned NOTICE is irregular, unauthorized, misnomered, defective upon it's face, and invalid, and is herewith abated for being a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a Conflict of Law.

Chapter three: Ordering Clause;

" Every direction of a court or judge, made or entered in writing,
and not included in a judgment, is denominated an order."

Said Defendant is hereby ordered to abate the matter of NOTICE OF FEDERAL TAX LIEN 93-0445, issue a release to the of Los Angeles County Recorder, for the removal of said NOTICE within ten (10) days of the ordering of this Plea In Abatement, or show cause why the Abatement should not lie. Any and all written response must include a detailed factual statement and supporting documentation having standing in Law. If more time than ten (10) days is needed to respond, it may be granted on written request of the Defendant. Failure to obey this court order or failure to respond in the time prescribed, herein, will result in a Default and Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*, and may subject Defendant to Civil liabilities or Criminal punishment pursuant to 'The Law of Nations,' 'The Law of War,' the '1849 California Constitution,' and the *lex non scripta* in this state:

*** Omnia praesumuntur contra Spoliatorem *.**

Page five of seven

Your response to this instant matter shall be marked with the superior court case number, and directed to the following location:

Robert James: Xxxx, *suae potestate esse'*
General Delivery
Van Nuys Post Office
Van Nuys, California

I, Good and Lawful Christian Man, will henceforth, exercise My Right of Avoidance and maintain My Dominion, My Immunities, and Our customs and usages, and stand upon the grounds set out above:

*** Summa Ratio est quae pro Religione facit *.**

A public notice of this Plea In Abatement is posted at _____, and _____, in Los Angeles county, California for all the world to Witness, for the next eight weeks, and in the public notice section of the _____ Newspaper for the next three weeks.

Sealed by the voluntary act of My Own Hand on this sixth day of the second month in the year of Our Lord and Savior Jesus, the Christ, nineteen-hundred ninety-six, in the two-hundred and twentieth-year of the Independence of America:

*** Vigilantibus, non dormientibus, Jura subveniunt *.**

L.S.

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

Attachment: Abandoned NOTICE of:

INTERNAL REVENUE SERVICE
NOTICE OF FEDERAL TAX LIEN 93-1001

Page six of seven

II. Verification by Asseveration

In Witness, Knowing the punishment for bearing false witness before Almighty God and Men. I solemnly aver, that I have read the foregoing Plea In Abatement and know the contents thereof; that the same is true of My Own Knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I believe them to be true.

Sealed by the voluntary act of My Own Hand on this sixth day of the second month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, in the two hundred and twentieth year of the Independence of America.

*** Vigilantibus, non dormientibus, Jura subveniunt *.**

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

On this sixth day of the second Month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen hundred ninety-six, We, the undersigned, Good and Lawful Christian Men in this state, having ascertained that Our Brother, Robert James, has read and Knows the contents of this Plea In Abatement, witnessed his execution and sealing of the same, and do hereby testify to the foregoing, by voluntarily setting Our Hand and Sealing this Abatement.

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *Suae potestate esse*

Sign Manual

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

Page seven of seven

Respond to: Richard Matthew: Xxxx
General Delivery
Galveston Post Office
Galveston, California

superior court, Galveston county, Texas

| | | |
|----------------------------|---|--|
| Richard Matthew: Xxxx, |) | Case No. _____ |
| <i>suae potestate esse</i> |) | |
| Demandant |) | Part One. |
| |) | Plea In Abatement |
| Against, |) | |
| |) | Dated: The sixteenth day of the forth month |
| R. Mandell, |) | in the year of Our Lord and Saviour Jesus, |
| Texas State Bank, |) | the Christ, Nineteen-hundred and ninety-six. |
| Judge Harold S. Golden, |) | |
| Defendants. |) | |

By Richard Matthew: Xxxx, *suae potestate esse*:

In the matter of: **SUMMONS; case No. 96-3990CV; FORCLOSURE OF MORTGAGE, 6 DAY OF MAY, 1996.**

Be it Known and Remembered by All to Whom These Presents Come and May Concern:

INTRODUCTION

This is a Plea In Abatement issued pursuant to common law rules applicable to such cases, against R. Mandell and Harold S. Golden, acting Alien Enemy agents of a statutorily created, foreign *de facto* corporation known as the Texas State Bank. Said agents are attempting to plunder, in the Nature of a *Praemunire*, which is outlawed by the General custom in this state and thus, is in violation of 'The Law of Nations,' 'The Law of War,' 'The Texas Constitution,' and the *lex non scripta*, which is the *jus publicum* in this state:

Part One of this matter shall be known as **Plea In Abatement** and contains the following documents titled: **I. Plea In Abatement**; and, **II. Verification by Asseveration**.

I. Plea In Abatement;

Discussion;

Whereas, 'Congress', in the Preamble of Congressional Report No. 93-549, issued November 19, 1973, stated "A majority of the people of the United States have lived all of their lives under emergency rule ... And, in the United States, actions taken by the Government in time of great crisis have - from, at least, the Civil War - in important ways, shaped the present phenomenon of a permanent state of national emergency":

And whereas, according to The Supreme Court, 'Congress' has made little or no distinction between a "state of national emergency," and "a state of war":

And whereas, according to the Law of Nations, "the most immediate effect of a state of war is that it activates the 'Law of War' itself.":

And whereas, according to the Law of War, "martial law is obtained during a state of war and in truth and reality, is no law at all":

And whereas, King Charles the First, in 'The Petition of Right' of June 7, 1628, acknowledged that martial law is repugnant to common law, and is revoked and annulled forever in accordance with law of the land in 'The Great Charter of the Liberties of England and America':

Now therefore, any proceeding to the contrary violates the established customs and usage's, breaches the peace and safety of the people in their Dominions, is an invasion against the people and their Law, and is a trespass on this Good and Lawful Christian Man:

*** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit *.**

Chapter one:

Return of Abandoned Paper; and Averments

Please find attached the following abandoned paper: **SUMMONS; case No. 95-5683CV:**

Your abandoned paper is refused for cause without dishonor and without recourse to Me, and is returned, herewith, because it is irregular and unauthorized, based upon the following, to wit:

Comes Now, This Good and Lawful Christian Man, grateful to Almighty God for My Liberty, and humbly Extend Greetings and Salutations to you from Jesus, the Christ, and Myself by Visitation, to exercise Ministerial Powers in this Matter, to return your paper, which paper was abandoned by Defendants, but is not accepted.

Your abandoned paper contains the following Marks of Fraud:

First:

Mark: Your abandoned paper does not apply to Me, but to a *persona designata*, for the reason; it does not have upon it's face My full Christian Appellation in upper and lower case letters and in addition, thereto, *suae potestate esse*; and,

Second:

Mark: Your abandoned paper alleges violations of a law, foreign to My Venue, which, no Oath, Promise, Or Law attaches Me thereto; and,

Third:

Mark: Your agency, and the *nom de guerres* R. Mandell and Harold S. Golden, are not allowed in the Texas Constitution and are, therefore, *persona non grata*; and,

Fourth.

Mark: Your abandoned paper has no foundation in Law; for the reason, it is not from an office recognized by the people or General laws in this state; and,

Fifth:

Mark: Your abandoned paper lacks jurisdictional facts necessary to place or bring Me within your venue; and,

Sixth:

Mark: Your abandoned paper is unintelligible and unfamiliar to Me; based upon the following: It is not written in Proper English; being such, it fails to apprise Me of the Nature of any matter alleged, and cannot be recognized lawfully in this state, for the reason; it violates Our general customs and usages; and has no force, effect, or operation outside the venue from which it originates; and,

Seventh:

Mark: Your abandoned paper fails to affirmatively show, upon it's face, lawful authority for your presence in My Venue; and,

Eighth:

Mark: Your abandoned paper fails to affirmatively show, upon it's face, the necessity for your invasion of My Privacy and Dominions; and

Ninth:

Mark: Your abandoned paper fails to affirmatively show, upon it's face, your authority to violate or disparage Me in any way; and,

Tenth:

Mark: Your abandoned paper has no Warrant in Law and is not Judicial in Nature; and,

Eleventh:

Mark: Your abandoned paper is not sealed with authority recognized in Texas and is, therefore, a trespass into My Dominions and a breach of the peace; and,

Twelfth:

Mark: Your abandoned paper fails to disclose any legal connection between Myself and your agency; and,

Thirteenth:

Mark: Your abandoned paper is defective and nugatory, due to insufficient Law:

*** Ex Dolo malo non oritur Actio ***

Chapter two:

Firstly:

Whereas, pursuant to constitutional due process requirements and The General Laws of Texas, said Alien Enemy agents are not State Judicial Officers having power to issue orders or judgments of any kind:

And whereas, according to the General custom in this state, The General laws of Texas, The Law of Nations and The Law of War, said Alien Enemy belligerents cannot invade My Dominions with defective and nugatory paper:

And whereas, your abandoned paper containing threats of plunder, invades My Dominions:

And whereas, My Immunity from invasion is a recognized General custom in this state:

Now therefore, your abandoned paper containing threats of plunder and invasion are a disturbance of the public peace, a public nuisance, and a trespass upon Me:

*** Ex nudo Pacto non oritur Actio ***

Secondly:

Whereas, said Alien Enemy agents are using a form of money inimical to public welfare according to the customs and usages of the people in this state and the standard set by the Texas Constitution; and,

Whereas, no Lawful Money of the united States of America is loaned by Texas State Bank - only created debt credit is extended; and,

Whereas, Texas State Bank creates extended debt credit by mere bookkeeping entries without any Lawful dollars exchanged, as evidenced by the token which describes nothing because *nomen non sufficit si res non sit de iure aut de facto*; and,

Whereas, Texas State Bank in its transactions, does not utilize or state Lawful money recognized in the state of Texas, and which conforms to the Mint and Coinage Act of 1792; and,

Whereas, Texas State Bank is engaged in the lawless practice of deceit, which constitutes outlawry in this state, *dolus et fraus nemini patrocinentur (patrocinari debent)*; and,

Whereas, according to the Holy Scripture, which is the Public Policy in this state, only substance invokes and moves Law, *les fictions naissent de la loi, et non la loi des fictions*; and,

Whereas, Texas State Bank, having never loaned any substance to Demandant, does not have, and therefore cannot Lawfully claim Title to property Owned or Possessed by Demandant; and,

Whereas, all actions of assumpsit are enforced *ex contractu*; and,

Whereas, all actions *ex contractu* are actions *in personam*, the *persona designata*, against RICHARD M. XXXX, a *nom de guerre*, from the rejected Roman process of novation, which describes nobody, *nomen non sufficit si res non sit de iure aut de facto*, and *quod contra legem fit, pro infecto habetur*, and *quando aliquid prohibetur ex directo, prohibetur et per obliquum*, and *quando aliquid prohibetur, prohibetur omne per quod devenitur ad illud*; and,

Whereas, actions against nobody are odious in Law; and,

Whereas, contracts *commencia belli* are contracts *contra bonos mores* because they are destructive to this Good and Lawful Christian Man, and this state in general, *interest reipublicae quod homines conserventur*; and,

Whereas, notes, bills, checks, drafts, letters, deeds of trust, and other negotiable instruments have no substantive standing in Law, because they are symbol and tokens, being in their nature inimical to, and destructive of, the customs and usages constituting the Public Policy of the Good and Lawful Christians in this state, and destructive of the state itself; and,

Whereas, a contract in violation of the Public Policy in this state is void, *rei turpis nullum mandatum est*; and,

Whereas, the *lex mercatoria*, or mercantile law, is the comprehensive body of *privately administered* rules and customs enforced as law, being like or similar to Law, but are not and never were Law having any operation in this state of Christendom; and,

Now therefore, your abandoned paper and it's purpose is *contra bonos mores*:

*** Quod ab Initio non valet in Tractu Temporis non convalescit ***

Thirdly:

Whereas, your abandoned paper contains the extraneous symbols, 06-2-95 and 2 DAY OF JUNE, 1995, which symbology appears to denote time, but is unfamiliar to Me; for the reason, I measure time in years of Our Lord and Saviour Jesus, the Christ, in accordance with the customs and usages in this state:

And whereas, provisions of the peoples customs and moral Law forbids Me use of said unfamiliar way of measuring time:

And whereas, your abandoned paper contains scandalous and libelous matter all to My harm, in particular, and to this state in general:

*** Lex non cogit ad Impossibilia *.**

Now, therefore:

I am returning your abandoned paper, and shall, henceforth, exercise My Right of Avoidance; for the reason: your abandoned paper is irregular, unauthorized, misnomered, defective upon it's face and invalid, and is, herewith, abated for being a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a Conflict of Law.

Chapter three:

Ordering Clause;

**"Every direction of a court or judge, made or entered in writing,
and not included in a judgment, is denominated an order."**

Said Defendants shall abate the matter of SUMMONS; case No. 96-3990CV; FORECLOSURE OF MORTGAGE, within ten (10) days of the ordering of this Plea In Abatement, or show cause why the Abatement should not lie. Any and all written response must include a detailed factual statement and supporting documentation, having standing in Law. If more time than ten (10) days is needed to respond, it may be granted on written request of the Defendants. Failure to obey this court order or failure to respond in the time prescribed, herein, will result in a Default and Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*, and may subject Defendants to Civil liabilities or Criminal punishment pursuant to The Law of Nations, The Law of War, the Texas Constitution, and the *lex non scripta* in this state:

*** Omnia praesumuntur contra Spoliatores ***

Your response to this instant matter shall be marked with the superior court case number, and directed to the following location:

Richard Matthew: Xxxx, *suae potestate esse*
General Delivery
Galveston Post Office
Galveston, Texas

Wherefore: Until this Conflict of Law is resolved, I wish you to do the following, to wit:

First:

Obtain process issued, under seal, from a court appertaining to a Texas Judicial Department; and,

Second:

That said process be based on sworn Oath or Affirmation from a competent Witness or Damaged Victim: and,

Third:

That said process bear My full Christian Appellation in upper and lower case letters, and in addition, thereto, *suae potestate esse*, and must be handled and personally served upon Me by the Galveston county Sheriff.

There is no need for Me to communicate until, in due course of Law, lawful process is served.

This Good and Lawful Christian Man, will henceforth, exercise My Right of Avoidance maintain My Dominions, My Immunities, and Our customs and usages, and stand upon the grounds set out above:

*** Summa Ratio est quae pro Religione facit ***

Sealed by the voluntary act of My Own Hand on this sixteenth day of the fourth month in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-five, in the two-hundred and sixteenth year of the Independence of America:

*** Vigilantibus, non dormientibus, Jura subveniunt ***

L.S.

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

Attachment: Abandoned paper of: Texas State Bank
SUMMONS; case No.96-3990CV;
FORECLOSURE OF MORTGAGE, 6 DAY OF MAY, 1996

Page eight of nine

II. Verification by Asseveration

In Witness, Knowing the punishment for bearing false witness before Almighty God and Men, I solemnly aver, that I have read the foregoing Plea In Abatement and know the contents thereof; that the same is true of My Own Knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I believe them to be true.

Sealed by the voluntary act of My Own Hand on this sixteenth day of the fourth month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, in the two hundred twentieth year of the Independence of America.

*** Vigilantibus, non dormientibus, Jura subveniunt ***

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

On this sixteenth day of the fourth Month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, we, the undersigned, Good and Lawful Christian Men in this state, having ascertained that Our Brother, John William, has read and Knows the contents of this Plea In Abatement, witnessed his execution and sealing of the same, and do hereby testify to the foregoing, by voluntarily setting Our Hand and Sealing this Abatement.

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

Respond to: James Edwin: Xxxx
General Delivery
Rockmart Post Office
Rockmart, Georgia

superior court, Polk county, Georgia

| | | |
|--------------------------------------|---|--|
| James Edwin: Xxxx, |) | Case No. _____ |
| <i>suae potestate esse, et uxor,</i> |) | |
| |) | Part One. |
| Demandant, |) | |
| |) | Plea In Abatement |
| Against, |) | |
| |) | |
| R. Conroy, |) | |
| DEPARTMENT OF THE TREASURY, |) | Dated: The eighth day of the third month |
| INTERNAL REVENUE SERVICE, |) | in the year of Our Lord and Saviour Jesus, |
| |) | the Christ, Nineteen-hundred and ninety-six. |
| Defendant. |) | |

By James Edwin: Xxxx, *suae potestate esse, et uxor,*

In the matter of: **Unlwful and invalid *persona designata*, ROBERTA XXXX,**
ROBERTA T. XXXX and Roberta T. Xxxx, *nons de guerre*:

Be it Known and Remembered by All to Whom These Presents Come and May Concern:

INTRODUCTION

This is a Plea In Abatement issued pursuant to common law rules applicable to such cases, against DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, acting Alien Enemy agency of a statutorily created, foreign *de facto* corporation known as the UNITED STATES OF AMERICA. Said agency is imposing a suretyship, by attaching an illegally presumed *persona designata, nons de guerre*, created by them as ROBERTA XXXX, ROBERTA T. XXXX and Roberta T. Xxxx, upon The Lawful Wife of This Good and Lawful Chritian Man, James Edwin: Xxxx, *suae potestate esse*. This imposition is without authority, is counter to public morals, being in the Nature of a *Praemunire* which is outlawed by the General custom in this state and, thus, is in violation of the Georgia Constitution and the *lex non scripta*, which is the *jus publicum* in this state:

Part One of this matter shall be known as **Plea In Abatement** and contains the following documents titled: **I. Plea In Abatement**; and, **II. Verification by Asseveration**.

I. Plea In Abatement;

Discussion;

Any proceeding to the contrary violates the established customs and usages, threatens the peace and safety of the people in their Dominions, is an invasion upon the people and their Law and is a trespass against This Good and Lawful Christian Man, his Dominions, and his House.

*** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit *.**

Chapter one:

Invalidation and expurgation of records; and Averments

Your records are invalid for cause without dishonor and without recourse to Me, and are, herewith, expurgated for they are irregular and unauthorized, based upon the following, to wit:

Comes Now, This Good and Lawful Christian Man, grateful to Almighty God for My Liberty, to humbly Extend Greetings and Salutations to you from Jesus, the Christ, and Myself by Visitation, to exercise Ministerial Powers in this Matter, to invalidate and expurgate your records:

Your records contains the following Marks of Fraud:

First:

Mark: Your records do not have upon their face My full Christian Appellation in upper and lower case letters and in addition, thereto, *suae potestate esse, et uxor*, nor do your records, herewith invalidated and expurgated, apply to Me and My House; and,

Second:

Mark: Your records are foreign to My Venue, which, no Oath, Promise, Or Law attaches Me, My Family or My House thereto; and,

Third:

Mark: Your agency, and its agents are not established in the Georgia Constitution, and are, therefore, *persona non grata*; and,

Fourth.

Mark: Your records have no foundation in Law; for the reason, they are not from an office recognized by the people or General laws in this state; and,

Fifth:

Mark: Your records lack jurisdictional facts necessary to place Me, My Wife, My Family or My House, within your venue; and,

Sixth:

Mark: Your records are unintelligible and unfamiliar to Me; based upon the following: They are not written in Proper English; being such, they cannot be recognized lawfully in this state, for the reason; they violate Our general customs and usages; and have no existence, effect, force or operation outside the venue from which they originate; and,

Seventh:

Mark: Your records fail to affirmatively show, upon their face, lawful authority for your presence in My Venue; and by established custom of Coverture in this state, My Wife cannot contract, be noticed in any capacity, recorded as chattel property in any system of records, sent or given any process without My Consent; and,

Eighth:

Mark: Your records fail to affirmatively show, upon their face, the lawful authority or necessity for your invasion of My Privacy, My Family, and Dominions; and,

Ninth:

Mark: Your records fail to affirmatively show, upon their face, your authority to novate, violate, disparage, or trespass upon Me, or My Family, in any way; and,

Tenth:

Mark: Your records have no Warrant in Law and is not Judicial in Nature; and,

Eleventh:

Mark: Your abandoned paper is not sealed with authority recognized in Georgia and are, therefore, a trespass into My Authority, My Dominions and My Family; and,

Twelfth:

Mark: Your records fail to disclose any legal connection between Myself and your agency; and,

Thirteenth:

Mark: Your records are defective and nugatory, upon their face, due to insufficient Law:

*** Ex Dolo malo non oritur Actio ***

Chapter two:

Firstly:

Whereas, pursuant to constitutional due process requirements and The General Laws of Georgia, said Alien Enemy agency is not a State Judicial Office having power to issue orders or judgments of any kind:

And whereas, according to the custom in this state, The General laws of Georgia, The Law of Nations, and The Law of War, said Alien Enemy agency cannot invade or usurp My Authority, *patria potestas*, or Dominions with contempt for the General custom in this state:

And whereas, your records are usurping My Authority, *patria potestas*, in and over My Dominions:

And whereas, My Immunity from invasion is a recognized General custom in this state:

And whereas, your invasion of My Wife violates the General custom in this state of Coverture, by which She has Immunity from such lawless acts against her:

And whereas, no authority exists, or can be delegated, which allows a person to commit lawless acts against the General Laws in this state with impunity:

Now therefore, your records which are usurping My Authority, *patra potestas*, are a disturbance of the public peace, a public nuisance, and a trespass upon Me and My Dominions:

*** Ex nudo Pacto non oritur Actio ***

Secondly:

And whereas, said Alien Enemy agency is attempting to destroy the foundations of free Civil government enjoyed by a Free and Lawful People through their Obedience to the Laws of God, the *jus ex non scripto*, which is the General custom, and basis of the Covenant and General Laws in this state:

And whereas, said Alien Enemy agency is attempting to bring or impose an Imperial system of law which destroys our General custom, Covenant, and General Laws in this state, which are the only governing Law in this state:

And whereas, said Alien Enemy agency imposes servitude upon Me by destroying the General custom of Coverture in this state; through acts of novation, attachment of *persona designata*, and making of *nom de guerre*, to a member of My Family; and thereby attempts to steal by stratagem of war, My Authority, *patria potestas*, in My House and My Dominions; all these acts violating My House under God, the Laws of God, and generally most destructive of the common good of the public in this state:

And whereas, said Alien Enemy agency is attempting to extort a performance of suretyship from Me, which is servitude *sans* authority or Warrant in Law, contrary to the Law of God, the General custom, and morals in this state:

Now therefore, your records and their purpose are *contra bonos mores*.

Thirdly:

Whereas, your abandoned paper contains the extraneous symbols, such as 04-2-96 and PERIOUD ENDING 12-31-93, which symbology appears to denote time, but is unfamiliar to Me; for the reason, I measure time in years of Our Lord and Saviour Jesus, the Christ, in accordance with the customs and usages in this state:

And whereas, provisions of the peoples customs and moral Law forbids Me use of said unfamiliar way of measuring time:

And whereas, your records contain scandalous and libelous matter all to My harm, in particular, and to this state in general:

*** Lex non cogit ad Impossibilia *.**

Now, therefore:

I am invalidating and exurgating your records, and shall, henceforth, exercise My Right of Avoidance for the reason: your records are irregular, unauthorized, misnomered, defective upon their face and invalid, and are, herewith, abated for being a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a Conflict of Law.

Chapter three:

Ordering Clause;

**"Every direction of a court or judge, made or entered in writing,
and not included in a judgment, is denominated an order."**

Said Defendants shall abate the matter of imposing suretyship upon Me and My House, through unlawful attachment to Me and My House, of a *persona designata*, ROBERTA T. XXXX, ROBERTA XXXX, or Roberta T. Xxxx, all *noms de guerre*, within ten (10) days of the ordering of this Plea In Abatement, or show cause why the Abatement should not lie. Any and all written response must include a detailed factual

statement and supporting documentation, having standing in Law. If more time than ten (10) days is needed to respond, it may be granted on written request of the Defendants. Failure to obey this court order or failure to respond in the time prescribed, herein, will result in a Default and Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*, and may subject Defendants to Civil liabilities or Criminal punishment pursuant to The Law of Nations, The Law of War, the Georgia Constitution, and the *lex non scripta* in this state:

*** Omnia praesumuntur contra Spoliatores ***

All responses to this instant matter shall be marked with the superior court case number, and directed to the following location:

James Edwin: Xxxx, *suae potestate esse, et uxor*
General Delivery
Rockmart Post Office
Rockmart, Texas

This Good and Lawful Man and His House, will henceforth, exercise Our Right of Avoidance and maintain Our Dominions, Our Immunities, and Our Christian customs and usages, and stand upon the grounds set out above:

*** Omnia praesumuntur contra Spoliatores ***

A public notice of this Plea In Abatement of the *persona designata*, ROBERTA T. XXXX, ROBERTA XXXX or Roberta T. Xxxx, *noms de guerre*, is posted at _____, _____, and _____ in Polk county, Georgia for all the world to Witness, for the next eight weeks, and in the public notice section of the _____ Newspaper for the next three weeks.

Sealed by the voluntary act of My Own Hand on this day of the third month in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, in the two hundred and twentieth year of the Independence of America.

*** Vigilantibus, non dormientibus, Jura subveniunt ***

I have the Honor of Being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse, et uxor*

II. Verification by Asseveration

In Witness, Knowing the punishment for bearing false witness before Almighty God and Men, I solemnly aver, that I have read the foregoing Plea In Abatement and know the contents thereof; that the same is true of My Own Knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I believe them to be true.

Sealed by the voluntary act of My Own Hand on this eighth day of the third month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, in the two hundred twentieth year of the Independence of America.

*** Vigilantibus, non dormientibus, Jura subveniunt ***

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse, et uxor*

Sign Manual

On this thirteenth day of the third Month, in the year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, we, the undersigned, Good and Lawful Christian Men in this state, having ascertained that Our Brother, James Edwin, has read and Knows the contents of this Abatement, witnessed his execution and sealing of the same, and do herewith testify to the foregoing by voluntarily setting Our Hand and Sealing this Abatement.

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

I have the Honor of being Good and Lawful Christian Man

(thumb print) _____, *suae potestate esse*

Sign Manual

Page seven of seven

Plea In Abatement for Attempted Denial of General Delivery

The following pages is an abatement for a situation where the Postmaster has informed you in writing that your traditionally vested right in General Delivery will be terminated. It can be processed in the usual manner as other abatements, but it is suggested that you use the county Sheriff for service. If the Sheriff refuses to do the service, you should then use Registered mail in the usual manner, the only exception being that it should be sent from a Post Office other than the one where the Postmaster is located.

The reference to being an Alien Enemy agent and the Marks of Fraud have been eliminated from this particular abatement, for the reason; to reduce any creation of hostility between yourself and the Postmaster. It is essential that this hostility be kept at a minimum when dealing with the Postmaster, as you will be in contact with these people on a daily basis, as opposed to most 'government' officers. It's best to appear benevolent with these officers, along with a full understanding of Post Office history and your rights under that de jure office and the limitations of the Postal Service.

*** * * * ***

Respond to: Bobby Jean: Xxxx, *suae potestate esse, uxor*
General Delivery
Hay Springs Post Office
Hay Springs, Nebraska

superior court, Sheridan county, Nebraska

| | | |
|--------------------------------------|---|--|
| Bobby Jean: Xxxx, |) | Case No. _____ |
| <i>suae potestate esse, et uxor,</i> |) | |
| |) | Part One. |
| Demandant, |) | |
| |) | Plea In Abatement |
| Against, |) | |
| |) | |
| Camy Letcher; Postmaster, |) | |
| HAY SPRINGS POST OFFICE |) | Dated: The eighth day of the eighth month |
| |) | in the year of Our Lord and Saviour Jesus, |
| Defendant. |) | the Christ, Nineteen-hundred and ninety-six. |

By Bobbi Jean: Xxxx, *suae potestate esse, et uxor,*

In the matter of: **LETTER OF TERMINATION OF GENERAL DELIVERY SERVICE, signed by Camy Letcher.**

Be it Known and Remembered by All to Whom These Presents Come and May Concern:

INTRODUCTION

This is a Plea In Abatement issued by common right pursuant to common law rules applicable to such cases, against Postmaster Camy Letcher, an agent of a statutorily created, foreign *de facto* corporation, known as THE UNITED STATES POSTAL SERVICE. Said agent is attempting to deny General Delivery, a traditionally vested right held in common, to Bobby Jean: Xxxx, *suae potestate esse, et uxor*, counter to public morals, in the Nature of a *Praemunire*, thereby obstructing the mails, which is outlawed by the General custom in this state and, thus, is in violation of The Law of Nations, The Law of War, the Nebraska Constitution, and the *ex non scripta*, which is the *jus publicum* in this state:

** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit **

Part One of this matter shall be known as **Plea In Abatement** and contains the following documents titled: **One. Plea In Abatement;** and, **Two. Verification by Asseveration.**

Page one of seven

One. Plea In Abatement;

Discussion;

Whereas, 'Congress', in the Preamble of Congressional Report No. 93-549, issued November 19, 1973, states "A majority of the people of the United States have lived all of their lives under emergency rule ... And, in the United States, actions taken by the Government in time of great crisis have from, at least, - the Civil War - in important ways, shaped the present phenomenon of a permanent state of national emergency".

And whereas, according to The Supreme Court, 'Congress' has made little or no distinction between a "state of national emergency" and "a state of war":

And whereas, according to the Law of Nations, "the most immediate effect of a state of war is that it activates the Law of War itself.":

And whereas, according to the Law of War, "martial law is obtained during a state of war and in truth and reality, is no law at all":

And whereas, King Charles the First, in The Petition of Right, dated the seventh day of the eighth month, in the year of Our Lord and Saviour Jesus Christ, sixteen-hundred twenty-eight, acknowledged that martial law is repugnant to Christian common law, and is revoked and annulled forever in accordance with law of the land in 'The Great Charter of the Liberties' of England and America:

And whereas, the law looks to end all litigation and return to Peace, *interest republicae ut sit finis litium*:

Now therefore, any proceeding to the contrary violates the established customs and usages, breaches the peace and safety of the people in their Dominions, is an invasion against the people and their Law and is a trespass on This Good and Lawful Christian Man:

**** Nimia Subtilitas in Jure reprobatur, et talis Certitudo Certitudinem confundit *.***

Chapter one: Return of Abandoned Paper; and Averments

Please find attached the following abandoned paper: **LETTER OF TERMINATION OF GENERAL DELIVERY SERVICE, signed by Camy Letcher.**

Your abandoned paper is refused for cause without dishonor and without recourse to Me, and is returned, herewith, because it is irregular and unauthorized, based upon the following to wit:

Comes Now, a Good and Lawful Christian Man, grateful to Almighty God for My Liberty, and humbly Extend Greetings and Salutations to you from Jesus, the Christ, and Myself by Visitation, to exercise Ministerial Powers in this Matter, to return your paper, which paper was abandoned by defendant, but is not accepted.

Whereas, the use of the Post Office Department's General Delivery is a traditionally vested right originating in the English Common Law, and implemented here, by the same traditions, customs and usages from which the constitution is derived; and,

Whereas, those exercising power by or under the authority of a constitution are merely cloaked with color of authority, the absolute Authority remaining in Good and Lawful Christian Men and Women; and,

Whereas, a traditionally vested right is an immediate incorporeal *fixed* right of present or future enjoyment established and vested by tradition and usage among Good and Lawful Christian Men and Women from time immemorial; and,

Whereas, it concerns this state, and the United States of America, that Good and Lawful Christian Men and Women be preserved, *interest reipublicae quod homines conserventur*; and,

Whereas, the preservation of the Post Office Department and its General Delivery is predicated on the preservation of the traditional vested rights of Good and Lawful Christian Men and Women; and,

Whereas, a Good and Lawful Christian Man's or Woman's use of General Delivery in the United States Post Office Department is a traditionally vested right, *fixed* in Him or Her, being a Post *Patron* and *transient*, and is not, therefore, within the discretion of the Postmaster at this or any UNITED STATES POST OFFICE; and,

Whereas, a Good and Lawful Christian Man or Woman can not be compelled to accept a benefit, i.e., *free* delivery or a Post Office Box, against His or Her consent, *invito beneficium non datur*; and,

Whereas, one who advances a proposition, action, or deed contrary to, against, or in violation of the Law of the Good and Lawful Christian People ought not to be heard or noticed, *actor qui contra regulam quid adduxit, non est audiendus*; and,

Whereas, it is not safe to obey one who has no right to deny the exercise of a traditionally vested right to General Delivery, *ius non habenti tute non paretur*; and,

Whereas, traditionally vested rights, being previously *fixed*, and not subject to arbitrariness, license, or permission, have no specified limit of, or duration in time, and in deed, do not ever expire at any time; and,

Whereas, ignorance of a right does not in any way prejudice that right, or its Lawful exercise thereof, *ignorantia iuris sui non praejudicat iuri*; and,

Whereas, when fictions of law do not appear, they are in Law, the same as not existing at all, *de non apparentibus et non existentibus eadem est ratio*; and,

Whereas, whenever and wherever the Truth is, *i.e.*, Post Patron/sojourner/transient,- fictions of law such as ‘resident’ or ‘customer’, do not exist, *fictio juris non est ubi veritas*; and,

Whereas, no one can be compelled to accept a status, which disparages them and falsely describes them; and,

Whereas, confusion and anarchy result if everyone preserves not their jurisdiction, thereby destroying this state, *rerum ordo confunditur, si unicuique jurisdictio non servatur*; and,

Whereas, the Law itself desires that it be governed by that which it favors; Common Right vested by Almighty God in all Good and Lawful Christian Men and Women and which are recognized by and in Our traditions, usages and customs, *ipsae leges cupiunt ut iure regantur*; and,

Whereas, this Christian state will not suffer laws of another to interfere with its own, which in the conflict of laws, when it must often be a matter of doubt which shall prevail, the court which decides will prefer the Law of its own country to that of the stranger; and,

Whereas, no private agreement between the United States Post Office Department and any common carrier can prejudice, destroy, overthrow, impair, or derogate a traditionally vested right held in common with all other Good and Lawful Christian Men and Women, *ius publicum privatorum pactis mutari non potest*; and.

Whereas, strangers to a covenant by and between the Free Good and Lawful Christian People in this state lack Lawful standing to create law which destroys this covenant, *i.e.*, the Constitution for the United States of America, which is governed by the traditions, customs, and usages of Good and Lawful Christian People in this state, in common with all other states in the union of several Christian states; and,

Whereas, THE UNITED STATES POSTAL SERVICE and its codes, rules, and regulations have *no* standing in Law by the Scripture and the Constitution for the United States of America, it being a *stranger* thereto; and,

Whereas, THE UNITED STATES POSTAL SERVICE is a stranger to the Good and Lawful Christian People in this state, and therefore is not equal in status to any of Them; and,

Whereas, things tolerated because of war, martial rule, impositions, deceit, or national emergency, do not affect the traditions, customs and usages of the Good and Lawful Christian Men and Women in this state, *quae propter necessitatem recepta sunt, non debent in argumentum trahi*; and,

Whereas, things tolerated because of war, martial rule, impositions, deceit, or national emergency do not become part of the customs and usages of Good and Lawful Christian Men and Women, because they are imposed on account of necessity which

does not exceed the legal memory of man, is of a specific time and place, and is not good beyond the limits of the necessity, *necessitas est les temporis et loci* and *bonum necessarium extra terminos necessitatis non est bonum*; and,

Whereas, no incorporeal traditional vested rights were, or are, lost by war, national emergency, martial law, martial rule, impositions, or deceit, *incorporalia bello non aequiruntur*; and,

Whereas, The Postmaster-General as Postmaster-General of The United States Post Office Department, a public *benefice* conferred in common by Good and Lawful Christians in their respective states, and it's General Delivery Department is the Lawful Officer serving Postal Patrons at General Delivery; and,

Therefore, your abandoned paper containing threats of denial of My traditionally vested right to General Delivery, a right I hold in common with all Good and Lawful Christians, and favored by the Law, is deceitful and is disparagement, harassment, a disturbance of the public peace, a public nuisance, and a trespass upon Me, and is therefore, *contra bonos mores*:

**** Omnia praesumuntur contra Spoliatorem ****

Chapter Two:

Whereas, your abandoned paper contains extraneous symbols, August 5, 1996, August 12, 1996 and August 10, 1996, which symbology *appears* to denote time, but is confusing to Me; for the reason, I measure time in Years of Our Lord and Saviour Jesus, the Christ according to the customs and usages of this state; and,

Whereas, provisions of the peoples moral Law and custom forbids Me use of said unfamiliar way of measuring time; and.

Therefore, your abandoned paper contains disparaging, scandalous, and libelous matter all to My harm, in particular, and to this state in general:

**** Lex non cogit ad Impossibilia ****

Now, therefore:

I am returning your abandoned paper, and shall, henceforth, exercise My Right of Avoidance and continue at General Delivery; for the reason: it is irregular, unauthorized, defective upon it's face and utterly void, and is, herewith, abated for being a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a Conflict of Law.

**Chapter three:
Ordering Clause**

**"Every direction of a court or judge, made or entered in writing,
and not included in a judgment, is denominated an order."**

Said Defendant shall abate the matter of attempted denial of General Delivery service, within ten (10) days of the ordering of this Plea In Abatement, or show cause why the abatement should not lie. Any and all written response must include a detailed factual statement and supporting documentation, having standing in Law. If more time than ten (10) days is needed to respond, it may be granted on written request of the Defendant. Failure to obey this court order or failure to respond in the time prescribed, herein, will result in a Default and Default Judgment, *Nemo debet bis vexari pro una et eadem Causa*, and may subject Defendant to Civil liabilities or Criminal punishment pursuant to The Law of Nations, The Law of War, the Nebraska Constitution, and the *lex non scripta* in this state:

*** *Omnia praesumuntur contra Spoliatorem* *.**

Your response to this instant matter shall be marked with the superior court case number, and directed to the following location:

Bobby Jean: Xxxx, *suae potestate esse, et uxor*
General Delivery
Hay Springs Post Office
Hay Springs, Nebraska

**Two.
Verification by Asseveration**

In Witness, Knowing the Punishment for bearing false witness before Almighty God and Men, I solemnly aver, that I have read the annexed Plea In Abatement and know the contents thereof; that the same is true of My own knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I believe them to be true.

Sealed by the voluntary act of Our Own Hand on this eighth day of the eighth month, in the year of Our Lord and Savior Jesus, the Christ, nineteen hundred ninety-six, in the two hundred and twenty-first year of the Independence of America.

*** *Vigilantibus, non dormientibus, Jura subveniunt* ***

L.S.

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse, et uxor*

Sign Manual

On this eighth day of the eighth Month, in the year of Our Lord and Savior Jesus, the Christ, nineteen-hundred ninety-six, we, the undersigned Good and Lawful Christian Men in this state, having ascertained that our Brother, Bobby Jean, has read and knows the contents of this Abatement, witnessed his execution and sealing of the same, and do herewith testify to the foregoing by voluntarily setting Our Hand and Sealing this Abatement.

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

I have the Honor of being Private Christian

(thumb print) _____, *suae potestate esse*

Sign Manual

Page seven of seven

The Public Notice

The public notice below should be posted in three places in your county for eight weeks, beginning on the day you know that the defendants have received the abatement. Find the locations before you serve the abatement and insert the locations into your abatement as additional notice.

The newspaper notice at bottom should be run once a week for three weeks and a copy of the first week clipped out and attached to the Default before serving it on defendant. You should arrange with the newspaper in advance to begin running the notice on the day after the Rule Day. Be sure to serve the defendant and publish in the newspaper within ten days after the Rule Day.

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Public Notice

Notice of Default

Be it Known and Remembered by All to Whom These Presents Come and May Concern:

This public notice is posted for purposes of Edification and imputing Knowledge to Christ's church, and to all the World, Declareth and Witnesseth that, _____ county, Ohio, superior court case number _____ process, was properly and duly served on the _____ day of the month in the Year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, upon Defendants _____ and _____, and same will Default on the day of the _____ month in the Year of Our Lord and Saviour Jesus, the Christ, nineteen-hundred ninety-six, and Default Judgment in favor of Demandant, _____, *suae potestate esse*, will enter accordingly on that rule day.

*Causae ecclesiae publicis causis aequiparantur.
Quod omnes tangit, ab omnibus debet supportari.
Interest reipublicae quod homines conservatur.*

Attempts to remove this posting are deemed in Law, actions of Trespass to obstruct justice and pervert the public record.

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**Public Notice
Notice of Default and
Entry of Default Judgment:**

Be it Known and Remembered by All to Whom These Presents Come and May Concern: This public notice is posted for purposes of Edification and imputing Knowledge to Christ's church, and to all the World, Declareth and Witnesseth that: Notice of Default Judgment is hereby given, and the same was entered in favor of the Demandant on the 5th day of the 6th month, 1996 A.D., in the matter of _____ county, Ohio, superior court case # _____, notice of same having been Lawfully served upon Defendant _____. Therefore, this matter is abated and all proceedings in litigation are at an end. Any further action by said Defendant in this matter, will establish evidence of Trespass on Case.

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Glossary

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| Abandon | To desert, surrender, forsake, or cede. To relinquish or give up with intent of never again resuming one's right or interest. <i>Burrough's vs. Pacific Telephone and Telegraph Co.</i> , 220 P. 152, 155, 109 Or. 404. |
| American | A.b. Belonging to the United States, <i>Oxford's Dictionary 1933</i> . Of or pertaining to the United States, <i>Black's Law Dictionary, 6th Edition</i> |
| Americanize | <i>strictly</i> , To make American; <i>esp.</i> to naturalize as a citizen of the United States, <i>Orford's Dict. 1933</i> |
| Abatement | <p>In actions at law, an abatement is an overthrow of an action caused by the defendant's pleading some matter of fact tending to impeach the correctness of the writ or declaration, which defeats the action for the present, but does not debar the plaintiff from recommencing it in a better way.</p> <p>Abatements are of two types, statutory and common law pleas.</p> <p>Statutory abatements are merely a statutory implementation of the common law plea in abatement.</p> <p>Pleas in abatements rely on immemorial custom and usage to their authority, and not on any statutory authority by a legislature.</p> <p>But, if issued against military powers and their courts in civil and administrative cases the abatement has the effect of suspending all proceedings in a suit because the military powers have no standing to answer. <i>See Black's, 3rd, (1933), page 7 to 8.</i></p> |
| Abbreviated Name | <p>In <i>Reg. v. Tugwell</i>, 3 Q.b., 704 it was held that the name was no part of the description, and further, in <i>Reg. v. Bradley</i>, 3E. & E. 634 "that an initial cannot be regarded as a christian name," and, in <i>The Queen v. Plenty, L.R.. Vol. IV 346</i>, the court ruled that "We are of opinion that the word "misnomer," which means a naming amiss, is wide enough to cover the faulty indication of a christian name by means of the initial," and they again cite Bacon's Abridgement of the Law, Misnomer.</p> <p>But, in this same case, the court went on to say "that it was not a mere case of misnomer, because the initials were no name at all," and that such an error was pleadable in abatement.</p> |

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| Alien enemy | In international law, an alien who is the subject or citizen of some hostile state or power. A person who, by reason of owing a permanent or temporary allegiance to a hostile power, becomes, in time of war, impressed with the character of an enemy. See <i>1 Kent, Comm. 74, and Black's 3rd</i> . Whether or not a person is an alien enemy, depends not on his nationality, but on the place in which he voluntarily resides or carries on business. <i>Porter vs. Freudenberg, (1915) 1 KB. 857; Noble vs. Great American Insurance Co., 194 N.Y.S. 60, 66, 200 App. Div. 773.</i> |
| Arbiter | One who arbitrates or moderates meetings of a jural society. Also called a Host or Chairman. "Arbiter" is an untechnical designation of a person to whom a controversy is referred, irrespective of any law to govern the decision; and is the proper word to signify a referee of a question outside of or above municipal law. <i>Black's, 3rd, (1933) page 133.</i> |
| Asseveration | An affirmation; a positive assertion; a solemn declaration. <i>Black's 3rd. page 154.</i> |
| Avoidance | A making void, useless, empty, or of no effect; annulling, canceling; escaping or evading. <i>Black's 3rd, page 176.</i> |
| Breach of the Peace | A violation of the public tranquillity and order. The offense of breaking or disturbing the public peace by any riotous, forcible, or unlawful proceeding. <i>4 Blackstone's Commentaries, 142, et. seq.. Black's 3rd., page 246.</i> |
| Bureaucrat | 2. An official who works by fixed routine without exercising intelligent judgment. <i>Random House dictionary of the English Language, 2nd Edition, Unabridged, page 279.</i> |
| Bureaucratese | n. a style of language, used especially by bureaucrats, that is full of circumlocutions, euphemisms, buzzwords, abstractions, etc.. |
| Christianity | The religion established by Jesus Christ. 2. Christianity has been judicially declared to be a part of the common law of Pennsylvania; <i>11 Serg. dc Rawle, 394; 5 Binn. R. 555; of New York, 8 Johns. R. 291; of Connecticut, 2 Swift's System, 321; of Massachusetts, Dane's Ab. vol. 7, c. 219, a. 2, 19.</i> To write or speak contemptuously and maliciously against it, is an indictable offence. <i>Vide Cooper on the Law of Libel, 59 and 114, et seq.; and generally, 1 Russ. on Cr. 217; 1 Hawk, c. 5; 1 Vent. 293; 3 Keb. 607; 1 Barn. & Cress. 26. S. C. 8 Eng. Com. Law R. 14; Barnard. 162; Fitzgib. 66; Roscoe, Cr. Ev. 524; 2 Str. 834; 3 Barn. dc Ald. 161; S.C. 5 Eng. Com. Law R 249 Jeff. Rep. Appx. See 1 Cro. Jac. 421 Kent. 293; 3 Keb. 607; Cooke on Def. 74; 2 How. S. C. 11-ep. 127, 197 to 201. Source: Bouvier's Dictionary of Law, 1856.</i> |

Church

In a moral or spiritual sense this word signifies a society of persons who profess the Christian religion; and in a physical or material sense, the place where such persons assemble. The term 'church' is nomen collectivum; it comprehends the chancel, aisles, and body of the church. *Ham. N. P.* 204.

2. By the English law, the terms 'church' or 'chapel,' and 'church-yard,' are expressly recognized as in themselves correct and technical descriptions of the building and place, even in criminal proceedings. *8 B. & C.* 25; *1 Salk.* 256; *11 Co.* 25 b; *2 Esp.* 5, 28.

3. It is not within the plan of this work to give an account of the different local regulations in the United States respecting churches. References are here given to enable the inquirer to ascertain what they are, where such regulations are known to exist. *2 Mass.* 500; *3 Mass.* 166; *8 Mass.* 96; *9 Mass.* 277; *Id.* 254; *10 Mass.* 323; *15 Mass.* 296; *16 Mass.* 488; *6 Mass.* 401; *10 Pick.* 172; *4 Day, C.* 361; *1 Root* 3, 40; *Kirby,* 45; *2 Caines' Cas.* 336; *10 John.* 21 7; *6 John.* 85; *7 John.* 112; *8 John.* 464; *9 John.* 147; *4 Desaus.* 578; *5 Serg. & Rawle,* 510; *11 Serg. & Rawle,* 35; *Mete. & Perk. Dig. h. t.; 4 chart.* 531.

Source: Bouvier's Dictionary of Law, 1856.

Church-warden

An officer whose duties are, as the name implies, to take care of, or guard the church.

2. These officers are created in some ecclesiastical corporations by the charter, and their rights and duties are definitely explained. In England, it is said, their principal duties are to take care of; 1. the church or building; 2. The utensils and furniture; 3. the church-yard; 4. matters of good order concerning the church and church-yard; 5. the endowments of the church. *Bac. Ab. h. t.* By the common law, the capacity of church-wardens to hold property for the church, is limited to personal property. *9 Cranch,* 43.

Source: Bouvier's Dictionary of Law, 1856.

Citizen

A member of a free city or jural society, possessing all the rights and privileges which can be enjoyed by any person under its constitution and government, and subject to the corresponding duties.

Commerce

The exchange of what is superfluous for that which is necessary, and as, in the natural progress of things, the superfluities and wants of men have increased, commerce has gradually become more intricate and extended. Commerce is carried on in three different ways; **1st.** By an exchange or barter of one article for another, those who produce the articles treating or negotiating directly and personally with each other. **2nd.** The person producing an article treating, as in the first case, directly with the person wanting it, but receiving money, and not other goods, in exchange. And, **3rd.** When the person producing the article and him who wants to use it have no intercourse with each other, but apply mutually to a third and intermediate merchant, who buys from the one, and sells to the other. This last species of traffic or mode of exchanging articles is that which has by way of pre-eminence received the name of commerce, which has not always increased in proportion to the wealth of a nation, although nearly so, in proportion to its luxury. *A Commercial Dictionary on the Present state of Mercantile Law, by Joshua Monterfiore, 1803.* Trade on a large scale, or the exchange of commodities (from the Latin *cum mercis*, or with Mercury). *A Dictionary of Foreign Trade by Frank Henius, 1946.* “The term ‘commerce’ as employed in U.S. Const. Art. Sec. 8, is not limited to the exchange of commodities only, but includes as well, ‘intercourse’ with foreign nations, and between states; and term ‘intercourse’ includes transportation of passengers.” *People vs. Raymond (1868), 34 C. 492.*

Commodity

That which possesses the quality of ease, comfort: *commoditas*: *commodum*: *opportunitas* (convenience). Profit, *commodum*: *emolumentum*, (advantage, opposed to *incommodum*, *detrimentum*). *English-Latin Lexicon by Riddle (1849), page 115.* Something which affords convenience or profit, which can be exchanged for some other value. The commodity must be in such tangible form, whether goods and services, that it can be traded for something tangible. Thus, a commodity becomes something that can be made the subject of trade, of acquisition as well as of an exchange offering; something possessing exchange value, that can be traded for something else. *A Dictionary of Foreign Trade by Frank Henius, page 120, (1946)*

Common Law

As distinguished from Roman law, the modern civil law, the canon law, and other systems, the common law is that body of law and juristic theory originated, developed, and formulated and is administered in England, and has obtained among most states and people of Anglo-Saxon stock. *Lux v. Haggin, 69 Cal. 255.*

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| Common Law (cont.) | As distinguished from statute law, it is the body of principles and rules of action, relating to government and security of persons and property, that derive their authority solely from usages and customs of immemorial antiquity, or from judgments and decrees of courts recognizing, affirming, and enforcing such usages and customs; particularly the ancient unwritten law (<i>lex non scripta</i>) of England. 1 <i>Kent, Comm.</i> 492; <i>Western Union Tel. Co. v. Call Pub. Co.</i> , 181 U.S. 92, 21 S. Ct. 561; <i>State v. Buchanan</i> , 5 Har. and J. (Md.) 365, 9 Am. Dec. 534; <i>Barry v. Port Jervis</i> , 64 App. Div. 268, 72 N.Y.S. 104; <i>U.S. v. Miller</i> (D.C.) 236 F. 798, 800. |
| Conflict of Laws | Inconsistency or difference between the municipal laws of different states or countries, arising in the case of persons who have acquired rights or a <i>status</i> , or made contracts, or incurred obligations, within the territory of two or more jurisdictions. <i>Black's 3rd.</i> , page 396. |
| Constable | <p>In English Law "a public civil officer, whose general duty is to keep the peace within his district, though he is frequently charged with additional duties. 1 <i>Blackstone's Comm.</i> 356. In American Law he is an officer (usually elected) whose duties are similar to those of a sheriff, though his powers are less and his jurisdiction smaller. He is to preserve public peace, execute the process of magistrates' courts, and of other tribunals, serve writs, attend sessions of criminal courts, have custody of juries, and discharge other duties assigned to him by local law or statute. <i>Comm. v. Deacon</i>, 8 <i>Serg. & Rawle</i>, (Pa.) 47; <i>McCullough v. Commonwealth</i>, 67 Pa. 30, 32; <i>Leavitt v. Leavitt</i>, 135 Mass. 191; <i>Allor v. Wayne County</i>, 43 Mich. 76, 4 N. W 492, cited in <i>Black's</i>, 3rd, (1933).</p> <p>Since a jural society exists in Law, not under Martial Law powers, the Constable stands, relative to the Sheriff of a county, in a superior position by virtue of the Law by which he is bound.</p> |
| Covenant | An agreement between two or more parties, reduced to writing and executed by a sealing and delivery thereof, whereby some of the parties named therein engage, or one of them engages, with the other, or others, or some of them, therein also named, that some act hath or hath not already been done, or for the performance or non-performance of some specified duty. <i>De Bolle v. Insurance Co.</i> , 4 <i>Warton</i> (Pa.) 71; 33 <i>Am. Dec.</i> 38. |
| Coverture | <p>The state or condition of a married woman.</p> <p>2. During coverture, the being of the wife is civilly merged, for many purposes, into that of her husband; she can, therefore, in general, make no contracts without his consent, express or implied. <i>Com. Dig. Baron and Feme</i>, W; <i>Pleader</i>, 2 A 1; 1 <i>Ch. Pl.</i> 19, 45; <i>Litt. s.</i> 28; <i>Chit. Contr.</i> 39; 1 <i>Bouv. Inst</i> n. 276.</p> |

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| Coverture (cont.) | <p>3. To this rule there are some exceptions: she may contract, when it is for her benefit, as to save her from starvation. <i>Chit. Contr.</i> 40.</p> <p>4. In some cases, when coercion has been used by the husband to induce her to commit crime, she is exempted from punishment. <i>1 Hale, P.C.</i> 516; <i>1 Russ. Cr.</i> 16.</p> <p>5. Sometimes used elliptically to describe the legal disability arising from a state of coverture. <i>Osborn v. Horine</i>, 19 Illinois 124; <i>Roberts v. Lund</i>, 45 Ver., 86.</p> |
| Custom | <p>A law not written, established by long usage and the consent of our ancestors. <i>Termes de la Ley</i>; <i>Cowell</i>; <i>Bracton. Folio.</i> 2. If it be universal, it is common law; if particular to this or that place, it is then properly custom. <i>3 Salk</i> 112.</p> |
| De facto | <p>In fact, in deed, in actuality. This phrase is used to characterize an officer, a government, a past action, or a state of affairs which must be accepted for all practical purposes, but is illegal or illegitimate. In this sense it is the contrary of <i>de jure</i>, which means rightful, legitimate, just, or constitutional. Thus, an officer, king, or government <i>de facto</i> is one who is in actual possession of the office or supreme power, but by usurpation, or without lawful title; while an officer, king, or governor <i>de jure</i> is one who has just claim and rightful title to the office or power, but has never had plenary possession of it, or is not in actual possession.</p> |
| De jure | <p>See 'de facto.'</p> |
| Designata | <p>(<i>persona designata</i>). A person pointed out or described as an individual, as opposed to a person ascertained as a member of a class, or as filling a particular character. <i>Black's 3rd</i>, 1933, page 1356.</p> <p>In actuality, the person designated, given the current definition of 'person' is a fiction, and thus the processes of <i>de facto</i> powers that now exist when served against Christians, are null and void, because such a person does not exist in Law, or in a fiction.</p> |
| Discussion | <p>A proceeding at the instance of a surety, by which the creditor is obliged to exhaust the property of the principal debtor, towards the satisfaction of the debt, before having recourse to the surety; and this right of the surety is termed the "benefit of discussion."</p> <p>See the extended treatment of this subject in <i>Black's, 3rd</i>, (1933), page 588.</p> |

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| Dominion | Sovereignty or Lordship. Ownership or right to property. <i>2 Blackstone's Commentaries</i> , 1. Title to an article of property which arises from the power of disposition and the right of claiming it. <i>Baker vs. westcott</i> , 73 Texas, 129. |
| Ecclesiastical Society | An organized religious body. The word 'ecclesiastical' pertains to anything belonging to or set apart for the church, as distinguished from "civil" or "secular," with regard to the word. <i>Wharton, in Blacks</i> , 3 rd , (1933) page 640. |
| Et uxor | "and lawful wife." |
| False Imprisonment | The unlawful arrest or detention of a person without warrant, or by an illegal warrant, or a warrant illegally executed, and either in a prison or a place used temporarily for that purpose, or by force and constraint without confinement. <i>Black's 3rd</i> , page 926. |
| General Law | A general law as contradistinguished from one that is special or local, is a law that embraces a class of subjects or places, and does not omit any subject or place naturally belonging to such a class. <i>Van Riper vs. Parsons</i> , 40 N.J. Law, 1. |
| Human. L | humanus, of or belonging to man, human, a derivative of the same root as homo, homineni man. 3. Belonging or relative to man as distinguished from God or superhuman beings; pertaining to the sphere or faculties of man (with implication of limitation or inferiority); mundane; secular. <i>A New English Dictionary on Historical Principles; Founded mainly on Materials Collected by, The Philological Society, edited by James A. H. Murray, Oxford: At the Clarendon Press. 1901.</i> |
| Human being | See: "Monster," in "Law Dictionary with Pronunciations," by James A. Ballentine, 1948 Edition. Lawyers Co-operative Pub. Co., Rochester, N.Y. |
| Humanitarian | a philanthropist; an anti-Trinitarian who rejects the doctrine of Christ's divinity; a perfectionist. <i>Collier's New Dictionary of the English Language</i> 1928. |
| Humanitarianism | <i>n.</i> the doctrine that humankind may become perfect without divine aid. 1992 Random House. |
| Human laws | Laws which have man for their author, as distinguished from divine laws, which have God for their author. See <i>Borden v. State</i> , 11 Ark. 519, 54 Am. Dec. 21 7, 220. <i>Law Dictionary with Pronunciations</i> , by James A. Ballentine, 1948 Edition. Lawyers Co-operative Pub. Co., Rochester, N.Y. |

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| Individual | See "Person," below. |
| Jural Society | The term "jural society" is used as the synonym of "state" or "organized political community." <i>Black's, 3rd, (1933) page 1036.</i> It is founded in law and organized upon the basis of a fundamental law, which in the case of the American Jural Societies as discussed herein, is that Law found in the <i>lex non scripta</i> (the common law), maxims of law, and constitutional maxims. The Jural Societies exist for the recognition and protection of Christian men and women and their God given rights. |
| <i>Jus Gentium</i> | That law which natural reason has established among all men is equally observed among all nations, and is called the "law of nations," as being the law which all nations use. <i>Black's 3rd, page 1044.</i> |
| <i>Jus publicum</i> | Public law, or the law relating to the constitution and functions of government and its officers and the administration of criminal justice. Also public ownership, or the paramount or sovereign territorial right or title of the state or government. |
| Law Merchant (<i>lex mercatoria</i>) | <i>One of the branches of the unwritten law or common law, consists of particular customs, or laws which affect only the inhabitants of particular districts, under which head may be referred, the law or customs of merchants (lex mercatoria), which is a particular system of customs used only among one set of the king's subjects, which, however different from the general rules of the common law, is yet engrafted into it, and made a part of it; be allowed for the benefit of trade to be of the utmost validity in all commercial transactions; for it is a maxim of law, that "cuilibet in sua arte credendum est." (Credence should be given to one skilled in his peculiar art). This law of merchants comprehends the laws relating to bills of exchange, mercantile contracts, sale, purchase, and barter of goods, freight, insurance, & c.- 1 Chitty's Bl. 76, n. 9. From: A New Law Dictionary by Henry James Holthouse, Lea and Blanchard, Philadelphia (1847)</i> |
| L.S.. Locus sigilli | The place of the seal; the place occupied by the seal of written instruments, usually abbreviated to L.S.. <i>Black's 3rd., page 1129.</i> |
| <i>Lex Loci</i> | Law local, or the law of the local community or state. |
| <i>Lex mercatoria</i> | see 'Law Merchant.' |
| <i>Lex non scripta</i> | Literally, "law not written," i.e., the unwritten law that we know as common law. Mark of Fraud. A token, evidence, or proof of fraud. <i>Black's 3rd., page 1161.</i> |
| Martial Law [Law martial] | Martial law is a code established for the government of the army and navy of the United States. <i>A New Law Dictionary by Henry James Holthouse, Lea and Blanchard, Philadelphia (1847).</i> |

Maxim An established principle or proposition. A principle of law universally admitted, as being a correct statement of the law, or as agreeable to reason.

Coke defines a maxim to be "conclusion of reason," and says that it is so called "*quia maxima ejus dignitas et certissima auctoritas, et quod maxime omnibus probetur*." Coke on Littleton, 11a. He says in another place: "A maxim is a proposition to be of all men confessed and granted without proof, argument, or discourse." *Id.* 67a. *Black's*, 3rd, (1933) page 1171.

Ministerial Powers A phrase used in English conveyancing to denote powers given or the good, not of the donee himself exclusively, of the donee himself necessarily at all, but for the good of several persons, including or not including the donee also. They are so called because the donee of them is as a minister or servant in his exercise of them.. *Black's* 3rd, page 1391.

Note: To understand the power of the phrase, we must realize that while it has authority in the common law, i.e., the *lex non scripta*, there is no modern equivalent defined in the sources. It is thus an office of ancient authority that exceeds the legal memory of man and relies on the Scripture for its original derivation, wherein we are ministers under God acting under the Great Commission commanded to Us by Jesus Christ.

If one goes to *Black's* 6th Edition of the Law Dictionary, page 996, where it says see 'power' and under 'power' on page 1170, it says, see 'ministerial.' Thus, the phrase is undefined in the modern sources.

Misnomer If the Christian name be wholly mistaken, this is regularly fatal to all legal instruments, as well declarations and pleadings as grants and obligations; and the reason is, because it is repugnant to the rules of the Christian religion, that there should be a Christian without a name of baptism, or that such person should have two Christian names, since our church allows of no re-baptizing; and therefore if a person enters into a bond by a wrong Christian name, he cannot be declared against by the name in the obligation and his true name brought in an alias, for that supposes the possibility of two Christian names; and you cannot declare against the party by his right name and aver he made the deed by his wrong name, for that is to set up an averment contrary to the deed; and there is this sanction allowed to every solemn contract, that it cannot be opposed by a thing of equal validity and if he be impleaded by the name in the deed, he may plead that he is another person, and that it is not his deed. *Bacon's Abridgement of the Law, Misnomer and Addition*, page 10, (1846). Philadelphia.

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| Misnomer (cont.) | <p>Again, where a party was sued by a wrong name, and suffered judgment to go against him, without attempting to rectify the mistake, he could not afterwards, in an action against the sheriff for false imprisonment, complain of an execution issued against him by that name. <i>"Fundamental Legal Principles."</i></p> <p>'Misnomer' is a good plea in abatement; for since names are the only marks and indicia which human kind can understand each other by, if the name be omitted or mistaken, there is a complaint against nobody ... But, though a defendant may, by pleading in abatement, take advantage of a misnomer when there is a mistake in the writ or declaration, as to the name of baptism or surname; yet in such a plea he must set forth his right name, so as to give the plaintiff a better writ. <i>4 Bacon's Abridgement of the Law, Of Misnomer, and want of Addition, page 9.</i></p> |
| Monster | <p>A human being by birth, but in some part resembling a lower animal. "A monster ... hath no inheritable blood, and cannot be heir to any land, albeit it be brought forth in marriage; but, although it hath deformity in any part of its body, yet if it hath human shape, it may be heir." <i>2 Blackstone's Commentaries, 246.</i></p> |
| Naturalism | <p>A system of morality or religion having a purely natural basis; a view of the world, and of man's relationship to it, in which only the operation of natural, as opposed to supernatural or spiritual, laws and forces is assumed. <i>Oxford's Dictionary 1933.</i></p> |
| Naturalist | <p>One who follows the light of nature, as contrasted with revelation. <i>Oxford's Dictionary 1933.</i></p> |
| Natural man | <p>17. Unenlightened or unregenerate: natural man. And in the same source, 'unregenerate' is, 1. not regenerate; unrepentant; an unregenerate sinner. 2. not convinced by or unconverted to a particular religion, sect, or movement. 4. wicked; sinful; dissolute. <i>Random House Dictionary of the English Language, 2nd Edition.</i></p> <p>"But the natural man receiveth not the things of the Spirit of God: for they are foolishness unto him: neither can he know them, because they are spiritually discerned." <i>First Corinthians, Two, Fourteen</i></p> |
| Natural person | <p>"Natural person" means human being, and not artificial or juristic person. <i>Shawmut Bank, N.A. v. Valley Farms, 610 A.2d. 652, 654; 222 Conn. 361.</i></p> <p>Individual trustees, in whose name title to real estate is held, are 'natural person,' see <i>Driscoll, et. al. v. Nueces County, Tex Civ. App., 445 S.W.2d 1, 6.</i></p> |

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| Natural person (cont.) | <p>Natural persons may be members of civil governments. <i>Rocklite products, v. Municipal Court of Los Angeles Judicial Dist.</i>, 32 Cal. Rep. 183, 188; 217 C.A.2d. 638.</p> <p>Those applying for benefits from civil government may be classed as 'natural persons.' <i>Public Health Trust of Dade county v. Lopez, Fla.</i>, 531 So. 2d. 946, 948.</p> <p>But, there is a difference between 'natural person,' and 'moral person,' as seen in the following: "As to the estate and degree required by the statute to be added, we must observe, that estate is defined by the civilians [as] the capacity of moral person; for, as natural persons have a certain space in which their natural existence is placed, and in which they perform their natural actions, so have persons in a community a certain state or capacity, in which they are supposed to exist, to perform their moral acts, and exercise all civil relations ..."</p> <p><i>Bacon's Abridgement of the Law, Misnomer and Addition, page 10, (1846). Philadelphia.</i></p> |
| Natural theology | Theology based on knowledge of the natural world and on human reason, apart from revelation 1992 <i>Random House Webster's College Dictionary</i> |
| Nature worship | A religion based on the deification and worship of natural phenomena. [1865-1870] 1992 <i>Random House Webster's College Dictionary</i> . |
| <i>Nom de guerre</i> | Literally, "name of war," or, "war name." "An alien enemy cannot maintain an action during the war in his own name." Wharton's Pa. Digest, Section 20, page 94, (1853). |
| Nugatory | Futile; ineffectual; invalid; destitute of constraining force or validity. A legislative act may be "nugatory" because unconstitutional. <i>Avery and Co., vs. Sorrell</i> , 157 Ga. 476 |
| Parliamentary Law | The general body of enacted rules and recognized usages which governs the procedure of legislative assemblies and other deliberative bodies. <i>Black's, 3rd</i> , (1933) page 1326. |
| Person | <p>An indispensable word with varied, overlapping meanings ... The definitions here give an overview of current usage. A person is: a physical, biological human being ... This sense overlaps the sense of the person with rights and duties under the law. A person is: an existing person, not an unborn child. An unborn child has no rights as a person. A person is an artificial person, an abstraction of convenience regarded by</p> |

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| Person (cont.) | the law as a distinct being, having an existence independent of those who create or own it, such as a corporation, a labor union, a business trust. The expressions 'juristic person' and 'legal entity' are frequently used as synonyms of artificial persons. Source: <i>Mellinkoffs Dict. of Am Legal Usage</i> , by D. Mellinkoff, West Pub. Co., St. Paul, Minn., 1992. |
| Persona | Latin. Literally, the mask of the actor. In law, the persona is the fictional 'person' or entity created by governments under military law by the process of novation. |
| Persona non grata | In international law and diplomatic usage, a person not acceptable (for reasons peculiar to himself) to the court or government to which it is proposed to accredit him in the character of an ambassador or minister. <i>Black's 3rd</i> , page 1356. |
| Plunder | To take property from persons or places by open force, and this may be in the course of a lawful war, or by unlawful hostility, as in the case of pirates or banditti. But, in another and very common meaning, though in some degree figurative, it is used to express the idea of taking property from a person or place, without just right, but not expressing the nature or quality of wrong done. <i>U.S. vs. Pitman</i> , 27 Fed. Cas. 540. <i>Black's 3rd</i> , page 1370. |
| Praemunire | An offense against the king and his government, though not subject to capital punishment. In America, the private Christian people are the king. |
| Preamble | <p>A clause at the beginning of a constitution or statute explanatory of the reasons for its enactment and the objects sought to be accomplished. See the cites in <i>Black's, 3rd</i>, (1933) page 1398.</p> <p>In its simplest statement, a preamble is a goal statement.</p> |
| Public Nuisance | A public nuisance is one which affects an indefinable number of persons, or all the residents of a particular locality, or all people coming within the extent of its range or operation, although the extent of the annoyance or damage inflicted upon individuals may be unequal. <i>Bumham vs. Hotchkiss</i> , 14 Conn. 317; <i>Black's 3rd</i> , page 1263. |
| Religious Corporations | <p>"A religious corporation is a 'person' within the meaning of Emergency Rent Control Act. <i>Hoffman v. Apostolic Works</i>, D.C. Mun. App., 43 A.2d 848, 849. "</p> <p>But, "An unincorporated association is not a 'person' unless expressly declared such by statute. <i>People v. Budzan</i>, 295 N.W. 259, 260, 295 Mich. 547."</p> |

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| Secular | 1. Of or pertaining to worldly things or to things not regarded as sacred; temporal. 2. not relating to or concerned with religion (opposed to sacred). <i>1992 Random House Webster's College Dictionary.</i> |
| Secular Humanism | <i>n.</i> Any set of beliefs that promotes human values without specific allusion to religious doctrines. <i>1992 Random House Webster's College Dictionary.</i> |
| Secularism | <i>n.</i> 1. secular spirit or tendency, esp. a system of political or social philosophy that rejects all forms of religious faith or worship. 2. the view that public education and other matters of civil policy should be conducted without the influence of religious beliefs. <i>1992 Random House Webster's College Dictionary</i> |
| Sign Manual | An autograph signature: specifically, the official signature of a sovereign, chief magistrate, or the like, to an official document, as letters patent, to give validity. <i>Webster's Dictionary; Wharton, Law Dictionary.</i> |
| Suae potestate esse | Having full power over one's own dominions. This was given to God's people in Genesis 1:27-28 and reaffirmed again in the New Testament in 'The Great Commission.' |
| superior court | A court superior in Law to all others, such as that contemplated in pleas in abatements, however is spelled " <u>superior court</u> " to distinguish it from the statutory, corporate courts, Superior Court. <i>Under Magna Charta, Chapter 34, no man can be denied his own court.</i> |
| Trespass | Trespass, in its most comprehensive sense, signifies any transgression or offense against the law of nature, of society, or of the country in which we live; and this, whether it relates to a man's person, or to his property. <i>Brown. Source, Black's 3rd. page 1753.</i> |
| Trespass on the Case | The form of action, at common law, adapted to the recovery of damages for some injury resulting to a party from the wrongful act of another, unaccompanied by direct or immediate force, of which is the indirect or secondary consequence of defendant's act. <i>Christian vs. Mills, 2 Walk. (Pa.) 131.</i> The process at common law to bring an action of Trespass is called a Writ of Trespass. |
| United States | "United States" is a Federal corporation; <i>Title 28, Sec. 3002, 1993 Fed. Jud. & Proc. Rules</i> b. The Republic of N. America. Abbrev. U.S. or U.S.A. 1781. c. In other applications 1864. <i>Oxford's Dict. 1933.</i> |
| Venue | Formerly spelled <i>visne</i> . A neighborhood; the neighborhood, place, or county in which an injury is declared to have been done, or fact declared to have happened. |

Visitation

The act of examining into the affairs of a corporation. Inspection; superintendence; direction; regulation. A power given by Law to the founders of all eleemosynary corporations. 2 *Kent's Commentaries*, 300-303, and 1 *Blackstone's Commentaries*, 480, 481.

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