

Office of the Person

The official state office known as "Person"

This is the single most important lesson that you MUST learn. If you spend an hour to learn this material you will be rewarded for the rest of your life.

The word "person" in legal terminology is perceived as a general word which normally includes in its scope a variety of entities other than human beings. See e.g. 1 U.S.C. sec 1. Church of Scientology v. U.S. Dept. of Justice (1979) 612 F.2d 417, 425.

One of the very first of your state statutes will have a section listed entitled "Definitions." Carefully study this section of the statutes and you will find a portion that reads similar to this excerpt:

In construing these statutes and each and every word, phrase, or part hereof, where the context will permit:

- (1) The singular includes the plural and vice versa.
- (2) Gender-specific language includes the other gender and neuter.
- (3) The word "person" includes individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

NOTE HOWEVER, THE DEFINITIONS STATUTE DOES NOT LIST MAN OR WOMAN -- THEREFORE THEY ARE EXCLUDED FROM ALL THE STATUTES !!!

Under the rule of construction "expressio unius est exclusio alterius," where a statute or Constitution enumerates the things on which it is to operate or forbids certain things, it is ordinarily to be construed as excluding from its operation all those not expressly mentioned.

Generally words in a statute should be given their plain and ordinary meaning. When a statute does not specifically define words, such words should be construed in their common or ordinary sense to the effect that the rules used in construing statutes are also applicable in the construction of the Constitution. It is a fundamental rule of statutory construction that words of common usage when used in a statute should be construed in their plain and ordinary sense.

If you carefully read the statute laws enacted by your state legislature you will also notice that they are all written with phrases similar to these five examples :

1. A person commits the offense of failure to carry a license if the person . . .
2. A person commits the offense of failure to register a vehicle if the person . . .

3. A person commits the offense of driving uninsured if the person . . .
4. A person commits the offense of fishing if the person . . .
5. A person commits the offense of breathing if the person . . .

Notice that only "persons" can commit these state legislature created crimes. A crime is by definition an offense committed against the "state." If you commit an offense against a human, it is called a tort. Examples of torts would be any personal injury, slander, or defamation of character.

So how does someone become a "person" and subject to regulation by state statutes and laws ?

There is only one way. You must ask the state for permission to volunteer to become a state person. You must volunteer because the U.S. Constitution forbids the state from compelling you into slavery. This is found in the 13th and 14th Amendments.

13th Amendment

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

14th Amendment

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny any person within its jurisdiction the equal protection of the laws.

You become a state created statutory "person" by taking up residency with the state and stepping into the office of "person." You must hold an "office" within the state government in order for that state government to regulate and control you. First comes the legislatively created office, then comes their control. If you do not have an office in state government, the legislature's control over you would also be prohibited by the Declaration of Rights section, usually found to be either Section I or II, of the State Constitution.

The most common office held in a state is therefore the office known as "person." Your state legislature created this office as a way to control people. It is an office most people occupy without even knowing that they are doing so.

The legislature cannot lawfully control you because you are a flesh and blood human being. God alone created you and by Right of creation, He alone can control you. It is the nature of law, that what one creates, one controls. This natural law is the force that binds a creature to its creator. God created us and we are, therefore, subject to His laws, whether or not we acknowledge Him as our Creator.

The way the state gets around God's law and thereby controls the people is by creating only an office, and not a real human. This office is titled as "person" and then the legislature claims that you are filling

that office. Legislators erroneously now think that they can make laws that also control men. They create entire bodies of laws - motor vehicle code, building code, compulsory education laws, and so on ad nauseum. They still cannot control men or women, but they can now control the office they created. And look who is sitting in that office -- YOU.

Then they create government departments to administer regulations to these offices. Within these administrative departments of state government are hundreds of other state created offices. There is everything from the office of janitor to the office of governor. But these administrative departments cannot function properly unless they have subjects to regulate.

The legislature obtains these subjects by creating an office that nobody even realizes to be an official state office.

They have created the office of "person."

The state creates many other offices such as police officer, prosecutor, judge etc. and everyone understands this concept. However, what most people fail to recognize and understand is the most common state office of all, the office of "person." Anyone filling one of these state offices is subject to regulation by their creator, the state legislature. Through the state created office of "person," the state gains its authority to regulate, control and judge you, the real human. What they have done is apply the natural law principle, "what one creates, one controls."

A look in Webster's dictionary reveals the origin of the word "person." It literally means "the mask an actor wears."

The legislature creates the office of "person" which is a mask. They cannot create real people, only God can do that. But they can create the "office" of "person," which is merely a mask, and then they persuade a flesh and blood human being to put on that mask by offering a fictitious privilege, such as a driver license. Now the legislature has gained complete control over both the mask and the actor behind the mask.

A resident is another state office holder.

All state residents hold an office in the state government.

But not everyone who is a resident also holds the office of "person."

Some residents hold the office of judge and they are not persons.

Some residents hold the office of prosecutors and they are not persons.

Some residents hold the office of police officer(s) and they are not persons.

Some residents hold the office of legislators and they are not persons.

Some residents are administrators and bureaucrats and they also are not persons.

Some residents are attorneys and they also are not persons.

An attorney is a state officer of the court and is firmly part of the judicial branch. The attorneys will all tell you that they are "licensed" to practice law by the state Supreme Court. Therefore, it is unlawful for any attorney to hold any position or office outside of the judicial branch. There can be no attorney legislators - no attorney mayors - no attorneys as police - no attorneys as governor. Yes, I know it happens all the time, however, this practice of multiple office holding by attorneys is prohibited by the constitution and is a felony in most states.

If you read farther into your state constitution you will find a clause stating this, the Separation of Powers, which will essentially read as follows:

Branches of government -- The powers of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

Therefore, a police officer cannot arrest a prosecutor, a prosecutor cannot prosecute a sitting judge, a judge cannot order the legislature to perform and so on.

Because these "offices" are not persons, the state will not, and cannot prosecute them, therefore they enjoy almost complete protection by the state in the performance of their daily duties. This is why it is impossible to sue or file charges against most government employees. If their crimes should rise to the level where they "shock the community" and cause alarm in the people, then they will be terminated from state employment and lose their absolute protection. If you carefully pay attention to the news, you will notice that these government employees are always terminated from their office or state employment and then are they arrested, now as a common person, and charged for their crimes. Simply put, the state will not eat its own.

The reason all state residents hold an office is so the state can control everything. It wants to create every single office so that all areas of your life are under the complete control of the state. Each office has prescribed duties and responsibilities and all these offices are regulated and governed by the state. If you read the fine print when you apply for a state license or privilege you will see that you must sign a declaration that you are in fact a "resident" of that state.

"Person" is a subset of resident. Judge is a subset of resident. Legislator and police officer are subsets of resident. If you hold any office in the state, you are a resident and subject to all legislative decrees in the form of statutes.

They will always say that we are free men. But they will never tell you that the legislatively created offices that you are occupying are not free.

They will say, "All men are free," because that is a true statement.

What they do not say is, that holding any state office binds free men into slavery for the state. They are ever ready to trick you into accepting the state office of "person," and once you are filling that office, you cease to be free men. You become regulated creatures, called persons, totally created by the legislature. You will hear "free men" mentioned all the time, but you will never hear about "free persons."

If you build your life in an office created by the legislature, it will be built on shifting sands. The office can be changed and manipulated at any time to conform to the whims of the legislature. When you hold

the office of "person" created by the legislature, your office isn't fixed. Your duties and responsibilities are ever changing. Each legislative session binds a "person" to ever more burdens and requirements in the form of more rules, laws and statutes.

Most state constitutions have a section that declares the fundamental power of the people:

Political power -- All political power is inherent in the people. The enunciation herein of certain Rights shall not be construed to deny or impair others retained by the people.

Notice that this says "people" it does not say persons. This statement declares beyond any doubt that the people are Sovereign over their created government. This is natural law and the natural flow of delegated power.

A Sovereign is a private, non-resident, non-domestic, non-person, non-individual, NOT SUBJECT to any real or imaginary statutory regulations or quasi laws enacted by any state legislature which was created by the people.

When you are pulled over by the police, roll down your window and say, "You are speaking to a Sovereign political power holder. I do not consent to you detaining me. Why are you detaining me against my will ?"

Now the state office of policeman knows that "IT" is talking to a flesh and blood Sovereign. The police officer cannot cite a Sovereign because the state legislature can only regulate what they create. And the state does not create Sovereign political power holders. It is very important to lay the proper foundation, Right from the beginning. Let the police officer know that you are a Sovereign. Remain in your proper office of Sovereign political power holder. Do not leave it. Do not be persuaded by police pressure or tricks to put on the mask of a state "person."

Why aren't Sovereigns subject to the state's charges? Because of the concept of office. The state is attempting to prosecute only a particular office known as "person." If you are not in that state created office of "person," the state statutes simply do not apply to you. This is common sense, for example, if you are not in the state of Texas, then Texas laws do not apply to you. For the state to control someone, they have to first create the office. Then they must coerce a warm-blooded creature to come fill that office. They want you to fill that office.

Here is the often expressed understanding from the United States Supreme Court, that "in common usage, the term "person" does not include the Sovereign, statutes employing the person are ordinarily construed to exclude the Sovereign." *Wilson v. Omaha Tribe*, 442 U.S. 653, 667 (1979) (quoting *United States v. Cooper Corp.*, 312 U.S. 600, 604 (1941)). See also *United States v. Mine Workers*, 330 U.S. 258, 275 (1947).

The idea that the word "person" ordinarily excludes the Sovereign can also be traced to the "familiar principle that the King is not bound by any act of Parliament unless he be named therein by special and particular words." *Dollar Savings Bank v. United States*, 19 Wall. 227, 239 (1874). As this passage suggests, however, this interpretive principle applies only to "the enacting Sovereign." *United States v. California*, 297 U.S. 175, 186 (1936). See also *Jefferson County Pharmaceutical Assn., Inc. v. Abbott Laboratories*, 460 U.S. 150, 161, n. 21 (1983). Furthermore, as explained in *United States v. Herron*, 20 Wall. 251, 255 (1874), even the principle as applied to the enacting Sovereign is not without limitations: "Where an act of Parliament is made for the public good, as for the advancement of religion and justice

or to prevent injury and wrong, the king is bound by such act, though not particularly named therein; but where a statute is general, and thereby any prerogative, Right, title, or interest is divested or taken from the king, in such case the king is not bound, unless the statute is made to extend to him by express words."

U.S. Supreme Court Justice Holmes explained:

"A Sovereign is exempt from suit, not because of any formal conception or obsolete theory, but on the logical and practical ground that there can be no legal Right as against the authority that makes the law on which the Right depends." *Kawananakoa v. Polyblank*, 205 U.S. 349, 353, 27 S. Ct. 526, 527, 51 L. Ed. 834 (1907).

The majority of American states fully embrace the Sovereign immunity theory as well as the federal government. See Restatement (Second) of Torts 895B, comment at 400 (1979).

The following U.S. Supreme Court case makes clear all these principals.

I shall have occasion incidentally to evince, how true it is, that states and governments were made for man; and at the same time how true it is, that his creatures and servants have first deceived, next vilified, and at last oppressed their master and maker.

... A state, useful and valuable as the contrivance is, is the inferior contrivance of man; and from his native dignity derives all its acquired importance. ...

Let a state be considered as subordinate to the people: But let everything else be subordinate to the state. The latter part of this position is equally necessary with the former. For in the practice, and even at length, in the science of politics there has very frequently been a strong current against the natural order of things, and an inconsiderate or an interested disposition to sacrifice the end to the means. As the state has claimed precedence of the people; so, in the same inverted course of things, the government has often claimed precedence of the state; and to this perversion in the second degree, many of the volumes of confusion concerning Sovereignty owe their existence. The ministers, dignified very properly by the appellation of the magistrates, have wished, and have succeeded in their wish, to be considered as the Sovereigns of the state. This second degree of perversion is confined to the old world, and begins to diminish even there: but the first degree is still too prevalent even in the several states, of which our union is composed. By a state I mean, a complete body of free persons united together for their common benefit, to enjoy peaceably what is their own, and to do justice to others. It is an artificial person. It has its affairs and its interests: It has its rules: It has its Rights: and it has its obligations. It may acquire property distinct from that of its members. It may incur debts to be discharged out of the public stock, not out of the private fortunes of individuals. It may be bound by contracts; and for damages arising from the breach of those contracts. In all our contemplations, however, concerning this feigned and artificial person, we should never forget, that, in truth and nature, those who think and speak and act, are men. Is the foregoing description of a state a true description? It will not be questioned, but it is. ...

It will be sufficient to observe briefly, that the Sovereignities in Europe, and particularly in England, exist on feudal principles. That system considers the prince as the Sovereign,

and the people as his subjects; it regards his person as the object of allegiance, and excludes the idea of his being on an equal footing with a subject, either in a court of justice or elsewhere. That system contemplates him as being the fountain of honor and authority; and from his grace and grant derives all franchise, immunities and privileges; it is easy to perceive that such a Sovereign could not be amenable to a court of justice, or subjected to judicial control and actual constraint. It was of necessity, therefore, that suability, became incompatible with such Sovereignty. Besides, the prince having all the executive powers, the judgment of the courts would, in fact, be only monitory, not mandatory to him, and a capacity to be advised, is a distinct thing from a capacity to be sued. The same feudal ideas run through all their jurisprudence, and constantly remind us of the distinction between the prince and the subject.

No such ideas obtain here(speaking of America): at the revolution, the Sovereignty devolved on the people; and they are truly the Sovereigns of the country, but they are Sovereigns without subjects (unless the African slaves among us may be so called) and have none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the Sovereignty. *Chisholm v. Georgia* (February Term, 1793) 2 U.S. 419, 2 Dall. 419, 1 L.Ed 440.

There are many ways you can give up your Sovereign power and accept the role of "person." One is by receiving state benefits. Another is by asking permission in the form of a license or permit from the state.

One of the subtlest ways of accepting the role of "person," is to answer the questions of bureaucrats. When a state bureaucrat knocks on your door and wants to know why your children aren't registered in school, or a police officer pulls you over and starts asking questions, you immediately fill the office of "person" if you start answering their questions.

It is for this reason that you should ignore or refuse to "answer" their questions and instead act like a true Sovereign, a King or Queen, and ask only your own questions of them.

You are not a "person" subject to their laws.

If they persist and haul you into their court unlawfully, your response to the judge is simple and direct, you the Sovereign, must tell him :

I have no need to answer you in this matter.

It is none of your business whether I understand my Rights or whether I understand your fictitious charges.

It is none of your business whether I want counsel.

The reason it is none of your business is because I am not a person regulated by the state. I do not hold any position or office where I am subject to the legislature. The state legislature does not dictate what I do.

I am a free Sovereign "Man"(or woman) and I am a political power holder as lawfully decreed in the State Constitution at article I (or II) and that constitution is controlling over you..

You must NEVER retain or hire an attorney, a state officer of the court, to speak or file written documents for you. Use an attorney (if you must) only for counsel and advice about their "legal" system. If you retain an attorney to represent you and speak in your place, you become "NON COMPOS MENTIS", not mentally competent, and you are then considered a ward of the court. You LOSE all your Rights, and you will not be permitted to do anything herein.

The judge knows that as long as he remains in his office, he is backed by the awesome power of the state, its lawyers, police and prisons. The judge will try to force you to abandon your Sovereign sanctuary by threatening you with jail. No matter what happens, if you remain faithful to your Sovereignty, The judge and the state may not lawfully move against you.

The state did not create the office of Sovereign political power holder. Therefore, they do not regulate and control those in the office of Sovereign. They cannot ascribe penalties for breach of that particular office. The reason they have no authority over the office of the Sovereign is because they did not create it and the Sovereign people did not delegate to them any such power.

When challenged, simply remind them that they do not regulate any office of the Sovereign and that their statutes only apply to those state employees in legislative created offices.

This Sovereign individual paradigm is explained by the following U.S. Supreme Court case:

"The individual may stand upon his constitutional Rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no such duty [to submit his books and papers for an examination] to the State, since he receives nothing therefrom, beyond the protection of his life and property. His Rights are such as existed by the law of the land [Common Law] long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his Rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their Rights." Hale v. Henkel, 201 U.S. 43 at 47 (1905).

Let us analyze this case. It says, "The individual may stand upon his constitutional Rights." It does not say, "Sit on his Rights." There is a principle here: "If you don't use 'em you lose 'em." You have to assert your Rights, demand them, "stand upon" them.

Next it says, "He is entitled to carry on his private business in his own way." It says "private business" - you have a Right to operate a private business. Then it says "in his own way." It doesn't say "in the government's way."

Then it says, "His power to contract is unlimited." As a Sovereign individual, your power to contract is unlimited. In common law there are certain criteria that determine the validity of contracts. They are not important here, except that any contract that would harm others or violate their Rights would be invalid. For example, a "contract" to kill someone is not a valid contract. Apart from this obvious qualification, your power to contract is unlimited.

Next it says, "He owes no such duty [to submit his books and papers for an examination] to the State, since he receives nothing therefrom, beyond the protection of his life and property." The court case contrasted the duty of the corporation (an entity created by government permission - feudal paradigm) to

the duty of the Sovereign individual. The Sovereign individual doesn't need and didn't receive permission from the government, hence has no duty to the government.

Then it says, "His Rights are such as existed by the law of the land [Common Law] long antecedent to the organization of the State." This is very important. The Supreme Court recognized that humans have inherent Rights. The U.S. Constitution (including the Bill of Rights) does not grant us Rights. We have fundamental Rights, irrespective of what the Constitution says. The Constitution acknowledges some of our Rights. And Amendment IX states, "The enumeration in the Constitution, of certain Rights, shall not be construed to deny or disparage others retained by the people." The important point is that our Rights antecede (come before, are senior to) the organization of the state.

Next the Supreme Court says, "And [his Rights] can only be taken from him by due process of law, and in accordance with the Constitution." Does it say the government can take away your Rights? No! Your Rights can only be taken away "by due process of law, and in accordance with the Constitution." "Due process of law" involves procedures and safeguards such as trial by jury. "Trial by jury" means, *inter alia*, the jury judges both law and fact.

Then the case says, "Among his Rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law." These are some of the Rights of a Sovereign individual. Sovereign individuals need not report anything about themselves or their businesses to anyone.

Finally, the Supreme Court says, "He owes nothing to the public so long as he does not trespass upon their Rights." The Sovereign individual does not have to pay taxes.

If you should discuss *Hale v. Henkel* with a run-of-the-mill attorney, he or she will tell you that the case is "old" and that it has been "overturned." If you ask that attorney for a citation of the case or cases that overturned *Hale v. Henkel*, there will not be a meaningful response. The OUTLAWS have researched *Hale v. Henkel* and here is what we found :

"We know that *Hale v. Henkel* was decided in 1905 in the U.S. Supreme Court. Since it was the Supreme Court, the case is binding on all courts of the land, until another Supreme Court case says it isn't. Has another Supreme Court case overturned *Hale v. Henkel*? The answer is NO. As a matter of fact, since 1905, the Supreme Court has cited *Hale v. Henkel* a total of 144 times. A fact more astounding is that since 1905, *Hale v. Henkel* has been cited by all of the federal and state appellate court systems a total of over 1600 times. None of the various issues of this case has ever been overruled.

So if the state through the office of the judge continues to threaten or does imprison you, they are trying to force you into the state created office of "person." As long as you continue to claim your Rightful office of Sovereign, the state lacks all jurisdiction over you. The state needs someone filling the office of "person" in order to continue prosecuting a case in their courts.

A few weeks in jail puts intense pressure upon most "persons." Jail means the loss of job opportunities, separation from loved ones, and the piling up of debts. Judges will apply this pressure when they attempt to arraign you. When brought in chains before a crowded courtroom the issue of counsel will quickly come up and you can tell the court you are in *propria persona* or simply "PRO PER", as your own counsel and you need no other.

Do not sign their papers or cooperate with them because most things about your life are private and are not the state's business to evaluate. Here is the Sovereign peoples command in the constitution that the state respect their privacy :

Right of privacy -- Every man or woman has the Right to be let alone and free from governmental intrusion into their private life except as otherwise provided herein. This section shall not be construed to limit the public's Right of access to public records and meetings as provided by law.

If the judge is stupid enough to actually follow through with his threats and send you to jail, you will soon be released without even being arraigned and all charges will be dropped. You will then have documented prima facie grounds for false arrest and false imprisonment charges against him personally.

Now that you know the hidden evil in the word "person", Try to stop using it in everyday conversation. Simply use the correct term, MAN or WOMAN. Train yourself, your family and your friends to never use the derogatory word "person" ever again.

This can be your first step in the journey to get yourself free from all state control.