

# Trust Fever

by Alfred Adask

Recent, remarkable research by William Cooper (Veritas Magazine, POB 3390 St. Johns, Arizona 85936) indicates the Internal Revenue Service is really Puerto Rican Trust #62.

“Ah HA!” we shout. “That’s the key! Those dastardly IRS bureaucrats are not true representatives of our lawful government -- they are foreign agents because they operate out of Puerto Rico!” (I should’ve known; the pointy shoes, the slicked back hair . . .)

But maybe the real significance of Cooper’s research is not that the IRS is located in Puerto Rico, but that the IRS is a *trust*.

The majority of this article is pure speculation — and broad, unsubstantiated speculation at that. At times, it leaps from hunch to conclusion like a mountain goat on LSD, but its purpose is only to explore an insight I find intriguing, exciting — and quite possibly wrong.

Further, this article is incomplete in that it presumes the reader has some personal knowledge of both trusts and “patriot law”. Without some background information on trusts (see “The

Truth About Trusts”, this issue), readers may find this article incoherent. Without some knowledge of the various “patriot” theories (which try to make sense of our loss of Constitutional rights and freedoms), this article may seem absurd.

However, with a “little knowledge” (dangerous though it may be) of trusts and “patriot law”, a few of you might find this article infectious. You, too, may be struck down with a dose of “trust fever”.

The word “trust” is so innocent-sounding and commonly used, that we read or hear it daily without noticing or attaching any significance to the term. For example, Robert Moffit reported in “Medicare Reform” (*Dallas Morning News*; 11/24/96):

“The Medicare *trust fund* . . . will post a \$2 billion deficit this year. . . . [T]he longer we wait to save Medicare from bankruptcy — which will arrive for the hospitalization *trust fund* by 2001, according to the Medicare *trustees* — the worse the options become. Eventually, they will narrow down to two: (1) *impose* huge new pay-

roll tax increases on all Americans or (2) withdraw Medicare *benefits* from many who need them. . . . If the hospitalization *trust fund* goes broke as scheduled in 2001, the average American household will be *forced* to pay \$4,000 in new taxes over the next four years to bail it out. . . . If nothing is done, the total cost of Medicare Part B to the average household will be [another] \$10,000 in taxes between 1996 and 2005.” [emph. add.]

The prospect of being “forced” to pay *another* \$14,000 in taxes to support Medicare over the next nine years is hardly intriguing. However, I am fascinated by the realization that Medicare (like the IRS) is not only a *trust*, but also an entity which we may be *forced* to support. Is it possible that *trust* relationships include an inherent power to somehow *force* Americans to meet certain performance obligations (paying taxes?) not otherwise justified or allowed by our Constitution?

Social Security is also described as a “Trust Fund”, and I’ve seen references to the “National Highway Trust”. How many gov-

ernment “trusts” are there? Does government use “trusts” (like Medicare or perhaps the IRS) as a fundamental strategy to bypass constitutional law? Is it possible that the same trust structures we can use to protect our *property* from government can also be used by government to ensnare our *persons*?

### Patriot hypotheses

The patriot/ constitutionalist movement is full of theories which try to explain the glaring contradictions between the Rights and Freedoms we are guaranteed by our Constitution, and the privileges and obligations we in fact receive. Like college girls who’ve been drugged on their dates and abused, we know we’ve been had – we just don’t know exactly how.

Some students of government’s unconstitutional behavior have determined the cause of our lament lies in the Social Security Number (SSN) — some say it’s the Uniform Commercial Code (UCC) or the Birth Certificate. “FOOLS!” shouts the fellow from Ohio, “it’s admiralty law!” “You stupid sons of . . .” mutters the West Coast guru, “it’s *martial* law imposed at the end of the Civil War.” “Nahh,” say others – “They got us with *adhesion contracts*!” Still more insist the problem stems from the national bankruptcy declared in the 1930’s which makes us all, always, operate under bankruptcy law. And of course, there’s always the time-honored 14th Amendment “citizenship” (or is it “Citizenship”?) and upper case (“JOHN W. DOE”) versus capitalized (“John William Doe”) name arguments to explain how we’ve been constitutionally deflowered by the randy corporate state.

All of these arguments and explanations have value, but none finally satisfy. One man may successfully use the “martial law”

argument to fend off government, but was his success based on the strength of his legal argument? Or was his success based on his personal determination to cause such endless, expensive litigation that the “system” declined to prosecute because he was more trouble than he was worth? The same questions apply to the “citizenship” arguments and all the rest. They all sound like they *should* work, and all *seem* to work some of the time, but none of ‘em works all the time. And so the patriot search for silver bullets continues -- often amid the smirks and guffaws of “licensed” lawyers, judges, and even other patriot researchers who view pet theories other than their own with contempt.

While I’ve yet to understand a patriot law theory that’s completely right, I’ve yet to see one that doesn’t contain at least a kernel of truth. Maybe the problem isn’t that patriot theories are wrong so much as incomplete. Maybe the patriot community is analyzing the legal system much like that a bunch of blind Hindu’s once analyzed an elephant: the blind man who felt the elephant’s nose declared elephants were like hoses; the blind man who felt the tail declared elephants were like ropes; the blind man who felt a leg declared elephants were like posts. The problem wasn’t that any one blind man was exactly wrong; the problem was that each blind man was trying to fit his evidence of elephants into his own limited knowledge of life. Having never seen the “big picture” of elephants, the blind men reached amusing but inaccurate conclusions.

Perhaps patriots do the same. I suspect the “big picture” in legal reform may be *trusts*. Most Americans dimly understand that “trusts” are some sort of boring accounting device used by the rich to protect their assets. Be-

cause most Americans are seldom solvent let alone rich, we understand trusts about as much as we understand horse polo. As a result of this “class unconsciousness”, most Americans are as collectively “blind” to trusts as the Hindus were to elephants. But like the elephant, unseen trusts may be much larger, powerful, and fantastic than anything most Americans can normally “see” or imagine.

### Improbable, but . . . .

Yes, it sounds farfetched to suppose government uses trusts in a sinister manner to deprive us of our rights. However, there are “patriot” rumors of Supreme Court cases which declare that any individual who is merely *in a position* to accept a “benefit” is thereby obligated to meet certain performance criteria – regardless of whether that individual ever actually received a dime’s worth of tangible “benefit”.<sup>1</sup> If those rumors are true, it would mean anyone who has been designated as a trust beneficiary – even if he has no idea he’s been designated and has never received a single tangible trust “benefit” – is still obligated to meet whatever performance criteria were mandated by the grantor and trustees who created the trust.

For example, suppose the rules of the Social Security Trust Fund specify that all beneficiaries must file and pay income tax. Then once you applied for a Social Security Number, you’d become a beneficiary of the Social Security Trust Fund and thereby obligate yourself to pay income tax -- even though you may never receive one dime’s worth of Social Security payments.

My suspicions are strengthened by Glen Halliday’s assertion (“The Truth About Trusts”; previous article) that:

1) In 1993, the IRS received

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1.5 million tax returns from partnerships, 2.5 million from trusts, and 4 million from corporations; but,

2) There are almost *no* trust classes conducted in our nation's law schools or modern classroom textbooks on trusts.

In other words, although there's an enormous number of law school classes and texts on partnerships and corporations — trusts (which are comparable in number, hold much wealth, and should therefore be the lawyers' natural prey) are virtually ignored. I find this institutionalized ignorance suspicious and more reason to suspect you and I may be the unwitting "beneficiaries" (we enjoy all those government "benefits", remember?) of government trusts which entangle us in administrative law without constitutional recourse.

### **Trust features**

**Contracts.** Trusts created with forms according to statutes are subject to government regulation. However, *common law* trusts can also be formed by *private contracts* and as such are largely exempt from government regulation.

Contracts are examples of "private law" in which We The People make our own (limited) laws to govern you, me, or whoever signs our contracts. This contractual power is *superior to the Constitution* and protected as

such in Article 1, Sect. 10 of the Constitution ("No State shall . . . pass any . . . law impairing the Obligation of Contracts"). Given that common law trusts can be superior to the Constitution, they are in some regards "above the law". As such, trusts are not only powerful but potentially dangerous.

**Three parties.** Another essential feature of trusts is that they always involve at least three parties: grantors, trustees, and beneficiaries. The contracting parties who create the trust are typically the grantors and/or trustees. They sign a contract (called an "indenture") under which the grantor conveys legal title to some property into the trust which the trustees agree to manage for the "benefit" of the beneficiaries (children, for example). Hence the essence of a trust is that a mature grantor "trusts" his trustees to manage property for the "best interests" of the relatively incompetent beneficiaries.

Again, note that *beneficiaries need not sign or enter into a charitable trust contract* as active participants. In fact, beneficiaries — who have equitable title (use) of the property (money, cars, "benefits", whatever) owned by the trust and managed by the trustees — need not even *know* of the trust's existence. Therefore, *you* could be a designated "beneficiary" of several trusts (Medicare? Social Security?) and not even

know these trusts exist — or that your status as a beneficiary compels you to obey the rules of the trust.

Those potential benefits could include money, a welfare check, Social Security disability, medical insurance, or use of the state's automobile — all depending on the particular trust involved and the property it contained.

Because beneficiaries can be "included" in charitable trusts without their knowledge, trusts sound like a potentially dangerous device for seducing Americans into compelled performance and obedience to the state/trustees.

**Divided title.** The essential feature of trusts is the division of a trust property's full title into "legal" and "equitable" (possessory) titles. For example, by placing your business in trust, the "legal" title to the business (ownership) will belong to the trust, but the "equitable" title to the use, benefits, and profits of the business will belong to the beneficiaries (perhaps your children). By dividing title, certain tax and legal liabilities are reduced or even eliminated. For example, if the trustees or trust property damage another party or property, only the trust property can be sued; the grantors, trustees, and beneficiaries are virtually immune from personal legal liability.

Curiously, the "divided title" aspect of trusts is very similar to the patriots' "divided title" theory concerning ownership of automobiles. According to that theory, the "Certificate of Title" to your car is not "the" Title, it's merely an official document that "certifies" (hence, the term "Certificate") that a "title" exists . . . somewhere — but you don't have it.<sup>2</sup>

Sounds nuts, no? After all, why would anyone (even government) be dumb enough to give you *possession* of an expensive

automobile but keep the mere scrap of paper called “title” for themselves? Perhaps the answer’s implied in a quote attributed to one of the Rockefellers: “Own nothing, control everything.”

It appears that the state holds legal title to “your” car while you – much like a teenager uses his dad’s Ford for a Saturday night date — merely enjoy the benefit of equitable (possessory) title – *under certain conditions*. I.e., just as a teenager must have the car back in the garage with a full tank of gas, undamaged, by midnight (and rake the leaves on Sunday) if he wants to use the car again — you may also use “your” car, but *only under certain conditions*. Although you don’t have to rake leaves to continue using the “benefit” of the state’s car, you are required to pay a modest rent (annual registration and licensing fees) and agree to use the state’s car only according to the state/owner’s terms (you must have a drivers license, auto insurance, wear your seatbelt, and don’t exceed the speed limits, etc.). In this way, the state owns your car, but controls *you*.

My point is that the apparent division of legal and equitable title for automobiles is so similar to the divided title feature of trusts, that I can’t avoid the suspicion that government is using the Certificate of Title as evidence of a trust that converts us from auto owners to mere beneficiaries subject to the government/trustees’ administrative powers to tax and regulate our driving habits in ways that seem unconstitutional.

How ‘bout the “National Highway Trust”? I’ve heard that term bandied about on the news recently. Other than the name, I don’t have a clue to what the “National Highway Trust” is, but obviously it’s a trust . . . and since trusts contain property, it seems reasonable to suppose that some

or all of the nation’s highways have been granted into that trust as trust property.

Hmm.

Then those of us who use the nation’s highway could be construed as *beneficiaries* of the National Highway Trust. As beneficiaries, we might be compelled to obey the rules of the National Highway Trust as a condition of enjoying the benefits (driving on the highway). Those rules might include having a drivers license, insurance, obeying speed limits that would otherwise apply only to commercial vehicles, etc.

There’s no doubt that the Social Security Administration operates a Trust Fund. Presumably, your Social Security Number (SSN) makes you a card-carrying *beneficiary* and therefore subject to certain obligations (filing income tax returns?) mandated by the rules of that trust.

If these car title, highway or SSN trust theories are valid, then trusts form an unnoticed but critical aspect of our lives. Once you “volunteer” into a trust as a beneficiary you have contracted to obey certain unspecified rules, even if those rules are unsupported by the Constitution.

### More rabbit trails

**Bankruptcy** What’s a bankruptcy? It administers property. It has trustees. It works for the “best interests” of beneficiaries (creditors). Sounds like a

trust, no?

Consider your personal bankruptcy. Isn’t that formed by a contract (petition) to the bankruptcy court? Don’t the bankruptcy judges wield unparalleled judicial *and* administrative authority? Isn’t that consistent with trustee status?

What about the “national” bankruptcy? Generally speaking, the patriot analysis runs like this: the government was legally bankrupt about 1933, President Franklin Roosevelt surreptitiously declared the bankruptcy, seized the public’s gold (real money), and shifted the nation to a (largely) paper (debt-based) money system. Since then, the courts have operated as administrators of the national bankruptcy and without real allegiance to the Constitution except as “public policy”. (Note that the bankruptcy hypothesis fits comfortably within the larger “trust hypothesis”).

**Federal Reserve** Is it a trust? I don’t know, but we do receive the “benefit” of using Federal Reserve Notes (debt-instruments) instead of real money (gold, silver, asset-instruments) to “discharge” our debts. Where there’s a “benefit”, I suspect you’ll usually find a trust.

**Property** Patriot law recognizes a serious problem with property rights -- we don’t truly own anything anymore. Patriots generally seek to correct this

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problem with allodial titles, common law liens, or purchase with real money (gold, silver). Could the problem be that we have somehow placed our property into a government trust in which we have equitable title (use) and government/trust has lawful title?<sup>3</sup>

**Banks** Is your bank account a trust? Does this explain why, once the money is deposited, it is legally the bank's? Then the bank allows you to withdraw and use "its" money as a beneficiary? You have equitable use, but no legal right to the money once its been deposited? Is this why the IRS can seize money from your bank/trust account without going to court —because the rules of your bank account/trust allow it? (Again, the bank account mystery seems to "fit" within the structure of the trust hypothesis.)

### Trustees can't benefit

Perhaps the last essential feature of trusts is that, while a person can be a grantor and a trustee of the same trust, *no one can be a trustee and a beneficiary in the same trust*. There's an obvious conflict of interest and the opportunity for "self-dealing", etc. Therefore, if government is "imposing" various trusts on us, government officials (and perhaps employees) who serve as trustees cannot also be beneficiaries in the same trust.

Again, there is circumstantial evidence to support this government-imposed trust theory: Do government employees contribute to Social Security? Here in Texas they don't. Texas government employees, cops, judges, etc., have their own state-based retirement fund and do not normally contribute to Social Security. Likewise, our U.S. Senators and Congressmen (presumably trustees for various federal trusts) have their own retirement program *other than Social Security*.

As a result, Congressmen who are not Social Security beneficiaries can legally serve as trustees for the Social Security Trust Fund.


This may be a critical insight. For example, if the beneficiaries of the National Highway Trust are defined as "U.S. citizens", the administrators of that trust must be something other than "U.S. citizens" since the administrators/trustees can't also be beneficiaries of the same trust.

Could a traffic cop be construed as a trustee? Probably not. Traffic cops might be trust *employees* or even quasi-trustees, but not full trustees. But judges and U.S. Marshals are probably trustees, and if so, can't administer the trust ("enforce the law") if they are still beneficiaries (presumably, "U.S. citizens"). Does this explain the rumors that the "Secretary of the Treasury" and "Governor of the International Monetary Fund (IMF)" must renounce his U.S. citizenship to hold those offices or that many government agents are reportedly operating as "foreign agents"? So far, the patriot community has viewed these official revocations of citizenship as evidence of some foreign plot by the U.N. or bankers or New World Order to take over the USA. But maybe the revocation of citizenship is less a "foreign" conspiracy than a legal requirement to administer a trust on behalf of beneficiaries designated as "U.S. citizens". (Again, a cherished patriot theory seems compatible with the trust hypothesis.)

### What's in a name?

Many patriots suspect that the upper case name (JOHN DOE) creates or implies a serious legal liability for the flesh and blood "John Doe", and exposes him to a degree of government control which might not otherwise exist. However, the mechanism that explains the significance of the dis-

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inction between upper case (JOHN DOE) and capitalized (John Doe) names remains unclear.

Is the upper case name (JOHN DOE) an artificial entity and/or "legal title" to the flesh and blood "John Doe"? And once that title's been surrendered to the state in the form of a birth certificate and/or SSN, does the state "own" the *artificial entity* "JOHN DOE"? Based on that ownership, is the state enabled to compel or deceive the flesh and blood John Doe into accepting certain obligations of performance? If so, whenever "JOHN DOE" appeared in court, could he be "managed" by the judge/trustee as an object just like any other form of property ("in rem?") for the "best interests" of trust?

Pretty bizarre notions, hmm? But I can leap to stranger conclusions than that.

For example, using this trust hypothesis, I can imagine a scenario whereby you unwittingly entered (created?) one or more

trusts through use of your marriage license, children's birth certificates, and/or Social Security applications. Depending on the documents used (contracts or "applications" for benefits), you might've contracted with the state to create/join a trust, declared your children to be that trust's unknowing beneficiaries, and thereby condemned your own children to obey government regulations to receive trust "benefits".

Worse, you might've unknowingly contracted your children into the trust as *property* to managed by the state/ trustees for you, the beneficiary. This, of course, would give the state/ trustees the legal right to revoke your "equitable title" to your kids and take 'em away from you any time the trustees thought it served the "best interests" of the state/ trust to do so.<sup>4</sup> These hypothetical trusts might even allow the state to "administer" your kids in courts as property ("in rem") or as artificial entities (requiring *representation* by licensed "ad litum" lawyers) instead of as flesh and blood people with constitutionally-guaranteed, God-given rights.

The childhood disability imposed by the birth certificate/ trust might have to be affirmed by the child himself when he became an adult (probably by "applying" for a SSN). Upon voluntarily requesting those SSN benefits, that disability would follow the child into adult life. As a result, if "JOHN DOE" is *property* of a particular trust (maybe the trust is identified by a *number* like the SSN or the certificate number on a birth certificate), then "JOHN DOE" can be tried as inanimate trust property (in rem) and without the rights we assume are guaranteed to all "John Doe's".

### Criminal Trials

After a judge or jury reaches a guilty verdict in a criminal trial,

there is the moment of "allocution". Here, the judge asks the defendant if there is any reason why he should not pass judgement. The defendant dutifully replies "No sir" (hoping if he cooperates the judge might go easy), sacrifices his last chance to argue for his freedom and is accordingly given the maximum sentence.

There is a patriot argument that, at the moment of allocution, you can refuse the conviction and any potential penalty by claiming the flesh and blood "John Doe" was not tried. Instead, the lawyer who "represented" you in court (or the upper case "JOHN DOE") was really on trial and you, "John Doe", refuse to accept "his" punishment. It's another notion that sounds nuts but has reportedly worked.

If there's any truth to the allocution strategy, it sounds suspiciously similar to "divided title" feature of trusts. Perhaps the "JOHN DOE" artificial entity is tried; but the "John Doe" flesh and blood entity is jailed. The trust is tried; the beneficiary unwittingly accepts the sentence. . . .

It is also alleged that you can't be jailed without an attorney. But why? Since the lawyer is an "officer" (trust officer?) of the court, when you give him a "power of attorney", have you contracted to grant or convey some aspect of your "self" as property into the body of the court trust (i.e., belly of the beast)?<sup>5</sup>

Could a similar conveyance of your person be achieved if you file a petition, pleading, form, whatever, as a plaintiff with the court in a civil trial? Do you become a "beneficiary" of the court/ trust by filing a pleading and asking for the court/trust's services? Patriots have long argued that making a motion surrenders jurisdiction to the courts. Perhaps the more accurate explanation, is

that by making a motion or plea, you "apply" for the court's services (benefits) and thereby verify your status as a beneficiary subject to the court/trustee's administrative powers.

### Hard to believe

I frankly don't believe all these patriot/ trust scenarios – they seem too risky, too far out. I can't believe the courts would dare go that far. . . . And yet, like most patriot theories, these trust scenario's seem to "fit". The whole idea of a trust is limited liability based on the division of full title into Legal and Equitable titles. The trust/ artificial entity that is numbered or perhaps named "JOHN DOE" (with a particular Date of Birth and Mother's Maiden Name to distinguish it from other similarly named trusts) that has legal title to the "property" JOHN DOE — is responsible for trust errors. As *beneficiary*, the flesh and blood "John Doe" is immune to *legal* liability for errors committed by the trust.<sup>6</sup>

However, under the "sonam idems" rule for similar sounding names, the court is allowed to presume "JOHN DOE" and "John Doe" are the same entity. Therefore, the court may prosecute the artificial entity "JOHN DOE", and then jail the flesh and blood "John Doe" as if he were "JOHN DOE" – unless "John Doe" specifically objects.

What's his objection? "Misnomer" (wrong name) on the charging instrument. Misnomer has been a central element of the "abatement" defense strategies that have enjoyed recent popularity in the patriot community. However – *if* there's any validity to the idea of that we are being tried as trust property (JOHN DOE) – a better defense *might* be simply to say, "Sorry, I am not the trust (or property of the trust) named 'J-O-H-N D-O-E'; I am 'J-o-h-n D-o-e', the *beneficiary* of that trust and therefore immune from prosecu-

tion or legal liability for any criminal or civil offence committed by its trustees or trust property." After all -- hard and fast rule -- beneficiaries can't be trustees.

### Unlikely remedies

Suppose my "trust fever" is more than delusional and actually grounded in some degree of fact. Then how could we escape the grips of government trusts?

1) Develop a solid understanding of trust principles and strategies.

2) Confirm whether the government trust hypothesis presented here is valid.

3) Identify all the government trusts to which we are bound.

4) Determine our status relative to each trust (status might vary: in some trusts we might be beneficiaries; in others, property or trustees; in some we might "enjoy" a dual status like grantor-beneficiary).

5) Discover the legal procedure for ending our legal relationship to each trust (we might "re-sign" as trustees, "revoke" our status as beneficiaries, cease making contributions as grantors, or file a quiet title action to emancipate ourselves from the status of trust property).

6) Publish official notices of our separation from government trusts. Create and carry official documents confirming that separation.

7) Prepare to sue any enforcement agency and officer -- and especially the background trust(s) they operate under -- should you be officially harassed based on the mistaken notion that you were still associated with a particular trust.

If we're trapped in trusts, can we escape? In some cases, maybe not. That is, perhaps only the grantor(s) who created the trust and entered us as property can revoke the trust and "liqui-

date" our status as "property". For example, *if* your birth certificate created some kind of trust, perhaps *you* can't revoke it -- but your *parents* (who were the original grantors) could. But what if your folks have died? Who can revoke the original grant? Maybe you can't revoke the grant, but you might be able to perform a "quiet title" action on yourself to regain full ownership of your legal and equitable titles. (Again, the quiet title strategy has been advocated and used successfully by the patriot community and seems to "fit" within the structure of trusts.)

And if Social Security is a trust, did *you* grant yourself into it? If so, perhaps it's a "revocable" trust and you can therefore revoke that trust by removing your artificial self (JOHN DOE) from the trust's inventory of property and your flesh and blood self (John Doe) from the trust's list of beneficiaries.

### Freeing children

Suppose you and your spouse contract to form a trust when your child is born (perhaps even *conceived*) and place that child into *your* trust as property to be administered by you and your spouse (trustees). Could any subsequent government trust (birth certificate, SSN, etc. created before your child turns 18 years old) alter the fact that *your* trust "owned" your child and

you and your spouse were the child's only trustees?

I don't think so. If you formed the *first* trust to include your child as "property", no subsequent government trust should be able to claim the child as "government property" and thereby obligate that child to a lifetime of compelled performance rather than personal freedom. Therefore, with the proper understanding and application of trusts, you might be able to free your own child at birth from compelled government servitude.

Of course, the idea that a child could be "granted" into a trust as "property" may be legally absurd. OK. But how 'bout merely creating a trust which owned the upper case name (and all variations) of your child's flesh and blood, capitalized name? I.e., suppose Mr. and Mrs. Doe have a daughter which they name "Cynthia Joyce Doe". Suppose they form a trust and somehow grant the names "CYNTHIA JOYCE DOE" and "CYNTHIA J. DOE" into their trust (and make it clear that these upper case names refer to the flesh and blood child with the *capitalized* name born to those particular parents on the particular date of birth) -- and then make it clear that those names in reference to this particular child are the exclusive property of their trust and no one can use those names without a copyright infringement . . . or maybe . . .

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OK, you get the idea. By claiming “ownership” of the upper case name of your child (or perhaps the child herself) *before* the state did, you might be able to preempt the state from ever using her upper case name to gain unconstitutional authority over your daughter without the specific approval of the trustees (you and your spouse). If the state tried, it might be liable for “impairing the obligation of contracts” between yourself and your spouse.

### Suing judges

If the courts are functioning in some trust capacity, the judges may be the “trustees” who sit in an *administrative* capacity with the sole objective of operating in the “best interests” of the trust. If so, the judge/trustees can exercise virtually unlimited power, decide cases any way they please without regard for the Constitution, *stare decisis*, etc., so long as they promote the “best interests” of their trust.<sup>7</sup>

If this were true, the key to suing a judge would be to allege he violated his fiduciary duties *as a trustee* and committed acts contrary to “public policy” and/or the “best interests” of the trust. For example, if the judge committed an act that caused a *significant number* of beneficiaries (not just the defendant) to lose “confidence” in his administration of the trust, then that judge might be liable for some breach of his fiduciary obligations (probably spelled out in the Judicial Code of Ethics). This notion is consistent with the observation that the only thing this system seems to fear is public exposure (the adverse opinion of large numbers of people/ beneficiaries). Therefore, the key to suing a judge might be the presence of a multitude of court watchers (beneficiaries) who could testify that their confidence in the judicial system (or whatever trust the

judge administers) has been diminished by the judge’s “unreasonable” acts.

### Silver Linings

The Constitution’s prohibition against “impairing the obligation of contracts” not only empowers government to seduce us into trusts contrary to our interests, it also prevents Congress from passing a law that prohibits or nullifies existing trusts. No generic laws could be passed by Congress to free us all at once from a contract-based trust. As a result, the only way 250 million Americans trapped in trusts can free themselves is one by one. Personally. Pretty diabolical, hmm? These trusts may not be easily escaped.

Worse, a friend of mine (Mosie Clark) was recently in court, bumping heads with the IRS. Mosie challenged the court’s jurisdiction. The judge responded by asking Mosie if he’d ever received any Social Security benefits. Mosie is retired, his wife is an invalid, so he answered, “Yes -- but I paid for all that with my contributions when I was working.” The judge asked if Mosie had ever enjoyed the benefit of driving on the highways. Again, Mosie answered, “Yes -- but I paid for that with my gasoline and tire taxes.” The judge smiled and asked if Mosie ever bought food in the grocery store. Mosie thought a minute, then agreed that he had, but couldn’t see the relevance. The judge explained: Much or all of that food was grown by farmers receiving the benefit of government subsidies, which meant Mosie had received a benefit.

The case remains to be resolved, but the point seems to be that it doesn’t matter if you paid into social security, or paid gasoline taxes, or even purchased your food with gold and silver. If you enjoyed a “benefit” provided by the government, you were a

beneficiary and therefore bound to accept the *administrative* authority of the judge/trustee.

I was pleased to hear that the judge’s questions implicitly support my notions on trusts, but I was also shocked to realize the extent of the “beneficial interests” we enjoy. It’s not just Social Security that establishes our status as beneficiaries; it’s using the highways, buying groceries, and probably using any product or service (public transportation and utilities?) that are *subsidized* by the government.

It appears that government has constructed a web of benefits so detailed and extensive, that no living American can escape the status of beneficiary and the obligations thereby imposed. Does this render any attempt to “escape” trusts pointless? Are we hopelessly mired in trusts? Should we therefore “learn to enjoy it”?

Only extensive study will tell, but for now, my answer is, “Maybe not”.

Maybe the solution to our problem is not to escape the many trusts that bind us. After all, who can live without groceries, utilities, transportation, etc.? Maybe our deliverance is suggested in the Biblical query, “By what authority do *you* act?”

Maybe we need to inquire at the very beginning of any trial or confrontation with government if they are acting as trustees, and if so, do *they* receive Social Security benefits, do *they* enjoy the benefit of driving on the highways, do *they* benefit from any of the various government subsidies for food, transportation, or utilities. As we’ve seen, it may be virtually impossible for any mortal man -- even judges -- to escape government’s “beneficial” web. And given that fundamental trust rule that beneficiaries cannot also be trustees in a particular trust, *if the judge has received*



any “benefits”, then he may be ineligible to exercise the trustee’s administrative powers. This doesn’t necessarily mean a beneficiary/judge would be recused, but if he continued to try you, it might be only according to judicial/constitutional law -- not trust/ administrative procedure.

### Bind the rascals down

There’s another, even a more fantastic possibility. The essence of “trust fever” is the possibility that trusts can be created by government which bind us without our active participation or knowledge. Is it also possible that we might create *our* trusts to bind government?

Suppose each of us set up our own charitable trust and named all officers and employees of the various branches of government (federal, state, local) as beneficiaries. Suppose we structured our charity to “donate” a certain amount of money each year – maybe \$500, maybe \$5 – to, umm, say the IRS or the state and national *Treasuries* (not Federal Reserve accounts), or the local government employees retirement fund for dispersal and benefit of *all* government employees and officers. And suppose that we wrote the rules of our trust such that all beneficiaries (government officials and employees) of *our* trust were compelled to relate to our trust’s grantors and trustees (us), perhaps even to all fellow beneficiaries (other government workers) only according to the rules laid out in the Constitution for the United States of America (or maybe your state constitution . . . or even the Bible).

If they cashed our check as beneficiaries, could we thereby bind government in *our* trusts just as government may now bind us? Who knows? Even if this strategy doesn’t work, I’ll bet it would slow prosecutors and give ‘em fits.

### Constitutional trust

A number of analysts have claimed the Constitution for the United States of America is a trust. I.e., We The People granted certain of our sovereign powers (property) to our government officials (trustees) for the purpose of supporting the “general welfare” of our Founders (grantors/beneficiaries) and their posterity (beneficiaries) — provided the trustees (government officials and employees) operate only according to the rules of the trust (Articles I to VII of the Constitution plus the Amendments).

If the Constitution is a trust, did our trustees (government officials etc.) turn the tables on us (probably around the Civil War) by creating their own trusts which then bound We The People to obey the government’s rules? Is that how they did it? Is that how our government evaded the Constitution and turned this nation from a Republic into a “benign dictatorship” (trust) ruled by administrative law?

Again, I emphasize I’m only guessing, but I can’t avoid the powerful suspicion that trusts are being used by government as *the* fundamental device for converting unwitting Americans into beneficiaries, indentured servants, and virtual slaves. If so, it’s time to stop “trusting” our lives and our children’s lives to government and instead start “trusting” our lives to God and/or ourselves.

If my speculations are wrong and trusts are universally benign and lawful, well, great — no harm done. In the process of searching for a possibly malignant application of trusts, we’ll also learn enough to use trusts to minimize our taxes and protect our property from legal liability. On the other hand, if trusts are being used to exploit the American people, a solid understanding might set us free.

<sup>1</sup> “Voluntary acceptance of benefit of transaction is equivalent to consent to all obligations arising from it, so far as facts are known, or ought to be known, to person accepting.” *Norther Assurance Co. v. Stout* (1911), 16 C.A. 548, 117 p. 617.

<sup>2</sup> I.e., just as our paper “Silver Certificates” were not silver (real money), but merely “certified” that a certain sum of silver (real money) was in the bank, waiting to be claimed by holder of the Silver Certificate — so a “Certificate of Title” is not a title but merely “certifies” a real title exists.

<sup>3</sup> Do title search companies reveal if their search is for full, legal, or equitable title? Do they declare you have *full* title, or merely that no conflicting claims were found?

<sup>4</sup> Anyone who’s experienced a child custody battle can recall the court’s use of the undefined term “best interests of the child” — was that slim clue evidence that custody battles are somehow tangled up in trusts?

<sup>5</sup> Or is it true that the lawyers are property of the court trust, and the lawyers are in fact tried, and you (a foreign entity to the trust) then “volunteer” to accept the lawyer’s penalty?

<sup>6</sup> However, he’s not immune to *administrative* action by the trustees of the trust. Question: while trustees might lawfully deprive a beneficiary of the use of trust property, by what authority can they extort a fine from the beneficiary or worse, jail him? Probably none. The only way you can be fined or jailed by trustees is if you *voluntarily* accept their punishment.

<sup>7</sup> What limit could there be on the trustees’ general obligation to seek the “best interests” of the trust? Only that they act “reasonably”?