

RECOURSE AGAINST TRAITOROUS OREGON JUDGE

The Rumor Mill News Reading Room

<http://www.rumormillnews.com>

Posted By: kbcjedi <Send E-Mail>

Date: Wednesday, 4 February 2004, 1:11 p.m.

Edited by M. H. Keehn - [comments appear in these brackets]

[Wallace P. Carson Jr. - Remember this name, it is going to appear throughout this document. It is the name of a traitor to the form of government and law that so many American's died to provide. - mhk]

Oregon chief justice declares all the People in the Oregon republic to be mere property of the government and devoid of access to the most basic recognized principals of law and justice. Nature And Cause. [This is a new and bold position. Previously, government only acted in the capacity of ownership on those people who held a government identification number (social security number).]

Wallace P. Carson Jr., the chief justice of the Oregon Supreme Court, personally made this interesting legal decision in an unpublished case on October 2nd, 2003. His decision was based upon some secret and undisclosed authority of law.

Carson made it clear that in Oregon, government, or what passes for government, is sovereign absolute, and everyone in Oregon, whether they are U.S. citizens residing in the commonwealth republic of Oregon, or even true Citizens of this commonwealth, are mere property of the State of Oregon and DO NOT HAVE THE POWER TO QUESTION any actions taken by anyone acting as an employee of the federal municipal corporation, known as the STATE OF OREGON.

[This paragraph may requires some explanation for the casual reader to fully understand the implications. First he refers to two kinds of citizenship. U. S. citizen being the first, and secondly, a "true Citizen of this commonwealth." Probably because it is not taught in public schools, most people do not know that the original Citizen of the Republic is the State citizen. This is because at the birth of the Republic, the states were independent nations. The constitution did not take that status from them, nor did the constitution form a country. Instead it forms a Union... a Union of several independent nation States. Therefore, at the birth of the Republic, the original Citizen was the State citizen. United States citizenship was put forth in the 14th Amendment in 1868 as a class of citizenship granted the freed slave. The difference is that United States citizenship owes its existence to the creation of the Federal Government and its national Character. It emanates from the jurisdiction we know as *Washington, District of Columbia*. As such, United States citizens are subject to the laws peculiar to this jurisdiction.

Next - The alert reader will also notice that in one case the 'c' on citizen is capitalized and in another case it is not. This is not an accident. When the term citizen is used in reference to a United States citizen, the 'c' is lower case and when used in reference to a Citizen of the Republic, the 'c' is capitalized. Case if very important in law and the writer has made proper use of capitalization.

Thirdly. The Buck Act paved the way for the States of the Union to become Corporations, municipal in nature, under the laws of *the District of Columbia*. In doing so, the States, as corporations, become subject to the laws of *the District*. They also become liable for the indebtedness of *the District*. But neither *the District* nor the State have corporate jurisdiction of the Citizen who is purely a Citizen of the Republic. This individual is subject only to the law of the Republic, the common law. A harsh but very just body of law. The only way for the corporate State to compel its corporate laws upon a true Citizen of the Republic is to act in a criminal capacity and become a criminal itself.

Bringing government into the capacity as criminal is what Justice Carson has accomplished with his judgement. This brings the government onto very dangerous ground, for when there is no law, then there is only a fight for survival. And while the police and general public may be ignorant at first, eventually they will begin to understand that government has accomplished its dictatorial takeover through fraud and deceit. Once you understand the information above, it is quite clear that their (the government's) control over our public education is intended to keep us ignorant... part of the fraud and deceit. - mhk]

Carson's actions were in response to a new form of civil suit filed against justice of the peace Jad Byron Lemhouse, who holds court in Tangent, Oregon. Lemhouse is accused of committing such crimes as treason via subjecting free Citizens to unlawful involuntary slavery, and what the recognized and published law clearly deems to be other serious crimes against one Calvin Daniel Cook, of Scio, Oregon. Refer to supreme Court case # SCS50419. [The term 'free Citizen' again refers to the Citizen of the Republic, not of *the District* (U. S. citizen). I would suspect the *involuntary slavery* to mean that one or more Citizens of the Republic have been compelled to a specific performance under the corporate laws. Laws, that without contract have no force or effect. The U. S. Supreme Court made this clear in what is known as the *Clearfield Doctrine*.

Clearfield Doctrine

"Governments descend to the Level of a mere private corporation, and take on the characteristics of a mere private citizen...where private corporate commercial paper [Federal Reserve Notes] and securities [checks] is concerned. ... For purposes of suit, such corporations and individuals are regarded as entities entirely separate from government." - Clearfield Trust Co. v. United States 318 U.S. 363-371

What the Clearfield Doctrine is saying is that when private commercial paper is used by corporate government, then Government loses its sovereignty status and becomes no different than a mere private corporation. As such, government then becomes bound by the rules and laws that govern private corporations which means that if they intend to compel an individual to some specific performance based upon its corporate statutes or corporation rules, then the government, like any private corporation, must be the *holder in due course* of a contract or other commercial agreement between it and the one upon whom demands for specific performance are made and further, the government must be willing to enter the contract or commercial agreement into evidence before trying to get to the court to enforce its demands, called statutes. - mhk]

The original dispute was over whether or not the law could compel Cook, an undisputed Citizen of the commonwealth republic of Oregon, to get and pay for government permission to erect a 32 by 52 metal hobby shop next to his house.

Cook erected the structure and made sure, for his own personal safety, that it was built to exceed what the code requires for those buildings over which the code applies.

Cook contends that the code, as written, only applies to "public" safety and health issues, and as per law, is not written to regulate private activities on private property that have no bearing on the health and safety of the "public".

Cook started this suit by filing papers denying that he was a U.S. citizen/person who is subject to the "plenary" will of the U.S. congress and therefore subject to congressional municipal (muni-corp) police power rule. (Refer to the 14th amendment police powers) Cook also filed a motion for determination of citizenship status, along with other related motions. [If time permits you should look up the definition of *person* in Black's Law Dictionary. You might think that *person* is an easy term to understand and define, but Black's definition constitutes about two pages. Almost always, when a definition is this long and involved, it is to trick and deceive the average person. Part of the fraud and deceit. - mhk]

Defendant Lemhouse simply ignored all filings and proceeded against Cook on behalf of the State of Oregon, using the complaint brought on its behalf by Linn County.

On May 03, 2003, Cook filed suit against Lemhouse to determine, "By What Authority," he was moving forward against him while ignoring all evidence that Cook was not subject to his municipal (corporate) police powers.

[The reader needs to understand that no one is subject to corporate law, municipal or otherwise, without a valid contract. Lacking a contract or other commercial agreement, properly signed and passing *contractual muster* (that is meeting all the requirements of a valid contract), a corporation (municipal included) can not lawfully compel a specific performance (such as *you must obtain a permit to build a hobby room*). It can only compel an unlawful or criminally induced specific performance. This is called acting under *color of law*. Look up the term in Black's Law Dictionary. When the court or any government agency or government employee acts under *color of law*, it, or they in doing so are acting in a criminal capacity. Police, whose training in law is controlled by this same corporate structure, generally have no idea what law is other than what the corporation tells them. There are now a few police who have actually done their homework on this matter and now know the difference. Most do not. As such, the police themselves become part of the criminal act. Remember ladies and gentlemen, ignorance of the law is no excuse. mhk]

When Cook went to trial on May 13, 2003, in direct violation of all established American law, Lemhouse ordered Cook to, as in Cook's words, "keep my mouth shut and let Lemhouse do whatever he wanted, or go to jail until I did agree to accept Lemhouse as my absolute master."

[Perhaps a motion for a *fair and unbiased judge* may have been in order. mhk]

Cook claims that every time he tried to defend himself by asking questions of law, entering evidence in his own defense, or trying to force the plaintiff, thru cross examination, to produce evidence that their actions were lawful, Cook was threatened with imprisonment.

[Ah... Threats, coercion, duress, intimidation... all improper and illegal in court proceedings. What honorable police officer is willing to be a participant in this type of proceeding? mhk]

After Cook was summarily found guilty and forced to pay the State of Oregon around \$500.00 in slave privilege fees, Cook decided to appeal the case in the only way that appears to have any real way of actually combating government worker corruption.

That being to file an amended complaint and petition for show cause in the original suit for continuing injuries. The theory upon which this action is based is this: that if any one right remains for the preservation of justice and personal liberties, it is our most basic, fundamental and foundational ***right to know the authority of law (nature and cause) for any action taken against us by a "public servant."*** *We the people* are the creators of government, thus its master. An action by a public servant against one of *we the people* is an action against one of its masters that causes a legal disability (injury) to that master.

["It has been justly thought a matter of importance to determine from what source the United States derives its authority... The question here proposed is whether our bond of union is a compact entered into by the states, or whether the Constitution is an organic law established by the People. To this we answer: '***We the People***... ordain and establish this Constitution'...The government of the state had only delegated power (from the People) and even if they had an inclination, they had no authority to transfer the authority of the Sovereign People. The people in their capacity as Sovereigns made and adopted the Constitution; and it binds the state governments without the state's consent. The United States, as a whole, therefore, emanates from the People and not from the states, and the Constitution and the laws of the states, whether made before or since the adoption of that Constitution of the United States, are subordinate to the United States Constitution and the laws made in pursuance of it." -Bouvier's 14th Edition Law Dictionary (citing 4 Wheat, 402)]

Cook properly defined his injuries and then sued for answers. In leu of answers (proof of lawful injuries inflicted upon him) Cook, strictly in accordance with the constitutions, was asking for damages (compensation). If the actions taken by Lemhouse were in fact lawful, all Lemhouse would have to do is file answers with the court documenting where in the constitutions (Oregon and the united States) that the powers that he exercised were delegated to him.

Instead, in what appears to be a clear admission of wrong doing, Lemhouse hired a large attorney firm out of Portland (Hoffman, Hart & Wagner) with 50 associate attorneys to defend him. [Enter chief justice Carson.] Almost immediately Carson dismissed the suit without comment or any statement reflecting the authority of law for his actions.

Cook states that "involuntary slavery" except as punishment for a crime, ended with the civil war, and that he has not knowingly in the past, nor does he intend in the future, to volunteer for such a privilege. Cooks says that he intends to give Carson a chance to review and correct his

declaration that all people in Oregon are mere government property, or provide the authority of law for denying him *nature and cause* of injuries received from government actions.

Cook claims that if necessary he will sue Carson for answers as to "by what authority" he was denied *nature and cause*, and *remedy and recourse*, and if necessary, take the case to D.C to see if they [the federal government] will state officially that America is now a mere dictatorship run by a secret owner.

Cook suggests that if everyone would follow his lead and file identical suits in all the states (commonwealth republics), then be prepared to sue each judge in succession all the way thru the federal courts for answers or compensation for injuries, then the supreme Court could not help but answer the question. The question being, "Do the people have a right to *nature and cause*?"

The overall question clarified being:

(1) "If one is injured by the actions of a public servant, does that Person have the right to know the authority of law, as delegated to that servant thru the constitutions, for the injury inflicted upon him or her by that servant?"

(2) "If that servant cannot, or will not produce proof that the legal disability (injury inflicted) was lawful, does the injured party have a right to just and reasonable compensation as guaranteed in the constitutions?"

The constitutions for Citizens of the commonwealth republics, and even U.S. law, dealing with U.S. citizens / persons, clearly states that both answers are a clear "yes".

If the people were to push this issue, and the supreme Court refuses to answer, then the justices will have made a declaration as clear as Carson's that no one traveling thru, residing in, nor domiciled in the union of commonwealth republics, has even the most basic right to what has been deemed "due process of law" since the Magna Carta.

Such an failure to answer can be published as a clear decision by the supreme Court. At that point, American can no longer pretend, on the national or international scene, to be a "free" country. Any nation can then honestly and lawfully appeal to the international courts for protection from the U.S. as just another renegade dictatorship that is run by secret owners.

Who knows, we may end up with 'radio free Moscow' or 'radio free Cuba' transmitting radio signals into America telling them the truth about how America is now the largest slave nation in the world.

If the supreme Court sees the handwriting on the wall, they may very well address the issue. In order to keep it as quite as possible, they would probably order the state supreme Court judges to retire and further order the corporate State to work out confidential payment plans for those filing such suits against public servants.

This does not mean that everyone in the commonwealth republics would be free, but it would

establish a policy of acknowledging that there are in fact two legal classes of people in the commonwealths.

One class being those who by intent or default, agree to be U.S. citizens / persons, and those who rightfully exercise the right to freedom under a republican form of government.

It is considered that no more than around 5% will ultimately move to attain their stolen freedom. Most people will be comfortable as government property or, are simply not willing to take on the responsibilities that goes with personal freedom.

What it would mean is that government would probably tend move to being a little more just and less abusive of what are considered the basic God-given rights to mankind.

In order to keep as many slaves as possible from "opting out of the slave system," [escaping] the government would have a tendency to treat their "voluntary" slaves a little better.

It is time America was known for something other than being the country with the most laws in the world and the most incarcerated people per capita in the world.

Under the circumstances it is only natural that we have the most attorneys per capita in the world also. They all have to make a living, and how else than getting everyone in the system, so they are obligated to hire them. Talk about job security - no wonder not one of them will ever address the U.S. citizen / person slave clause, a.k.a., the 14th congressional enactment, Sect. 4, a.k.a. the 14th amendment.

Since the American government was created by its people as one of limited delegated powers and privileges (authority) thru its constitutions, it is the duty of the people to constantly demand to know, "by what authority" it is acting when there is the slightest concern that one of the People's servants might be acting beyond their delegated authority. When that servant inflicts an injury to one of their masters that they cannot prove was lawful, the injured master has a duty to demand compensation from that servant - this being one of the ways to guarantee the public servant's honesty and loyalty to the law.

Only by holding individual servants personally accountable can we hope to prevent tyrants from attaining public office and rebelling and abusing their masters.

Lest we forget, it is the duty of the masters to bring to accountability any servant that acts without authority in a manner that is not in the best interest of their masters.

The full documentation on the above mentioned civil suit is on the web site for American's Bulletin. It is Cook ex rel vs. Lemhouse, brought under and in accordance with the common law [the law of the Republic].

Bill Mayhar, Servant of Justice.

please contact Bill Mayhar through avoice@mtangel.net, read more about Quo Warranto, False

Oath, Constitution, Court Process, and Oregon Supreme Court issues at :
www.avoiceforchildren.com