



D. I. Y. Land Patents

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References

- **Copies of these documents can be found at My private group at Yahoo called Administrating-Your-Public-Servants**
- **I have videos that are videos of Private Information Shares that show these and other court citations that are available for a donation**
- **Donations to support this work are appreciated. I prefer gold or silver coin, but as an extremely less desirable alternative I can accept IOUs (Federal Reserve Notes, Paypal gifts, checks, money orders, etc) send me an email for particulars**

Land Titles

- We are all products of the government's educational system
- The government has taught us what we need to know to operate in their system
- Have they taught us everything?

Self Inflicted Problems

- Did you pay for your land with Federal Reserve Notes, or their equivalent?
- Can the BAAL priests in the so-called courts presume that you used Federal Reserve Notes, or their equivalent?
- What was the payment shown in the DEED? Was it \$, or was it \$?
- Did you have a mortgage?
- ONLY a US citizen can access bankster debt?
- Can the BAAL priests in the so-called Courts presume that you are a US citizen?

Self Inflicted Problems

- **“Sec. 15. As used in this Act the term “United States” means the Government of the United States...the term “currency of the United States” means currency which is legal tender in the United States, and includes United States notes,...Federal Reserve Notes...”**
- **“Sec. 17. All Acts and parts of Acts inconsistent with any of the provisions of this Act are hereby repealed.” Gold Reserve Act of 1934, 48 Stat. 337**

Federal Reserve Note = IOU

- 12 USC § 411 - Federal reserve notes, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve bank.

Federal Reserve Notes

- **“There is a distinction between a debt discharged and one paid. When discharged, the debt still exists, though divested of its character as a legal obligation during the operation of the discharge.” Stanek v. White (1927), 172 Minn. 390, 215 N.W. 781.**

Federal Reserve Note = IOU

“PROMISSORY NOTE, contracts. A written promise to pay a certain sum of money, at a future time, unconditionally. 7 Watts & S. 264; 2 Humph. R. 143; 10 Wend. 675; Minor, R. 263; 7 Misso. 42; 2 Cowen, 536; 6 N. H. Rep. 364; 7 Vern. 22. A promissory note differs from a mere acknowledgment of debt, without any promise to pay, as when the debtor gives his creditor an I O U. (q. v.) See 2 Yerg. 50; 15 M. & W. 23. But see 2 Humph. 143; 6 Alab. R. 373.”

Bouvier's Law Dictionary, 1856 Edition

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History

- **“Chap. LI. - An Act making further provision for the sale of the public lands”** which was approved on April 24, 1820 in Volume 3, Sixteenth Congress, Session I, under Sec. 2, at 3 Stat 566
- **“SEC. 2 . And be it further enacted, That credit shall not be allowed for the purchase money on the sale of any of the public lands which shall be sold...”** [emphasis added]

History

- "it was calculated to plant in the new country a population of independent unembarrassed freeholder ... that it would place, in every man, the Power to Purchase a freehold, the price of which could be cleared in 3 years... that it would cut up speculation and monopoly ... that it would prevent the accumulation of alarming debt, which experience proved never would and never could be paid" (emphasis added) Senator King of New York, in March 1820 during the passage of the Act for the sale of public lands

Feudal Land in America

- **"We are then to regard the Revolution and these Acts of Assembly as emancipating every acre of the soil of Pennsylvania from the grand characteristic of the feudal system. Even as to the lands held by the proprietaries themselves, they held them as other citizens held, under the Commonwealth, and that by a title purely allodial. All our lands are held mediately or immediately of the state, by the titles purged of all the rubbish of the dark ages, excepting only the feudal names of things not any longer feudal.**
- **"Under the Acts of Assembly I have alluded to, the state became the proprietor of all lands, but instead of giving them like a feudal lord to an enslaved tenantry, she has sold them for the best price, she could get, and conferred on the purchaser the same absolute estate she held herself, . . . and these have been reserved, as everything else has been granted, by contract."**

Allodial title

- **"After the American Revolution, lands in this state (Maryland) became allodial, subject to no tenure nor to any services incident thereto."** in re Waltz et al., *Burlow v Security Trust and Savings Bank*, 240 P. 19 (1925), quoting *Matthews v Ward*, 10 Gill & Johnson (Md.) 443 (1839)

Land Titles

- **"From what source does the title to the land derived from a government spring? In arbitrary governments, from the supreme head - be he the emperor, king or potentate; or by whatever name he is known. In a republic, from the law making or authorizing to be made the grant or sale. In the first case, the party looks alone to his letters patent; in the second, to the law and the evidence of the acts necessary to be done under the law,...to a perfection of his grant, donation or purchase ... The law alone must be the fountain from whence the authority is drawn; and there can be no other source."**

McConnell v Wilcox, 1 Scammon ILL. 344 (1837)

Absolute Title

- **The land patent is the muniment of title, such title being absolute in its nature, making the sovereigns absolute freeholders on their lands. Finally, the patent is the only evidence of the legal fee simple title. *McConnell v Wilcox*, 1 Scammon (ILL.) 381 (1837).**

12 Stat. 292, Chap XLV, August 5, 1861

- **“An Act to provide increased Revenue from imports, to pay Interest on the Public Debt, and for other purposes;**
- **Be at enacted by the Senate and House of Representatives of the United States of America in Congress assembled”**

12 Stat. 294, 295, Chap XLV, August 5, 1861

- **“SEC. 8. And be it further enacted, That a direct tax of twenty millions of dollars be and is hereby annually laid upon the United States, and the same shall be and is hereby apportioned to the States, respectively, in manner following:”**

12 Stat. 296, Chap XLV, August 5, 1861

- **“Sec. 9 . And be it further enacted, That, for the purpose of assessing the above tax and collecting the same, the President of the United States be, and he is hereby authorized, to divide, respectively, the States and Territories of the United States and the District of Columbia into convenient collection districts, and to nominate and, by and with the advice of the Senate, to appoint an assessor and a collector for each such district, who shall be freeholders and resident within the same:”**

12 Stat. 296, Chap XLV, August 5, 1861

- **“Sec. 10. And be it further enacted, That before any such collector shall enter upon the duties of his office he shall execute a bond for such amount as shall be prescribed by the Secretary of the Treasury, with sureties to be approved as sufficient by the Solicitor of the Treasury, containing the condition that said collector shall justly and faithfully account for to the United States, and pay over,...”**

12 Stat. 297, Chap XLV, August 5, 1861

- **“SEC. 13 . And be it further, enacted, That the said direct tax laid by this act shall be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling-houses, which several articles subject to taxation shall be enumerated and valued, by the respective assessors, at the rate each of them is worth in money on the first day of April, eighteen hundred and sixty-two:”**

12 Stat. 297, Chap XLV, August 5, 1861

- **“SEC. 14. And be it further enacted, That the respective assistant assessors shall, immediately after being required as aforesaid by the assessors, proceed through every part of their respective districts, and shall require all persons owning, possessing, or having the care or management of any lands, lots of ground, buildings, or dwellinghouses, lying and being within the collection district where they reside, and liable to a direct tax as aforesaid, to deliver written lists of the same; which lists shall be made in such manner as may be directed by the assessor, and, as far as practicable, conformably to those which may be required for the same purpose under the authority of the respective States.”**

12 Stat. 301, Chap XLV, August 5, 1861

- Sec. 29. And be it further enacted, That as soon as the said board assessors shall have completed the adjustment and equalization of the valuation aforesaid, they shall proceed to apportion to each county and State district its proper quota of direct tax. And the said board of assessors shall, within twenty days after the time appointed by the Secretary of the Treasury for their first meeting, complete the said apportionment, and shall record the same; they shall thereupon further deliver to each assessor a certificate of such apportionment,

12 Stat. 307, Chap XLV, August 5, 1861

- “Sec. 43. And be it further enacted, That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or oppression, under color of this act, or shall demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding two thousand dollars, to be recovered by and for the use of the party injured, with costs of suit, in any court having competent jurisdiction; and each and every collector, or his deputies, shall give receipts for all sums by them collected and retained in pursuance of this act.”

12 Stat. 307, Chap XLV, August 5, 1861

- **“Sec. 48. And be it further enacted, That there shall be allowed to the collectors appointed under this act, in full compensation for their services and that of their deputies in carrying this act into effect, a commission of four per centum upon the first hundred thousand dollars, one per centum upon the second one hundred thousand dollars, and one-half of one per centum upon all sums above two hundred thousand dollars; such commissions to be computed upon the amounts by them respectively paid...”**

Homestead Act

- **“Chap. LXXV. - An Act to secure Homesteads to actual Settlers on the Public Domain”** which was approved on May 20, 1862 in Volume 12, Thirty-Seventh Congress, Session II, under Sec. 2, at 12 Stat 392
- “Sec. 2. And be it further enacted, That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years, or more of age, ...and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States, on payment of the office fees and sum of money herein specified.” [emphasis added]

Homestead Act = No Debt

- **“Chap. LXXV. - An Act to secure Homesteads to actual Settlers on the Public Domain”** which was approved on May 20, 1862 in Volume 12, Thirty-Seventh Congress, Session II, under Sec. 2, at 12 Stat 393
- **“Sec. 4. And be it further enacted, That no lands acquired under the such provisions of this act shall in any event become liable to the satisfaction of any debt or debts contracted prior to the issuing of the patent therefor.” [emphasis added]**

History

- A Person is ONLY a fictitious entity
- **"Chap. LXXI. - An Act prescribing the form of the enacting and resolving Clauses of Acts and Resolutions of Congress, and Rules of construction therefore."** which was approved on Feb 25, 1871, in Volume 16, Forty-First Congress, Session III, under Sec. 2., at 16 Stat. 431
- **"And be it further enacted that in all Acts hereinafter passed...; and the word "person" may extend and be applied to bodies politic and corporate..."**

Arizona Statutes

- **“An Act Concerning the Construction of Statutes”** which was Approved on January 2, 1852 by the Legislative Assembly of the Territory of New Mexico, Second Session, which was begun and held on the first day of December in the year eighteen hundred and fifty-one, at Santa Fe, New Mexico, that says;
- ***“Be it enacted by the Legislative Assembly of the Territory of New Mexico:***
- **Section 1.** That is the construction of the Statutes of this Territory, the following rules shall be observed...
- **Sixth. The word “person” may be extended to bodies politic and corporate.** [emphasis added]

Arizona Statutes

- **“Chap. LVI. – An Act to provide a temporary Government for the Territory of Arizona, and for other purposes.”**, which was Approved February 24, 1863 by the Thirty-Seventh Congress, Session III, at 12 Stat. 664, which says;
- **“...together with all legislative enactments of the Territory of New Mexico not inconsistent with the provisions of this act, are hereby extended to and continued in force in the said Territory of Arizona...”** at 12 Stat. 665

Person

- **“(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—**
- **(1) Person**
- **The term “person” shall be construed to mean and include an individual, a trust, estate, partnership, association, company or corporation.” 26 USC § 7701. Definitions**

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Include

- *“Include’ or the participial form thereof, is defined ‘to comprise within’; ‘to hold’; ‘to contain’; ‘enclosed’; ‘comprised’; ‘comprehend’; ‘embrace’; ‘involve’.”* Montello Salt v. Utah 221 US 455
- **“Include 1. To confine within; to hold; to contain; as, the shell of a nut includes the kernel; a pearl is included in a shell. [But in these senses we more commonly use inclose.] 2. To comprise; to comprehend; to contain.”** American Dictionary of The English Language, Noah Webster, 1828
- **“Include. (Lat. Inclaudere, to shut in, keep within.) To confine within, hold as in an inclosure, take in, attain, shut up, contain, inclose, comprise, comprehend, embrace, involve. Premier Products Co. v. Cameron, 240 Or. 123, 400 P.2d 227, 228.”** Black’s Law Dictionary 6th Edition, page 763

Maxim of Law

“EJUSDEM GENERIS [Latin “of the same kind or class”]

A canon of construction that when a general word or phrase follows a list of specifics, the general word or phrase will be interpreted to include only items of the same type as those listed. • For example, in the phrase horses, cattle, sheep, pigs, goats, or any other farm animal, the general language “or any other farm animal” — despite its seeming breadth — would probably be held to include only four-legged, hooved mammals typically found on farms, and thus would exclude chickens. — Cf. EXPRESSIO UNIUS EST EXCLUSIO ALTERIUS; NOSCITUR A SOCIIS; RULE OF RANK.” Black’s Law Dictionary 8th Edition page 1568

State Statutes are actually Federal Statutes

- **“INTERNATIONAL LAW RULE: Adopted for areas under Federal legislative jurisdiction”** **“Federalizes State civil law, including common law.--The rule serves to federalize not only the statutory but the common law of a State... STATE AND FEDERAL VENUE DISCUSSED: The civil laws effective in an area of exclusive Federal jurisdiction are Federal law, notwithstanding their derivation from State laws, and a cause arising under such laws may be brought in or removed to a Federal district court under sections 24 or 28 of the former Judicial Code (now sections 1331 and 1441 of title 28, United States Code), giving jurisdiction to such courts of civil actions arising under the " * * * laws * * * of the United States" where the matter in controversy exceeds the sum or value of \$3,000, exclusive of interest and costs ...”** Jurisdiction over Federal Areas Within the States – Report of the Interdepartmental Committee for the Study of Jurisdiction over Federal Areas Within the States, Part II, A Text of the Law of Legislative Jurisdiction Submitted to the Attorney General and Transmitted to the President June 1957, page 158-165

It is all for US citizens

- **"We therefore decline to overrule the opinion of Chief Justice Marshall: We hold that the District of Columbia is not a state within Article 3 of the Constitution. In other words cases between citizens of the District and those of the states were not included of the catalogue of controversies over which the Congress could give jurisdiction to the federal courts by virtue of Article 3. In other words Congress has exclusive legislative jurisdiction over citizens of Washington District of Columbia and through their plenary power nationally covers those citizens even when in one of the several states as though the district expands for the purpose of regulating its citizens wherever they go throughout the states in union" National Mutual Insurance Company of the District of Columbia v. Tidewater Transfer Company, 337 U.S. 582, 93 L.Ed. 1556 (1948)**

It is all for US citizens

- **"If any citizen or resident of the United States does not reside in (and is not found in) any United States Judicial District, such citizen or resident shall be treated as residing in The District of Columbia for purposes of any provisions of this Title to “ (A) jurisdiction of courts, or (B) enforcement of summons.” 26 USC § 7701(39) see also 26 USC § 7408(C)**

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Intermediate Summary

- Originally Congress intended that land could NOT be encumbered in any way
- Property Taxes were originated by an Act of Congress in 1861 for US citizens
- The Homestead Act is a privilege for US citizens
- State Statutes are actually US Statutes
- If you used, (or the BAAL priests in the so-called Courts can presume that you used) Federal Reserve Notes, to pay for land, then it is NOT paid for.

Federal Reserve Notes

- **“Federal Reserve Bank notes, and other notes constituting a part of common currency of country, are recognized as good tender for money, unless specially objected to.”**

MacLeod v. Hoover (1925), 159 La. 244, 105 S. 305.

Dollar

- **“Dollar. The legal currency of the United States”; State v Downs, 148 Ind 324, 327; “the unit of money consisting of one hundred cents. The aggregate of specific coins which add up to one dollar.” 36 Am Juris. 1st Money § 8. “In the absence of qualifying words, it cannot mean promissory notes, bonds, or other evidences of debt.” 36 AM Juris. 1st Money § 8.**

Bank Notes

- "Bank notes constitute a large and convenient part of the currency of our country, and by common consent, serve to a great extent all the purposes of coin. In themselves they are not money, for they are not a legal tender; and yet they are a good tender, unless specifically objected to as being notes merely, and not money. Miller v. Race, 1 Burr. 457; Bank of United States v. Bank of Georgia, 10 Wheat 333; Handy v. Dobbin, 12 Johns. 220; Wright v. Reed, 3 Term R. 554. They subserve the purposes of money in the ordinary business of life, by the mutual consent (express or implied) of the parties to a contract, and not by the binding force of any common usage; for the party to whom they may be tendered has an undoubted right to refuse accepting them as money." Vick v. Howard, 136 S.E. 101; 116 S.E. 465, 468 (March 15, 1923)

What is Money?

- **“BANK NOTE, contracts. A bank note resembles a common promissory note, (q. v.) issued by a bank or corporation authorized to act as a bank. It is in fact a promissory note, but such notes are not, for many purposes, to be considered as mere securities for money; but are treated as money, in the ordinary course and transactions of business, by the general consent of mankind...”** Bouvier’s Law Dictionary

Federal Reserve Notes = IOUs

"The forced loans of 1862 and 1863, in the form of legal tender notes, were vital forces in the struggle for national supremacy. They formed a part of the public debt of the United States, ..."

Julliard v. Greenman, 110 US 432.

Solution 1

- Object to the IOUs circulating for money

What is Money?

- **“At common law only gold and silver were a legal tender. (2 Inst. 577.)”**
McClarín v. Nesbit, 2 Nott & McC. (11 S.C.L.) 519 (1820),

Solution 2

- If you want common law, then you must have honest measures
- If you want lawful land, then you must defeat the BAAL priests presumptions
- If you want to be a State Citizen instead of a US citizen slave, then you have to quit doing things that US citizens do, and start doing things that State Citizens do
- If you want to have all of the rights and privileges of the land patent, then you need to bring them forward

Land Titles

- **“REAL PROPERTY, That which consists of land, and of all rights and profits arising from and annexed to land, of a permanent, immovable nature. In order to make one's interest in land, real estate, it must be an interest not less than for the party's life, because a term of years, even for a thousand years, perpetually renewable, is a mere personal estate. 3 Russ. R. 376.”** Bouvier’s Law Dictionary
1856 Edition

Land Titles

- Real Property
 - Land and everything that is attached to the land
- Real Estate
 - Real property that you have an interest in, but you do NOT own it.
 - Estate is the operative word
 - An estate is something you have an interest in, but do not own, like your father's estate

Land Titles

- **“TITLE estates. A title is defined by Lord Coke to be the means whereby the owner of lands hath the just possession of his property. Co. Lit. 345; 2 Bl. Com. 195. Vide 1 Ohio Rep. 349. This is the definition of title to lands only.**
 - 3. A title is either good, marketable, doubtful, or bad.
 - 5. A marketable title is one which a court of equity considers to be so clear that it will enforce its acceptance by a purchaser...” Bouvier’s Law Dictionary 1856 Edition

Land Titles

- **“TITLE estates.**
 - **7. The doctrine of marketable titles is purely equitable and of modern origin. Id. 26. At law every title not bad is marketable. 6 Taunt. R. 263; 5 Taunt. R. 625; S. C. 1 Marsh., R. 258. See Dalzell v. Crawford, 2 Penn. Law Journ. 17.**
 - **9. At common law, doubtful titles are unknown; there every title must be either good or bad. Atkins on Tit. 17. See Dalzell v. Crawford, 2 Penn. Law Journ. 17.”**
Bouvier’s Law Dictionary 1856 Edition

Color of Title

- **“Authorities hold that to render a title marketable, it is not only necessary that it shall be free from reasonable doubt; in other words, that a purchaser is not entitled to demand a title absolutely free from every possible suspicion.”** *Climmings v Dolan*, 52 Wash. 496, 100 p 989 (1909)

Land Titles

- **“TITLE estates.**
 - **10. A bad title is one which conveys no property to a purchaser of an estate.**
 - **11. Title to real estate is acquired by two methods, namely, by descent and by purchase.”**
Bouvier’s Law Dictionary 1856 Edition

Color of Title

- **“These deeds include the ones as follows: warranty deed, quit claim deed, sheriff's deed, trustee's deed, judicial deed, tax deed, will, or any other instrument that purportedly conveys the title. Each of these documents state that it conveys the ownership to the land. Each of these, however, is actually a color of title.” G. Thompson, Title to Real Property, Preparation and Examination of Abstracts, Ch. 3, Section 73, p. 93 (1919)**

Color of Title

- **"Color" means "An appearance, semblance, or simulacrum, as distinguished from that which is real. A prima facie or apparent right. Hence, a deceptive appearance, a plausible, assumed exterior, concealing a lack of reality; a disguise or pretext. See also colorable."**
Black's Law Dictionary, 5th Edition, on page 240.

Color of Law

"Colorable" means "That which is in appearance only, and not in reality, what it purports to be, hence counterfeit feigned, having the appearance of truth."

Windle v. Flinn, 196 Or. 654, 251 P.2d 136, 146.

Color of Law

"Color of Law" means "The appearance or semblance, without the substance, of legal right. Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state is action taken under 'color of law.'"
Atkins v. Lanning. D.C.Okl., 415 F. Supp. 186, 188.

Color of Title

- **“...when we say a person has a color of title, whatever may be the meaning of the phrase, we express the idea, at least, that act has been previously done ... by which some title, good or bad, to a parcel of land of definite extent has been conveyed to him.” St. Louis v Gorman, 29 Mo. 593 (1860)**

Color of Title

- **“There the complainant seems to have relied upon the tax deed as conveying to him the fee, and to sustain such a bill it was incumbent of him to show that all the requirements of the law had been complied with.”** Huls v Buntin, 47 ILL. 396 (1865)

Color of Title

- Land Titles come in various forms
 - General Warranty Deed
 - Special Warranty Deed
 - Sheriff's Deed
 - Judicial Deed
 - Quit Claim Deed
 - Land Patent

Color of Title

- General Warranty Deed
 - A General Warranty Deed is where the seller warrants the title to free of all liens and encumbrances
 - A General Warranty Deed is what is generally received, in order to get a mortgage, before the bank will authorize the mortgage
 - A General Warranty Deed is considered “marketable title”

Color of Title

- A Special Warranty Deed is a deed where the seller will warrant the land to free of all liens and encumbrances with some reservations
- A Special Warranty Deed is usually used when the land is the subject of a foreclosure or tax sale.
- A Special Warranty Deed is considered “marketable title”

Color of Title

- Sheriff's Deed
 - A Sheriff's Deed is when the Sheriff sells a piece of real property and could be from a foreclosure, tax sale, or something like that.
 - A Sheriff's Deed is considered “marketable title”

Color of Title

- Judicial Deed
 - A Judicial Deed is when a judge orders the real property sold
 - A Judicial Deed is considered “marketable title”

Color of Title

- Quit Claim Deed
 - A Quit Claim Deed essentially says that the seller transfers his interest in a piece of real property.
 - Property sold because of a Tax sale, can be transferred by Quit Claim Deed
 - A Quit Claim Deed can transfer title as effectively as a General Warranty Deed
 - A Quit Claim Deed may transfer nothing

Color of Title

- *“Quitclaim Deed”* - **“A deed of conveyance operating by way of release; that is, intended to pass any title, interest, or claim which the grantor may have in the premises...”** Black’s Law Dictionary 6th Edition.

Land Patent

- **“A patent to land, issued by the United States under authority of law, is the highest evidence of title, something upon which its holder can rely for peace and security in his possession. *It is conclusive evidence of title against the United States and all the world...*”** 2 The American Law of Mining, § 1.29 at 357. *Nichols v. Rysavy*, (S.D. 1985) 610 F. Supp. 1245.

Land Patent

- “[N]othing but a patent passes a perfect and consummate title;” *Wilcox v. Jackson*, 38 U.S. 498 (1839).
- “A patent issued, by the government of the United States is legal and conclusive evidence of title to the land described therein. No equitable interest, however strong, to land described in such a patent, can prevail at law, against the patent.” Land patents, opinions of the United States Attorney General's office. (Sept. 1869)

Land Patent

- **“A patent is the highest evidence of title, and is conclusive against the government and all claiming under junior patents or titles, until it is set aside, or annulled by some judicial tribunal.”** Stone v United States, 2 Wallace (69 U.S.) 765 (1865)
- **“Issuance of a government patent granting title to land is 'the most accredited type of conveyance known to our law'”.** United States v Creek Nation, 295 U.S. 103 (1935); see also United States v Cherokee Nation, 474 F.2d 628 (1973)

Land Patent

- **“A patent is intended to quiet title to, and secure the enjoyment of, the land for the patentees and their successors.... Thus, as a quitclaim deed, a land patent conveys whatever interest the government has in the soil and the land.”** *Keag Family Limited Partnership v. State Board of Tax Commissioners*; Cause No. 02T10-9906-TA-145. (Not published, September 2001).

Land Patent

- **“As we have noted in connection with a patent by the United States, the patent's effect is the same as though the United States had executed a quitclaim deed.”**
City of Anchorage v. Nesbett, 530 P.2d 1324, 1329 (Alaska 1975) (quoting and relying on *Wilson Cypress Co. v. del Pozo y Marcos*, 236 U.S. 635, 647-48 (1915)).

Land Patent

- **“A patent operates as a deed of the government. As a deed, its operation is that of a quitclaim” “It passes only the title the government has ... [O]n the date of the patent.”** 63A Am. Jur. 2D *Public Lands* 77, at 575 (1984). *North Star Terminal and Stevedore v. Alaska Railroad Corp.* (7/30/93), 857 P 2d 335. (Alaska 1993).

Land Patent

- **“A patent of the United States; ...[A]s a deed its operation is that of a quitclaim or rather of a conveyance of such interest as the United States possessed in the land.”** *Beard v. Federy*, 70 U.S. 478, 3 Wall, 478, 18 L.Ed.88. (1865).

Color of Title

- A Land Patent is the highest and best title, but at the same time, it is a Quit Claim Deed (colorable title)
- If a Land Patent is a colorable title, then what would be true allodial title?

Color of Title

- **“There is nothing here requiring a deed, to establish a color of title, and under the former decisions of this court, color of title may exist without a deed.” Baldwin v Ratcliff, 125 ILL. 376 (1888)**

Color of Title

- The Courts have ruled that the government has to settle the land claims of the original people.
- They are essentially saying that the government stole their land

Contact Information

- My Blog is;
 - <http://sovereigntyinternational.wordpress.com>
- Website - www.sovereigntyinternational.fyi
- Email - engineerwin@yahoo.com
- Youtube profiles – sovereignliving – Sovereignty International
- Facebook
 - Community Page – Deleted due to Censorship
 - Private Group – Sovereignty International - being deleted
- Yahoo Private Group – Administrating-Your-Public-Servants
- Google Private Group – Administrating-Your-Public-Servants

Patent No. 43.

SANTA FE PACIFIC RAILROAD COMPANY.

Primary limits.

Phoenix Land District,

ARIZONA.

501639

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, by the Act of Congress approved July 27, 1866 (14 Stat., 292), entitled "An Act granting lands to aid in the construction of a Railroad and Telegraph Line from the States of Missouri and Arkansas to the Pacific Coast," there was granted to the Atlantic and Pacific Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line to the Pacific Coast, "every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile on each side of said railroad line as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any State, and whenever on the line thereof the United States have full title, not reserved, sold, granted or otherwise appropriated, and free from pre-emption or other claims or rights, at the time the line of said road is designated by a plat thereof filed in the office of the Commissioner of the General Land Office;" and said act provided further, "That the word 'mineral,' when it occurs in this act, shall not be held to include iron or coal;" and

WHEREAS, official statements bearing dates December 17, 1880, April 19, 1881, January 7, and December 16, 1882, and November 3, 1883, have been filed in the General Land Office, showing that the Commissioners appointed by the President, under the provisions of the fourth section of said Act of Congress, approved July 27, 1866, have reported to him that the line of said railroad and telegraph from a point in township eight north, range two east, Territory of New Mexico, and ending at a point on the west bank of the Colorado River, in the State of California, has been constructed and fully completed and equipped in the manner prescribed by the said Act of Congress; and

501639

WHEREAS, certain tracts of land have been listed by the duly authorized land agent of the said Atlantic and Pacific Railroad Company, as shown by his original lists, approved by the local officers, and now on file in the General Land Office; and

WHEREAS, it is shown by evidence filed in the office of the Secretary of the Interior that the Santa Fe Pacific Railroad Company, under a purchase at foreclosure sale of the property and rights of the Atlantic and Pacific Railroad Company, and by compliance with the provisions of the Act of Congress, approved March 3, 1897 (29 Stat., 322), became the lawful successor in interest of the said Atlantic and Pacific Railroad Company; and

WHEREAS, the said tracts of land lie coterminous with the constructed line of road, within forty miles thereof, and are particularly described as follows, to-wit:

Gila and Salt River Meridian - Arizona.

Township eighteen north of Range twenty east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, and twenty-nine;

Township nineteen north of Range twenty east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township eighteen north of Range twenty-one east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-seven and twenty-nine;

Township nineteen north of Range twenty-one east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen,

seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township nineteen north of Range twenty-two east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty north of Range twenty-two east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-one north of Range twenty-two east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-two north of Range twenty-two east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty north of Range twenty-three east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-one north of Range twenty-three east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-two north of Range twenty-three east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven,

twenty-nine, thirty-one, thirty-three and thirty-five;

Township nineteen north of Range twenty-four east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty north of Range twenty-four east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-one north of Range twenty-four east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-two north of Range twenty-four east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty north of Range twenty-five east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-one north of Range twenty-five east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-two north of Range twenty-five east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-one north of Range twenty-six east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-two north of Range twenty-six east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-three north of Range twenty-six east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-one north of Range twenty-seven east.

Section one; the east half of the west half and the east half of Section three; and Sections five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Township twenty-two north of Range twenty-seven east.

Sections one, three, five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, twenty-one, twenty-three, twenty-five, twenty-seven, twenty-nine, thirty-one, thirty-three and thirty-five;

Containing, in the aggregate, two hundred sixty thousand three hundred thirty-four and fifty-three-hundredths acres:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and pursuant to the said Acts of Congress, HAS GIVEN

501639

US Land Patent

4-1044-R.

AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Santa Fe Pacific Railroad Company, successor in interest to the Atlantic and Pacific Railroad Company, and to its successors and assigns, the tracts of land listed as aforesaid and described in the foregoing; TO HAVE AND TO HOLD the said tracts, with the appurtenances thereof, unto the said Santa Fe Pacific Railroad Company, successor as aforesaid, and to its successors and assigns forever.

US Land Patent

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **SECOND**

(SEAL)

day of **DECEMBER** in the year of our Lord one thousand nine hundred and **FIFTEEN** and of the Independence of the United States the one hundred and **FORTIETH.**

By the President: *Woodrow Wilson*

By *M. P. Le Roy* Secretary,

L. B. Lamar.
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number **501639**

6-2096

6

Crown Land Patent

- Recent Land Patents are inside a box
 - They know they have no authority
- Says
 - Land is granted to John Smith, “his heirs and/or assigns forever”
 - All of the Crown Patents that I have seen always reserve something
 - Mineral rights
 - Trees
 - Water rights
 - etc

All Land Patents

- Says nothing about property taxes
- Says nothing about any easements
- Says nothing about eminent domain
- Says nothing about zoning rules and regulations

US Land Patent

- Sometimes they reserve mineral rights
- Other than mineral rights, there are no reservations

Usufruct

- **“USUFRUCT, civil law. The right of enjoying a thing, the property of which is vested in another, and to draw from the same all the profit, utility and advantage which it may produce, provided it be without altering the substance of the thing.”** Bouvier’s Law Dictionary 1856 Edition p 1198
- A usufruct is a type of a trust

Usufruct

- When you pay for land with a bank note (commercial paper) it is not paid for, therefore, a trust (usufruct) is created.
- Eminent Domain
 - That is why the government has eminent domain
 - government sold the land
 - By paying for the land with their commercial paper, you gave it back

Usufruct

- Have you ever seen a road that goes along in a straight line, and then when it comes to some guys land, it turns and goes around the outside of the land to where it going straight again?
 - That is because all of those land owners didn't really own the land, except for the guy whose land they went around.

Usufruct

- Spanish Land Grants in Arizona
- I know people in Arizona who have had land in their family for generations and they do not pay property taxes and never have
- I have heard of people in Canada who when they inquire about their land, the response is that Land titles has no jurisdiction.

Bank Notes

- Federal Reserve Notes/Bank of Canada Notes/Bank of England Notes are IOUs as found in The Bankster Thieves 1, 2 & 3 videos. See No Such Thing as a Bank Loan video
- **"There is a distinction between a debt discharged and one paid. When discharged, the debt still exists, though divested of its character as a legal obligation during the operation of the discharge."**
Stanek v White 215 N.W. 784 (1927) [Emphasis added]

Usufruct

- Evidence of your usufruct
 - They call it “real estate”
 - You pay a yearly rent (property taxes)
 - They can take it away from you (eminent domain)
 - If they can take it away from you, then you do NOT own it.
 - Your land has easements (utilities, roads, etc.)
 - Your land is subject to “zoning rules and regulations”

True Allodial Title

- If you pay for land with a IOU, (legal tender) it creates a trust (usufruct).
- The way you defeat the trust (usufruct), you have to pay for the land with gold or silver coin, and you have to say it in the Deed.

True Allodial Title

- How can you have true allodial title to land?
 - Bring forward all of the rights and privileges of the original land patent
 - Pay for your land with gold or silver coin
 - At common law all numbers are spelled out i.e. it is “five”, not “5”. The number 5 is a Arabic numeral and in “the matrix”.
 - Legal description should be “metes and bounds”
 - You can say “also known as Lot 1 of the Rancho subdivision” to eliminate any potential confusion
 - A patent from the “original people” would “trump” any other patent.

Cestui Que Trust

- “Yet still it was found difficult to set bounds to ecclesiastical ingenuity; for when they were driven out of all their former holds, they devised a new method of conveyance, by which the lands were granted, not to themselves directly, but to nominal feoffees *to the use* of the religious houses; thus distinguishing between the *possession* and the *use*, and receiving the actual profits, while the seisin of the lands remained in the nominal feoffee, who was held by the courts of equity (then under the direction of the clergy) to be bound in conscience to account to his *cestui que use* for the rents and emoluments of the estate: and it is to these inventions that our practitioners are indebted for the introduction of uses and trusts, the foundation of modern conveyancing.” Tomlins Law Dictionary 1835 edition, Volume 2 under the definition of Mortmain

True Allodial Title

- Because (almost) everything is done these days with commercial paper (legal tender), the courts “**presume**” that commercial paper was used.
- You can defeat their “**presumption**” by putting in the land transfer document the type of payment that was received (gold or silver coin)

Advertisement - Other Videos

- Bankster Thieves 1, 2, & 3
- Churchianity series
- Bankrupt Corporate (so-called) Governments
- BAR Members 1, 2, & 3
- D.I.Y. How NOT to Volunteer for the Selective Service
- Martial Law is here!
- D.I.Y. No Income Tax
- D.I.Y. No Sales Tax
- D.I.Y. Traffic Stop 1 & 2
- D.I.Y. Free Mail 1 & 2

True Allodial Title

- BILL OF EXCHANGE

- Upon receipt of twenty each, one troy ounce pieces of pure silver each, I do hereby grant and exchange to John Henry; house of Smith this land together with all of the rights and privileges of the original land patent number 123456 a true copy of which is attached hereto all of which is incorporated herein by reference in its entirety.

True Allodial Title

- When you get true allodial title, you do not tell them that you “purchased” your land.
 - If you “purchase” or “bought” your land, a commercial transaction took place.
- You tell them that you “converted” some silver (or gold) to land.
 - Conversion is common law
 - I have seen court cases that talked about it that way

True Allodial Title

- Some jurisdictions have a Land Transfer Tax or an Affidavit of Property Value.
- If you pay the tax, or provide the Affidavit, then you are putting your property on the tax rolls
- This is perfect, because,
 - You serve on them your instrument to be recorded by Registered Mail
 - They will return it to you saying that it is not recorded, but it is in a “special file”

Recording Documents

Some Counties require it to be a “Land Title Document” before you can record it.

It is easy to make ANY document a “Land Title Document” by inserting in the top right corner of the front page the following information:

*****Land Title Document*****

**Section 26, Township 3N, Range 32W
West of the Fourth Meridian**

Meets and Bounds legal Descriptions

- Meridians are vertical lines on the earth that run from pole to pole
- Ranges are horizontal lines that define the top and bottom of a township
- A township is 36 square miles = 36 sections
- A section is 36 square miles = 640 acres
- 1 acre = 43560 square feet
- In older parts of the country the meets and bounds legal descriptions run from land marks – the old oak tree, or where the rivers meet

Meets and Bounds Legal Descriptions

- Meets and Bounds Legal Descriptions are common law
- Every state has a base and meridian that all legal descriptions are taken from
- Alberta uses the Fourth Meridian which is the eastern border
- Utah uses the Salt Lake Base and Meridian
- Arizona uses the Gila and Salt River Meridian
- Your local city planning department will probably be able to tell you what section your land is in and the base and meridian it is taken from

True Allodial Title

"An instrument is deemed in law filed at the time it is delivered to the clerk, regardless of whether the instrument is file marked."

Biffle v Morton Rubber Industry Inc.,
785 S.W.2d 143, 144 (Tex. 1990).

Advertisement - Other Videos

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- D.I.Y. No Sales Tax
- D.I.Y. Traffic Stop 1 & 2
- D.I.Y. Free Mail 1 & 2
- D.I.Y. Kangaroo Courts 1, - 9

True Allodial Title

- **“The King of England held ownership of land under a different title and with far greater powers than any of his subjects. Though the people of England held fee simple titles to their land, the King actually owned all the land in England through his allodial title, and though all the land was, in the feudal system, none of the fee simple titles were of equal weight and dignity with the King’s title, the land always remaining allodial in favor of the King.”** Gilsbert of Mons, Chonique, Ch. 43, p. 75 (ed. Vanderkindere).

Absolute Title

- I know people who have land patents on their land and they pass it on in their family and have done that for generations and they do not pay property taxes on it and have never been contacted for any taxes
- I currently own land that is NOT on any tax tolls
- A lot of it depends on how corrupt the local government officials are
- Property taxes are theft and a denial of due process

Absolute Title

- I helped a friend bring forward the land patent on his property in Tarrant County, Texas
- The friend died
- The Tarrant County thieves continued to try to steal his property
- His family did not have any idea about Land Patents and had no interest in defending it.
- The Tarrant County thieves sold his property with a tax sale
- The friend's neighbor bought the property in the tax sale
- Another friend was talking to the neighbor about his purchase of the land
- The neighbor said that because a land patent was brought forward, that he could NOT get bank financing, and he had to get a friend to finance the mortgage.

Due Process of Law

- ❖ What is due process of law may be ascertained by an examination of those settled usages and modes of proceedings existing in the common and statute law of England before the emigration of our ancestors. *Twining v. New Jersey*, 211 U.S. 78, 100 (1908).
- ❖ The expressions 'due process of law' and 'law of the land' have the same meaning **** The 'law' intended by the constitution is the common law that had come down to us from our forefathers, as it existed and was understood and administered when that instrument was framed and adopted. *State v. Doheny*, 60 Maine 504. 509 (1872).

Due Process of Law

- ❖ **“It is manifest it was not left to the legislative power to exact any process which might be devised. The [due process] article is a restraint on the legislative as well as on the executive and judicial powers of government, and cannot be so construed as to leave congress free to make any process "due process of law," by its mere will.”**
Murray's Lessee v. Hoboken Imp. Co., 18 How. (59 U.S.) 272,276 (1855).

Summary

- Bringing forward the land patent is always effective
- Whether or not it will be recognized by the local authorities depends on how corrupt they are
- When you bring forward the land patent you will NOT be able to get bank financing, or title insurance
- You can do it with a transfer of the land
- You can also do it with a Confirmatory Instrument
- Templates of both are found in the Files directory of the Yahoo group

The Watchman

- **“But if the watchman see the sword come, and blow not the trumpet, and the people be not warned; if the sword come, and take any person from among them, he is taken away in his iniquity; but his blood will I require at the watchman's hand.” Ezekiel 33:6**
- Either you are part of the problem, or you are part of the solution
- You are now a watchman!
- Circulate this video far and wide!!