

Carlton A. Weiss: Trustees in Commerce a Way of Life

A while back I was asked to write a few paragraphs on the specific advantages of living your life as a trustee in everything you do, as opposed to as a sovereign or secured party. I was asked to cover all related bases. That included a comparison to show how each choice would hold up in commerce.

What I came to realize is that there is only one way of life, in its own category, that enhances all others. All the others are actually disadvantages in commerce.

At that time, I had just developed a surefire way of piercing pure trusts, and I was on my way to finally uncovering the pivotal flaw in federal contract trusts. What my clients were asking from me at the time was a technology that would allow a statutory entity like an LLC to sniff out minimum contacts people had that bound them to legislative jurisdiction, which would obviously allow the client to overcome the burden of establishing jurisdiction in their lawsuits against those people. I had no guilt about this because my philosophy is that ignorance is never an excuse. Equity compels performance regardless.

I only assisted with cases that involved people claiming to be sovereigns, secured parties, general managers, managing directors and other players in entities like pure trusts, federal contract trusts and corporations sole. In each instance, there was always a common theme: contradiction. Every single one of the people I cracked had contradicted themselves by their stated position compared to their actual position; every single one of the non-statutory entities I helped pierce, was a contradiction by its intended nature and its actual nature.

Sovereigns were nothing more than cestui qui trusts (beneficiaries). Secured parties were nothing more than people with split personalities reflected in a commercial recording—even though I understand where they went wrong, the way they went about it was so rife with contradictions—you got the sense they had a screw loose. They couldn't really be helped because they wanted to be respected as creditors when it suited their needs, yet they wanted to be absolved of liability like wards of the court when the pressure was too much.

Likewise, pure trusts were really nothing more than unincorporated associations calling themselves trusts, and most federal contract trusts were nothing more than partnerships wishing they had the protection of the Federal courts under Article 1, Section 10 of the Federal Constitution. They were contracts indeed, but they contradicted the original intent of the constitutional clause they sought protection under, because the participants were exercising a franchise, either during the formation or life of the trust.

These strategies I was seeing, and continue to see, place all the eggs in one basket. The really sad thing is the basket was made to hold bread, so the eggs never make it to market whole.

Sovereignty: Mission Impossible

The “sovereigns” I studied with during my research initially had a good point, and the good case law to back up the point. However, as I sicced my investigative dogs on the case, I peeled back one layer after another of confusion. I saw the truth about the strict confines of any sovereign’s role in the nation or kingdom of which he is the head.

I was somewhat transplanted into the mind of the judges who had decided the cases most “sovereigns” rely on today. It became apparent that the case law actually shot sovereigns in the foot by holding over their head an internationally recognized standard they couldn’t practically live up to with their limited financial and natural resources in today’s commercial arena.

In the end, I didn’t even need to cite legal authorities to prove this to them, though articles like George Mercier’s Invisible Contracts, Richard Lancial’s Benefits Accepted Equals Jurisdiction, James Montgomery’s The United States is Still a British Colony, the Informer’s Fallacy & Myth of the People Being the Sovereign, and timeless classics like William Whiting’s War Powers certainly hit home.

The problem most of them face is they invested a lot of time and funds into something that turns out to be false. They thought they held sovereignty but they could now see they voluntarily contracted themselves under suzerainty at best.

To be truly sovereign in olden times you needed nothing less than—

- A plot of land that you have absolute dominion over;

- A fortified castle strategically placed on the land so as to protect you, the sovereign;

- A military to protect the castle and land;

- Workers to do maintenance on the castle and land;

- A stockpile of weapons high powered enough to wipe out any threat inside or outside your castle and plot of land;

- A stockpile of gold and silver or material or natural resources to pay the militia, workers and sustain the economy that develops out of daily needs people have when living in self-sustaining communities. This includes a stockpile of financial or natural resources to build up your reserves for tough times;

- And to top it all off, a full sense of how to negotiate with other people who are in the same position as you (sovereigns), especially those who have bigger weapons than yours and might want to take your castle by force or fraud to consolidate their own empire.

Today, not much has changed except for what electronic technology has made possible. To be truly sovereign nowadays you need nothing less than—

A plot of land that you have absolute title to, even stronger than the protections granted under the castle doctrine in Texas. It has to be a title so strong that it is recognized all over the world, not just in one state or country, because real sovereignty is an international quality;

A fortified compound;

A militia to protect the compound and land. It has to be more than just guard dogs. It must be an actual military presence that sends a clear message to all within earshot of your land not to invade, much less trespass;

Workers to maintain the compound and land;

A stockpile of weapons or technology powerful enough to stop a modern military offensive against you;

A stockpile of coined gold and silver to keep you from having to use Federal Reserve Notes or Ameros. You need sufficient natural resources to live on and pay your people with so as to not have to engage in commerce as a sovereign, otherwise you reduce yourself to the status of a merchant and your sovereignty is lost;

And to top it all off, a full understanding of trust law as it pertains to sovereigns as trustees and merchants as beneficiaries, contract law, national security law and negotiable instruments law, as well as the laws of power relating to sovereigns and other heads of state so that you can negotiate with the United States and State governments in a way that doesn't get you dead, conquered or in prison because those sovereigns had more powerful weapons than yours.

Otherwise, you'll end up like the Native American nations, many of which gave up their sovereignty to engage in commerce via gambling halls and casinos.

While you can remove land from the incorporated city or county, your title is not absolute. You cannot effectively exercise absolute title to land as an individual, at least not land that isn't in the middle of nowhere. This kind of isolation leaves you at risk of invasion and limits your flexibility in the information age. In isolation you have no "eyes & ears" out in the rest of the world to stay ahead of other sovereigns looking to expand or consolidate their empire. "Eyes & ears" are what give you intelligence to avoid being checkmated;

A compound is very expensive to build and difficult to maintain. Independent power, utilities and services need to be installed off-the-grid. For internet access you would need to build your own satellite, maintain your own servers, etc. Regardless, however, if the fort goes so do you because the eggs are all in one basket;

Having a private military is a direct threat to the United States and State governments who are far too corrupted to appreciate the absolute right of self-defense, much less the right to bear arms on an individual or nationalistic level;

A stockpile of weapons will attract some unwanted attention. It will deter other sovereign men, but sovereigns like the United States who stockpile tanks and missiles might not deter so easily.

Though stockpiling can be done with prudence, especially with some ingenuity, the more firearms you have, the more suspicious other sovereigns will be of your motives behind stockpiling. An arms race then ensues and you face the likelihood of invasion or preemptive strike;

Using gold and silver as money with third-parties is very difficult at this point because most third-parties are still under the misconception that Federal Reserve Notes are worth something. You would have to wait until the US economy collapsed, at which time you could use commerce to conquer by buying up property for a fraction of the cost in gold. Even so, when you do so you are technically acting as a merchant, and you are no longer sovereign. Even if the gold is pre-1933 lightly circulated coin, or the silver is pre-1965 ninety-percent ("junk") monetary silver, the sovereign is whoever minted the coin, which would be the United States of America in this case; and

If you truly understand trust law as it pertains to sovereigns and merchants, contract law, national security law and negotiable instruments law, as well as the laws of power relating to sovereigns and other heads of state, you will quickly realize that the people's sovereignty never truly existed. What's more, times have changed even more since the idea was first entertained. Our times now make sovereignty a disadvantage in commerce because the moment any sovereign sets foot into the rest of the world to get things done, unless you do business by the barrel of a gun or barter using no currency or coin at all, you automatically give up whatever sovereignty you had by acting as a merchant. This includes use of a license, social security number, registration of an automobile or weapon, etc.

Secured Parties: Nobody's Creditor

A UCC Financing Statement (UCC-1) is a very mighty financial instrument indeed, but only when used for the right situation. Filing a lien on a trust you did not create and did not act as trustee for is inherently fraudulent because you're demanding a debt from an entity that owes you nothing.

If the US government decided to issue you a social security account number and thereby create a revocable living trust naming you the beneficiary, you have no grounds to file a lien on that trust. No commercial gain was had at your expense, even if the trust is identified based on the name of the cestui qui trust, such as using your name in all capital letters (e.g., JOHN WAYNE DOE).

I can create a thousand trusts, naming all of them based on the cestui qui trust, and the beneficiaries don't even have to be told they are beneficiaries for the trusts to be legally and lawfully enforceable. It happens all the time. People discover they inherited an estate from a distant relative and as long as they accept the benefit when it comes time to distribute the trust, the trust does what it was created to do. Beneficiaries are merely there to benefit, not to decide.

Beneficiaries don't need to be trusted by anyone to do anything because regardless of what they do, by virtue of the graciousness of the settlor or grantor, they stand only to benefit from the decisions of the people put in control of the trust— the trustees.

Therefore, one who is a beneficiary, one who benefits from a trust created by the US government has no recourse to file a lien when he discovers he's been made the beneficiary of a trust identified based on his name. There is not even a copyright violation because, generally, names alone are not intellectual property; the substance represented by the name is the intellectual property. A registered mark cannot be infringed upon in name alone, but the substance connected to the mark must also somehow be subjected to the infringement. I can call anything, "ANYTHING", as long as the substance is original, which is why you have many different books by the same title.

To approach the commercial aspects of the creditor-debtor relationship, for instance with a 1099 Original Issue Discount (1099-OID), without understanding the pivotal role trust law plays in all this, is useless. There is no room for a UCC-1 or even a 1099-OID. The simplest way to say it is that these are inadequate to fix the problem.

A resignation, discharge of duty, disclaimer or rejection of beneficial interest are the only tools you need to remedy any issue relating to holding an unwanted position in a trust. If you don't want the duty, then resign. If you don't want the benefit, then reject it. Filing to become a secured party creditor, besides being fraudulent, is actually accepting a benefit— the benefit associated with the Secretary of State publishing your commercial recording.

Trustee in Commerce
Body Armor for Commercial Warfare

Now, take all that and place a simple barrier between the "sovereign" or "secured party" and commerce. The barrier is called an Express Trust under the Common Law. Throw out the fragile sovereign crown and give the man a bulletproof trustee helmet. Now, instead of him owning a plot of land with a castle, having a royal army and a royal staff of workers, stockpiling his own weapons, having Federal Reserve Notes or minted coins in his personal possession, and understanding all applicable bodies of law to protect himself— he now does these things on behalf of a trust. Problem solved.

He needs to eat, but does he buy directly from the store with his own Federal Reserve Notes or silver dimes?

No. He buys on behalf of the trust and works out a private contract with the trust that enables him to eat the trust's food and offset his trustee compensation the trust owes him for carrying out his daily duties.

He sees an advantage to owning a ranch in a certain jurisdiction, but does he make an offer to purchase in his own name and thereby acquire personal ownership of the property?

No. He draws up an Offer to Purchase (or Offer to Buy if the trust has the gold on hand). The trust acquires the property and the beneficiaries of that trust benefit from his wise decision. He can then contract privately with the trust as to how he may use the property, offsetting his compensation if that use involves anything outside of his duties as trustee. Even so, there are ways to keep things strictly within trusteeship if you are really serious about living a trustee's life.

Let's say he needs to travel to the state to do the deal. Does he get behind the wheel of his motor vehicle with license in hand as though he's about to transport goods or passengers like any "driver" would? No. He's a trustee, so he gets into a trust-owned automobile with a certified copy of the manufacturer's certificate of origin and bill of sale and his trustee identification, and he travels to that state on official trust business.

Whatever contract he works out with the trust regarding offsetting things along the way with his trustee compensation is a private contract that actually is protected under Article 1, Section 10. There are no questions as to the validity of such a blatant trust relationship. Who's asking? Another trust? The Constitution for the United States of America creates an Express Trust under the Common Law, as did the Articles of Confederation, to act as a limited governing entity.

Article 4, Section 2 provides a clear protection to the trustees of such trusts to do business on behalf of the trust while not being subjected to foreign business entity laws. The protection is real. If the host state tried to stop you, the trust could actually sue and the state would likely settle out of court. The state constitutions do the same for each individual territory. Therefore, the United States corporation (and all its DBAs) and State corporations are, in essence, nominee trusts created under international law by the original Express Trusts that were created back at the moment each constitution was ratified. Anytime one of these entities has questions for an Express Trust under the Common Law, they are asking an equal to show deference not legally required.

Article 1, Section 10 and Article 4, Section 2 can therefore be invoked anytime one of these entities looks as though it might impair the obligations you have to the trust or block your ability to administer trust affairs in a certain state as trustee. There is no need to run or hide like you would with a pure trust or federal contract trust. There is no fear of even being prosecuted: how many constitutional courts do you see these days? It takes someone like you to invoke constitutional jurisdiction. That's power.

The extent of the protection may not have dawned on you yet, so allow me to point out that your obligations to the trust are as extensive as everything you do in your daily life. A trustee in commerce eats, drinks and sleeps wearing his trustee helmet. His clothes, his toothbrush and

even his trousers are trust property. When he has Federal Reserve Notes or Ameros, they are in the trust's possession by virtue of his trusteeship— never in his personal possession.

It's a lot simpler than some would expect. A simple document binder to hold your trustee identification, authorization papers, the trust's debit cards and Federal Reserve Notes is all that is ever in your possession. Possession is nine-tenths of the law, but at the same time it is only nine-tenths. There is one-tenth remaining for situations such as this. The document binder has the trust's name and a private property notice embroidered on the outside to designate ownership. The notice also names the trustee authorized to have the document binder in his possession.

At that point, everything within the document binder belongs to the trust. It may be in your possession as trustee, however the contents are in the trust's possession to the extent of nine-tenths of the law. They are in your personal possession only one-tenth by virtue of physically being on you. You are absolved of any liability associated with having the debit card or, even worse, Federal Reserve Notes. So, for all intents and purposes you have not reduced yourself to a merchant.

I can go on and on like this, but I am merely trying to illustrate a point. What good is it to be the sovereign or a secured party creditor when your status is practically useless in everyday commerce? Not to mention, how well do you sleep knowing that the game isn't over until the king is checkmated? How many "sovereigns" are backed into a corner by the Federal or State governments every year? On the other hand, the trustee sleeps well every night because he literally can't give up what he doesn't have (and doesn't need to have). He owns nothing. Yet, he controls it all.

As long as you maintain a strict separation in this manner, paying close attention to the nuances in possession, you will avoid co-mingling of trust property and you will never diminish the protection. The commercial environment you are confronted with is as hostile toward sovereigns today as the American Republic always was toward poor Whites and free Negroes. They were without legally enforceable rights. They had no protections. What they couldn't do for themselves would not get done, and there was no universal sense of justice toward them.

As a result, they were easily conquered over time and became today's shining examples of 14th Amendment citizens: beneficiaries in mind and spirit. They became the exact opposite of today's shining examples of trustees in commerce because benefits accepted equal jurisdiction even if the man accepting them happens to be an internationally recognized sovereign. However, whose jurisdiction are you under if you don't accept any benefits? Can you see why trustees in commerce are in a league of their own?