

# IDENTITY

A CHRISTIAN CHURCH PUBLICATION

Guide for Volunteer Christian Posses

The Posse Comitatus

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## The Posse Comitatus

By Authority of THE CONSTITUTION OF THE UNITED STATES

In the formation of this Constitution Republic, the COUNTY has always been - and remains to this day - the TRUE seat of government for the citizens who are inhabitants thereof. The County Sheriff is the only legal law enforcement officer in these United States of America.

The Sheriff can mobilize all men between the ages of 18 and 45 who are in good health and not in the federal military service. OTHERS CAN VOLUNTEER! This body of citizens is the SHERIFF'S POSSE. All of them serve when called by the Sheriff. The Title of this Body is POSSE COMITATUS.

This Posse is the entire body of those inhabitants who may be summoned by the Sheriff, or who may volunteer, to preserve the public peace or execute any lawful precept that is opposed. Since the Sheriff is the servant of the citizens who are inhabitants of the County, it is not his choice as to whether or not the Posse is organized and brought into being. It is only his choice as to whether or not he wishes to use it.

The Sheriff is under Oath of Office to uphold, preserve and defend the Constitution of these United States and the State in which his County exists. NOTHING MORE! It is his duty to protect citizens from unlawful acts of any person, including agencies of government. It should be emphasized that this protection extends to citizens who are being subjected to unlawful acts by officials of government, whether these be judges of Courts or Federal or State Agents of any kind whatsoever.

## Constitutional Precepts

The Constitution of these United States is the SUPREME LAW for the States of the Union as well as FOR THE FEDERAL GOVERNMENT, which has been CREATED BY THE STATES. Since the Constitution is a compact (contract) by and between the People, existing as States - which are separate, sovereign Republics within the United States, - it should be made clear that the Federal Government is an "agency of the States." The federal government is a "servant" of the States and the People, NOT THEIR MASTER! "Verily, I say unto you, the servant is not greater than his lord." John 13:16 (THE WORDS OF THE GOD OF THIS NATION - JESUS CHRIST).

The Constitution is a simple document. An expression of Christian Law derived from the Holy Bible. It says what it means and it means what it says. It means today what it meant when it was written. For example, the Ninth Amendment says, "the enumeration in the constitution of certain rights shall not be construed to deny or disparage others RETAINED by the people." This simply means that because the contract enumerated rights for the States, that the listing of these rights does not mean that the same must be done for the People but that the PEOPLE retain ALL RIGHTS without having them enumerated in the contract. The Tenth Amendment says, "The powers (no "rights" here - Ed.) not delegated to the United States (Federal government - Ed.) by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." This simply means that the Federal government has ONLY those powers (no "rights" - Ed.) which have been listed for it in the constitution. If the power is not listed, then the Federal government DOES NOT HAVE IT! All powers not listed for the Federal Government in THE CONTRACT, remain with the States or to the People.

Since a guide of this type cannot possibly anticipate each and every local problem or condition, it should be utilized where the Constitution and the Natural Law is being violated. In many instances such violations may involve officials of the Federal Government or local government as much as by individual citizens. In the interest of education, some of the most prolific violations by government officials and government agencies are included here as major examples which should be contemplated by all citizens interested in the Posse Comitatus.

## MAJOR VIOLATIONS OF THE CONSTITUTION AND NATURAL LAW

### 1. EDUCATION AND THE SCHOOLS:

The Federal Congress has been “legislating” in the area of education and the schools. The Federal, and in some instances the State Judiciary, have entered the area of education and the schools, in fact, directing that certain conditions be met to satisfy the Judiciary. Read the Ninth and Tenth Amendments to the Constitution. Read the entire Constitution and one will not find any power given to any branch of the Federal government in the area of education and the schools. Since it is not enumerated in the contract, the Federal government does NOT have it. Then all such Acts of any branch of the Federal government (Legislative, Executive or Judiciary) are ultra-vires, unconstitutional and NOT LAW. In fact, officials of the federal government, by enacting such pretended legislation and Courts edicts, are in violation of their respective Oaths of Office to uphold, preserve and defend the Constitution. This is defined by law as a CRIMINAL ACT! (Ultra-vires as used herein, means “as though it had never been enacted in the first instance”).

It should be made clear to ALL officials of government (Federal, State and local) that the schools (public, not government) belong to the PEOPLE who pay the taxes in the local school district. It should further be made clear to all persons concerned, that there is NO CONSTITUTIONAL RIGHT for anyone to attend any public school. Education is a “privilege” and it is not granted by government but by the local taxpayers who own the schools in the respective school districts.

POSSE ACTION: County Sheriffs must be advised of the instances where unlawful acts of officials or agencies of government are committed in respect to education and the schools. It is the duty of the Sheriff to protect the local citizens from such unlawful acts. Once he has been advised and refuses to perform his lawful duty in respect to the matter, the Posse Comitatus has the lawful right under natural law to act in the Name of the Sheriff to protect local jurisdiction. Since the Second Amendment to the constitution says “. . . the right of the PEOPLE to keep and bear arms shall not be infringed. . .”, the local Posse Comitatus has the right to bear arms in the execution of the law, any Act of any legislature or directives issued by the Judiciary or Executive notwithstanding. Arrests may be made. The criminal may be remanded to the custody of the County Sheriff for trial by a Citizen Jury impaneled by the Sheriff from citizens of the local jurisdiction. (NOT by the Courts as is current procedure in most counties and which has no basis under law.)

### 2. THE FEDERAL RESERVE SYSTEM

Article I, Section 10 of the Constitution prohibits the States from making any Thing by gold and silver COIN a tender in payment of debts. By law, One Dollar must equal 23.22 grains of pure gold or 371.5 grains of pure silver. Citizens of the United States cannot obtain such coin simply because none is

available. Why is it not available? Because the Federal Congress has unlawfully violated Article I, Section 8 of the Constitution. It has unlawfully abdicated the power mandated by the States and the People "To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures." (Art. I, Sec. 8). The Federal Congress has unlawfully delegated this power to a privately owned Federal Reserve System which pays NO TAXES and is not audited nor subject to regulation by any agency of the Federal government. It is a private monopoly which neither the People nor the States authorized in the Constitution. The Federal Reserve Act (38 Stat. 251; U.S.C. 221) enacted December 23rd, 1913 is in violation of the Constitution and is therefore ultra-vires and not law.

It is quite obvious that the solution to the problem lies in the hands of the Federal Congress. It can and must be solved. It is not the purpose of this guide to outline the solution, although this could be done if it would fit the purpose and not require excessive space. The area of correction on a state or local level might be to enforce Article I, Section 10 of the Constitution. It is suggested that persons wishing to obtain detailed information on the subject, send \$5.00 to the Daly Eagle, Box 177, Savage, Minnesota ordering the material published by Atty. Jerome Daly.

### 3. THE GRADUATED INCOME TAX:

Title 26, United States Code, enacted by Congress and known as the Internal Revenue Code, is completely in violation of the Constitution, therefore it is ultra-vires, unlawful and not binding upon the People nor the States of the Union.

The entire Code is a string of unconstitutional abuses which attempt to require a citizen's consent to the repudiation and violation of his God-given and Constitutional rights. Beginning with Section 6012 - "Persons Required To Make Returns of Income" - it says that a citizen must voluntarily give up his rights under the Fourth Amendment, the Fifth Amendment, Seventh Amendment and in general, the entire Constitution. It should be noted that Section 6012 does NOT provide for tax payments nor does it establish a TAX. When a citizen complies with Section 6012, he is not obeying the law but is being "trapped" into voluntarily surrendering his Constitutional rights and protections. When the Courts have ruled that known communists and murderers may not be deprived of their Constitutional rights, it is absolute nonsense to believe that an Act of Congress or any other branch of government may make a good citizen do so. Have you ever thought of the fact that until you voluntarily give up these "rights", that there is no income tax? There can be no income tax until the Return, with the unlawful information under unlawful conditions is completed. Then comes Section 7203 of the Internal Revenue Code. "Willful Failure to File Returns, Supply Information Or Pay Tax." This is another unlawful statute which attempts to back up Section 6012 which doesn't say a word about paying a tax. This merely threatens a citizen for not voluntarily giving up his rights and protections which are guaranteed by the Constitution. How silly can they be?

Any official of government, including judges of the Courts, who attempts to enforce such unlawful (pretended) legislation should be removed from office. Where instances are known the POSSE COMITATUS should prepare an "Order For Arrest" of the government official involved. The arrest should be made and the criminal remanded to the custody of the County Sheriff for imprisonment and trial by a Citizen's Jury. This Jury should be impaneled by the Sheriff from citizens of the local jurisdiction. The present method of impaneling Juries by the Courts is unlawful and should be repudiated by the local Posses.

#### 4. THE JUDICIARY:

There are always some exceptions to the rule, but the rule for the Judiciary, both State and Federal, has been subtle subversion of the Constitution of these United States. The subversion and contempt for the Constitution by the Judiciary is joined by the Executive and Legislative branches of government. It is apparent that the Judiciary has attempted to alter our Form of Government. By unlawful administrative acts and procedures, they have attempted to establish a "Dictatorship of the Courts" over the citizens of this Republic. The legal profession has, with few exceptions, conspired with the Judiciary for the purposes outlined above.

The Constitution of the United States is clear and concise in its delegation of powers to the Federal Judiciary. In fact, the only Federal Court established by the Constitution is the Supreme Court. The Supreme Court is not the "highest Court in the land" as most people are told. In fact, it is the lowest Court. The highest court in the land is the Justice of the Peace Court which is closest to the People! It is a local COUNTY Court. All other Federal Courts are ordained and established by the Congress. (See Art. III, Sec. 1, Cl. 1).

The Judges, both of the supreme and inferior courts, do NOT hold office for life but only DURING GOOD BEHAVIOR! Disregard for the Constitution is not good behavior on the part of any Judge. It is a violation of his oath of Office. In the establishment of the inferior Federal Courts, the Congress is limited to the extent that any legislative Act must be in pursuance of the Constitution. The Congress may not amend the Constitution nor may it delegate its powers as mandated by that contract. The Federal Congress has violated these mandates particularly in passage of the "Administrative Procedures Act of 1946." This Act attempts to invalidate the basic rights guaranteed to individual citizens by the Constitution and the Bill of Rights. Under this unlawful Act, rules and regulations have been promulgated by agencies of government such as the Internal Revenue Service, the Department of Agriculture, the Department of Health, Education & Welfare as well as the Federal Courts. By this Act the Congress attempted to abdicate its mandated legislative powers, delivering those powers to the Executive and Judicial branches of government. Federal Judges, U.S. Attorneys and other law enforcement officials, including lawyers as officers of the court, are compelled to repudiate their Oath of Office to preserve, protect and defend the Constitution. Under "color of law" they are forced to collaborate in a criminal conspiracy to obstruct justice, disenfranchise citizens and liquidate the Constitutional Republic of these United States. Under these unlawful rules and procedures, citizens have been arrested by Court Orders, intimidated, threatened and harassed with and without trial by jury or due process of law as guaranteed by the Constitution. Article III, Section 3 of the constitution requires the trial of all crimes, except in cases of impeachment, BY JURY. The 5th Amendment reads as follows:

"No person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a GRAND JURY, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, NOR BE DEPRIVED OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW; nor shall private property be taken for public use without just compensation."

Basically the Judiciary has only the power to “Rule upon cases at law.” The ruling is the “law for the case” and nothing more. It is NOT THE “LAW OF THE LAND” as most people have been told. When a case or a question of a legislative act is brought before a court, the CONSTITUTION is the supreme law of the land and it must be the basis for the ruling by the court. A “LAW” is a CONSTITUTIONAL Act of a legislative body. If a legislative Act is not in pursuance of the Constitution, it is NOT LAW, but merely ultra-vires legislation. The Judiciary has NOT been given the power to INTERPRET the Constitution as most people have been told. If it were to have that power it must be enumerated for the Judiciary in THE CONSTITUTION. It is NOT enumerated, therefore the 9th and 10th Amendments apply. “The powers NOT DELEGATED to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, OR TO THE PEOPLE.”

Some examples of the Judiciary’s subversion of the Constitution are in the issuance of so-called “Court Orders”. These are apparently in pursuance of the UNLAWFUL “administrative procedures” mentioned previously.

Citizens have been arrested, jailed and held unlawfully upon issuance of these so-called “COURT ORDERS,” being deprived of their rights guaranteed under the Constitution. The Governors of STATES have been threatened with these so-called Court Orders, particularly in the matter of education and the schools. These acts of the Judiciary are UNLAWFUL attempts to subvert the Constitution. Such acts are attempts to replace the lawfully elected Executives of States who are the legal law enforcement officials of their respective states. They were elected by the PEOPLE and cannot be removed by any so-called “Court Order” or unlawful act of the Judiciary! Since many elected officials of State and Federal government have been in the legal profession prior to their election to public office, it is obvious that they have been somewhat “brainwashed” to accept these unlawful acts of the Judiciary. They must be “re-educated” or be removed from office. Posse action is recommended in these instances in the same manner as outlined in Item 1 of this Guide titled “Education and the Schools.” For additional information it is recommended that all members of Posses send for the publications by LUCILLE E. MORAN - P.O. Box 187, Islamorada, Florida 33036.

#### CONCLUSION:

All citizens who volunteer as members of locally organized POSSE COMITATUS should research their local LAW LIBRARY on the subject of “Posse Comitatus.” You will learn that the Natural or Common Law or your country provides for the Posse Comitatus and for Posse action. In some instances of record the law provides for the following prosecution of officials of government who commit criminal acts or who violate their Oath of Office:

“He shall be removed by the Posse to the most populated intersection of streets in the township and at high noon be there hung by the neck, the body remaining until sundown as an example to those who would subvert the law.”

The unlawful use of Country Sheriffs as “lackeys” of the Courts should be discontinued at once. There is no lawful authority, for Judges and the Courts to direct the law enforcement activities of a County Sheriff. The Sheriff is accountable and responsible only to the citizens who are inhabitants of his County. He is under Oath of Office and need not receive unlawful Orders from Judges or the Courts. They are the Judiciary but the Sheriff is of the Executive branch of our unlawful acts of officials of government. If he refuses to do so, he should be removed from office promptly.

## TAX REBELLION INFORMATION

The NATIONAL TAX REBELLION ASSOCIATION is recommended for information on the Graduated (Unlawful) Income Tax. The Mail address is: 1320 North Palm Avenue, Fresno, California 93728. They may also be reached at P.O. Box 666, Clovis, California 93612. They will appreciate your contributions as they DO have expenses in preparing the information they have on this matter. If you wish to form a Committee in your area contact them for details. (The P.O. Box at Clovis is the number 666 in order to advise the Internal Revenue Service that the Committee has THEIR NUMBER).

## HISTORIC PROOF OF ISRAEL'S MIGRATIONS

By Rev. B. Comparet

Due to a restriction of space we have briefed Rev. Comparet's article. The complete works may be obtained by writing to YOUR HERITAGE, Box 2431, San Diego, California 92112,

Historians have traced the migration from Israel's old Palestinian home into their European homes as the Anglo-Saxon, Scandinavian and Germanic Peoples. Not under their old names, of course; but that also is the fulfillment of God's prophecy that He would "call His servants by another name", and surely you know that the Bible identifies Israel - and only Israel - as God's servants.

The migration of the Israelites covered about 12 centuries, during which time they were mentioned by various historians, writing in different languages, during different centuries - and therefore mentioned under different names.

The original 12-tribed nation of Israel broke up into two nations upon the death of King Solomon, about 975 BC the northern two-thirds of the land, containing ten tribes kept the name "Israel", while the southern one-third containing the tribes of Benjamin and Judah, with many of the Levites, took the name of Judah after the royal tribe. From that time on they kept their separate existence until they were finally merged into a vast migration.

Tracing the Israelites from their Palestinian homeland in the Assyrian conquest and deportation is confirmed in the bible in ii kings 15:29 and I chronicles 5:26. The inscriptions of Tiglath-Pileser, which archaeologists have dug up are further confirmation and are in our museums today.

Remember that all of the 10 northern tribes were settled around the south end of the Caspian sea by the Assyrian deportation of Israel. To them was added a large portion of the two southern tribes of Benjamin and Judah. The Greek historian HERODOTUS, who lived from 484 to 425 BC, speaking of these people says, "The Sacae or Scyths, were clad in trousers and had on their heads tall stiff caps rising to a point." We are now getting further clues to these people. Herodotus says that the Scythians or Sacae first appeared in that land in the seventh century BC, which is the same period in which the tribes of Israel were settled there by their Assyrian conquerors. Their use of the battle-axe as a weapon of war is a carry-over from their history as Israel. (See Jeremiah 51:20). We will see later that the name evolved from SAKKE to SAXON and it is noteworthy that the Battle-axe was the great weapon of the Saxons. These Scythians or Sacae lived up to God's description of Israel as His battle-axe and weapons of war.

They became a military people of great power who did much to break up ancient nations. The Greek geographer and historian, STRABO, who lived between 63 BC and about 21 AD, says, "Most of the Scythians, beginning from the Caspian sea, are called Dahae Scythae and those situated more towards the east Massagatae and Sacae. The rest have the common name of 'Scythians,' but each tribe has its own peculiar name. . . ."

Sharon Turner's "History of the Anglo-Saxons" is one of the most thoroughly documented historical studies ever produced and its reliability is beyond question. He traces the Anglo-Saxons of Britain back to the Scythians. Unfortunately he does not go the one step further and trace the Scythians back to Israel, but we can do that from other sources.

Remember that Israel is God's battle-axe and weapons of war. They had weakened Assyria and as allies of the Medes and Persians, helped overthrow Assyria and Babylon. The ancient writers such as Polemon of Ilium, Galienos Clement of Alexandria and Adamantios, state that the Sacae were like the Kelts and Germans, describing them as ruddy-fair. The names of the Massagetae and the Thyssagetae evolved into Goths and Ostrogoths (East Goths) and Visigoths (West Goths). The historian Ptolemy, who died about 150 AD, mentions the Scythian people, descended from the Sacae, by the name of SAXONS who had come from Media. Albinus, who lived in the first century BC, also says, "The SAXONS were descended from the ancient Sacae in Asia and in the process of time they came to be called SAXONS." Prideaux reports that the Cimbrians came from between the Black and Caspian seas and that with them came the ANGLI. The Angli and the Saxons moved up the Danube Valley and settled in Germany and along the Baltic shores. From there the Jutes, Angles and Saxons colonized England. Actually the earliest waves of migration penetrated to the farthest edges of the European continent - partly because they could move through nearly empty lands and partly because they were pushed farther by the later waves of Israelite migration coming behind them. Hence we find the settlement of the Scandinavian peninsula pretty well complete before the arrival of the Jutes, Angles and Saxons along the southern shores of the Baltic Sea. The tribes which settled along the shores of the Baltic were a great maritime people - as some of the Israelites had been when still in Palestine.

So we see that the migrations of Israel, first into Scythia, expanding there, then gaining the names of Goths, Angli and Saxons, and under these names moving into their present European homelands, as a well-established historical fact. There is also the fascinating story of the early migrations by sea, but that is another subject in itself.