

AMERICAN MATRIX: HOW WE LOST OUR CONSTITUTION

PART 2

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COLORABLE MONEY, COLORABLE LAW, COLORABLE LIBERTY

Before providing you with the following information, I must state that I am not an attorney and have not studied the law. I'm a retired banker who has done a lot of research on this subject.

What we learned in [Part I](#) is that federal, state, county and city governments and most of the departments and divisions that are part of them are incorporated. We learned that corporations function under Articles of Incorporation, not a Constitution and that's how we lost our constitutional rights and courts that support them.

We learned that corporations are governed by business laws having to do with Maritime Law (also called Law of the Seas or Admiralty Law both of which are historically very old) and the Uniform Commercial Code. We learned that Constitutional Law is based on Common Law (which is based on substance and the will of the people -- the Will of God, too, many people say). For example, under Common Law we are provided the alternative of not testifying against ourselves; that is not part of Maritime Law.

To understand the damage that has been done to our nation, we need to define the word "colorable" – its meaning, its impact on our currency, our courts, and our constitutional liberties and the limits the Constitution places on government. It is from the meaning of the word "colorable" that the virus of death infecting our nation breeds and keeps breeding... like Ebola, it dissolves every major life-giving organ in its path until death ensues.

COLORABLE MONEY - COLORABLE COURTS

To be "colorable," is for something to appear to be what it is not. It looks real, you are told by your government that it is real and, in the example of currency, it is used or behaves as if it's real, but it is not. Take what you are told is a dollar bill from your billfold. It looks like a dollar bill. You can spend it like a dollar bill. But it is not a dollar bill. It is a Federal Reserve Note. It says so, right on the face of it – at the top, above George Washington's picture.

In the world of banking, what is a note? Answer: It is a loan. It is credit. According to the Federal Reserve Bank of Minneapolis, fiat money has no value in and of itself, but it can be exchanged... like Monopoly money. A direct quote from the Minneapolis Fed: ...(fiat currency can be exchanged) “for goods and services... because (the people) are confident it will be honored when they buy goods and services.”

Money and currency are not the same. We used to have money in America but when the dollar was no longer backed by gold or silver our “money” became a fiat currency. These things called a “Federal Reserve Note” became colorable currency, something that behaved like money because people could use it to buy groceries, cars, electronics, etc., and also pay for services like health care and life insurance. But it was not money. It was colorable... it just serves as a paper currency. Money is something of substance – like gold or silver. For Common Law to exist, money of substance must exist.

If a (colorable) Federal Reserve Note becomes part of a contract, the contract also becomes colorable. Colorable contracts, in turn, must be adjudicated under a “colorable” jurisdiction (system of justice – our courts). *So when the colorable currency called Federal Reserve Notes was created, the government had to create a jurisdiction (court system) to cover colorable contracts. The incorporated governments called this new form of jurisdiction Statutory Law because though it was based on the Uniform Commercial Code which is based on Admiralty Law, “Statutory” is neither. Thus, Statutory Jurisdiction is colorable.*

It sounds complicated, but if you think about it for a few minutes, it is really quite simple. Public Law was used in Common Law courts; Public Policy is used in Statutory courts... and that's what gave bureaucrats control of our courtrooms. That's what gave them the ability to prosecute members of the public because a regulation passed by a government agency rather than a law passed by Congress or your State Legislature, was violated.

So our courts have changed... how many times in the past years have you heard the term “The Petitioner does not have Standing to file this case... dismissed!” We have been unable to file cases against our government even when clear abuses of power exist. How many juries have been given rules they are told they must follow in determining a verdict, leaving them no choice other than “guilty” or “not guilty” regardless of what the evidence indicates? How many judges have withheld evidence from a jury? It has brought topics like “Nullification” to the forefront of the politically active. Nullification deals with a jury’s right to dismiss from its decision of guilt or innocence the judge’s directions as to what the jury may or may not consider in reaching its decision. Juries are empowered to nullify the judge’s directions if they feel it is justified.

All of this and more has been caused by the change from Common to a colorable form of Maritime Law called Statutory Law... a form of law required when our various governments incorporated -- which, in turn, was required when the Federal Reserve System presented us with a "colorable currency."

What have we Americans been taught by our government-subsidized education about the cause of our Revolutionary War? Mostly we were told about the Boston Tea Party, the Midnight Ride of Paul Revere, and other nice stories.

Many people say the Revolution began because of the Crown's Declaratory Act which taxed tea, taxed stamps, forced colonists to quarter in their homes members of the English military, etc. No. It began because of the Rothschilds and their central bank system which, in today's world, has driven us to the brink of another world war.

It's true that all those things were great irritants, but the real core problem involved central banking – the Bank of England. The colonists were forced by England's King to use a paper currency issued by the Bank of England which demanded we use it – and we were to cede our colonial banking and monetary systems and pay interest to the Bank of England for using their paper money.

It sounds eerily like the way the Federal Reserve System in America works today, doesn't it? It is, in fact, quite similar. So we must start with the assumption that what made our ancestors go to war in the 1700s is quite acceptable to Americans today because we have embraced what they were willing to die to prevent: Central banks and a fiat currency.

The Rothschilds were around when America was a colony of Great Britain and the fact that we were founded on the basis of Common Law troubled them. Why? Common Law is based on substance and rejects "colorable money" and "colorable courts." Article 1 Section 8 of our Constitution describes for you what "substance" relative to Common Law means: "Gold and silver," not a meaningless fiat currency that has nothing backing it. That is a currency with no substance and violates Common Law.

Prior to the forming of the Federal Reserve System, America's Constitutional Republic required the nation to pay its debts in gold or silver and Rothschild banks did not loan gold or silver. Thus they did not like our newly-formed government which rejected a fiat currency with nothing backing it (what we have today). As described above, the Rothschilds allowed the King of England to borrow paper money from them and got repaid in gold and silver.

Our Constitution declared gold and silver as the official currency of the United States of America and that's why the Rothschilds financed the War of 1812. They wanted America as part of the United Kingdom so they could expand into the New World their Bank of England scam. They of course lost the War of 1812 and began seeking other ways to further their "we'll loan you paper and you pay us back in gold and silver" scheme and began working on what we now have as a central banking system, the Federal Reserve, founded on December 23, 1913, 100 years after the War of 1812. And how legitimate is the Federal Reserve Act of 1913? Not very. Read the history.

Our ancestors in North America began to revolt against the Brits but we had Common Law in the Colonies at the time. When the King's tax collectors made their rounds, however, they imposed Admiralty Law on the people. It enabled them to arrest and

quickly try people, denying to what were mostly Englishmen and women the common rights due them as citizens of the Crown. That is what caused the Revolutionary War.

Perhaps the most interesting part of our history is that almost exactly the same thing has happened to us once again. What's the old saying about what happens if we don't learn from history? By incorporating federal, state, and county governments (because of the Federal Reserve's colorable currency), the U.S. Government made it possible to remove the Common Law supported by our U.S. Constitution and implement a prostituted form of Maritime (or Admiralty) Law called Statutory Law. Our ancestors refused to tolerate it and it will be interesting to see if today's society which seems more motivated by security and comfort than by right and wrong and liberty will accept the Law of the Seas.

To make sure we're all on the same page, let's start with some definitions and let them guide you to an understanding of how we got in our current mess. Only if we understand the history behind these massive problems will we be able to solve them.

To explain how the loss of Common Law robbed us of our independence and our Republic and how incorporating federal, state, and county governments made it possible, we need some definitions. You're about to get a graduate school crash course in business and finance (and a little law):

JURISDICTION: 1. The right of a court to hear a particular case, based on the scope of its authority over the type of case and the parties to the case. 2. Authority or control. 3. The extent of authority or control. 4. The territorial range of authority or control.

While researching the jurisdiction of our courts, I came upon an article that was so well done, so easy for a non-lawyer to understand, I decided to reprint portions of it here. One of the difficult things about writing both Parts I and II of this article is stating things in a way that can be understood by non-bankers and non-lawyers. Since I'm not a lawyer, I particularly appreciated this article and recommend that you read it in its entirety [HERE](#). I am not publishing the entire article below, just those parts that apply to this topic.

The article is a condensed story about a man named Howard Freeman and is based on a seminar Freeman gave in 1990. The article is written in ham and eggs English and is not filled with legal terminology that forces you to look every-other-word up in a legal dictionary. The following definition about Common Law, Equity Law, Admiralty/Maritime Law, Courts of Contract, Colorable Money and Colorable Courts, and the Uniform Commercial Code is taken from that seminar and the article written about it.

The Constitution of the United States mentions three areas of jurisdiction in which the courts may operate:

COMMON LAW

Common Law is based on God's law. Anytime someone is charged under the Common Law, there must be a damaged party. You are free under the Common Law to do anything you please, as long as you do not infringe on the life, liberty, or property of someone else. You have a right to make a fool of yourself provided you do not infringe on the life, liberty, or property of someone else. The Common Law does not allow for any government action which prevents a man from making a fool of himself. For instance, when you cross over the state lines in most states, you will see a sign which says, " BUCKLE YOUR SEAT BELTS - IT'S THE LAW. " This cannot be Common Law, because who would you injure if you did not buckle up? Nobody. This would be compelled performance. But Common Law cannot compel performance. Any violation of Common Law is a CRIMINAL ACT, and is punishable.

EQUITY LAW

Equity Law is law which compels performance. It compels you to perform to the exact letter of any contract that you are under. So, if you have compelled performance, there must be a contract somewhere, and you are being compelled to perform under the obligation of the contract. Now this can only be a civil action - not criminal. In Equity Jurisdiction, you cannot be tried criminally, but you can be compelled to perform to the letter of a contract. If you then refuse to perform as directed by the court, you can be charged with contempt of court, which is a criminal action. Are our seatbelt laws Equity Laws? No, they are not, because you cannot be penalized or punished for not keeping to the letter of a contract. (BARNEWALL NOTE: You may have signed an insurance contract agreeing to always wear your seat belts or otherwise obey all traffic laws and, of course, your state requires automobile insurance coverage.)

ADMIRALTY/MARITIME LAW

This is civil jurisdiction of Compelled Performance which also has Criminal Penalties for not adhering to the letter of the contract, but this only applies to International Contracts. Now we can see what jurisdiction the seatbelt laws (all traffic codes, etc) are under. Whenever there is a penalty for failure to perform (such as willful failure to file), that is Admiralty/Maritime Law and there must be a valid international contract in force.

However, the courts don't want to admit that they are operating under Admiralty/Maritime Jurisdictions, so they took the international law or Law Merchant and adopted it into our codes. That is what the Supreme Court decided in the Erie Railroad case (Erie Railroad v. Tompkins, Supreme Court, 1938) - that the decisions will be based on commercial law or business law and that it will have criminal penalties associated with it. Since they were instructed not to call it Admiralty Jurisdiction, they call it Statutory Jurisdiction.

COURTS OF CONTRACT

You must ask how we got into this situation where we can be charged with failure to wear seatbelts and be fined for it. Isn't the judge sworn to up hold the Constitution? Yes,

he is. But you must understand the Constitution, in Article I, § 10, gives us the unlimited right to contract, as long as we do not infringe on the life, liberty or property of someone else. Contracts are enforceable, and the Constitution gives two jurisdictions where contracts can be enforced - Equity or Admiralty. But we find them being in Statutory Jurisdiction. This is the embarrassing part for the courts, but we can use this to box the judges into a corner in their own courts.

CONTRACTS MUST BE VOLUNTARY

Under the Common Law, every contract must be entered into knowingly, voluntarily, and intentionally by both parties or it is void and unenforceable. This is characteristic: **It must be based on substance.** For example, contracts used to read, "For one dollar and other valuable considerations, I will paint your house," etc. That was a valid contract - the dollar was a genuine, silver dollar. Now, suppose you wrote a contract that said, "For one Federal Reserve Note and other considerations, I will paint your house...." And suppose, for example, I painted your house the wrong color. Could you go into a Common Law court and get justice? No, you could not. You see, a Federal Reserve Note is a "colorable" dollar, as it has no substance, and in a Common Law Jurisdiction, that contract would be unenforceable.

COLORABLE MONEY - COLORABLE COURTS

Colorable: That which exists in appearance only, and not in reality; not what it purports to be, hence counterfeit, feigned have the appearance of truth. Black's Law Dictionary, Sixth Edition.

It is "colorable" Admiralty Jurisdiction the judges are enforcing because we are using "colorable money." Colorable Admiralty is now known as Statutory Jurisdiction. Let's see how we got under this Statutory Jurisdiction.

UNIFORM COMMERCIAL CODE

The government set up a "colorable" law system to fit the "colorable" currency. It used to be called the Law Merchant or the Law of Redeemable Instruments, because it dealt with paper which was redeemable in something of substance. But, once Federal Reserve Notes had become unredeemable, there had to be a system of law which was completely "colorable" from start to finish. This system of law was codified as the Uniform Commercial Code, and has been adopted in every state. This is "colorable" law, and it is used in all the courts.

(End of text from Howard Freeman's seminar.)

Do you see how the Federal Reserve Notes were the basic cause of the problems we now see in our courts, our financial system, our Republic, our Independence as a people? They created a fiat currency backed by nothing. Keep in mind, the word "Note" means "Loan." It is "colorable currency."

The Common Law, as embodied in the US Constitution, for the protection and security of persons and property, is Substantive Common Law - [substantive right: a right {as of life, liberty, property, or reputation} held to exist for its own sake and to constitute part of the normal legal order of society] - the intention of the Founding Fathers being the assurance of access to this law by the people.

The most important thing we the people can work to achieve is Constitutional Counties. This system was imposed on us from the top down and must be unwound from the bottom up.

As I said in Part I of this article, corporations can be dissolved – and we need to do that. It's not difficult to achieve... get enough signatures on a petition to get the initiative on your county ballot and vote the corporations out of existence.

It is, however, more difficult than it sounds. It requires extensive planning because you must remember how we got from a Constitutional Republic to Crony Capitalism. Here's what I think happened.

The Federal Reserve came into being in 1913. Our money was turned into a fiat currency when President Nixon took us off of the gold standard. The U.S. Government was based on Common Law which made colorable money (money lacking substance – Common Law is based on substance) and that made it impossible for it to continue issuing Federal Reserve Notes. So the federal government incorporated itself which made it possible for them to continue with the issuance of Federal Reserve Notes. It became clear that the states could not accept colorable money from an incorporated federal government unless they, too, were incorporated – and the same thing happened to our counties. To gain access to a colorable currency, an entire system had to be created. How much simpler our lives would be if the Treasury Department had taken over America's monetary system rather than build this octopus so the Federal Reserve System could be maintained! This attests to the power of the Rothschild central banking system. We might want to keep in mind that one of the primary problems in the Middle East is that Islam does not allow loan usury (interest) and not all of the nations in the Middle East have central banks. Libya didn't have one – until Muammar Gaddafi was removed from office and killed. Libya now has a central bank. (The Stylebook at the Washington Post spells it "Gaddafi." The Stylebook at the Associated Press spells it "Gadhafi.")

Though it is not difficult to dissolve the corporations if it is the will of the people to regain their constitutional rights, a great deal of thought must go into how a county that dissolves its corporations will survive without federal and state dollars. Some of the questions that arise are:

1. If Common Law is returned to our court system and our governing bodies, it requires a currency that has substance and contracts based on that substance. Fiat currency – Federal Reserve Notes – has no substance. How can those people being paid by the federal, state, or county governments get paid in a currency of substance? How about

people receiving Social Security and Medicare benefits? How about veterans receiving retirement and VA benefits? They are being paid in Federal Reserve Notes (as we all are) which, since they are not redeemable in gold or silver, are deemed as having no substance and contracts with no substance are rejected by Common Law. This part of problem resolution is complex – but with good planning it can be done.

2. Can fiat currency be used at all in a Constitutional County?

3. Is there a way to reject the colorable Statutory Laws created by federal and state governments and build a bridge between Common Law and the Uniform Commercial Code, Admiralty/Maritime Law, Equity Law, etc.?

There are many other questions, but to ask and answer them requires a book, not an article. The purpose of this two-part article has been to explain to you what I believe happened and what I believe the solution to be. It will not be easy. Nor will it be free.

Liberty is never free. How much you value it will determine the price you are willing to pay to regain it.

[The book: [The Coming Battle](#), published in 1899, documents how the politicians of that period didn't want the debt to be paid off. They wanted the debt to be rolled over from generation to generation. It continues to this day. It's a must read.]