

It is the duty
of government
to prevent
injustice--not to
promote it.



OFFICIAL POSSE BADGE



THE POSSE COMITATUS

by authority of

The Constitution Of The United States

In the formation of this constitutional republic, the county has always been and remains to this day, the TRUE seat of the government for the citizens who are the 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. Each must serve when called by the Sheriff. The title of this body is the Posse Comitatus.

The 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.

Since the formation of our Republic, the local County has always been the seat of government for the people. A county government is the highest authority of government in our Republic as it is closest to the people, who are in fact, the government. The County Sheriff is the only legal law enforcement officer in the United States of America. He is elected by the people and is directly responsible for law enforcement in his County. It is his responsibility to protect the people of his County from unlawful acts on the part of anyone, including officials of government. His oath of office is to uphold, preserve and defend the constitution of these

United States and the State in which his County Exists. He may be required to do no less and no more in the performance of his official duties. It should be emphasized that this protection extends to Citizens who are being subjected to unlawful acts even by officials of government, whether these be judges of courts or Federal or State Agents of any kind whatsoever.

The County Sheriff must be advised of the instances where unlawful acts are committed. 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." In the execution of the law, arrests may be made. The criminal may be remanded to the custody of the County Sheriff for trial by a citizen jury empanelled by the Sheriff from citizens of the local jurisdiction, instead of by the Courts as is the current procedure in most Counties and which has no basis under law, any act of any legislature or directives issued by the judiciary or Executive notwithstanding.

The unlawful use of County 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 the 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 the Executive branch of our government. He is responsible to pro-

tect citizens, even from unlawful acts of officials of government. If he refuses to do so, he should be removed from office promptly.

The prerequisite to proper guidance is the basic understanding of Common Law and a background knowledge of the United States Constitution, as well as the Republican form of government created thereby. Such knowledge is considered essential to good citizenship and fulfillment of the responsibilities by true Christians to their God and Country.

The Supreme Court of the United States formally declared this Republic to be a Christian nation. In a case involving the Holy Trinity Church vs United States, 143 US 471, on the 28th of Feb. 1892. The Court, after mentioning various circumstances, added the following words; "and these and many other matters which might be noticed, add a volume of unofficial declarations to the mass of organic utterances, that this is a Christian Nation.

The Constitution was lifted from the articles of Confederation, therefore the Constitution's source is the Holy Bible. By this contract the States, representing the people, created an agent of the States known as the Federal Government. The people, as States, gave certain powers to this "agent" and by the 9th and 19th Amendments, made it clear that this agent had only those powers which have been enumerated for it in the contract between the States. All others remain with the States and the people. The Federal Government is not above States which created it.

The Constitution is a simple document. It says what it means and means what it says. It means today what it meant when it was written. It is the SUPREME LAW for the States of the Union as well as for the Federal Government, which has been created by the States and 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. The 9th Amendment States clearly, "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 10th Amendment says; "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." This simply means that the Federal Government has only those powers which have been listed 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. Prior to the existence of the United States, each State was, and remains to this day, a separate sovereign Republic. The Governor of each State was and remains to this day, the Chief Executive Officer of his State. He is the only officer of the Government within the United States, who had and has to this day, "military power and military authority." He is commander and chief of his State Militia. He is the only officer of Government in the United States who has the lawful authority to declare martial law." No officer of the Federal Government has such power, Any act of Congress or Judicial ruling notwithstanding. (10th Amendment). The governor of a State had such military power prior to the existence of the Union

and he retains such power today. It was never delivered to the Federal Government by either the State or the People.

Article 4, Section 4 of the U.S. Constitution makes it clear that the agent created by the States, the Federal Government referred to as the United States, as well as all State Governments, shall guarantee to every State in the Union, a Republican form of Government. (A Government of Law, not of men nor the opinions of men, nor a democracy, which is mob rule).

COMMON LAW vs STATUTORY LAW

Federalist Papers #46, James Madison, wrote; "The Federal and State Governments are in fact but different agents and trustees of the people...the adversaries of the Constitution seem to have lost sight of the people altogether. They must be told that the ultimate authority resides in the people.

Federalist Papers #78, Alexander Hamilton, wrote; "No legislative act contrary to the Constitution can be valid. To deny this would be to affirm that the deputy is greater than his principle; that the servant is above the master; that the representatives of the people are superior to the people, that men, acting by virtue of powers, may do not only what their powers do not authorize, but what they forbid. It is not to be supposed that the Constitution could intend to enable the representatives of the people to substitute their will to that of their constituents. A Constitution is, in fact, and must be regarded by Judges as a fundamental Law. If there should happen to be an irreconcilable variance between the two, the Constitution is to be preferred to the statute." Nor does this conclusion by any means suppose a superiority of the Judicial to the Legislative. It only sup-

poses that the power of the people is superior to both and that the power of the people is superior to both and that where the will of the legislature, declared in its statutes, stands in opposition to that of the people as declared in the Constitution, the judges must be governed by the latter, rather than for former.

Am Jur, 2nd Sec. 210; Scott vx Sanford, 19 How 393, 15 L Ed 691; "Neither the legislative, executive nor judicial departments of the federal government can lawfully exercise any authority beyond the limits marked out by the Constitution.

16 Am Jur, 2nd Sec. 210; Wilson vs Philadelphia Scho. Dist. 328 Pa 225, 195 A 90, 113 ALR 1401; "Any fundamental or basic power necessary to government cannot be delegated."

16 Am Jur, 2nd Sec. 178; Constitutional Law. "The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void and ineffective for any purpose; since unconstitutionality dates from the time of its enactment and not merely from the date of the decision so branding it; an unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed....an unconstitutional law is VOID...it imposes no duties, confers no rights, creates no office...bestows no power or authority on anyone, affords no protection and justifies no acts performed under it....an unconstitutional law cannot repeal or supercede any existing valid law....an unconstitutional statute cannot repeal or in any way effect an existing valid one....the general principals stated above apply to the Constitution as well as to the laws of the several States insofar as they are repugnant to the Constitution of the United States. Moreover, the construction of a statute which brings it in conflict with a Constitution, will nullify it

as effectually as if it had been enacted in conflict therewith.

16 Am Jur, 2nd Sec. 547; Daniel Webster, James Otis and Sir Edward Coke all pointed out that the mere fact of enactment does not and cannot raise statutes to the standing of LAW not everything which may pass under the form of statutory enactment can be considered the LAW of the land."

U.S. Sup. Ct. Maybury vs Madison, 1803, 2 L Ed. 60; 1 Cra. 137; ref. 6 Whea: 246 & Wal 601; "Law repugnant to the Constitution is VOID"... "an act of the legislature, for I cannot call it law CONTRARY to the first great principles of the social compact (constitution) cannot be considered a rightful exercise of legislative authority."

16 Am Jur, 2nd Sec. 177; "An unconstitutional statute though having the form and name of law, is in reality NO LAW, but wholly null and void and ineffective for any purpose. It imposes no duty, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it. No one is bound to obey an unconstitutional statute and no courts are bound to enforce it."

16 Am Jur, 2nd Sec. 210: Constitutional Law; "A characteristic feature and one of the cardinal and fundamental principles of the American Constitutional system is that the government powers are divided among the three departments of government, the legislative, the executive and the judicial; and that each of these is separate from the others. The rule is generally recognized that Constitutional restraints are overstepped where one department of government attempts to exercise powers exclusively delegated to another; officers of any branch of government cannot permit its powers to be exercised by any other branch."

16 Am Jur, 2nd Sec. 178; Constitutional Law; "The general

rule is that an unconstitutional act of the legislature protects no one. It is said that all persons are presumed to know the law, meaning that ignorance of the law excuses no one; if any person acts under an unconstitutional statute, he does so at his peril and must take the consequences."

Section 2384, Title 18, United States Code reads: Seditious conspiracy; "if two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States; or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than \$20,000.00 or be imprisoned not more than twenty years, or both."

(It is to be noted here that the authority of the United States is the Constitution. Further, the force need not be limited to "military force" but can be legal force, phsycological force, economic force, etc....it is therefore quite clear that all persons who participate in the conspiracy known as "Metro Government", are clearly in violation of this code and should be held to answer for such crime by all Posses. Such persons are unlawfully attempting to alter our form of government.)

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 or local government as much as by individual citizens. In the interest of education, some of the most pro-

lific violations by government officials and agencies are included here as major examples which should be contemplated by all citizens interested in the Posse Comitatus.

FEDERAL EDUCATION AND THE SCHOOLS

The Federal Congress has been "legislating" in the areas of education and schools. The Federal, and in some instances the State Judiciary. Read the 9th and 10th 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. Therefore 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 Court 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 tho it had never been enacted in the first instance).

THE FEDERAL RESERVE SYSTEM

Article 1, Section 10, of the Constitution prohibits the States from making anything but gold and silver Coin a tender in payment of debts. By law, one Dollar must equal 23.22 grns. of pure gold or 271.25 grns. of pure silver. Citizens of the United States cannot obtain such Coin simply because none is available. Because the Federal Congress has unlawfully violated Article 1, 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." 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 1, Section 10. of the Constitution.

It is suggested that persons wishing to obtain detailed information on the subject, send \$5.00 to William Drexler, 3171 Ducommon Avenue, University City, Calif. 92122.

THE GRADUATED INCOME TAX

Title 26, U.S. 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 4th, 5th and 7th Amendments and in gener-

al, 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 protection. 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 lawful information 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 protection 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 legislation should be removed from office. Where instances are known, the Posse Comitatus should prepare an "Order For Arrest" of the 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 empanelled by the Sheriff from citizens of the local jurisdiction. The present method of empanelling juries by the Courts is unlawful and should be repudiated by the local Posse.

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 this purpose.

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 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. (Art. 3, Sec. 1, Cl. 1)

The Judges, both of 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 these 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, disfranchise citizens and liquidate the Constitutional Republic of these United States. Under these unlawful rules and procedures, citizens have been unlawfully 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 3, Sec. 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 in public danger; nor shall any person be subject for the same offence 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 noth-

ing more. Judicial ruling is not the law of the land as most people have been led to believe. 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 over-ride the Constitution. It is not enumerated, therefore the 9th & 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". Issuance of so-called "Court Orders", are examples of the Judiciary's subversion of the Constitution in pursuance of the unlawful administrative procedures.

Citizens arrested, jailed and held unlawfully upon issuance of these so-called "Court Orders", are being deprived of their rights guaranteed under the Constitution. . . . 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. Such acts are attempts to replace the lawfully elected Executives of States, 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 "brain-washed" 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 this Guide.

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 Common Law of 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 hung by the neck, the body remaining until sundown as an example to those who would subvert the law.

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POSSE CHARTER INFORMATION

Merely reading books, passing out pamphlets, listening to a speech or attending an anti-communist meeting has no effect against the growth of communism. This is the mistaken idea which has brought about nothing but defeat in the battle to preserve our liberties. However it will develop the best educated slaves in the world. Only organized political action can do the job. All the talk in the world will not stop the enemy. Your future and that of your loved ones are at Stake. Are you willing to stand up and be counted?

We are in the process of organizing a Citizens Posse in every county in the United States, with every able-bodied patriotic male of good character, who is interested in the preservation of law and order, becoming a member. Where possible we want to work directly with the County Sheriffs. In cases where we do not get their cooperation, we will take steps to replace the Sheriff and get one in office that will represent the people by adhering to constitutional law, which they took an oath to do upon taking office.

Upon request we will mail you a charter, or put you in touch with those who may already have one started. The charter requires the signatures of seven male Christians, interested in the preservation of our Constitutional form of government. The seven charter members will not be the entire Posse by any means. They will be the guiding hand in formation of the Posse and hopefully will keep the Posse under control.

Information on any radios, C.B. or Ham, owned by members is also important. We are building up a net-work of communication, nation wide, which we can rely on in an emergency. Particular attention should be given to Ham operators in your area and determine their willingness in cooperating with the movement.

Please give this matter serious consideration now. We have been waiting too long for George to do it and the job hasn't been done.

**The United States
of America
was founded
as a protest
against taxation.**