

1 Please call him  
2 John kitzharber.  
3 .Fax:this to (503) 378-6827  
4  
5 Duly verified  
6 Deceleration of facts  
7  
8 Man to Man  
9  
10 John kitzharber..  
11 I would like to know why our Elected and public employees don't honor there  
12 oath, 5usc 2906-3331-3333;  
13 I have done nothing wrong, But ask the questions like, Below, file, As  
14 I have been kidnap by public employees for gain, why is this being allowed  
15 by you, I'm Disabled as you know,, I believe I have simple salutation to  
16 problems that have been misunderstood ,  
17 I would like to set a appointment with you,, I have sever medical issues  
18 as you are aware of,, I don't understand why our Treaty our being ignored, Is  
19 it possible to have a press meeting with you,  
20  
21 courtesy Public Notice of tort I Claim your Bonds,  
22 Duly verified  
23 Deceleration of facts DULY  
24  
25 Strawman Birth Certificate Account GIVEN NAME OF  
26 EDWARD MALONE JOHNSTON II  
27  
28 The living breathing Disabled Man from on the job injuries and assault  
29 by public employees. Edward -Malone :Johnston II  
30 I Do not Consent or Comply or give my in using my Account with out Express  
31 written Consent  
32 disability act 1990 42 u s c 12102  
33  
34 proponent  
35 Edward Malone Johnston II  
36 C/O 1540 N Nye street  
37 Toledo Oregon 97391-9998  
38  
39 Respondent  
40  
41 Linda Pilson  
42  
43 Web site: [www.governor.oregon.gov](http://www.governor.oregon.gov)  
44 Lincoln County Courthouse Corporation •  
45 225 W Olive Street •  
46 Newport, Oregon 97365  
47

48 Date Cert Mail# 7012-2210-0002-3843-5400  
49 Date register mail Monday, September 9, 2013  
50 I Demand ALL Your county tax Stocks and bonds including EIN numbers of  
51 all Elected and public Employee' s name Again all EIN numbers, Social  
52 security numbers Bond numbers. including but not limited to all Lincoln  
53 county public employees corporation members Including Lincoln County Jail  
54 Staff, 501c3-6, non-profit agency' s , affiliates including but not limited  
55 of any churches Judges, District Attorney County Commissioner , contracts  
56

57 I also demanded That the public Volunteer Taxes has paid for ALL the  
58 Newport police corporation March 3 1998 Nye beach assault 2005 all cases  
59 with said name, All with my corporation name , and Toledo Police  
60 corporation and Lincoln county Sheriff office corporation and Lincoln  
61 Oregon Court corporation Video' s and audio' s Public owned recorded s of  
62 the court with June 5TH 6TH 7TH 2013 When I was denied my phone call, As  
63 I had heart attacks cruel inhuman treatment and kidnap by Toledo police  
64 corporation employees.. July 20TH 2013. All my Records of my strawman  
65 account EDWARD MALONE JOHNSTON II being used with out consent.  
66

67 I do not Authorize my SSI or any registration numbers being use in any  
68 manner by Any corporation with Elected and public employees municipality  
69 or any other bonds creation without express Written permission. As thee  
70 same with any of my family bloodline written permission , Protected By the  
71 All Constitutional amendments, most of all by my creator God, We need God' s  
72 help to guide our nation through stormy seas. ... (Ronald Reagan) Freedom  
73 prospers when religion is vibrant and the rule of law under God is  
74 acknowledged. RONALD REAGAN: History In A Speech. ... When a government  
75 puts into place a law that does not agree with God' s law we are to oppose  
76 it and speak out  
77

78 You are receiving this Public NOTICE "NOTICE" under Oregon records law  
79 et seq., a. k. a. ORS 192 , including The Federal Records Act of 1950, as  
80 amended, establishes the framework for records management programs in  
81 Federal Agencies. You are required The oath of office taken by an  
82 individual under 5 USC § 2906 - Oath; custody | Title 5 - Government  
83 section 3331 of this title shall be delivered by him to, and preserved  
84 by, the House of Congress, agency, or court to . requesting the legal  
85 support for personal property Voluntary taxation as it was being  
86 implemented against me on the property or this living breathing and  
87 disabled man On land domicile owned described in Lincoln county case below.  
88 I believe the following requested documentation is crucial for people in  
89 This domiciled in Lincoln County to have, and hereby request the waiver  
90 of costs for production of same as pre paid on her majesty' s secret service.  
91 However, should you disagree, you have my firm promise to pay reasonable  
92 costs for locating, copying, and mailing to me the following with all due

93 alacrity, itemized, Including from the county budget itemized lines as  
94 well . Failure to respond is a violation of Records law as described below,  
95 and if no response is made by you, then these conclusions shall be deemed  
96 to be admitted by you, and it shall be construed as "bad faith" and fraud  
97 as ruled in McNALLY v. UNITED STATES, 483 U.S. 350, 372 (1987), supra,  
98 and;

99  
100 "Silence can only be equated with fraud where there is a legal or moral  
101 duty to speak, or where an inquiry left unanswered would be intentionally  
102 misleading. . . Our revenue system is based on the good faith of the  
103 voluntary taxpayer and the voluntary taxpayers should be able to expect  
104 the same from the government in its enforcement and collection activities.  
105 If that is the case we hope our message is clear. This sort of deception  
106 will not be tolerated and if this is routine it should be corrected  
107 immediately." U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden,  
108 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932.2.7-14

109 Every person who, under color of any statute, ordinance, regulation,  
110 custom, or usage, of any state or territory, subjects or causes to be  
111 subjected, any citizen of the United States or other person to the  
112 deprivation of any rights, privileges, or immunities secured by the  
113 constitution and laws, shall be liable to the party injured in an action  
114 at law, equity, or other proper proceeding for redress. (Civil Rights) 42  
115 U.S.C. 1963.

116  
117 Brief and Memorandum of Law

118 Affidavit of Truth - Specific Negative Averment

119 Actual and Constructive Notice

120

121 Notice of RICO Crimes/U.S. Constitution - Article 1 Section 10 - The  
122 U.S ...

123 [www.usconstitution.net/xconst\\_A1Sec10.html](http://www.usconstitution.net/xconst_A1Sec10.html) Cached

124 Article 1 Section 10 of the United States Constitution ... No State shall  
125 enter into any Treaty, Alliance, or Confederation; grant Letters of Marque  
126 and Reprisal ...

127

128 Brief and Memorandum of Law

129

130 "If money is wanted by rulers who have in any manner oppressed the People,  
131 they may retain it until their grievances are redressed, and thus  
132 peaceably procure relief, without trusting to despised petitions or  
133 disturbing the public tranquility." Journals of the Continental Congress.  
134 26 October, 1774-1789. Journals 1: 105-13. "Government immunity  
135 violates the common law maxim that everyone shall have a remedy for an  
136 injury done to his person or property." (Civil Rights) (Firemens Ins Co  
137 of Newark, N. J. vs Washington County. 2 Wisc 2d 214; 85 N.W.2d 840 1957.)

138

139 All government officials and agencies, including all State legislatures,  
140 are bound by the Constitution and must NOT create any defacto laws which  
141 counter the Constitution:The U.S. Supreme Court, in 1895, ruled  
142 unconstitutional a federal law containing income taxes, Bills, statutes  
143 and codes with arguments concerning class warfare and the definition of  
144 a direct tax. "Herein...Ohio's Doctrine of Governmental Immunity was held  
145 unconstitutional and others to numerous to mention." (Civil Rights)  
146 (Krause vs Ohio, app 2d 1 L. N. W. 2d 321 1971.) Reich vs State Highway Dept.  
147 336, Mich 617: 194 N.W. 2d 700 197"Employees of a city or state are not  
148 immune from suit under statute relating civil rights for deprivations of  
149 rights on ground that officials were acting within the scope of their  
150 ground that officials were acting within the Scope of their  
151 responsibilities of performing a discretionary act." (Bunch vs Barnett  
152 376 F.Supp. 23.)"Title 28 Section 1391, this section makes it possible to  
153 bring actions against government officials and agencies in district court  
154 outside D.C." (Civil Rights) (Norton vs Mcshane 14 L.Ed. 2d 274.) A suit  
155 in detinue or replevin in personam should lie to gain possession of  
156 property seized by the state. (Civil Rights) Stephen, Pleading (3rd Am  
157 ed) p. 47, 52, 69, 74; Ames Lectures on legal history, p. 64, 71; Wilkins  
158 v. Despard, 5 Term Rep- 112; Roberts v. Withered, % Mod. 193, 12 Mod. 92.  
159

160 "This Constitution, and the laws of the United States which shall be made  
161 in pursuance thereof;... shall be the supreme law of the land; and the  
162 judges in every state shall be bound thereby... The Senators and  
163 Representatives and members of the State legislature, and all executive  
164 and judicial officers of the United States and the several States, shall  
165 be bound thereby, anything in the Constitution or laws of any State to  
166 the contrary notwithstanding." The Constitution of the united States of  
167 America, Article VI, Cl 2, 3.5 U.S.C. 2906, 3331, The oath of office taken  
168 by an individual under section 3331 of this title shall be delivered by  
169 him to, and preserved by, the House of Congress, agency, or court to..Sec.  
170 3331-3333. Oath of office - Subchapter II - Oath of Office - U.S. Code  
171 - Title 5: Government Organization and Employees - January 01, 2011 - Order:  
172 2 - 19265805 ...To protect the people from their elected and public  
173 employees,, Many of our people seem to believe that their state government  
174 has jurisdiction to stop the common law Grand Juries. However,  
175 the state government only has authority over statutory (ie. state)  
176 law, not common law. The common law of England was used to  
177 establish the U.S. Constitution, so it existed before it and, thus,  
178 it is superior to it. The common law is time immemorial.  
179

180 The state government did not create the common law, so it has  
181 no authority to abolish it or control it, unless we allow ourselves  
182 to be tricked to putting common law under statutory law, where  
183 it's "their house, their rules." However, if we operate outside the

184 statutory rules by invoking common law, no state government  
185 has the authority or jurisdiction to dictate, control or abolish  
186 what we do. They only have authority to enforce our decisions.  
187  
188 If the U.S. Supreme Court acknowledged the authority of the  
189 common law Grand Jury (U.S. v. Williams), why would the  
190 state have authority to counter that opinion? The common law  
191 is superior to all statutory law, and we must only invoke it in  
192 the right way to have superior standing. We need to stop  
193 putting the common law and the Grand Juries underneath  
194 their inferior statutory laws. The people (singular AND plural)  
195 have the ultimate authority!18 USC § 2381 - Treason | Title 18 - Crimes  
196 and Criminal ...  
197 [www.law.cornell.edu/uscode/text/18/2381](http://www.law.cornell.edu/uscode/text/18/2381) Cached  
198 ... is guilty of treason and shall suffer death, or shall be imprisoned  
199 not less than five years and fined under this title but not less than  
200 \$10,000; ...  
201  
202 "The United States is entirely a creature of the Constitution. Its power  
203 and authority have no other source. It can only act in accordance with  
204 all the limitations imposed by the Constitution." Reid v Covert 354 US  
205 1, 1957.  
206  
207 Any laws created by government which are repugnant to the Constitution  
208 carry NO force of law and are VOID:An unconstitutional law states and codes  
209 cannot operate to supersede any existing law. Indeed insofar as a statute  
210 runs counter to the fundamental law of the land, (the Constitution JTM)  
211 it is superseded thereby. No one is bound to obey an unconstitutional law  
212 and no courts are bound to enforce it." Bonnett v. Vallier, 116 N.W. 885,  
213 136 Wis. 193 (1908); NORTON v. SHELBY COUNTY, 118 U.S. 425 (1886). See  
214 also Bonnett v Vallier, 136 Wis 193, 200; 116 NW 885, 887 (1908); State  
215 ex rel Ballard v Goodland, 159 Wis 393, 395; 150 NW 488, 489 (1915); State  
216 ex rel Kleist v Donald, 164 Wis 545, 552-553; 160 NW 1067, 1070 (1917);  
217 State ex rel Martin v Zimmerman, 233 Wis 16, 21; 288 NW 454, 457 (1939);  
218 State ex rel Commissioners of Public Lands v Anderson, 56 Wis 2d 666, 672;  
219 203 NW2d 84, 87 (1973); and Butzlaffer v Van Der Geest & Sons, Inc, Wis,  
220 115 Wis 2d 539; 340 NW2d 742, 744-745 (1983).  
221  
222 "The general rule is that an unconstitutional statute and codes, though  
223 having the form and name of law, is in reality no law, but is wholly void  
224 and ineffective for any purpose, since its unconstitutionality dates from  
225 the time of its enactment... In legal contemplation, it is as inoperative  
226 as if it had never been passed... Since an unconstitutional law is void,  
227 the general principles follow that it imposes no duties, confers no right,  
228 creates no office, bestows no power or authority on anyone, affords no

229 protection and justifies no acts performed under it... A void act cannot  
230 be legally consistent with a valid one. 20.181-192 United States Code:  
231 Title 28a, Rule 5.1. Constitutional ...  
232 www.law.cornell.edu/uscode/html/uscode28a/usc\_sec\_28a... Cached 42 USC  
233 1986 provides: 42 USC 1986 provides: Every person who, having knowledge  
234 that any of the wrongs conspired to be done, and mentioned in the preceding  
235 section (1985 of Title 42) are about to be committed, and having power  
236 to prevent or aid in preventing the commission of same, neglects or refuses  
237 so to do, if such wrongful act be committed, shall be liable to the party  
238 injured, or his legal representatives, for all damages caused by such  
239 wrongful act which such person by reasonable diligence could have  
240 prevented; and such damages may be recovered in an action on the case;  
241 and any number of persons guilty of such wrongful act, neglect, or refusal,  
242 may be joined as defendants in the action. (Civil Rights) Mandatory  
243 Reporting laws Applier's Elected and public employees and commercial  
244 contractors  
245  
246 Defendants can be held in actions under 42 USC 1983, even, This includes  
247 Elected and public employees, Effective January 1, 2013, employees of  
248 Oregon higher education institutions are considered by law to be subject  
249 mandatory reporters of child  
250 abuse. [http://www.oregon.gov/dhs/abuse/pages/mr\\_employees.aspx](http://www.oregon.gov/dhs/abuse/pages/mr_employees.aspx)  
251 though they did not act willfully. Even though they did not have a specific  
252 intent to deprive the plaintiff of a federal right, such defendants can  
253 be held to civil responsibility. *Monroe v. Pape*, 365 U.S. 167,  
254 1961. 24. 215-219, the assaults on this man or reported again  
255 An conspiracy is actionable under 42 USC 1985, when there has been an  
256 "actual of denial of due process." (Civil Rights) *Jennings v. Nester* (1954,  
257 Ca. 7 Ill.) 217, F.2d 153, CERT DEN 349 U.S. 958, 99 L.Ed. 1281, 75 S.ct.  
258 888. "Thus, the particular phraseology of the constitution of the United  
259 States confirms and strengthens the principle, supposed to be essential  
260 to all written constitutions, that a law repugnant to the Constitution  
261 is void;" and the courts, as well as other departments, are bound by that  
262 instrument." *Marbury v Madison*, 5 US 1803 (2 Cranch) 137, 170?180, and  
263 *NORTON v. SHELBY COUNTY*, 118 U.S. 425.  
264  
265 "When an act of the legislature is repugnant or contrary to the  
266 constitution, it is, ipso facto, void." 2 Pet. R. 522; 12 Wheat. 270; 3  
267 Dall. 286; 4 Dall. 18.  
268  
269 "[p]owers not granted (to any government) are prohibited." *United States*  
270 *v. Butler*, 297 U.S 1, 68 (1936). 43. 359-365  
271 Purpose: Generally, this section further protects civil action for  
272 deprivation of rights protects constitutional rights from invasion by  
273 persons acting under state or federal authority. (Civil Rights) *Weise v.*

274 Reisner, DC Wis. 1970, 318 F.Sup. 580, quoted from U.S.C.A. 1972  
275 pocketpart, P. 40 Title 42, Sec. 1983, Note Paragraph 8,,,,,.  
276 "Liability in damages for unconstitutional or otherwise illegal conduct  
277 has the very desirable effect of deterring such conduct. Indeed, this was  
278 precisely the proposition upon which 42 USC section 1983 was enacted."  
279 ' "Judges may be punished criminally for willful deprivations of  
280 constitutional right on the strength of 18 USC Section 241- 242." (Civil  
281 Rights) (Imbler vs Pachtman, U.S. 47 L.Ed. 2nd 128, 96 S.Ct.)  
282  
283 44. 367-374  
284 This section was passed to enforce U.S.C.A. Constitution Amendment 14 and  
285 to protect form interference the rights secured thereby, as well as other  
286 constitutional rights; it is directed against conspiracies of private  
287 persons; and there is no requirement that conspiracy be under color of  
288 law. (Civil Rights) U.S.C.A. 1972 Pocket P. 1675, Title 42, Sec. 1995,  
289 Note  
290 28. 242-248  
291 The Seventh Circuit of Appeals has held that a public official does not  
292 have immunity simply because he operates in a discretionary situation.  
293 It indicated that public servants are to be held liable when they abused  
294 their discretion or acted in a way that is arbitrary, fanciful, or clearly  
295 unreasonable. (Civil Rights) Littleton v. Berbling (1972, Ca. 7 Ill.),  
296 468 F.2d 389. 36. 304-308 Governmental immunity is not defense in suits  
297 brought under this section making liable every person who under color or  
298 state law deprives another person of his civil rights. Westberry v. Fisher,  
299 DC Me., 1970, 309 F.Sup. 95. 18 USC § 2381 - Treason | Title 18 241-242-  
300 Crimes and Criminal ...www.law.cornell.edu/uscode/text/18/2381 Cached  
301 ... is guilty of treason and shall suffer death, or shall be imprisoned  
302 not less than five years and fined under this title but not less than  
303 \$10,000; ..  
304  
305 "Insofar as a statute runs counter to the fundamental law of the land,  
306 (constitution) it is superseded thereby." (16 Am Jur 2d 177, Late Am Jur  
307 2d. 256)  
308  
309 "...all laws which are repugnant to the Constitution are null and void"  
310 (Marbury v Madison, 5 US 1803 (2 Cranch) 137, 174, 170).  
311  
312 "Where rights secured by the Constitution are involved, there can be no  
313 rule making or legislation which would abrogate them." - Miranda v.  
314 Arizona, 384 U.S. 436, 491.  
315  
316 "The claim and exercise of a constitutional right cannot be converted into  
317 a crime." Miller v. U.S., 230 F 2d 486, 489.  
318

319 "There can be no sanction or penalty imposed upon one because of this  
320 exercise of Constitutional rights."— Sherar v. Cullen, 481 F. 945.

321

322 To disregard Constitutional law, and to violate the same, creates a sure  
323 liability upon the one involved:

324

325 "State officers may be held personally liable for damages based upon  
326 actions taken in their official capacities." Hafer v. Melo, 502 U.S. 21  
327 (1991).

328

329 I have a right to question and challenge any Publicly owned taxing  
330 activities by Any Public court, their Elected and public employee  
331 government,,non-for profits and any affiliates agency as to their  
332 validity and legal standing:

333

334 "Anyone entering into an arrangement with the government takes the risk  
335 of having accurately ascertained that he who purports to act for the  
336 government stays within the bounds of his authority, even though the agent  
337 himself may be unaware of limitations upon his authority." The United  
338 States Supreme Court, Federal Crop Ins. Corp, v. Merrill, 332 US 380-388  
339 (1947)

340

341 "The individual may stand upon his constitutional rights as a citizen.  
342 He is entitled to carry on his private business in his own way. His power  
343 to contract is unlimited. He owes no duty to the state or to his neighbors  
344 to divulge his business, or to open his doors to an investigation, so far  
345 as it may tend to criminate him. He owes no such duty to the state, since  
346 he receives nothing therefrom, beyond the protection of his life and  
347 property. His rights are such as existed by the law of the land long  
348 antecedent to the organization of the state, and can only be taken from  
349 him by due process of law, and in accordance with the Constitution. United  
350 States Supreme Court reminds us in Hale v. Henkel, 201 U.S. 43 (1906):

351

352 "The legal right of an individual to decrease or ALTOGETHER AVOID his/her  
353 taxes by means which the law permits cannot be doubted" --Gregory v.  
354 Helvering, 293 U.S. 465

355

356 "The fact is, property is a tree; income is the fruit; labour is a tree;  
357 income the fruit; capital, the tree; income the 'fruit.' The fruit, if  
358 not consumed (severed) as fast as it ripens, will germinate from the seed...  
359 and will produce other trees and grow into more property; but so long as  
360 it is fruit merely, and plucked (severed) to eat... it is no tree, and  
361 will produce itself no fruit." Waring v. City of Savannah. 60 Ga. 93, 100  
362 (1878. }

363 [ In My opinion This would included Would include Lawful public employees  
364 not elected Employees of the corporation for budgetary gain. Lawful public



365 employees who our oathkeepers to the consitutionallaw to protect us all  
366 from commercial or foreign and domestic agents publicly , The voluntary  
367 paid tax for united states for America American Citizens , Including  
368 sovereign of the civil rights act of 1866, As Democracy Contracts of the  
369 defacto of 1871 On foreign country grounds.. Including the 1933 baking  
370 act and house restitution act June 5 1933, Uniform commercial Maritime  
371 code, ]

372  
373 The point being made is that the tree (private property, land, wages,  
374 salaries, compensation) is NOT taxable, while the "fruit" (or "income"  
375 FROM said property or wages) of the tree CAN possibly be taxed, (but only  
376 according to constitutional provisions). Tax upon income derived from,  
377 say, rental property, CAN be taxed possibly could be considered interest  
378 of the investment if one is a registration voter ,

379 [I recommend all Rescind their voter registration contact As I have done  
380 Filed and on the public and private side] v but ONLY according to the  
381 Constitution, because the tax does NOT diminish "tree," the principal,  
382 or lessen the value of the person or property. Property taxation  
383 diminishes the "tree" itself, (the wealth of the person) thereby creating  
384 a possible situation where the tree could disappear because of the  
385 tax. YouTube - Theft By Deception Deciphering The Federal Income ...  
386 [www.youtube.com/watch?v=xWqf96GqMiI](http://www.youtube.com/watch?v=xWqf96GqMiI) Cached

387 Thanks Eyes For The Profane The misrepresentation and misapplication of  
388 the United States federal income tax constitutes the largest acquisition  
389 of wealth by ...

390 .Play Video

391

392 Property voluntary Taxation in Lincoln count or the the state of Oregon  
393 County:

394

395 Property taxation must fall within constitutional guidelines set forth  
396 for all People of our nation. To be applied other than under Constitutional  
397 parameters is to make such a law or application null and void and is a  
398 violation of our constitutional rights.

399

400 Direct taxes must be "apportioned among the several states which may be  
401 included within this Union". [See Article I, Section 2, Clause 3 and  
402 Article 1, Section 9, Clause 4.] These include taxes directly upon people  
403 or personal property.

404

405 "...all duties, imposts and excises [indirect taxes], shall be uniform  
406 throughout the United States". [See Article I, Section 8, Clause 1.]

407

408 "Apportionment" means according to the census... the actual number of  
409 people in the county or state. "Uniform throughout the United States"  
410 means the tax is the same everywhere, such as alcohol, tobacco and other

411 excise taxes, where all Americans pay the same commercial tax regardless  
412 of the state they are in.

413

414 "Thus, in the matter of taxation, the Constitution recognizes the two  
415 great classes of direct and indirect taxes, and lays down two rules by  
416 which their imposition must be governed, namely: the rule of apportionment  
417 as to direct taxes and the rule of uniformity as to duties, imposts and  
418 excises." ...determining that, the classification of Direct adopted for  
419 the purpose of rendering it impossible for the government to burden, by  
420 taxation, accumulation of property, real or personal, except subject to  
421 the regulation of apportionment..." Pollock v. Farmers' Loan & Trust  
422 Co. 158, U.S. 601, at 637 (1895).

423

424 "The name of the tax is unimportant that it is the substance and not the  
425 form which controls;' that the limitations of the constitution cannot be  
426 'frittered away' by calling a tax indirect when it is in fact direct."  
427 Pollock v. Farmers' Loan and Trust Co., 157 U.S. 429, 580?1, 583 (1895).

428

429 "That decision affirms the great principle that what cannot be done  
430 directly (direct taxation) because of constitutional restriction cannot  
431 be accomplished indirectly by legislation which accomplishes the same  
432 result." Fairbanks v. U.S. 181 U.S. 283, 294 (1901). Income Tax Declared  
433 Unconstitutional | Suite101

434 suite101.com/...tax-declared-unconstitutional-a208974 Cached The U.S.  
435 Supreme Court, in 1895, ruled unconstitutional a federal law containing  
436 income taxes, with arguments concerning class warfare and the definition  
437 of a direct tax. USC : Title 26 - INTERNAL REVENUE CODE | U.S. Code | LII ...  
438 www.law.cornell.edu/uscode/text/26 Cached USC : Title 26 - INTERNAL  
439 REVENUE CODE. There are 312 Updates Pending. Select the tab below to view.  
440 US Code; Notes; Updates; Current through Pub. L. 113-31.

441

442 "If it be true by varying the form the substance may be changed, it is  
443 not easy to see that anything would remain of the limitations of the  
444 constitution, or of the rule of Voluntary taxation and representation,  
445 so carefully recognized and guarded in favor of the citizen civil rights  
446 act 1866 of each state , For example oregon state, OregonTreaty of 1846.  
447 But constitutional provisions cannot be thus evaded. It is the substance,  
448 and not the form, which controls, as has been established by repeated  
449 decisions of this court." Id. At 296. Lawful, , Due proses is Constitutional  
450 the private American side 1866 civil rights act to protect lawful  
451 americans from there Elected and public Employees, , Judicial proses Fraud  
452 and treasonous Fraud appone the Court, Constitutional lawf...this mans  
453 My right to travel shall be honored. Charlie Sprinkle's section 1983 case  
454 from year 1975 www.lawyerdude.8k.com/5718.html CachedCharles  
455 Sprinkle's Section 1983 Case from 1975. Charles Sprinkle ...

456 I' the Man Given name Edward-Malone: Johnston II denied Medical because  
457 of the Denial of the rights to travel I'm the injured party from on the  
458 commercial employment injuries The man life liberty and happiness By the  
459 united state of American Constitutional laws , Title 5 title 6 title 14  
460 title 16 title 18 241-242 to protect me from Foreign and domestic.  
461 The Constitution of the United States of America and Case law shows that  
462 capitation taxes and taxes on my personal private property are in the  
463 category of direct voluntary taxes as being applied and forced to this  
464 Living man Edward -Malone:Johnston on his domicile today by Lincoln County  
465 corporation other corporation and its agents, I do not comply, Or grant any  
466 authority over in any manner  
467 "Personal liberty, or the Right to enjoyment of life and liberty, is one  
468 of the fundamental or natural Rights, which has been protected by its  
469 inclusion as a guarantee in the various constitutions, which is not  
470 derived from, or dependent on, the U. S. Constitution, which may not be  
471 submitted to a vote and may not depend on the outcome of an election. It  
472 is one of the most sacred and valuable Rights, as sacred as the Right to  
473 private property...and is regarded as UNALIENABLE." 16 C. J. S.,  
474 Constitutional Law, Sect.202, p.987. but which must be apportioned among  
475 the States as required by the United States Constitution if it is a direct  
476 tax. (See Supreme Court Case law - Penn Mutual Indemnity Co. v. C. I. R.,  
477 277 F. 2d 16, 19-20 (3rd Cir. 1960); Steward Machine Co. v. Davis, 301 U. S.  
478 548, 581-582 (1937)).  
479  
480 Lawful,,Due proses is Constitutional the private American side 1866 civil  
481 rights act to protect lawful americans Two or more generations Born on  
482 United states of American soil from there Elected and public  
483 Employees,,Judicial proses Fraud and treasonous Fraud appone the Court,  
484 Constitutional lawf..That an officer or employee of a state or one of its  
485 subdivisions is deemed to be acting under "color of law" as to those  
486 deprivations of right committed in the fulfillment of the tasks and  
487 obligations assigned to him. Monroe v. Pape, 1961, 365 U.S. 167. (Civil  
488 Rights)By the great weight of authority it is acknowledged that generally  
489 "public officials" are not immune from suit when they allegedly violate  
490 the civil rights of citizens, and that a "public official's" defense of  
491 immunity is to be sparingly applied in these kinds of cases. James v.  
492 Ogilvie, 1970, DC Ill., 310 F. Sup. 661, 663. 18.158-168  
493 42 USC 1985. (2) ...If two or more persons conspire for the purpose of  
494 impeding, hindering, obstructing, or defeating, in any manner, the due  
495 course of justice in any state or territory, with the intent to deny any  
496 citizen the equal protection of the laws, or to injure him or his property  
497 for lawfully enforcing, or attempting to enforce, the right of any person,  
498 or class of persons, to equal person except judges." See u. S. 29 L. Ed.  
499 619, 91 S. ct., Bivens v. Six unknown named agents of the Federal Bureau  
500 of Narcotics. (Civil law)

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The Constitution of the United States of America and Case law shows that since capitation taxes and taxes on my personal private property must be apportioned among the States in accordance with the United States Constitution, and my personal private property tax is NOT being legally apportioned among the States (or oregon state) by Lincoln County, they must, therefore, be in the category of indirect taxes, which are taxes imposed on the happening of an event or activity.

"Direct taxes bear immediately upon persons, upon possessions and enjoyments of rights. Indirect taxes are levied upon the happening of an event..." Knowlton v. Moore. 178 U. S. 41. See also, Tyler v. United States, 281 U. S. 497, at 502 (1930)

"A tax laid upon the happening of an event as distinguished from its tangible fruits, is an indirect tax..." Tyler v. U. S. 497 at pg 502 (1930)

"A tax levied upon property because of its ownership is a direct tax, whereas one levied upon property because of its use is an excise, duty or impost." Manufactures' Trust Co. vs. U. S., 32 F. Supp. 289.

"A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution." Murdock vs. Com. of Penn., 319 US 105, at 113; 63 S Ct at 875; 87 L Ed at 1298 (1943)

All Citizens have the right to a home and personal property, and this property cannot be taxed unless in accordance with the two forms of Constitutional taxation mentioned above."Personal liberty, or the Right to enjoyment of life and liberty, is one of the fundamental or natural Rights, which has been protected by its inclusion as a guarantee in the various constitutions, which is not derived from, or dependent on, the U. S. Constitution, which may not be submitted to a vote and may not depend on the outcome of an election. It is one of the most sacred and valuable Rights, as sacred as the Right to private property...and is regarded as UNALIENABLE." 16 C. J. S., Constitutional Law, Sect.202, p.987.

"Keeping in mind the well settled rule, that the citizen is exempt from taxation, unless the same is imposed by clear and unequivocal language, and that where the construction of a tax is doubtful, the doubt is to be resolved in favor of those upon whom the tax is sought to be laid." Spreckles Sugar Refining Co. vs. McLain: 192 US 397. "An unconstitutional act is not law; it confers no right; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." Norton vs Shelby County 118 US 425 p.442

547 "The general rule is that an unconstitutional statute, though having the  
548 form and the name of law, is in reality no law, but is wholly void, and  
549 ineffective for any purpose; since unconstitutionality dates from the  
550 time of its enactment, and not merely from the date of the decision so  
551 branding it. No one is bound to obey an unconstitutional law and no courts  
552 are bound to enforce it."16th American Jurisprudence 2d, Section 177, late  
553 2nd, Section 256Title 42, Section 1983 has been held to provide a civil  
554 action to protect persons against misuse of power possessed by virtue of  
555 state law. "Was clothed with the authority of the state." Davis v. Johnson,  
556 1955 DC Ill. 138 F.Sup., 572; Jobson v. Henne, 1966 Ca. 2 NY 355 F. 2d  
557 139. Judges are not immune from criminal sanctions under the Civil Rights  
558 Act. ex parte Virginia (1879), 100 U.S. 339. The court of appeals for the  
559 Sixth Circuit has reaffirmed its view that a judge loses all immunity when  
560 he acts in absence of all jurisdiction, and has held a referee of a juvenile  
561 court responsible in a section 1983 action for abuse of a child. (Civil  
562 Rights)Lucarell v. McNair, 1972, Ca. 6, Ohio"453 F.2d 389. The  
563 assault's, Slander, harassment, counting threats, and attempts on Edward  
564 - Malone : Johnston II the living man's Life, NOT EDWARD MALONE JOHNSTON  
565 II Birth Certificate BOND 1933 banking act, house resolution 192 june 5  
566 1933, As I the living man has publicly claimed this bound and private  
567 Records protected by the fourth amendments, As February 5 2012 my house  
568 was entered and files missing last one in my home was member of the city  
569 of Toledo police a public employe was the last on in my home Filed in  
570 Lincoln county DA's office Cases, Including December 2011 being kidnap  
571 by Newport police on file from DMV office in city of Newport, Lawful,, Due  
572 proses is Constitutional the private American side 1866 civil rights act  
573 to protect lawful americans from there Elected and public  
574 Employees,, Judicial proses Fraud and treasonous Fraud appone the Court,  
575 Constitutional lawfulness court proceeding of a jury of 12, jury  
576 nullification,,, Judicial proses Democracy Courts is the defato of 1871,  
577  
578 In your County records or documentation, I do not find any tax imposed  
579 on any activities I am involved in as rights under the Constitution, nor  
580 Have I find a section in the Oregon Revised Statutes or county law to-date  
581 that makes me subject to or liable for any direct or indirect,  
582 unconstitutionally applied private domicile property tax. That an officer  
583 or employee of a state or one of its subdivisions is deemed to be acting  
584 under "color of law" as to those deprivations of right committed in the  
585 fulfillment of the tasks and obligations assigned to him. Monroe v. Pape,  
586 1961, 365 U.S. 167. (Civil Rights)Outgoing IRS Chief: Taxes Voluntary  
587 Outgoing IRS Chief: Taxes Voluntary. ... Our system of government Is a  
588 voluntary tax system. ... What does this say about the US and, ...  
589 www.breitbart.com/.../05/17/IRS-Chief-Taxes-Are-Voluntary - Cached  
590 Slap My Head Alert! Outgoing IRS Chief: Taxes Voluntary ...

591 There is NO LAW that says you must pay taxes or else. ... No one can call  
592 themselves reasonably intelligent and state the IRS and taxes are a  
593 voluntary system here in, A Sovereign is a private, non-resident,  
594 non-domestic, non-person, non-individual, NOT SUBJECT to any real or  
595 imaginary statutory regulations or quasi laws enacted by any STATE  
596 legislature which was created by the People.

597  
598 "The rights of the individuals are restricted only to the extent that they  
599 have been voluntarily surrendered by the "citizenship" to the agencies  
600 of government."

601 City of Dallas v Mitchell, 245 S.W. 9

602

603 Queen Elizabeth controls and has amended U.S. Social Security  
604 Queen Elizabeth controls and has amended U.S. Social Security. ... S.I.  
605 1997 NO.1778 The Social Security ... stating in court that he takes his  
606 orders from England?

607 [www.apfn.org/apfn/queen.htm](http://www.apfn.org/apfn/queen.htm) - Cached

608 Connecting The Dots of Social Security To Queen of England To ...

609 Social Security Administration and how the Queen of England owns Social  
610 Security ... March 9, 1933; pg 76, 83 ... recently confirmed by Hillary  
611 Clinton .....

612 Affidavit of Truth - Specific Negative Averment

613

614 Notice of Affidavit of Withdrawal of Consent, and Withdrawal of Consent".  
615 I the Living Edward - Malone :Johnston II A Disabled living man Denied  
616 Medical by the State of Oregon Elected and public employees , Including  
617 Lincoln County Elected and public employes , Most of all Including the  
618 City of Toledo Mayor and city council , Toledo City Corporation Police Dept  
619 employees , Included their Elected and public employees and union members  
620 affiliates, All Police Department's non for profit agency . Referring to  
621 the 2006 Inspectors Generals Report That's States that the local Elected  
622 and public employees have a vendetta out for me, File with Rob Bovett Also  
623 in Lincoln County Case Files involving the assault By Elected and Public  
624 on this man

625

626 1. I am not in receipt of any documentation showing what type of voluntary  
627 taxes I was being assessed for, direct, indirect or named other type of  
628 tax.

629

630 2. I am not in receipt of any documentation showing Lincoln County's  
631 legal, /lawful, An or constitutional authority, including statutory law  
632 (positive law) to tax, directly or indirectly, my personal, private  
633 property, since it was being applied as neither direct nor indirect  
634 according to law. The oath of office taken by an individual under section  
635 3331 of this title shall be delivered by him to, and preserved by, the  
636 House of Congress, agency, or court to ...

637

638 3. I am not in receipt of any documentation showing I Am lawfully or bound  
639 by any contract liable for private property taxes applied contrary to the  
640 Constitution of the United States for America, The U. S. Supreme Court, in  
641 1895, ruled unconstitutional a federal law containing income taxes, with  
642 arguments concerning class warfare and the definition of a direct tax, 42  
643 USC 1985. (2) ...If two or more persons conspire for the purpose of  
644 impeding, hindering, obstructing, or defeating, in any manner, the due  
645 course of justice in any state or territory, with the intent to deny any  
646 citizen the equal protection of the laws, or to injure him or his property  
647 for lawfully enforcing, or attempting to enforce, the right of any person,  
648 or class of persons, to equal person except judges." See u. S. 29 L. Ed.  
649 619, 91 S. ct., Bivens v. Six unknown named agents of the Federal Bureau  
650 of Narcotics. (Civil law)

651

652 4. I am not in receipt of any documentation showing the name of the  
653 responsible party who authorizes said personal property taxes, and their  
654 jurisdiction on this issue, nor signature and printing of that name  
655 included in the document.

656

657 5. I am not in receipt of any documentation showing why I was liable for  
658 the above listed A-E, itemized taxes being assessed against me, nor  
659 documentation showing the benefits I personally received for each of these  
660 taxes... i. e. how was I being represented by these taxes. Defendants can  
661 be held in actions under 42 USC 1983, even though they did not act willfully.  
662 Even though they did not have a specific intent to deprive the plaintiff  
663 of a federal right, such defendants can be held to civil responsibility.  
664 Monroe v. Pape, 365 U. s. 167, 1961.

665

666 6. I am not in receipt of any documentation showing the method of  
667 assessment, the rules for assessment, the financial criteria used for this  
668 assessment or copy of any independent, certified appraisal of said  
669 property.

670

671 7. I am not in receipt of any documentation showing the name and company  
672 name of independent appraiser, or the legal, certified status of said  
673 appraisal.

674 An conspiracy is actionable under 42 USC 1985, when there has been an  
675 "actual of denial of due process." (Civil Rights) Jennings v. Nester (1954,  
676 Ca. 7 Ill.) 217, F.2d 153, CERT DEN 349 U. S. 958, 99 L. Ed. 1281, 75 S. ct.  
677 888.

678 8. I am making a Public Demand for documents under the Oregon and Federal  
679 PUBLIC (OPEN) RECORD ACT (ORs) regarding the following:

680

- 681 1. Documentation regarding which type of tax my private domicile property  
682 County Volunteer taxes fell under; "direct" or "indirect," or other taxing  
683 category, naming the specific category.  
684
- 685 2. Please provide certified documents showing Lincoln County's legal and  
686 constitutional authority, including statutory law (positive law) to tax,  
687 directly or indirectly, my personal, private property, including on land  
688 and home, since it was being applied as neither direct nor indirect.  
689
- 690 3. Please provide documentation of who the responsible party is who  
691 authorized said taxes, and their jurisdiction on this issue, to include  
692 signature and printing of that name on this document. There must be  
693 statutory law (positive law) that exists which allows this taxation, but  
694 it cannot be in conflict with the Constitution; Including in this the  
695 Living breathing man given name on a birth certificate Registration number  
696 {Personal record protected by the 1Th 2th, 3Th 4th Amendments  
697 Edward-Malone :Johnston II is the injured party Who has been intimidated,  
698 Treated ,Assault,Kidnap held against hes will including a gun  
699 point,incarcerated , Slandered.Denied medical  
700
- 701 4. Please provide documentation on how I was being represented by the  
702 following taxes being assessed against my personal property:  
703  
704 (List all taxes on your assessment each itemized )  
705
- 706 5. Please provide documentation showing the method of assessment, the  
707 rules for assessment, the financial criteria used for this assessment,  
708 and copy of independent, certified appraisal of said property.  
709
- 710 6. Please provide a complete record of all taxes paid by me on the property  
711 listed below, since I claimed this domicile , to include itemization of  
712 taxes for land, taxes for buildings on said land, or any other taxed item.  
713
- 714 7. Please provide documentation of who actually  
715 signs/verifies/authenticates the assessments on real and personal  
716 property, and on any delinquency notices for unpaid taxes. An unsigned  
717 assessment is insufficient legal notice and a nullity, unless you can  
718 document and verify otherwise.  
719
- 720 8. 8.94.01.02: Racism, Discrimination, and the Law - Yale University  
721 [www.yale.edu/ynhti/curriculum/units/1994/1/94.01.02.x.html](http://www.yale.edu/ynhti/curriculum/units/1994/1/94.01.02.x.html) Cached  
722 It will explore the effects of racism in education, ... The Constitution  
723 of The United States and federal laws supersede any law made at the state  
724 level.  
725
- 726 9. [www.eeoc.gov/laws/types/race\\_color.cfm](http://www.eeoc.gov/laws/types/race_color.cfm) Cached



727 Race/Color Discrimination. Race discrimination involves treating someone  
728 (an applicant or employee) unfavorably because he/she is of a certain race  
729 or because of ..

730

731 My right to not be taxed illegally or unconstitutionally stands firm in  
732 law, but this right appears to me to have been violated through forced  
733 private property taxation by Lincoln County, and the exercise of my right  
734 to not be illegally taxed can not be "converted into a crime" for not paying  
735 these taxes.

736

737 Actual and Constructive Notice

738

739 This is actual and Constructive Notice that I believe this to be criminal  
740 activity against me personally and I am requesting legal rebuttal, point  
741 by point, of these positions, or it will be presumed to be a correct  
742 assessment of my personal situation.

743

744 If not contested, a refund of all monies paid during ownership, with  
745 compensatory damages (or agreeable settlement), will be expected no later  
746 than 30 days from date of this document, or 5% interest rate per month  
747 will accrue on total as outlined above. The application of force or  
748 coercion in any way which counters the supreme law of the land, and which  
749 extracts financial consideration from me, under the color of law, is  
750 criminal conversion and fraud under UCC laws, Common Law, and is a  
751 violation of the Racketeering (RICO) laws.

752

753 Finally, the auction or sale of private or business property for presumed  
754 past due property taxes without a court order and hearing is a direct  
755 violation of Due Process, and a civil right violation upon whom it occurs.  
756 Those involved with such an illegal sale without a legal judgement via  
757 a court hearing, with all facts being adjudicated, are parties to this  
758 criminal activity and can be held personally liable for RICO and civil  
759 rights violations. This includes parties who may purchase said property,  
760 as accomplices in said action, as ignorance of the law is no excuse.

761

762 The Supreme Court ruled that Municipalities cannot exert any acts of  
763 ownership and control over property that is not OWNED by them, see  
764 *Palazzolo v. Rhode Island* 533 US 606, 150 L. Ed. 2d 592, 121 S.Ct. \_\_\_\_ (2001)  
765 (no expiration date on the taking clause for City's illegal enforcement  
766 of its Codes on the man's private property and restricting the man's  
767 business), affirming both *Lucas v South Carolina Coastal Council*, 505 US  
768 1003, 120 L. Ed. 2d 798 (1992). (butterfly activists and Code Enforcement  
769 cannot restrict development of the man's private swampland unless they  
770 lawfully acquire the land FIRST, surveying with binoculars constitutes  
771 a "takings"), and *Monterey v. Del Monte Dunes*, 526 US 687 (1999), 143 L. Ed.  
772 2d 882 S.Ct. \_\_\_\_ (1998).

773

774 In the Monterey case, the California private property owner was awarded  
775 \$8 million for Code Enforcement's illegal trespass and restriction of his  
776 business, and another \$1.45 million for the aggravation of a forced  
777 sale.No Game Read all an pass on,,Police Departments are registered as  
778 NON-PROFIT CORPORATIONS,piracy

779 <<http://occupycorporatism.com/illegal-police-department-act.../>>

780 ENFORCEMENT OF CITY/COUNTY CODES PROHIBITED. California Law prohibits  
781 Cities and Counties from enforcing City or County Codes and Ordinances  
782 upon property that is not ...

783 www.usavsus.info/ EnforcementNotAllowed.htm - Cached

784 ConspiracyWatch> ENFORCEMENT OF CITY/COUNTY CODES PROHIBITED

785 ConspiracyWatch> ENFORCEMENT OF CITY/COUNTY CODES PROHIBITED Jack Bauer  
786 bowersecret at gmail.com Thu Jul 1 10:22:56 CDT 2010. Previous message:  
787 ConspiracyWatch> Kagan ...

788 constitutionalgov.us/pipermail/ conspiracywatch... - Cached

789

790 "It is not the duty of the police to protect you. Their job is to protect  
791 the Corporation, Elected and public employes and arrest code breakers."  
792 (Sapp v. Tallahasee, 348 So. 2nd. 363, Reiff v. City of Philadelphia 477  
793 F.Supp. 1262, Lynch v. N.C. Dept of Justice 376 S. E. 2nd. 247.)

794

795 Federal Law also prohibits Cities and Counties from issuing citations  
796 against businesses, see Title 18 U.S.C. 891-896, quoting Section 891 "An  
797 extortionate means is any means which involves the use, or an express or  
798 implicit threat of use, of violence or other criminal means to cause harm  
799 to the person, reputation, or property."

800

801 THE MISSING 13TH AMENDMENT By: Judge Dale | Removing The Shackles  
802 removingtheshackles.net/...13th-amendment-by-judge-dale Cached

803 On or about March 20, 2013, the New Hampshire Legislature passed HB 638,  
804 recognizing Article XIII, known by few as: "The Missing 13 TH  
805 Amendment," missing from ...

806

807 Notice of Possible RICO Crimes

808

809 Assessor's office actions in demanding and unconstitutionally enforcing  
810 property tax code against me is in violation of my civil rights and is  
811 in violation of the Racketeering (RICO) laws, fulfilling the four  
812 requirements for a RICO crime to exist as follows:

813 All Lincoln County Jail Photos and finger prints illegally taking from  
814 man Edward-Malone :Johnston II Paid for By Lincoln county Volunteer taxes  
815 Shall Be Deleted and Conformed in Witting With them to C/O or P/o pox 1540  
816 n Nye Street Toledo oregon 97391-9988.

817

818 Historical Summary

819

820 The Oregon Treaty of 1846 was an agreement with Great Britain that gave  
821 the U.S. undisputed claim to the Pacific Northwest south of the 49th  
822 parallel. The states carved out of this treaty are the present states of  
823 Oregon, Washington, Idaho and the southwest corner of Wyoming. This treaty  
824 with Great Britain was signed on June 12, 1846 [9 Stat. 869], and all  
825 federal land patents of these states flow from the treaty and fall under  
826 the supremacy clause of the constitution, therefore, no state, private  
827 banking corporation or other federal agency can question the superiority  
828 of title to landowners who have "perfected" their land by federal land  
829 patent. Jurisdiction by any state court is invalid, and since federal land  
830 patents cannot be collaterally attacked as to their validity or  
831 authenticity as highest evidence of title, no mortgage institution can  
832 claim title to land by its "lien." Certified federal land patents were  
833 given free and clear title with no encumbrances, then or now!

834

835 The lead case that said treaty law cannot be interfered with by a state  
836 legislature in *Ware v. Hylton*, [(1796) 3 Dall. (3 U.S. 199)]. In this the  
837 Supreme Court held that a treaty is the supreme law of the land (Article  
838 VI, Section 2: "and the judges in every state shall be bound thereby,  
839 anything in the constitution or the laws of any State to the contrary  
840 notwithstanding" !)... that any act of the legislature cannot stand in its  
841 way because a treaty is the declared will of the people, of all the United  
842 States and shall be superior to the constitution and laws of any individual  
843 state." [Emphasis by the court.] In other words federal land patents put  
844 into evidence by a land owner cannot be challenged by a state court because  
845 it flows from a United States treaty, and therefore, no court has  
846 jurisdiction over title or ownership to land that traces its source to  
847 the paramount or common source of title from the United States government,  
848 banks and private corporations notwithstanding, because federal land  
849 patents were never given to corporations, only to private citizens hence  
850 the term "private land claim" or "PLC" (as we call it) used by the Bureau  
851 of Land Management as the date of the original patent. "Expatriating a U.S.  
852 citizen SUBJECT to the Citizenship Clause of the Fourteenth Amendment on  
853 the ground that, after reaching the age of 18, the person has obtained  
854 foreign citizenship or declared allegiance to a foreign state generally  
855 will not be possible absent substantial evidence, apart from the act  
856 itself, that the individual specifically intended to relinquish U.S.  
857 citizenship. An express statement of renunciation of U.S. citizenship  
858 would suffice."

859

860 The lead case for the Louisiana Purchase States is *American Insurance*  
861 *Company v. Canter* [(1828) 1 Pet (26 U.S.) 511] in which Justice Marshall  
862 held the power to make treaties is an absolute power of the United States  
863 government and from that power arises the right to govern it, i. e., treaty

864 law is superior to any state laws\* and is the supreme law of the land  
865 (“zoning law” included\*). THE OREGON TREATY, 1846  
866 TREATY WITH GREAT BRITAIN A FOREIGN AND DOMESTIC GOVERNMENT,  
867

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881 constitute a waiver of any and/or ALL Intellectual Property Rights &  
882 Reserved Rights. It is my hope that the things within this email are a  
883 blessing unto every reader without exception, for I desire peaceful  
884 co-existence with ALL!

885 [www.oregontrackers.com](http://www.oregontrackers.com)

886 a). Association In Fact; two people acting together (knowingly or  
887 unknowingly) which affects Interstate Commerce...

888

889 The actions in activities and enforcement clearly constitute financial  
890 fraud, which is supported by multiple layers of “associations” with the  
891 primary intent of taking assets from citizens and profiting the government.  
892 This need only be \$1.00 in loss to fulfill this requirement.  
893

893

894 b). Two or more similar acts of fraud, mail fraud or extortion having  
895 occurred...

896

897 The actions have been ongoing, as proven by the ongoing efforts by the  
898 Assessor’s office yearly adding with other Elected and elected and public  
899 agency’s. In addition, mail fraud, a Federal Crime, is also involved with  
900 this scheme by the use of the postal system to extract finances unlawfully.  
901

901

902 c). Money or property deprivation...From thee disabled and Elderly,  
903

904 This is self evident in Assessor’s office correspondence, demands,  
905 printed material, court proceedings, etc.  
906

906

907 d). Pattern is likely to continue.  
908

908

909 Pattern has been continuing for many decades and is growing worse. The  
910 only way it will stop is for the Rule of Law to be enforced and for  
911 constitutional rights to be enforced... In other words, oaths of office  
912 must be obeyed and not violated, creating even more criminal events in  
913 the way of treason against the American People.

914  
915 See also 18 USC Sec. 241 01/19/04 TITLE 18- CRIMES AND CRIMINAL PROCEDURE  
916 - PART I - CRIMES CHAPTER 13 - CIVIL RIGHTS Sec. 2414 Conspiracy against  
917 rights. If two or more persons conspire to injure, oppress, threaten, or  
918 intimidate any person in any State, Territory, Commonwealth, Possession,  
919 or District in the free exercise or enjoyment of any right or privilege  
920 secured to him by the Constitution or laws of the United States, or because  
921 of his having so exercised the same. . . They shall be fined under this  
922 title or imprisoned not more than ten years, or both;

923  
924 Failure to respond within 30 days to this Oregon and federal Open Records  
925 Act request, or supplying incomplete, misleading, or errant responses,  
926 is punishable under et seq., by a \$100.00 fine, 90 days in jail, or both,  
927 for EACH infraction. This is Evidence in Fact for any court proceedings.

928  
929 If no rebuttal, point by point, is forthcoming within 30 days from the  
930 date of receipt, you will be in default and all testimony and evidence  
931 will be held as true and correct.

932  
933 Payment of assessed taxes will be under duress and protest , and legal  
934 action will be taken against you personally, and against your superiors  
935 personally for civil rights violations, and RICO violations. Title 5, Title  
936 6, title 17 title 18 title 28, All rights Reverend

937 Risk Management Assessment Management Contacts  
938 Thank you for your speedy response in helping me to understand my lawful  
939 and constitutional rights to protect our family from the elected and  
940 public employees foreign and domestic on this issue.

941  
942 All Specific Rights are explicitly reserved, without prejudice, U.C.C.  
943 1-207/308.

944  
945 Remedy for my time Value at  
946 each hour of contract billing time invoice shall be billed at 7oz 99.9  
947 pure gold, including 7 oz of 99.9 pure silver per hour, Shall, be handed  
948 over at the time of appearance or time of contact without my Written  
949 permission , minimum 2hours billing time Will be Charged.

950 Risk Management Assessment Management Contacts and Contracts with my  
951 approval only.

952  
953  
954 \_\_\_\_\_  
( Family name and C/O 1540 N Nye Street , and Autograph)

955 no leans or levy shall ever be placed on said  
956 Property recorded Legal description:Map11 10 8 b c Voluntary Tax Lot  
957 2400, Voluntary Tax lot 2502 TWNSHP 11 RNG 10, Acres 0.11, DOC 200702611,  
958 Lincoln county County Clerk Recorded book 229 pages 0703- 1563, Electric  
959 pole on property number Go08-266, 565A6, BOOK 221 page 2277, BOOK PAGE  
960 2271, 2272, BOOK 273 Page 0573, BOOK 273 PAGE 0574 BOOK 229 page  
961 0703-1563, Book 225 page 1791 or 7, Page 1798, book 229 page 0704, 1564, book  
962 273 page 0574 book 273 page 0573, B329-P0117, B329-P0116 B329-P0120, I have  
963 never Authorized any of loomis survays or hes trespass on my said land  
964 or any other survays since I Claimed said land in 1996, ,  
965

966 CC:your state Attorney General J - certified mail# 7012-2210  
967 0002-3843-5561

968 district Congressman Kurt Schroder, , certified  
969 mail, 7012-2210-0002-3843-5585  
970

971 , John Kitzhaber, Oregon senator house member majority, Ted Ferrioli -  
972 certified mail# 7012-2210-0002-3843-5578  
973

974 Wayne Belmont, Bill Hall, Terry Thompson and Doug Hunt. Dennis Dotson, Rob  
975 Bovett - certified mail# 7012-2210-0002-3843-5431

976 CC. to others, All Rights Reserved of barrier to add or delight  
977

978 I declare under penalty of perjury that the identified sovereign  
979 individual, (Edward- Malone:Johnston II), appeared before me with picture  
980 identification, and acknowledged this document before me on;  
981

982 Autograph  
983  
984 \_\_\_\_\_  
985

986 Date \_\_\_\_\_  
987

988 Stamp  
989

990 \_\_\_\_\_ (NOTARY PUBLIC'S JURAT)  
991

992 Date: \_\_\_\_\_ /s/  
993

994 Certificate of Mailing  
995

996 I, (Edward - Malone:Johnston II), I do certify that I mailed this original  
997 certified document #7012-2210-0002-3843-5400 consisting of Brief and  
998 Memorandum of Law, Affidavit of Specific Negative Averment, Actual and  
999 Constructive Notice - Brief and Memorandum of RICO (Racketeering) Crimes,  
1000 to the Linda pilson County Assessor's office, certified mail

1001 #7012-2210-0002-3843-5400 ,CC:your state Attorney General J - certified  
1002 mail# 7012-2210 0002-3843-5561  
1003 district Congressman Kurt Schroder,,certified  
1004 mail,7012-2210-0002-3843-5585  
1005 Ed's Kidnapping 09/11/2013 by Toledo Police Department Corporation  
1006 www.youtube.com  
1007 YouTube - Further harassment from City of Toledo Chief of ...  
1008 www.youtube.com/watch?v=HTXTZOI80qg Cached  
1009 Ed's audio of Chief Enyeart warning him for his safety starting at just  
1010 after 9 minutes into the audio. There is a threat of Ed's first and fifth  
1011 amendment ...  
1012 .Play Video  
1013 YouTube - Harassment on our way to City of Toledo Oregon ...  
1014 www.youtube.com/watch?v=qj8MkMHMNsK Cached  
1015 Harassment on our way to City of Toledo Oregon Council Meeting Part ...  
1016 26:51 Further harassment from City of Toledo Chief of Police David Enyeart  
1017 by Laura ...  
1018 .Play Video  
1019 June 5th 2013 Lincoln county Commissioners meeting,  
1020 Ed Johnston Running for Sheriff 06/05/2013 - YouTube  
1021 www.youtube.com/watch?v=6tVMIqBuMdc Cached  
1022 10:18 I Do Not Consent. I Claim Common Law Jurisdiction TheKimrob Featured  
1023 43,557; 1:36:39 David-Sidney Rideout Session 2 JoelAkira 3,021 views;  
1024 1:43:30 ...  
1025 .Play Video  
1026 THAT "Due to sloth, inattention or desire to seize tactical advantage,  
1027 lawyers [judges, and Executive administrators] have long engaged in  
1028 dilatory practices... the glacial pace of much litigation breeds  
1029 frustration with the Federal Courts and ultimately, disrespect for the  
1030 law." (Roadway Express v. Pipe, 447 U. S. 752 at 757 (1982)), the general  
1031 misconception among the public being that any exercise of state police,  
1032 regulatory, or judicial power bearing the appearance of law is in fact  
1033 in agreement with the law of the land, and is therefore legitimate in its  
1034 operation as implemented or imposed.  
1035 11. THAT The Supreme Court has warned, "Because of what appear to be Lawful  
1036 commands [Statutory Obligations, Regulations and Restrictions] on the  
1037 surface, many citizens, because of their respect for what appears to be  
1038 law, are cunningly coerced into waiving their rights, due to ignorance...  
1039 , John Kitzhaber, Oregon senator house member majority, Ted Ferrioli -  
1040 certified mail# 7012-2210-0002-3843-5578  
1041  
1042 Wayne Belmont, Bill Hall, Terry Thompson and Doug Hunt. Dennis Dotson, Rob  
1043 Bovett - certified mail# 7012-2210-0002-3843-5431

1044 CC. to others, All Rights Reserved of barrier to add or delight only and  
1045 copies of original to the above named individuals, certified mail #'s  
1046 listed above, all mailed on (date) \_\_\_\_\_.  
1047  
1048 info  
1049 A must read  
1050 <http://www.uscourts.gov/uscourts/rules/civil-procedure.pdf>  
1051 <http://www.uscourts.gov/uscourts/rules/civil-procedure.pdf>  
1052 www.uscourts.gov  
1053  
1054 [http://www.oregontrackers.com/Civil\\_Rights.html](http://www.oregontrackers.com/Civil_Rights.html)  
1055  
1056 The original and Judicial jurisdiction of the United States Supreme Court  
1057 is ALL actions in which a State may be party, thru subdivision, political  
1058 or trust. This includes ALL state approved subdivisions and/or  
1059 INCORPORATED Cities, Townships, Municipalities, and Villages, Et Al .  
1060 Please see Article 3, Section 2, Para. (1) and (2), U.S.  
1061 Constitution. Sheriff for each county our the lawful  
1062 Authority. <http://www.scribd.com/.../Sheriffs-Independence-Day-Letter-C>  
1063 e...  
1064 Sheriffs Independence Day Letter Certificate  
1065 www.scribd.com, "Personal liberty, or the Right to enjoyment of life and  
1066 liberty, is one of the fundamental or natural Rights, which has been  
1067 protected by its inclusion as a guarantee in the various constitutions,  
1068 which is not derived from, or dependent on, the U.S. Constitution, which  
1069 may not be submitted to a vote and may not depend on the outcome of an  
1070 election. It is one of the most sacred and valuable Rights, as sacred as  
1071 the Right to private property... and is regarded as UNALIENABLE." 16 C. J. S.,  
1072 Constitutional Law, Sect. 202, p. 987.  
1073  
1074 Read And learn the truth  
1075 <http://realityblogger.wordpress.com/.../its-time-to-withdraw-.../>  
1076  
1077 Meet Your Strawman! - YouTube  
1078 www.youtube.com/watch?v=ME7K6P7hlko Cached  
1079 The story of how everyone has a strawman created for them at birth and  
1080 how it is used to collect revenue for your government. A fun and  
1081 informative ...  
1082 .Play Video  
1083 Meet Your Straw Man - Fine Line Media - Information for ...  
1084 www.nomoretyranny.org/strawman.htm Cached  
1085 Meet Your Straw Man This is must know information for the Free World. NOTE:  
1086 Some of the information within this site is content from U.S. sources.  
1087 <http://adask.wordpress.com/2009/06/14/actions-of-account/>  
1088 Here it is, from the horses mouth! Why not rebut the presumption BEFORE  
1089 something happens. I'm not saying there are no other ways, like Rob's



1090 process (loved the book btw), but there are many ways to skin a cat.  
1091 Expatriate 14th Amendment citizenship officially and default their asses  
1092 via notice.

1093

1094 "Expatriating a U.S. citizen SUBJECT to the Citizenship Clause of the  
1095 Fourteenth Amendment on the ground that, after reaching the age of 18,  
1096 the person has obtained foreign citizenship or declared allegiance to a  
1097 foreign state generally will not be possible absent substantial evidence,  
1098 apart from the act itself, that the individual specifically intended to  
1099 relinquish U.S. citizenship. An express statement of renunciation of U.S.  
1100 citizenship would suffice."

1101 The Dick Act of 1902 - Gun Control My A\$\$ - YouTube

1102 Rod Class revisits the The Dick Act of 1902 AKA the militia Act of 1903  
1103 which can never be repealed on this holiday season. An instant holiday  
1104 classic for ...

1105 [www.youtube.com/watch?v=86bYVJbcdqA](http://www.youtube.com/watch?v=86bYVJbcdqA) - Cached

1106 More results from youtube.com »

1107

1108 State Rights | Treaties Do Not Supersede the Constitution ... let alone  
1109 alien to our entire constitutional history and tradition ... No law or  
1110 treaty supersedes the Supreme Law of the Land. 'Supreme' ...

1111 [www.sweetliberty.org/issues/staterights/treaties.htm](http://www.sweetliberty.org/issues/staterights/treaties.htm) - Cached

1112

1113 Constitutional Limitations on the Treaty Power :: Article II ...

1114 Constitutional Limitations on the Treaty Power. A question growing out  
1115 of the discussion above is whether the treaty power is bounded by  
1116 constitutional limitations.

1117 [law.justia.com/.../19-constitutional...on-treaty-power.html](http://law.justia.com/.../19-constitutional...on-treaty-power.html) - Cached

1118 Treaties, International Law, and Constitutional Rights

1119 Introduction Can a treaty override an individual right protected under  
1120 the Constitution? In its 1957 decision in Reid v. Covert, the Supreme Court  
1121 held that the\*Confidentiality Notice. \*The Electronic Communications  
1122 Privacy Act, 18

1123 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this

1124 "Message," including attachments. The originator intended this Message  
1125 for the specified recipients only; it may contain the originator's  
1126 confidential and proprietary information. The originator hereby notifies  
1127 unintended recipients that they have received this Message in error, and  
1128 strictly

1129 proscribes their Message review, dissemination, copying, and

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1140