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## TRUE US HISTORY

### THE USE OF BONDS

By Gene Keating

Feb 21, 2010 - 4:26:39 AM

## THE USE OF BONDS

### Gene Keating

**BonD\$ \*\* Jean Keating workshop very good read on the BONDS and how they work..**

#### THE USE OF BONDS

Subject: FW: : BonD\$ \*\* Gene Keating workshop very good read on the BONDS and how they work.. Rob Date: Wed10 Nov 2004 22:58:03 -0800

Subject: Gene Keating workshop Date: Wed, 10 Nov 2004 13:53:52 -0700

Here is if more on prisoner bonds, and surprisingly also what happens when you write a check. Anyone reading this will now understand why checks have to clear 'instantly' and why you don't get copies of your checks back. Stay tuned this is tape one of four or five, Lynn

Gene Keating workshop

**Statutes are bonds.** Courtroom charges are civil, not criminal. Clerk's Praxis was the court of arches under the king's bench written at the time of Edward I. It's a court of probates. John Hall wrote this book. This was used in vice-admiralty courts in the colonies in the American Revolution and this is what caused the revolution.

Everything involves bonds. When you are arrested there are two different sets of bond. A **bid bondperformance bond** is SF form 25. The **payment bond** is SF form 25 A. These are all put out by the GSA, under the Comptroller of the Currency under the GAO (general accounting office). is filled out when you are arrested. US District court uses forms used SF 273, 274, and 275. There are another set of bonds. Both are put out by the GSA. SF form 24 is the bid bond. The

SF 273, 274 and 275 are the bonds for federal level courts to use. What are they doing with these bonds? **In the court room you are being sued for debt collection. (Of your pro rata share of the co-debtor muni offer and notice by presentment of the co-debtor muni's pro rata share of the shared obligation under the Doctrine of Contributions.)** It is an action in assumpsit. The word presume comes from assumpsit. "I agree, or I undertook to do..." Assumpsit means collection of debt.

All these bonds have a penal sum attached to it. If you go into default judgment i.e **COMMERCIAL DISHONOR**, you end up in prison wondering what is going on. If you argue jurisdiction, or refuse to answer questions that the court addresses to you, you'll be in contempt of court and go to jail. **(Because the court takes silent judicial notice that you are an ACCOUNT HOLDER and thereby, held to procedural specific performance.)** This goes back to Edward I and Clerk's Praxis. This is all civil and not criminal. It's a smoke screen to cover up what they are doing.

They brought someone to court under an arrest bond. There was a civil suit. Clerk's Praxis is Latin for practice. Praxis means practice. This book is an actual practice book that goes into everything Jack Smith teaches, letter rogatories. **You are held until the suit is complete, they get a default judgment for failure to pay a debt and then you are put in prison. Attorneys are there as a smoke screen to cover up what is really done. They lead you into default judgment by argument (dishonor), you go to prison and then the default judgment is sold.**

**US District Court buys all the state court judgments.** Type US Court in any search engine. After you get to US Courts there are 11 circuit courts of the US listed. Click on circuit 7 and that takes you into all the list of courts. To find Ohio/Illinois find circuit 7 is northern Illinois district courts, bankruptcy courts, etc and then you'll find a box that says clerks office. Scroll down and you'll see administrative offices and under that you'll see financial departments. It talks about the criminal justice acts, optional bids, it's all spelled out.

Go to List of sureties. Why would they have a list of sureties in a federal district court? When you click on this it takes you to www.FMS.Treas.Gov. This is department of treasury. Then you will see on the left hand side of the screen, admitted and reinsured. Under that is list of sureties. Under that is 'forms.' If you click on admitted, reinsureds, there are over 300 insurance companies. There's a complete list. There's also a list of Surety Companies. These are more insurance companies. Under Circular 750 the dept of treasury these insurance company have to be certified before they can purchase the bonds. They can't put up bonds unless they are certified by the secretary of the treasury.

Next you go to "forms." Click here it goes to the Miller Backed Reinsurance; it'll list three different type of bonds. You don't use a bid bond in district court. These bonds come out of the GSA. The 273, 274 and

275 bond forms are as follows: 273 is the reinsurance agreement with the US; 274 is the Miller Act Reinsurance Performance Bond; 275 is your payment bond, the Miller Act Reinsurance Payment Bond.

What are they doing with these bonds? They have regulations governing these bonds.....2,000 pages governing these bonds. Gene will sell these for \$50. If you go into these regulations they tell you they're buying up commercial items (actual words) 2.01 of these regulations. These regulations are divided into 50 parts. There 1126 pages Volume1; 823 pages in volume 2. Commercial items are nonpersonal property. Property that is not real estate; moveable property. Real estate is not moveable. These terms are defined in UCC.

Commercial items are commercial paper. This is the 8th edition of Black's Law which just came out. "Commercial items: it's commercial paper; negotiable instruments; anything you put your signature on is a negotiable instrument lex mercatoria.(?) This is used in the courtroom because everyone of us is a merchant of law. Because I use commercial paper on a day-to-day schedule I am considered an expert. This is why they don't tell us what's going on in the court room. Every time we put our signature on a paper, we're creating negotiable and non negotiable instruments and that makes us experts. When I endorse it under 3-419, I'm an accommodation party or an accommodation maker. Anyone who loans his signature to another party is an accommodation party. This is in 3-419 of the UCC.

When you loan your signature to them, they can rewrite your signature on any document they want to. The federal courts buy up the state courts default judgments. These are civil and just being called criminal to cover up what they are doing. If you don't pay the debt you go to prison.

CUSIP is an identification. DTC Depository Trust Corporation, and has several other monikers. Depository Trust Clearing Corporation. 1 trillion dollars a day goes through the DTC. Govt Clearing Securities Clearing Corporation is another day. CUSIP (committee on uniform identification processes) is a trademark of Standard and Poors and is on bottom floor of the building at Water Street in Washington DC. CUSIP cins (cusip international numbering system) is an international numbering system. Domestic securities have 6 digit numbers; international number (isid -- international securities identification division--plus) are a global networking system. Paine Webber, with 10,000 corporations in it, is the major stockholder of CCA, Corrections Corporation of AmericaNashville, TN. in

They have privatized the system. Ginnie Mae, Fannie Mae, HUD, are all international. Everyone is feeding off the prison system internationally. All major corporations are feeding off the prison system including REIT (Real Estate Investment Trust), PZNPrison Trust. All real estate companies are holding bonds and the bonds are not redeemed and they haven't closed my account. Lehman Bros just gave \$6 billion. New York City had a \$3 billion deficit. Lehman Brothers gave NYC the money to build credit facility (not prison system). Lehman Brothers is underwriting the prison system. They buy up the bid bonds, the court judgments.

There are international treaties that are reinsurance treaties. Insurance Companies come in and act as sureties for the bid bonds. The performance, bid, and payment bonds are all surety bonds. All bid bonds must have a surety. **The surety is guaranteeing the reinsuring of the bid bond by issuing the performance bond. They get an underwriter (investment broker or banker) to underwrite the performance bond which reinsures the bid bond. The underwriter takes the payment, performance and bid bonds and pools them into 'mortgage backed securities' which**

are called bonds and sold to TBA, The Bond Market Association, an actual corporation. After the payment bond is issued to reinsure or underwrite the performance bond, which reinsures the bid bond, the banks convert the bonds to investment securities. The banks and brokerage houses are selling these as investment securities. The prisoners are funding the whole enchilada. Because you go into default judgment (DISHONOR) when you went into the court room.

There are regulations governing these that are all in 48CFR, title 48 code of federal regulations. This is where Gene gets all the information. It's on his \$50 disc. Part

12 deals with commercial items, which are negotiable instruments, which are court judgments--the performance, payment and bid bonds. . Any time you deal in bonds you are dealing with risk management. A re-insurer and re-insurer means you are dealing in risk management. The re-insurer is assuming part of the risk of the bid bond; they give him a portion of the original premium. (commission!) The original insurer gets part of the premium of the policy of the bid bond for acting as surety for the bid bond. The underwriter guarantees the resale of the bonds back to the public as investment securities.

To win in court you have to redeem the bond. Gene went to court and asked for his bid bond. He asked for post settlement closure of the account. This process is hypothecation. You have to know how to hypothecate the bond. Banks make derivatives out of your promissory notes and sell them (mortgages, credit cards etc). These prison bonds are being monetized. They make an investment security out of it. They make a fortune off the prisoners. These bonds go international into sins and then into ANNA (annual numerical numbering association) in Brussels, Belgium with unlimited capital. This is where euro, yin, sterling, everything is under the prison system. All countries are feeding off it.

This is what was behind 911. State legislatures pass bond statutes so they can arrest people for paper terrorism. American Legislative Exchange Committee is behind all this. Paul Warrick owns this think tank. ALEC promotes privatization of the prison system. They go to the National Congress of Commissioners which are 72 judges and lawyers who 'grew up' under the UCC under lex mercatoria. "The principles of the law merchant are the rules of the decisions of all the courts." Everything is commercial. All crimes are commercial. All crimes....kidnapping, robbery, extortion, murder. You don't close the account, you go to prison. The bond gets sold domestically and internationally.

The bonds are sold on the NYSE. CCA (Corrections Corp of America) sells their stock and shares on the NYSE. John D. Russell owns 64 million shares of CCA. John Ferguson, VP, owns 5 million shares. They are on the CCA board of directors. The Dillon Corrections Corp is owned by David Dillon and merged with Trinity Ventures Investment who then became SB Warburg. That's part of the Warburg family, located in Chicago, Illinois. They are hooked up with the BIF bank, the bank of international settlements in Switzerland, one of the largest banks in the world. This is why people do not win in court. Trial and pre sentencing are just a dog and pony show.

Don't use a bond, Gene says. Use a bid bond. "Bid Bond" uses the word principle....because I'm a natural person as defined by statute, I'm the principal, the strawman/public vessel a legislative created debtor is the surety. Put the strawman/public vessel as the surety and myself the natural person as the principal. Next, fill out a performance bond which is a reinsurance bond that reinsures the bid bond. On the reinsurance bond I will put myself down as the guarantor or the reinsurer. The performance bond is 274. The payment bond underwrites the performance. I can then underwrite the bid bond with the performance bond. That's the reinsurer. The courts do this for me, because I don't know this stuff. And then they make the money off me. (Note here: This is where you MUST understand that to stray into any form of controversy is a moneymaker for these guys and that's where they would prefer that you go. They still make funding off you when you do the bonding process properly, but you don't become the surety in fact, only your public vessel becomes the surety and you, the natural person, don't go down the prison chute by accommodation.

If you have a case pending, go into whatever district you are in. Find the court, type in the case number and it'll tell me who has my bond. Banks are all tied into this. Every check that is endorsed, becomes a promissory note, the bank makes a derivative out of that check. (Presumptive value into the indefinite future.) The bank endorses the check on the back, without recourse, and monetize the assessed value of the check by selling it as a derivative (with indefinite value into the indefinite future. And there is no recourse against such process if you get burned). The banks are selling these checks internationally. My \$100 check is used by 20 or 30 corporations internationally. This is why we are not getting back our canceled checks.

The reason is the checks are sold as promissory notes. The banks make derivatives out of them and sell them internationally. Therefore, I am loaning money to the bank. The bank reloans it to other people. The CUSIP # is a 9 digit number. Internationally it's up into 12 digits, representing trillions of dollars.

**(This is why my \$87,000.00 CA check flew away into commercial La La Land. They returned an enlarged photocopy of the check, but the check wasn't returned, though I was given an IRS Form 2287(C) "Credit Posting Voucher" for my trouble. Everybodys ass is covered! The banks will monetize the \$87,000.00 into at least two million \$ of negotiable debt.) You keep feeding these guys CA's and making them happy and you'll never go into dishonor . . . thereby . . . no cause for them to try to collect from you for not coming across with your pro rata share of half the contribution.**

See below (2) Model and authority for Notarial protest ? gary

Idaho Statutes Idaho Statutes

**TITLE 28 COMMERCIAL TRANSACTIONS CHAPTER 3 UNIFORM COMMERCIAL CODE -- NEGOTIABLE INSTRUMENTS PART 5. PRESENTMENT, NOTICE OF DISHONOR AND PROTEST**

28-3-505. EVIDENCE OF DISHONOR. (1) The following are admissible as evidence and create a presumption of dishonor and of any notice of dishonor stated: (a) A document regular in form as provided in subsection (2) of this section which purports to be a protest; (b) A purported stamp or writing of the drawee, payor bank or presenting bank on or accompanying the instrument stating that acceptance or payment has been refused unless reasons for the refusal are stated and the reasons are not consistent with dishonor; (c) A book or record of the drawee, payor bank or collecting bank, kept in the usual course of business which shows dishonor, even if there is no evidence of who made the entry. (2) A protest is a certificate of dishonor made by a United States It may be made upon information satisfactory to that person. The protest must identify the instrument and certify either that presentment has been made or, if not made, the reason why it was not made, and that the instrument has been dishonored by nonacceptance or nonpayment. The protest may also certify that notice of dishonor has been given to some or all parties. consul or vice consul, or a notary public or other person authorized to administer oaths by the law of the place where dishonor occurs.

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SAN LUIS OBISPO v. ASHURST:

SAN LUIS OBISPO v. ASHURST Page 1 of 4

146 Cal. App. 3d 380, \*; 194 Cal. Rptr. 5, \*\*;

1983 Cal. App. LEXIS 2081, \*\*\*

COUNTY OF SAN LUIS OBISPO, Plaintiff and Appellant, v. DELMAR ASHURST et al.,

Defendants and Respondents

Civ. No. 67587

Court of Appeal of California, Second Appellate District, Division Six

146 Cal. App. 3d 380; 194 Cal. Rptr. 5; 1983 Cal. App. LEXIS 2081

July 26, 1983

SUBSEQUENT HISTORY: [\*\*\*1]

As Modified August 24, 1983. Appellant's petition for a hearing by the Supreme Court was denied October 27, 1983. Mosk, J., was of the opinion that the petition should be granted.

PRIOR HISTORY:

Superior Court of San Luis Obispo County, No. 46419, William R. Fredman, Judge.

DISPOSITION: The judgment (order) appealed from is affirmed.

CASE SUMMARY

PROCEDURAL POSTURE: Plaintiff county appealed from a minute order of the Superior

Court of San Luis Obispo County (California), which denied a writ of execution against real property allegedly owned by defendant debtors.

OVERVIEW: Plaintiff county applied for a writ of execution against property allegedly

owned by defendant debtors. The issue was whether the assets of a corporation sole were

the personal assets of its titular head and thus subject to execution for his debts. The trial court denied the writ and plaintiff appealed. The court affirmed and found that the property

was not subject to execution to satisfy defendants' obligations because title was held by the corporation sole. Plaintiff did not contest the validity of the creation of the corporation sole nor was there a showing that property was fraudulently conveyed.

OUTCOME: The court affirmed the judgment of the trial court. The court found that there was no showing that property was fraudulently conveyed to the corporation sole, or that the corporation sole improperly used the property against its beneficial interest. Therefore, the application for a writ of execution against the property to satisfy the individual debts of respondents was properly denied.

CORE TERMS: parson, successor, religious organization, heir, real property, parcels of real property, writ of execution, transferred, titular, vested, church, religious group, office

holder, common law, unincorporated, ownership, subject to execution, presiding officer,

individual debts, personal assets, holding office, incorporation, recompense, parsonage,

incumbent, freehold

LexisNexis(TM) HEADNOTES - Core Concepts - Show Concepts

COUNSEL: James B. Lindholm, Jr., County Counsel, and John Paul Daly, Deputy County Counsel, for Plaintiff and Appellant.

Raymond L. Girard for Defendants and Respondents.

JUDGES: Opinion by Gilbert, J., with Stone, P. J., and Abbe, J., concurring.

OPINIONBY: GILBERT

OPINION: [\*382] [\*\*5] Plaintiff County of San Luis Obispo (hereafter the County)

appeals from a minute order of September 3, 1981, denying a writ of execution against real property allegedly owned by judgment debtors Delmar and Mollie Juanita Ashurst.

We conclude that the real property is not subject to execution sale to satisfy the obligations of the individual judgment debtors since title to the parcels of real property against which the County sought execution is held not by Delmar Ashurst or his wife, or both, but by the Office of the Presiding Apostle of Roandoak of God, a corporation sole.

In November [\*\*\*2] 1975, the County filed a complaint in municipal court against the

[\*\*6] Ashursts for \$ 2,428.02 for medical expenses incurred by Mollie Ashurst at San Luis Obispo County General Hospital. In January 1976, the County filed an amended

complaint in which it alleged that Delmar and Mollie Ashurst were indebted to the County for medical services valued at \$ 10,605.62. Delmar Ashurst admitted by answer that the services were rendered in the amount alleged but asserted that liability for payment rested with Medi-Cal. The matter was transferred to superior court on February 3, 1976.

On February 9, 1978, Delmar Ashurst filed articles of incorporation for "the Office of the

Presiding Apostle of Roandoak of God, a corporation sole." By deeds recorded February 10, 1978, Delmar Ashurst transferred various parcels of real property to himself, the "Office of the Presiding Apostle of Roandoak of God, a corporation sole." On April 13, 1978, the articles were amended to change the name of the corporation sole to simply Roandoak of God.

On February 10, 1978, the County obtained an order for summary judgment against the

individuals Delmar and Mollie Ashurst in the amount of \$ 10,605.62 with 7 [\*\*\*3]

percent interest from October 4, 1975. The total judgment was \$ 12,385.22 including

interest as of that date. This judgment was filed November 1, 1978, and was later vacated

for reasons not here relevant.

On May 23, 1979, the County filed an amendment to the amended complaint, increasing the amount of the damages because Mollie Ashurst had again been a hospital patient. In this complaint the County sought an additional [\*383] \$ 1,032.50 for services on August 31, 1978. The County alleged that on February 9, 1978, Delmar Ashurst transferred all of his personal assets to himself as a corporation sole for the purpose of defrauding his creditor, the County. On September 20, 1979, the County took the deposition of Delmar Ashurst and elicited information relating to the conveyances of real property and the organization and operation of the corporation sole. Delmar Ashurst admitted he is Roandoak of God.

On October 28, 1980, the court entered a money judgment in the sum of \$ 11,538.12

jointly and severally against Delmar Ashurst and Mollie Juanita Ashurst pursuant to

stipulation of the parties. No further proceedings were conducted and no ruling was made

on the issue of fraud. [\*\*\*4]

After judgment was entered, the County applied for a writ of execution against certain

parcels of real property allegedly owned by the Ashursts. The writ was denied by the court on September 3, 1981. The County has appealed from the order denying the writ.

The County contends that the trial court erred in denying the writ on the basis that the title stood not in the name of the Ashursts as individuals but in the name of Roandoak of God, a corporation sole. It appears that the County's ground for alleging error is that despite the status of title Delmar Ashurst is the alter ego of Roandoak of God and the assets of that corporation are in fact the assets of the presiding officer.

The issue, as defined by the trial court, "is whether the assets of a corporation sole are the personal assets of its titular head, and thus subject to execution for his or her debts." The

answer on the basis of legal authorities defining the corporation sole and its attributes must be, as the trial court concluded, an unequivocal "no."

The corporation sole is a venerable creation of the common law of England and is well

established under common law in California. ( *Santillan v. Moses* (1850) 1 [\*\*\*5] Cal. 92; *Archbishop v. Shipman* (1889) 79 Cal. 288 [21 P. 830].) California by statute has

legitimized this tradition and regulates the formalities attendant upon the creation and continued existence of the corporation sole. (Corp. Code, § 10000 et seq.) One principal purpose of the corporation sole is to insure the continuation of ownership of property dedicated to the benefit of a religious organization which may be held in the name of its titular head. Title will not then be divested or passed to that person's heirs upon his death but will be retained for the [\*\*7] benefit of the religious group and passed to the successors to his office.

The topic was covered by Blackstone who described the corporation sole as follows:

"Corporations sole consist of one person only and his successors, [\*384] in some

particular station, who are incorporated by law, in order to give them some legal capacities and advantages, particularly that of perpetuity, which in their natural persons they could not have had. In this sense the king is a sole corporation; so is a bishop; so are some deans, and prebendaries, distinct from their several chapters; and so is every parson and vicar. [\*\*\*6] And the necessity, or at least use, of this institution will be very apparent, if we consider the case of a parson of a church. At the original endowment of parish churches, the freehold of the church, the churchyard, the parsonage house, the glebe, and the tithes of the parish, were vested in the then parson by the bounty of the donor, as a temporal recompense to him for his spiritual care of the inhabitants, and with intent that the same emoluments should ever afterwards continue as a recompense for the same care. But how was this to be effected? The freehold was vested in the parson; and, if we suppose it vested in his natural capacity, on his death it might descend to his heir, and would be liable to his debts and encumbrances: or at best, the heir might be compellable, at some trouble and expense, to convey these rights to the succeeding incumbent. The law therefore has wisely ordained, that the parson, quatenus (as) parson, shall never die, any more than the king; by making him and his successors a corporation. By which means all the original rights of the parsonage are preserved entire to the successor; for the present incumbent, and his predecessor who lived seven [\*\*\*7] centuries ago, are in law one and the same person; and what was given to the one was given to the other also." (1 Blackstone's Commentaries, ch. 18, pp. 469-470.)

Under the authorities there is a severability of title and ownership as between the

unincorporated religious organization and the individual officeholder as the corporation sole. ( *Estate of Zabriskie* (1979) 96 Cal.App.3d 571, 576 [158 Cal.Rptr. 154].) There is also a clear distinction between the corporation sole and the individual who happens to be the current office holder. ( *Archbishop v. Shipman*, supra, 79 Cal. 288.)

Once title to real property vests in the office holder as corporation sole it passes not to his heirs but to the successors to his office by operation of law. (Corp. Code, § 10008.) The assets must remain with the religious organization thenceforth (Corp. Code, § 10015) and although the corporation sole may deal with the assets and contract in the same manner as a natural person, he does so only for the purposes of the trust (Corp. Code, § 10007). Since the corporation sole is the incorporation of the titular head or presiding officer of a religious organization, it operates without [\*\*\*8] directors or members except the current holder of the office. (See, e.g., *Estate of Zabriskie*, supra, 96 Cal.App.3d at p. 576.)

The County does not contest the validity of the creation of the corporation sole Roandoak of God by Delmar Ashurst and no defect therein is [\*385] apparent from the record. This

being true, the possession of the real property by Delmar Ashurst is deemed to be the

possession of the corporation sole. ( Archbishop v. Shipman, supra, 79 Cal. 288.) The powers of the corporation sole to administer the property are extensive and almost unfettered except for the qualification that the property must be used for the purposes of the office. (Corp. Code, § 10007.)

The Zabriskie decision, supra, does not support the County's position that because Delmar Ashurst controls the corporation sole and its assets, the corporation and its property must be subject to his individual debts. In that case Zabriskie by will left property to Roandoak of God, an unincorporated Christian association, provided it incorporate as a nonprofit organization within 180 days. The appellate court concluded that Delmar Ashurst as head of the religious group was a [\*\*\*9] corporation sole. This did not fulfill the criteria for incorporation [\*\*8] of the association since the regulations pertaining to nonprofit corporations are quite separate and distinct.

Since the assets of the individual currently holding office, in this case Delmar Ashurst, are not the assets of the corporation sole, and vice versa, each is subject to separate

accountability. The creditors of the corporation sole may not look to the assets of the individual holding office, nor may the creditors of the individual look to the assets held by the corporation sole.

Here, there was no showing that property was fraudulently conveyed to the corporation sole, or that the corporation sole improperly used the property against its beneficial

interest. Therefore, the application for a writ of execution against the property to satisfy the individual debts of Delmar or Mollie Juanita Ashurst was properly denied.

The judgment (order) appealed from is affirmed.

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