

with fed laws Legal Rights To Inland Waters and Applicable Law For Lakes, Bays and Rivers

https://www.stimmel-law.com/en/articles/legal-rights-inland-waters-and-applicable-law-lakes-bays-and-rivers?fbclid=IwAR0o-Q-rVIJwHLiMoqx03HuEODQ3t42IKRZePLQ_0DLzs3kpa5C5FkFAJ5I

Legal Rights To Inland Waters and Applicable Law For Lakes ...

https://www.stimmel-law.com/en/articles/legal-rights-inland-waters-and-applicable-law-lakes-bays-and-rivers?fbclid=IwAR0o-Q-rVIJwHLiMoqx03HuEODQ3t42IKRZePLQ_0DLzs3kpa5C5FkFAJ5I

Certain areas of water are owned by the public as a matter of law, such as tidal zones and navigable areas of oceans, bays and rivers. That law is as old as the Republic and, of course, had its basis in the interest of the commonwealth in protecting common access to the ocean and rivers for use and transport.

Home Articles Legal rights inland waters and applicable law lakes bays and rivers

Legal Rights To Inland Waters and Applicable Law For Lakes, Bays and Rivers

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A typical area of dispute is whether one's private right to control certain bodies of water...such as streams or lakes on your private property...is superseded by the right of the public. That, in turn, often leads to legal battles over attempts by private parties to limit access or use and conflicts between the Federal government and local government as to regulation of the waters.

This article shall outline the law that pertains to these bodies of water, including rights to exploit and access and the rules of the road that apply to vessels on the waters. The reader should first review our article "Boating Accidents-The Basic Law."

Basic Law:

Laws applicable to water depend on the character of the body of water. Some bodies of water may be subject only to the local state law or even sole private control. Each state has variations on the law and if Federal law does not preempt, be sure to check the local law.

Natural bodies of water are classified as either navigable or non-navigable. *State v. Korrer*, 127 Minn. 60 (Minn. 1914). Navigable waters embrace all bodies of water public in their nature. According to common law, all waters are divided into either public waters or private waters. *Baker v. Normanoch Asso.*, 25 N.J. 407 (N.J. 1957). In the former, the proprietorship is in the local or federal government and in the latter the proprietorship is in the individual proprietor.

The title of the sovereign is in trust for the benefit of the public. This means that the state must not utilize the water rights for purposes other than the benefit of the public as a whole.

The right of the public to navigate the water is supreme and it includes the right of boating. *Witke v. State Conservation Com.*, 244 Iowa 261 (Iowa 1953). Boating for pleasure is considered navigation with full rights to use equal to boating for profit. That must be emphasized: navigability for pleasure is

as sacred in the eye of the law as navigability for other purposes. *State v. Korrer*, 127 Minn. 60 (Minn. 1914). This is one of the few areas of law in the United States in which use for enjoyment is put on an equal plain as use for profit.

The term navigable applies to all the streams that are in fact navigable. In such case, the title of a riparian owner is limited to the bank of the stream. *State ex rel. Meek v. Hays*, 246 Kan. 99 (Kan. 1990).

What is Navigable?

The specific criteria to be used in determining whether particular bodies of water are deemed navigable for purposes of vesting the state with title to the beds are that bodies of water are navigable and title to the beds under the water are vested in the state if[vi]:

- the bodies of water were used, or were susceptible of being used, as a matter of fact, as highways for commerce;
- such use for commerce was possible under the natural conditions of the body of water;
- commerce was or could have been conducted in the customary modes of trade or travel on water;
- and
- all of these conditions were satisfied at the time of statehood.

State ex rel. Meek v. Hays, 246 Kan. 99 (Kan. 1990).

Rights to Use the Water.

It is perhaps ironic that the law that determines the public right to the water depends on commercial possibilities but that pleasure use is then treated as equivalent in rights to use.

A state may not restrict or charge for the use of the waters of navigable streams or lakes and an attempt on its part to do so is a deprivation of the citizen of his property. *Williams v. McSwain*, 248 N.C. 13 (N.C. 1958)

All persons have a right to use the navigable waters of a state so long as they do not interfere with other citizens' use. However, the right to use navigable waters is subject to regulation by a state under its police power. *Witke v. State Conservation Com.*, 244 Iowa 261 (Iowa 1953).

But note that the general public has no rights to the recreational use of a private lake, such rights being exclusive in the owner of the bed. *Baker v. Normanoch Asso.*, 25 N.J. 407 (N.J. 1957)

A natural, nonnavigable inland lake is the subject of private ownership and since the bed of such lake is private property, the public has no right to boat upon its waters. An injunction may be allowed to restrain the unlawful use of such a lake. Similarly, the rule which is applicable to lakes is likewise applicable to ponds artificially created by the damming of a stream.

In the case of a non-navigable lake or pond where the land under the water is owned by others, no riparian rights attach to the property bordering on the water and an attempt to exercise any such rights by invading the water is as much a trespass as an unauthorized entry made upon the dry land of another. *Loughran v. Matylewicz*, 367 Pa. 593 (Pa. 1951).

In cases where various parts of the soil under a private lake are owned by different persons and where it does not appear that ownership was based on riparian rights, each owner has exclusive rights to the use of the surface of the water over his or her land or at least the owner of a larger portion can exclude from it the owner of a small portion. *Wickouski v. Swift*, 203 Va. 467 (Va. 1962).

The general public cannot acquire boating rights in a private lake by prescription. *Camp Clearwater, Inc. v. Plock*, 52 N.J. Super. 583 (Ch.Div. 1958). The only way upon which the public may be said to have rights in a lake is by dedication. *Baker v. Normanoch Asso.*, 25 N.J. 407 (N.J. 1957). Further, the casual use of a lake during a few months each year for boating cannot develop into a title to such privileges by prescription. *Loughran v. Matylewicz*, 367 Pa. 593 (Pa. 1951).

Note however that adverse possession and prescription may create private rights to the body of water depending on state law. The general law applicable to land adverse possession and prescription would apply since this right to the body of water is treated as the right to the land under the water.

Further, recent law in the California courts would seem to be extending the right of the public to gain access to ocean front over the strident protest of a high tech billionaire who sought to close off a path that went from his ocean front property to the admittedly public beach below. The case was going up on appeal when the owner settled with the state, granting rights of access to the beach. It should be noted that California has especially stringent public rights to access to tidal areas and that the beach access had been utilized for many decades.

Conclusion:

A client once put it well. As he watched pleasure boats drift down a river that crossed his land, he commented that when one buys a navigable river front, one buys a front on a public highway and that was all. And note that the navigation issue derives from commercial history but now applies equally to pleasure craft.

If you want to “own” the water, then make sure it is not navigable and the bottom is fully on your land. Then make sure no rights have been granted by prescription, adverse possession or the prior owner. Then...you own the lake.

Inland Waters Law and Legal Definition | USLegal, Inc.

<https://definitions.uslegal.com/i/inland-waters/>

Inland Waters Law and Legal Definition The term inland waters include lakes, streams, rivers, canals, waterways, inlets, bays or any water system not involving the open ocean. Legal Definition list

46 CFR § 136.110 - Definitions. | CFR | US Law | LII / Legal ...

<https://www.law.cornell.edu/cfr/text/46/136.110Inland> waters means the navigable waters of the United States shoreward of the Boundary Lines as described in 46 CFR part 7, excluding the Great Lakes and, for towing vessels, excluding the Western Rivers. Internal Audit means an audit that is conducted by a party that has a direct affiliation to the vessel, owner, or managing operator being ...

ORS 180.220 Powers and duties. (1) The Department of Justice shall have: (a) General control and supervision of all civil actions and legal proceedings in which the State of Oregon may be a party or may be interested. (b) Full charge and control of all the legal business of all departments, commissions and bureaus of the state, or of any office thereof, which requires the services of an attorney or counsel

in order to protect the interests of the state. (2) No state officer, board, commission, or the head of a department or institution of the state shall employ or be represented by any other counsel or attorney at law. (3) This section is subject to ORS 825.508. [Amended by 1967 c.178 §3]

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Inland Waters legal definition of Inland Waters

<https://legal-dictionary.thefreedictionary.com/Inland+Waters>

Inland Waters: Canals, lakes, rivers, water courses, inlets, and bays that are nearest to the shores of a nation and subject to its complete sovereignty. Inland waters, also known as internal waters, are subject to the total sovereignty of the country as much as if they were an actual part of its land territory. A coastal nation has the right ...

CLEAN WATER GROUPS SUE TO PROTECT CALIFORNIA RIVERS, LAKES ...

<https://earthjustice.org/news/press/2000/clean-water-groups-sue-to-protect-california-rivers-lakes-and-bays-from-toxic-pollution>

Many of California's inland surface waters—lakes, rivers, bays and estuaries—have elevated levels of toxic pollutants from municipal and industrial discharges. Pollutants such as dioxin, mercury, selenium, dieldrin, endrin, and heptachlor pose serious threats to fish and other water-dependent wildlife and to human health.

Internal waters - Wikipedia

https://en.wikipedia.org/wiki/Internal_waters

It includes waterways such as rivers and canals, and sometimes the water within small bays. In inland waters, sovereignty of the state is equal to that which it exercises on the mainland. The coastal state is free to make laws relating to its internal waters, regulate any use, and use any resource.

Definition of INLAND • Law Dictionary • TheLaw.com

<https://dictionary.thelaw.com/inland>

Inland trade. Trade wholly carried on at home; as distinguished from commerce, (which see.) Inland waters. Such waters as canals, lakes, rivers, water-courses, inlets and bays, exclusive of the open sea, though the water la question may open or empty into the ocean.

Law Enforcement Division PUBLIC RIGHTS ON MICHIGAN WATERS

https://www.michigan.gov/documents/Water97e_142928_7.pdf

In this state, natural waters have been divided into two classes: (1) the Great Lakes; and (2) inland waters. Titles and rights in the latter were declared in *Rice v Ruddiman*, 10 Mich. 125 (1862), and in *Turner v Holland*, 65 Mich. 453; 33 NW 283 (1887), to be governed by the same rules of law, whether they were rivers, lakes, or ponds, and

Inland waterways of the United States - Wikipedia

https://en.wikipedia.org/wiki/Inland_waterways_of_the_United_States

The inland waterways of the United States include more than 25,000 mi (40,000 km) of navigable waters. Much of the commercially important waterways of the United States consist of the Mississippi River System—the Mississippi River and connecting waterways.

"A state may alienate a public trust resource to a private party through a patent only if:

(1) to do so promotes public trust uses and conservation, and (2) the alienation is accomplished without a substantial impairment to the public interest in the lands and waters remaining. All transfers of public trust resources to private individuals are encumbered with an implied public trust easement, allowing the state to protect the public's retained interests.

Consequently, the court held that tidelands conveyed to private parties in accordance with state law are subject to the public's right to use the tidelands for navigation, fishing, and commerce. While patent holders are free to make use of their property in ways that do not interfere with public easements, they are prohibited from excluding the public from the property" *CWC FISHERIES, INC. v. BUNKER*, 755 P. 2d. 1115 (1988).

"As new lands were acquired by the United States, either by purchase or treaty, title to the highways and the beds of all navigable or tidal lakes, or rivers became vested in the United States, unless they had been validly conveyed into private ownership by the former sovereign." *McKnight v. Brodell*, 212 F.Supp 45.

If a state converts a liberty into a privilege the citizen can engage in the right with impunity.

Shuttlesworth v. City of Birmingham, 373 US 262. I can ignore the license and engage in the right with impunity, that means you can't punish me for it.

"In determining whether or not a motor boat was included in the expression household effects, *Matter of Winburn's Will*, supra [139 Misc. 5, 247 N.Y.S. 592] stated the test to be "whether the articles are or are not used in or by the household, or for the benefit or comfort of the family". In *re Bloomingdale's Estate*, 142 N.Y.S.2d 781, 785 (1955).

"No State government entity has the power to allow or deny passage on the highways, byways, nor waterways... transporting his vehicles and personal property for either recreation or business, but by being subject only to local regulation i.e., safety, caution, traffic lights, speed limits, etc. Travel is not a privilege requiring licensing, vehicle registration, or forced insurances." *Chicago Coach Co. v. City of Chicago*, 337 Ill. 200, 169 N.E. 22.

No state may convert a secure liberty into a privilege and then issue a license and a fee for it. *Murdoch V. Pennsylvania* 319 U.S. 106. No state shall convert a liberty into a privilege, license it, and attach a fee to it. "A state may not impose a charge for the enjoyment of a right granted by Federal constitution. At 113, (1943). *Murdock v. Pennsylvania* 319 US 105.

"Ownership of these submerged lands was resolved by Congress passing the Submerged Lands Act,"

43 U.S.C.A. 1301, which confirmed state title to the beds of all tidal and navigable bodies of water. While this act conveyed title to lands below tidal and navigable waters to the states, non-navigable stream beds are treated like dry lands and are part of the adjoining estates. Waters subject to the ebb and flow of the tides, even though non-navigable, also passed to the states while the ownership and public use of these tidal lands is based on state laws. But they still don't own the fish... UNITED FISHERMEN OF ALASKA v. FAIRNESS IN SALMON HARVEST, INC., Opinion of the State Supreme Court of Alaska No. 4394 (1996).

The New York legislature had granted a monopoly to Robert Livingston and Robert Fulton to operate steamboats in New York waterways. Part of these rights were later assigned to Aaron Ogden. A former partner of Ogden, Thomas Gibbons, entered the steamboat trade in violation of the monopoly, and a lawsuit began. When the appeal came before Chief Justice John Marshall, his opinion, based on an interpretation of the Commerce Clause of the Constitution, cast aside all similar monopoly laws and extended to Congress the regulation of all navigation on inland waterways that had to do with interstate commerce. This ruling permanently freed American commerce--not only steamboats but railroads and other communication-transportation forms--from hampering state laws that might hinder economic expansion and growth. Gibbons vs. Ogden (1824).

"The state could choose to divest themselves of title to the streambed, but the water remains subject to the "Commerce Clause" of the Constitution which by holds an easement, or servitude, benefiting the federal government for the purpose of regulating commerce on navigable bodies of water" Borax Consolidated, Ltd. v. City of Los Angeles, 29 U.S. 10, 56 S. Ct. 23, 80 L.Ed 9 (1935.).

Under riparian law, water is a wandering thing like the air, sunlight, or wildlife. It is not "owned" by the government or private individual, but is rather part of the land over which it falls from the sky or travels along the surface.

"When the Revolution took place, the people of each State became themselves sovereign; and in that character hold the absolute right to all their navigable waters, and the soils under them, for their own common use, subject only to the rights since surrendered by the Constitution to the general government." p. 410. Shively v. Bowlby, 152 US 1 (1894). Supreme Court of United States.

33 U.S. Code Chapter 4 - LII / Legal Information Institute

<https://www.law.cornell.edu/uscode/text/33/chapter-4>

Prior rules for preventing collision prescribed by R.S. § 4233 to be followed by vessels of the Navy and mercantile marine of the United States, applicable originally to all waters, were superseded as to navigation on the high seas and waters connected therewith by the International Rules (act Aug. 19, 1890, ch. 802 [sec. 61 et seq. of this title]) were superseded as to navigation on the

26 CFR § 49.4262(c)-1 - Definitions. | CFR | US Law | LII ...

[https://www.law.cornell.edu/cfr/text/26/49.4262\(c\)-1](https://www.law.cornell.edu/cfr/text/26/49.4262(c)-1)

(a) The continental United States. For purposes of the regulations in this subpart, the term "continental United States" includes only the 48 States existing on July 25, 1956 (the date of the enactment of the Act of July 25, 1956 (Pub. L. 796, 84th Cong., 70 Stat. 644)) and the District of Columbia, including inland waters (such as rivers, lakes, bays, etc.) lying wholly therein, an

Houseboat Living - what laws, rules, or regulations affect ...

<https://www.all-about-houseboats.com/houseboat-living-what-laws-rules-or-regulations-affect-house-boats.html>

Houseboat Living Laws by: Ray Because of the many people who have chosen to give up dry land living for a better life on the water, I would like to suggest that houseboat full time liveaboards form some type of coalition to obtain some legal rights, just as we had when we had a regular house.

2938.10 Proof of territorial jurisdiction.

The state or municipality in all cases must prove the offense committed within the territorial jurisdiction of the court, and in ordinance cases within the municipality, except as to those offenses in which the court has county wide jurisdiction created by statute and as to those cases in which certification has been made pursuant to section 2937.08 of the Revised Code.

Statutes and codes are not lawful.

Effective Date: 01-01-1960

The war between "United States Constitution" and the "Articles of Confederation".

You have the Articles of Confederation and the Constitution that are at war with each other.

You are a part of the "Articles of Confederation" as you are a free inhabitant, but the courts or judges try to tie you to their system by your social security card and drivers license, where your name is in capital letters to show you are a citizen.

Admiralty Law: tries to trick people into their system by having the person say they are a citizen.

a.) Admiralty Laws and the courts are committing TREASON because they are outside the Territorial Jurisdiction (which is Federal Property).

JUDGE: Article 1111 of the Constitution says: a Judge has to hold court on property owned by the United States of America (Federal Property).

a.) If the judge is not practicing law on Federal property he/she is committing TREASON to the Constitution .

1.) The crime must be committed on Federal property owned by the "United States" (Washington D.C.)

2.) JUDGE: Have an oath, and is committing TREASON against the Constitution .

PROSECUTOR: is not practicing law on Federal property he/she is committing TREASON.

ATTORNEYS: Practicing law on property owned by the United States (Washington D.C.) are crooks and are impersonating a Federal Officer and committing FRAUD.

Commissioner: Are committing TREASON as they are not following the Constitution.

VOTING: If you think your vote counts, show me in the Constitution where it says you can do this. a.) Look up the word appointed, and see what it says. There are three in the constitution. b.) Look up Republic.

c.) Wherein the constitution does it say Democrat or Republican?

U.S. Nationals and citizens were declared enemies of the U.S. by F.D.R. by Executive Order No. 2040 and ratified by Congress on March 9, 1933 FDR changed the meaning of The Trading with the Enemy Act of December 6, 1917 by changing the word "without" to citizens "within" the United States
8 U.S. Code § 1401 - Nationals and citizens of United States at birth

<http://new.oregontrackers.com/>

1978—Subsec. (a). Pub. L. 95–432, § 3, struck out “(a)” before “The following” and redesignated pars. (1) to (7) as (a) to (g), respectively.

U.S. citizens were declared enemies of the U.S. by F.D.R. by Executive Order No. 2040 and ratified by Congress on March 9, 1933

FDR changed the meaning of The Trading with the Enemy Act of December 6, 1917 by changing the word "without" to citizens "within" the United States

To cover the debt in 1933 and future debt, the corporate government determined and established the value of the future labor of each incorporated individual in its jurisdiction to be \$630,000. A bond of \$630,000 is set on each Certificate of Live Birth. The certificates are bundled together into sets and Joint Resolution 192. There is no way to pay. There is only the involuntary national bankruptcy. Learn this resolution. Learn it well. It is the key to your comprehension and then your understanding.

WHAT IS HJR 192? Can we Discharge our Debts to

the...<http://understandcontractlawandyouwin.com/hjr-192-discharg>

.../ Jun 7, 2014 ... House Joint Resolution 192 was then passed by Congress on June 5, 1933. This law was passed to do away with the gold clause For lawful Bloodline American and then placed as securities on the open market. These certificates are then purchased by the Federal Reserve and/or foreign bankers. The purchaser is the "holder" of "Title." This process made each and every person in this jurisdiction a bond servant.

U.S. citizens were declared enemies of the U.S. by F.D.R. by Executive Order No. 2040 and ratified AVAILABLE! Original House Joint Resolution 192 of June 5, 1933

www.scribd.com/doc/242996974/available-original...

This is a copy of House Joint Resolution 192. There is no way to pay. There is only the involuntary national bankruptcy. Learn this resolution. Learn it well. It is the key to your comprehension and then your understanding.

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State v. Manuel, 20 NC 122: “the term ‘citizen’ in the United States, is analogous to the term ‘subject’ in common law; the change of phrase has resulted from the change in government.”

Supreme Court: Jones v. Temmer, 89 F. Supp 1226: "The privileges and immunities clause of the 14th Amendment protects very few rights because it neither incorporates the Bill of Rights, nor protects all rights of individual citizens. Instead this provision protects only those rights peculiar to being a citizen of the federal government; it does not protect those rights which relate to state citizenship." Supreme Court: US vs. Valentine 288 F. Supp. 957: "The only absolute and unqualified right of a United States citizen is to residence within the territorial boundaries of the United States." Supreme Court 1795

a. “Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only,

a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them.” S.C.R. 1795, Penhallow v. Doane’s Administrators 3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54; and,

b. “the contracts between them” involve U.S. Citizens, which are deemed as Corporate Entities:

c. “Therefore, the U.S. Citizens residing in one of the states of the union, are classified as property and franchises of the federal government as an “individual entity””, Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773OUR rights” are such as “existed” by the Law of the Land (Common Law) “long antecedent” to the organization of the State”, and can only be taken from him by “due process of law”, and “in accordance with the Constitution.” (the original organic Constitution not the Second Secret fake FEDERAL D.C. Corporate CONstitution charter version)

NOTICE AND WARNING TO HIGHWAY POLICE ENFORCERS:

YOU ARE NOT AUTHORIZED TO PROCEED!

“YOU ARE INTERACTING WITH A SOVEREIGN CREDITOR AND POLITICAL POWER HOLDER AND YOU ARE NOT AUTHORIZED TO CONTINUE!

All Policeman/ women are required to take an oath of office which is held on file to get their DPSST Certification. As a part of this oath they swear to uphold the Constitution, which is, according to Supreme Court decision, the Supreme Law of our Land. But then like brainwashed crash test dummies, they are sent out on their job and instructed to violate their oaths of office by violating the people's lawful "Right to Travel," which in reality leaves them liable and wide open to be sued or having commercial liens placed upon their property/assets. They ignorantly assume the roll of corporate revenue agent by citing people with violations of the commercial traffic laws. There are ample case laws, to support this maxim of law. Take for instance Kent v. Dulles 357 U.S. 116, Thompson v. Smith 154 SE 579, Hertado v. California 110 U.S. 516, and Miller v U.S., 230 F 2d 486, 489. I suggest that people study these and many more case histories concerning the Right to Travel.

I do not believe that average police officers are intentionally violating the people's rights, they are simply doing what they are trained to do. And they have been thoroughly brainwashed into believing that they are just enforcing the law. Ask any policeman you know if he can tell you the difference between Law and Color of Law. The difference is no small issue as it pertains to ones rights. Granted it is likely that their superiors know the truth, but these men and women are still just being used as pawns in a fraudulent revenue extraction scam, carrying out the criminal orders as dictated to them by the shareholders of the corporation that employs them.

Some other U.S. court cases that confirm and point out the difference between the "right" of the citizen to travel and the government "privilege" are - Barney v Board of Railroad Commissioners; State v City of Spokane, 186 P. 864; Ex Parte Dickey (Dickey v Davis), 85 S.E. 781; Teche Lines v Danforth, 12 So.2d 784.

Folks, when you were fraudulantly compelled to acquire that "Driver's License," without being told that you don't need one to "Travel," you surrendered your right, and gave jurisdiction to the State to regulate your every move through contract law, or administrative law. Officer's can do what they do, as long as you have that License to drive. Do not give them jurisdiction. By the way, I suggest that all law enforcement research my information, as they are in violation of Title 18, section 241, 242, and Title 42 section 14141, amongst other's.

"Driving," is a commercial act as is "Operating a Motor Vehicle." "Motor Vehicle," as defined in Blacks Law, 4th Ed., is a taxi, omnibus or any variey of motor vehicles exclusively used and designed for

commerce.

Don't take my word for it, research it yourself. Just enter Right to Travel in your search window, and study the Law. One more thing, Other U.S. court cases that confirm and point out the difference between the "right" of the citizen to travel and a government "privilege" are - *Barney v Board of Railroad Commissioners*; *State v City of Spokane*, 186 P. 864; *Ex Parte Dickey (Dickey v Davis)*, 85 S.E. 781; *Teche Lines v Danforth*, 12 So.2d 784. One more thing, *Marbury v. Madison*, 5 US 137 (1803) states that The Constitution of these United States is the supreme law of the land. Any law that is repugnant to the Constitution of America is null and void.

Murdock v. Penn., 319 US 105 (1943)

No State shall convert a liberty into a privilege, license it, and attach a fee to it.

Shuttlesworth v. Birmingham, 373 US 262 (1963)

If the State converts a liberty into a privilege, the Citizen can engage in the right with impunity.

Byars v. U.S., 273 US 28 (1927)

Unlawful search and seizure, your rights must be interpreted in favor of the Citizen.

Norton v. Shelby County, 118 US 425 (1886)

An unconstitutional act is not law, it confers no rights, it imposes no duties, affords no protection, it creates no office.

It is in legal contemplation, as inoperative as though it had never passed.

Miller v. U.S., 230 F. 2nd. 486, 489 (5th Cir. 1959) Id. at 489-490

The claim and exercise of a Constitutional right cannot be converted into a crime.

And finally just for laughs, *Miranda v. Arizona*, 384 US 436 (1966)

Re: Notice to Clerk The minute you receive any document, it is recorded according to the following case site. *Biffle v. Morton Rubber Indus., Inc.*, 785 S. W.2d 143, 144 (Tex.1990). " An instrument is deemed in law filed at the time it is delivered to the clerk, regardless of whether the instrument is "file-marked." *15 U.S. Code § 7001 - General rule of validity:(a) In general Notwithstanding any statute, regulation, or other rule of law (other than this subchapter and subchapter II), with respect to any transaction in or affecting interstate or foreign commerce— (1) a signature, contract, or other record relating to such transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form; and (2) a contract relating to such transaction may not be denied legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation..

28 U.S. Code § 951 - Oath of office of clerks and deputies

Each clerk of court and his deputies shall take the following oath or affirmation before entering upon their duties: "I, ____, having been appointed ____, do solemnly swear (or affirm) that I will truly and faithfully enter and record all orders, decrees, judgments and proceedings of such court, and will faithfully and impartially discharge all other duties of my office according to the best of my abilities and understanding. So help me God."

(June 25, 1948, ch. 646, 62 Stat. 925.)

All "Judges" are lawfully required by 28 USC 372 to have an "Oath of Office". Ask the "Judge" if he/she has an "Oath of Office". If yes, accept the "Oath of Office" in "Admiralty Jurisdiction". Now the "Judge" is subject to criminal prosecution and civil litigation for any injury he/she may cause you. If no, the attorney is not a judge and has no lawful authority to proceed. Your State Representative should be informed by "Petition for Impeachment of Judge". Present the facts of the case, the law is not necessary. Have it notarized and send it by Certified Mail. As we remove the unlawful judges, lawful judges will take their place

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"If money is wanted by rulers who have in any manner oppressed the People, they may retain it until their grievances are redressed, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility." Journals of the Continental Congress. 26 October, 1774Â©1789. Journals 1: 105Â©13.

u.c.c 1-308 formerly 1-207.....reservation of rights.....plus {jut naturale},-{jus soli}...The Greatspirit , Mother Earth , The Creator rights for man,earths rights for man....the other that is illegal and unlawful is the {B.A.R} statutes-codes-ordinances that are in repugnance of the primary protocol of your rights or marbury v. madison 5 u.s. 137 {1803}..... " Byars v. United States - 273 US 128 "Any constitutional provision intended to confer a benefit should be liberally construed in favor of the clearly intended and expressly designated beneficiary"

We are the the Beneficiaries.....

It is not the function of our Government to keep the citizen from falling into error, it is the function of the citizen to keep the Government from falling into error."

— American Communications Association

v. Douds, 339 U.S. 382, 442 (1950)

Bar Card Bastids "Actual Lawyer's or Private attorney general's perfect law, they literally apply what is Statues lawful, rather than practice it. They do not alter it, defraud it or grammatically coerce it - in thier favor. The British Accreditation Registry (BAR) is merely a club, a private foreign 'due paying' card carrying membership that practices codes & statutes as 'color of law' and enforces them by intimidation and coercion. Courts are banks and the priests, aka 'judges', are just the banking administrators in black robes acting on behalf of the Vatican to funnel fiat currencys to it, to them and to all the constitutors envolved in the deception."

....(ref JN - rev RB)...]

The touchstone of Fourth Amendment protections against unreasonable police searches and seizures is the requirement that such invasions be based on "probable cause". DUNAWAY v. NEW YORK, 442 U.S. 200, 208, 60 L. Ed. 2d 824, 99 S. Ct. 2248 (1979). Those cases authorizing "seizures" of persons on lesser cause are narrowly drawn and carefully circumscribed. SEE ADAMS v. WILLIAMS, 407 U.S. 143, 32 L. Ed. 2d 612, 92 S. Ct. 1921 (1972); TERRY v. OHIO, 392 U.S. 1, 20 L. Ed. 2d 889, 88 S. Ct. 1868 (1968); STATE v. GLUCK, 83 Wn.2d 424, 518 P.2d 703 (1974)

14TH AMEDNMENT

The Fourteenth Amendment provides that no State shall "deprive any person of life, liberty, or property,

without due process of law." We have long recognized that the Amendment's Due Process Clause, like its Fifth Amendment counterpart, "guarantees more than fair process." *Washington v. Glucksberg*, 521 U.S. 702, 719, 138 L. Ed. 2d 772, 117 S. Ct. 2258 (1997). The Clause also includes a substantive component that "provides heightened protection against government interference with certain fundamental rights and liberty interests." 521 U.S. at 720; see also *Reno v. Flores*, 507 U.S. 292, 301-302, 123 L. Ed. 2d 1, 113 S. Ct. 1439 (1993).

The liberty interest at issue in this case--the interest of parents in the care, custody, and control of their children--is perhaps the oldest of the fundamental liberty interests recognized by this Court. More than 75 years ago, in *Meyer v. Nebraska*, 262 U.S. 390, 399, 401, 67 L. Ed. 1042, 43 S. Ct. 625 (1923), we held that the "liberty" protected by the Due Process Clause includes the right of parents to "establish a home and bring up children" and "to control the education of their own." Two years later, in *Pierce v. Society of Sisters*, 268 U.S. 510, 534-535, 69 L. Ed. 1070, 45 S. Ct. 571 (1925), we again held that the "liberty of parents and guardians" includes the right "to direct the upbringing and education of children under their control." We explained in *Pierce* that "the child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations." 268 U.S. at 535. We returned to the subject in *Prince v. Massachusetts*, 321 U.S. 158, 88 L. Ed. 645, 64 S. Ct. 438 (1944), and again confirmed that there is a constitutional dimension to the right of parents to direct the upbringing of their children. "It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder." 321 U.S. at 166.

In subsequent cases also, we have recognized the fundamental right of parents to make decisions concerning the care, custody, and control of their children. See, e.g., *Stanley v. Illinois*, 405 U.S. 645, 651, 31 L. Ed. 2d 551, 92 S. Ct. 1208 (1972) ("It is plain that the interest of a parent in the companionship, care, custody, and management of his or her children 'comes to this Court with a momentum for respect lacking when appeal is made to liberties which derive merely from shifting economic arrangements'" (citation omitted)); *Wisconsin v. Yoder*, 406 U.S. 205, 232, 32 L. Ed. 2d 15, 92 S. Ct. 1526 (1972) ("The history and culture of Western civilization reflect a strong tradition of parental concern for the nurture and upbringing of their children. This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"); *Quilloin v. Walcott*, 434 U.S. 246, 255, 54 L. Ed. 2d 511, 98 S. Ct. 549 (1978) ("We have recognized on numerous occasions that the relationship between parent and child is constitutionally protected"); *Parham v. J. R.*, 442 U.S. 584, 602, 61 L. Ed. 2d 101, 99 S. Ct. 2493 (1979) ("Our jurisprudence historically has reflected Western civilization concepts of the family as a unit with broad parental authority over minor children. Our cases have consistently followed that course"); *Santosky v. Kramer*, 455 U.S. 745, 753, 71 L. Ed. 2d 599, 102 S. Ct. 1388 (1982) (discussing "the fundamental liberty interest of natural parents in the care, custody, and management of their child"); *Glucksberg*, *supra*, at 720 ("In a long line of cases, we have held that, in addition to the specific freedoms protected by the Bill of Rights, the 'liberty' specially protected by the Due Process Clause includes the right ... to direct the education and upbringing of one's children" (citing *Meyer* and *Pierce*)). In light of this extensive precedent, it cannot now be doubted that the Due Process Clause of the Fourteenth Amendment protects the fundamental right of parents to make decisions concerning the care, custody, and control of their children. [Vreeken #ParentsRights Are #ConstitutionalRights](#)

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provision intended to confer a benefit should be liberally construed in favor of the clearly intended and expressly designated beneficiary"

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Dictionary of Law 1893 Christianity. The system of doctrines and precepts taught by Christ; the religion founded by Christ. Christianity is said to be part of the common law. "Christianity is parcel of the laws of England; Vatican that controls your non and not for profits . Committing Treason Against 14 Amendment was and could not ever be ratified like all other after only administration rules and regulations of or servants The Creator and, therefore, to reproach the Christian religion is to speak in subversion of the law." -Taylor's Case, Ventris 293 (1676). "The essential principles of natural religion and of revealed religion are a part of the common law, so that any person reviling or subverting or ridiculing them may be prosecuted at common law". -Case of Evans, 2 Burn. Ec. L. 185 (1780). The maxim can have no reference to the law of the National government, since the sources of that law are the Constitution, treaties, and acts of Congress. See Wheaton v. Peters, 8 Pet. 591 (1831). See further Law, Common; Blasphemy; Policy, 2.; Religion Is Not For Lawful Bloodline Native Americans the Forty Eight States unincorporated from England

Because artificial entities cannot take oaths, they cannot make affidavits. See, e.g., In re Empire Refining Co., 1 F. Supp. 548, 549 (SD Cal. 1932) ("It is, of course, conceded that a corporation cannot make an affidavit in its corporate name. It is an inanimate thing incapable of voicing an oath"); Moya Enterprises, Inc. v. Harry Anderson Trucking, Inc., 162 Ga. App. 39, 290 S.E.2d 145 (1982); Strand Restaurant Co. v. Parks Engineering Co., 91 A.2d 711 (D.C. 1952); 9A T. Bjur C. Slezak, Fletcher Cyclopedia of Law of Private Corporations § 4629 (Perm. ed. 1992) ("A document purporting to be the affidavit of a corporation is void, since a corporation cannot make a sworn statement") (footnote omitted). ROWLAND v. CALIFORNIA MEN'S COLONY • 506 U.S. 194, 203 (1993)

A corporation can neither practice law nor hire lawyers to carry on the business of practicing law for it (People v. California Protective Corp'n, 76 Cal. App. 354, 244 Pac. 1089).

Challenges to Judge: Universal to all cases. A judge who refuses our law is loyal to some other authority. Ask the "Judge" if he/she is a member of the "STATE BAR ASSOCIATION". If so, challenge the "Judge" under 22 USC 611 as a "Foreign Agent". All "Judges" are lawfully required by 28 USC 372 to have an "Oath of Office". Ask the "Judge" if he/she has an "Oath of Office". If yes, accept the "Oath of Office" in "Admiralty Jurisdiction". Now the "Judge" is subject to criminal prosecution and civil litigation for any injury he/she may cause you. If no, the attorney is not a judge and has no lawful authority to proceed. Your State Representative should be informed by "Petition for Impeachment of Judge". Present the facts of the case, the law is not necessary. Have it notarized and send it by Certified Mail. As we remove the unlawful judges, lawful judges will take their place
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Any agent of a person described in section 611(b)(2) of this title or an entity described in section 611(b)(3) of this title if the agent has engaged in lobbying activities and has registered under the Lobbying Disclosure Act of 1995 [2 U.S.C. 1601 et seq.] in connection with the agent’s representation of such person or entity.

(June 8, 1938, ch. 327, § 3, 52 Stat. 632; Aug. 7, 1939, ch. 521, § 2, 53 Stat. 1245; Apr. 29, 1942, ch. 263, § 1, 56 Stat. 254; Pub. L. 87–366, § 2, Oct. 4, 1961, 75 Stat. 784; Pub. L. 89–486, § 3, July 4, 1966, 80 Stat. 246; Pub. L. 104–65, § 9(2), (3), Dec. 19, 1995, 109 Stat. 700; Pub. L. 105–166, § 5, Apr. 6, 1998, 112 Stat. 39.) All "public servants," officials, Congressmen, politicians, judges, attorneys, law enforcement officers, States and their various agencies, etc., are the express agents of these foreign principals - see Foreign Agents Registration Act of 1938; 22 USC 286 et seq, 263A, 185G, 267J, 611(C) (ii) & (iii); Treasury Delegation Order #91 information how to file and education Whereas : " Failure to file the " Foreign Agents Registration Statement " goes directly to the jurisdiction and lack of standing to be before the Court and is a FELONY" pursuant to 18 US 219, 951 -" Failure to file the " Foreign Agents Registration Statement " goes directly to the jurisdiction and lack of standing to be before the Court and is a FELONY" pursuant to 18 US 219, 951 - FARA Registration Statement on file, Yes No

Title 22 USC §611, a Public Official is considered a foreign agent. In order to hold public office, the candidate must file a true and complete registration statement with the State Attorney General as a foreign principle.

Public Notice ,Required Facts, ,, Registration number with the 1938 FARA , " Failure to file the " Foreign Agents Registration Statement " goes directly to the jurisdiction and lack of standing to be before the Court and is a FELONY" pursuant to 18 US 219, 951 -All "public servants," officials, Congressmen, politicians, judges, attorneys, law enforcement officers, States and their various agencies, etc., are the express agents of these foreign principals - see Foreign Agents Registration Act of 1938; 22 USC 286 et seq, 263A, 185G, 267J, 611(C) (ii) & (iii); Treasury Delegation Order #91

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FARA Registration Statement on file, Yes No

File you complaint on servant for none registration

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