

[For information -- to make a real dollar sign use American Garamond Font size 14 or larger \$]

Reference Material – For Information Only!

What is a "Dollar", "\$" or a "\$" - A closer look

LETTER TO LAWYER THAT CAUSED A 20% SETTLEMENT

Dear _____:

It is obvious that you and your paralegal do not understand the simple fact that there is no money in circulation and that you cannot demand paper instruments backed by credit. You obtained a money judgment, not a credit judgment. It is a principal of law universally accepted that a State judge cannot make a legal determination contrary to Article 1, Section 10 of the Constitution of the United States or Louisiana Revised Statute 1-53. All judicial judgments must comply with both.

You now have the problem of execution, which must be executed, by the very same trial court that lost subject matter jurisdiction via a vague order. There is no money to satisfy judgment and any attempt to seize property will be met with an injunction prohibiting sale upon the ground that the judgment obtained is absolutely null. Any motion for examination of judgment debtor will be met with a motion to quash the summons upon the same ground. This is my intent. Act as you feel compelled but be prepared to discuss money and payment in all future hearings.

In your letter you say, "We would be willing to accept payment in the full amount owed to our client (principal sum of \$21,462.10)." 21,000 of what? What you are willing to accept is not the issue. The issue is what are you legally able to demand? What kind/species of money aggregate type (M1, M2, or, M3) was loaned and are you asking for a different type to be repaid? Below is a brief explanation and I shall expect a reply or we will let the Judge reply.

M1 consists of (1) currency outside the U.S. Treasury, Federal Reserve Banks, and the vaults of depository institutions; (2) travelers checks of nonbank issuers; (3) demand deposits at commercial banks (excluding those amounts held by depository institutions, the U.S. government, and foreign banks and official institutions) less cash items in the process of collection and Federal Reserve float; and (4) other checkable deposits (OCDs), consisting of negotiable order of withdrawal (NOW) and automatic transfer service (ATS) accounts at depository institutions, credit union share draft accounts, and demand deposits at thrift institutions. Seasonally adjusted M1 is constructed by summing currency, travelers checks, demand deposits, and OCDs, each seasonally adjusted separately.

M2 consists of M1 plus (1) savings deposits (including money market deposit accounts); (2) small-denomination time deposits (time deposits in amounts of less than \$100,000), less individual retirement account (IRA) and Keogh balances at depository institutions; and (3) balances in retail money market mutual funds, less IRA and Keogh balances at money market mutual funds. Seasonally adjusted M2 is constructed by summing savings deposits, small-denomination time deposits, and retail money funds, each seasonally adjusted separately, and adding this result to seasonally adjusted M1.

M3 consists of M2 plus (1) balances in institutional money market mutual funds; (2) large-denomination time deposits (time deposits in amounts of \$100,000 or more); (3) repurchase agreement (RP) liabilities of depository institutions, in denominations of \$100,000 or more, on U.S. government and federal agency securities; and (4) Eurodollars held by U.S. addressees at foreign branches of U.S. banks worldwide and at all banking offices in the United Kingdom and Canada. Large-denomination time deposits, RPs, and Eurodollars exclude those amounts held by depository institutions, the U.S. government, foreign banks and official institutions, and

money market mutual funds. Seasonally adjusted M3 is constructed by summing institutional money funds, large-denomination time deposits, RPs, and Eurodollars, each adjusted separately, and adding this result to seasonally adjusted M2.

An Elementary Explanation on Money.

What's a dollar? A simple question, yet no court will render a determination.

IS A TUNA A FISH?

This is not hard, and even though elementary in my approach, it is a simple means to make a simple principle understandable...So again:

IS A TUNA A FISH?

To those who answered YES, I most certainly agree. Since a Tuna is a fish, wouldn't 10 (ten) Tuna have to be 10 fish? ABSOLUTELY!

IS AN APPLE A PIECE OF FRUIT?

YES an apple is a piece of fruit, and 10 apples would be 10 pieces of fruit. GREAT!

IS A DOLLAR A PIECE OF PAPER?

And if you answered YES to that question, then please answer the following:

IF A DOLLAR IS A PIECE OF PAPER, THAN WHY ISN'T 10 DOLLARS TEN PIECES OF PAPER?

If a dollar is a piece of paper, how could two halves, four quarters, ten dimes, twenty nickels or one hundred pennies BE A DOLLAR?

And for that matter, HOW CAN ONE PIECE OF PAPER BE TEN OF ANYTHING?

If I held an apple in my hand in such a way that you could only see one half of it and then proceeded to ask you: "What am I holding in my hand"? Would you answer "An apple"?

But what if, much to your surprise, I showed you the part of the apple that was concealed in

my hand, and it had stamped on it : TEN APPLES - U.S. DEPARTMENT OF AGRICULTURE...? Would you still say I had an apple, or would you say now I really had ten apples? Think about this, for you do it every day! I believe intelligent people should answer questions correctly. And of course, just because the USDA stamped 10 on my apple, or the privately owned Federal Reserve prints 10 on their imaginary notes, certainly doesn't make one become ten AND YOU KNOW IT! The law says:

"United States money is expressed in dollars..." - Title 31, United States Code, Sec.5101.

And land in the USA is "expressed" in acres, so deeds to land are also expressed in acres - although an "acre" is not the land, nor is "dollar" the money BUT the UNIT OF MEASURE of gold and silver in coin form, ONLY when gold and silver are current AS the money! Gold and silver have been used AS money for a long time throughout history and for very good reasons including but not limited to: 1) relative scarcity; 2) doesn't rust or spoil; and, 3) has universal acceptance...again, we don't need any government to force us to accept gold or silver, but they have to force us to take paper.

A convenient unit of weight was needed to express gold and silver; the shekel of old later giving way to the troy ounce of today. But Americans officially in 1792 - [Coinage (Mint) Act of 1792, which the Boston Federal Reserve Bank states: "...is still the law..."] adopted the decimal system for weighing gold and silver, the "dollar" being the primary unit of measure.

Nevertheless, just as gravel is measured in cubic yards, sugar in pounds, and milk is expressed in quarts, so too, silver and gold were weighed in dollars. And since no tangible entity answers to a 'gravel cubic yard', 'sugar pound', or a 'milk quart' - it stands to reason no tangible commodity could answer to a gold or silver 'dollar'! And the reason you do NOT have a 'silver dollar' in your secret hiding place, is

the same reason you do NOT have a 'milk quart' in your refrigerator - that is, NEITHER EXIST.

Intangible units of measure are not fashioned from tangible substances! So, why do you correctly say "a quart of milk", and incorrectly say "a silver dollar"? Accurate or lawful delivery [PAYMENT] of a substance or thing requires three elements or indicia: 1) Numeric quantity; 2) Unit of measure; and 3) the thing or substance being measured. In fact with out all three of the above indicia, no merchant can do business with any customer, anywhere - consider:

You own a deli with a fine array of meats and cheeses, etc. ...and I approach you with this request: "Could I please have 3 pounds please"? In order to fill my order you need all three indicia and I only gave you two - quantity = 3, unit of measure = pound, but I failed to tell you what the substance was, so you must ask; "3 POUNDS OF WHAT?" Then, once I tell you "smoked turkey breast", you have no problem filling my order.

So, what do you do when I next order: "Could I please have pounds of Swiss cheese"? This time you must ask: "HOW MANY POUNDS of Swiss Cheese"? - Get it? By now, as a deli owner, you are wondering if I am not the dumbest person on earth, yet when I ask you how much is my total order, you say: "Ten dollars please"?, and if I asked you "TEN DOLLARS OF WHAT?" you'd be dumbfounded!

When we used gold/silver AS the money, you would have said: TEN DOLLARS OF GOLD (pricy shop you run!), and we could both conduct our business...So today - TEN DOLLARS OF WHAT? Dollars of dollars? Do we have "gallons of gallons"? See the scam, fraud and CON?

If you have ever seen a pre-1963 dollar bill of credit, you might have noticed the CONTRACT concealed in plain view: Who?: "The United States of America", Will do what/when: "Pay to the Bearer on Demand – ONE DOLLAR"

What/where: "This note is legal tender for all debts, Public and Private, and is redeemable in lawful money at the United States Treasury, or at any Federal Reserve Bank."

"The terms 'lawful money' or 'lawful money of the United States ' shall be construed to mean gold or silver coin of the United States." {Title 12 United States Code, Section 152}

Can a note that PROMISES to PAY 'LAWFUL MONEY' be the "Lawful money"? In the pre-1963 bills of credit, or notes, you had to look at three different places on the face of the bill, and read four different fonts/styles of print to see the contract concealed in plain view. Now, pull out a post-1963 bill of credit, any denomination if you like, and look closely at its face:

Who? "THE UNITED STATES OF AMERICA - FEDERAL RESERVE NOTE - ONE DOLLAR (or 5, 10, etc...) THIS NOTE IS LEGAL TENDER FOR ALL DEBTS PUBLIC AND PRIVATE"

That's it! They removed the PROMISE and by doing so the bill magically became the thing once promised! UNDER YOUR NOSE! The modern day FEDERAL RESERVE NOTE promises nothing to anyone ever! It can't be redeemed for anything; it is not "federal" embraces NO "reserves" and is NOT a "note".

The very first person who "spends" one into the market place will give nothing for it and get anything with it...YOU SLAVE, must work for it and if you hold onto it too long, will get nothing for it! Just as deeds to land cannot be the land, notes [promises to pay the money], or now, worse - imaginary notes with no promises to pay the money, cannot be the money.

Again - "So what - I can spend it" cry the slaves...But looking beyond their elementary short-sightedness, it should be obvious that for the creators of imaginary notes a phenomenal economic and political clout can be had...for the rest of us, serious problems.

"Lenin is said to have declared that the best way to destroy the capitalist system was to debauch the currency. By a continuing process of inflation, governments can confiscate, secretly and unobserved, an important part of the wealth of their citizens. By this method they not only confiscate, but they confiscate arbitrarily, and while the process impoverishes many, it actually enriches some." Keynes on Inflation, 1980 Annual Report, FRB of Richmond, p.6.

Legalized theft of our wealth with imaginary money GIVEN PHYSICAL SUBSTANCE with paper and copper/nickel slugs creates a dilemma since fraud of this magnitude is difficult to conceal. Our master's solution: Charge interest on loans of nothing! Who would ever suspect a bank of creating imaginary principal when everyone thinks they need more of what they get for nothing?

But interest creates another problem. How does the non bank public return more 'funny money' to the banks than they pretend to lend??? How can all debtors repay the principal plus interest when banks only lend principal? In other words, how do we repay 4 eggs on a 3 egg loan – when the banks own all the chickens?

Our master's solution: Just encourage the next generation to climb aboard the treadmill. By borrowing new 'dollars' into circulation, they enable the first generation to earn that '4th egg'. This also gives the first generation an incentive to enslave their own offspring and escape foreclosure!

It is the nature of an imaginary monetary system that is ever expanding and all consuming to collapse. Public CONFIDENCE in this self-destructive, "it's gonna kill us all" system is enhanced by: 1) fond memories of 'redeemable notes'; 2) interest levied on non-loans; 3) vaults and armed guards to protect bogus IOU's, and 4) public schools to delude students into exchanging assets [labor, wealth or production] for bank liabilities [notes and

checks] and call it PAYMENT instead of THEFT!

NOW FOR A MORE SOPHISTICATED EXPLANATION.

In your letter you asked for \$.

Professor Florian Cajori dealt with the \$ sign question rather definitively more than 60 years ago in A History of Mathematical Notations and could get quite indignant on the subject. He noted in his book, "About a dozen different theories [on the \$ sign's origin] have been advanced by men of imaginative minds, but not one of these would-be historians permitted himself to be hampered by the underlying facts."

Among the deficient hypotheses:

(1) The \$ sign was originally the letters U and S superimposed. The idea here is that the original \$ sign had two vertical lines, not one. Popular though this idea is, there is zero documentary evidence for it.

Furthermore, Robert Morris, the Revolutionary War financier and the first U.S. official to use the sign, made it with a single vertical stroke.

(2) Its a version of the letters IHS, the Greek abbreviation of the name Jesus. No further comment required.

(3) It was originally a P combined with an 8. The dollar, you'll recall, is descended from the Spanish Mill Dollar, also known as the "piece of eight" because it consisted of eight reals. Plausible, and as we shall see not that far from the truth, but still wrong.

(4) The \$ sign was inspired by the Spanish "pillar dollar," which on one side had two columns signifying the "pillars of Hercules" at Gibraltar. These were represented in the dollar sign by the two vertical lines, with the S being some sort of scroll wrapped around them.

In reality, Professor Cajori contends in his book, the \$ sign is an abbreviation for "pesos." Bear in mind that the Spanish dollar, also known as the peso de 8 reales, was the principal coin in circulation in the U.S.A. up

until 1794, when we began minting our own money. In handwriting, "pesos" was usually abbreviated lowercase "ps," with S above and to the right of the P and with the hook on the latter written with one or two deep strokes. As time went on, the P and the S tended to get mashed together and the result was \$. The dollar sign and the PS abbreviation were used interchangeably from around 1775 until the end of the century, after which the latter faded from view. Professor Cajori backs up his argument with examples from manuscripts of the period. It is thought by some that the changes from double stroke to single stroke dollar signs parallel changes from asset-backed currency to credit backed currency. It appears that nobody really knows or has any documentary evidence as to the meaning of the single and/or double line \$ sign until one studies a one-dollar stamp. Close examination of such will immediately reveal that somebody certainly knows the difference between the symbols. A bill or judgment for a \$ does not support an action. If someone knows what a \$ is then the court must surely know because the judgment herein contains the single line \$ sign and without clarification it is impossible for Clyde Scott to know what it means in this action. Therefore, clarification is mandatory so that I can comply with your PAYMENT request. I cannot tender a \$ until I know what a \$ is.

NOW FOR MY LEGAL POSITION

I am a student of monetary law and have studied this issue extensively for the last several years, and thus I sincerely believe that my views on this subject have weight, merit and authority. I have also requested my local public servants to provide to me a similar determination, but I have been unsuccessful in this respect. The conclusion I have reached in reference to this failure of public officials to answer these basis questions posed by citizens is that these officials have no knowledge of monetary law. Since I suspect that you likewise may have some misconception in your own mind concerning this topic, I would like to offer you my views and opinion, in a Christian spirit.

The common monetary unit in circulation in our country prior to and during the Revolutionary War was the Spanish Milled Dollar. This coin was so prevalent that the word "dollar" was commonly understood by all people to be a reference to this coin. When the Constitution was drafted in 1787 and later ratified by the states in 1788, the constitutional references to "dollars" in this instrument meant these coins.

During the period of time that the Articles of Confederation were in force, the Confederate Congress made a factual determination that the "dollar" was the basic monetary unit of our country. By 1792, the Congress under the Constitution made a factual determination that the "dollar" was a weight of silver consisting of 371.25 grains of pure silver: see 1 stat. 246. This was the first act of Congress in reference to the subject of money; and there have been additional congressional acts adopted since the Coinage Act of 1792, but these acts have culminated in such a fashion as to only cause confusion in the field of monetary law.

A recitation of all the coinage acts of Congress is pointless here, although I would be happy to provide these cites to you. Acts in this regard were adopted, among other times, in 1834, 1837, 1878, 1900, 1933, 1934, and 1967. But, in reference to decisive acts of Congress in reference to the term "dollar" it is acts passed in 1972 and 1976 by Congress which clearly lead to the confusion so prevalent today in regards to the subject of monetary law.

Louisiana follows the common law and, of course, the common law is most important in reference to the subject of monetary law. At common law, the monetary standard of a nation was immutable, meaning that it could not be changed by any legislative body. This principle is expounded by many common law authorities and is an established principle of law. This being the case, Congress lacks all power to change the ancient monetary standard of our nation, which is the "dollar" of silver defined in the Coinage Act of 1792.

I am fully cognizant of the fact that there exist many powerful and influential advocates that maintain that the monetary standard is mutable meaning that it can be changed by Congress. These partisans further maintain that all power over the monetary standard is vested in the hands of Congress. If you accept this premise, then it logically follows that a "dollar" is today a legal fiction. The last definition of a "dollar" via a federal statute was contained in the Par Value Modification Act of March 31, 1972, 86 Stat. 116 formally 31 U.S.C. section 449. Section 2 of this act defined a "dollar" as being equal to 1/38 of a fine troy ounce of gold; in the alternative, 38 "dollars" equaled an ounce of such fine gold. This definition of a gold "dollar" was in effect until October 19, 1976, when congress adopted the Act to Amend the Bretton Woods Agreement, 90 Stat. 2660. Section 6 of this act repealed section 2 of the Par Value Modification Act. Since that time, congress has totally failed, and refused to enact any legislation defining a "dollar". If you accept the argument that congress possesses total control over the monetary standard, then you must also accept the proposition that a "dollar" is today a legal fiction. It is indeed odd that our entire economy and society operate upon an entity which is unknown and legally undefined.

Another point I would like to make with you concerns the Federal Reserve Note. Many people contend that Federal Reserve Notes are legal tender pursuant to 31 U.S.C. section 3103. But, notwithstanding this statute, one must look to the substance instead of the form to determine if such notes are really, legally, legal tender. The essential attribute of any legal tender currency is that it must be in fact an obligation of the United States. To be an obligation of the United States, Congress must have adopted an act authorizing the issuance of some quantity of these notes, and the same must be enforceable against the United States.

However, I have not found any statute whereby congress has authorized any amount of these

notes to be issued and since this is the case, such notes are not United States obligations and are not legal tender.

Further, these notes are not enforceable against the United States. The ultimate hypocrisy is that these notes are not even enforceable against the banks, which issued them. I have studied the matter for 20 years and written an extensive brief on the point that Federal Reserve Notes are not a legal tender, which I will save to counter any erroneous position taken in any official determination.

I hope that the points I am making in this letter are perceptible to you. There is a real and substantial issue concerning what is legally a "dollar" with on one extreme it being contended that a "dollar" is a weight of silver and on the other extreme it being contended that a "dollar" is a legal fiction.

Further, some people contend that Federal Reserve Notes are legal tender and others answer that they are not, and these people who contend otherwise, including myself, have the weight of law to support their argument. With such obvious confusion, it is only natural that I cannot pay a "dollar" of liability in any judgment or settlement.

It is a well-known fact that a court that does not have a remedy has no subject matter jurisdiction to create one unless such is contracted. In this instant there is no remedy because payment of a judgment in money of account expressed in "dollars" and pursuant to HJR-192 there are no lawful dollars in circulation. Since HJR 192 we can only discharge a liability with the approval of Secretary of the Treasury. If the Secretary does not give his, or her, approval any judgment, settlement, or debt can only become an unenforceable and expensive nullity.

As a matter of law the money accounts of this state must be expressed in dollars or units, cents or hundredths, and mills or thousandths; and all accounts in banks and public offices,

and all proceedings in the courts of this state, shall be kept in conformity herewith.

Since this state must express its judgment in "dollars" an official determination is mandatory to eliminate confusion and performance, so I can legally and lawfully pay, settle, or discharge the claim with "dollars" or by the Bill of Exchange remedy found in House Joint Resolution 192.

The matter is further complicated by the fact that the State is prohibited from making paper a tender in payment of debt. See Article 1, Section 10 of the Constitution of the United States. Which states:

"No State shall make anything but gold and silver coin a tender in payment of debt."

A check with the Louisiana Secretary of State clearly shows that in his opinion Article 1, Section 10 is binding upon the State of Louisiana. So, as you can see, in view of these authorities, statutes, resolutions, and articles, I have no remedy or way to comply with the payment of "dollars" or the \$ you requested and therefore must conditionally accept for value and return for value your presentment pending an official determination of a "dollar" expressed in your claim or tender a \$1 Money Order each month until Congress puts money back into circulation. I have no duty to pay you or MBNA anything, unless you submit proof of claim that there is a way to pay the "dollars" you are demanding. Additionally, Every competent jurist knows that the created cannot possess a power that the creator did not have to give. The State of Louisiana does not have the power to make paper a tender in payment of debt and neither does any corporation created by the state or federal government. Such would be an act of ultra vires.

Years of research clearly show that the United States is without a dollar of "public or lawful money". All we have today is the private Federal Reserve unbacked credit dollars which are not money or property and only confers the

user an equitable interest but denies allodial title. It is no accident that the United States is without a dollar unit coin. In recent years the Eisenhower dollar coin received widespread acceptance, but the Treasury minted them in limited number, which encouraged hoarding. This same fate befell the Kennedy half dollars, which circulated as silver sandwiched clads between 1965-1969 and were hoarded for their intrinsic value and not spent. Next came the Susan B. Anthony dollar, an awkward coin which was instantly rejected as planned. The remaining unit is the privately issued Federal Reserve note unit dollar (which is not money see 105 So. 305 `1925') with no viable competitors. Back in 1935 the Fed had persuaded the Treasury to discontinue minting silver dollars because the public preferred them over dollar bills. That the public money system has become awkward, discouraging its use, is no accident. It was planned that way. There is no way to plug a judicial judgment into a private money system pursuant to Article one, Section ten. I clearly would love to litigate any premise counter to these assertions.

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