

CAUSE NO. 103083

THE CITY OF MEADOWS                    {     IN THE MUNICIPAL COURT OF  
V.    {     THE CITY OF THE MEADOWS  
Barbara Martin                         {     FORT BEND COUNTY, TEXAS

BRIEF OF THE ACCUSED

STATEMENT OF SUBJECT MATTER AND JURISDICTION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Barbara Martin, a De Jure Citizen of the State of Texas, hereinafter known as the (Accused), and would respectfully show this Honorable Court the following, (requesting this court to please take Judicial Notice of the definitions cited from Black's Law and Webster's Dictionaries) to wit;

A. FACTS:

(1)

On the 22<sup>nd</sup> day of October, 1997, the Accused was traveling alone in her automobile, exercising her Unalienable/Inalienable Right to travel, when she was stopped by City of Meadows Police Officer, J.H.Cox who issued her a citation for an expired Driver's License, an expired Motor Vehicle Inspection Sticker and Failure to Maintain Proof of Financial Responsibility. The Accused was traveling in a safe manner, on personal errands and was not in any way engaging in commerce or in any way posing a treat to anyone else. The Accused was detained by Officer Cox for approximately 15 minutes. Over the Officer's protest

(stating he could not accept a citation "SIGNED UNDER DURESS") and after Officer Cox informed the accused he was being nice, and he could take her to jail, the Accused signed the citation "SIGNED UNDER DURESS".

(2)

The Accused was certainly "UNDER DURESS" because Officer Cox stopped her with his patrol car lights flashing, and approached her automobile wearing a badge and gun, embarrassing her, as if she were a common criminal, while she was only exercising her Unalienable/Inalienable Right to Travel. Her Right to travel is secured, under the "Blessings of Liberty", by the United States Constitution (1787) and the "Bill of Rights" (1791). According to the United States Court of Appeals for the Fifth Circuit, "The claim and exercise of a constitutional right cannot thus be converted into a crime." Miller v. U.S., 230 F.2d 486 at 489 (C.A.5 (Fla.)1956)

(3)

In Hassell v. The State of Texas, 149 C.R. 333, 194 S.W.2d 400, the State Supreme Court said "information alleging that defendant operated a motor vehicle on a public highway without a "DRIVER'S LICENSE" charged no offense under Driver's License Act, since a driver's license is not known to the law - because the Act only authorizes issuance of operators, commercial operator's and Chauffeur's license, and use of term "driver" interchangeably with term "operator" would not be authorized in view of definition in the act, of term "driver" as meaning every person who drives or is in actual physical possession of a vehicle. Vernon's Ann.Civ.St.art.6687b, 2,3,4." The Act only authorizes issuance of Operators, Commercial Operator's and Chauffeur's license for commerce code vehicles only. The "Act" does not authorize the issuance of a Driver's License for the Public Conveyance of

the automobile. The Driver's License is neither recognized nor authorized to be issued under the "ACT" for automobiles and by reason thereof, it constitutes no offense to drive an automobile without a Drivers License, for and expired Motor Vehicle Inspection Sticker, for Failure to Maintain Proof of Insurance, etc,.. **The State regulations are for commerce and commercial vehicles only.**

### JURISDICTION

(1)

This Petition of dishonor is regarding the above said "Violation". As a Citizen under the Constitution of 1787, the Bill of Rights, ratified in 1791, and precedent decisions of Article III Justice Courts of Law, the Accused is **not** a subject of the Administrative and Legislative Article I courts, or bound by precedents of such courts, deriving their jurisdiction from said authorities.

(2)

Whereas City of Meadows Place Municipal Court is an Article I court and is not a county court or a statutory county court, preparation for cause in both types of courts is different. In Article I Courts, the accused cannot receive a fair and unbiased trial, as both the judge's position and that of the officer are created by statute. As such, both positions owe their allegiance to the statutes. Article III Courts, however, were established by the Constitution for the United States of America, and as such are true judicial courts, offering the Citizens Constitutional/Common Law justice as set up by our Founding Fathers. **"Legislation enacted by Congress applicable to the inferior federal courts in the exercise of the power under Article III of the Constitution of the United Sates cannot**

be affected by legislation enacted by Congress under Article I, Section 8, Clause 17 of the Constitution". D.C. Code Title II at ip. 13.

(3)

✓ The United States Supreme Court has stated, "The court must have had jurisdiction not only of the cause, but of the parties." Thompson v. Whitman, 85 U.S. 457, at 463 (U.S.N.Y.1873); "A court does not have the power, by judicial fiat, to extend its jurisdiction over matters beyond the scope of the authority granted to it by its creators ... there are certain strictly jurisdictional fact, the existence of which is essential to the validity of proceedings and the absence of which renders the act of the court a nullity." Stoll v. Gottlieb, 59 S.Ct. 134, at 137 and 139, 305 U.S. 165, at 171 and 176 (U.S.Ill.1938).

(4)

The Constitution of the State of Texas clearly states the power of the state is "subject only to the United States Constitution", Article 1, Section 1. The Constitution for the United States of America states "This Constitution .... shall be the Supreme law of the land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." Article 6, clause 2.

(5)

The Accused has Certified Government Documents to **prove** she is a member of the "Posterity" (blood, heritage) of the "sovereign People", who "ordained and established" the Constitution **for** the United States of America (1787), which created the national government, and the Constitution of the State of Texas, which created the state and local governments. In other words, she is a member of the "Sovereign People" who were the Creators of this Nation. Therefore, her Citizenship does not emanate from, by, through or

under the Fourteenth Amendment (1868), nor by the Immigration Naturalization Act of the United States, and thus, cannot be regulated or taxed for the "privilege" of existing as is the case of Fourteenth Amendment "persons". Her Citizenship is De Jure, and as such, is by **Right**, and **not** a De facto citizenship "privilege" granted by congress. According to Black's Law Dictionary, **Dejure**: "...total compliance with all requirements of law of right; legitimate; lawful; by right and just title". See Black's Law Dictionary, 6<sup>th</sup> Edition, page 425, 5<sup>th</sup> Edition, page 382 and 4th Edition, page 481. According to Black's Law Dictionary, **de facto**: "in this sense it is the contrary of De Jure, which means rightful, legitimate, just, or constitutional." See Black's Law Dictionary, 6<sup>th</sup> Edition, page 416, 5<sup>th</sup> Edition, page 375 and 4<sup>th</sup> Edition, page 479. Also, **Posterity**: "All the descendants of a person in a direct line to the remotest generation. (Not person as defined by the Fourteenth Amendment) 6<sup>th</sup> Edition, page 1166, 5<sup>th</sup> Edition, page 1050, 4<sup>th</sup> Edition, page 1330. In Webster's Dictionary, 1828, Electronic Edition, **Posterity**: Descendants; children, children's children, &c indefinitely; the race proceeds from a progenitor."

(6)

The Accused's Positive Identification is recorded at the Fort Bend County Clerk's Office, File Number FBC 9671463. Maxim of Law, **The created is never greater than the Creator**. Therefore, the created can **not** pass statutes which would infringe on the **Unalienable/Inalienable Rights** of the Creator. The United States Supreme Court has stated in Miranda v. State of Arizona, 86 S.Ct. 1602 at 1636, 384 U.S. 436 at 491 (U.S.Ariz.1966) "Where rights **secured** by the Constitution are involved, there can be **no** rule making or legislation which would abrogate them." See Black's Law Dictionary, **Unalienable/Inalienable Rights**: "Inalienable; incapable of being aliened, that is, sold and

transferred. Inalienable Rights. Rights which can never be abridged because they are so fundamental.” 6<sup>th</sup> Edition, page 1523, 5<sup>th</sup> Edition, page 1366 and 4<sup>th</sup> Edition, Page 1693.

(7)

According to the Supreme Court of the United States, “**Sovereignty itself remains with the people, by whom and for whom all government exists and acts.**” Yick Wo v. Hopkins, 6 S.Ct. 1064 at 1071, 118 U.S. 356 at 370 (U.S.Cal. 1886); “The judgment of the court was that the words ‘people of the United States’ and ‘citizens’ meant the same thing ... they are what we familiarly call the ‘sovereign people’.” Also, “The Constitution was ordained and established by the people of the United States for themselves ... the people of the United States framed such a government for the United States as they supposed best adapted to their situation and best calculated to promote their interests.” Barron v. City of Baltimore, (Md.1833), 32 U.S. 243, 7 Pet.243, 8 L.Ed.672; See: Civil Rights Cases, 3 S.Ct. 18 at 36, 109 U.S. 8 at 31 (U.S.Tenn.1883); See, Minor v. Happersett, 88 U.S. 162 at 167, 21 Wall. 162 at 167 (U.S.Mo.1874); Wilson v. Omaha Indian Tribe, 99 S.Ct. 2529 at 2537, 442 U.S. 653 at 667 (U.S.Iowa 1979); and U. S. v. Cooper Corporation et al., 61 S.Ct. 742 at 743, 312 U.S. 600 at 604 (U.S.N.Y.1941)

B. ISSUES:

(1)

The Right to Travel is an Unalienable/Inalienable Right, secured by the “One People”, the “Sovereign People” who were the founders of this great Nation, who, via their “delegates” wrote the Declaration of Independence (1776), who agreed to certain Articles of Confederation and Perpetual Union between the States/Nations (1777). They were the same,

“We the People”, spoken of in the Preamble to the Constitution for the United States (1787), who “ordained and established” the Constitution to “secure the Blessings of Liberty to ourselves and our Posterity”. The United States Supreme court stated “The citizen has the unconditional right to travel, ... a right of liberty which is absolute and is a fundamental right.” Shapiro v. Thompson, 89 S.Ct. 1322 at 1335 and 1336; “No right secured by the Constitution ... of the United States can be impaired or destroyed by any legislative enactment, whatever may be the source from which the power to pass such enactment may have been derived, especially for the Citizens of the several states.” Connolly v. Union Sewer Pipe Co, 22 S.Ct. 431, 184 U.S. 540

(2)

In U.S. v. Wheeler, 254 U.S. 281 at 293 (U.S. Ariz.1920), the United States Supreme Court stated, “In all the states, from the beginning down to the adoption of the Articles of Confederation, the citizens thereof possessed the **fundamental right** inherent in citizens of all free governments, peacefully to dwell within the limits of their respective states, **to move at will from place to place therein**, and to have free ingress thereto and egress therefrom, with a consequent authority in the states to forbid and punish violations of this **fundamental right**. Corfield v. Coryell, 4 Wash. C.C.371, 380 at 381, Fed.Cas.No. 3,230; Slaughterhouse Cases, 16 Wall 36 at 76, 21 L.Ed. 394.” This being true, then the **Right to travel** is one of the **Rights** referred to in the 9<sup>th</sup> Article of the Bill of Rights of the U.S.Constitution which **the people retained**. “The Supreme Court cannot question the wisdom of a constitutional provision.” Cramer v. Sheppard, 167 S.W. 2d 147, 140 Tex. 271, 8A Tex. Digest, Pg. 23, Sec. 17, Const. Law.

(3)

“The right to travel is a part of the ‘liberty’.... So much is conceded by the Solicitor General. In Anglo-Saxon law that right was emerging as least as early at the Magna Carta. Three Human Rights in the Constitution of 1787, 171-181, 187 et seq., shows how deeply ingrained in our history this freedom of movement is. Freedom of movement across frontiers in either direction, and inside frontiers as well, was a part of our heritage... Freedom of movement is basic in our scheme of values... ‘Our nation,’ wrote Chafee, ‘has thrived on the principle that, outside areas of plainly harmful conduct, every American is left to shape his own life as he thinks best, do what he pleases, go where he pleases’, at 197.” *Kent v. Dulles*, 78 S.Ct. 1113 at 1118, 357 U.S. 116 at 125 and 126 (U.S. Dist. Col. 1958)

(4)

“Where a general power is conferred, every particular power necessary for the exercise of same is also conferred, whether expressly granted or not.” *First Nat. Bank v. City of Port Arthur*, 35 S.W. 2d 258, 8A Tex. Gig. Pg. 18, Sec. 13, Const. Law.

(5)

“The exercise of a natural right is not taxable.” *Redfield v. Fisher*, 292 P. 813 at 819 (1930). As the United States Supreme Court stated in *Edwards v. People of State of California*, 62 S.Ct. 164 at 170, 314 U.S. 160 at 170 (U.S. Cal. 1941) “If a state tax on that movement, as in the *Crandall* case, is invalid, a fortiori a state statute which obstructs or in substance prevents that movement must fall. That result necessarily follows unless perchance a State can curtail the right of free movement of those who are poor or destitute... It would permit those who were stigmatized by a State as indigents, paupers, or vagabonds to be relegated to an inferior class of citizenship. It would prevent a citizen because he was poor



from seeking new horizons in other States. It might thus withhold from large segments of our people that mobility which is basic to any guarantee of freedom or opportunity. **The result would be a substantial dilution of the rights of national citizenship.**” John Adams: “Liberty cannot be preserved without a general knowledge among the people.” Thomas Jefferson: “If a nation expects to be ignorant and free, it expects something that cannot be.”

(6)

“The established doctrine is that this liberty may not be interfered with, under the guise of protecting the public interest, by legislative action which is arbitrary or without reasonable relation to some purpose within the competency of the state to effect. Determination by the Legislature of what constitutes proper exercise of police power is not final or conclusive but is subject to supervision by the courts.” Meyer v. State of Nebraska, 43 S.Ct. 625 at 627, 262 U.S. 390 at 399 and 400 (U.S.Neb.1923); See, Lawton v. Steele, 152 U.S. 133 at 137, 14 Sup. Ct. 499, 38 L.Ed. 385.

(7)

The Right to travel is a Right that cannot be legislated against. **The state cannot condition this Right, nor place a fee or a tax on such a Right.** Citizens travel by Right and not by a privilege granted by the state through a license. Licenses are limited to commercial vehicles only. Remember, the statutes are “commercial statutes.” “The automobile is a lawful means of travel.” McIntyre v. Orver, 76 NE 750; Under the statutory definition the following terms are for commercial vehicles only. (commercial/commerce licenses), and that’s OPERATOR TYPE-C, COMMERCIAL TYPE-B, and CHAUFFEUR TYPE-A licenses for a “vehicle” with or without a “motor” and does not include AUTOMOBILES.

Please note the term **automobile** is **not defined** by either state statute **6687b** or **Title 49 USC**, and was not intended for automobiles which is, by the **Supreme Court definition** a **public conveyance**, and has equal right on **Public Roads**. *Hennessey v. Taylor*, 76 NE 224 (Mass.)

(9)

Your Honor, as stated, "**A license is a mere means of regulation**, and the citation in question was void in singling out the automobile by name and placing it under the ban of outlawry (or regulations) and "Class legislation discrimination against some and favoring others is prohibited." *Christi v. Elliott*, 216 Ill. 46

(10)

The definition in *Black's Law Dictionary* of **License**: "The permission by competent authority to do an act which, without such permission, would be illegal, a trespass, a tort, or otherwise not allowable." 6<sup>th</sup> Edition, page 920, 5<sup>th</sup> Edition, page 829, and 4<sup>th</sup> Edition, page 1067

(11)

Since a license is permission to do something normally illegal, it could not apply to driving which has always been a **Right** and not a privilege under law. The attempt to make a **Driver's License** an agreement lacks such sufficient parts as to estoppel the process. All dialogue (written or otherwise) must be in the agreement, in the "Act". The definitions alone are proof in court, for "Who is a 'person' to be regulated?" Without sufficient assent to all conditions, there can be no contract. There is no benefit received that is greater or equal to, the **Unalienable Rights** of a State Citizen under statutory law. If the contract is to be an adhesion agreement, the state must notify the Citizen of such conditions, as per Texas

business and penal laws as well as United States law affecting the agreement, and any undisclosed definitions affecting whether or not a Citizen would have signed such an agreement. **Anything else is fraud.** The contract cannot be executed when the operator's license is obtained because the Driver's License is nothing more than a quasicontract with the State's signature being a copy invalidating any attempt at contracting. This license is also not an implied contract as it meets no requirement of a contract.

(12)

All this points to the fact at law that if the Driver's License is not recognized by law, then any offense in which a Driver's License was used to record the offense is not accepted as an offense. If the Citizen had Right of Passage through the State before the licensing was established, then the Right of Passage cannot be revoked.

(13)

The Right of the De Jure Citizen, while pursuing her own private business and pleasure, to travel upon the streets is a common Right upon which the State, County or City/Municipality has no business demanding any license. The Right to travel freely is a Right of national Citizenship, not dependent upon the whims of the State, as we see in *Crandall v. State of Nevada*, 73 U.S. 35 (U.S.Nev.1867)

(14)

As stated by the United States Supreme Court, "**Statutes which in general terms divest pre-existing rights or privileges will not be applied to the sovereign without express words to that effect** ... In common usage, the term 'person' does not include the sovereign and statutes employing it will ordinarily not be construed to do so."

U.S. v. Mine Workers of America, 67 S.Ct. 677, 330 U.S. 258 (U.S. Dist.Col.1947); Also, “Where Act uses word in a special sense which it defines, definition by average man or by ordinary dictionary is not a substitute for the definition contained in the act.”

National Homeopathic Hospital Ass'n of D.C. v. Britton, 147 F.3d 551 (1945) Statute 179.

(15)

The Accused has been charged with violation of the Motor Carrier Act, but according to the Texas Laws Relating To Motor Carrier Act, Sec.1, “When used in this Act unless expressly stated otherwise: (a) The term ‘**person**’ means and includes an individual, a firm, co-partnership, corporation, company, an association or a joint stock association.” (but individual what?) Black’s Law Dictionary defines **Person**: “In general usage, a human being (ie. Natural person), though by statute term may include labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers ... Scope and delineation of term is necessary to determine those to whom Fourteenth Amendment of Constitution affords protection since this Amendment expressly applies to ‘person’.” 6<sup>th</sup> Edition, page 1142, 5<sup>th</sup> Edition, page 1028. However, Black’s Law Dictionary, 4<sup>th</sup> Edition, page 1299 and 1300, defines **Person**: A man considered according to the rank he holds in society, with all the rights to which the place he holds entitles him, and the duties which it imposes. People v. R. Co., 134 N.Y. 506, 31 N.E. 873. The word in its natural and usual signification includes women as well as men ... corporations are ‘persons’ as that word is used in the first clause of the XIV th Amendment; ... It has been held that when the word person is used in a legislative act, natural persons will be intended unless something appear in the context to show that it applies to artificial persons, Blair v. Worley, 1 Scam., Ill. 178; Appeal of Fox, 112 Pa. 337; 4 A 149; but as a

rule corporations will be considered persons within the statutes unless the intention of the legislature is manifestly to exclude them. *Stribbling v. Bank*, 5 Rand., Va., 132; ... Webster's Dictionary (1828), Electronic Edition defines **Person**: "1. An individual human being consisting of body and soul. We apply the word to living beings only; possessed of a rational nature; the body when dead is not called a person. It is applied alike to a man, woman or child. A person is a thinking intelligent being.

(16)

According to the "Act's" own definition, the "Act" applies to commerce. Although the term "individual" is used, the "Act" doesn't state, individual what. Therefore, since the Accused is a De Jure Citizen and not a citizen/subject "person" via the Fourteenth Amendment, whereas she was not engaging in commerce when she was stopped by Officer Cox, and there is no tort (supported by sworn affidavit of injured party), this court has no jurisdiction, unless there is a breach of contract evidenced by the original contract. If there is a contract, the Accused demands to see the evidence of the contract that obligates her to perform.

(17)

Apparently, Officer Cox "presumed" the accused was a Fourteenth Amendment "person", to be regulated and taxed under the Motor Carrier Act. However, the only way a De Jure Citizen can waive their Rights, secured by the Constitution of the State of Texas and the Constitution for the United States of America is by "waiving" those Rights by Contract. The United States Supreme Court ruled in *Brady v. U.S.*, (U.S.N.M.1970), 90 S.Ct. 1463 at 1469, 397 U.S. 742 at 748, 25 L.Ed.2d 747, "Waivers of Constitutional rights not only must be voluntary but must be knowing, intelligent acts done with sufficient awareness of the

relevant circumstances and likely consequences.” **The accused would never knowingly sign any contract that would trade her Unalienable/Inalienable Rights for civil rights.**

(18)

It should also be well to understand that our police forces were an extension of earlier merchant’s will, to have a constable place under arrest, and transport to a central location to hold for prosecution, any perpetrator captured by a citizen or merchant, so the merchant would not have to close his business to take the perpetrator to jail. So, in view of the contract nature of this element in law enforcement, it is easier to understand that, “the Police Powers of the State extend to the protection of the Health, Moral and Safety of the community, and the Police Powers of the State cannot be used as a revenue collection agency for the state.” *Mugler v. Kansas*, 8 S.Ct. 273, 123 U.S. 623, 31 L.Ed. 205 (U.S.Kan. 1887) (Com.App.1928) “Court must avoid construction which would render any portion of constitution meaningless.” *Vernon’s Ann. State Constitution, Article 5, State v. Gillette’s Estate*, 10 S.W. 2d 984, 8A Tex. Digest, Pg. 19, Sec. 14, Const. Law. (Tex.1943)

(19)

There are a group of individuals who claim to represent “We the People”, but in reality and by their actions and implied powers have kidnapped Citizens under the supposed Texas State Statute **6687b** and **Title 49** of the U.S.Code having a hold on those Citizens until they submit to the unlawful jurisdiction of the court and pay through this same court a fine, fee or penalty for the violation of **6687b** or the federal commerce code (**49 USC**)

C. HOLDINGS:

(1)

“The intention of the makers of the Constitution will be ascertained, and when that intention is so ascertained, whether expressed in plain language or not, such intent becomes as much a part of the law as if it had been expressed in plain and unequivocal terms. This was the rule announced by our Supreme Court in Mills County v. Lampasas County, 90 Tex. 606, 40 S.W. 403; First Nat. Bank v. City of Port Arthur, 35 S.W. 2d 258 at 263 (1931); 8A Tex Dig. Pg. 18, Sec. 13, Const. Law.

(2)

Utilizing the same Title 49 USC traffic section, the California Supreme Court declared that traffic infractions are not arresting offenses, and are civil in nature. This being true, such offenses are stopless offenses in the State of Texas (Article 1 U.S.Const.) as Texas must fulfill the “full faith and credit granted from state to state as to the public acts, record and judicial proceedings of every state”.

(3)

The Constitution in Article 1, Sec.10 said that no bills of attainder (citations), ex post facto law (legislative Statutes) shall be passed. That would do away with a natural Right, the Right to make use of the automobile as a vehicle of travel along the highway of this State is no longer an open question. The owner of an automobile has the rights in the roads and streets as do the drivers of horses, bicycles and pedestrians. House v. Cramer, 112 SW 3.

D. REASONING:

(1)

Your Honor, I'm sure you would agree at this point; it would be foolish for a De jure Citizen to exchange a RIGHT for a privilege since it would mean giving up valuable property in exchange for something of less value and may even be damaging financially. "There is no such thing in this county as taking one man's property without his consent and giving it to another by legislative edit. That is nothing less than confiscation by legislative decree." Middleton v. Texas Power & Light Co., (No. 2744) Supreme Court of Texas; "The Police power rests upon necessity and the right of self-protection, but private property cannot be arbitrarily invaded under the mere guise of police regulation, nor forfeited for the alleged violation of law by its owner, nor destroyed by way of penalty inflicted upon him, without opportunity to be heard." Lawton v. Steele, 14 S.Ct. 499 at 503,504, 152 U.S. 133 at 143.

(2)

Control is still a key element of the system. Actually, the Driver's License amounts to nothing more than mere identification. Most of us would swear to be loyal Citizens without the intent to harm our way of life. However, subjugating your fellow Citizens to a controlling socialistic system designed to further destroy the financial integrity of the Citizen with high fines and fees is only part of the problem of stealing Rights and replacing them with privileges. It was never my intention to give up any Rights by consent. In Criminal law, no act shall be deemed a crime if done with the consent of the party injured, unless it be committed in public, and is likely to provoke a breach of the peace, or tends to the injury of a third party; provided no consent can be given which will deprive the consenter of any Unalienable Rights. Bouvier's Law Dictionary.



(3)

According to Ex parte Huddleston, 194 S.W.2d 401, 149 Tex.Cr.R. 388, No. 23378, May 1, 1946, the court said, "The judgment or ruling of a trial court is in law presumed to be correct and presumption obtains, until the contrary is made to appear". All of the cases that the Public/Citizen has placed before this court are trial court rulings that uphold the Public/Citizen's contentions, that the Accused is not a "person" mentioned in 6687b of Title 49 USC, the commerce code. **She is a De Jure Citizen** with Public Constitutional conveyance of the time, and that is her automobile.

(4)

"The will of the people as recorded in their Constitution must remain inflexible until changed by them, so that the courts should never so yield to public sentiment as to construe a constitutional provision contrary to the will of the founders." (Civ.App.1939) Grover v. Cobb, 123 S.W.2d 794, error refused, 8A Tex.Dig.pg.18, Sec. 13, Const.Law.

(5)

It is the contention of this De Jure Citizen that the only obligation which this Citizen incurs when operating an automobile upon the streets or highways of Texas is the Common Law obligation to refrain from any act which causes another citizen to lose life, liberty or property. However, the acquiescence to some of the statutes of **Title 49 U.S.C.** should not be construed as evidence of a contractual obligation on the part of this De Jure Citizen. Instead it is merely a desire on the part of this De Jure Citizen to travel safely and to do no harm to anyone else. Actually, according to the index of the U.S.Code, no appendix to **Title 49 U.S.C.** has been ratified. In view of this information and mountains of cites remaining,

one must do his/her duty to the People and to the Rights of this De Jure Citizen and **dismiss the charges** as “**No Offense**” for **lack of jurisdiction** over said De Jure Citizen of the State of Texas. There is no shame in upholding the “**Law of the Land.**”

Sincerely,

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