Janice Sue Taylor,
Appearing Specially and Not Generally,

Legal Address. Commencing, in suf. det., at w 1/4 corner of section 26, T.2S.-R.6E., G & SRB & M, thence S. 0° 07' 22" W. to 332.12 ft. to SW corner of section 26, thence bearing 0° S. 7' 22" W. from SW. corner of section 26, 332.12 ft. distant therefrom, thence southerly of N. Section 26 – 858.78 ft to the True Point of the Beginning, continuing thence 164.91 ft. to SE corner, thence 164.91 ft. to SW corner, to True Point of the Beginning; organic city of Gilbert, organic county of Maricopa, organic State of Arizona; —not owned or possessed by the United States of America; —not a post Road; —not on a post Road; —not in a U.S. district.

(response information at certificate of service page)

IN THE [ALLEGED] UNITED STATES DISTRICT COURT FOR THE [ALLEGED] DISTRICT OF ARIZONA

The [alleged] United States central government; The Internal Revenue Service federal agency,

ALLEGED AS PLAINTIFF,

v.

Janice Sue Taylor,

ALLEGED AS DEFENDANT OR THE ACCUSED

APPEARANCE DE BENE ESSE

cc: National Ninth Tribunal Court

Copies to be sent to all members, State legislature of Arizona, and et al

WARRANTED: MOTION TO AVOID MISTRIAL FOR UPCOMING TRIAL BY TREASON; - LACK OF STANDING AND CONSTRUCTIVE SUBJECT MATTER JURISDICTION; - TWENTY FOURTH AMENDMENT DENIES GROUNDS FOR CHARGES – TO BE IMPOSED UPON THE ALLEGED DEFENDANT, JANICE SUE TAYLOR

DEMAND TO TAKE JUDICIAL NOTICE

Case # CR 10-400-PHX-MHM (ECV)

LIABLE NOTICE: Clerk Of Court

NOTICE: Mary H. Murguia

A RIGHT OF PLEADING AT THE COMMON LAW

INCORPORATING ALL PROCEEDINGS HERETOFORE FILED WITH THE ALLEGED COURT ABOVE NAMED, AS, MINIMALLY, AN EVIDENTIARY BASIS FOR DEMAND, SUFFICIENT FOR FUTURE GROUNDS FOR MISTRIAL

Conferring No Unlawful Claim for Jurisdiction, Venue or Standing in doing so, upon the above named, alleged "district" court, COMES NOW Janice Sue Taylor, appearing as a citizen of and residing and having domicile in the State of Arizona, and not elsewhere, and appearing at no time as a person residing, traveling in, on, or through, or having abode or domicile in or on any property whatsoever, owned or possessed by the alleged United States central government, and submits this:

> **Warranted**: Notice Of Demand For Mistrial Based Upon (1) Trial By Treason; (2) Lack Of Standing, and Lack Of Constructive Subject Matter Jurisdiction, and (3) Twenty Fourth Amendment Denies Grounds For Charges; — To Be Imposed Upon The Alleged Defendant, Janice Sue Taylor, with **Demand To Take Judicial Notice** ...

... for the complete reading of all three (3) of the aforementioned, and exemplifies and shows the aforementioned court, as set forth below in The Indicated Pertinent Parts, as follows.

APPROPRIATE GROUNDS AND PROCEDURES FOR MISTRIAL.

A. Mistrial: Either party, if conditions that either lead to Trial or existed During the Trial by the claimed impartial Jury, were either fraudulent, felonious, treasonous, constituted any form of misconduct on the part of any party officiating in the court, inclusive of any member of the impartial Jury, or were so ineffective as to defeat the purpose of the trial itself, to render justice to both the State as well as to the Defendant so far as may be possible, has the right at the Common Law to seek and petition – where the evidence is so strong in its favor that it would constitute an utter miscarriage of justice not to – for a demand for mistrial, respectfully petitioning the court for an order for same, in order that a new and certifiably impartial Jury be impaneled for such required new Trial by the same to be duly scheduled, as provided for in the Law.

B. When a **mistrial** is verifiably determinable to be both exigent and mandatory according to the Law, the trial must start again from the selection of the impartial Jury as is required to be

impaneled under Article III, Section 2, Clause 3, *in pari materia* to the Sixth Amendment, the impartial Jury clause thereof.

C. In this, the above numbered Trial case number, the claimed Defendant, officially arising in these pleadings as Demandant, for distinct and definite just causes shown hereafter, notices the above named [alleged] United States District Court For The [alleged] District of Arizona that there will exist sufficient evidence in the upcoming trial to require an issuance of order for Mistrial, and continues to show the aforementioned court within the three parts below as follows.

PART I. TREASON AT TRIAL. TRIAL BY TREASON. THE LAW AND THE FACTS.

1. **Treason seldom works alone.**

2. **Treason Conspiracy**. Treason Conspiracy, when given time, will come to reside and exist in high places – as actual acts evident to all.

3. **There has been time, more than enough.** Evidence **abounds** on all sides, as has been set forth in the Exhibited The Clause 15 TEST; The Article III, Section 2, Clause 3 TEST; The Title-28-Scs. 81 through 131 US Districts TEST, and The Turret Laws TEST, confirming that **Treason** and **Treason Conspiracy**, by way of **Seeded Treason**, now resides and exists in high places within the alleged United States central government, and in each and all of them, States.

4. **It is recognized that there may be elements of betrayal that are wrong and are actionable**, that are, in spite of their heinous existence, not **Treason**, *except* when such ***betrayals*** have become so commonplace or known about, and numerous in their occurrence between officials, whether State or United States, said officials having been empowered under public trust to protect the public itself from an adverse harm of subject matter and consequential takeover, as rendering the elements of Article III, Section 3, Clause 1, "giving Aid and Comfort to their [the Several States] Enemies," or "**them**," Not "**IT**," as seen as the effectuation of that same, *ipso facto*,

the **Treason** *has been made out*, or the crime has been established as **Constructive Treason**, arising from **Seeded Treason**, because it answers to the principle grounded for **Treason**, being the "giving Aid and Comfort to their [the Several States] Enemies, or else Internal, Covert, Insurrectious or else Collaterally Invasive Enemy," and when confirmed, becomes actionable of itself, in any State Court of original jurisdiction, Title 18, U.S.C, Section 1442 notwithstanding.

5. In this case, however, it is the straightforward elements of **Treason**, and **Misprision of Treason**, and not betrayal only, that are put on the table, and in front of the court.

6. **Trial By Treason**. **Trial By**, not For or Of, **Treason** occurs where a Trial for alleged Criminal Offenses contains one or more elements of [f]actual and evident Treason within its procedures, inclusive of elements of Treason contained within the surrounding circumstances of the charges for which the accused has been brought to trial himself or herself.

7. While all judicial and other official Actors involved in the **Trial By Treason** may not be aware of the **Treason**, arising from **Seeded Treason**, being perpetrated, or where none of them may be aware of the **Treason** when such was brought about by acts at lawmaking involving an illegally operating faction of government, it is with a certainty that such acts reach outside of the courthouse itself, to external places where the court's own judicial powers have not initially extended to, but where the acts of the office of prosecution are the involved perpetrator, involving further such representation of the prosecution's particular client, ordinarily which is the case of the alleged United States Department of Justice, involves one or more departments of the alleged United States central government, where **Treason In The Factum**, arising from **Seeded Treason** brought forth **January 1, 1945**, having been so planted, has become entrenched, whether or not adhered to by any particular executive official thereof.

8. Any conclusion or verdict or sentence rendered, where elements of **Trial By Treason** can be shown – at any time - to exist, except that it be not guilty, cannot Stand, and the necessity for a new trial, if any trial at all is possible, must be scheduled immediately, but where those **Treasonous** Elements have been carefully and conscientiously removed from within the case itself; Mistrial becomes a right for demand - by those not a willful party to the Title 28, U.S.C., Sections 81 – 131, encoded January 1, 1945 - and thereafter - **Seeded Treason**, committed while the nation was still at War, which said **Seeded Treason** has resulted in the UnLawful = Illegal upcoming **Trial By Treason** process to which Defendant has been **UnLawfully Subjected**, for which Dismissal to **Avoid Mistrial** for **Trial By Treason** is hereby duly sought.

9. On August 16, 1954, the alleged 83rd Congress committed **Treason** at page 725 of its newly passed "Internal Revenue Code of 1954," whereby it attempted to – through the use of the Internal Revenue Service federal agency – enact National Gun Registration of **every** Citizen of the United States, and in doing so at its page 725, without any prerequisite for requiring the gathering of all States Militias military firearms information or data, a Second Amendment Security Inherent Requirement, petitioned for all Citizens of the United States that they reveal – to the Internal Revenue Service federal agency – such Second Amendment firearms information as to - the type of gun or firearm, owned, its identifying firearm number, but above all of these, showing forth their, **Treasonous** Congress,' intent to Seize *or* Confiscate all such Revealed Guns, the petition to know:

Citizens/Folks, Where Do You Keep Your Guns At – USUALLY!

10. Which petition for such foregoing information, where there was to be no provision for a classified requirement of protection upon such vital Second Amendment, or States Militias military information, would have created the compilation of such military information as being made, in effect, a **Yellow Pages for Spies**, or that is, due to such military information being rendered, in

effect, as "public information" able to be sequestered by any person of the public, inclusive of any enemy spy of any enemy of the United States-nation itself, thereby giving, by such unprosecutable public information convenience, "aid and comfort" to any such enemy, for nothing more than to journey to the place in the Territory of Washington, District of Columbia, to the place where such Public Information was to be ultimately compiled and made ready for USE (to seize such guns at the first opportunity to do so), with no criminal danger – for chargeable **Treason** – for doing so in sight (see the Page 725 Exhibits accompanying hereto);

11. It is to be noted that, *similar to* Fraud, **Treason VOIDS** the legitimacy of **Everything it touches**, which means that, there being the existence of **Treason** at Page 725 of the IRC of 1954, the Legal Effect of such **Treason** therefore is to **VOID**, and has So **VOIDED**, Instantly, the Entirety of the Internal Revenue Code of 1954, ***every word of it***.

12. With the further legal effect that, considering that where one law has been made a *stepping stone* for another, subsequent law, but where such one law has suddenly been found to be **VOID**, *ab initio*, or from its beginning, such other, or successive law made interdependent upon the one law, is also Made **VOID** *along with* the one law, and so goes to the next successive law, and the next, and the next, until it shall reach the current time and successive law, all such made **VOID** due to the **Treason** committed by and within the one law – against "them."

13. Consequently, the IRC of 1954 being made **VOID** due to the **Treason** contained within it, at page 725 thereof, all successive IRC's since that time are likewise **VOID** for the reasons just above stated;

14. As further Evidence of actual **Treason** committed by the 83rd Congress in the IRC of 1954, we find that the IRS federal agency just two (2) days later, out of over 900 pages of new tax law,

chose to submit into the Federal Register, at page 5220 thereof, under the precise words of "Any firearm shall be subject to seizure and forfeiture" and "No notice of public sale shall be required; no such firearm shall be sold at public sale," to be made applicable right down to the common rifle and shotgun, (same page) rendering in **Treasonous** Effect that the people's guns, upon being **seized**, by whatever pretext, was to be forever denied the Second Amendment Re-arming of any of them, it has been yet still found that - as a furtherance of the Page 725 intent to actually seize all guns, once the location of such guns, as to where the people owning them kept such guns at ***Usually***, the Provisions for Pretext for such firearms' seizures are found, starkly, deadly, at page 5221;

15. And it is at page 5221 that we find ourselves **Staring at Treason in its Face**, for it is here that we find the deliberate, unmistakable State Militia disempowering procedure for providing the basis for such seizures of such guns, where a tax (but not an income tax) is to be imposed upon each and every significant gun in the United States, having any real Military significance at all, right down to the common rifle and shotgun, of **$200..** each, **In 1954!**, NOT inclusive of the price of the seller of Each such Firearm, **$200.** being more than most people made in a month in 1954, a **$200. Tax** upon any and every Firearm in 1954 having the logical, economic effect that such People as not having financial ability to pay such a HIGH Tax upon each of their otherwise owned firearms, would find such firearms subject to being seized under the language of page 5220, once the place where such firearms were known to be kept – USUALLY – under the language of Page 725 of the IRC of 1954 (see the pages 5220 and 5221 Exhibits accompanying hereto);

16. While showing in contrast to such **$200** Tax on each and every gun, of significant Military use, in the United States, on that same page 5221, the non-Military significant guns - commonly regarded as the "**over and under gun**," with the single-shot rifle and shotgun combination, and the single shot, **manually reloaded gun** going back to Revolutionary War days, grossly ineffective,

militarily, against virtually all modern day firearms and munitions, were to be given a **Gun Tax** of just **$1.** - in contrast to the **$200.** Tax per each gun, **Gun Tax**, aforementioned - on each of them.

17. Now *uncontestably* exposed as to its purpose *and* intent by **2** Federal Register pages, filed just 2 days later, August 18, 1954, in the face of over 900 pages of new tax law, at page 5220 and page 5221, **Treason,** a Military Crime, + **Treason,** a Military Crime, + **Treason**, a Military Crime, on all **3** of them, pages, equals **TREASON** in the **FACT**, a Military Crime, and **Treason** in the **Factum**, a Military Crime, going to ***Misprision*** of **Treason**, a Military Crime, for all who have a constructive knowledge thereof; to be Tried under Military – State Militia – Law, before ANY claim for legitimacy of these procedures may be cleared for any other purpose.

18. The "plaintiff," the IRS federal agency, has in its history since August 16, 1954, relied upon the **TREASON-VOIDED** Internal Revenue Code of 1954, and all Subsequent **VOIDED** IRC productions and publications since that time, by which Acts of Untried-For **Treason**, this alleged court is in reliance upon, and renders, consequentially, the proposed upcoming trial as being **Trial By Treason**, a Military Crime over which this alleged court has No Subject Matter Jurisdiction, but which **Voids** and Will So **VOID** everything it touches, down to the last letter and word thereof;

19. It also being that, there never having been a **Military** Trial of the operators and agents of the IRS federal agency, past or present, for the **Treason of 1954** (there is no such thing as a statute of limitations on **Treason**, *or* **Attempted Treason** *going to* **Treason**) in order to determine if such **Treason** has been continued among or by any of them, examining such patterns and practices as the same now federal agency and agents employs, to determine as to whether or not such original acts of Treason involving the prospective financial – by Extraordinarily High Taxes imposed upon **Military Significant** Guns, has been *changed* into yet *another* **Treason Tactic** of imposing High

Taxes, Interests, Penalties (**Penal**ties = **Punishments** - *without* Trials), and Fines, upon much of the citizenry of the Several States, particularly upon those who may appear to be, in any sense, "patriotic," and to employ "**scare tactics**" by which monies taken are in fact nothing less than **Theft By Deception**, thereby employing Economy Draining War Tactics Procedures upon the People/people of the Several States so that they cannot afford – any longer – to purchase Second Amendment Securing Bullets to go into Second Amendment Securing Firearms, let alone the Second Amendment Securing Firearms themselves;

20. **TREASON voids out the alleged legal effects of every thing it touches upon**, whether such legal effects be found embedded in any law passed by any legislative body, in any form of exercise of executive power, in any form of military power, and in any proceeding for judicial exercise of judicial power or procedure, inclusive of any Trial that has taken place, is taking place, or is yet to take place at any time within a foreseeable future.

21. It is to be expected that the evidences of **Treason** that have been laid into this case will be attempted to be undermined any way possible, in order to divert or bring to a halt the uncovering of the illegal acts committed by certain federal actors which expose the official acts of **Treason** as an ongoing operation by illegal operating factions within the alleged United States central government itself, that such actors will attempt to downplay the significance and the soberness of these charges by claiming everything, no matter the gravity under which they exist, as being frivolous, or meritless, or even lacking reasonable sanity, or, another favorite of such condescending charlatans of the law, "radical," but which clandestine political acts of **Treason** involving the change of certain State powers over a period of 50 years brought about the **murder** of 170 people, 19 of whom were infants and children, in 1995, in the Murrah building in Oklahoma City, Oklahoma, on April 19th of that year.

22. Where the elements for **Trial** "**By**" **Treason** exist in their appearance within a courthouse of the alleged United States central government – WHEN the alleged United States central government actually owns the same under the Clause 17 TEST (Clause 17 of Section 8, Article I) for purposes for which the Power for the District of Columbia may be extended to (NOT Justifying **Power Fraud**), the Trial for the involvement of such elements of **Treason** as they existed within the said courthouse itself can be Tried only by the proper, Exigently Fundamental, National Tribunal Court Power of the alleged United States central government authorized, within the Constraints of The Clause 18 TEST and The United States Tribunals TEST and The Article III, Section 2, Clause 3 TEST themselves, except that otherwise the State Powers for criminal law enforcement and prosecution may lawfully and duly intervene therein in such case;

23. However, where those elements of **Treason**, which are made a part of the upcoming **Trial By Treason**, extend outside of that alleged United States central government owned courthouse to places that are clearly a part of the boundaries of the State itself, it is the Right, it is the Authority, it is the Duty, of the State's own officials for law enforcement to investigate, to arrest, to bring to State trial (**use of** Title 28, U.S. Code, Section 1442 **DENIED** as a part of the **same Trial By Treason**), to prosecute for the Crime of **Treason**, recognizing that such Trial can only be concluded by the use of the strict Power of the alleged Congress to *determine* the "Punishment for Treason," but NOT for the conducting of the Trial itself, the Trials *for* **Treason** STILL belonging to the Several States, all of "**them**," of which Arizona is One.

24. In other words, **Treason**, under the Separation of Criminal Jurisdiction Powers at Article III, Section 2, Clause 3, is not necessarily a federal crime, and in virtually all cases it is not, but in any case **where** the crime of **Treason** takes **place** in **any State**, *inclusive of* the "federal" use of its, State's own State *owned* roadways, streets, avenues, and other pathways (establishing its,

State's, Jurisdiction and venue), it, **Treason, is [actually] a State(s) crime** to be prosecuted by the law enforcement authorities of the State, one or more of "them" if applicable, wherein the act(s), or failure to act (as also with a **Misprision of Treason**), itself was or is found.

25. Consequently, where those elements involved in the **Trial By Treason**, being a part of Treason in the Factum, being **Treason** in the Fact, existent as per the **Seeded Treason** of January 1, 1945 – forward, do extend or exist physically, geographically, outside of the named fiction of the "United States courthouse" itself, the State's own applicable law enforcement, or each sheriff of each sheriff's department of each County and State wherein those revealed elements of **Treason** have been found to exist, to investigate, to arrest, to incarcerate, and to bring to State Trial for prosecutorial purposes, each and every illegally acting federal actor found reasonably knowledgeable and associated with such **Treason** in the **Factum**, from said **Seeded Treason**, can no longer be questioned; both the Duty and the Authority for each Full Sheriff of each State wherein such **Treasonous Elements of Evidence** are found, establishing the case for the same State's law enforcement department as to **where** (place) "the crime has been made out," are recognized and made necessary Powers for the State itself, and are to be looked to hereafter, in the above numbered case, for the sheriff of Maricopa County, Arizona, in combination with the State Militia's Provost Marshal, to commence their investigative operations for those elements made evident by these case pleadings and proceedings, immediately, accordingly.

PART 2. LACK OF STANDING AND CONSTRUCTIVE SUBJECT MATTER JURISDICTION.

1. The alleged United States district court for the alleged district of Arizona lacks, and has always lacked, Constructive Subject Matter Jurisdiction, over All Criminal Cases, no matter the subject matter nature of the alleged criminal case, and no matter who the accused person(s) may be in any case brought before it.

2. **The Evidence to Prove This Out is Overwhelming**, as is contained in the alleged Demandant's filed legal document, or contravenement, titled 1) "Notice Of Demand For Trial By Impartial Jury," working in combination with the legal contravenement titled 2) "Demand To Set Aside Or Vacate Arraignment, Proceed With Sixth Amendment Trial, And Re-enter Appearance Of Rights As Was Suppressed At Arraignment To Be Vacated;" 3) "Notice Of Writ Of Ponendis In Assisis To Maricopa County Sheriff, And Instructions To Said County Sheriff," and 4) the defense's impartial Jury instructions preceded by the Table of Contents in order to better instruct the impartial Jury, as an assize, on how to proceed with a Trial By Jury without a judge present in the courtroom;

3. The grounds for this being demonstrated concisely within the titled contravenement, "Notice of Demand For Trial By Impartial Jury," logically and procedurally breaking down the proposed Constitution to reveal the Truth, that the Constitution's Framers actually planned and designed it so that no judge, State or "federal," would have the right to participate in any criminal Trial, whatsoever, to not even be present in the courtroom with a sitting impartial Jury present, exposing questions at a "case of first impression level," questions that have never before been asked – and answered to, not the least of which is the answer to the question concerning the purpose of the Jury to begin with, as revealed by the Founder who first brought us mention of Trial **By** Jury at all, introduced into the proposed Constitution's Planning Meetings just 5 days prior to its original signing, September 12, 1787, wherein Mr. Founder Gerry stated as to such said purpose, as recorded by Mr. Founder Madison:

> **"Mr. GERRY** urged the **necessity** of **Juries** to **guard agst**. corrupt Judges."
> (agst. = against) (emphasis added)

4.1 Raising the question, submitted to certain law professors for their answer, "The jury, not knowing whether or not a judge, upon entering the courtroom where they are impaneled, be a

corrupt judge against whom they are to guard against, how would it be that the jury could guard against a corrupt judge if the judge is in the courtroom with them?

4.2 Immediate response: "They can't; the judge will overrule them every time."

5. The Statement by Mr. Founder Gerry being Seconded by Mr. Founder Col. MASON, Mr. Founder Col. Mason further perceived and indicated that:

"**The jury cases *can not be specified*,**"

6. Meaning that ALL cases before a court, no matter whether civil or criminal, no matter the kind of case, was to, and **is** to, consist of a Trial **By** Jury and NOT a judge, and a judge cannot be present in the courtroom when Trial **By** Jury, not Trial *with* Jury, is to work its dutiful work.

7. The Seventh Amendment itself, "its "preserved" principle, to make the Jury "ready for use at any time," every court-business day, all day long, over the **$20.** or less judge (also, the Founders knew about inflation, and knew that, in time, inflation would take the value of money to much higher levels of economy, reducing a **$20**. pivotal point to a point of virtually insignificant value, given time), was an attempt to comply with Mr. Founder Col: Mason's own contribution to the kinds of courts that the United States, or either of them, were meant to have, and not the ones such as they each have now.

8. Illustrating and Proving that all federal district courts created by the UnLawful Judiciary Act of 1789, by which the Gross Error was made therein for the "one judge" effect was entirely Illegal, never meant to happen, Corrupted the Intended Legal System, Corrupted the Country, Denied Many Fundamental Rights of the People, Violated Article IV, Section 4's Mandate for a Republican Form of Government in which the existence of Rulers, or Judges, are Inherently Denied altogether;

9. Revealing and Rendering this alleged United States district court for the alleged district of Arizona as an Errantly Established Court, as having Errant or UnLawful **Constructive** Subjective Matter Jurisdiction, and therefore, it is Officially Charged Herein and Hereby that the "**alleged United States district court for the alleged district of Arizona**" LACKS **Constructive** Subjective Matter Jurisdiction, a Charge that can be filed at any time - **with all procedural requirements that the external proof remedy therefor first be met**, which Charge the court so Charged cannot determine as to its own jurisdiction (**171 P2d 8; - 331 US 549; - 91 L. ed. 1666; - 67 S.Ct. 1409**), based upon the Constitutional Fact that its alleged Trial proceedings do not focus **solely** around a Trial **By** Jury only and not a Trial with Jury, **a critical realization** between the two concepts, No Doubt.

10. As these aforementioned Controvenments will utterly demonstrate, the "court" above named having, at the previous alleged Trial commenced November 3, 2009, the same being a "Trial with Jury" and not a Trial By Jury," the judge, even though unwittingly so, being present in the courtroom, or participating in the Trial proceeding at all, the Trial consisted of the Wrong Combination of Parties to Proceed, alleged verdict given on November 23, 2009.

PART 3. The TWENTY FOURTH AMENDMENT Denies Grounds For Charges.

In Review of the Exhibit, included as an Integral Part of the impartial Jury Instructions, in accompaniment herewith, it is demonstrated, conclusively therein, that the **Twenty Fourth Amendment** to the proposed Constitution for the United States Denies the Grounds for the Charges made against Demandant, alleged as

Defendant, and this case, and all cases like unto it, should be dismissed immediately, with prejudice.

CONCLUSIVELY SET FORTH, SUBJECT TO FURTHER AMENDMENT IF NECESSARY:

1. This **Notice of Mistrial** Based Upon **Lack Of Standing, Lack of Constructive Subject Matter Jurisdiction**, And For **Trial By Treason**, Imposed Upon The Defendant, Janice Sue Taylor has set forth above concrete legal formulations that justify all necessary grounds for a future calling of a **MISTRIAL**, Warranting that this case must be Dismissed on a Warranted Grounds For Dismissal, With Prejudice basis;

2. This Contravenement deals with conditions and a reverse-charge that appears on the surface to be unimaginable, but which the facts, when carefully studied and understood overall, do bear out the charges exactly as stated, also being therefore more than sufficient grounds for **Mistrial**, and Warranting that this case must be Dismissed on a Warranted Grounds For Dismissal, With Prejudice basis.

3. WHEREFORE, Demandant, commencing the Due Challenge of the aforementioned court's alleged Standing as to a Lack of Standing and its Lack of **Constructive** Subject Matter Jurisdiction, arising outside of the court's own discretion to determine its own Standing ***or*** **Constructive** Subject Matter Jurisdiction, except that these things be concretely proven, prevalently, to lack

substance in their content of pleadings, not by the Court itself, then this case must be Dismissed on a Warranted Grounds For Dismissal, With Prejudice basis.

4. And where there exists evidence that the alleged Trial previously ordered but not held, already contains elements of **Treason**, *arising from* **Seeded Treason**, incorporated into the motives and proceedings of the errantly ordered trial itself, the result to be **Trial By Treason**, which will demand of said government, whether being *de facto* or *de jure*, a new Trial without such present elements of **Treason** being any longer existent therein, then this case must be Dismissed, ***Sua Sponte***, on a Warranted Grounds For Dismissal, With Prejudice basis;

5. And where there exists evidence that the Twenty Fourth Amendment, passed in 1964, having had and having the Legal Effect of Denying the charges, all of them, brought against the Defendant, the extended knowledge, purpose, and applicability of the Twenty Fourth Amendment in combination with the Fourteenth Amendment not being made known to any grand jury before this time, then this case must be Dismissed, ***Sua Sponte***, on a Warranted Grounds For Dismissal, With Prejudice basis;

6. There Having Been Established Critical Evidence and Grounds For Dismissal in Order to **Avoid** MISTRIAL from upcoming **Trial By Treason** arising from **Seeded Treason** - in Violation of Article III, Section 3, Clause 1 – going to

Misprision of Treason – *going to* **Treason; -** Acts To Defraud the Demandant, as Defendant of her Inherent, Fundamental, and Constitutional Rights by Judicial **Lack Of Standing** and **Lack Of Judicial Constructive Subject Matter Jurisdiction**; this Petition and **WARRANTED** Motion - For Which the Court alleged has an ***Sua Sponte*** Instant Duty and Responsibility, of its own accord, To Comply With, Is HEREBY DEVOLVED Upon the Aforesaid Alleged Court, Invariably, IRREVOCABLY, and this case must be Dismissed, ***Sua Sponte***, on a Warranted Grounds For Dismissal, With Prejudice basis;

SUBMITTED OBJECTIVELY, RESPECTFULLY,

8/23/2010

Janice Sue Taylor, **Warranted:**
In her own best interests

CERTIFICATE OF SERVICE

I, Janice Sue Taylor, hereby declare and state that I have filed a true and correct copy of the above **WARRANTED**: Notice Of Demand For Mistrial document with the Clerk of the Court for the [Alleged] United States District Court For The [Alleged] District Of Arizona, said [Alleged] Court Appearing And Existing [Supposedly] As A Possession Of Its Own And NOT Lawfully Existing In The Legal or Organic County of Maricopa, Legal or Organic [Proposed] State of Arizona, and have mailed a copy hereof, postage prepaid thereon, to the following persons at the following addresses set forth below.

Frank T. Galati,
James Richard Knapp,
Office of the Alleged U.S. Attorney
40 N. Central Ave. # 1200
Phoenix, Arizona near 85004

Joe Arpaio, Sheriff
Maricopa County Sheriff's Department
100 West Washington
Phoenix, Arizona 85003

Major General Hugo Salazar
Adjunct General, Commanding,
Arizona State Militia
Over All **Military Crimes** Committed In **Arizona:**
I.E., Treason, Misprision of Treason,
Seeded Treason / Covert Invasion of "**Them**"
Trial By Treason, Seeded Insurrection
5636 E. McDowell Rd.
Phoenix, AZ 85008

ATTENTION: Provost Marshal

RESPONSE TO THIS EXHIBITED COMPLAINT IS REQUIRED - *Qui Tacet, Consentire Videtur, Ubi Tractatur De Ejus Commodo* **(He[She] who is silent is considered as assenting** [*to the matter in question*] **when his[/her] interest is as stake.)**

Popular Address,
For Use For Postal Service Mailing:
Janice Sue Taylor
3341 Arianna Court
Gilbert, AZ 85298

JUST CUT > AND GLUE > To Envelope

Legal Address. Commencing, in suf. det., at w 1/4 corner of section 26, T.2S.-R.6E., G & SRB & M, thence S. 0° 07' 22" W. to 332.12 ft. to SW corner of section 26, thence bearing 0° S. 7' 22" W. from SW. corner of section 26, 332.12 ft. distant therefrom, thence southerly of N. Section 26 – 858.78 ft to the True Point of the Beginning, continuing thence 164.91 ft. to SE corner, thence 164.91 ft. to SW corner, to True Point of the Beginning; organic city of Gilbert, organic county of Maricopa, organic State of Arizona; —not owned or possessed by the United States of America; —not a post Road; —not on a post Road; —not in a U.S. district.

Legal Notice. Do not mind the small letters size for the Legal Address that you see. All Articles – Sent By U.S. Mail – Are To be **Opened** And Read **Only** When Accompanied By Label Size (small size) "**Legal Address**" From First Page (Shown Above) Displayed On Envelope - **Below** Popular Address. Otherwise, Where Legal Address Is Not Present, Article Sent Will Be Returned **Unopened**.

No need to waste gasoline and time by not using the U.S. mail, or postal service.

Dated this 23rd day of August, 2010 A.D.

Janice Sue Taylor

Janice Sue Taylor

EXHIBIT

MOTION TO AVOID MISTRIAL

THE TWENTY FOURTH AMENDMENT TEST

TO BE READ BY THE IMPARTIAL JURY AS AN INCORPORATED PART OF THE DEFENSE'S JURY INSTRUCTIONS THERETO

Your honors, the impartial Jury, as it pertains to the charges brought by the alleged U.S. prosecutors, are instructed to know the following:

That a person incarcerated as the result of a State felony conviction in Arizona is denied the right to vote in any Arizona election, and that, where a conviction for a felony is the result of a charge for a "federal" crime, the same rule, prohibiting the right to vote, applies the same requirement as for a State conviction, or that is, the convicted person is to be Denied the right to vote in any Arizona State election, no matter what other State such "convicted" person may be deported to as a result of such "federal" conviction.

Accordingly, you are instructed to know that the condition rendering a citizen as being unable to vote in a public election was one of the conditions, going back, through England, to times of ancient Rome, that identified those unable to vote as being those who had been made a Slave, as in Slavery, under Roman law. Much Roman law is still cognizable under current American law, as these Jury Instructions, by way of Exhibit, sets forth.

I. Slavery and the Thirteenth Amendment. The Thirteenth Amendment [continuing Slavery] is an Amendment that, while giving some appearance that Slavery has been ended in the alleged United States, has not been actually ended at all, but rather merely converted it from a Commercial form of Slavery to a Governmental form of Slavery – for the alleged conviction of a Crime.

II. In short, the Enslavement of black people did not actually end with the Civil War because of the said "Thirteenth Amendment," but actually, for the first time in history, created the conditions for governments, both State and "federal," to create the conditions by which they could foment crime, by which multiple of crimes, if economically manipulated so that such black people's living conditions, within such mandered (governmentally directly or mandatorially located or positioned) towns, parts of town, or communities, etc., were made economically inferior to other communities,

thus **fomenting** of the **conditions** *that* **cause** many forms of **crime** to be committed, would yield that same condition that would allow State and "federal" governments to continue Slavery, now under a governmental ***guise*** rather than the commercial form of Slavery, pre- "Thirteenth Amendment" [for Slavery];

III. The New post 1965 form of Slavery, now made "governmental" in authority rather than commercial, allowed corrupt politicians and law enforcement officials to go into such economically suppressed black communities and target strong black men, perfect in physic for working prison farms, and under trumped up criminal charges, put them to work on such prison farms as well as on State highways, noting that this practice, now as Governmental Slaves, being often seen by people as "chain gangs," working on State highways, for Slave Labor Wages, or less.

IV. The conditions of the New Slavery, now under the "authority" of the "governments," both State and "federal," over time extended itself to more than just "black people," but began to take its "toll" on "white people" as well, for a Slave of any color is a Slave capable, at Slave Labor Wages, of making **stockholders**, such as corrupt politicians and judges have been learned to be, in the federal Bureau of Prison's UNICOR **Federal Prison Industries, Inc.**, the maker of sellable "prison goods" for a profit, - **RICH**, more than enough incentive, or motive, to continue the process of **fomenting** crime, or else just inventing it, in order to **Enslave** as many of the New Slaves, under whatever color possible, for continued High Profit.

V. This sad, tragic, reality is duly noted and exposed in the court case referred to as "**Slave of the State**." Jones v. North Carolina Prisoner's Labor Union, Inc. 433 US 139 (**1977**). (Marshall dissenting quoting Rullin v. Commonwealth 62, Va. 796 (1871).

VI. In this 1977 case, the case is about the prison inmates being slaves of the state. The government just changed the name of slavery to that of *involuntary servitude* to the state (cover up) by conviction of a crime. **The phrase, "Slave of the State" is in the text of the case**.

VII. Because of the much deliberate manipulative acts that brought about "**Thirteenth Amendment Abuse**," as it began to surface in the late 1950's, the need for a new Amendment to the proposed Constitution began to emerge within the social conscience of people throughout the Several States, one by which black people and communities might gain greater equality than ever before, to make up for the abuses caused by **Thirteenth Amendment Abuse**.

VIII. As it pertains to the activities of the agents of the "IRS federal agency" pre-1960, social history establishes that "white IRS agents" did not go poking into "black people communities and towns" in order to "collect income taxes" allegedly owned to the alleged United States central government. Additionally, because much of black citizenry worked on farms and at jobs of menial labor, and were not, for the most part, business people, the taxes referred to as "imposts, duties, and excises" were not taxes known to be common to such Thirteenth Amendment Abused black people communities, and had not been so for more than 90 years.

IX. Recognizing that these people, alleged to have been "set free" by the Thirteenth Amendment [for governmental Slavery], but actually not, it was realized that the concept of the "Poll Tax," employed by a number of States to prevent black people from voting, needed to be eliminated, so that black people would begin to be allowed to vote with the same equal rights as their white people communities counterparts.

X. But there was yet another problem facing the Congresses of the early 1960's involving the definition of a United States citizen that some States might, and probably would, utilize to prevent black people from voting in national elections, which definition was contained in the Internal Revenue Code where a United States citizen was defined as someone who paid an income tax (to the IRS federal agency), as a part of the campaign of "every American doing their share."

XI. If it were to be determined, therefore, that any particular black person(s) was a person who was found to not pay their income tax, or that is, failed to do so during each tax year, according to the Internal Revenue Service federal agency's definition of a "United States citizen," they, many black people, could be, and would be, **denied** the right to **vote** in national elections, continuing them as second and third class citizens, or else conditionally as **Slaves, still**, the lot of them.

XII. For this reason, the newly proposed Amendment had to be written with this particular problem in mind, or else it would do no good as a **Thirteenth Amendment Abuse** ending Amendment at all. As such, the resultant Twenty Fourth Amendment reads:

The Twenty Fourth Amendment

"The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied *or* abridged by the United States or any State by reason of **failure** to pay any

poll tax or **other** tax." (emphasis added) *Noting also that the words, "or Territory" are not contained in the Twenty Fourth Amendment.

XIII. By all legal and historical reasoning and finding that has surfaced since 1964 when the Amendment was first ratified, the 24th Amendment's United States Citizen as referred to could only have referred to the Definition of the same as found in the Internal Revenue Code defining the same for purposes of the "Income" Tax.

XIV. Establishing *Minimally* the Foundation for the Fact that the Term "or other tax" set forth in the 24th Amendment *refers* specifically to the Income Tax, and Links itself to the issue of "Failure" to Pay, the same "Failure to Pay" being thusly a **Protected Act**, to be **Directly Protected** by the Amendment itself in most cases from Criminal Prosecution.

XV. Therefore, the term "or Other Tax" Must refer to the Income Tax alone, ***OTHERWISE***, it **MUST** GO to ALL "OTHER" TAXES, without doubt;

XVI. Which Still would Include, and therefore Includes the "Income Tax" ... along with Sales Tax, Excise Tax, Import Tax, and Export Tax - which leads us *invariably* back to a Tax on Interstate Commerce, which according to the Supreme Court's Brushaber Case of 1916 again - still - goes right back to - No Tax on Income from Interstate or Intrastate Commerce as the Source;

XVII. Which means that it is UnLawful (Actually Illegal) Under, or Because of, the Twenty Fourth Amendment, to Impose a Status of NON-VOTING UPON A "FAILURE" TO PAY AN INCOME TAX, *WHETHER* - WILLFUL OR DELIBERATE - PARTIAL OR FULL, **PERIOD**

XVIII. FOR, ANY WAY YOU LOOK AT IT, FROM EVERY DIRECTION, THE 24th AMENDMENT **OPPOSES** THE IRS FEDERAL AGENCY'S ABSOLUTE RIGHT TO PROSECUTE ANY PERSON CRIMINALLY - FOR A "FAILURE" TO PAY AN "**OTHER**" [INCOME] **TAX**, IN MOST OF THE STATES OF THE UNITED STATES AT LEAST; AND HAS BEEN SO SINCE 1964!

XIX. HOWEVER, because the Twenty Fourth Amendment failed to include the words "or Territory" following the word "State," it became a **Loophole** for the IRS federal agency, so that it could continue to Press the Income Tax on Every State, even those whose tax laws, if criminally broken,

would produce a No Right to Vote condition, such as in the State of Arizona, unless such desired "taxpayers" might be found in a "U.S. territory," doing some criminal act therein, by which the IRS federal agency could continue to prosecute such alleged taxpayers, just as long as the IRS federal agency agents and employees did not get caught doing it that way;

XX. Otherwise, the Twenty Fourth Amendment would have the Power to Protect the citizens of most States from any form of "Failure" to Pay an "**Other** [**Income**] **Tax**" by denying any right at all for the existence of criminal laws to be passed for that very reason, whether passed by either a State or the "federal" government, no matter the ultimate reason as to why a State's citizen did not pay such "other [income] tax," no matter the level or degree of alleged crime allegedly committed by any person in any particular State whose laws denied its citizens the Right to Vote in a national election as a result of the conviction of a "federal crime;"

XXI. Now, the impartial Jury is instructed to know that a law can never be passed that is to be applied generally and enforced selectively.

XXII. An example of this would be where a person might not have sufficient mental competence or intelligence, or else emotional stability, or else for some other reason of bodily or other deficiency, might be unable to complete the "IRS federal agency" tax form each year, which would still, as a matter of law, require such person do so as a matter of the law to be enforced itself.

XXIII. Due to such a Superseding Law's requirement – such as the "Sixteenth Amendment" is purported to be – that each and every person, without exception, be required fill out, themselves — (no surrogate citizen, duty, or surcharge was provided for under the "Sixteenth Amendment") — the requisite form and pay such a tax as might be alleged to be due thereon, there Exists No Constitutional Right to Enforce the Law SELECTIVELY, "allowing" some people to be exempt from the Requisite of the Law, while mandating other people to pay the full amount of *whatever* tax amount was proposed by the "**enforcer**" of such law - to be paid, putting one person above or below another for any reason, no matter the reason;

XXIV. Unless the law being actually enforced was, or is, the "Law of Duty" and none other, which Law of Duty is more of a Social Duty than an absolute legal one, as is demonstrated in Black's Law, Seventh Edition, as follows:

> **Imperfect Duty**. **1**. A duty that, though recognized by law, is not enforceable against the person who owes it. **2**. A duty that is not fit for enforcement, but should be left to the discretion and conscience of the person whose duty it is.
>
> In other words, a **Voluntary** duty, such as it was proposed to be, 1964 and thereafter.

XXV. But it is when we apply the Principle of Realization that you cannot pass a Law to be Enforced Generally and then Enforce Selectively, that it suddenly come to light that the Twenty Fourth Amendment's wording did more legal "damage" to the IRS federal agency's ongoing claim to collect an "income tax," for when applying it to the particular States whose criminal laws, in conjunction with the right to vote, would deny such "federal agency" the ability to prosecute their citizens for any form of failure to pay such "other [income] tax," contrasted against those particular States where, because of their own criminal laws not denying the right to vote, would force that principle of law which says you cannot pass a law to be Enforced Generally and then Enforce Selectively, in this case; …

XXVI. … Causing the Elimination of Entire States because of the "**No Right to Vote**" criminal issue, many of them, States, while other States not denying the right to vote for the commission of a crime, would be totally subject to the IRS federal agency's criminal law prosecution, as a means of forcing all of such citizens to pay, involuntarily, an income tax, or that is, causing such alleged tax law to be Enforced Selectively – because of such Twenty Fourth Amendment's Protection of the other States citizens, **violating** the General Enforcement Requirement of the specific prevailing law (such as the Sixteenth Amendment) itself.

XXVII. This **UnEqual** condition would be, and is, supported by the Fourteenth Amendment's "**Equal Protection Under the Law**" requirement for All of the Several States, which would mean, and means, that the Twenty Fourth Amendment's **Absolute Denial** of criminal prosecution for any form of **Failure** to Pay an "Other [Income] Tax," in *whatever form* such "**Failure**" might, at any time, take place, would be extended – through the Fourteenth Amendment, as well as the foregoing Fundamental Principle of the Application of Law, to ALL of the Several States, inclusive of those other States wherein the "right to vote" was not at issue as a result of any crime committed, whether or not any tax related alleged crime was the law of such States. Or that is, the Twenty Fourth Amendment, extending through these Two Principles or Requisites of Law, DENIED altogether the

IRS federal agency' alleged right for the criminal prosecution of citizens living in *any* State of the Entirety of the 50 States - at all;

XXVIII. Which was the Reason behind the IRS federal agency's creation of the encoded "Individual Master File" ("IMF"), in which Individual Master File, when decoded by those having the necessary IRS federal agency knowledge to do so, revealed that the IRS federal agency had engaged in the placing (on IMF records paper) State citizens that they were desirous to prosecute — regardless of the Twenty Fourth Amendment's Denial of their "right" to do so — into the "Territories," such as Guam, Puerto Rico, and so forth, showing such State citizens to be employed in criminal type occupations - that such citizens definitely were not, committing crimes in such specific "Territory" which such citizens definitely were not;

XXIX. In order that such State citizen, desired to be prosecuted for not paying, or failing, to pay an "Other [Income] Tax;" might be **SECRETLY PROSECUTED** for ***some*** "crime" committed within the IMF imposed "territory" while **pretending** in open alleged "U.S. courts" (with the help of "corrupt judges") that the State citizen being prosecuted had "violated" some "willful failure" ("willful failure is a misnomer, for one can refuse to pass, but one cannot "willfully fail" to pass, "failure" being a natural condition of insufficiency of human mentality, not a matter of decision) or "evasion" (being just a claimed *more serious* form of such aforesaid "failure," no more prosecutable under the Twenty Fourth Amendment than is any other form of "failure");

XXX. Which acts and activities by the IRS federal agency by its use of **Territory** Associated - Individual Master Files has constituted **Fraud** upon the unsuspecting American People, constituting **Theft by Deception**, and also, where such **Theft by Deception** was also accomplished by way of threats of Armed Force, constitutes **Theft by Extortion** also, and **Theft by Extortion**, when accompanied by **Practice and Pattern**, constitutes **RICO**, or **Racketeering**, a Criminal Offense for which the head of the IRS federal agency, along with any number of its knowing agents and contractors, must be held Liable for.

XXXI. The impartial Jury is further instructed, in connection to the specific applications involving the Twenty Fourth Amendment, to known and take into account, the following:

XXXII. There are 40 States wherein the Laws Require a condition of Denial of the Right to Vote as a Result of the Commission of a Felony Crime, 6 States which Deny the Right to Vote for the Commission of Any Crime at all, and 4 States which the Right to Vote is Not Denied as a result of the Commission of Any Crime, No Matter the Crime.

XXXII. Consequently, the 24TH Amendment would Prohibit Criminal Prosecution for "Failure" Crimes existing as "Felonies" in **40** States; in **6** States, the 24TH Amendment would Prohibit Criminal Prosecution for "Failure" Crimes, whether charged as Misdemeanors or Felonies; and in Only **4** States, under the 24TH Amendment, would the IRS federal agency have the alleged authority to Prosecute State Citizens for "Failure" Crimes, No Matter which category of Crimes, Felony or Misdemeanor, that such Failure-Crime might fall into, or be charged as.

XXXIII. THEREFORE, THIS 24TH AMENDMENT EXHIBITED TEST ESTABLISHES, WITHOUT DOUBT, THAT THE **CHARGES** OF BOTH "WILLFUL FAILURE" AND "EVASION" **ARE** BOTH **FRAUDS** - **COMMITTED BY** THE IRS FEDERAL AGENCY IN ITS **RICO** UNLAWFUL CRIMINAL CHARGING OF THEM, EXISTENT UNDER, AND BY FORCE OF, THE TWENTY FOURTH AMENDMENT AND THE FOURTEENTH AMENDMENT, **IN EVERY ONE OF THE 50 STATES**, NO MATTER THE DEGREE OF CLAIM THAT ANY SUCH "FAILURE" BY ANYONE, HAS TAKEN PLACE IN EITHER OF THEM.

THE TWENTY FOURTH AMENDMENT TEST IS SEALED AS TO ALL CONSTITUTIONAL TRUTHS AND PRINCIPLES OF LAW SET FORTH HEREIN, EXCEPT THAT THE IMPARTIAL JURY INDISCRIMINATELY DETERMINE SUCH TRUTHS TO BE OTHER THAN THAT WHICH IS STATED ABOVE.

The 1954 IRS Treason

Exhibit

CORE STANDARD FOR DEFINITION OF INDIVIDUAL ACTS OF TREASON

There is not a single individual of majority age - Not One - in the entire United States that is not required, by way of the Law of Inherent Duty, to regard the matter of *any* claim or condition of Treason *carefully*, the question of Treason being a concern and therefore a Duty for every Citizen to guard against, until or unless it can be determined, beyond minimal reasonable doubt that no condition for such Treason as may be claimed - exists, whatsoever.

This responsibility and liability is not diminished as the result of such citizen also serving in some governmental capacity, no matter the citizen's position in government; if anything it is heightened for that citizen as governmental employee rather than providing for any excuse or defense for disregard of it, for it cannot be disputed that the governmental actor has a lesser responsibility than that of the ordinary citizen whose own minimal condition for duty, set forth above, is sufficient, as with an **Misprision of Treason** condition, to comply with such minimal duty with all due haste, not *drag out* the conditions necessary to an end by which *dragging out* it may be determined that the actor(s) is/are guilty of providing aid (suppressing justice) and comfort (*dragging out* a case or condition, where the remedy is plain and in plain sight to an unnecessarily delayed end) to an Enemy being purposed against "them" (Article III, Section 3, Clause 1), whether such an Enemy shall be found to exist without (overtly – visual for all to see) or within (covertly – hidden from obvious sight).

Where **Treason exudes** forth from any alleged United States court out into the State's public, whether generally or to any select citizen or citizens thereof, of a State Militia's Military Existence and Jurisdictional Authority, such Crime of **Exuded Treason**, recognized by its "giving aid and comfort" to the **Seeded Treason Enemy** of January 1, 1945, or the **Covert Treason Enemy** of August 16, 1954 at the 1954 IRC, page 725 thereof, or any other form of **Consequential Treason**, whether Covert or

Overt from any other source whatsoever, is made subject to such **State Militia Military Authority** for all prosecutorial purposes, under which Military Authority the Jurisdiction for **Trial for Treason by impartial Jury**, if a Conviction be forthcoming, **Treason** being a **Military Crime** (**Treason *is* Treason** and *not* a general crime, i.e., felony, misdemeanor, contempt, etc.), is executable thereafter unto death by firing squad, *without* further subject matter grounds or conditions for appeal.

NOTICE.

THE ABOVE CONSTITUTES
CONSTRUCTIVE KNOWLEDGE AND DUTY
TO ALL THOSE WHO READ THE SAME

Attempted to regulate gun control through IRS Taxation

beverages shall be conducted only in the brewery bottle house which shall consist of a separate portion of the brewery designated for that purpose.

Section 7851 (a) (5) of the Internal Revenue Code of 1954 provides in part that the provision in section 5411 permitting the use of a brewery under regulations prescribed by the Secretary or his delegate for the purpose of producing and bottling soft drinks, shall take effect on the day after the date of enactment of the Internal Revenue Title.

Pursuant to the above provisions of law, Regulations 18 (26 CFR Part 192), as made applicable to the Internal Revenue Code of 1954 by Treasury Decision 6091, approved August 16, 1954, are amended as follows:

PARAGRAPH 1. Section 192.31 is amended to read as follows:

§ 192.31 *Use of brewery premises.* The brewery premises shall consist of the land and buildings described in the brewer's notice on Form 27–C and shall be used exclusively for the purposes of manufacturing and packaging or bottling beer, lager beer, ale, porter, and similar fermented liquors, cereal beverage containing less than one-half of 1 percent of alcohol by volume, soft drinks, vitamins, ice, malt, malt sirup, and other by-products; of drying spent grain from the brewery; of recovering carbon dioxide and yeast; and of storing bottles, packages, and supplies necessary or incidental to all such manufacture: *Provided,* That all bottling of beer, cereal beverage, and soft drinks, all storage of bottled beer before taxpayment, and all storage of bottled cereal beverage and soft drinks, shall be done in a separate department on the brewery premises designated "brewery bottling house": *And provided further,* That where any brewery premises were on June 26, 1936, being used by a brewer for purposes other than those described in this subpart, the use of such premises for such other purposes may be continued by such brewer.

PAR. 2. Section 192.32 is amended to read as follows:

§ 192.32 *Use of brewery bottling house.* Brewery bottling houses shall be used exclusively for the purpose of bottling beer, lager beer, ale, porter, and similar fermented liquor, and cereal beverage containing less than one-half of 1 percent of alcohol by volume, produced in the brewery in connection with which the bottling house is operated, for the production and bottling of soft drinks, and for the storage of bottles, tools, and supplies necessary or incidental to the manufacture or bottling of such products: *Provided,* That where any brewery bottling house was, on June 26, 1936, being used by the brewer for purposes other than those described in this subpart, the use of such bottling house for such purposes may be continued by such brewer: *And provided further,* That the brewery bottling house of any brewery shall not be used for bottling the products of any other brewery.

This Treasury decision shall be effective as of the day on which section 5411 of the Internal Revenue Code of 1954 becomes effective.

Because this Treasury decision is necessary in order to give effect to section 5411 of the Internal Revenue Code of 1954, which provides, in part, for the use of the brewery under regulations to be prescribed by the Secretary or his delegate for the purpose of producing and bottling soft drinks, and which takes effect on the day after the date of enactment of the Internal Revenue Title, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitations of section 4 (c) of said act.

(68A Stat. 917; 26 U. S. C. 7805)

[SEAL] O. GORDON DELK,
Acting Commissioner of Internal Revenue.

Approved: August 16, 1954.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 54–6438; Filed, Aug. 16, 1954; 1:10 p. m.]

[T. D. 6093; Regs. 131]

PART 315—LICENSING OF MANUFACTURERS OF, AND DEALERS IN, FIREARMS OR AMMUNITION

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 131 to Chapter 53 of the Internal Revenue Code of 1954, such regulations are hereby amended as follows:

PARAGRAPH 1. Pursuant to section 7852 (b) of the Internal Revenue Code of 1954, the reference in § 315.6 (15 U. S. C. section 905) to section 2733 of Title 26 shall be deemed to refer to section 5848 of the Internal Revenue Code of 1954.

PAR. 2. Section 315.11 is amended to read as follows:

§ 315.11 *Forfeitures.*

26 U. S. C. 5862. *Forfeitures*—(a) *Laws applicable.* Any firearm involved in any violation of the provisions of this chapter or any regulation promulgated thereunder shall be subject to seizure and forfeiture, and (except as provided in subsection (b)) all the provisions of internal revenue laws relating to searches, seizures, and forfeiture of unstamped articles are extended to and made to apply to the articles taxed under this chapter, and the persons to whom this chapter applies.

(b) *Disposal.* In the case of the forfeiture of any firearm by reason of a violation of this chapter: No notice of public sale shall be required; no such firearm shall be sold at public sale; if such firearm is forfeited for a violation of this chapter and there is no remission or mitigation of forfeiture thereof, it shall be delivered by the Secretary or his delegate to the Administrator of General Services, General Services Administration, who may order such firearm destroyed or may sell it to any State, Territory, or possession, or political subdivision thereof, or the District of Columbia, or at the request of the Secretary or his delegate may authorize its retention for official use of the Treasury Department, or may transfer it without charge to any executive department or independent establishment of the Government for use by it.

PAR. 3. Section 315.91 of Regulations 131 is amended by deleting the reference to "section 2733" and inserting in lieu thereof "section 5848".

This Treasury decision shall be effective as of the day on which Chapter 53 of the Internal Revenue Code of 1954 becomes effective.

Because section 7851 (a) (5) of the Internal Revenue Code of 1954 provides that Chapter 53 of said Code shall take effect the day after the date of enactment of said Code, and because the purpose of this Treasury decision is merely to correct statutory references, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(Sec. 7, 52 Stat. 1252; 15 U. S. C. 907)

* [SEAL] M. B. FOLSOM,
Acting Secretary of the Treasury.

AUGUST 16, 1954.

[F. R. Doc. 54–6439; Filed, Aug. 16, 1954; 1:10 p. m.]

* No Commissioner of the IRS, Acting or Otherwise, Authorizing For the IRS federal agency!

[T. D. 6094; Regs. 88]

PART 319—TAXES RELATING TO MACHINE GUNS AND CERTAIN OTHER FIREARMS

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 88 (1952 edition) (26 CFR Part 319), as made applicable to the Internal Revenue Code of 1954 by Treasury Decision 6091, approved August 16, 1954, to Public Law 591 (83d Cong., 2d Sess.), approved August 16, 1954, such regulations are hereby amended as follows:

PARAGRAPH 1. There is inserted immediately following § 319.5 the following new section:

§ 319.5a *Any other weapon.* "Any other weapon" shall mean any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, but such term shall not include pistols or revolvers or weapons designed, made or intended to be fired from the shoulder and not capable of being fired with fixed ammunition.

PAR. 2. There is inserted immediately following § 319.27 the following new section:

* § 319.27a *Rifle.* "Rifle" shall mean a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed and made to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

PAR. 3. There is inserted immediately following § 319.28 the following new section:

* § 319.28a *Shotgun.* "Shotgun" shall mean a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed and made to use the energy of the explosive in a fixed shotgun shell to fire

Attempted to Introduce Gun Control

* No doubt about it – Gun Control – Early 50's → Long before Gun Control should have been an issue!

through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

PAR. 4. Section 319.36 (a) is amended to read as follows:

(a) The special taxes are as follows:

	Per year
Class 1: Importers or manufacturers of firearms, except manufacturers in class 2	$500
Class 2: Manufacturers of firearms whose production is limited to guns with combination shotgun and rifle barrels, 12 inches or more but less than 18 inches in length (16 in the case of rifles of .22 caliber or less), from which only a single discharge can be made from either barrel without manual reloading, or guns designed to be held in one hand when fired and having a barrel 12 inches or more but less than 18 inches in length, from which only a single discharge can be made without manual reloading, or guns of both types	25
Class 3: Pawnbrokers, except those in class 5	100
Class 4: Dealers, other than pawnbrokers, except those in class 5	200
Class 5: Dealers, including pawnbrokers, whose dealing in firearms is limited to guns with combination shotgun and rifle barrels, 12 inches or more but less than 18 inches in length (16 in the case of rifles of .22 caliber or less), from which only a single discharge can be made from either barrel without manual reloading, or guns designed to be held in one hand when fired, and having a barrel 12 inches or more but less than 18 inches in length, from which only a single discharge can be made without manual reloading, or guns of both types	*1

PAR. 5. Section 319.66 is amended to read as follows:

§ 319.66 *Rate of tax.* The tax on the making of firearms is at the rate of $200 for each firearm, except that the rate of tax is $1 upon the making of any gun with combination shotgun and rifle barrels, 12 inches or more but less than 18 inches in length (16 in the case of rifles of .22 caliber or less), from which only a single discharge can be made from either barrel without manual reloading, or any gun designed to be held in one hand when fired and having a barrel 12 inches or more but less than 18 inches in length, from which only a single discharge can be made without manual reloading.

PAR. 6. Section 319.81 is amended to read as follows:

§ 319.81 *Rate of tax.* The transfer tax to be levied, collected, and paid with respect to all articles within the term "firearms" transferred in the United States is at the rate of $200 for each firearms, except that the rate of tax is $1 upon the transfer of any gun with combination shotgun and rifle barrels, 12 inches or more but less than 18 inches in length (16 in the case of rifles of .22 caliber or less), from which only a single discharge can be made from either barrel without manual reloading, or any gun designed to be held in one hand when fired and having a barrel 12 inches or more but less than 18 inches in length, from which only a single discharge can be made without manual reloading. In every case the tax shall be paid by the transferor.

PAR. 7. Section 319.100 is amended to read as follows:

§ 319.100 *Registration of firearms.* Every person in the United States possessing a firearm (a) not already registered, or (b) acquired by transfer, importation or making without conforming with the provisions of Chapter 53 of the Internal Revenue Code of 1954 (sections 5801–5862 I. R. C.; 26 U. S. C. 5801–5862), if such provisions were applicable at the time of such transfer, importation or making, must register such firearm on Form 1 (Firearms), in duplicate, with the Director, Alcohol and Tobacco Tax Division, Washington 25, D. C. The duplicate form, after proper endorsement, will be returned to the registrant by the Director, Alcohol and Tobacco Tax Division. The filing of Form 1A (Firearms) in respect to the making of a firearm, Form 2 (Firearms) in respect of newly manufactured firearms and Form 4 (Firearms) in respect of imported firearms shall be deemed to constitute registration of the firearms described in such forms. Where the transfer of a registered firearm is reported on Forms 3, 4 and 5 (Firearms) it will not be necessary for the transferee to register the firearm on Form 1 (Firearms).

This Treasury decision shall be effective as of the day on which Chapter 53 of the Internal Revenue Code of 1954 becomes effective.

Because section 7851 (a) (5) of the Internal Revenue Code of 1954 provides that Chapter 53 of said code shall take effect the day after the date of enactment of said code, and because the purpose of this Treasury decision is merely to incorporate in existing Regulations 88 new material made necessary by enactment of the Internal Revenue Code of 1954, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(68A Stat. 917; 26 U. S. C. 7805)

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

Approved: August 16, 1954.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 54-6440; Filed, Aug. 18, 1954; 8:10 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order VII-6, Amdt. 8]

DMO VII-6—EXPANSION GOALS

WAREHOUSE AND STORAGE FACILITIES

Defense Mobilization Order VII-6 dated December 3, 1953 (18 F. R. 7876), and Amendment 1 dated January 29, 1954 (19 F. R. 655), are further amended as follows:

Strike the words "Expansion Goal No. 217 Warehouse and Storage Facilities (Refrigerated Storage)" and substitute therefor "Expansion Goal No. 217 Warehouse and Storage Facilities."

This amendment shall take effect on August 16, 1954.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 54-6443; Filed, Aug. 18, 1954; 8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1877]

PART 250—PUBLIC SALES

MISCELLANEOUS AMENDMENTS

1. Section 250.2 is amended by adding thereto paragraph (f) to read as follows:

§ 250.2 *Definitions.* * * *

(f) "Land office" means the land office for the district in which the lands are situated.

2. The headnote for § 250.9 is amended, and a paragraph (c) is added to that section, to read:

§ 250.9 *Publication of notice; time and proof of publication; posting required; reimbursement for publication costs.* * * *

(c) Where, after the date of the approval of this paragraph, a party expends money for publication of notice of a public sale, and the authorization for the sale is canceled, or a sale, if made, is vacated, because retention of the land in Federal ownership is deemed to be in the public interest, such party will be reimbursed by the Government for the expense so incurred. Where such action is taken at the request of a Federal agency other than the Bureau of Land Management, that agency will be requested to reimburse such party for the expense. Where an authorization for sale is canceled, or a sale, if made, is vacated because the appraised price or the sale price, of the land is found to be inadequate, and the land is again offered for sale, the republication will be made at the expense of the Government, and the person awarded the land must reimburse and pay directly to the applicant the amount expended for the first publication of notice. Such payment shall be made in the manner prescribed in and shall be governed by § 250.12 (a).

3. Paragraph (c) of § 250.10 is amended to read as follows:

§ 250.10 *The bidding; place for sale.* * * *

(c) Bids sent by mail will be considered only if received at the place and prior to the hour fixed in the notice of the sale. These bids must be accompanied by certified checks, post office

#55

Subchapter B—General Provisions

TREASON! Factual, Legal Treason!! Article III, Section 3, Clause 1

SEC. 5841. REGISTRATION OF PERSONS IN GENERAL.

Every person possessing a firearm shall register, with the Secretary or his delegate, the number or other mark identifying such firearm, together with his name, address, place where such firearm is usually kept, and place of business or employment, and, if such person is other than a natural person, the name and home address of an executive officer thereof. No person shall be required to register under this section with respect to a firearm which such person acquired by transfer or importation or which such person made, if provisions of this chapter applied to such transfer, importation, or making, as the case may be, and if the provisions which applied thereto were complied with.

SEC. 5842. BOOKS, RECORDS AND RETURNS.

Importers, manufacturers, and dealers shall keep such books and records and render such returns in relation to the transactions in firearms specified in this chapter as the Secretary or his delegate may by regulations require.

SEC. 5843. IDENTIFICATION OF FIREARMS.

Each manufacturer and importer of a firearm shall identify it with a number or other identification mark approved by the Secretary or his delegate, such number or mark to be stamped or otherwise placed thereon in a manner approved by the Secretary or his delegate.

SEC. 5844. EXPORTATION.

Under such regulations as the Secretary or his delegate may prescribe, and upon proof of the exportation of any firearm to any foreign country (whether exported as part of another article or not) with respect to which the transfer tax under section 5811 has been paid by the manufacturer, the Secretary or his delegate shall refund to the manufacturer the amount of the tax so paid, or, if the manufacturer waives all claim for the amount to be refunded, the refund shall be made to the exporter.

SEC. 5845. IMPORTATION.

No firearm shall be imported or brought into the United States or any territory under its control or jurisdiction, except that, under regulations prescribed by the Secretary or his delegate, any firearm may be so imported or brought in when—

(1) the purpose thereof is shown to be lawful and

(2) such firearm is unique or of a type which cannot be obtained within the United States or such territory.

THE SPY'S YELLOW PAGES

TO BE USED AGAINST THE UNITED STATES OF AMERICA - BY THE ENEMIES THEREOF - KNOWN OR UNKNOWN

WHERE DO YOU KEEP YOUR GUNS, USUALLY?

Especially Useful For Espionage Work Or All Out Full Scale Ground or Air Attacks.

Now Available To All Enemies of the United States of America

Whoever and Wherever They May Be.

Containing the Official List of the Names and Addresses of Every Person in the United States Buying, Owning, Transferring (Selling) or Otherwise having to do with any sort of Gun (inclusive of hunting rifles and shotguns), irrespective of who or for what purpose.

Addresses include both private residences and business offices; Type of Guns owned cross referenced by serial number; Special Information - for your aid and comfort - these lists show the "Place" where each gun owner keeps his or her guns - "USUALLY!"

Know right where to avoid when you attack, or where to attack with the least amount of resistance. Or if necessary for you to send in advance troops to take out heavy resistance guns, the LIST contains the declared information as to the place in the home or office where each and every person in the United States keeps his or her gun(s), USUALLY.

Imagine your invading forces, whether Air, Ground, or Sea, attackign using the LIST contained n these Yellow Pages! No more guessing who has a gun. No more guessing what kid of gun(s) each person has. And best of all, no more guessing where each such gun is "Usually kept" in each home or office.

The LIST that nullifies the purpos of the 2nd Amendment to the Constitution for the United States, providing We the Enemies of the People with knowledge to attack Military personnel literally where they live, unsuspecting, and the ability to take their guns from sucl places as the same are "Usually kept."