**A trust is a contract.**

**What is a contract?**

A contract creates a duty or obligation for one party to perform in consideration for something else of value. Performance for goods. Goods for goods. Goods for Service.

1. Mutually agreed
2. Signed and accepted by two parties
3. The trust is bestowed with equitable property
4. Sound mind
5. Legality?

[*https://www.law.cornell.edu/wex/contract*](https://www.law.cornell.edu/wex/contract)

Article 1. Section 10

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, *or Law impairing the Obligation of Contracts*, or grant any Title of Nobility.

*Berry v. McCourt, 204 N.E.2d 235, 240 (1965)*

the court held that the Express Trust is a “contractual relationship based on trust form”; and in Smith v. Morse, 2 Cal. 524, it was held that any law or procedure in its operation denying or obstructing contract rights impairs the contractual obligation and is, therefore, violative of Article I, Section 10 of the Constitution. Because the Express Trust is created by the exercise of the natural right to contract, which cannot be abridged, the agreement, when executed, becomes protected under federally enforceable right of contract law and not under laws passed by any of the several state legislatures.

*Eliot v. Freeman, 220 U.S. 178 (1911)*

the court made it clear that the Express Trust is NOT subject to legislative control. It went on to acknowledge that the right-wise stance of the United State Supreme Court that the trust relationship comes under the realm of equity, based upon the common law right of contract, and it is NOT subject to legislative restrictions as are corporations and other organizations created by legislative authority. They are created under the common law of contracts and do not depend upon any statute.

**What is a trust?**

Simply put, a trust grants control of equitable property to a trusted individual (trustee) for the benefit and enjoyment of another (beneficiary).

A man or woman (grantor) wants to give an equitable asset to someone (beneficiary) for their benefit and enjoyment, however they want someone else, a 3rd party (trustee), to be responsible for it.

Appropriately named, the trustee is responsible for not only managing the equitable property, but protecting and defending it as well. And while a trustee is responsible for the duties expressed in the trust, they are not liable for it. If they miss manage it (other than fraud), the trust is liable for any damages.

While the beneficiary, per the trust constitution, gets access, use, and enjoyment of the trust property (Res) administrated by the trustee. The beneficiary holds no responsibility or duty to the trust, in fact their knowledge of the trust is not required.

The Grantors are only involved in the creation of the trust. It is up to them how the trust is structured, who the trustee is, who the beneficiary is, and how certain aspects of the trust will function. Once the trust is executed, the Grantors are gone. They have no more dealings with the trust or its property. The property in the trust was ‘granted’ away without consideration, and the grantors have no claim to it. In fact, they best stay away from the trust or its property. Should any profits or property make their way back to the Grantor, the trust becomes commercial as the grantor could be classified as an investor who earned a profit.

A trust is a 3-party contract where there is an asset given to one party while a 3rd party manages the transaction.

**Trust Rules**

The rules for trusts and private express trusts are fairly simple. The number one rule is that the trustee and beneficiary cannot be the same person. If the trustee and beneficiary were one person, then one individual would have legal control and equitable control and there would be no need for the trust relationship. Further the title (or ownership) would be whole and the trust would collapse.

1. If the trustee and beneficiary are the same, the trust collapses.

The Grantor must grant property and be done. If the Grantor retains a trustee title or a beneficial interest, then technically he can profit on what he gave away. This makes it an investment and investments are of commerce.

1. The grantor cannot retain any controlling interest and the trust constitution must not allow a grantor to become a controlling or equitable owner.

The beneficiary must be vested (determined) within 18 years of execution or beneficiary vacancy.

Lawful Money – The greatest hurdle in keeping people within commerce is the use of a fiat commercial debt note for currency. Everytime fiat is used, commerce is created.

1. All deposits must be in Lawful Money 12 USC 411

Even the act of buying and selling can be manhandled into commerce. In equity, everything is an exchange. A for B, good for good.

1. All things that become Trust property, must enter the trust via an exchange with documented bill of sale showing the asset description, value exchanged, parties and date. Without this, there is no evidence that the trust didn’t use commerce to procure the assets.

Use silver for exchanges, and use your own value for silver. Whatever the two parties agree the value of silver is, that’s the value.

1. Never ever use USD in documentation for exchanges. Use oz of silver. 3oz for a lawnmower, or 3oz for 100 acres.

Fraud is the biggest threat to a private express trust. In fact the commercial world is very suspicious of anyone who has or operates a trust. As time passes, you’ll start to see the opportunities to cut corners and even inflate value. You’ll also see that since this thing is entirely controlled by you, there are no checks and balances or approvals from the secretary of state, department of labor, or any governmental agency. It’s all on you, and the only way they can get you is if they can prove or demonstrate fraud on your part.

This may sound a bit scary but it is the fabric to the problem here in America. We don’t do anything for ourselves anymore. We only do what is available to us by others and are too accustomed to relying on them to make sure we do it right. In equity that is completely gone.

1. Do not sign as the person. You must sign everything as the equitable man or woman.

**How to start or create your trust**

If you’ve ever created a business or an LLC, you have a lot of experience in trusts too. Who the parties are to the trust and what their limitations are, is by far the biggest difference and biggest hurdle to fully comprehend. But creating a trust is as simple as creating a word document and getting a handful of signatures on it.

The template provided covers just about everything you’ll need. There is stuff in there you may not need, and you are welcome to adjust the wording to your liking.

Once the trust is executed it is set in stone (pretty much), but that doesn’t mean you can’t add details or instruction on how the trust should handle certain things. You’ll be able to do that with the By-laws.

So, much attention should be paid to crafting the trust constitution, but it shouldn’t debilitate you. The trust is so easy to create, that destroying one and starting fresh isn’t ridiculous. Plus, you can make several trusts if that fits your needs.

**How to use a trust**

What the trust does, is provide an entity that can own all of your assets and create a paper trail that can be used to prove that, outside of fraud, no court has an authority to take, fine, or molest you or your property.

1. Exchange your current assets into the trust. Auto, Land, lawful money, companies.

Once executed the trust is its own law. There is no statute giving a corporate municipality authority to interfere with a trust. Showing that you are the trustee and whatever property/asset you own is titled by the trust. They zero standing, and you have to see that.

1. Banking

The trebled fish hook of commerce is the US Dollar. Simply using cash and money like you have all of your life, wickedly ensnares you into their commercial world because it is not an equitable instrument, it is a debt note, a promise. The solution is simple, deposit all checks and any cash as ‘lawful money’ in a non-statutory trust account. The deposited checks that say ‘deposited per 12usc411 in lawful money’ on the back are evidence of your intention, and your intention matters. It’s also evidence should the IRS try to muscle you.

There are many other used for trusts that will be discussed in later videos. This here is simply instruction on how to get started.

**How to protect a trust**

Once you have your assets titled in a trust, any personal banking or savings accounts are inactive or closed, and you’re depositing money lawfully, there should be very little reason for any legislative courts to haul you in. There is no paper trail that they have authority over you, unlike your US person.

Simply demonstrating to anyone that presumes they can force your performance that the trust exists and their presumptions are wrong will handle most controversies or attempts to pierce your trust.

Should a lawsuit be file against the trust or against you as the person relating to trust activities, you’ll want to proceed with caution and be up to speed on how to handle your trust with the courts.

Bottom line, all the courts you are aware of are not for trusts. If you are in a lawsuit with a legislative court, and you are participating, your trust is probably already pierced and they can make a case of you committing fraud and your trust is commercial. Upon a lawsuit being filed against you, you can communicate with the court that there is a lack of jurisdiction.

If you’re not already trying to fight the commercial monster and gotten yourself in a bind, there should be no reason a court comes after you. You’d have to really get there attention and they’d have to really want to teach you a lesson, because they’d have to take a huge risk to come after you. The constitution is clear, and their statutes are limited. So this isn’t something that needs to be understood forwards and backwards before you start operating.

**What else can you do with a private trust**

* No more taxes. Your employment may muck things up but the IRS only has authority over their fictitious persons and commerce. Check back for more informational videos.
* No more license plates. Presuming you do not have a cdl, drive for uber, or deliver thinks with your car, you car is owned by a private trust and a private contract.
* Avoid probate. Maybe the most beneficial part of the private trust, but through it. All of your assets and wealth can be moved to others without the State getting involved.
* Operate a company. Yes companies are in the corporate side of the spectrum but here is the deal, we don’t have other options. Just because we take ourselves out of commerce, doesn’t mean we can use it without subjecting ourselves to their rules. A private trust can own a public company and that company can function like every other one…. Except when money is pulled out of the company, it is converted to lawful money and the IRS can’t do anything about it.
* Get out and stay out of the Matrix.
* Sue the United States for constitutional infringement (??)