



BEFORE reading this paper, I URGE you to read the authoritative link:
<https://www.oyez.org/cases/1789-1850/2us419>

Then read the case *Chisholm v. Georgia* at:
<https://supreme.justia.com/cases/federal/us/2/419/>

SOVEREIGNS WITHOUT SUBJECTS © Authored by LB Bork lb@pacinlaw.us

"The wise know their weakness too well to assume infallibility; and he who knows most, knows best how little he knows." —Thomas Jefferson

The purpose of this commentary is to *clear-up* some misconceptions of some people.

There are many people out there in the freedom movement who believe that people (*i.e.*, men) are considered "individually" sovereign or think that they are "sovereigns without subjects". ~~Under the Creator we are considered of being such status;~~ however in the *real world*, under the existence of "THE STATE", ~~as a matter of law there is~~ no such thing considered.

The *belief* that many think that each individual man is a "sovereign" with "THE STATE" in existence is believed to come from the case of *Chisholm v. Georgia*.¹ This instant case ruled on by the United States Supreme Court was ruled on just after the installation of the United States Constitution. Some of the language in the case included some dictum which reads "sovereigns without subjects". Accordingly, this is a phrase that is used by many people in error.

We must first establish why that noted phrase does not apply to you as one of *the citizens* who is a member of a [U]nited State.² Let us lay some foundation based on history and law.

Appropriately, Sir William Blackstone³ – who was *of* England – can be quoted as stating the following about the phrase "the people" in his many commentaries:

*The popular leaders, who in all ages have called themselves "the people."*⁴

Be careful here, LB is going to give this quote 'legs' to support his premises.

Keep in mind that the original population of the [U]nited States of America was British. The judge in *Chisholm v. Georgia* was undoubtedly familiar with the commentaries of Sir William Blackstone, hence undoubtedly incorporated such principles of law in his decisions. Also, keep in mind that the *people loyal to England* were referred to as *subjects*, not *citizens*.

With that foundation set forth, below is the citation which was taken from *Chisholm v. Georgia* that people in "the movement" have lifted this instant misconception from:

"In the United States, sovereignty resides in the people, who act through the organs established by the Constitution (cites omitted). Besides, the Prince having all the Executive powers, the judgment of the Courts would, in fact, be only monitory, not mandatory to him, and a capacity to be advised, is a distinct thing from a capacity to be sued. The same feudal ideas run through all their jurisprudence, and constantly remind us of the distinction between the Prince and the subject. No such ideas obtain here; at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are **sovereigns without**

As a collective

1 *Chisholm v. Georgia*, 2 U.S. 419, 2 Dall. 440 (1793) www.laws.findlaw.com/us/2/419.html This case is attached below.

2 Since the contract of Articles of Confederation, there is no such thing as the "united^[adj] States".

3 Blackstone, Sir William. 1723-1780. British jurist and educator who wrote *Commentaries on the Laws of England* (1765-1769), the most comprehensive single treatment of the body of English law.

—*American Heritage Dictionary*

4 Blackstone's *Commentaries*, 438

subjects (unless the African [2 U.S. 419, 472] slaves among us may be so called) and have none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty.¹

Let us now go through the misconstrued verbiage below:

*In the **United States***

I.E., “United States” meaning: the several states (unincorporated).⁵

Most of the is LB's distractive noise to support his personal position.

*sovereignty resides in **the people***

I.E., “the people” - FIRST ENTITIES DESCRIBED meaning: “the rulers”⁶ or the “popular representatives” via “the citizens” per their consent.

who act through the organs established by the Constitution

I.E., this clause means: “the rulers”⁶ (or the people) work through provisions that are set forth in the United States Constitution.

CONTENT CLIPPED DUE TO NONE SUBSTANCE

*at the Revolution, the sovereignty devolved on **the people***

I.E., “the people” means: “the rulers”.⁶ “Devolved” imports the meaning of sovereignty passed on from England to “the rulers” via “the citizens”.

*and **they***

I.E., “they” meaning: “the rulers”⁶

*are truly the **sovereigns** of the country*

I.E., “sovereigns” meaning: “they”, the people or “the rulers”⁶ of the [U]nited States” (unified and separate) that ruled the several ex-British colonies which were then regarded as sovereign states and self-governing (autonomous).

*but **they** are*

I.E., “they” meaning: “the rulers” acting as “the State”.⁶

***sovereigns without subjects** (unless African slaves among us may be so called)*

I.E., “sovereigns without subjects” means: they, “the rulers” are not governing *British type subjects*.⁶ (slaves were ‘possibly’ subjects as in English law)

*and **have none to govern but themselves***

I.E., “have none to govern but themselves” meaning: They, “the rulers”⁶ acting in a collective mode in each state, are acting as the sovereign of each of the several states that were to govern their people (bodies politic) independently.

the citizens of America are equal as fellow citizens

I.E., “citizens” - SECOND ENTITIES DESCRIBED. NOTE: It should be noted that it *does not* say ‘the people of America are equal as fellow citizens.’

*and as **joint tenants in the sovereignty***

I.E., **the citizens collectively give “the rulers” of each of the several states the authority to exist, i.e., governments are instituted by the “consent of the governed”.**

5 The several states in the Union are limited in *sovereignty* under the United States Constitution. The State of the Union defined: The United States of America are a corporation endowed with the capacity to sue and be sued, to convey and receive property. —1 *Marsh. Dec. 177, 181*

6 See this information at: www.pacinelaw.us/servants

The important thing to understand is that the court was illustrating *two entities* in its statement, which are: 1) the people; and 2) the citizens. ~~If the citizens individually were the sovereigns the court would have not separated them into two separate categories. The purpose of this was to stealthily establish that citizens give government its sovereignty. Furthermore, understand that non government “citizens” DO NOT act through the organs of the Constitution; “the people” that are holding the offices do, i.e., the officers (private law)⁷ that are “The State”.~~

The court was simply just stating that they – the rulers who are “the State” – do not have the same subjects (except *perhaps* slaves) — as compared to the ones (*subjects*) that were beholden to England, i.e., the “citizens” are not their *subjects* in the same sovereign capacity.

LB's special BS

In total, what the court somewhat cleverly stated is that “the people” or “the state” was the true sovereign and the citizens give such entities their *power* to exist. Such entities act through the *organs* (i.e., the offices) in the Constitution, and state constitutions. However, the thing that the court did not disclose to you is that such *citizens* are *subjects* of the State.⁸ In other words, “the people” does not mean “the subjects”, but actually means “the citizens” are “the subjects”.

LB's special BS

~~Aside such matters, looking at things in a slightly positive sense, the court was also stating — by its use of the word tenant⁹ in regard to the citizens of America, the land (or country) was actually theirs as bodies politic; the rulers — or the State or States — are trustees for them.~~

~~Furthermore, one must keep in mind that the general principle is that *citizens* are *subjects* when they submit themselves to the state,⁸ which is a principle that few people grasp. Moreover, with the measures that are established by the Fourteenth Amendment, and many having a belief they are *sovereigns*, the “inhabitants”¹⁰ or *persons* of the states in the Union — who embrace calling themselves “citizens” — are unwittingly *subjects* of both *state* and *federal* governments.¹¹~~

So, what is the purpose of this stealthy language? Simply put: This is just an elitist attitude buried in language that few people understand. But it appears that was the intent, otherwise things would have been written in a clear fashion. By the way, *Chisholm v. Georgia* was the tool that installed the 11th Amendment, which limited “citizens” from suing *The States*.

All-in-all, individual *citizens* are not deemed to be sovereign, “THE STATE” is. And the only possible way “THE STATE” can exist is by the consent of the governed, i.e., the citizens.

7 The term “officer” may be used to define government *elected* people in their *private law* capacity, while the term “official” may be used to refer to the same people in their *public law* capacity. Yes, ‘tis the *art of law*.

8 **SUBJECT.** A citizen. —*Ballentine’s Law Dictionary*. Also see this from the constitution of the fourteenth state that was admitted into the Union: Vermont:
“Every person, of good character, who comes to settle in this State, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other just means acquire, hold and transfer land, or other real estate; and after one year’s residence, shall be deemed a free denizen thereof, and entitled to all rights of a natural born subject of this State...” —*Vermont constitution, section 39*

See definitions below from Ballentine's. LB is snipping portions that serves his position

As in "subject to" to laws to the State.

9 **TENANT.** Law. One who holds or possesses lands, tenements, or sometimes personal property by any kind of title. —*American Heritage Dictionary* ...any way one looks at it, *tenancy of land* is not wholly positive.

10 Citizens of the *States* are termed “residents”. Statutorily, Wisconsin states *resident* and *inhabitant* are the same, technically they are not. See this paper to understand *state* and *inhabitant*: www.pacinelaw.us/usage

11 This is the nature of federal citizenship under the Fourteenth Amendment as stated by the Supreme Court of the United States:

“It is the natural consequence of a citizenship [92 U.S. 542, 551] which owes allegiance to two sovereignties, and claims protection from both. The citizen cannot complain, because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws.”

—*U.S. v. Cruikshank, 92 U.S. 542 (1875)* www.laws.findlaw.com/us/92/542.html

I agree and acknowledge a lot of shenanigans were involved with the formation of the Constitution. However the signers were the representatives of the citizens under the Articles of Confederation and then citizens under the new Constitution.

With that established – and keeping such principles in mind – the phrase which appears in the *Preamble of the United States Constitution* which states “We the People” are not you and me. This is another misconception that some people in the movement seem to embrace. You should understand that such *people* were the ones who signed the Constitution.¹² Such people are the actual parties that have obligations to *their* contracts.¹³ One of the purposes of the revered document was to make all “citizens” in the [U]nited States of America *their* constitutors.¹⁴

In closing, under the American judiciary – which has always had a *Masonic* base¹⁵ – one has to be very careful as to what is being stated in reference to the context of law. That is, words in law sometimes are not as they appear. Between that issue and these *people* in control having a way in speaking in *double-talk* that creates a seemingly intentional based puzzlement.¹⁶

So, the next time you see the phrase “the people” it just may mean “The State” or *your* Rulers.

Oh, one last thing... Sorry if you bought into somebody selling you some bad *religion* that you are a *sovereign*. That is what “*the people*” *behind the curtain* want you to believe.¹⁷

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Authored by LB Bork of the People’s Awareness Coalition

## END NOTES:

The exercise of this discourse is of purpose to make you aware that there is deception in the language that is used. One should understand that even though people (or *inhabitants*, i.e., *people*) who lived in the *several states* were deemed *subjects*, the government had little or nothing to do with such *people* as it unfortunately does today. This is due to the scheme of the Fourteenth Amendment.<sup>18</sup>

People that call themselves “sovereigns” epically fail in understanding who they are. As it appears, such individuals think they are *stateless* and/or look like anarchists, i.e., they desire no government. It is ventured that most do not what this, but nonetheless they still insist that they are *sovereigns*.

You need to understand that Americans who are participating in the current *de facto* governmental

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12 Look at this telling statement by justice Marshall in *Barron v. Baltimore* using the phrase “the people” in reference to the *popular leaders*:

“The Constitution was ordained and established by the people of the United States for *themselves*, for their own government, and not for the government of individual States. Each State established a constitution for itself, and in that constitution provided such limitations and restrictions on the powers of its particular government as its judgment dictated. 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*, 32 U.S. 243 (1833) [www.laws.findlaw.com/us/32/243.html](http://www.laws.findlaw.com/us/32/243.html)

13 See the writing of Lysander Spooner, No Treason : [www.lysanderspooner.org](http://www.lysanderspooner.org)

14 **CONSTITUTOR**. In civil law. One who, by a simple agreement, becomes responsible for the payment of another’s debts. —*Black’s Law Dictionary, Fourth Edition*

15 In *Morals and Dogma* (circa 1871), Albert Pike wrote:

“*Masonry, like all the Religions, all the Mysteries, Hermeticism and Alchemy, conceals its secrets from all except the Adepts and Sages, or the Elect, and uses false explanations and misinterpretations of its symbols to mislead those who deserve only to be misled; to conceal the Truth, which it calls Light, from them, and to draw them away from it. Truth is not for those who are unworthy or unable to receive it, or would pervert it.... The truth must be kept secret, and the masses need a teaching proportioned to their imperfect reason. . . .*”

16 More dictum from the court in *Chisholm v. Georgia*. Note the use of ‘*the people* therein’ and ‘*a people*’ :

“Let us now turn to the Constitution. The people therein declare, that *their* design in establishing it... to render a people prosperous and happy on the present occasion such disquisitions would be unseasonable.”

17 It is the benefit of those in control to keep everyone *divided* through *self-importance* and *self-centeredness*. This way they can maintain control of what they have orchestrated, *more* at: [www.islandmakers.us/lexicon](http://www.islandmakers.us/lexicon)

18 Understand the truth behind the 14th Amendment governmental system: [www.pacinelaw.us/doj](http://www.pacinelaw.us/doj)

system as U.S. citizens are in rebellion to the original constitutional system (*see the statement of the court in footnote 11*). Accordingly, the people who willfully participate do not actually have right of title to “federal land” in their *state* held outside the provisions of the United States Constitution. Such people are to be equated to the same *subjects* which were of the feudal ideas of the English system that was referenced by the court in *Chisholm v. Georgia*. Seriously, thanks 14th Amendment!

## The Men Behind the Curtain

~~The FEDERALIST Papers were a rhetorical draft of a private enterprise that outlined the revered document known as *The Constitution for the United States of America*. The writings were a series of articles outlining the *Ruling Elitists’ plan to have dominion over the international commerce of the American peoples*. Such commerce not only encompasses trade between the United States to outside countries, but also from state to state. The papers (*sales job*) were posted in newspapers in New York, which is referred to as the “*Empire State*”. The main question is: Whose *Empire* is this anyway?~~

**Ruler**, *n.* One, such as a monarch or *dictator*, that rules or governs.

I suppose LB sees 'Killer Dust-Bunnies' under his bed too.

—*American Heritage Dictionary*

Below is the telling rhetorical evidence, or *the sales job*. The segments are taken from the blueprint of the Constitution, the FEDERALIST Papers. Note “We the People” refer to themselves as **RULERS**:

If, on the other hand, they find us either destitute of an effectual government (each State doing right or wrong, as to its **RULERS** may seem convenient), or split into three or four independent and probably discordant republics or confederacies, one inclining to Britain, another to France, and a third to Spain, and perhaps played off against each other by the three, what a poor, pitiful figure will America make in their eyes!

—*FEDERALIST No. 4 -- John Jay*

The **RULERS** of the respective members, whether they have a constitutional right to do it or not, will undertake to judge of the propriety of the measures themselves.

—*FEDERALIST No. 15 -- Alexander Hamilton*

Independent of parties in the national legislature itself, as often as the period of discussion arrived, the State legislatures, who will always be not only vigilant but suspicious and jealous guardians of the rights of the citizens against encroachments from the federal government, will constantly have their attention awake to the conduct of the national **RULERS**, and will be ready enough, if anything improper appears, to sound the alarm to the people, and not only to be the voice, but, if necessary, the arm of their discontent.

—*FEDERALIST No. 26 -- Alexander Hamilton*

But though the adversaries of the proposed Constitution should presume that the national **RULERS** would be insensible to the motives of public good, or to the obligations of duty, I would still ask them how the interests of ambition, or the views of encroachment, can be promoted by such a conduct?

—*FEDERALIST No. 27 -- Alexander Hamilton*

If the representatives of the people betray their constituents, there is then no resource left but in the exertion of that original right of self-defense which is paramount to all positive forms of government, and which against the usurpations of the national rulers, may be exerted with infinitely better prospect of success than against those of the **RULERS** of an individual state.

—*FEDERALIST No. 28 -- Alexander Hamilton*

If we were even to suppose the national **RULERS** actuated by the most ungovernable ambition, it is impossible to believe that they would employ such preposterous means to accomplish their designs.

—*FEDERALIST No. 29 -- Alexander Hamilton*

It is of great importance in a republic not only to guard the society against the oppression of its **RULERS**, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens.

—*FEDERALIST No. 51 -- Alexander Hamilton or James Madison*

If foreign gold could so easily corrupt our federal **RULERS** and enable them to ensnare and betray their constituents, how has it happened that we are at this time a free and independent nation?

—*FEDERALIST No. 55 -- Alexander Hamilton or James Madison*

But the security will not be considered as complete, by those who attend to the force of an obvious distinction between the interest of the people in the public felicity, and the interest of their local **RULERS** in the power and consequence of their offices.

—*FEDERALIST No. 59 -- Alexander Hamilton or James Madison*

As the cool and deliberate sense of the community ought, in all governments, and actually will, in all free governments, ultimately prevail over the views of its **RULERS**; so there are particular moments in public affairs when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn.

—*FEDERALIST No. 63 -- Alexander Hamilton or James Madison*

The different views taken of the subject in the two preceding papers must be sufficient to satisfy all dispassionate and discerning men, that if the public liberty should ever be the victim of the ambition of the national **RULERS**, the power under examination, at least, will be guiltless of the sacrifice.

—*FEDERALIST No. 61 -- Alexander Hamilton*

Let it, however, be admitted, for argument sake, that the expedient suggested might be successful; and let it at the same time be equally taken for granted that all the scruples which a sense of duty or an apprehension of the danger of the experiment might inspire, were overcome in the breasts of the national **RULERS**, still I imagine it will hardly be pretended that they could ever hope to carry such an enterprise into execution without the aid of a military force sufficient to subdue the resistance of the great body of the people.

—*FEDERALIST No. 60 -- Alexander Hamilton*

The intrinsic difficulty of governing thirteen States at any rate, independent of calculations upon an ordinary degree of public spirit and integrity, will, in my opinion constantly impose on the national **RULERS** the necessity of a spirit of accommodation to the reasonable expectations of their constituents.

—*FEDERALIST No. 85 -- Alexander Hamilton*

YOU SEE, “We the People” are not who you think they are.

- *The popular leaders, who in all ages have called themselves “the people”.*

—Blackstone’s Commentaries 438 / Ballentine’s Law Dictionary



**Qui Vult Decipi, Decipiatur.** *Let him who wishes to be deceived, be deceived.*

**Qui non libere veritatem pronunciat, proditor est veritatis.**

*He who does not willingly speak the truth, is a betrayer of the truth.*

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**Pentecost.** The seventh Sunday after Easter.

**pent road.** A highway which is closed at the terminal points. *Public Utilities Com. v Jones*, 54 Utah 111, 179 P 745. *Wolcott v Whitcomb*, 40 Vt 40, 41. A road which, having gates and bars at certain points, is not an open highway. *Bridgman v Hardwick*, 67 Vt 132, 134, 31 A 33.

**pentway.** A road which furnishes access to lands not reached by a highway, but open for use by anyone who desires to use it. *Latah County v Peterson*, 3 Idaho 398, 29 P 1089.

**peon.** A debtor who is compelled to work for his creditor until his debt is paid. *Bailey v Alabama*, 219 US 219, 242, 55 L Ed 191, 201, 31 S Ct 145.

**peonage.** The status or condition of compulsory service based upon the indebtedness of the peon to the master. 48 Am J1st Slav § 5. The criminal offense of holding a person to service or labor in liquidation of a debt or obligation. 18 USC § 444. A violation of the acts of Congress which were passed pursuant to the enforcement clause of the Thirteenth Amendment to the United States Constitution. *United States v Reynolds*, 235 US 133, 59 L Ed 162, 35 S Ct 86.

**peonía.** (Spanish.) The portion granted to a foot soldier of spoils taken, or lands conquered in a war. *Strother v Lucas* (US) 12 Pet 410, 442, footnote, 9 L Ed 1137, 1151, footnote.

**people.** The state; the nation; any consolidated political body. *United States v Three Friends*, 166 US 1, 41 L Ed 897, 17 S Ct 495. The subjects or inhabitants of a nation. *The Pizarro* (US) 2 Wheat 227, 246, 4 L Ed 226, 231.

"The popular leaders, who in all ages have called themselves the people," etc. See 4 Bl Comm 438.

**people of the state.** The **representatives of the state itself**; the state itself, as where a criminal prosecution is entitled as by "The People of the State."

As the expression is used in some connections, such as with reference to enjoyment of the public waters within the state, it includes all people lawfully within the state, whether of the state, in the sense of being residents thereof or otherwise. *Rossmiller v State*, 114 Wis 169, 89 NW 839.

**people of the United States.** **The sovereign people. Citizens.** *Boyd v Nebraska*, 143 US 135, 36 L Ed 103, 12 S Ct 375.

**peppercorn.** A pepper berry. A term often used in the past in expressing the consideration of a contract in which no more than a nominal consideration was intended.

**per.** By; through; in; by means of; on; with; under. A word used to indicate agency. Indicating signature affixed in the execution of an agency. 11 Am J2d B & N § 558.

A signing by which the name of the principal appears "per" the agent is uniformly regarded as a proper method of executing the agency so as to impose liability upon the principal and, conversely, no personal liability upon the agent. *Restatement, Agency 2d § 156, Comment a.*

In proceeding under a writ of entry, if the intruder or disseisor has conveyed to a third person, or the land has descended to his heir, the writ must allege the fact, because the action must be against the tenant the defect of whose title must be set forth, whether it arose from his own wrong or that of his predecessor in possession. One such alienation or descent makes the first degree, which is called the "per," because in such case the form of the writ is that the tenant had no right but "by" the original wrongdoer who aliened to him or from whom it descended to him. A second alienation or descent makes another degree called the "per and cut," because in such case the form of the writ is that the tenant had no title to enter but "by" or "under" a prior alienee, "to whom" the intruder demised it. See 3 Bl Comm 181.

**subirrigation.** Irrigation by conducting water underground in porous pipes.

**subjacent support.** A right of an adjoining landowner. The support of the surface by the underlying strata of the earth, or the support of the upper floors of a building by the part below.

The surface, in this connection, means not merely the geometrical superficies without a thickness, but includes all above the subjacent stratum in question and therefore includes a higher stratum as well as the actual surface of the soil, and the owner of the higher stratum is entitled to the same rights as the actual surface owner. It has been held, however, that the word "surface," when used in this connection in a deed without a qualifying phrase, signifies only the superficial part of the land, and therefore one having such grant is entitled to subjacent support of the superficial part of his land only. 1 Am J2d Adj L § 77.

**subject.** A citizen. An inhabitant. A person domiciled in a country and enjoying the protection afforded by it under sovereign power. *The Pizarro (US) 2 Wheat 227, 245, 4 L Ed 226, 231.*

See **subject to.**

**subjecting property to debts.** See **execution sale; judicial sale; levy.**

**subjecting to debts in inverse order of alienation.** See **inverse order of alienation.**

**subjective examination.** A medical examination in which the physician obtains the information necessary to form a conclusion as to the condition of the patient from the facts as related to him by the patient. *Reeder v Thompson, 120 Kan 722, 245 P 127.*

**subjective impossibility of performance.** Impossibility of performance personal to the promisor, not inhering in the nature of the act to be performed. 17 Am J2d Contr § 415.

**subjective standard of satisfaction.** A matter of taste, fancy, or sensibility determining satisfaction with performance of a contract. *Gerish v Herold, 82 NJL 605, 83 A 892.*

**subjective symptoms.** Those symptoms which a physician learns from the expressions of the patient. *Reeder v Thompson, 120 Kan 722, 245 P 127.*

**subjective test.** See **subjective standard of satisfaction.**

**subject matter of act.** Same as **subject matter of statute.**

**subject matter of action.** See **jurisdiction of the subject matter; subject of the action.**

**subject matter of contract.** Property or services of a wide range, the reported cases indicating that almost every conceivable form of property or services has been involved. 17 Am J2d Contr § 14.

**subject matter of statute.** In general, the same as **subject of statute.**

If there is any difference between "subject of statute" and "subject matter of statute," it is in respect to the offices which they respectively perform, the word "subject" indicating the chief thing to which the statute relates, and "matter" the things which are secondary, subordinate, or incidental. 50 Am J1st Stat § 191.

**subject of act.** Same as **subject of statute.**

**subject of bankruptcy.** The subject of the relations between an insolvent, nonpaying, or fraudulent debtor and his creditors, extending to his and their relief. *Wright v Union Cent. Life Ins. Co.* 304 US 502, 82 L Ed 1490, 58 S Ct 1025, reh den 305 US 581, 80 L Ed 411, 56 S Ct 92.

**subject of statute.** The matter or thing forming the groundwork of the statute, the chief thing or matter to which it relates and with which it deals. The matter to which the statute in question relates and with which it deals, as distinguished from its object which is the aim or purpose of the enactment. 50 Am J1st Stat § 191.

As the word is employed in a constitutional provision requiring the subject of a statute to be expressed in its title, the word is used in a broad and extended sense, and is the thing forming the generic head of the matter submitted. It may include numerous minor subjects relating, germane to, and having a mutual connection with, the subject proper. See *Kemp v State*, 35 Okla Crim 128, 248 P 1116.

It is a very indefinite expression. A phrase may state the subject in a very general or indefinite manner, or with minute particularity. It is impossible to prescribe any standard of particularity for the legislature and the matter is left to legislative discretion. *State ex rel. Bragg v Rogers*, 107 Ala 444, 19 So 909.

See **single subject**.

**subject of the action.** The primary right of the plaintiff and a wrong in violation of such right, whereby a remedial right arises in his favor. *Studebaker Corp. v Hanson*, 24 Wyo 222, 157 P 582, 160 P 336. Not something relating to the thing itself about which the controversy has arisen, but rather the origin and ground of the plaintiff's right to recover or obtain the relief asked. *Collier v Ervin*, 3 Mont 142. Either the property which is sought to be recovered or alleged to be injured, or a substantive right which has been violated, to enforce or maintain which the action is brought. 20 Am J2d Council § 70.

**subject to.** Words of qualification. *Consolidated Coal Co. v Peers*, 166 Ill 361, 46 NE 1105. Words of qualification of the estate granted by a deed. 23 Am J2d Deeds § 217. Words of condition; sufficient to destroy the negotiability of the instrument where serving to subject the instrument to the terms of another agreement. 11 Am J2d B & N § 143. A phrase which, appearing in a contract, usually indicates that a promise is not to be performed except upon a condition or the happening of a stated event. *Jones v Palace Realty Co.* 226 NC 303, 37 SE2d 906. A phrase insufficient in itself to constitute the assumption of a mortgage. Anno: 101 ALR 284; 37 Am J1st Mtg § 998.

A provision in the assignment of a lease that it is "subject to" the agreements of the lessee contained in the lease does not constitute a contract obligating the assignee unqualifiedly to perform the duties imposed upon the lessee, so as to render him liable to reimburse the lessee, on account of rents which the lessee was compelled to pay and which accrued after the assignee resigned the term, as the words "subject to" are words of qualification and not words of contract. 32 Am J1st L & T § 350.

The words "subject to the terms of said lease" do not impose contractual liability on an assignee to a lessor to carry out the covenants of the lease. *Coles Trading Co. v Spiegel* (CA9 Ariz) 187 F2d 984, 24 ALR2d 702.

**subject to final payment.** A familiar condition in the banking business.

Where checks received by a bank from a depositor are credited to his account "subject to final payment," which provision is sometimes printed in the depositors' pass books as applying to out-of-town checks, the meaning of the provision is that if such a check is not paid upon its presentation to the drawee bank, the amount of it will be charged back to the depositor's account. See *Douglas v Federal Reserve Bank*, 271 US 489, 493, 70 L Ed 1051, 1053, 46 S Ct 554.

**subject to restriction.** A clause in a deed having reference to restrictions set forth in some other deed or instrument. 20 Am J2d Cov § 169.

**subject to terms of.** See **subject to**.

**subject to the jurisdiction thereof.** A phrase made familiar by inclusion in the Fourteenth Amendment.

**ways and means committee.** A legislative committee the primary duty or which is the consideration of ways and means for raising revenue for the support of the government and the expenses incurred in the performance of its duties.

**waywardens.** The supervisors of a public road or highway.

**WCTU.** Abbreviation of Women's Christian Temperance Union.

**we.** The personal pronoun in the plural of the nominative case. Sufficiently connected with the persons executing the instrument where it appears in the body of the deed, that they are bound, **although their names do not appear in the instrument above their signatures.** 23 Am J2d Deeds § 49.

**weakness of mind.** See **feeble minded.**

**weal.** Welfare.

**weald.** A wood.

**wealreaf.** Larceny from a buried corpse.

**wealth.** In the popular sense, riches. In economics, anything having a monetary value; anything capable of being bought or sold.

**weapon.** Anything used or designed to be used in destroying, defeating, or injuring an enemy; an instrument of offensive or defensive combat. 56 Am J1st Weap § 2, Something with which to fight. Harris v Cameron, 81 Wis 239, 51 NW 437.

See **dangerous weapon; deadly weapon.**

**wear.** Clothing. Impairment or deterioration from use. Another term for weir.

**wear and tear.** The gradual deterioration of premises resulting from use, lapse of time, and the elements. 32 Am J1st L & T § 811.

**wearing apparel.** Dress or clothing of all kinds. Stewart v McClung, 12 Or 431, 8 P 447.

Wearing apparel, purchased and worn by the husband alone, constitutes a family expense within the meaning of a statute making the expenses of the family chargeable upon the property of the wife. Gilman v Matthews, 20 Colo App 170, 76 P 366.

See **necessary wearing apparel.**

**wearing away of premiums.** The gradual diminution of the premiums at which government and other bonds and securities are sold in the market, toward their par value, as the time of the maturity of the securities approaches.

**weather.** Noun: The manifestation of nature in warmth or coldness of the atmosphere, rain, snow, sunshine, or cloudiness. Verb: To wear away or disintegrate through exposure to the atmosphere.

See **bad weather.**

**weather working days.** A term of art used in provisions of charter parties relative to the number of days permitted for loading the ship, signifying days upon which the weather is such as to permit loading operations. Pederson v Eugster & Co. (DC La) 14 F 422.

**Webb-Keynon Act.** A federal statute, enacted prior to National Prohibition, the purpose of which was to subject interstate traffic in intoxicating liquor to the law of the place to which it is consigned. 30 Am J Rev ed Intox L § 47.