appearance through counsel."[5] It is also true that any irregularities in procedural matters which might inhibit personal jurisdiction can be corrected and the case retried.

The jurisdictional arguments most patriots have been raising in recent times deal with personal jurisdiction, that is, they claim the court has no jurisdiction to try them personally. But one can not simply claim a lack of personal jurisdiction without any legal grounds and then expect the court to just dismiss the matter.

In summary, it is rare to have an issue regarding personal jurisdiction that will completely stop proceedings or end the action against a person. One of the few exceptions is if the person is a foreign ambassador or dignitary with diplomatic immunity, in which a treaty exists with his country.

Some have asserted that they are a "non-resident" or a "non-resident alien" and thus do not come under the jurisdiction of the courts or laws of Congress or the State. But it matters not where one lives or if he is a citizen or alien, for all in the land are subject to the laws of the nation. Aliens cannot come to this country and violate laws with impunity and then claim our courts are powerless to try and punish them for their acts. The courts do have jurisdiction over aliens. If you go to Mexico and break their laws and claim that you are a nonresident alien or America citizen it isn't going to hold any water. If that is your only defense you will end up in a Mexican prison.

Jurisdictional arguments, to be of any merit, even in the present day *de facto* courts, have to be based upon some concept of law that would have had merit 150 years ago. All of the popular jurisdictional arguments used today fail this test. But by Divine Providence a flaw has been placed within the current corrupt legal system, one which causes it to exist and operate without any actual jurisdiction to which citizens are subject. This flaw relates to subject matter jurisdiction, not personal jurisdiction. The system that has grown up around us has a defect which causes a lack of subject matter jurisdiction in the courts, which means that no criminal case can be lawfully tried.

But it is important that one know of this defect so it can be asserted against officials or in court, for if it is not, then it is as though the defect doesn't exist. The key then lies in understanding subject matter jurisdiction.

Subject Matter Jurisdiction

Jurisdiction of the subject matter involves the actual thing involved in the controversy. In civil matters it is usually some property or money in dispute, or it might be the tort or wrong one committed against another, or it might be a contract, marriage, bankruptcy, lien, or will that is in dispute. If the property or thing in dispute never existed there would be no subject matter jurisdiction.

In criminal proceedings the thing that forms the subject matter is the crime or public offense that is allegedly committed.

> The subject-matter of a criminal offense is the crime itself. Subject-matter in its broadest sense means the cause; the object; the thing in dispute.[6]

Most cases in which there would be a want of subject matter jurisdiction are self evident. If a subject matter or crime is outside the territorial jurisdiction of the court, then the court would not have jurisdiction over the thing or crime involved. Also, certain types of courts are given the authority, either by constitutional grant or statute, to hear certain types of cases. A federal tax court has subject matter jurisdiction over federal tax matters, not

4 *Smith v. State,* 148 S. 858, 860 (Ala. App. 1933).

5 *State v. Smith,* 70 A.2d 175, 177, 6 N.J. Super. 85 (1949).

6 *Stilwell v. Markham,* 10 P.2d 15, 16 (Kan. 1932).