

SEDM DEPOSITION AGREEMENT FORM INSTRUCTIONS

Last revised: 4/12/2006

1. PURPOSE OF THIS FORM

The terms of the SEDM Member Agreement, section 7

<http://sedm.org/Membership/MemberAgreement.pdf>

requires that Members may not testify against SEDM or reveal anything about their participation. This is done for self-protection, because if the requirement is not observed, they become the Substitute Defendant and must face the consequences of any adverse testimony they reveal. This form is therefore designed to be used by SEDM Members who have been subpoenaed to testify in connection with their participation in SEDM. It is intended to help them respond to a subpoena to testify in connection with their participation in this strictly religious ministry. Its intention is to help them protect themselves from the government and from any adverse legal consequence by avoiding violating the Member Agreement or any enacted positive law.

2. WHO ARE THE PARTIES TO THIS AGREEMENT AND HOW SHOULD IT BE USED?

- 2.1. This form should be sent certified mail by the subpoena party to the deposing counsel as soon as the subpoena is personally served.
- 2.2. The parties to this agreement are any SEDM Member, as the Alleged Defendant and Deponent, and the U.S. Government, who is the Deposer and Plaintiff.

3. WHY IS THIS AGREEMENT BEING UNDERTAKEN?

- 3.1. To maximize the benefit to both sides of the proceeding.
- 3.2. To ensure equal protection and opportunity for either side.
- 3.3. To better define the terms under which evidence is gathered and disseminated.
- 3.4. To limit the discretion of the judge in the determination of what evidence will be admitted. This will substantially remove the influence of conflict of interest on the part of judge as a "taxpayer" and federal benefit recipient, in violation of [18 U.S.C. §208](#) and [28 U.S.C. §144](#).
- 3.5. Because no evidence and no injured party has been identified by the Plaintiff, and the Deponent cannot aid this proceeding until one is. To do otherwise would be to aid and abet violation of due process and Treason. His allegiance is to his God and his neighbor (the "state"), not to the public servants who are supposed to be serving both of these groups.

4. WHAT MUST MEMBERS DO IF GOVERNMENT REFUSES TO SIGN?

- 4.1. The Deponent will use assert his rights to deprive the Deposer of any meaningful benefit from any part of the proceeding.
- 4.2. The Deposer may need to file a motion to compel the Deponent to testify because he refuses to testify him/herself and give equal opportunity to the Deponent.
- 4.3. If the SEDM Member becomes the target of a motion to Compel attendance at any deposition in which questions will be asked about his participation in the SEDM ministry, then he is required to attach the "Affidavit of Duress" at the link below to his Response to such a motion before any court:
<http://sedm.org/Forms/02-Affidavits/AffOfDuress.pdf>
- 4.4. If the Motion to Compel is successful, then the member should then appear at the deposition and use the approach documented in the Deposition Handout:
<http://sedm.org/Forms/03-Discovery/DepoHandout.pdf>

5. WHICH TERMS ARE NOT AMENABLE TO PROPOSED CHANGE?

- 5.1. Stipulation of all deposition evidence into evidence on both sides.
- 5.2. Depositions of BOTH parties, not just one. The Depositions may be split into two separate ones if need be, but the Deponent must be allowed to ask his questions or have his Deposition first.
- 5.3. Equal accountability, which means the Deposer signs his Complaint under penalty of perjury AND provides his evidence of probable cause to pursue this proceeding before asking any questions which might ameliorate the proved harm.
- 5.4. Place of deposition will not be on federal property.
- 5.5. Witness immunity for criminal proceedings using evidence obtained.
- 5.6. Deposer must sign Member Agreement in order to use any evidence from SEDM website in the questioning.

DEPOSITION AGREEMENT

1. INTRODUCTION

Comes now _____ (your name), the Deponent, and _____ (deposer), the Deposer. Deposer has identified a legal requirement to deposition the Deponent on the matter and at the place and time indicated below:

Matter	
Place	
Date/Time	

Pursuant to [Federal Rule of Civil Procedure Rule 29](#), the parties have agreed that it is in their mutual interest to define the terms and conditions under which evidence is provided at the hearing, the use and distribution as evidence, the admission of any part or all of the evidence, and the parties to be deposed. The parties join together in forming this binding contract in pursuit of the best interests of justice and equity. They certify by their signature that they are authorized to make such an agreement and obligate any parties they may be exercising agency on behalf of. Such parties shall be so indicated in the signature block at the end.

2. RECIPROCITY, EQUAL PROTECTION, AND EQUAL DISCOVERY

1. Both Deposer and Deponent shall be afforded the equal opportunity to ask an equal number of questions of each other during the Deposition.
2. Opportunity to ask questions shall alternate between Deponent and Deposer in that order.
3. An answer must be given to the question by the person asked before the next question may be asked.
4. If the person who is the subject of the question does not answer the question, then the person following him may also refuse to answer his question.
5. Parties shall split the cost of the court reporting and transcripts.

Deposer is forewarned that if he refuses to sign this agreement and attempts to request the Court to compel cooperation absent it, then he had better be prepared to demonstrate why he deserves UNEQUAL treatment and UNEQUAL discovery.

*"The equal protection demanded by the fourteenth amendment forbids this. No language is more worthy of frequent and thoughtful consideration than these words of Mr. Justice Matthews, speaking for this court, in Yick Wo v. Hopkins, [118 U.S. 356, 369](#), 6 S. Sup. Ct. 1064, 1071: 'When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power.' The first official action of this nation declared the foundation of government in these words: 'We hold these truths to be self-evident, [[165 U.S. 150, 160](#)] that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.' While such declaration of principles may not have the force of organic law, or be made the basis of judicial decision as to the limits of right and duty, and while in all cases reference must be had to the organic law of the nation for such limits, yet the latter is but the body and the letter of which the former is the thought and the spirit, and it is always safe to read the letter of the constitution in the spirit of the Declaration of Independence. **No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government.**" [Gulf, C. & S. F. R. Co. v. Ellis, [165 U.S. 150](#) (1897)]*

For the Deposer to hypocritically pursue unequal treatment, "privilege", and favor from the Court does nothing but create a government religion by giving public servants status that is superior to the sovereigns they exist to serve and protect. The result would be to make him a "superior being" and make the Deponent into an inferior being who must "worship" and be accountable to the Deposer but not vice versa. The public servant, the Deposer, cannot be greater than his sovereign Master, We The People, which includes the Deponent:

"No legislative act [or judge-made-law] contrary to the Constitution can be valid. To deny this would be to affirm that the deputy (agent) [public servant] is greater than his principal; that the [public] servant is above the [sovereign Citizen] master; that the representatives of the people are superior to the people; that men, acting by virtue of powers may do not only what their powers do not authorize, but what they forbid...[text omitted] It is not otherwise to be supposed that the Constitution could intend to enable the representatives of the people to substitute their will to that of their constituents." [Alexander Hamilton, Federalist Paper # 78]

"Government is established for the protection of the weak against the strong. This is the principal, if not the sole motive for the establishment of all legitimate government. It is only the weaker party that lose their liberties, when a government becomes oppressive. The stronger party, in all governments are free by virtue of their superior strength. They never oppress themselves. Legislation is the work of this stronger party; and if, in addition to the sole power of legislation, they have the sole power of determining what legislation shall be enforced, they have all power in their hands, and the weaker party are the subjects of an absolute government. Unless the weaker party have a veto, they have no power whatever in the government and...no liberties... The trial by jury is the only institution that gives the weaker party any veto upon the power of the stronger. Consequently it is the only institution that gives them any effective voice in the government, or any guaranty against oppression." [Lysander Spooner in his short essay entitled "Trial by Jury"]

"Religion. Man's relation to Divinity, to reverence, worship, obedience, and submission to mandates and precepts of supernatural or superior beings. In its broadest sense includes all forms of belief in the existence of superior beings exercising power over human beings by volition, imposing rules of conduct, with future rewards and punishments. Bond uniting man to God, and a virtue whose purpose is to render God worship due him as source of all being and principle of all government of things. Nikulnikoff v. Archbishop, etc., of Russian Orthodox Greek Catholic Church, 142 Misc. 894, 255 N.Y.S. 653, 663." [Black's Law Dictionary, Sixth Edition, page 1292]

Deponent will NOT STAND for this kind of hypocrisy, prejudice, deification of government, and idolatry.

"The "establishment of religion" clause of the First Amendment means at least this: neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one [state-sponsored political] religion, aid all religions, or prefer one religion over another. Neither can force or influence a person to go to or to remain away from church against his will, or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and vice versa." [Everson v. Bd. of Ed., 330 U.S. 1, 15 (1947)]

See and rebut:

1. Our government has Become Idolatry and a False Religion available at: <http://famguardian.org/Subjects/Taxes/Articles/Christian/GovReligion.htm>
2. Great IRS Hoax, section 4.3.4, available at: <http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>

3. ENVIRONMENT: PLACE, RECORDING, AND WITNESSES

1. An electronic projection panel that hooks up to a VGA display must be provided as part of the Deposition. This display will be used to put up evidence provided as part of a question or presented as part of the response to the question.
2. Deposition may not be taken on federal property or in a building controlled by the federal government. This requirement originates from:
 - 2.1. The need to allow witnesses from either side to protect their identity and not suffer the humiliating experience of having their luggage scanned, their ID's examined and recorded, or any such other form of intimidation.
 - 2.2. The fact that Deponent does not wish to at any time be subject to federal jurisdiction.
3. Deposition will be held in a neutral, third party location not owned or controlled by either party. If the location must be rented, then they agree to split the expense.
4. Either party may have witnesses present, but witnesses may not act as coaches, ask questions, or otherwise disrupt the proceedings. Any witnesses that do so shall be dismissed immediately.
5. Either party reserves the right to tape record or video record the proceeding without prior notice or adverse consequence.
6. Any party who wishes to make a record of the proceeding must notify the opposing party not later than 72 hours before the hearing via email and phone.

4. SUBJECT MATTER OF QUESTIONS

1. Plaintiff shall sign an affidavit under penalty of perjury stating that the allegations made in the original Complaint are true and correct to the best of his knowledge and ability, and to admit such affidavit into evidence. This affidavit is part of this Deposition Agreement.

1.1. Defendant claims the same protections as the Plaintiff. If Plaintiff refuses to take responsibility for his statements and accusations, then Defendant will emulate his conduct by not making any declaration or assurance about the accuracy of any of the answers provided in this deposition. This is a requirement of equal protection of the law.

"Our government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker [or a hypocrite with double standards], it breeds contempt for the law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means...would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face."

[Justice Brandeis, *Olmstead v. United States*, [277 U.S. 438](#), 485. (1928)]

1.2. Defendant will not respond to any questions about any matter in which the Plaintiff refuses to take personal responsibility for the accuracy thereof. To do otherwise would be to encourage emotional abuse, slander, and malicious abuse of legal process. This is NOT a witch hunt, but a protection of the interests of persons identified BEFORE THE COMPLAINT WAS FILED who have evidence proving that they suffered a personal injury based on the conduct of the Defendant. If that injury has not or will not be identified before proceeding, then due process is being violated, no probable cause is demonstrated, and the Defendant will not aid or abet such violation of due process.

2. Questions from either side may address any issue directly relevant to the allegations contained in the original Complaint that are verified under penalty of perjury or in a Cross-Complaint already filed or planned to be filed by the Defendant.

3. Pursuant to [Federal Rule of Civil Procedure](#) Rule 17(b), the capacity of the Deposer to sue or be sued is determined by its domicile and any agency it may claim to be exercising. The domicile of the Deposer, being the U.S. government, is defined in [4 U.S.C. §72](#) and is limited in territorial extent to the District of Columbia for the subject matter of this suit under the I.R.C. See [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10). Representative capacity it may be exercising outside of that territorial extent is determined by any contracts it can produce with third parties outside of that territorial extent. Consequently, questions at the deposition shall be limited to events which either happened in the District of Columbia or written, signed contracts it can produce which apply outside of the District of Columbia. Any question relating to an event that happened outside of the District of Columbia must be preceded by a presentation of the appropriate contract to the Deponent before he will answer any questions relating to the enforcement of that contract. Where no contract is produced, there will be no answer and the Deposer will be told "Irrelevant" by the Deponent. See *Great IRS Hoax*, section 5.2.1 for details available at: <http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>. Deposer is also reminded that pursuant to the SEDM Member Agreement (<http://sedm.org/Membership/MemberAgreement.pdf>) section 7, any interaction the Deponent may have had with the Sovereignty Education and Defense Ministry (SEDM) happened in a foreign state outside of the domicile of the Deposer, which makes any such interactions *irrelevant* and therefore not discoverable in the context of this proceeding under [Federal Rule of Evidence](#) Rules 401 through 403.

"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First 'that every nation possesses an exclusive sovereignty and jurisdiction within its own territory'; secondly, 'that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.' The learned judge then adds: 'From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit [voluntary and not compelled] consent.'" Story on Conflict of Laws §23.

[*Baltimore & Ohio Railroad Co. v. Chambers*, 73 Ohio St. 16; 76 N.E. 91; 11 L.R.A., N.S., 1012 (1905)]

4. Evidence constituting probable cause to pursue this proceeding must be provided by the Plaintiff to the Defendant no later than 5 days prior to the deposition via overnight mail. If no such evidence is available or is non-existent, Plaintiff shall so state in this agreement at the end.

5. Pursuant to the Sovereignty Education and Defense Ministry (SEDM) Member Agreement to which the Deponent is a party, no questions may be asked about any aspect of that entity or the participation by the Deponent as a Member of that entity. Deponent is not exercising any agency over that entity except as the Member Agreement requires. To do otherwise would constitute breach of contract that would subject him/her to damages for which he would expect compensation from Deposer. See:

<http://sedm.org/Membership/MemberAgreement.pdf>

5. IMMUNITY AND INDEMNITY OF PARTIES

1. Deposer grants to Deponent witness immunity under [18 U.S.C. §6002](#) for the following criminal or civil litigation that might make use of any evidence gathered or derived from this proceeding:
 - 1.1. Present, or future criminal investigations or prosecutions initiated by the United States against either the Defendant or any organizations he may be a member of or affiliated with.
 - 1.2. Present or future civil proceedings other than the one at issue.
 - 1.3. Present or future grand jury proceedings relating to any of the evidence or activities disclosed.
2. Deposer agrees to comply with the Copyright/Software/User License Agreement appearing at the address below in the event he uses any of the materials off the Family Guardian Website in this or any future proceeding. This agreement requires a waiver of sovereign and official immunity in this proceeding by the Deposer and anyone else listed on the pleading as the Plaintiff:
<http://famguardian.org/disclaimer.htm>
3. Deposer agrees to comply with the Copyright/Software/User License Agreement appearing at the address below in the event he uses any of the materials off the SEDM Website in this or any future proceeding. This agreement requires a waiver of sovereign and official immunity in this proceeding by the Deposer and anyone else listed on the pleading as the Plaintiff:
<http://sedm.org/Membership/MemberAgreement.pdf>
4. Deponent as a natural person exercising no agency, employment, or representative capacity at the hearing, reserves the right to assert immunities guaranteed by the Bill of Rights.
5. Deposer, who claims to be representing a corporate fiction called the “United States” (see [28 U.S.C. §3002\(15\)\(A\)](#)), may not assert any privilege resulting from the Bill of Rights.

*“Upon the other hand, the corporation is a creature of the state. It is presumed to be incorporated for the benefit of the public. It receives certain special privileges and franchises, and holds them subject to the laws of the state and the limitations of its charter. Its powers are limited by law. It can make no contract not authorized by its charter. Its rights to [201 U.S. 43, 75] act as a corporation are only preserved to it so long as it obeys the laws of its creation. There is a reserved right in the legislature to investigate its contracts and find out whether it has exceeded its powers. It would be a strange anomaly to hold that a state, having chartered a corporation to make use of certain franchises, could not, in the exercise of its sovereignty, inquire how these franchises had been employed, and whether they had been abused, and demand the production of the corporate books and papers for that purpose. The defense amounts to this: That an officer of a corporation which is charged with a criminal violation of the statute, may plead the criminality of such corporation as a refusal to produce its books. To state this proposition is to answer it. **While an individual may lawfully refuse to answer incriminating questions unless protected by an immunity statute, it does not follow that a corporation, vested with special privileges and franchises, may refuse to show its hand when charged with an abuse of such privileges.**” [Hale v. Henkel, 201 U.S. 43, 1906]*

6. STIPULATION TO ADMIT INTO EVIDENCE

1. Prior to the commencement of questioning, both parties shall sign this agreement, which shall constitute a stipulation binding them to admit the following into evidence in relation to this Deposition:
 - 1.1. The text of the questions asked.
 - 1.2. The evidence presented as part of the question.
 - 1.3. The transcript of the answer to the question.
 - 1.4. The evidence referenced and/or provided by the person answering the question.
 - 1.5. Any exhibits attached to the original Complaint or the Answer.
2. The stipulation will also specify that:
 - 2.1. No part of the proceeding or transcript or accompanying evidence may be excluded from admitted evidence at trial.
 - 2.2. The court record may not and shall not be sealed as it pertains to any such evidence. If judge overrides the wishes of the parties on this subject, then parties stipulate that publication of any part of the court transcript, the deposition transcript, or the final judgment may be published by either party on the Internet for all to view, read, and download without violating privacy or any court order.
3. If Deposer attempts to ask questions about SEDM, then he will be required to sign the Member Agreement, just as Deponent has, and agree to be completely subject to its terms and conditions as a private individual, and not as an agent of the United States government. This is a requirement of the agreement for anyone who wishes to ask questions of a Member about the Church. Otherwise, the Deponent is contractually prevented from discussing anything related to SEDM. Deposer agrees to be personally liable for any injuries caused to Deponent caused by the operation of the Member Agreement, if Deponent is compelled by him to violate the Member Agreement.
4. Authorities establishing the validity of the above stipulations include the following:

- 4.1. A stipulation that is a substitute for proof is binding on the parties if it falls within the attorney's authority. *Stoux Tribe of Indians v. United States* (Fed.Cir. 1988) 862 F2d 275, 280; *In re Coho Resources, Inc.* (5th Cir. 2003) 345 F3d 338, 341 fn. 2.
- 4.2. Factual stipulations fairly agreed to are favored because they tend to expedite trial and eliminate the necessity of tedious proof. *TI Fed'l Credit Union v. DelBonis* (1st Cir. 1995) 72 F3d 921, 928; *Park v. Transamerica Ins. Co.* (D HI 1996) 917 F.Supp. 731, 735.
- 4.3. Unless manifest injustice would result, a stipulation "is controlling on the parties and the court is bound to enforce it." *Richardson v. Director, Office of Workers' Comp. Programs* (4th Cir 1996) 94 F3d 164, 167; *Quest Med., Inc. v. Apprill* (5th Cir. 1996) 90 F3d 1080, 1087.
- 4.4. A stipulation in a pending action conclusively establishes the matter as true. Once a stipulation has been admitted into evidence, the trier of fact must regard the matter as proved. *Wheeler v. John Deere Co.* (10th Cir. 1991) 935 F2d 1090, 1097)

7. OATHS, FORUM UNDER WHICH PERJURY MAY BE PROSECUTED

As an Ambassador of a foreign state called Heaven, a foreign sovereign under the Foreign Sovereign Immunities Act of 1976, Pub. L. 94-583, 90 Stat. 2891, 28 U.S.C. Sec. 1330, 1332(a), 1391(f) and 1601-1611., and a beneficiary of Diplomatic immunity under [4 U.S.C. §112](#), Deponent has a religious objection to taking oaths or of manifesting allegiance to the a foreign government or foreign court called the "United States" or any of its officers, employees, or agents.

Jesus Forbids Oaths

"Again you have heard that it was said to those of old, 'You shall not swear falsely, but shall perform your oaths to the Lord.' But I say to you, do not swear at all: neither by heaven, for it is God's throne; nor by the earth, for it is His footstool; nor by Jerusalem, for it is the city of the great King. Nor shall you swear by your head, because you cannot make one hair white or black. But let your 'Yes' be 'Yes,' and your 'No,' 'No.' For whatever is more than these is from the evil one [Satan]." [[Matt. 5:33-37](#), Bible, NKJV]

Therefore, any affidavits or declarations shall be made by the Deponent in accordance with the following.

Deponent declares from without the United States, under 28 U.S.C. §1746(1), under the civil laws of Heaven and the Bible, which is his only consensual place of domicile, that the foregoing facts are true and correct to the best of his belief and ability. He declares his allegiance exclusively to God, those who believe in God, and the criminal laws of the foreign Republic of _____(state name) but not of the United States. All rights reserved without prejudice other than those surrendered explicitly by this agreement, UCC 1-308.

Any proceedings relating to prosecution for perjury shall be conducted in accordance with the following stipulation:

1. Jury trial in a state, not federal court.
2. No jurist or judge may be a "U.S. citizen" under [8 U.S.C. §1401](#), or a "taxpayer" under [26 U.S.C. §7701\(a\)\(14\)](#).
3. The common law of the state and no federal law or act of Congress or the Internal Revenue Code are the rules of decision, as required by the pamphlet "Reasonable Belief About Tax Liability":
<http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>
4. No jurist or judge may be in receipt of any federal financial or other benefit or employment nor maintain a domicile on federal property.
5. Any judge who receives retirement or employment benefits derived from Subtitle A of the I.R.C. recuse himself in judging the law and defer to the jury instead, as required under [18 U.S.C. §208](#), [28 U.S.C. §144](#), and [28 U.S.C. §455](#).

8. JURAT

The signators indicated below, by their signature, declare that they have authority to sign this agreement and make this commitment on behalf of either themselves, in the case of a natural person, or on behalf of the party which they claim to be exercising agency on behalf of. In the event that the Plaintiff did not have the authority to sign this agreement on behalf of the government, then he agrees to substitute himself as Defendant and private party, and to dismiss the Alleged Defendant from the suit.

Deponent declares that he is exercising no agency or employment of any kind in relation to any third party in the context of this deposition, and can only answer questions in relation to his personal situation. If Deposer wishes to address any

implications of any other alleged agency, then he will be required to present any or all evidence of the existence of such agency prior to asking any questions about its existence or operation.

Deponent declares from without the United States, under [28 U.S.C. §1746](#)(1), under the civil laws of Heaven and the Bible, which is his only consensual place of domicile, that the foregoing facts are true and correct to the best of his belief and ability. He declares his allegiance exclusively to God, those who believe in God, and the criminal laws of the foreign Republic of _____(state name) but not of the United States. All rights reserved without prejudice other than those surrendered explicitly by this agreement, UCC 1-308.

*“Much has been said of the paramount duty to the state, a duty to be recognized, it is urged, even though it conflicts with convictions of duty to God. Undoubtedly that duty to the state exists within the domain of power, for government may enforce obedience to laws regardless of scruples. **When one's belief collides with the power of the state, the latter is supreme within its sphere and submission or punishment follows [but ONLY under civil law where domicile of Defendant is within its general jurisdiction under FRCP Rule 17(b), or for criminal laws only, if otherwise].** But, in the forum of conscience, duty to a moral power higher than the state has always been maintained. The reservation of that supreme obligation, as a matter of principle, would unquestionably be made by many of our conscientious and law-abiding citizens. The essence of religion is belief in a relation to God involving duties superior to those [283 U.S. 605, 634] arising from any human relation. As was stated by Mr. Justice Field, in Davis v. Beason, [133 U.S. 333, 342](#), 10 S. Ct. 299, 300: 'The term 'religion' has reference to one's views of his relations to his Creator, and to the obligations they impose of reverence for his being and character, and of obedience to his will.' One cannot speak of religious liberty, with proper appreciation of its essential and historic significance, without assuming the existence of a belief in supreme allegiance to the will of God. Professor Macintosh, when pressed by the inquiries put to him, stated what is axiomatic in religious doctrine. **And, putting aside dogmas with their particular conceptions of deity, freedom of conscience itself implies respect for an innate conviction of paramount duty. The battle for religious liberty has been fought and won with respect to religious beliefs and practices, which are not in conflict with good order, upon the very ground of the supremacy of conscience within its proper field.** What that field is, under our system of government, presents in part a question of constitutional law, and also, in part, one of legislative policy in avoiding unnecessary clashes with the dictates of conscience. **There is abundant room for enforcing the requisite authority of law as it is enacted and requires obedience, and for maintaining the conception of the supremacy of law as essential to orderly government, without demanding that either citizens or applicants for citizenship shall assume by oath an obligation to regard allegiance to God as subordinate to allegiance to civil power. The attempt to exact such a promise, and thus to bind one's conscience by the taking of oaths or the submission to tests, has been the cause of many deplorable conflicts. The Congress has sought to avoid such conflicts in this country by respecting our happy tradition.** In no sphere of legislation has the intention to prevent such clashes been more conspicuous than in relation to the bearing of arms. It would require strong evidence [283 U.S. 605, 635] that the Congress intended a reversal of its policy in prescribing the general terms of the naturalization oath. I find no such evidence.”*
[U.S. v. Macintosh, 283 U.S. 605 (1931)]

The Deposer declares from within the United States, under [28 U.S.C. §1746](#)(2), under the laws of the United States, that the foregoing facts and statements and agreements made by him are true in every respect.

Signed this _____ day of _____, _____ at _____(city), _____(state).

_____ Signature of Deposer	_____ Date
_____ Printed Name	
_____ Capacity in which acting (if any)	
_____ Signature of Deponent	_____ Date
_____ Printed Name	

Capacity in which acting (if any)