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MEMORANDUM

APR 08 2019

SC Court of Appeals

Article 1, Section 10 of the United States Constitution provides that no State shall make anything but gold and silver coin a legal tender in payment of debts. The act of the Clerk of the Master in Equity Court Berkeley County South Carolina is the act of the State. The Clerk of the Master in Equity Berkeley County Court is the agent of the Judicial Branch of the Government of the State of South Carolina. See Birstoe et al vs. The Bank of the Commonwealth of Kentucky 11 Peters Reports at Page 319, "A State can act only through its agents; and it would be absurd to say that any act was not done by a State which was done by its authorized agents."

PrimeLending A PlainsCapital Company attempted to get the Clerk and the Master in Equity in Berkeley County South Carolina to perform an act contrary to the Constitution of the United States. The states have no power to make bank notes a legal tender.

See 36 Amer Jur on Money, Section 13, attached hereto, pages 24 and 25.

See also 36 Amer. Jur. on Money, Section 9, attached hereto. Bank Notes are a good tender as money unless specifically objected to. Their consent and usage is based upon their convertibility of such notes to coin at the pleasure of the holder upon presentation to the bank Page -7- for redemption. When the inability of a bank to redeem its notes is openly avowed they instantly lose their character as money and their circulation as currency ceases.

There is also no lawful consideration for these notes to circulate as money. See pages 74 through 78 of "The Federal System; Its Purposes and Functions", a copy of which is attached hereto as pages 21 thru 23. The banks actually obtained these notes for the cost of the printing.

There is no lawful consideration for said Notes.

A lawful consideration must exist for a Note. See 17 Amer. Jur. on Contracts, Section 85, included as page 30, and also Sections 215, 216 and 217 of 11 Amer. Jur. 2nd on Bills and Notes, included as page 31 & 32. As a matter of fact, the "Notes" are not Notes at all, as they contain no promise to pay.

The activity of PrimeLending A PlainsCapital Company is contrary to public policy and the Constitution of the United States and constitutes an unlawful creation of money and credit and

the obtaining of money and credit for no valuable consideration. The activity of said banks in creating money and credit is not warranted by the Constitution of the United States.

The Federal Reserve and National Banks exercise an exclusive monopoly and privilege of creating credit and issuing their Notes at the expense of the public, which does not receive a fair equivalent. This scheme is for the benefit of an idle monopoly and is used to rob, blackmail and oppress the the producers of wealth.

The Federal Reserve Act and the National Bank Act is in its operation and effect contrary to the Whole letter and spirit of the Constitution of the United States; confers an unlawful and unnecessary power on private parties; holds all of our fellow citizens in dependance; is subversive to the rights and liberties of the people. It has defied the lawfully constituted Government of the

United States. The two banking acts and Sec. 462 of Title 31, U.S.C., see pages 41 & 42, are therefore unconstitutional and void.

Respectfully submitted,
April 6, 2019

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Without the U.S. by order of *lex domicilii*
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