

Maxims of Commercial Law

There are ten essential maxims or precepts in commercial law.

1. **A WORKMAN IS WORTHY OF HIS HIRE.** The first of these is expressed in Exodus 20:15; Lev. 19:13; Mat. 10:10; Luke 10⁷; II Tim. 2:6. Legal maxim: "It is against equity for freemen not to have the free disposal of their own property."

2. **ALL ARE EQUAL UNDER THE LAW.** "Equality before the law" (God's Law - Moral and Natural Law). Exodus 21:23-25; Lev. 24: 17-21; Deut. 1;17, 19:21; Mat. 22:36-40; Luke 10:17; Col. 3:25. "No one is above the law". This is founded on both Natural and Moral law and is binding on everyone. For someone to say , or act as though, he is "above the law" is insane. This is the major insanity in the world today. Man continues to live, act, believe, and form systems, organizations, governments, laws and processes which presume to be able to supercede or abrogate Natural or Moral Law. But, under commercial law, Natural and Moral Law are binding on everyone, and no one can escape it. Commerce, by the law of nations, ought to be common, and not to be converted into a monopoly and the private gain of the few.

3. **IN COMMERCE, TRUTH IS SOVEREIGN** This one is one of the most comforting maxims one could have, your foundation for your peace-of-mind and your security and your capacity to win and triumph -- to get your remedy -- in this business. (Exodus 20:16; Ps. 117:2; John 8:32; II Cor. 13:8). Truth is sovereign -- and the Sovereign tells only the truth. *Your word is your bond.* If truth were not sovereign in commerce, i.e., all human action and inter-relations, there would be no basis for anything. No basis for law and order, no basis no accountability, there would be no standards, no capacity to resolve anything. It would mean "anything goes", "each man for himself", and "nothing matters". That's worse than the law of the jungle. Commerce. "To lie is to go against the mind". Oriental proverb: "Of all that is good, sublimity is supreme."

4. **TRUTH IS EXPRESSED IN THE FORM OF AN AFFIDAVIT.** (Lev. 5:4-5; Lev. 6:3-5; Lev. 19:11-13; Num. 30:2; Mat. 5:33; James 5: 12). An affidavit is your solemn expression of your truth. In commerce, an affidavit must be accompanied and must underlay and form the foundation for any commercial transaction whatsoever. There can be no valid commercial transaction without someone putting their neck on the line and stating, "this is true, correct, complete and not meant to mislead." An affidavit is a two edged sword; it cuts both ways. Someone has to take responsibility for saying that it is a real situation. It can be called a true bill, as they say in the Grand Jury. When you issue an affidavit in commerce you get the power of an affidavit. You also incur the liability, because this has to be a situation where other people might be adversely affected by it. Things change by your affidavit, which are going to affect people's lives. If what you say in your affidavit is, in fact, not true, then those who are adversely affected can come back at you with justifiable recourse because you lied. You have told a lie as if it were the truth. People depend on your affidavit and then they have lost because you lied.

5. **AN UNREBUTTED AFFIDAVIT STANDS AS TRUTH IN COMMERCE.** (12 Pet. 1:25; Heb. 6:13-15;) Claims made in your affidavit, if not rebutted, emerge as the truth of the matter. Legal Maxim: "He who does deny, admits."

6. AN UNREBUTTED AFFIDAVIT BECOMES THE JUDGMENT IN COMMERCE. (Heb. 6:16-17;). There is nothing left to resolve. Any proceeding in a court, tribunal, or arbitration forum consists of a contest, or duel, of commercial affidavits wherein the points remaining unrebutted in the end stand as truth and matters to which the judgment of the law is applied.

7. IN COMMERCE FOR ANY MATTER TO BE RESOLVED, IT MUST BE EXPRESSED. (Heb. 4:16; Phil. 4:6; Eph. 6:19-21). No one is a mind reader. You have to put your position out there, you have to state what the issue is, to have someone to talk about and resolve. Legal Maxim: "He who fails to assert his rights has none.

8. HE WHO LEAVES THE BATTLEFIELD FIRST LOSES BY DEFAULT. The primary users of commercial law and those who best understand and codified it in Western Civilization are the Jews. This is Mosaic Law they have had for more than 3500 years and is based upon Babylonian commerce. (Book of Job; Mat. 10:22; This means that an affidavit which is unrebutted point for point stands as "truth in commerce" because it hasn't been rebutted and has left the battlefield. Governments allegedly exists to resolve disputes, conflicts and truth. Governments allegedly exist to be substitutes for the dueling field and the battlefield for such disputes, conflicts of affidavits of truth are resolved peaceably and reasonably instead of by violence. So people can take their disputes into court and have them all opened up and resolved, instead of going out and marching ten paces and turning to kill or injure. Legal Maxim: "He who does not repel a wrong when he can, occasions it".

9. SACRIFICE IS THE MEASURE OF CREDIBILITY. Nothing ventured nothing gained. A person must put himself on the line, assume a position, take a stand, as regards the matter at hand. and One cannot realize the potential gain without also exposing himself to the potential of loss. (One who is not damaged, put at risk, or willing to swear an oath on his commercial liability to claim authority) (Acts 7, life/death of Stephen) for the truth of his statements and legitimacy of his actions has no basis to assert claims or charges and forfeits all credibility and right. Legal Maxim: "He who bears the burden ought also to derive the benefit".

10. A LIEN OR CLAIM CAN BE SATISFIED ONLY THROUGH REBUTTABLE BY AFFIDAVIT POINT BY POINT, RESOLUTION BY JURY, OR PAYMENT. In commerce a lien or claim can be satisfied in any one of three ways (Gen. 2-3; Mat. 4; Revelation.):

(A) By someone rebutting your affidavit, with another affidavit of his own, point by point, until the matter is resolved as to whose is correct, in case of non-resolution.

(B) You convene a Sheriff's common law jury, based on the Seventh Amendment, concerning a dispute involving a claim of more than \$20. Or, you can use three disinterested parties to make judgment.

(C) The only other way to satisfy a lien is to pay it.

Legal Maxim: "if the plaintiff does not prove his case, the defendant is absolved".