

Heaven's Freedom Above v. Abyss's Tyranny Below

Revolutionary oaths (post-1776, voluntary enlistment for independence) rise as heavenward liberation: choose to join the militia, swear fidelity, provide your kit (well-regulated readiness), and cross the thin line to freedom via land bounties—turning ex-Crown swearers into sovereigns. British oaths (pre-1776, obligatory subjection) sink as abyssal tyranny: compulsory duty, merciless penalties (hanging/murder clauses for violation, public draw-and-quartering for humiliation)—a dark grasp squeezing colonies. The law of the land (allodial titles) battles in between: Brits promised grants for loyalty (e.g., to Tories), but Revolutionaries claimed absolute ownership as the true path to self-government, rejecting feudal chains. Names were central: everything done "in and by NAME," subscribed (signed at bottom, from Latin *subscribere*: write underneath, assent/approve), standing for status, honor, and conscience—loss of any made one an outcast/outlaw. The mark (cross at 45° angle like X on British flag) substituted for signatures by illiterates, legally valid as name equivalent.

Section on the Importance of Name in Oaths and Titles

Names tied to oaths/ titles signified status/ honor/ conscience—misnomer or misuse (e.g., *Nom de Guerre*) could have deadly consequences, as lists of traitors were by name, risking execution. **Initials are no part of name;** a mark (cross) stands for signature. This underscores the master-slave dynamic: British oaths enslaved by perpetual allegiance, but Revolutionaries renounced via name-bound service for freedom.

Bouvier's Law Dictionary Vol 1 1897 — Page 1087-88

"INITIAL (from Lat. *initium*, beginning) Beginning; placed at the beginning. Webster. Thus, the initials of a man's name are the first letters

of his name: as G.W. for Washington. Initials are no part of name 147 U.S. 47. A middle name or initial is not recognized in law 1 Hill, N. Y. 102; 4 Watts 329; 28 Vt. 599 28 N.H. 561; 8 Tex. 376; ..."

The Cyclopedic Law Dictionary 1922 — Page 644

"MARK. A sign traced on paper or parchment, which stands in the place of a signature; usually made by persons who cannot write. It is most often the sign of the cross, made in a little space left between the Christian name and surname. A mark is now held to be a good signature, though the party was able to write. 5 Johns. (N.Y.) 144; 2 Bradf, Sur. (N. Y.) 385"

1792 Burn a New Law Dictionary —Page 472-3

"MISNOMER, is the using one name for another.— In cases of misnomer, where there is an original issued against a man, or a bill of indictment exhibited against him, by a wrong christian name; if proceedings were had upon that writ or indictment, they could not finally affect him. If he was to be arrested by process upon such writ or indictment, he might have an action of trespass and false imprisonment against the officer; nay, if he made opposition, and killed him, it would be but manslaughter. But notwithstanding all this, to prevent any possible danger to this man's liberty or property, though he could not effectually be hurt by it, the law allows him time to come in and plead that misnomer to the writ or bill, and it shall abate for that reason, and the defendant not be put to answer, though he is in court. Str. 156. Regularly, it is requisite that a purchaser be named by the name of baptism and his surname, and that special heed be taken to the name of baptism, for that a man cannot have two names of baptism, as he may have divers surnames. Yet in some cases, though the name of baptism be mistaken, the grant is good. Thus a wife is a good name of purchase, without a

christian name; and so it is, if a christian name be added and mistaken, as Em for Emelyn. So if lands be given to Robert earl of Pembroke, where his name is Henry, or to George bishop of Norwich, where his name is John ; for in these and the like cases there can be but one of that dignity or name. And therefore such a grant is good, albeit the name of baptism be mistaken. 1 Inst.3. If the defendant omits to plead a misnomer, he may be taken in execution by the wrong name. Sir. 1218. (the use of a Nom de Guerre could have deadly consequences because the name could be on a list of traders and you could be executed for using that's the way I read it. How about you? I reason that's exactly why the text is written that way..) If there be a corporation aggregate, as mayor and commonalty, dean and chapter, the mayor or dean need not be named by his christian name, because that such a corporation standeth in lieu both of the christian name and surname. 2 Inst. 666. (annotating the 666 ended up in a place of perfection and I didn't put it there) A grant to one who is an esquire, by the name of such an one knight, is void} because knight is part of the name of a man, as much as his christian name. L . Raym. 303. A bastard, after he hath gained a name by reputation, may purchase by his reputed name, 1 Inst. 3, A woman was indicted by the name of Elizabeth Newman, alias Judith Hancock, and it was quashed for that reason ; because a person cannot have two christian names. L . Raym. 562."

Black's Law 4th —Page 1174

NAME. The designation of an individual person, or of a firm or corporation. *Riley v. Litchfield*, 168 Iowa 187, 150 N.W. 81, 83, Ann.Cas.1917B, 172. A person's 'name' consists of one or more Christian or given names and one surname or family name. *Blakeney v. Smith*, 183 Miss. 151, 183 So. 920, 921. It is the distinctive characterization in words by which one is known and distinguished from others, - and description, or abbreviation, is not the equivalent of a 'name.' *Putnam v. Bessom*, 291

Mass. 217, 197 N.E. 147, 148. Custom gives one his father's family name, and such prxnomina as his parents choose to put before it, but this is only general rule, from which individual may depart, if he choose. In re Cohen, 142 Misc. 852, 255 N.Y.S. 616, 617. As to the history of Christian names and surnames and their use and relative importance in law, see **In re Snook, 2 Hilt., N.Y., 566.**"

In re Snook, 2 Hilt. 566 (N.Y. Ct. Com. Pl. 1859): This case discusses the history of Christian names and surnames and their legal importance. Key excerpts: "[A name] derives its whole significance from the fact that it is the mark or indicia by which [a person] is known." (p. 568) It emphasizes that names are designations for distinction, with rules on baptismal names (cannot have two) and surnames (can vary), and that abbreviations or descriptions are not equivalents. The case affirms custom's role but allows departure, underscoring names as tied to identity/status in law—misuse could void grants or indictments, risking outcast/outlaw status.

Colony Entries (North-to-South)

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New Hampshire / Revolutionary Oath Association Test

April 1776—voluntary pledge to oppose British arms:

VERBATIM: "We the Subscribers, do hereby solemnly engage and promise that we will to the utmost of our Power, at the Risque of our Lives and Fortunes, with Arms oppose the Hostile Proceedings of the British Fleets and Armies against the United American Colonies."

Recognized allodial titles, with laws supporting the concept of absolute ownership. Brits promised grants for loyalist service, but

Revolutionaries claimed bounties (e.g., 50 acres for militia) as sovereign reward—voting limited to property holders, turning service into citizen-stake.

British Colonial Oath

Pre-1776 standard Allegiance/Supremacy—obligatory subjection:

VERBATIM: "I, A.B., do sincerely promise and swear, that I will be faithful and bear true allegiance to His Majesty King George... So help me God. And I do swear that I do from my heart abhor, detest and abjure, as impious and heretical, that damnable doctrine and position, that Princes excommunicated or deprived by the Pope... may be deposed or murdered by their subjects... So help me God."

———2

Massachusetts Revolutionary Oath

Loyalty Oath, 1776—voluntary renunciation for independence:

VERBATIM: "I [name] do truly and sincerely acknowledge, profess, testify and declare that the Commonwealth of Massachusetts is and of right ought to be a free sovereign and independent state; and I do swear that I will bear true faith and allegiance to the said commonwealth... So help me God."

As a commonwealth, it had provisions for allodial ownership, particularly for veterans of the Revolutionary War. Brits offered titles for appeasement, but militia bounties rewarded service—£60 land requirement for suffrage enabled sovereign voting.

British Colonial Oath

Pre-1776 Freeman's Oath variant—obligatory subjection:

VERBATIM: "I, A.B., being by God's providence an Inhabitant and Freeman within the jurisdiction of this Commonwealth, do freely acknowledge my self to be subject to the Government thereof: And therefore do here swear by the great and dreadful Name of the Ever-living God, that I will be true and faithful to the same..."

Blood Oath of the BAR

FOOTNOTES

A. COLONIAL LAWYER'S OATHS

Oaths are an ancient tradition and lawyer's oaths hark back to the founding of the legal profession. In the 1700s, when lawyer's oaths were first introduced in the American colonies, taking an oath was a solemn, life-changing ritual. Oaths were understood then to directly implicate the oath-taker's personal sense of honor. **Taking an oath and swearing in blood, in the name of a god, or on a grave, struck listeners with awe.** Many people believed nothing would be able to dissuade the oath-taker from carrying out their intentions. **Oaths were important enough that one of the first acts of the first Congress of the United States in 1789 was to pass a bill regarding the oath for office holders.** (source: law.georgetown.edu/legal-ethics-journal/wp-content/uploads/sites/24/2023/11/GT-GJLE230020.pdf)

Massachusetts Bar Oath 1701

Pre-1776 attorney fidelity, binding practitioners to court ethics:

VERBATIM: "You shall do no falsehood nor consent to any to be done in the court, and if you know of any to be done you shall give knowledge thereof to the justices of the court or some of them that it may be reformed. You shall not wittingly or willingly promote or sue any false, groundless or unlawful suit nor give aid or consent to the same. You shall delay no man for lucre or malice, but you shall use yourself in the

office of an attorney within the court according to the best of your learning and discretion and with all good fidelity as well to the court as to your client. So help you God.”

—3

Rhode Island Revolutionary Oath

Test Act, June 1776—voluntary loyalty to colony/defense:

VERBATIM: "I the Subscriber do solemnly and sincerely declare that I believe the War Resistance and Opposition in which the United American Colonies are now engaged against the Fleets and Armies of Great Britain is just and necessary... and that I will, to the utmost of my power, defend by Arms the United American Colonies... from the Hostile Attempts of the British Fleets and Armies."

Held allodial principles in its governance, emphasizing free land ownership. Brits tempted with grants, but unpopular; militia bounties—£40 freeholder voting for independence.

British Colonial Oath

Pre-1776 Engagement—obligatory, contract-like subjection:

VERBATIM: "... doe sollemly engage true eleageance vnto his Majestye... And this engagement... vpon the perill of the penalty of perjury."

—4

Connecticut Revolutionary Oath

Fidelity Oath, October 1776—voluntary allegiance to state:

VERBATIM: "You do swear by the Everliving God that you bear true allegiance to the State of Connecticut and will faithfully maintain the laws thereof and will to the utmost of your power maintain the liberties and

privileges of the same..."

Connecticut: Supported allodial ownership, especially for those who participated in the Revolutionary cause. Brits promised titles for loyalty (minority view), but militia bounties—£40 land suffrage.

British Colonial Oath

Pre-1776 Freeman's Oath—obligatory subjection:

VERBATIM: "... doe sweare by the great and dreadfull name of the eu[^]r liueing God to be true and faythfull unto the State or Commonwealth of England..."

——5

New York Revolutionary Oath

Association Oath, 1776—voluntary fidelity to United Colonies:

VERBATIM: "We, the Subscribers, free Citizens and Inhabitants of the City and Colony of New York, do hereby pledge ourselves to each other to maintain to the utmost of our Power the Union of the Colonies, and all the Measures entered into by the Continental and our Provincial Congresses..."

Held allodial titles, with sovereignty affirmed in its state constitution. Brits offered grants for appeasement (e.g., NYC elites like John Jay, but minority/unpopular outside cities); Military Tract bounties—£40 freeholder voting.

British Colonial Oath

pre-1776 1691 Slaughter form—obligatory, with murder clause:

VERBATIM: "I, A.B., do sincerely promise and swear, that I will be faithful and bear true allegiance to Their Majesties King William and

Queen Mary; so help me God.” “I, A. B., do swear that I do from my heart abhor and detest and abjure, as impious and heretical, that damnable doctrine and Position, that Princes excommunicated or deprived by the Pope or any authority of the See of Rome may be deposed or murdered by their subjects, or any other whatsoever.” “And I do declare, that no foreign Prince, Person, Prelate, State, or Potentate, hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. So help me God, etc.”

—6

New Jersey Revolutionary Oath

Abjuration/Allegiance, June 1777—voluntary renunciation:

VERBATIM: “I AB do sincerely profess and swear... that I do not hold myself bound to bear allegiance to the King of Great Britain his heirs, or successors and that I will be true and faithful to the Government established in this State under the authority of the people. So help me God.”

Acknowledged allodial rights within its early legal frameworks, promoting land independence. Brits tempted minorities with titles; up to 500-acre bounties—£50 property voting.

British Colonial Oath

Pre-1776 Allegiance/Abjuration—obligatory subjection:

VERBATIM: “I, A. B., do truly and sincerely acknowledge, profess, testify, and declare in my conscience before God and the world, that ... I do bear faith and true allegiance ... and do abjure all foreign jurisdiction, power, superiority, or authority.”

—7

Pennsylvania Revolutionary Oath

Allegiance, June 1777—voluntary fidelity:

VERBATIM: "I, A. B., do solemnly and sincerely declare and affirm, that I will be faithful and bear true allegiance to ... and that I will well and faithfully discharge the duties of the office ..."

Under William Penn, allodial rights were acknowledged, especially for landowners. Brits offered grants (unpopular); militia bounties—50 acres for sovereign stake.

British Colonial Oath

Pre-1776 Affirmation variant—obligatory subjection:

VERBATIM: "I, A. B., do solemnly and sincerely declare and affirm, that I will be faithful and bear true allegiance to ..."

——8

Delaware Revolutionary Oath

Allegiance, September 1776—voluntary to state:

VERBATIM: "I, A B, will bear true allegiance to the Delaware State, submit to its constitution and laws, and do no act wittingly whereby the freedom thereof may be prejudiced."

Recognized allodial titles as part of its colonial charter and governance structure. Brits promised loyalty titles (minority); bounties—50 acres/£40 value for freedom.

British Colonial Oath

Pre-1776 standard Allegiance—obligatory subjection:

VERBATIM: “I, A. B., do solemnly swear, that I will bear true allegiance ... and that I will faithfully execute the office committed unto me.”

—9

Maryland Revolutionary Oath

Fidelity/Support, March 1778—voluntary allegiance:

VERBATIM: "I do sware I do not hold myself bound to yield any Allegiance or obedience to the King Of Great Britain his heirs, or successors and that I will be true and faithful to the State of Maryland..."

Embraced allodial titles in its early colonial laws, allowing for absolute property ownership. Brits tempted with grants; militia bounties —50 acres/£40 goods suffrage.

British Colonial Oath

Pre-1776 Fidelity—obligatory subjection:

VERBATIM: “I, A. B., do swear that I will be true and faithful to the Lord Proprietary of this Province, and to the Government established under him, according to the laws thereof.”

—10

Virginia Revolutionary Oath

Allegiance, May 1777—voluntary to commonwealth:

VERBATIM: "I [name] do swear, that I will be faithful and bear true allegiance ... and will well and truly execute the office according to law."

The case *U.S. v. Lee* (1882) affirms that Virginia had recognized allodial titles prior to statehood. Brits offered loyalty titles; 200–5,000

acre bounties—25–50 acres qualified freeholders.

British Colonial Oath

Pre-1776 Allegiance to George III, November 1775—obligatory:

VERBATIM: "I, AB ... promise ... to bear faith and true Allegiance to ... George the 3rd ..."

—11

North Carolina Revolutionary Oath

Allegiance, 1776 constitution—voluntary to state:

VERBATIM: "I [name] do swear, that I will be faithful and bear true allegiance ... and will well and truly execute the office according to law."

Recognized allodial titles, which were significant in justifying their break from British rule. Brits promised grants (minority); 640-acre warrants—50 acres for assembly votes.

British Colonial Oath

Pre-1776 Allegiance—obligatory subjection:

VERBATIM: "I, A. B., do sincerely promise and swear, that I will be faithful and bear true allegiance to ... and that I do abjure all foreign jurisdiction, power, or authority."

—12

South Carolina Revolutionary Oath

Allegiance, March 1776 constitution—voluntary to colony:

VERBATIM: "I, A. B., do sincerely promise and swear, that I will be faithful and bear true allegiance ... and that I do abjure all foreign jurisdiction, power, or authority."

Recognized allodial titles through colonial headright systems and post-Revolutionary assertions of absolute ownership free from feudal obligations. Brits tempted with titles; up to 50-acre bounties—50 acres/£50 value qualified voters.

British Colonial Oath

Pre-1776 standard Allegiance—obligatory subjection 1

VERBATIM: "I, A. B., do sincerely promise and swear, that I will be faithful and bear true allegiance ... and that I do abjure all foreign jurisdiction, power, or authority."

———13

Georgia Revolutionary Oath

Allegiance, February 1777 constitution—voluntary to state:

VERBATIM: "I, A. B. do voluntarily and solemnly swear... that I do owe true allegiance to this State, and will support the constitution thereof..."

Although it had unique land grant systems, allodial concepts were still present in land ownership rights. Brits offered loyalty grants; 200-acre bounties—£10 property (often land) enabled voting.

British Colonial Oath

Pre-1776 Allegiance/Fidelity—obligatory subjection:

VERBATIM: "I, A. B., do solemnly swear, that I will bear true allegiance ... and that I will faithfully observe the laws and government thereof."

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Consolidated Note

This document illuminates the master-slave dynamic in British oaths—subjection with murder abjuration, enforced by hanging/public terror—vs. Revolutionary freedom via voluntary militia oaths leading to land/sovereignty. The line is thin, crossed by renouncing tyranny for liberty, especially in NY's 1664 Dutch-British transition (appeasing Christian traditions/religion freedom despite Protestant-Catholic tensions). Brits' merciless grasp squeezed colonies until Revolution broke it.

*Footnote on Vermont: As 14th state (1791), its 1777 constitution oath (voluntary fidelity) mirrored New England's: "I [name] do solemnly swear... that whenever I am called to give any vote... I will do it so, as in my conscience, I shall judge will most conduce to the best good of the same..." British pre-1776 (as disputed territory): Standard Allegiance/Supremacy as above.