
COMMON LAW

Memorandum of Law

In 1775, Colonial “Militiamen”¹, a/k/a We the Sovereign People², took up arms against the British troops of the tyrant king George for subversion of the unalienable rights of We the Sovereign People. On July 4th 1776, We the Sovereign People, in a Declaration of Independence, dissolved the political bands with Britain proclaiming: *“When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, 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.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”* In this Proclamation, We the Sovereign People laid the foundation of our Constitution calling upon our creator, acknowledging the covenant with God, by establishing the “Law of the Land”. That is the “Common Law” that the Bill of Rights expresses.

The acknowledgement of this covenant with God under His Law was made clear by a committee of three, John Adams, Thomas Jefferson and Benjamin Franklin that were chosen to author our founding document, the Declaration of Independence in 1776. This same committee of three was again chosen by the Continental Congress to work on and submit a national seal design for approval. Jefferson, in the representation of the Law of the Land and our structure of government, designed an illustration of the Israelites' exodus out of slavery and bondage from Egypt.



Benjamin similar to wanted to also illustrate a scene from the Israelites. The seal would show Moses with Pharaoh and his chariots being waters with the motto: Rebellion to God. Thomas Jefferson became so motto he incorporated it for his own



Franklin had an idea Jefferson’s and Exodus of the parting the Red Sea overwhelmed by the tyrants is obedience to enamored with this personal seal design.

¹ **MILITIA:** The body of citizens in a state, enrolled for discipline as a military force, but not engaged in actual service except in emergencies, as distinguished from regular troops or a standing army. Ex parte McCants, 39 Ala. 112; Worth v. Craven County, 118 N.C. 112, 24.

² **SOVEREIGN PEOPLE:** The political body, consisting of the entire number of citizens and qualified electors, who, in their collective capacity, possess the powers of sovereignty and exercise them through their chosen representatives. Scott v. Sandford, 19 How. 404, 15 L.Ed. 691.



In 1782, Congress rejected the Jefferson and Franklin designs and instead adopted a two sided seal designed by Charles Thomson. His seal gave allegiance to a secret society that symbolically made the point within the seal that there was already a conspiracy to supplant the Law of the Land (God) with the civil law of man (under a new world order). Franklin was not happy with the eagle, as he explained in a letter to his daughter: *“For my own part, I wish the Bald Eagle had not been chosen as the Representative of our Country. He is a Bird of bad moral Character. He does not get his living honestly. You may have seen him perched on some dead Tree near the River, where, too lazy to fish for himself, he watches the Labor of the Fishing Hawk; and when that diligent Bird has at length taken a Fish,... the Bald Eagle pursues him and takes it from him.”*

In 1789, We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity did ordain and establish the Constitution for the United States of America.

In 1791, We the People of the United States *“expressed a desire in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution”* RESOLVING THAT: this Bill of Rights *“to be valid to all intents and purposes, as part of the said Constitution.”*

The Bill of Rights thereby being the capstone of our Constitution, laid the foundation of our unalienable rights that expressed the Blessings of Common Law by which all law is measured in that all laws repugnant to Liberty are *“null and void”*. Marbury v Madison

Therefore, by We the People calling upon God in 1776 desiring the righteousness of His Law, seeking the Blessing of His liberty in 1789 and proclaiming His unalienable rights in 1791, entered into an everlasting covenant with Him that no man can depose³. Now, being his children through adoption to whom pertained the covenants, the law and the promises⁴, He Put His laws into our mind and wrote them in our hearts and became to us a God. We became to him His People⁵ and He shall judge the world in righteousness, He shall minister judgment to the people in honor⁶; therein the Common Law!

God decreed concerning those who would attempt to unseat Him and overthrow His covenant and bind His people in a statutory bondage⁷ saying:⁸ *“it shall come to pass that*

³ Geneses 17

⁴ Romans 8:15; 9:4-6; 11:24-27; Galatians 4:6

⁵ Hebrews 8

⁶ Psalms 9

⁷ Exodus 6:5-6

⁸ Isaiah 14

the LORD will give His People rest from their sorrow, and from their fear, and from the hard bondage wherein they were forced to serve leviathan (novus ordo seclorum⁹); they will not rise and possess the land, nor fill the face of the world with their [dark] cities” and that he would rise up against them at the worlds darkest moment¹⁰ and “sweep the children of iniquity with the broom of destruction.” Of that day the Lord said: “Surely as I have thought, so shall it come to pass; and as I have purposed, so shall it stand:” “In that day the LORD with his sore and great and strong sword will punish leviathan¹¹ the piercing serpent, even leviathan that crooked serpent; and slay the dragon that is in the world.” Therefore, We the Sovereign People will reestablish the Law of the Land and God will execute His Judgment upon all who offend.

In 1871, the 41st Congress acted without constitutional authority, an act of fraud (Organic Act of 1871), conspiracy and subversion against the United States of America attempting to depose our covenant with our creator and thereby establishing a totalitarian government unaccountable to We the Sovereign People, under foreign control, behind which the conspiratorial erosion of our Constitution began. Only We the Sovereign People can ordain and establish Laws¹² and governments¹³. Only We the Sovereign People are endowed by the Creator with certain unalienable rights, governments are not! Therefore, all latter construction upon the Organic Act of 1871 is as “null and void” as is the Act itself, which attempted to supplant our Constitutional Republican Form of Government that our servants were entrusted to guarantee, by oath.

Article IV Section 4: The United States shall guarantee to every state in this union a republican¹⁴ form of government, and shall protect each of them against invasion;

⁹ The phrase ***Novus ordo seclorum*** ([Latin](#) for "New order of the ages" (NWO); English pronunciation: /'noʊvəs 'ɔːrdoʊ sɛ'klɔːrəm/; Latin pronunciation: [ˈnɔwʊs 'oːrdoː seː'kloːrũː]) appears on the reverse (or back side) of the Great Seal of the United States, first designed in 1782 and printed on the back of the [United States one-dollar bill](#) since 1935.

¹⁰ Zephaniah 1:12-15

¹¹ The collective body of the children of iniquity under the rule of Satan - Book of Revelation

¹² **PREAMBLE:** “We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.”

¹³ **GOVERNMENT:** “Republican Government; one in which the powers of sovereignty are vested in the people and are exercised by the people” In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; Minor v. Happersett, 88 U.S. (21 Wall.) 162, 22 L.Ed. 627. Black's Law Dictionary, Fifth Edition, p. 626.

¹⁴ **REPUBLIC:** A form of government which derives all its powers directly from the people where elected servants hold office for a limited period or during good behavior [*not exceeding their vested powers*] or at the pleasure of the people.

Any court resting upon said Act is a de facto court¹⁵. Any judge acting under such fiction of law¹⁶ denies due process¹⁷ and is acting in excess of their judicial authority¹⁸, in collusion, under color of law¹⁹, thereby losing judicial immunity²⁰. Therefore, any judicial reliance upon said act is injudicious, an act of seditious conspiracy to overthrow our Republican form of government. Any clerk failing to file common law documents, such as this, also enters into the seditious conspiracy.

18 U.S. Code §2385: Advocating overthrow of Government; 18 USC §2384: Seditious conspiracy with wide spread mutilating; and, 18 USC §2071: failing to file.

In 1878 seventy-five lawyers from twenty states and the District of Columbia met in Saratoga Springs, New York, to establish the American Bar Association (ABA), the minions of the “*new order of the ages*”. Since that first meeting, the ABA has worked in the shadows infiltrating our government, our courts, our churches, our institutions and our media; demoralizing our children all in an effort to expunge our common law and replace it with civil law a/k/a Babylonian law, Justinian law, or Roman Law. Today, with about a half a million BAR members, they have perverted the rule of law, deprived We the

¹⁵ **DE FACTO GOVERNMENT:** One that maintains itself by a display of force against the will of the rightful legal government and is successful, at least temporarily, in overturning the institutions of the rightful legal government by setting up its own in lieu thereof. *Wortham v. Walker*, 133 Tex. 255, 128 S.W.2d 1138, 1145.

¹⁶ **FICTION OF LAW:** “Something known to be false is assumed to be true.” *Ryan v. Motor Credit Co.*, 130 N.J.Eq. 531, 23 A.2d 607, 621. “That statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, would not be the law of the land.” *Hoke vs. Henderson*, 15, N.C.15,25 AM Dec 677. “A rule of law which assumes as true, and will not allow to be disproved, something which is false, but not impossible.” *Best, Ev.* 419.

¹⁷ **DUE COURSE OF LAW,** this phrase is synonymous with “due process of law” or “law of the land” and means law in its regular course of administration through courts of justice. - *Kansas Pac. Ry. Co. v. Dunmeyer* 19 KAN 542.

¹⁸ **EXCESS OF JUDICIAL AUTHORITY:** “Acts in excess of judicial authority constitute misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process.” *Cannon v. Commission on Judicial Qualifications*, (1975) 14 Cal. 3d 678, 694; Society’s commitment to institutional justice requires that judges be solicitous of the rights of persons who come before the court. [*Geiler v. Commission on Judicial Qualifications*, (1973) 10 Cal.3d 270, 286];

¹⁹ **COLOR OF LAW:** The appearance or semblance, without the substance, of legal right. [*State v. Brechler*, 185 Wis. 599, 202 N.W. 144, 148] Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under “color of state law.” (*Atkins v. Lanning*, 415 F. Supp. 186, 188)

²⁰ **JUDICIAL IMMUNITY:** “... the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts, as well as other departments, are bound by that instrument.” ... “In declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank”. ... “All law (rules and practices) which are repugnant to the Constitution are VOID”. ... Since the 14th Amendment to the Constitution states “NO State (Jurisdiction) shall make or enforce any law which shall abridge the rights, privileges, or immunities of citizens of the United States nor deprive any citizens of life, liberty, or property, without due process of law, ... or equal protection under the law”, this renders judicial immunity unconstitutional. *Marbury v. Madison*, 5 U.S. (2 Cranch) 137, 180 (1803); There is a general rule that a ministerial officer who acts wrongfully, although in good faith, is nevertheless liable in a civil action and cannot claim the immunity of the sovereign. *Cooper v. O’Conner*, 99 F.2d 133

Sovereign People of due process and have supplanted our Article III courts with jurisdictions unknown.

In November 1910, six men – Nelson Aldrich, Abram Andrew, Henry Davison, Arthur Shelton, Frank Vanderlip and Paul Warburg – met at the Jekyll Island Club, off the coast of Georgia, to write a plan to reform the nation’s banking system. The meeting and its purpose were closely guarded secrets, and participants did not admit that the meeting occurred until the 1930s. But the plan written on Jekyll Island laid a foundation for what would eventually be the Federal Reserve System.

In 1913, three unratified diabolical acts of Congress set the course for the destruction of the United States of America:

- 1) The Sixteenth Amendment which only appears to create an income tax²¹, an act of extortion and a sponsor of debtor’s prisons, in direct violation of the Constitution Article I Section 9 Clause 5. “*No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.*”
- 2) The Seventeenth Amendment destroyed the checks and balance of power in violation of the Constitution Article V, which states: “*no state, without its consent, shall be deprived of its equal suffrage in the Senate.*” The 16th Amendment removed the States representation in Washington giving the Senate to the People who already had representation in congress thereby “*depriving states of its equal suffrage*”. Every State being sovereign has the ability to correct this unconstitutional amendment by the power of nullification, the Governor and two houses of each state need only recall their two unconstitutional senators and send two that will represent the will of the State.
- 3) The unconstitutional Federal Reserve Banking Act of 1913 gave control of America’s economy to a private corporation owned by foreign bankers who answer to no one and regulate the value of worthless notes of debt called the dollar, robbed We the People of our gold and bankrupted America. Thomas Jefferson warned us when he wrote, “*I sincerely believe that banking institutions are more dangerous to our liberties than standing armies. The issuing power should be taken from the banks, and restored to the people to whom it properly belongs.*” President Andrew Jackson stated in reference to the bankers at the state of his administration: “*You are a den of vipers and thieves. I intend to rout you out, and by the Eternal God, I will rout you out.*”

This vile act of congress was in violation to the Constitution Article I Section 8 Clause 5 “*The Congress shall have power to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;*” and Article I Section 10

²¹ “Congress cannot by any definition (of income in this case) it may adopt, conclude the matter, since it cannot by legislation alter the Constitution, from which alone it derives its power to legislate, and within whose limitations alone that power can be lawfully expressed.” *Eisner v. Macomber*, 252 U.S. 189; “In construing federal revenue statute, Supreme Court gives no weight to Treasury regulation which attempts to add to statute something which is not there.” *United States v. Calamaro*, 354 U.S. 351 (1957), 1 L. Ed. 2d 1394, 77 S. Ct. 1138 (1957); “The 16th Amendment does not justify the taxation of persons or things previously immune. It was intended only to remove all occasions for any apportionment of income taxes among the states. It does not authorize a tax on a salary” *Evans V. Gore*, 253 U.S. 245

Clause 1. “No state shall make anything but gold and silver coin a tender in payment of debts;”

Charles A. Lindbergh, Sr., concerning the Federal Reserve Act, said: “*The financial system has been turned over to the Federal Reserve Board. That Board administers the finance system by authority of a purely profiteering group. The system is Private, conducted for the sole purpose of obtaining the greatest possible profits from the use of other people’s money... This establishes the most gigantic trust on earth. When the President [Wilson] signs this bill, the invisible government of the monetary power will be legalized....the worst legislative crime of the ages is perpetrated by this banking and currency bill ... From now on, depressions will be scientifically created.*”

The Federal Reserve was chartered by an act of deceit, through an act of congress when most had gone home for Christmas holiday on December 23rd, 1913. No recess had been called, while nearly every senator had gone home. Only three senators passed the act with a unanimous voice vote, 3-0. There were no objections.

James Madison, the main author of the U.S. Constitution wrote, “*History records that the money changers have used every form of abuse, intrigue, deceit, and violent means possible to maintain their control over governments by controlling money and its issuance.*”

1934 Congressman McFadden on the Federal Reserve Corporation Remarks in Congress: “*Mr. Chairman, we have in this Country one of the most corrupt institutions the world has ever known. I refer to the Federal Reserve Board and the Federal Reserve Banks, hereinafter called the Fed. The Fed has cheated the Government of these United States and the people of the United States out of enough money to pay the Nation's debt. The depredations and iniquities of the Fed has cost enough money to pay the National debt several times over... This evil institution has impoverished and ruined the people of these United States, has bankrupted itself, and has practically bankrupted our Government. It has done this through the defects of the law under which it operates, through the maladministration of that law by the Fed and through the corrupt practices of the moneyed vultures who control it... "The United States has been ransacked and pillaged. Our structures have been gutted and only the walls are left standing. While being perpetrated, everything the world would rake up to sell us was brought in here at our expense by the Fed until our markets were swamped with unneeded and unwanted imported goods priced far above their value and make to equal the dollar volume of our honest exports, and to kill or reduce our favorite balance of trade. As Agents of the foreign central banks the Fed try by every means in their power to reduce our favorable balance of trade. They act for their foreign principal and they accept fees from foreigners for acting against the best interests of these United States. Naturally there has been great competition among foreigners for the favors of the Fed.”* (See evidence document Congressman McFadden Speech on House Floor 1934) at www.nationallibertyalliance.org/docket

TODAY, under legislation such as the Patriot Act and the creation of the Department of Homeland Security, We the Sovereign People are under attack by our very own elected

and appointed servants. Our very way of life is in jeopardy because of the ignorance of the meaning of words and the misuse of the way that government by consent that our founders framed for us has been abused.

According to the Southern Poverty Law Center (SPLC) Intelligence Report²², proclaiming to be the nation's preeminent periodical monitoring the radical right in the United States, is fueling all government agencies and police departments into believing that anyone that uses specific words like militia, sovereign, oath keepers, constitution, patriots and even founding fathers, to name just a few, are armed, radicals and dangerous cop killers, whose names are put on the terrorist watch list. This agitation often causes police to over-react with excessive force and on a few occasions respond by SWAT when these words are used at traffic stops.

Much of the over-reaction that fuels the police comes from www.policemag.com that spews forth the lies of the Southern Poverty Law Center to unsuspecting law-enforcement agencies and departments. The SPLC is an arm of the BAR whose purpose is to excite violence by federal agents and police upon We the Sovereign People who are trying to make sense of our out of control federal judiciary and be free.

The fact of the matter is “In United States, SOVEREIGNTY RESIDES IN PEOPLE. The Congress cannot invoke the sovereign power of the People to override their will...”²³ “It will be admitted on all hands that with the exception of the powers granted to the states and the federal government through the Constitutions, THE PEOPLE OF THE SEVERAL STATES ARE UNCONDITIONALLY SOVEREIGN within their respective states.”²⁴ “SUPREME SOVEREIGNTY IS IN THE PEOPLE - No authority can, on any pretense whatsoever, be exercised over the citizens of this state, but such as is or shall be derived from and granted by the people of this state.”²⁵ “SOVEREIGNTY ITSELF IS, OF COURSE, NOT SUBJECT TO LAW, FOR IT IS THE AUTHOR AND SOURCE OF LAW; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts And the law is the definition and limitation of power...”²⁶

So how is it that patriotic People who claim to be sovereign and believe in the Constitution and insist that our elected servants keep their oaths are somehow home-grown terrorists? We the Sovereign People are determined through this action to find out why.

POWER AND AUTHORITY

²² https://www.splcenter.org/intelligence-report?f%5Bo%5D=field_intel_report_issue%3A11691

²³ Perry v. US, 294 U.S.330

²⁴ Lansing v. Smith, 4 Wendell 9, (NY) 6 How416, 14 L. Ed. 997

²⁵ NY LAW § 2:

²⁶ Yick Wo v. Hopkins, 118 US 356, 370



There is a war that has been raging since antiquity a war for our hearts and our minds, for our flesh, for our very souls; to bring all mankind under a one world order (novus ordo seclorum)²⁷ as George Washington put it, “orchestrated by a small group of cunning, ambitious, and unprincipled men²⁸ who have subverted the power of the people and usurped for themselves the reins of government. They have put in the place of the delegated will of the nation the will of a small but artful and enterprising minority to make the public administration the mirror of their ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common counsels and modified by mutual interests.”

“There are only two fundamental traditions of law and government that are active among humanity, each manifesting contrary ideals: the common law and the civil law. The common law rests upon justice administered by scriptural principles that presuppose and guard against the inherent imperfections of human reason. The civil law, on the other hand, justifies its methods by presupposing and appealing to man's notions of perfected reason. The common law tradition governs only a handful of countries and is fundamentally consonant with Scripture, acknowledging the divine eternity of law as the measure of all things. The civil law tradition, on the other hand, governs most modern nations and is fundamentally Babylonian trusting human reason as the worthy measure of all things. The common law tradition recognizes the necessity of human administration of law and government, while providing safeguards against man's weaknesses.”²⁹

Legislated laws of men change with the times, serve agendas, serve governments, are incapable of mercy and demoralize men. Whereas, God's laws are the same yesterday, today and tomorrow, they serve God, serve man, benefit both victim and wrongdoer, provide for repentance, considers mercy, builds morals and save souls.

We the Sovereign People ordained and establish a federal government to serve the following six directives:

(1) FORM A MORE PERFECT UNION;

²⁷ The phrase **Novus ordo seclorum** (Latin for "New order of the ages" (NWO); English pronunciation: /'noʊvəs 'ɔːrdoʊ sɛ'klɔːrəm/; Latin pronunciation: ['nɔwɔs 'oːrdoː seː'klɔːrũː]) appears on the reverse (or back side) of the Great Seal of the United States, first designed in 1782 and printed on the back of the United States one-dollar bill since 1935. Soon after America became a new nation, the Continental Congress formed a committee to "prepare a device for the seal of the United States of North America". The committee consisting of Benjamin Franklin, John Adams and Thomas Jefferson on May 10, 1780, Congress rejected the design submitted by the committee. Then the matter was referred to the Secretary of Congress, Charles Thomson, who asked the assistance of William Barton, a prominent citizen of Philadelphia. Barton proposed two designs, then Thomson submitted his own, which, revised by Barton, was finally adopted in 1782.

²⁸ Ephesians 2:2

²⁹ Excellence of the Common Law by Brent Winters, pg 45

Create a federal city³⁰, establish uniform naturalization rules³¹, coin money³², establish post offices, post roads³³, legislate counterfeiting³⁴ and piracy laws³⁵

(2) ESTABLISH JUSTICE;

Create courts³⁶, secured habeas corpus³⁷, congress may not impose an income (direct) tax³⁸, forbid BAR attorneys from holding office³⁹ and prevent misconstruction or abuse of powers⁴⁰.

(3) INSURE DOMESTIC TRANQUILITY;

Provide for the militia for the suppression of insurrections and repel invasions⁴¹.

(4) PROVIDE FOR THE COMMON DEFENSE;

Raise and support armies, maintain a navy and make rules for the land and naval forces;⁴²

(5) PROMOTE THE GENERAL WELFARE

Promote the arts and science⁴³; make commerce regular⁴⁴; no taxes or duties on exports⁴⁵.

(6) SECURE THE BLESSINGS OF LIBERTY TO OURSELVES AND OUR POSTERITY.

Guarantee a republican government, protect against invasion⁴⁶ enforce the law of the land⁴⁷.

Our Constitution provided for a government that united the States as one unique Nation where “*no state is deprived of its equal suffrage in the Senate*”⁴⁸, but insidious factions within all three branches of our government have conspired and have succeeded in depriving every state its equal suffrage, destroying all balance of power between the

³⁰ **Article 1 Section 8 Clause 17:** To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; In September 1791, the commissioners named the federal city in honor of Washington and dubbed the district. In 1871 by the unconstitutional Organic Act of 1871 the District officially was renamed District of Columbia.

³¹ Article 1 Section 8 Clause 4

³² Article 1 Section 8 Clause 5

³³ Article 1 Section 8 Clause 7

³⁴ Article 1 Section 8 Clause 6

³⁵ Article 1 Section 8 Clause 10

³⁶ Article 1 Section 8 Clause 9

³⁷ Article I Section 9 Clause 2

³⁸ Article I Section 9 Clause 4

³⁹ Article I Section 9 Clause 8

⁴⁰ Bill of Rights

⁴¹ Article 1 Section 8 Clause 15, Article 1 Section 8 Clause 16

⁴² Article 1 Section 8 Clause 11, Clause 12, Clause 13

⁴³ Article 1 Section 8 Clause 8

⁴⁴ Article 1 Section 8 Clause 3

⁴⁵ Article I Section 9 Clause 5

⁴⁶ Article IV Section 4

⁴⁷ Article VI Clause 2

⁴⁸ Article V

States through the passing as law the repugnant XVII Amendment a law specifically and explicitly FORBIDDEN by the Constitution itself.⁴⁹

Amendment X clearly stated that “*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, ARE RESERVED TO THE STATES RESPECTIVELY OR TO THE PEOPLE.*”

All legislation by Congress that was not delegated to them is null and void and it is the duty of this Congress to READ and UNDERSTAND our Constitution and start obeying it because clearly they are not and in the day of reckoning, ignorance of the law will be no excuse!

The foundation of our Constitution is the Declaration of Independence which states: whenever any Form of Government becomes destructive to our unalienable rights such as life, liberty, pursuit of happiness and government by consent of the governed, it is the Right of the People to remove from office by indictment or recall any elected, appointed or hired servants who refuse to obey the Law of the Land. We the People have suffered a long train of abuses and usurpations by our government that perpetually pursued the same objective which revealed a design to reduce the People to living under absolute despotism, it is therefore our right and our duty to indict such tyrants and try them for treason in a court of Justice, such as this.

These tyrants have infiltrated our government from the very inception of our Nation and have labored continually deteriorating our Union taking the controls at every level of government. They have changed our federal city built upon righteousness and governed by our Creator’s Law (Common Law) into a corporate state of greed and corruption controlled by foreign bankers and BAR attorneys. They have brought us to the very brink of World War III.

Tyrants in Congress have ignored and expunged the Peoples six directives: (1) instead of Forming a more perfect union, they have given our federal city, post offices and coining of money to foreign bankers and BAR attorneys; (2) instead of Establishing Justice, they have turned our courts to jurisdictions unknown, abolished habeas corpus, imposed an income tax that has destroyed the middle class and turned all law making over to the BAR who have abrogated the Law of the Land; (3) instead of Insuring Domestic Tranquility, they have abolished the militia and closed our armories; (4) instead of Providing for the Common Defense, they have kept our armed forces in a state of perpetual war; (5) instead of Promoting the General Welfare they have regulated commerce and instead of making commerce regular, they imposed unconstitutional sin taxes. Advancements in science health and technology have been hidden, inventors have been stifled and murdered; (6) instead of Securing the Blessings of Liberty, they have changed our Republic first into a democracy and now into an oligarchy.

There is a hidden hand that orchestrates events, our courts and our legislation through the insidious BAR. America is in shambles and our elected servants walk as blind men.

⁴⁹ **Article V:** “No state, without its consent, shall be deprived of its equal suffrage in the Senate”

These tyrants within have denied us due process, they abrogated the common law, they have created federal debtors prisons (IRS), they rob our homes through non-judicial foreclosures, they steal our children in family court, they steal our parents and their estates in probate courts, they taint every grand and trial jury, they have created free speech zones, they have labeled patriots terrorists, they have destroyed our political process, they have stolen our free press, they have infringed upon our right to defend ourselves, they have destroyed our manufacturing base, they have chased out of America 88% of the top Fortune 500 companies, they have destroyed our economy, they have turned our dollar into debt, they have robbed our silver and gold, they have demoralized our children, they have opened our borders, they have used the BLM to terrorize American ranchers, miners and loggers in order to sell off America's resources to foreign countries, they have sold our postal systems to foreign corporations, they have brokered our electric company sales to foreign corporations, they spy on the We the People intercepting and storing all of our communications in case we become persons of interests.

Our servants take money (bribes) from special interest groups, thereby selling their vote and their soul to the highest bidder, usually on legislation that they don't even have the constitutional authority to pass in the first place, placing the will of the corporate world above the will of the People.

Acts of our servants are not to provide for special interest groups, not to divide us, not to establish statutory courts in jurisdictions unknown, not to establish laws that enslave the human spirit, not to keep us in perpetual war, not to demoralize us, not to destroy our prosperity, not to put us in harm's way, not to rob us of a proper education and not to lead us as lambs to the slaughter.

We the People did not consent to any legislated powers that legislate our behavior or penalize wrongdoers. Common Law decrees that in order for there to be a crime there must be an injured party, and it is We the People, through an untainted grand jury, who are to decide if there is evidence to indict. It is We the People, through an untainted trial jury, who are to decide both the law and the facts. It is We the People, through an untainted trial jury, who are to decide guilt or innocence. It is We the People, through an untainted trial jury, who are to decide the penalty. Common Law decrees that for every injury there must be a remedy. Restitution is the remedy that has the power to restore both victim and wrongdoer.

The covenant made between God and His people in 1776 empowered We the People to self-government. George Washington said the United States was built upon: *“the fundamental maxims of true liberty”* and that *“the basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.”*

By God were all things created, that are in heaven, and that are in earth, visible and invisible, whether [they be] thrones, or dominions, or principalities, or powers: all things

were created by him, and for him: And he is before all things, and by him all things consist and through His common law We the People are vested with unalienable rights, governments are not! Your power and authority is defined in the Constitution that We the People ordained and established. Therefore, be now cognizant that:

We the People have been providentially provided legal recourse to address the criminal conduct of persons, We the People entrusted to dispense justice through juries formed by the People ourselves. We need not your permission; does the master seek leave from his servant? Let us remind you that the first known recorded grand jury that was formed by the People themselves to put the tyrant king back under the control of the law, was written by We the People who wrote their intentions and commands down on paper titled the "Magna Carter"! Not too much different than what We the People are doing herein!

Be now cognizant that: *"the grand jury is an institution separate from the courts, over whose functioning the courts do not preside ... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury's functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. 'Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.'" United States v. John H. Williams; 112 S. Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; 1992*

Thus, We the People have the unbridled right by law and in law to empanel our own grand juries and present "True Bills" of information, indictments and presentments to a court of record, like this one, which is then required to commence a criminal proceeding. Our Founding Fathers, with foresight, grafted into the common law Fifth Amendment, a "buffer" that We the People may rely upon for justice, when public officials, including judges, go rogue, act in bad behavior and criminally violate the law⁵⁰.

Be now cognizant that: BAR controlled federal and state court judges, by their presumed authority, contrary to their oath and duty, fraudulently claim the Constitution for the United States and its cap-stone Bill of Rights is abolished by statutes written by traitorous BAR members and passed by traitorous legislators, which are acts of conspiracy, treason and war against the United States of America and thereby We the People.

Be now cognizant that: We the People Decreed by Writ Quo Warranto all said unconstitutional legislation null and void and declared all such subversives enemies of

⁵⁰ **UNITED STATES v. WILLIAMS**, 112 S.Ct. 1735, 504 U.S. 36, 118 L.Ed.2d 352; No. 90-1972. Argued Jan. 22, 1992. Decided May 4, 1992.

We the People of the United States of America and ordered all United States Marshals, Bailiffs, County Sheriffs and Deputies to arrest all such federal and state judges for conspiracy, treason and breach of the peace when witnessing the violation of Peoples' unalienable rights in our courts, in violation of Article III Section 3, for levying war against the people, adhering to the enemy, giving aid and comfort. ⁵¹

18 U.S. Code §2385 whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government⁵² by force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons [bar], knowing the purposes thereof - shall be fined under this title or imprisoned not more than twenty years, or both...

Be now cognizant that: because rights are unalienable, legislators cannot legislate (abolish) rights away no matter what the BAR has instructed you. Rights come from God and not man; therefore, not even We the People can give them up for ourselves or others. Once We the People ordained common law as the law of the land, no man can abrogate it; to claim to do so is an act of war against the People and their God.

Be now cognizant that: unconstitutional acts are not law⁵³, and no one is bound to obey them.⁵⁴ Judges are expected to maintain a high standard of judicial performance⁵⁵ and when they violate the Constitution, they cease to represent the government⁵⁶, become liable for damages⁵⁷ and lose any immunity they may have had⁵⁸. "*State Judges, as well as federal, have the responsibility to respect and protect persons from violations of federal constitutional rights.*"⁵⁹

⁵¹ **Article III Section 3.** Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.

⁵² **Preamble** We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. **Article I Section 8** To make rules for the government and regulation of the land and naval forces;

⁵³ "An unconstitutional act is not law; it confers no right; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." **Norton vs Shelby County 118 US 425 p. 442**

⁵⁴ "No one is bound to obey an unconstitutional law and no courts are bound to enforce it." **16th American Jurisprudence 2d, Section 177 late 2nd, Section 256**

⁵⁵ "Judges must maintain a high standard of judicial performance with particular emphasis upon conducting litigation with scrupulous fairness and impartiality." **28 USCA 2411; Pfizer v. Lord, 456 F 2d 532; cert denied 92 S Ct 2411; US Ct App MN, (1972).**

⁵⁶ "...an...officer who acts in violation of the Constitution ceases to represent the government." **Brookfield Co. v Stuart, (1964) 234 F. Supp 94, 99 (U.S.D.C., Wash.D.C.)**

⁵⁷ "...an officer may be held liable in damages to any person injured in consequence of a breach of any of the duties connected with his office...The liability for nonfeasance, misfeasance, and for malfeasance in office is in his 'individual', not his official capacity..." **70 AmJur2nd Sec. 50, VII Civil Liability.**

⁵⁸ "Government immunity violates the common law maxim that everyone shall have a remedy for an injury done to his person or property." **Firemens Ins. Co. of Newark, N.J. v. Washburn County, 2 Wis 2d 214 (1957)**

⁵⁹ Gross v. State of Illinois, 312 F 2d 257; (1963)

Be now cognizant that: "*Decency, security, and liberty alike demand that government officials be subjected to the same rules of conduct that are commands to the citizen. In a Government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Crime is contagious. If government becomes a lawbreaker, it breeds contempt for the law...it invites every man to become a law unto himself...and against that pernicious doctrine, this court should resolutely set its face.*" *Olmstead v U.S.*, 277 US 348, 485; 48 S. Ct. 564, 575; 72 LEd 944; "*Judges have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution.*"⁶⁰ "*No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence.*"⁶¹

Be now cognizant that: the Unified United States Common Law Grand Jury (UUSCLGJ) is comprised of fifty Grand Jurys each unified amongst the counties within their respective States that were overwhelmingly unified by re-constituting Common Law Grand Juries in all 3,133 United States counties. All fifty States have unified nationally as an assembly of Thousands of People in the name of We the People to suppress, through our Courts of Justice, subverts both foreign and domestic acting under color of law within our governments. We are the People and this Grand Jury will remain in session until we secure the nation from the tyrants at large and reinstate our Constitution.

Be now cognizant that: "*If anyone has been dispossessed without the legal judgment of his peers, from his lands, homes, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then it will be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government, we will immediately grant full justice therein.*" - Magna Carta Paragraph 52.

Be now cognizant that: We the People Command all elected, appointed and hired servants to obey the Law of the Land and join the People in our quest to reinstate the Constitution for the United States of America and bring to Justice all subverts. Now that you know, to do nothing elevates you to Principle, SOUND THE ALARM; TAKE A STAND!

18 U.S. Code §2 "*Principals (a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal. (b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal*".

⁶⁰ *Cohen v. Virginia*, (1821), 6 Wheat. 264 and *U.S. v. Will*, 449 U.S. 200

⁶¹ *Ableman v. Booth*, 21 Howard 506 (1859)