SOVEREIGN AUTHORITY

"*The very meaning of 'sovereignty' is that the decree of the sovereign makes law.*" - American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047. "*A consequence of this prerogative is the legal ubiquity of the king. His majesty in the eye of the law is always present in all his courts, though he cannot personally distribute justice.* (Fortesc.c.8. 2Inst.186) *His judges* (We the People, Jurist) *are the mirror by which the king's* (Natures God) *image is reflected.*" 1 Blackstone's Commentaries, 270, Chapter 7, Section 379.

LAW OF THE LAND

"This Constitution, and the Laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby; anything in the Constitution or Laws of any State to the Contrary notwithstanding." - Constitution for the United States of America, Article VI, Clause 2

OBSTA PRINCIPIIS[1]

The Supreme Court said: "*It may be that it is the obnoxious thing in its mildest form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of persons and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of the Courts to be watchful for the Constitutional Rights of the Citizens, and against any stealthy encroachments thereon. Their motto should be Obsta Principiis.*" - Boyd v. United, 116 U.S. 616 at 635 (1885)

LIBERALLY CONSTRUED

The purpose of a written constitution is entirely defeated if, in interpreting it as a legal document, its provisions are manipulated and worked around so that the document means whatever the manipulators wish. Jefferson recognized this danger and spoke out

[1] **OBSTA PRINCIPIIS:** Lat. Withstand begin-nings; resist the first approaches or encroach-ments. Bradley, J., Boyd v. U. S., 116 U.S. 635, 6 Sup.Ct. 535, 29 L.Ed. 746.

constantly for careful adherence to the Constitution as written, with changes to be made by amendment, not by tortured and twisted interpretations of the text.

ORDINARY UNDERSTANDING

Thomas Jefferson said: "*The Constitution to which we are all attached was meant to be republican, and we believe to be republican according to every candid interpretation. Yet we have seen it so interpreted and administered, as to be truly what the French have called, a monarchie masque* (or oligarchy's mask). "*Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure.*"[2]

"*Common sense [is] the foundation of all authorities, of the laws themselves, and of their construction.*[3] *The Constitution on which our Union rests, shall be administered by me* [as President] *according to the safe and honest meaning contemplated by the plain understanding of the people of the United States at the time of its adoption--a meaning to be found in the explanations of those who advocated, not those who opposed it, and who opposed it merely lest the construction should be applied which they denounced as possible.*[4] *I do then, with sincere zeal, wish an inviolable preservation of our present federal Constitution, according to the true sense in which it was adopted by the States, that in which it was advocated by its friends, and not that which its enemies apprehended, who therefore became its enemies.*"[5]

TWO MEANINGS

"*Whenever the words of a law will bear two meanings, one of which will give effect to the law, and the other will defeat it, the former must be supposed to have been intended by the Legislature, because they could not intend that meaning, which would defeat their intention, in passing that law; and in a statute, as in a will, the intention of the party is to be sought after.*[6] *On every question of construction carry ourselves back to the time when the Constitution was adopted,* [See Federalist and Anti Federalist papers at www.National LibertyAlliance.org/docket] *recollect the spirit manifested in the debates and instead of trying what meaning may be squeezed out of the text or invented against it, conform to the probable one in which it was passed.*"[7]

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[2] Thomas Jefferson to William Johnson, 1823. ME 15:450.
[3] Thomas Jefferson: Batture at New Orleans, 1812. ME 18:92.
[4] Thomas Jefferson: Reply to Address, 1801. ME 10:248.
[5] Thomas Jefferson to Elbridge Gerry, 1799. ME 10:76.
[6] Thomas Jefferson to Albert Gallatin, 1808. ME 12:110.
[7] Thomas Jefferson to William Johnson, 1823. ME 15:449.

KENTUCKY RESOLUTIONS

"*Where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy.*[8] *[The States] alone being parties to the [Federal] compact… [are] solely authorized to judge in the last resort of the powers exercised under it, Congress being not a party but merely the creation of the compact and subject as to its assumptions of power to the final judgment of those by whom and for whose use itself and its powers were all created and modified.*[9] *The government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion and not the Constitution the measure of its powers; but… as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.*"[10]

THE CONSTITUTION IS NOT MOOT[11]

As the man who discovered America's Freedom Formula, Thomas Jefferson warned of those that read the Constitution as a legal document to be manipulated and worked around by tortured and twisted interpretations of the text so that the document means whatever the manipulators wish it to mean in order to empower themselves and or suppress others.

The Constitution is to be read according to the true sense in which it was adopted by the States. However, because of intellectual laziness, particularly in Law and our political process, and subversive factions that have infiltrated our government, our government servants with vested powers are unconstitutionally taught by and provided with for their use, an Army of BAR attorneys, minions of the oligarchy, who are trained to expand their powers at the cost of suppressing our Liberties. They have expanded the powers of our public servants to the point of making the servant the master and the master the servant. They make everything a controversy and claim our Constitution moot or out of date.

Our Constitution is simple to read. The only prerequisites are the ability to read and the use of a dictionary, that's it! For further expanding on the logic and the debate that resulted in our Constitution, see Federalist and Anti Federalist papers at https://nationallibertyalliance.org/federalist-papers

Our Constitution was written by ordinary men for men of ordinary understanding and interpreted by common sense. The Bill of rights states that the Constitution is to be read

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[8] Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:386.
[9] Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:387.
[10] Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:380.
[11] **MOOT**, adj. Blacks 4th: A subject for argument; unsettled; undecided. A moot point is one not settled by judicial decisions. A moot case is one which seeks to determine an abstract question which does not arise upon existing facts or rights. Adams v. Union R. Co., 21 R.I. 134, 42 A. 515, 44 L.R.A. 273.

"*to prevent misconstruction or abuse of its powers*". As we read in the preamble, We the People need to first understand the Bill of Rights and use it as the ruler to prevent the servants we empower from going beyond their jurisdiction.

> "*…THE Conventions of a number of the States, having at the time of their adopting the Constitution, 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…*" - Bill of Rights Preamble

WAR AGAINST THE CONSTITUTION

DESTRUCTION OF THE BALANCE OF POWER: Our Constitution provided for a balance of power that was laid waste by the unratified, unconstitutional 17th Amendment, which was specifically forbidden by the Constitution itself and therefore "null and void". Furthermore, the Seventeenth Amendment was never ratified and therefore it's not even a pretend law. "*Truth is stranger than fiction, but it is because Fiction is obliged to stick to possibilities; Truth isn't.*" - Mark Twain

> **United States Constitution Article V**: "*The Congress… shall propose amendments to this Constitution … which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified … provided that …no state, without its consent, shall be deprived of its equal suffrage*[12] *in the Senate.*"

> **United States Constitution Article 1 Section 3** "*THE SENATE OF THE UNITED STATES shall be composed of two Senators from each state, chosen by the legislature thereof, for six years; and each Senator shall have one vote.*"

Clearly the Seventeenth Amendment deprives "ALL" States equal suffrage in the Senate! Thus, it is not a moot point! Therefore, like the Principle of the Kentucky Resolution written by Thomas Jefferson, the founder of our Republic, which stated that simply by "*declaring their illegality, announcing the strict constructionist theory of the federal government, and declaring nullification to be the rightful remedy.*" That is how the 17th amendment can be nullified. There need not be an act of Congress, there need not be an amendment; Governors and State Legislators need only come to a "resolution" and then declare, announce and act by removing the unconstitutional senators and sending their own Senators that will do the will of the state and restore the balance of power because "*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*

[12] **SUFFRAGE**: A vote; the act of voting; the right of casting a vote.

had never been passed." - Norton vs Shelby County 118 US 425 p. 442. "*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.

> "*It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each. So if a law be in opposition to the constitution; if both the law and the constitution apply to a particular case, so that the court must either decide that case conformally to the law, disregarding the constitution; or conformably to the constitution, disregarding the law; the court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty. If, then, the courts are to regard the constitution, and the constitution is superior to any ordinary act of the legislature, the constitution, and not such ordinary act, must govern the case to which they may both apply… Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently the theory of every such government must be, that <u>an act of the legislature repugnant to the constitution is void</u>. This theory is essentially attached to a written constitution, and is consequently to be considered by this court as one of the fundamental principles of our society. It is not therefore to be lost sight of in the further consideration of this subject. If an act of the legislature, repugnant to the constitution, is void,*" - Marbury -v- Madison
>
> "*Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them*" - Miranda v. Arizona, 384 U.S.

By constitutionally correcting, through nullification and action, the said unconstitutional seventeenth amendment, nullification would then permit the states to review all passed acts since November 1913 giving both equal suffrage to the States and a great opportunity to eradicate many unconstitutional acts such as the Federal Reserve Act, enacted December 23, 1913; the Patriot Act; homeland security act and many more unconstitutional acts.

These tyrants in power have turned the "Bill of Rights" which was written to prevent misconstruction or abuse of government powers into a document of "Restriction of Rights" by turning common sense on its head. They have created "No free speech zones"; they have licensed our Liberties; they demonize, raid, arrest and terrorize people who assemble liberty meetings, teach common law, and question their authority; they refuse to answer the People.

These tyrants torture and twist to interpret the meaning of our right to bear arms for the militia only while Article I Section 8 Clause 16 divides the militia into two parts one employed in service and one ready for service, a/k/a the organized and the unorganized. The Militia Act of 1903 and most if not all State Constitutions makes it clear that the militia is "EVERY ABLE BODIED MALE". This immediately destroys the argument that the second amendment is moot.

Furthermore the bearing of arms is understood to be a "Military grade rifle" which is an automatic weapon. These tyrants have infringe upon our right to defend ourselves, our state and our nation by licensing weapons and making a law against automatic weapons as they continue to try and disarm us. They serve and execute warrants without sworn affidavits and "wet ink signatures". They try us in courts whose jurisdictions are unknown without a Grand Jury indictment and often without a trial jury or by puppet grand and trial juries, without sworn affidavits and without an injured party.

In conclusion the reading of the Federalist papers and the Anti Federalists papers bear absolute proof that the Constitution is not moot and was written by ordinary men with ordinary common sense meaning simply what it says; needing no BAR interpreter whose job it is to spread confusion and destroy the Constitution. Find Federalist papers and the Anti Federalists at https://nationallibertyalliance.org/federalist-papers