

one supreme Court

I. Authority for one supreme Court

Constitution of the United States – Created by the People in their individual capacity and not by the People representing State or Federal governments

Article III Section 1 – one supreme Court was vested in the People as an inherent right by their Creator and not with state or federal government. The government had no part in framing the Constitution and the one supreme Court because the Constitution was not created by the state or federal government but by the People as individuals. The Constitution bound government without government's consent. [See Attachment 1. Paris Peace Treaty of 1783] Government agreed to be bound by the Constitution by later adopting and ratifying the Constitution.

The People created the Constitution and the one supreme Court, therein reserving the supreme judicial Power of the United States vested in their one supreme Court and granting that Court exclusively to themselves as individuals.

The People, when creating the Constitution, were not acting in any type of political capacity. They were acting as private individuals. The People acting as private individuals appointed representatives to represent them in their own conventions. These representatives, even though from the states, were not representatives of state governments for purposes of framing the Constitution. They were representing the individual People in their sovereign capacity. They were from the states in a geographical sense. The Constitution passed the governments by in silence and bound them without their consent.

The private individuals purpose for convening the Constitutional Convention was to further limit the powers of government.

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 defence, 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.

In other words:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, did ordain and establish the Constitution of the United States for the federal government, the United States of America.

The federal government, the United States of America adopted their second Constitution on March 4, 1789, about eighteen months after the People created the Constitution.

Please note that Ballentine's Law Dictionary states the definition of the United States:

A Federal government was created in 1777 by the union of thirteen colonies of Great Britain in "certain articles of confederation and perpetual union," the first one of which declared that "the stile of this confederacy shall be the United States of America." Each member of the confederacy was denominated a "state." The confederacy, owing to well-known historical reasons, having proven a failure, a new Constitution was formed in 1787, by "The people of the United States" "for the United States of America," as its preamble declares.

[The word denominated means ‘was called’, but denominating the colonies as ‘states’ didn’t change the fact that they were still British Colonies.]

Article VI, section 1, of the United States Constitution states:

“All Debts contracted and Engagements entered into before the Adoption of this Constitution shall be as valid against the United States under this Constitution, as under the Confederation.”

[One of these engagements was The Treaty of Paris of 1783, which states:

“It having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the Third, by the grace of God, king of Great Britain, France, and Ireland, defender of the faith, duke of Brunswick and Lunebourg, arch-treasurer and prince elector of the Holy Roman Empire etc., and of the United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore, ...”

In 1929, the Supreme Court of the United States stated:

“The Treaty of Paris applies today to every individual who claims rights thereby, not just to the people who were in the United States at the time of the said Treaty.”

[However, article VI, section 1, of the United States Constitution binds the people of the United States as a body politic or political society or association. It does not, however, bind the People of the United States acting as individuals in their sovereign capacity. The Supreme Court of the United States is sitting at the seat of government and was created by congress by the first judiciary act of September 24, 1789. It is limited and is inferior to the supreme Court

that the People created for themselves in the Constitution at article III, section 1.]

[Even though the Supreme Court of the United States Government is bound by Law to declare all debts contracted and Engagements entered into as valid; the People's one supreme Court can review, both as to Law and Fact, any debt contracted and Engagements entered into before the adoption of the Constitution.]

[Therefore, the Constitution of the United States is actually a reservation to the People, themselves, of all Rights and Powers not granted by the Constitution to state or federal government, and we are a nation of People, vested with the Powers of Sovereignty, subject only to the Laws of local, state, and federal government as far as the Constitution allows it and no further.

2. Venue for one supreme Court

Since the people created the Court in their individual and sovereign capacity and the Court is vested in the People in their individual and sovereign capacity. Then the venue of the Court would be wherever the individual sojourns in no place certain within the geographical boundaries of the several States.

“A republican government is one in which the powers of sovereignty are vested in the people and are exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are specially delegated.”

A guaranteed republican form of government is one in which the powers of sovereignty are vested in the people alone, NOT in a representative form; because if the people choose a representative form of government, they have thereby specially delegated their

powers of sovereignty to a representative government. The government then claims to be sovereign over the people because the People have especially delegated their sovereign Power to a representative.

If the individual fails to act and bring forth his Court, then he forfeits his sovereign capacity over to a representative form of government and remains as a citizen or a bystander within society and is subject to a representative form of government. i.e. The United States Government

The private individual is a freeholder and as such, holds his judicial office, but only by good behaviour. [That office is reserved by Law and inherent to him as an unalienable right endowed to him by his Creator. It is not within the granted powers of government to grant or regulate. His Court could not act irresponsibly to others' rights, or to any crime mala in se. [acts immoral or wrong within themselves] The individual holds his office under the authority of the United States and is vested with the supreme Article III judicial Power of the United States, in one supreme Court of final jurisdiction in all private Cases where the rights of that individual are concerned.

3. Court

The person and suit of the sovereign; the place where the sovereign sojourns with his regal and retinue, wherever that may be.

The state in which all men live is called the state of nature, and it is something that is within us at birth. The state of nature is a Law made by God, called the Law of Reason. This Law gives human kind liberty and freedom, and stresses that no man harm another in his life, liberty or possessions. The law of reason is the basis of man as well as society. It restrains men from infringing on the rights of others. In this state, there is no need for a central authority figure to

govern the actions of people, for it is the people, themselves, who are responsible for self governing.

Your Court is in all cases, where your individual rights are concerned, a superior Court of general Jurisdiction of last resort, which is competent by its Constitution to decide on its own Jurisdiction and to exercise its Jurisdiction to a final Judgment without being required to set forth in its proceedings the facts and evidence on which the Judgment was rendered and whose Record is final and absolute. And from below, there can be no judicial inspection.

The point embraced in the Decision or Judgment is as much a part of the Law or Constitution as if it had been written into the Constitution, itself. The decision or judgment binds public functionaries, whether of the States, or of the United States, as well as private Persons: This of necessity because the People would not be truly guaranteed to be vested with the Powers of Sovereignty, a Republican Form of Government, unless their own determination and the letter of the Law governed.

4. Jurisdiction of one supreme Court

The Jurisdiction of the one supreme Court is prescribed in Article III Section 2 clause 2 of the United States Constitution stating: 'In all cases effecting Ambassadors, other public Ministers and Consuls and those in which a State shall be a Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned (in Article III Section 2 clause 1) the supreme Court shall have appellate Jurisdiction both as to Law and Fact with such Exception and under such Regulations as the Congress shall make.'

The sovereign cannot be sued in his own Court. The sovereign is the master of his own Court; therefore, since the People reserved and granted this Court to themselves, it can truly be said, that in all Cases between an individual and an Ambassador or other Public Minister or a Consul or a State, the individual has original supreme final Jurisdiction effecting those parties in all Cases.

Any Court with original Jurisdiction is a trial Court.

Any Court with appellate Jurisdiction both as to Law and Fact is also a trial appellate Court.

Therefore, the People's one supreme Court is a trial Court in all Cases.

Appellate Jurisdiction of one supreme Court

The People's one supreme Court has appellate jurisdiction between the individual and another party arising under the Constitution, Laws of the United States, Treaties made or which shall be made under the authority of the United States and all Cases of Admiralty or Maritime Jurisdiction.

One supreme Court deals only in Cases, not Controversies.

[Controversies are internal disputes between parties who have chosen to be associated with a political society.]

Case must involve individual substantive rights.

Substantive rights are inherent fundamental rights that are endowed to us by our Creator and are guaranteed by the United States Constitution. i.e. The direct exercise of a republican form of government.

Words and Definition

In Law = Private rights – Individual rights not part of a civilized or organized society.

Equity = Equal rights as members of Society

Natural Rights = Are these which grow out of the nature of man and depend upon personality as distinguished from such as are created by law and depend upon a civilized society.