

MEMORANDUM OF LAW AMENDMENT X

“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.”

THE FEDERAL JUDICIARY HAS STOLEN OUR 10TH AMENDMENT

The purpose of this Memorandum is to clarify the judicial powers of the federal courts from the powers not delegated to them. A key issue in point that was a direct assault on Amendment 10, where the People are to decide through Courts of Justice, is abortion which is a natural law¹ issue and not a positive (human) law² issue that was unconstitutionally adjudicated by the United States Supreme Court which is an “equity court” governed by codes and statutes. Which then brings the issue into its proper jurisdiction a “Natural Law Court of Record” adjudicated by the King’s Bench (jury – We the People) made-up of twelve People who are to mirror the will of nature’s God, answering to Him alone. The United States Supreme Court does not have the authority to think like God’s adversary that they can change God’s Laws.

Dan 7:25: “And he shall speak great words against the most High, and shall wear out the saints of the most High, and think to change times and laws:”

In a letter to William Jarvis Thomas Jefferson wrote, *“The assumption of sovereign power and the institution of government by consent are acts of transcendent authority, which the people alone are competent to perform. And accordingly it is in the name and by the authority of the people, that the judiciary was vested.”*

In a letter to William Jarvis, Sept. 28, 1820 Thomas Jefferson wrote, *“You seem to consider the judges as the ultimate arbiters of all constitutional questions; a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. Our judges are as honest as other men and not more so and their power [is] the more dangerous, as they are in office for life and not responsible, as the other functionaries are, to the elective control. The Constitution has erected no such single tribunal, knowing that to whatever hands confided, with corruptions of time and party, its members would become despots.” “The Constitution is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please.”³*

¹ Natural Law: Laws of nature and of nature’s God; here men are subject to the will of God with unalienable right at liberty from all human law.

² Human Law: Code, Statutes and Regulations; here men are subject to the will of government with legislated civil rights a/k/a as privileges that are granted, or not, by government.

³ Jefferson, Letter to Judge Spencer Roane, Sept. 6, 1819

In a letter to Thomas Ritchie Thomas Jefferson wrote, “*The judiciary of the United States is the subtle corps of sappers⁴ and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our constitution from a co-ordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, ‘boni judicis est ampliare jurisdictionem’ [good judges have ample jurisdiction] ... A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the nation is an error, at least in a republican government.*”⁵ “*The original error [was in] establishing a judiciary independent of the nation, and which, from the stronghold of the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its own will.*”⁶

THE FEDERAL JUDGES DESTROYED OUR COURTS OF JUSTICE

This could have been prevented if it were not for the People being lulled to sleep through political parties as we unwittingly yielded judicial control into the hands of the treacherous BAR. And overtime we lost our most important anchor of government by consent, a free and independent jury that has the power to have prevented the unlawful advances of the judiciary despots.

It is up to the People to remind our servants of who they are and the consequences of their behavior should they not retreat back under the chains’ of the Constitution.

We the People vested Congress with the authority to write the Law within the criteria of Article I.

We the People vested the United States Supreme Court in Article III to protect the unalienable rights of the People and act as an appellate court to the inferior federal district court.

We the People vested Congress in Article I with the authority to constitute tribunals inferior to the Supreme Court.

We the People vested these inferior courts with jurisdiction over Congresses’ presently established fifty-seven USC Titles legislated under Article I Section 8 and to champion the unalienable rights of the People.

⁴ Sappers: A military engineer who lays or detects and disarms mines; A military engineer who does sapping (digging trenches or undermining fortifications)

⁵ Jefferson, Letter to Thomas Ritchie, Dec. 25, 1820

⁶ Jefferson, Letter to John Wayles Eppes, 1807

We did not vest Federal Courts with the authority to decide **Peoples' behavior**, **political issues**, or **criminal cases** or civil cases without our permission.

We vested the Federal Judges in equity cases only!

The following is the short list of 10th Amendment “tyrannical federal judiciary” violations and the seizing of jurisdictions never vested to them and the interfering with of numerous issues that clearly belong to the States respectively and the People:

- Court ruling stopping Peoples’ referendum of English as their official language,
- Court ruling stopping Peoples’ referendum to stop state-funded taxpayer services to illegal aliens
- Court ruling stopping Peoples’ referendum not to give special rights to homosexuals
- Court ruling stopping Peoples’ referendum to defeat a tax increase
- Court ruling stopping Peoples’ referendum to limit contributions to State candidates
- Court ruling stopping Peoples’ referendum against physician-assisted suicide
- Court ruling stopping Peoples’ referendum to define a marriage as between one man and one woman
- Court ruling stopping State legislation for Term limits for politicians
- Court ruling stopping State legislation for “A Woman’s Right to know the law concerning abortion.
- Court ruling stopping State legislation for a Marriage Amendment
- Court ruling stopping State legislation for Marriage laws

Federal district courts betray the People by denying the very rights they took an oath to uphold, protect and defend.

- Denial Amendment I: the unalienable right to petition the Government for a redress of grievances.
- Denial Amendment II the unalienable right of the people to keep and bear Arms.
- Denial Amendment IV the unalienable right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.
- Denial Amendment V the unalienable right to a Natural Law Grand Jury not to be put in double Jeopardy and not to be a witness against himself.
- Denial Amendment VI of the unalienable right to an impartial jury and non-BAR Assistance of Counsel.

- Denial Amendment VII the unalienable right of a common law jury and a Natural Law Jurisdiction.
- Denial Amendment X the State and Peoples right of powers not delegated to the United States by the Constitution

Politically motivated federal court judges seized control of political issues stealing State Jurisdictions, interfering with Executive duties, serving foreign interests and advancing progressivism, Liberty's greatest enemy, by way of;

- Court ruling Legalizing murder via abortion that Natural Law will not permit,
- Court ruling Interfering with the Presidents constitutional duties to protect our boarders that the executive powers will not permit,
- Court ruling Claiming jurisdiction, covertly under maritime jurisdiction, for criminal case under USC Title 18 that Natural Law will not permit,
- Court ruling Adjudicating prescription laws within the states that the 10th Amendment will not permit.
- Court ruling Adjudicating marijuana laws within the states that the 10th Amendment will not permit.
- Court ruling Forcing same-sex marriage rights upon the states that the 10th Amendment will not permit.
- Court ruling Creating and harboring a tax court that Article I Sections 8 and 9 will not permit.
- Court ruling Concealing the Peoples unalienable right of Natural Law Courts via the rules of the court, which is no law!
- Court ruling marginalized the "science of government by consent" by seizing control of the grand and petit juries through covert means.

Clearly the aforesaid violations are an attack upon our Republic whereas the Judiciary is using our courts to advance progressivism whose end game is socialism.

Thomas Jefferson said: *"At the establishment of our constitutions, the judiciary bodies were supposed to be the most helpless and harmless members of the government. Experience, however, soon showed in what way they were to become the most dangerous;"*⁷ *"A judiciary independent of a king or executive alone is a good thing; but independence of the will of the nation is a mistake, at least in a republican*

⁷ Thomas Jefferson, Letter to A. Coray, October 31, 1823

government.”⁸ “The seed of dissolution of our federal government is in the constitution of the federal Judiciary; an irresponsible body (for impeachment is scarcely a scarecrow) working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped.”⁹

Abraham Lincoln said: “...The candid citizen must confess that if the policy of the government, upon vital questions, affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made, in ordinary litigation between parties, in personal actions, the people will have ceased to be their own rulers, having, to that extent, practically resigned their government into the hands of that eminent tribunal.”¹⁰

Article III Section 1 states that: “Judges, both of the supreme and inferior courts, shall hold their offices during good behavior.” And if the Congress cannot find the backbone to impeach Judges for bad behavior then We the People will via indictments where We the People under our own authority declared in the Declaration of Independence where we read - “... that to secure [our] rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter it, and to institute new government servants,...”

EQUITY CASES: All equity cases under the acts of Congress are tried in federal district courts. The United States Supreme court is an appellate court and is the final arbiter and interpreter of all positive [human] law cases appealed out of the federal district courts. They are also the final arbiter in the constitutionality of all codes and statues and acts of Congress when challenged.

LAW CASES: The United States Supreme Court, being the highest court in the land is final arbiter of all cases concerning any rights violation arising out of any court of the land. Therefore when a case is moved into the Federal District Court for “a rights violation cause” said Federal District Court is expected to champion the unalienable rights of the People. If the District Court fails to secure the rights of the People the case can be appealed and the United States Supreme Court as the final arbiter. CASE IN POINT any village, city, town, county, state, or federal court that violates the Peoples’ right of

⁸ Thomas Jefferson, Letter to Thomas Ritchie, Dec. 25, 1820)

⁹ Thomas Jefferson, Letter to Charles Hammond, August 18, 1821

¹⁰ Abraham Lincoln’s first inaugural address

due process. When such a violation is brought before the Federal District Courts it is expected to order the lower court(s) to cease and desist if they are incapable of providing due process or to not have jurisdiction. As far as the issues of the case are concerned the Federal District Courts and the United States Supreme Court has no jurisdiction to hear the case. If the inferior court can survive the challenge the case must be returned to the trial court for adjudication on the facts. But, the United States Supreme Court cannot second guess the conclusions of any Jury trial, it is final!

IN CONCLUSION: The assumption of sovereign power and the institution of government by consent are acts of supreme authority, which the people alone are competent to perform. And accordingly it is in the name and by the authority of the people, that the judiciary was vested. Whereas the federal judiciary has seized powers not delegated to them, in violation of the 10th Amendment.

A case in point, the People are to decide through Courts of Justice and not judges via courts' of equity, is abortion, which is a natural law¹¹ issue and not a positive (human) law¹² issue that was unconstitutionally adjudicated by the United States Supreme Court which is an "equity court" governed by codes and statutes. Which then brings the issue into its proper jurisdiction a "Natural Law Court of Record" adjudicated by the King's Bench (jury – We the People) made-up of twelve People who are to mirror the will of nature's God, answering to Him alone. The United States Supreme Court does not have the authority to think like God's adversary that they can change God's Laws.

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Amendment X: "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."

The United States Supreme Court and its federal judiciary is in bad behavior, they have unlawfully treaded upon the rights of the People and the States to govern themselves. And most alarming, they think they can change the laws of God.

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