

**TREATISE –**  
**Superior Law, Higher Law, My Law**

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## **Books**

### *America – National or Federal?*

Each state, in ratifying the Constitution, is considered a sovereign body, independent of all others, and only to be bound by its own voluntary act. In this relation, the new Constitution will, if established, be a federal and not a national Constitution. The Federalist, No. 39, James Madison

### *In Search of Liberty*

Liberty, sir, is the primary object, ...the battles of the Revolution were fought, not to make 'a great and mighty empire', but 'for liberty'. Patrick Henry

### *What Does Accepted for Value Mean?*

Agree with thine adversary quickly, while thou art in the way with him; lest at any time the adversary deliver thee to the judge, and the judge deliver thee to the officer, and thou be cast into prison. Verily I say unto thee, Thou shalt by no means come out thence, till thou hast paid the uttermost farthing.

Matthew 5:25-26

## **Booklets**

### **1** *When There is No Money* FREE

For thus saith the Lord, Ye have sold yourselves for nothing, and ye shall be redeemed without money. Isaiah 52:3

### **2** *Liberty* FREE

Now the Lord is that Spirit: and where the Spirit of the Lord is, there is Liberty. II Corinthians 3:17

### **3** *The Natural Order of Thing* FREE

Owe no one anything, except to love one another; for he who loves his neighbor has fulfilled the law. Romans 13:8

## Superior Law, Higher Law, My

### **4 *Sovereignty* FREE**

Even in almost every nation, which has been denominated free, the state has assumed a supercilious pre-eminence above the people who have formed it. Hence, the haughty notions of state independence, state sovereignty, and state supremacy. Justice Wilson, *Chisholm v. Georgia*, 2 Dal. (U.S.) 419, 458 (1792)

### **5 *The Legal System for Sovereign Rulers* FREE**

The Lord shall judge the people with equity. Psalms 98:9

### **6 *The Negative Side of Positive Law* FREE**

Therefore, one must be wise and attentive, since there are those among us who make kings and set up princes outside His law. Hosea 8:4

### **7 *Resident/Minister* FREE**

You may also buy some of the temporary residents living among you and members of their clans born in your country, and they will become your property.

Leviticus 25:45

### **8 *Introduction to Law Merchant* FREE**

Stand fast, therefore, in the liberty with which Christ hath made us free, and be not entangled again with the yoke of bondage. Galatians 5:1

### **9 *Society of Slaves and Freedmen* FREE**

If men, through fear, fraud, or mistake should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of ALMIGHTY GOD, it is not in the power of man to alienate this gift and voluntarily become a slave. Samuel Adams 1772

### **10 *Introduction to Corporate Political Societies* FREE**

Finally, be strong in the Lord and in the strength of his might. Put on the whole armor of God, that you may be able to stand against the wiles of the devil. For we are not contending against flesh and blood, but against principalities, against the powers, against the world rulers of this present darkness, against the spiritual hosts of wickedness in heavenly places. Ephesians 6:10-12

### **11 *Superior Law, Higher Law, My Law* FREE**

You have rights antecedent to all earthly governments' rights that cannot be repealed or restrained by human laws; rights derived from the Great Legislator of the Universe. John Adams

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**Emphasis is added throughout this writing by underlining. Quoted passages are bolded.**

**TREATISE –  
Superior Law, Higher Law, My Law**

**You have rights antecedent to all earthly governments; rights that cannot be repealed or restrained by human laws; rights derived from the Great Legislator of the Universe. John Adams**

**I am not above the law, I merely chose to follow a higher law.**

**INTRODUCTION**

Is it true that people have a system of law and rights that are superior to constitutions and governments, and also man-made laws? If you have trouble answering that question in the affirmative, you should enjoy reading this treatise on superior and higher law.

**When laws conflict in actual cases, the court must decide which is the superior law...**

*Ellingham v. Dye*, 178 Ind. 336, 99 N.E. 1 (1912);  
16 Am Jur 2<sup>nd</sup> sec. 155

**The questions whether that court has the power to compel anyone to listen to it and whether its assertion of subject-matter jurisdiction conflicts with some higher law are separate issues.**

*Nevada et al. v. Hicks et al.*, No. 99-1994 (2001)

**The traditional U.S. view of sovereignty, developed during the period preceding and following the American Revolution, is that sovereignty (1) is limited by natural law...**

*The American Peoples Encyclopedia*,  
Vol. 17, ps 190, 191 (1968)

Leges sub graviore lege. **Laws subservient to higher laws.** See 1 Bl Comm 84. *Balletine's Law Dictionary*, 3<sup>th</sup> ed., 1969

Legibus sumptis desinentibus, lege naturae utendum est. **When artificial laws fail, the law of nature must be invoked.**

*Balletine's Law Dictionary*, 3<sup>th</sup> ed., 1969

Legibus sumptis desinentibus, lege naturae utendum est. **When man-made laws fail, the law of nature must be used.**

*Black's Law Dictionary*, 7<sup>th</sup> ed., 1999



It is not only possible to use a superior or higher law to negate a lower law, but also to use even inferior laws or commercial methods to counterbalance or cancel a purported claim or complaint. Most of this treatise is geared toward understanding superior and higher laws, and to consider writing your law in a declaration or document based upon the higher “laws of Nature and of Nature’s God” (phrase from the Declaration of Independence) and from maxims of law. These are to be universal laws applicable in all places and times. Maybe you should make them a part of your law.

This treatise will aid in understanding that there is law that is superior to, or higher than other law. There is universal law based on higher law that is to be applicable in all places. If you have studied law, you realize the history of America contains many turns and twists, and there appear to be changes in systems of law; therefore I ask you, what is your law? Do you have any witnesses to support your law? How would you prove to another that you are following your law when they attempt to enforce a law or rule contrary to your own law that is based on higher laws, maxims, and universal principles? If you can not prove your law, you will be subject to the inferior law of the forum or political society.

The idea of detailing one’s law in a concise writing came from reading about the courts of the medieval merchant fairs in England. These merchant fairs that used political courts occurred in political societies composed of a political superior whose court was used by

foreign merchants in settling their commercial affairs. The inhabitants of the area had an inferior political status. They were known in England as villeins, who appeared to be free to everyone except they were still slaves owing obedience and gratitude to political superiors from which they derive their conditional rights and conditional liberty. This is contrary to a true state composed of people who are free functioning according to the natural order of things using higher laws in their common law based upon the laws of Nature and of Nature's God. The true laws of nature are for people who are equal and free, and not for societies of persons deemed to be subject to lower laws based on servitude and slavery. I will attempt to clarify these statements later.

The accused or defendant in the medieval political courts conducted by the foreign merchants could win or stop the proceeding by asserting his law. The accused or an intervener could settle the matter before going to court, could ask for an inquest by a jury to examine witnesses, events or facts to determine the truthfulness of the defendant's assertions, or offer proof of his law. The idea of offering proof of his law would sometimes be explained as "by his oath", and this might be accompanied by the oath of his friends, relatives and neighbors who knew him. They would affirmatively support the defendant's law or oath so that he might be released or discharged.

The friends, relatives, and neighbors who gave their oath or declaration that affirmed the oath or declaration of the accused where

known as *compurgators* derived from the root word *purge*. By this process, the accused or defendant could be discharged from criminal and civil charges.

**COMPURGATOR.** Formerly, when a person was accused of a crime, or sued in a civil action, he might purge himself upon oath of the accusation made against him, whenever the proof was not the most clear and positive; and if upon his oath he declared himself innocent, he was absolved. ...In order to give a greater weight to the oath of the accused, the law was again altered so as to require that the accused should appear before the judge with a certain number of his neighbors, relations or friends, who should swear that they believed the accused had sworn truly. This new species of witnesses were called compurgators ... By the English law, when a party was sued in debt or simple contract, detinue, and perhaps some other forms of action, the defendant might wage his law, by producing eleven compurgators who would swear they believed him on his oath, by which he discharged himself from the action in certain cases.

*A Dictionary of Law*, Bouvier, 1856

We should realize that the quote above is referring to subjects and slaves under the political authority of the king as the sovereign crown of England. How could you be in a lower position than those feudal slaves? Yet, there was a way for them to avoid or be discharged from the process of the merchant's rules and political courts.

Basically, the accused could gather his “jury” of neighbors, relations or friends, but it would take 12, including the accused, to offer proof of his innocence. This is a different kind of jury than the kind used by a plaintiff to confirm his right against the defendant. The prior quote may seem strange to many, but the common law, which is the law of the land for people who are free, provides an abundance of safety features to safeguard life, liberty and pursuit of happiness. The quote below will help demonstrate this fact.

**[One] great right is that of trial by jury. This provides, that neither life, liberty nor property, can be taken from the possessor, until twelve of his unexceptionable countrymen and peers of his vicinage, who from that neighborhood may reasonably be supposed to be acquainted with his character, and the characters of the witnesses, upon a fair trial, and full enquiry, face to face, in open Court, before as many of the people as chuse to attend, shall pass their sentence upon oath against him. . . .”** *Id.*, at 107 (emphasis added). First Continental Congress on October 26, 1774. 1 *Journals of the Continental Congress, 1774-1789*, pp. 101, 105 (1904) (*Journals*).... it gave assurance that the proceedings were conducted fairly to all concerned, and it discouraged perjury, the misconduct of participants, and decisions based on secret bias or partiality. See, e. g., M. Hale, *The History of the Common Law of England* 343-345 (6th ed. 1820); 3 W. Blackstone, *Commentaries* 372-373

*Richard Newspapers, INC v. Virginia*, 448 U.S. 555, 568 (1980)

That is how true law works which is obviously much different than what is happening in United States courts and courts in its political subdivisions – the States.

## LOWER LAWS AND SOCIETIES

**It is not a little remarkable that our common law knew no process whereby a man could pledge his body or liberty for payment of a debt ... Under Edward I, the tide turned. In the interest of commerce a new form of security, the so-called ‘statute merchant’, was invented, which gave the creditor power to demand the seizure and imprisonment of his debtor’s body.” 2 Frederick Pollack & Frederic W. Maitland, *The History of English Law Before the Time of Edward I* (2<sup>nd</sup> ed. 1899)**

*Black’s Law Dictionary*, 7<sup>th</sup> ed., 1999, “statute merchant”

I used that quote to show in a concise manner two different forms of law. Higher law promotes freedom and liberty, while lower law involves servitude and slavery. Higher law trumps lower law, as we shall see in this writing, but you really need to understand the basic premise behind the lower laws of political societies, bodies politic and corporate, and the foreign merchants if you want your higher law to triumph. You must be able to see and know the difference.

Freedom and liberty along with peace and harmony are fundamental principles of the common law of people. The common law did not allow for imprisonment for debt; however, in commerce the foreign merchants have developed sophisticated and special customs leading to the implementation of inferior laws for their benefit. The rulers of societies are well paid for their assistance due to banking and credit operations where these merchants can create money to loan. The sovereign ruler or corporate governing body needs to incorporate the inhabitants so they appear as slaves to the political superiors. The merchant bankers can then have these subjects or slaves sign a promise to pay, like a promissory note, pledging something for a loan. This document is then classified as a security and can be used to create credit money in the banks' accounting system. The subject or slave now appears to also be a debtor that can easily be subjected to seizure and imprisonment with the aid of political or equity statutes. The merchants actually loan nothing, or you could say they merely accepted the pledge representing value and created paper money or tallies whose value stems from the pledge. Actually, no real money changed hands, but there are documents that appear to show a right in the merchant banker and an obligation by the subject or slave.

Let me add here that, as far as I can discovery through my years of studying law, that when an apparent resort to lower forms of law are implemented, there is higher or equal law or process to counterbalance or negate the lower law and process. Lower laws and processes are created by illusions.

**...if [a defendant] could at his will force the plaintiff into a common law court, and in that way release himself and his property from all the responsibilities which a court of admiralty can impose upon both, as a security and indemnity for injuries of which a libellant may complain, -- securities which a court of common law cannot give.**

*Waring v. Clarke*, 46 U.S. 441, 461 (1847)

The common law court would not recognize the security interest which we just discussed; therefore, there began an attempt to stop a defendant from bringing a counter claim or other process to move the case into a common law court, because the higher law does not condone seizure and imprisonment of a man's land or body in commerce. That is the process that is used today in United States Courts, which are not judicial courts and are not required to use higher law as the basis for their decisions. We should also realize that what appears to be a contract that gives one party an obligation and the other a corresponding right is not always an enforceable contract or right.

**§ 17. Distinctions between internal and external, perfect and imperfect obligations and rights. In order perfectly to understand this, it is necessary to observe, that the obligation, and the right which corresponds to or is derived from it, are distinguished into *external* and *internal*. The obligation is *internal*, as it binds the *conscience*, and is deduced from the rules of our**

**duty: it is *external*, as it is considered relatively to other men, and produces some right between them. The internal obligation is always the same in its nature, though it varies in degree; but the external obligation is divided into *perfect* and *imperfect*; and the right that results from it is also *perfect* or *imperfect*. The *perfect right* is that which is accompanied by the *right of compelling* those who refuse to fulfill the correspondent obligation; the *imperfect right* is unaccompanied by that right of compulsion. The *perfect obligation* is that which gives to the opposite party the *right of compulsion*; the *imperfect* gives him only a right to *ask*.**

**It is now easy to conceive why the right is always imperfect, when the correspondent obligation depends on the judgment of the party in whose breast it exists; for if, in such a case, we had a right to compel him, he would no longer enjoy the freedom of determination respecting the conduct he is to pursue in order to obey the dictates of his own conscience. Our obligation is always imperfect with respect to other people, while we possess the liberty of judging how we are to act: and we retain that liberty on all occasions where we ought to be free.**

Vattel, *Law of Nations*, Preliminaries, p 6

When someone makes a presentment or claims he has a right for the court to enforce, there are many questions one might raise to substantiate the right or claim, and his right or source of authority to bring an action.



One way of looking at the subject of this treatise and one's desire for freedom and liberty, could be summed up by the question: Does anyone have a claim against me? If I am not a slave and do not owe obedience or need to show gratitude to another, then no one can force me to act contrary to my will or desire. The following quote is from the supreme court of Wisconsin concerning a man who was a slave in Missouri and traveled to Wisconsin which did not condone slavery.

**Here, he is entitled to the full and complete protection of our laws; as much as any other human being, so long as he is unclaimed. He may sue and be sued; he may acquire and hold property; he is, to all intents and purposes, a free man, until a lawful claim is made for him; and this claim must be made by the person whom his service is due, under the laws of the state from which he escaped. No one else can interfere with him. If no claim is set up to his service or labor by the person to whom his service or labor is due, there is no power or authority, or person on earth, that can derive any advantage from his former condition, or assert it, to his prejudice. So long as the owner does not choose to assert his claim, the cottage of the fugitive in Wisconsin is as much his castle – his property, liberty and person are as much the subject of legal protection, as those of any other person.**

*In re Sherman M. Booth*, 3 Wisc. 13, 27 (1854)

## **POLITICAL SLAVE TRADERS FOR PROFIT**

The history of societies of slaves is the same as the history of sovereignty because they both grow out of the same illusion. Rather than everyone being free and equal on one single plane with no superior and no subjects which promotes life, liberty and pursuit of happiness, the concept of sovereign and subjects uses a duality concept of superior and inferior. Duality always seems to cause conflict and chaos, and as such, the laws of a sovereign are not based upon higher and universal principles. Positive law is the command of a sovereign to a subject or slave and is referred to as the law of force. Higher laws promote peace, love and harmony and rely on the voluntary consent of the people.

Historical writings show the duality system of sovereign and subjects or slaves developed from empire builders. When a city or area was conquered and brought into the empire, the conquerors were not accustomed to the morals and habits of the original people, who were not Christians. They were said to be slaves that were liberated. It was thought the common law of Christian people would not be suitable for an inferior race of non-Christian liberated slaves. To bring them into the empire, these new inhabitants or foreigners of the empire were given the title of citizen, but this was a new classification of an inferior status.

The common law of the people based on the higher laws, including the laws of nature, was deemed to be inappropriate for the “heathens”

or “barbarians”, since the new inferior citizens needed strict rules of conduct to follow. These rules are embodied in what was called civil law. There was formed, therefore, a new society often referred to as a civil society or state of society for the new citizens. Of course it would be difficult to have two diverse social and law systems operating at the same time. Equal protection under the law is a phrase used to mean the original people can “volunteer” into the new inferior classification of citizens being subjects of the nation or empire. It is really “equal access” rather than “equal protection”. The higher law of the people did not change. They supposedly volunteered into this different political system composed of subjects or slaves where the sovereign power is their god.

A subject or inhabitant of a corporate political society, referred to as a person, has conditional liberties and rights that are granted by a political superior. Being thus granted with an implied promise to follow the rules of the sovereign called positive law, those granted civil rights and liberties can be reclaimed by the political superiors for breaches of the subject’s promise. Earnings made as a result of those granted rights and liberties can also be reclaimed. This is why individuals must return part of their earnings to their sovereign. The creator controls his creatures and creation.

**[E]mancipation is defined to be, not in strict legal sense a gift or bequest of freedom, but a mere renunciation of property, on the taking effect of which the slave is born into civil life.**

**...The creation of a civil or legal person out of a thing, the investiture of a chattel with *toga civilis*, may be an achievement of the imperial power, but it is beyond the compass of an American congress. Congress must first emancipate the slave, before it can endow him with the rights of a citizen under the constitution, or impose upon him the responsibilities of a legal person, or compel him to pay money, or part with liberty.**

**...TANEY, Circuit Justice. ...In expounding this law, we must not lose sight of the twofold character which belongs to the slave. He is a person, and also property. As property, the rights of the owner are entitled to the protection of the law. As a person, he is bound to obey the law, and may, like any other person, be punished if he offends against it; and he may be embraced in the provisions of the law, either by the description of property or as a person, according to the subject-matter upon which congress or a state is legislating.**

*United States v. Amy*, 24 Fed.Cas.792, #14,445 (1859)

With the aid of foreign merchants and their invention called a “security interest”, political statutes are classified as bonds or securities, and a breach of the terms of a bond or security leads to a legal action brought by the State against the corporate character subject. The statutes, as potential bonds or securities, merely need to attach to the name of someone promising to pay them. The subject or slave who losses the legal action has thereby given his express or implied promise to pay according to the fine attached to the penal

statute. This gives you a security (statute) and a name attached to it as someone who promises to pay. The legal action was in fact a banking operation. The more crimes and the more prosecutions there are, the more credit money can be created from such securities. A person's granted rights and liberty can be withdrawn for breach of his implied promise to pay the security; and therefore, he can be imprisoned.

**Nexum. (Roman law.) A formal contract between a debtor and his creditor whereby the debtor pledged his personal liberty as security for his indebtedness. *Ballentine's Law Dictionary*, 3 Ed.**

**[A] person's liberty is ...a statutory creation of the State.... The Court indicates that a "liberty interest" may have either of two sources. According to the Court, a liberty interest may "originate in the Constitution," ante, at 226, or it may have "its roots in state law." Ibid. Apart from those two possible origins, the Court is unable to find that a person has a constitutionally protected interest in liberty.**

**If man were a creature of the State, the analysis would be correct. But neither the Bill of Rights nor the laws of sovereign States create the liberty which the Due Process Clause protects. ... I had thought it self-evident that all men were endowed by their Creator with liberty as one of the cardinal unalienable rights.**

Mr. Justice Stevens, *Meachum v. Fano*, 427 U.S. 215, 230 (1976)

The foregoing quote has some interesting statements. Through fictions of law, men do not appear as men in a corporate political society. They are slaves in the status of property or as a person. As such, they can be viewed merely as the source of a pledge on a security.

**In what sense can a crime be a custom? In a fiscal sense. A crime is a source of revenue.**

*Domesday Book and Beyond*, by F.W. Maitland

The term custom above is in reference to the custom of merchants and bankers, and we will read more about that later.

**Public prosecutions are not devised for the purpose of indemnifying the wrongs of individuals, still less of retaliating them.** *Cunningham v. Neagle*, 135 U.S. 1, 74 (1890)

The higher laws, like the laws of nature or common law of free people, do not support or give protection to an owner of slaves. This protection would come from a sovereign that acts like a god in permitting conduct (like slavery) to exist even though it violates higher law. When the sovereign protects what it creates or what it allows to exist, the thing or act becomes taxable by the sovereign authority, and likewise is subject to penal statutes, agency regulations, and the sovereign's political courts.

When the merchant bankers become involved in making loans (actual or illusory) to a sovereign or body politic, the result is generally the merchant bankers will have unordinary influence and control of public matters and legislation. We read earlier in *Black's Law Dictionary* that a man could not pledge his body or liberty for a debt according to the common law which is based on higher law, but in commerce (slaves are deemed to be commercial persons or property), the statutes enactment for the benefit of foreign merchants or bankers allow seizures and imprisonment for debt. This is a good example of the lower laws existing in political civil societies that result from the combination of foreign merchants and public officials.

Ch. J. Williams ... **“That every human being has a right to liberty, as well as to life and property, and to enjoy the fruit of his own labor; that slavery is contrary to the principles of natural right and to the great law of love; that it [slavery] is founded on injustice and fraud, and can be supported only by the provisions of positive law are positions, which it is not necessary here to prove. ... the very idea of slavery implies, that the slave is one who is in subjection to the will of another.”**

Bissell, J., dissenting ... **“Again; it has been urged, that slavery is opposed to the laws of nature and of God; that its existence among us is forbidden, by our obligation to these laws; and that they are paramount to the law of the domicil.”**

*Jackson v Bulloch*, 12 Conn. 38, 57 (1857)

Now you know why the terms higher law or superior law even exist; that is, to differentiate the true law from that system we have just read about. You do not actually exist or live in a corporation. Look to the opposite end of the spectrum. Should we complain about the darkness, or look for ways to bring in light. When you add light, the darkness disappears by operation of law.

### **A LOOK AT HIGHER LAWS, MY LAW**

If you believe an officer is in violation of your higher law, rather than attack the legislative act or the actions of the officer, it might be wiser to bring in your higher and superior law. There are laws that are universal, meaning existing everywhere and being so fundamental they are considered to be unchangeable. Some say government has changed the law or abolished the common law or higher law. A government can not change nor abolish the higher law. Someone is merely attempting to hide the true law and have you accept or acquiesce to a new status living under a sovereign's law.

**When laws conflict in actual cases, court must decide which is the superior law and which must yield; since according to our principles every officer remains answerable for what he officially does, a citizen, believing that the law he enforces is incompatible with the superior law, the Constitution, simply sues the officer before the proper court as having unlawfully aggrieved him in the**



particular case. The court, bound to do justice to everyone, is bound also to decide this case as a simple case of conflicting laws. The court does not decide directly upon the doings of the legislature. It simply decides, for the case in hand, whether there actually are conflicting laws, and, if so, which is the higher law that demands obedience when both may not be obeyed at the same time. As, however, this decision becomes the leading decision for all future cases of the same import, until, indeed, proper and legitimate authority shall reverse it, the question of constitutionality is virtually decided, and it is decided in a natural, easy, legitimate, and safe manner, according to the principle of the supremacy of the law and the independence of justice. It is one of the most interesting and important evolutions of the government of law, and one of the greatest protections of the citizen. It may well be called a very jewel of Anglican liberty, one of the best fruits of our political civilization.

*Ellingham v. Dye*, 178 Ind. 336, 99  
N.E. 1 (1912); 16 Am Jur 2<sup>nd</sup> sec. 155

Most writers describe the origins of higher law as coming from God, the Creator, as the original and primary source of higher laws.

**God is the first great superior.**

*Institutes of American Law*, John Bouvier, 1851, Part I, Title II, No. 8

The essence of religion is belief in a relation to God involving duties superior to those arising from any human relation.

*United States v. Seeger*, 380 U.S. 163 (1965)

**Man's laws being strengthless before God's laws (*Noy's Maxims*, 19,) consequently a human law directly contrary to the law of God, would be an absolute nullity. *Doctor & Student, lib. 1, ch. 6.***

*Borden v. State*, 11 Ark. 519, 526 (1851)

**You have rights antecedent to all earthly governments; rights that cannot be repealed or restrained by human laws; rights derived from the Great Legislator of the Universe.** John Adams

Leges naturae perfectissimae sunt et immutabiles; humani vero juris conditione semper in infinitum decurrit, et nihil est in eo quod perpetuo stare possit. **The laws of nature are the most perfect and immutable, but the condition of human law always runs into infinity, and there is nothing in it which can stand permanently.**

*Ballentine's Law Dictionary*, 3<sup>th</sup> ed.

What can you produce that could be considered proof of your law? You have some witnesses above that may be able to offer proof or recognition of "My Law". If you do not have your proof of "My Law", those who operate in the political society will simply say you believe you are above the law (their inferior law), when you really believe your law is superior to their law. You are certainly not above law; the question is what law.

**Mr. Justice Willes, delivering judgment in the Exchequer Chamber, said: 'In order to preclude all misapprehension, it may**

**be well to add, that a party who relies upon a right or an exemption by foreign law is bound to bring such law properly before the court, and to establish it in proof. Otherwise the court, not being entitled to notice such law without judicial proof, must proceed according to the law of England.’**

*Liverpool ... Steam Company v. Phenix Ins. Co.*, 129 U.S. 397 (1889)

This quote allows us to see that if one has a right or an exemption by foreign law, one needs to provide proof of such law. Even though the quote may be referencing foreign law as being the law of a foreign political society that also operates with inferior laws, the same principle should be even stronger concerning a superior or higher law. In a sense, the law of a true state operating according to the natural order is foreign to a body politic ruled by a political sovereign authority ruling over political subjects.

The fact that the above quoted statement came from the Exchequer Chamber is important since the exchequer was at the heart of the political-revenue-banking-court system in England in a similar fashion to our earlier discussion. The exchequer was composed of a royal or public treasury combined with a political legal system including political courts for a political society composed of a sovereign and subjects. The exchequer very closely resembles the administrative law and procedure of the United States where there exists a public venue including the public treasury, a banking or accounting system, political courts, and a legal system all tightly connected under the sovereign name of “United States of America” in

conjunction with the owners or stockholders of the Federal Reserve Banks.

**Non refert quid notum sit iudice si notum non sit in forma iudici. It matters not what is known to the judge, if it is not known to him judicially.** 3 Buls. 115, maxim

## **THE HIGHER LAW ADOPTED AS MY LAW**

The following is an example to show how one might present “My Law” with witnesses who recognize “My Law” as being superior, higher or of universal application.

### **1 - My Law is based upon higher laws.**

**Throughout the Germanic law books of the Middle Ages, says Heusler, runs the idea that law is 'a quest of the creature for the justice and truth of his creator.' All notion of arbitrary will was foreign to it.**

*The Spirit of the Common Law*, by Roscoe Pound,  
Dean of Harvard Law School, 1921, p. 65

**What is law? In its primary and highest sense, ...it might be defined simply as the expressed will of God.**

*Thoughts on Codification of the Common Law*,  
by Albert Mathews, 1882

**For the whole law is fulfilled in one word, ‘You shall love your neighbor as yourself.’ Galatians 4:14**

**Owe no one anything, except to love one another; for he who loves his neighbor has fulfilled the law. The commandments, "You shall not kill, commit adultery, You shall not covet," and any other commandment, are summed up in this sentence, "You shall love your neighbor as yourself." Love does no wrong to a neighbor; therefore love is the fulfilling of the law.**

Romans 13:8-10

**2 - My Law is based upon the higher law of freedom and liberty.**

One of the important attributes God desired to instill in His people was to **“proclaim liberty throughout the land unto all the inhabitants thereof.”** Leviticus 25:10 My Law acknowledges that whoever **“looks into the perfect law, the law of liberty, and perseveres, being no hearer that forgets but a doer that acts, he shall be blessed in his doing.** James 1:25 My Law recognizes that we are more than flesh and blood, and that **“the Lord is that Spirit: and where the Spirit of the Lord is, there is Liberty.**

II Corinthians 3:17

Liberty is mandated by my Creator and is upheld by the Laws of Nature which are sources of My Law and my liberty. My liberty does not permit the intentional injury to others, for that will not produce peace and harmony in His Creation. In this manner, liberty can be stated as **“freedom from restraint. The power of acting as one thinks fit, without any restraint or control, except from the laws of nature.** Bouvier, *A Dictionary of Law*, 1856 This foundation of My Law was also expressed by Samuel Adams, in a 1794 address to Massachusetts state legislature: **“In the supposed state of nature, all men are equally bound by the laws of nature, or to speak more properly, the laws of the Creator. They are imprinted by the finger of God on the heart of man. Thou shall do no injury to thy neighbor, is the voice of nature and reason, and it is confirmed by written revelation.”**

This Great Principle was espoused by Patrick Henry as found in many writings when he said in the convention of Virginia: **“Liberty, sir, is the primary object. Liberty, the greatest of all earthly blessings”** was what we sought for by our struggle for independence. And then he said the battles of the Revolution were fought, **not to make “a great and mighty empire,” but “for liberty”**.

**Life without liberty is like a body without spirit.** Kahlil Gibran

### **3 - My Law does not condone nor support slavery in any form or fashion.**

**Stand fast, therefore, in the liberty with which Christ hath made us free, and be not entangled again with the yoke of bondage.**

Galatians 5:1

There may be men or associations that exhibit very little honor and integrity, who may scheme and deceive to create the appearance of societies of slaves and debtors. Slavery and bondage through debt are not condoned nor supported by My Law.

In Proverbs 22:26, we find: “**Be not thou one... of those who are sureties for debts.**” Proverbs 22:7, tell us, “**the borrower is servant to the lender.**” In 2 Kings 4:7, they are told to get rid of the debt “**and live thou and thy children on the rest.**” And in John 8:33, following the more famous line “**And ye shall know the truth and the truth shall make you free**”, is a directive to never be in bondage to any man.

This does not mean we should not freely give what we wish to our neighbors, friends, and relatives, who might feel responsible to return what was given, and that we might ask for assistance when necessary, but the directive on not being debtors or sureties is meant for foreigners who might believe they can command the seizure of possessions or imprison debtors, even when there is only the illusion of a loan. I would suggest you not get hung up on all the “debt” you

may feel you have contracted into. The debt belongs to the corporate character and is really just an illusion.

This Great Principle was expressed by Samuel Adams in 1772: **“If men, through fear, fraud, or mistake should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of ALMIGHTY GOD, it is not in the power of man to alienate this gift and voluntarily become a slave.”**

#### **4 - My Law promotes the keeping of one’s promises, but not to the detriment of liberty and freedom.**

Only promises or agreements made voluntarily, intentionally, and knowingly are to have any possible validity. This means there is knowledge of all essential facts. Promises and agreements are subject to the great principles of the higher law expressed by Samuel Adams above, that man does not have the capacity to alienate his natural rights and voluntarily become a slave. History shows that this is best accomplished if one’s home and land are not subject to seizure, and certainly not his body due to indebtedness. Commerce can function quite well without these abilities.



Therefore, My Law, supported by the higher laws, says there are limitations to statements like the following: **“Natural law is the cause, mediately at least, of all obligations; for if contracts, torts, and quasi torts, produce obligations, it is because the natural law ordains that every one should perform his promises, and repair the wrongs he has committed.**

*Ogden v. Saunders*, 25 U.S. 213, footnotes (1827)

Commerce can function within the guidelines of the higher laws. The higher laws do not support the idea that man was put on earth for commercial purposes. We previously saw the higher law where one is not to be a debtor or surety of another.

**5 - My Law using the higher laws is upheld by the establishment of government under a constitution with few and defined powers.**

This Great Principle of higher law is recognized and witnessed in *Billing v. Hall*, 7 Cal. 1, 6 (1857). **“Section first of Article 1, of the Constitution of California, declares that ‘all men are by nature free and independent, and have certain inalienable rights, amongst which are those of enjoying and defending life and liberty, acquiring possession, protecting property, and pursuing and obtaining safety and happiness.’ This principle is as old as the Magna Charta. It lies at the foundation of every constitutional government.”**

This Great Principle of higher law is acknowledged and witnessed to in *Laird v. Tatum*, 408 U.S. at 28 (1972): **“The Constitution was designed to keep the government off the backs of the people.”** And in *Schnieder v. Smith*, 390 U.S. 17, 25 (1967): **“The purpose of the Constitution and Bill of Rights, unlike more recent models promoting a welfare state, was to take government off the backs of people.”** And in *Shapp v Butera*, 348 A.2d 910: **“Under the Constitution of the Commonwealth, all power is inherent in the people and no person or branch of government has any more power than is provided by that absolute framework of government.”**

Anything in the Constitution for the United States of America, and constitutions for the several states of America that is contrary to higher laws is null and void, or it is being incorrectly interpreted to extend to actions that are contrary to the superior and higher laws of Nature and Nature’s God.

Another witness is found in *Bowsher v. Synar*, 478 U.S. 714, 721, 722 (1986) which acknowledges many other witnesses to My Law: **“We noted recently that “[t]he Constitution sought to divide the delegated powers of the new Federal Government into three defined categories, Legislative, Executive, and Judicial.”** *INS v. Chadha*, 462 U.S. 919, 951 (1983). The declared purpose of separating and dividing the powers of government, of course, was to **“diffus[e] power the better to secure liberty.”** *Youngstown*

**Sheet & Tube Co. v. Sawyer, 343 U.S. 579, 635 (1952) (Jackson, J., concurring). Justice Jackson's words echo the famous warning of Montesquieu, quoted by James Madison in The Federalist No. 47, that "there can be no liberty where the legislative and executive powers are united in the same person, or body of magistrates' . . . ." The Federalist No. 47, p. 325 (J. Cooke ed. 1961).**

**“Even a cursory examination of the Constitution reveals the influence of Montesquieu's thesis that checks and balances were the foundation of a structure of government that would protect liberty. The Framers provided a vigorous Legislative Branch and a separate and wholly independent Executive Branch, with each branch responsible ultimately to the people. The Framers also provided for a Judicial Branch equally independent with “[t]he judicial Power.”**

The Great Principle of life, liberty and property of the people was noted in *EEOC v. Wyoming*, 460 U.S. 226, 270 (1983). **“It was also clear from the contemporary debates that the Founding Fathers intended the Constitution to establish a federal system. As James Madison, ‘the Father of the Constitution,’ explained to the people of New York: ‘The powers delegated by the proposed Constitution to the Federal Government, are few and defined.’”** And further more recognized at Footnote 7: **“and that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force.’ Kentucky Resolution of**

**1798, reprinted in 4 J. Elliot, Debates on the Federal Constitution 540 (2d ed. 1863).”**

**6 - My Law supports the Common law of people who are free with liberty.**

The common law of free people is based upon the laws of Nature and of Nature’s God, and not constitutions, governments, courts, legislative acts, or a political or municipal sovereign.

Some witnesses to this are John Bouvier, *Institutes of American Law*, 1851, Part 5, Title IX, No. 121: **“The common law is a system of rules which have been used by the universal consent and moral practice of the people, without receiving the express authority of the legislative power.”**

Other witnesses are as follows: **“The framers of the constitution, and the people who adopted it, appreciated the protection afforded to life, liberty, property, and privileges, by the common law, and determined to perpetuate that protection by making its benign provisions in this respect the corner-stone principle of the fundamental law. Judge Story says, “The clause ‘by the law of the land,’ in effect, affirms the right of trial according to the process and proceedings of the common law.”** 3 Com. On Const. U.S. 2783. Tenny, J., in *Saco v. Wentworth*, 37 Maine, 171, says, **“The**

**‘law of the land’, as used in the constitution, has long had an interpretation which is well understood and practically adhered to. It does not mean an act of the legislature.”** In *Taylor v. Porter*, 4 Hill, 145, Chief Justice Bronson says, **“The words ‘law of the land,’ as here used, do not mean a statute.”** Most of these witnesses can be found in a public document by the title *State of Maine v. Doherty*, 60 Me. 504, 509, 510 (1872)

**“Our law idiom is essentially of common law origin, yet not foreign.”** *Swift v. Tyson*, 16 Pet. (U.S.) 1, 11 (1842) This statement recognizes and provides evidence that My Law’s acceptance of the common law of the American people is not dependent upon the foreign common law of England where such law grew out of or was influenced by a feudal system with a monarchy and king having sovereign power in the capacity of crown over an inferior body politic composed of subjects.

## **7 - My Law recognizes unalienable rights.**

This Great Principle of higher law is reiterated in *Hale v. Everett*, 53 N.H. 9, 16 Am Rep. 82 (1868). **“An ‘unalienable right,’ within the meaning of the [New Hampshire] Constitution, is in its nature one which cannot be surrendered to government or society because no equivalent can be received for it, and one which neither government or society can take away...”**

**Section first of Article 1, of the Constitution of California, declares that "all men are by nature free and independent, and have certain inalienable rights, amongst which are those of enjoying and defending life and liberty, acquiring possession, protecting property, and pursuing and obtaining safety and happiness." This principle is as old as the Magna Charta. It lies at the foundation of every constitutional government.**

*Billings v. Hall*, 7 Cal. 1, 6 (1857)

**8 - My Law recognizes governments limited to a few defined and expressed powers.**

All powers of government are delegated and expressed in a constitution which serves as the law for those serving under it, and a government's only claim to existence. The following are a few of the numerous witnesses to higher laws and My Law by which freedom and liberty can promote true harmony and peace. Disharmony and conflict generally result from violations of the higher laws.

**Congress may exercise all the legislative power granted in the constitution, but no other, because all others are especially reserved to the states and to the people."**

**...[A] great portion of our federal constitution rests in compact, while still another rests in grant. Where powers are granted, they are to be exercised; where rights rest in compact, they have still**

**the force of law; but the federal government has no power to legislate upon them; they are to be obeyed and enforced by the parties to the compact, the states themselves.**

*In re Sherman M. Booth*, 3 Wisc. 13, 35 et seq (1854)

Another witness and supporter of My Law can be found in *Craig v. State of Missouri*, 29 U.S. 410, 463 (1830): **“All questions of power, arising under the constitution of the United States, whether they relate to the federal or a state government, must be considered of great importance. The federal government being formed for certain purposes, is limited in its powers, and can in no case exercise authority where the power has not been delegated. ...The states and the federal government have their respective orbits, within which each must revolve. If either cross the sphere of the other, the harmony of the system is destroyed, and its strength is impaired. It would be as gross a usurpation on the part of the federal government, to interfere with state rights, by an exercise of powers not delegated; as it would be for a state to interpose its authority against a law of the union.”**

**9 - My Law recognizes and supports limited and defined powers for a government, which are contrary to a nation or national government.**

A national government, as a government for a nation, is contrary to the principles of My Law and the higher laws of freedom and

proclaiming liberty throughout the land. To support a nation might serve someone's commercial interests and profits, but it would violate the Law of Nature and of Nature's God regarding subjection to the will of some earth-bound entity claiming to be sovereign and master. The following are a few of the many witnesses to attest to the character of My Law.

**The idea of a national government involves in it not only an authority over the individual citizens, but an indefinite supremacy over all persons and things, so far as they are objects of lawful government. Among a people consolidated into one nation, this supremacy is completely vested in the national legislature... [T]he proposed government can not be deemed a national one, since its jurisdiction extends to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other. ... In this relation, then, the new Constitution will, if established, be a federal and not a national Constitution.**

*The Federalist Papers*, No. 39, James Madison

**When the people create a single, entire government [national government], they grant at once all the rights of sovereignty. The powers granted are indefinite, and incapable of enumeration. Everything is granted that is not expressly reserved in the constitutional charter, or necessarily retained as inherent in the people. But when a federal government is erected with only a portion of the sovereign power, the rule of construction is directly**



the reverse, and every power is reserved to the member that is not, either in express terms, or by necessary implication, taken away from them, and vested exclusively in the federal head. This rule has not only been acknowledged by the most intelligent friends to the Constitution, but is plainly declared by the instrument itself...

...[B]ut it becomes unnecessary to enlarge upon so plain a proposition, as it is removed beyond all doubt by the tenth article of the amendments to the Constitution. That article declares 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.’ The ratification of the Constitution by this State, was made with the explanation and understanding, that ‘every power, jurisdiction and right, which was not clearly delegated to the general government remained to the people of the several states, or to their respective state governments’ There was a similar provision in the Articles of Confederation.

*Livingston v. Van Ingen*, 9 Johnson  
(New York) 507, at 574, 575, New  
York Common Law Reports, (1812)

It is claimed, however, that the government of the United States is a national government, of which the States are mere subordinate departments, so that the judicial power of the several States, and that of the United States, are blended, and must be regarded as one and the same, and consequently, that the courts

**of each may be enabled to exercise authority by virtue of the judicial power of the other. This involves an inquiry into the true theory and nature of our system of government...**

**It is not pretended by any, that this confederacy possessed the elements of a national government, but it is admitted to have been a simple compact between independent States for mutual defense, and some other general purposes. It is claimed by some, however, that, by the Constitution of the United States, the sovereignty of the people of each State was surrendered and transferred to the people of all the States of the Union, in the aggregate, and that, thus the people of all the States of the Union became consolidated into one single community or nation. The history of the formation of the Constitution exposes the utter fallacy of such an idea...**

**The formation and ratification of the Constitution, therefore, was not the act of the people of the States collectively, but the act of the people of each State acting separately and independently for themselves. *Piqua Bank v. Coup*, 6 Ohio St. at 393-5 (1856)**

**10 - By My Law, there is no superior political sovereign power that rules over inferior subjects or slaves.**

Political societies have the tendency to become potent engines attempting to subjugate the masses under the illusion of superior authority. This is where you find the growth of a cancer that seeks to

undermine the higher laws and the life, liberty, and pursuit of happiness of the people. These rights and laws are to be supposedly surrendered for the common good. Owing allegiance to man's creation or God's creation, rather than the Creator seems to be worshiping a false god. History shows the chaos and conflict that occurs by those who claim to act or fight for a body politic or corporation, sometimes mislabeled as an alternate State.

**It has been said, that sovereignty is a thing, which, from its nature, is not susceptible of division – that the sovereign power may delegate authority and prescribe limits for its exercise; but can not surrender a portion of its sovereignty, without ceasing to be the repository of the sovereignty of a State or nation. ...there is no provision in the Constitution of the United States, or act in its formation and adoption, which amounts to any thing like a surrender of sovereignty by the people of the several States.**

*Piqua Bank v. Knoup*, 6 Ohio St. at 400, 401 (1856)

**In Europe the sovereignty is generally ascribed to the prince; here it rests with the people; there, the sovereign actually administers the government; here, never in a single instance; our governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they**

**partake in the sovereignty otherwise, or in any other capacity, than as private citizens.**

Jay, Chief Justice, *Chisholm v. Georgia*,  
2 Dall. (U.S.) 419, at 471, 472. (1793)

**11 - By My Law, the courts of a constitution recognize higher law and rights of the people of each of the several states.**

The courts established by constitutions are designed to keep the legislative and judicial branches within their delegated powers, and to maintain harmony and peace among people, states, and countries.

**[T]he States could hardly be expected to confide in the impartiality of a tribunal created exclusively by the General Government, without any participation on their part. And as the performance of its duty would sometimes come in conflict with individual ambition or interests, and powerful political combinations, an act of Congress establishing such a tribunal might be repealed in order to establish another more subservient to the predominant political influences or excited passions of the day. This tribunal, therefore, was erected, and the powers of which we have spoken conferred upon it, not by the Federal Government, but by the people of the States, who formed and**

**adopted that Government, and conferred upon it all the powers, legislative, executive, and judicial, which it now possesses.**

*Abelman v. Booth*, 62 U.S. 506, 521 (1858)

The foregoing showed a few examples one might consider as declarations and witnesses to “My Law”. There are, of course, many other topics that should be included. Perhaps you can appreciate the following remarks and I remind you “custom” generally means law merchant.

**When honest men are impelled to withdraw their allegiance to the established law or custom of the community, still more when they are persuaded that such law or custom is too iniquitous to be longer tolerated, they seek for some principle more generally valid, some `law' of higher authority, than the established law or custom of the community. To this higher law or more generally valid principle they then appeal in justification of actions which the community condemns as immoral or criminal. They formulate the law or principle in such a way that it is, or seems to them to be, rationally defensible. To them it is `true' because it brings their actions into harmony with a rightly ordered universe, and enables them to think of themselves as having chosen the nobler part, as having withdrawn from a corrupt world in order to serve God or Humanity or a force that makes for the highest good. Becker, *The Declaration of Independence* (1942), pp. 277-278.**

*Scales v. United States*, 367 U.S. 203, footnote 4, (1961)

## UNIVERSAL PRINCIPLES

In developing your law, the focus should be on using the highest law or universal principles that cannot be contradicted. There may be attempts to prove a contract supersedes the higher laws, but that is not necessarily so. The focus should well established facts that support the freedom and liberty of the people and proper role of those serving in a government, plus the laws of nature, the laws of God, and maxims and axioms.

If officers and agencies claim to be working for the government, they should know there are limitations to all government, and especially one limited to a few delegated powers. As point out in *Livingston v. Van Ingen*, 9 Johnson (New York) 507, at 574, 575, New York Common Law Reports, 1812, all governments have limitations. A government is limited by (1) its constitution, (2) by natural limitations of all governments, and (3) by unalienable rights of the people. One source says unalienable rights are those that are not connected to commerce and can not be sold or used as security for a loan.

**PRINCIPLES. By this term is understood truths or propositions so clear that they cannot be proved nor contradicted, unless by propositions which are still clearer. They are of two kinds, one when the principle is universal, and these are known as axioms or maxims; as, no one can transmit rights which he has not; the**

**accessory follows the principal, &c. The other class are simply called first principles. These principles have known marks by which they may always be recognized. These are, 1. That they are so clear that they cannot be proved by anterior and more manifest truths. 2, That they are almost universally received. 3. That they are so strongly impressed on our minds that we conform ourselves to them, whatever may be our avowed opinions.** Bouvier, *A Law Dictionary*, 1856

We see there are universal principles, like axioms and maxims, that stand by themselves that no one should be able to negate, and there are first principles which do not quite rise to universal. My belief is that first principles might be more limited to particular people or places and seems to be a term used in a political society for subjects to raise as higher law against the actions of a sovereign, while universal principles would apply everywhere at all times and imply people are or should be free.

**And whatever the object of such legislation may be, it eventuates in a decree taking property from one man and giving it to another; but such legislation is repugnant to the fundamental principles of individual rights, the maxims of the common law, and the constitutional limitations, and therefore it cannot be “the law of the land”. ...where it is clear that the legislature has transcended its authority, it is imperatively required of the courts**

**to maintain the paramount authority of law. Ervine's Appeal, 16 Pa St., 266.**

*Atchison & Nebraska R.R.Co. v. Baty*, 6 Nebr. 37, 46 (1877)

It may not be easy to have a court maintain the paramount authority of law, but we should understand it does not go away and it is still and always present. Typically, it has been covered up by assumed or implied promises or agreements.

**The constitutional terms "life, liberty, and property" do not derive their meaning solely from the provisions of positive law. They have a normative dimension as well, establishing a sphere of private autonomy which government is bound to respect. [2](#) Quite serious constitutional questions might be raised if a legislature attempted to abolish certain categories of common-law rights in some general way. Indeed, our cases demonstrate that there are limits on governmental authority to abolish "core" common-law rights...**

*Pruneyard Shopping Center v. Robins*, 447 U.S. 74, 93-4 (1980)

Below are a few examples of maxims. You can see that you could have fun putting together your "My Law" document or declaration.

**Power can never be delegated which the delegating authority never possessed itself.**

*N.J. Steam Co. v. Merch. Bank*, 47 U.S. 344, 407



**Delegatus non potest delegare. A delegate cannot delegate; an agent cannot delegate his function to a subagent without the knowledge or consent of the principal; the person to whom an office or duty is delegated cannot lawfully devolve the duty on another, unless he be expressly authorized so to do.**

9 Coke, 77; Broom, Max. 840; 2 Kent, Comm. 633; 2 Steph. Comm. 119; *Blake v. Allen*, 221 N.C. 445, 29 S.E.2d 552, 554

Maxims: **The contract makes the law. The law aides the vigilant; forces no one to do a vain, useless or impossible thing; injures no one – never works an injury; does nothing in vain; regards not trifles; regards equity; always gives a remedy; speaks to all with one mouth – is no respecter of persons. What is just and right is the law of laws.**

*A Dictionary of Law*, Anderson, 1893, “Law of the land”

**Nemo praesens nisi intelligat. One is not present unless he understands.**

**Non refert quid notum sit iudice si notum non sit in forma iudici. It matters not what is known to the judge, if it is not known to him judicially.** 3 Buls. 115

**Qui non propulsat injuriam quando potest, infert. He who does not repel a wrong when he can, induces it.** Jenk. Cent. 271

**Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit. Whenever there is a doubt between liberty and slavery, the decision must be in favor of liberty.**

Dig. 50, 17, 20

**Vis legibus est inimica. Force is inimical to the laws.**

3 Co. inst. 176

**Scire debes cum quo contrahis. You ought to know with whom you deal.**

**Veritas nihil veretur nisi abscondi. Truth fears nothing but concealment. 9 co. 20.**

## **BILL OF RIGHTS and LAWS OF NATURE**

We see that a constitution is superior law to the acts or statutes of a government. A bill of rights is not, in the American sense, a listing or granting of rights, but rather statements of restriction on government regarding pre-existing rights of the people. This is exemplified by Articles Nine and Ten of the Bill of Rights.

**The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.**

Article Nine of the Bill of Rights

**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.**

Article Ten of the Bill of Rights

These amendments could not apply to subjects and slaves, which is why some public officers pretend like they do not exist. My Law extends well beyond the enumeration of certain pre-existing rights and laws that are contained in a constitution or bill of rights. As noted for all the world to see, and as a public and private record, such enumeration in a constitution shall not be construed to deny or disparage **other rights** retained by the people, including natural rights, inherent rights, and unalienable rights as expressed in the document known as the *Declaration of Independence*. Therefore, since the courts recognize the superior law of a constitution, one may use those parts that direct everyone to **all other rights**. This leads to all the higher law and universal principles including maxims and the Bible.

**Mr. Patterson urges that the Ninth Amendment be used to protect unspecified ‘natural and inalienable rights.’ P. 4. The Introduction by Roscoe Pound states that ‘there is a marked revival of natural law ideas throughout the world. Interest in the Ninth Amendment is a symptom of that revival’. P. iii. See Patterson, *The Forgotten Ninth Amendment* (1955).**

*Griswold v. Connecticut*, 381 U.S. 479, footnote 12 (1965)

My Law recognizes and consists of the higher law expressed in **“The unanimous Declaration of the thirteen united States of America”** including the higher authority of **“the Laws of Nature and of Nature's God”**. **“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 regard to the Fourth Article of the Bill of Rights, James Madison said: **“The observation may be made that the language of the proposal did not purport to create the right to be secure from unreasonable search and seizures but merely stated it as a right which already existed.”**

**The law of nature is those fit and just rules of conduct which the Creator has prescribed to man as a dependent and social being, and which are to be ascertained from the deductions of right reason, though they may be more precisely known and more explicitly declared by divine revelation.**

*Wightman v. Wightman*, N.Y., 4 Johns.Ch.  
343, 349. (from Words & Phrases)

**The court does, indeed, say in the above extract, that the state cannot, on pretense of such regulations, deprive a man of any natural right.** *Cummings v. Virginia*, 4 Wall. (U.S.) 277 (1866)

**It is a subject which, in our opinion, ought not to be legislated upon... this comes within the scope and character of natural rights which no Government has the right to control and which no Government can confer. And wherever this subject is alluded to in the Constitution... it is in the declaration that Congress shall have no power whatsoever to legislate upon these matters.**

*Afroyim v Rusk, Secr. of State*, 87 S.Ct. 1660, at 1667 (1967), note 20 which is quoting from Cong. Globe, 39th Cong., 1st Ses., (1866)

**The traditional U.S. view of sovereignty, developed during the period preceding and following the American Revolution, is that sovereignty (1) is limited by natural law... The Declaration of Independence reflects this view of authority, much of it borrowed directly from John Locke.**

*The American Peoples Encyclopedia*, Vol. 17, p. 190, 191 (1968)

**The law of nature is superior in obligation to any other. It is binding in all countries and at all times. No human laws are valid if opposed to this, and all which are binding derive their authority either directly or indirectly from it.**

*Institutes of American Law*, John Bouvier, 1851, Part I, Title II, No. 9

## SUMMARY

I am appreciative of the many witnesses, some quoted in this writing, who recognize and support My Law and the law of all people who are and should be free. For those who know they are not here on earth for commercial purposes nor to be a slave to the will of someone or something that presumes to be an earthly master, may you shine some light on dark places. Those who have an obligation to discern the will of their Creators and to fulfill a higher purpose require the use of their natural free will to live within the bounds of the laws of nature. A positive law that conflicts with the natural law or law of nature is invalid and of no force in comparison to the higher law and My Law.

**You have rights antecedent to all earthly governments; rights that cannot be repealed or restrained by human laws; rights derived from the Great Legislator of the Universe.** John Adams

**If men, through fear, fraud, or mistake should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of ALMIGHTY GOD, it is not in the power of man to alienate this gift and voluntarily become a slave.** Samual Adams, 1772

By Byron Beers

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