

# FACTS ON COMMON LAW

## In The Texas First Estate of Government

**These can be used in a Common Law Declaration (affidavit).**

**F**act 1. Moses was not an attorney, and yet, God called him to be the Great Lawgiver to the Nations. Moses is one of three figures that stand above the east entrance to the Supreme Court Building of the United States. Moses is one of the figures of historical lawgivers depicted in the building. And, the Ten Commandments is displayed in several places within the building

**F**act 2. **Nothing was done by the Founding Fathers to take any power or authority away from the Common Law** because they considered it **synonymous with God's Law**, and something they had no power to amend or destroy.

**F**act 3. Article 7 of the Bill of Rights took away the right of the Judiciary of the United States to review any decision by the Superior Common Law Judiciary in each State. This was done to eliminate the possibility of the Judiciary of the United States gaining unlawful power over We the People.

**F**act 4. The fact that the Superior Common Law Court of each State is the proper venue and has the jurisdiction for all matters concerning We the People. There was never any discussion or contemplation about changing this fact. It was essentially "etched in stone."

**F**act 5. It is very clear, that the Supreme Court and the Superior Court are **separate entities**. The Supreme Court is created under the provisions of the Constitution for the State and for the Federal union. **We the People have granted no Common Law powers to either the State or the Federal union.** The Superior Common Law Court is the Court of We the People and is **Superior to any other court in the land**. We the People retained all powers and rights to the Common Law System.

**F**act 6. **The Common Law Court System is superior to all other laws, courts, and judicial systems** that were authorized to be established by either the State or Federal Constitutions. **The Common Law Courts are Superior to all court** that could, or may be validly established under the provisions of the said Constitutions, or that could be unlawfully created by men and women who would pervert the valid system under the several Constitutions for their own purposes.

**F**act 7. The Seventh Article of the Bill of Rights, which is **the Seventh Amendment** to the Constitution for the united States of America, provides that **no court in the land, not even the Supreme Court**, has the power to re-examine the decision of a Common Law Court, unless it is done in accordance with the rules and procedures set forth in Common Law.

The Texian Jural Society gives thanks to the men and women who helped build and currently maintain the <http://www.1215.org> website for making this information available.

# **FACTS ON COMMON LAW**

## **In The Texas First Estate of Government**

**In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law. – Bill of Rights - Amendment VII**

**F**act 8. Common Law trials are those where the **Common Law jury acts as the Judges**, and in which they exercise the authority to hear and decide questions of both Law and fact.

**F**act 9. Common Law deals with the Legal Relationships between people with God given rights, the Property Rights of people with God given rights, Powers and Liabilities, and Types of Actions, rather than merely theoretical definitions of abstract legal concepts like the Equity Court.

**F**act 10. Common Law preserves the Rights of Man and was recognized by Our Founding Fathers as superior to all other forms of legal structure. This is why they made it the basis of all legitimate law in America today.

**F**act 11. **The power and the authority vested in the Common Law system was retained by We the People.** That's why it is not discussed in the Constitution. It is the People's Court.

**F**act 12. **The people have the right to set up a Common Law Court in whatever manner, and under whatever circumstances, that to them is the best to meet their needs. We the People do not require any separate or special authorization from any State or Federal entity in order establish a Common Law Court.**

**F**act 13. **The people rule over the States and the Federal union and do not need anyone's permission to exercise their unalienable rights.**

**F**act 14. **Neither the States, nor the Federal union, has the power or authority to tell We the People how to set up our Court system.** Nor do they have the power, the authority, or the right, to ignore the decisions from such Courts.

**F**act 15. Absolutely **no powers of Common Law were granted to the States or to the federal union.** Neither the State Legislature, the State court system, the federal Congress nor the federal court system has the power or the authority to declare, or make, any rules of Common Law that would be applicable in a State or anywhere in the Federal system. As recently as 1938 the Supreme Court ruled:

**There is no federal general common law. Congress has no power to declare substantive rules of common law applicable in a state whether they be local in their nature or 'general,' be they commercial law or a part of the law of torts. And**

The Texian Jural Society gives thanks to the men and women who helped build and currently maintain the <http://www.1215.org> website for making this information available.

# FACTS ON COMMON LAW

## In The Texas First Estate of Government

no clause in the Constitution purports to confer such a power upon the federal courts. – Erie R.R. Co. v. Tompkins, 304 U.S. 64 (1938)

### We the People is a General Partnership

**F**act 16. - **We the People are a General Partnership** wherein each member is a General Partner. We declared in the Declaration of Independence that we are all equal; **therefore there are no limited partners.**

**General partnerships are properly such, where the parties carry on all their trade and business for their joint benefit and profit. – Bouvier's Law Dictionary – 6th Edition – 1865**

**Partnerships are created by mere act of the parties; and in this they differ from, corporations which require the sanction of public authority, either express or implied. The consent of the parties may be testified, either in express terms, as by articles of partnership, or positive agreement; or the assent may be tacit, and to be implied solely from the act of the parties. An implied or presumptive assent has equal operation with one that is express and determined. And it may be laid down as a general and undeniable proposition, that persons having a mutual interest in the particular business, carried on by them, or persons appearing ostensibly to the world as joint traders, are to be recognized and treated as partners, whatever may be the nature of the agreement under which they act, or whatever motive or inducement may prompt them to such an exhibition. – Bouvier's Law Dictionary – 6th Edition – 1865**

**F**act 17. As a General Partner in We the People have the power and the authority to speak in behalf of all We the People if I see something that is not right. Even if I do not represent a large group of We the People, my sole voice is adequate as a General Partner in the We the People Partnership.

**F**act 18. A General Partner in any Partnership has the power and the authority to speak, to act, and to bind the Partnership to certain agreements. Every General Partner is also responsible for the actions and activities of the Partnership.

**F**act 19. Since Each General Partner in the We the People Partnership by Constitution, means any and all acts and actions, taken by any General Partner must be in keeping with the might, mind, and will of the other General Partners.

**The object of the partnership must be legal. All partnerships, therefore, which are formed for any purpose forbidden by law or good morals, are null and void. But all the partners in such a partnership are jointly liable to third persons who may contract with them without a knowledge of the illegal or immoral object of the partnership – Bouvier's Law Dictionary – 6th Edition – 1865**

**F**act 20. Actions taken by any General Partner that are outside the bounds set by the other General Partners are **unlawful and illegal actions** that are

The Texian Jural Society gives thanks to the men and women who helped build and currently maintain the <http://www.1215.org> website for making this information available.

# FACTS ON COMMON LAW

## In The Texas First Estate of Government

null and void. Even though an innocent third party may have contracted with the Partnership, such parties are responsible for determining on their own the validity of the actions of the General Partners they are dealing with, and the ability of those General Partners to bind the General Partnership. General Partners who have acted in contravention to the will of the other General Partners must, and will, be prosecuted to the fullest extent of the law.

**F**act 21. It would be an act of unrighteous dominion, which is against the Laws of God, for a General Partner to amend or alter the provisions set forth in the Constitution for the united States of America, or in any State Constitution, on his own initiative.

**F**act 22. Each and every General Partner is responsible to watch over and protect the several Constitutions that have been created. It is their personal obligation to defend and protect the Constitutions from those who would pervert the desires and wishes of the General Partners when the several Constitutions were created.

**F**act 23. Therefore, any General Partner who is aware of, or discovers that there are Partnership Employees who are not performing their Mandated tasks, or **who are entering into Prohibited areas by exceeding their granted authority**, is obligated to take whatever action he, or she, deems necessary to correct the problem and once more establish the order set by the General Partnership.

**F**act 24. - As employees of one of the entities established under the control of the General Partnership you are an employee of the General Partnership. Whether you are employed by one of the several States, or by the Federal union does not matter. You are an employee of the General Partnership because you are paid by the General Partners in the General Partnership.

**F**act 25. This Oath of Office is a **binding contract** between We the People, who are the real power and authority behind the Constitution for the united States of America, and the several Officers who have executed their Oath of Office.

**F**act 26. Every official who took this Oath of Office and enforces the Corporate Laws, has violated the Oath of Office.

**F**act 27. The contract created by the Oath of Office taken by the State and Federal Officers guarantees to We the People that the Officers will in fact **obey and defend** the Constitution for the united States of America and for each and every Constitution for the several States.

**F**act 28. The contract created by the Oath of Office taken by an Officer of one of the several States guarantees to We the People that the Officer will in fact

The Texian Jural Society gives thanks to the men and women who helped build and currently maintain the <http://www.1215.org> website for making this information available.

# FACTS ON COMMON LAW

## In The Texas First Estate of Government

obey and defend the Constitution of the State he is an officer for, and the Constitution for the united States of America.

**F**act 29. The word "obey" implicitly implies that the officers will faithfully observe the mandates and prohibitions that have been written into the Law of the Constitution by We the People.

**F**act 30. The word "**defend**" requires each officer to be **diligent in watching over** their own actions and those of their employees. They must also defend against the actions of the other Officers and employees of the several States and the Federal Union in such a way as to insure that nothing is done to disparage, discredit, or in any way diminish, harm, or destroy the basic concepts established by We the People in our Constitution for the united States of America.

**F**act 31. **Treason** against a State, or against the united States, is defined as levying war against the State, or against the united States, or in giving aid and comfort to those who are levying war against the State, or the united States. This definition was specifically used by our Founding Fathers so that We the People who are engaged in performing their obligation to effect the operation of the government in such a way as to best protect their safety and **happiness cannot be charged with treason because they intend to amend or abolish a State government, or the Federal Union**, and plan to institute a new government, laying its foundations, and organizing its powers as to them shall seem most likely to effect their safety and happiness.

**Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. – The Constitution for the united States of America - Article 3 - Section 3 - Paragraph 1**

**F**act 32. This definition of treason **does not** cover the actions of the Officers of the States, or the Federal Union. **A violation of their Oath of Office will be construed to be Treason against We the People, and will be prosecuted as such through the Common Law Courts** – which are the validly existing Courts of the People. **Even though the Common Law Courts are discredited, demonized, and many attempts have been made to destroy them by the very elected and appointed Officers who have sworn an Oath to protect and defend the Constitution, Common Law Courts are the validly authorized and empowered courts to which We the People, have granted sole jurisdiction over the People, their Property, and their Relationships, on with another.**

**F**act 33. Attempts to claim "I was just doing my job" are worthless. The same

The Texian Jural Society gives thanks to the men and women who helped build and currently maintain the <http://www.1215.org> website for making this information available.

# **FACTS ON COMMON LAW**

## **In The Texas First Estate of Government**

excuse was used at the Nuremberg trial and the offenders were still hung.

### **A Nation built on God's Principles and Law**

**F**act 34. This nation, when established, was **founded on the principles of the Bible**. Our Founding Fathers were well versed in the teachings, doctrines, and concepts set forth in the Bible, which is our Book of Guidelines and Laws.

**F**act 35. John Jay, the first Chief Justice of the united states Supreme Court, had this to say about God's Law.

**"Uninspired commentators have dishonored the law, by ascribing to it, in certain cases, a sense and meaning which it did not authorize, and which our Savior rejected and reprovved. "The inspired prophets, on the contrary, expressed the most exalted ideas of the law. They declare that the law of the Lord is perfect; that the statutes of the Lord are right; and that the commandment of the Lord is pure; that God would magnify the law and make it honorable."**

**F**act 36. The above facts are made abundantly clear and are fully verified by the statement in the Declaration of Independence concerning our Sovereignty.

**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.**

**F**act 37. The Declaration of Independence also states that Sovereign People institute governments to secure their rights. These rights are the right to Life, Liberty, and the pursuit of Happiness with which we are endowed by our Creator.

**That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. . . .**

**F**act 38. The Sovereign People dwelling in America, authorized individuals, as delegates for the various States, to establish a Constitution which would provide a better place to live, to work, and to pursue our God given inalienable rights. We had just won a very costly war so that we could be Free and enjoy our Liberty. **This was not an assignment of our Sovereignty**, it was merely a joint use of our Sovereignty to control the environment in which we live.

**"When this country achieved its independence the prerogatives of the crown devolved upon the people of the States. And this power still remains with them, except so far as they have delegated a portion of it to the Federal government." – Wheeler v. Smith, 9 How. 33**

The Texian Jural Society gives thanks to the men and women who helped build and currently maintain the <http://www.1215.org> website for making this information available.

# FACTS ON COMMON LAW

## In The Texas First Estate of Government

**F**act 39. Using our Individual God given rights, we established, through our representatives, a system of laws that would, and should, protect us. These laws are designed to protect us not only from outside influences but also from the very entities that we created.

**Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power. – Yick Wo vs Hopkins and Woo Lee vs Hopkins (118 US S. Ct. 356)**

**F**act 40. The Supreme Court, in the last cited decision, says that **Sovereignty is not subject to Law because it is the author and the source of the law.** This does not mean that we, as Sovereign Individuals have the right to "run wild." We, as Sovereigns, live in a Republic and **are subject to God's Laws**, because God created us, and the creature, or entity, which is created, is always subject to the laws of the creator.

**F**act 41. Note also, that **the Supreme Court defined law as the "definition and limitation of power."** This means that when laws are established, such as the Constitution, which is the law and mandate of the people, they are really **created to define the limits of power that the created entity may enjoy.** When God created man, he gave them power, authority, and dominion over all things on the earth, but **He declared laws that defined the limits of our Sovereignty. We have all power and dominion here on earth, we have no power, authority, or dominion in God's Heavenly Kingdom.**

**F**act 42. **We the People, as individuals, hold all of the Authority.**

**F**act 43. Even though We the People granted specific powers to the State and to the Federal we **did not grant them sole use of those powers.** This fact is attested to by the fact that We the People **retained the right** to continue to exercise those same powers **by modifying or abolishing the entities** that we had created and instituting new entities that we felt would most likely effect our Safety and Happiness.

**F**act 44. Each State, with the explicit approval of the Sovereign Citizens of that State, was then permitted to enter into a Treaty called the Constitution FOR the united States of America. Thus, WE THE PEOPLE created the States and through them, the Federal entity. We established the Constitution to define the laws **and limits** of the powers granted to our creations. The Members of the Supreme Court recognized this fact when they stated that Sovereignty is the author and source of law.

# FACTS ON COMMON LAW In The Texas First Estate of Government

## God is only Sovereign

**F**act 45. The use of **the word FOR** in the title to the Constitution indicates that the document was written FOR the benefit of the people and was not a document that created the government OF the United States.

**F**act 46. When the States created the treaty organization, they could only grant such powers to the treaty organization as they themselves held, and even then, the States only granted such portions of their powers, as they were willing to grant. Therefore, the treaty organization, commonly referred to as the Federal Government, can use even less of the Sovereign power of the Sovereign Citizens of the States than what the States can.

**F**act 47. **No fictitious entity, i.e., government, corporation, partnership, contract, or other device created by the mind of man can be Sovereign.** They are all subject to their creator, and therefore do not have all power. Because of this they cannot, in and of themselves, hold Sovereignty. What Sovereignty it may claim comes through the un-relinquished Sovereignty of its creators.

**F**act 48. The entity referred to as "The United States of America" holds no Sovereignty of its own. **It is a fictitious entity and cannot be Sovereign.** Also, the entities that created it, the States, had no Sovereignty to grant. In both cases the sovereignty rests with the people, not the entity that the people created.

## Only a Republic

**F**act 49. Our Founding Fathers established a Republic, not a Democracy or an Oligarchy. We intend to keep our Republic. We do not want a Democracy or an Oligarchy, or, for that matter, any other form of government.

**F**act 50. The Organic Constitution for the United States of America creates a Republican Form of government and guarantees that each State will also have a Republican Form of Government. Depending on where we live, we are to have the blessings of a Republican Form of government. In a Republic, God's Laws are supreme. In a Republic the People are Superior to the government because we have created the government.

**F**act 51. We the People formed a republican form of government in each state and mandated that the federal treaty organization was responsible for the continuance of that form of government. The federal treaty organization has miserably failed in its adherence to our mandate.

# FACTS ON COMMON LAW

## In The Texas First Estate of Government

**F**act 52. The UNITED STATES CORPORATION, through unlawful and unconstitutional actions have assumed control of my State, and through mandates to my State has destroyed my Original Republican Form of Government and foisted upon me a Democracy, and it is now in the process of creating an Oligarchy.

**F**act 53. In a Republic, the elected and appointed Officers are truly the Public Servants and have no power or authority over We the People because the Contract created by their Oath of Office is a one-way street and We the People cannot violate the terms and conditions of the Contract.

**F**act 54. Any attempt by the government that was established by the Constitution to PROVIDE for the General Welfare is above and beyond the powers granted by the States and the People. The government is **only authorized** to PROMOTE the General Welfare, which can best be done by a passive attitude toward the actions of the We the People who control their own General Welfare through their private actions and unalienable rights. This clause was for the express purpose of limiting the ability of the federal entity to interfere with our businesses, our lives, and our families.

**F**act 55. **Promote and Provide** is very different in their meaning. To illustrate the difference, if a person is asked to provide a salad for a picnic they accomplish the task by bringing a salad. If a person is asked to promote the salad at a picnic they accomplish the task by telling everyone how good the salad is. The Federal entity is to **ONLY** promote the General Welfare, not provide it.

Sealed this 15<sup>th</sup> Day, 1<sup>st</sup> Month, 2012:

[L.S.] Autograph - on - file  
William Edward Chastang, Foreman  
People's Texian Grand Jury

*The Texian Grand Jury, the First Estate of Government on the dry land in Texas expresses their heartfelt thanks to the men and women who created and maintain the [www.1215.org](http://www.1215.org) website for making this information available.*

*A website for the People of Texas is [www.republickeepers.org](http://www.republickeepers.org).*

*A website for the republic State of Texas is [www.trset.org](http://www.trset.org).*

*See either website for a list of contact.*

Officially Recorded with Secretary of State on this 15<sup>th</sup> Day, 1<sup>st</sup> Month, 2012:

Attest:

[L.S.] Autograph - on - file  
Raymond benRaymond barAbba  
Secretary of State  
The republic State of Texas



The Texian Jural Society gives thanks to the men and women who helped build and currently maintain the <http://www.1215.org> website for making this information available.