



Class #1
**“Getting To Know
The Law Of The Land”**
March 10, 2013 / 1 p.m. — 3 p.m.
Chat Room OR Call In: 858 357-8450

Lawful Definitions for Review:

- 1. Constitution.** In American law. The written instrument agreed upon by the people of the Union or of a particular state as the absolute rule of action and decision for all departments and officers of the government in respect to all the points covered by it, which must control until it shall be changed by the authority which established it, and in opposition to which any act or ordinance of any such department or officer is null and void. *Cooley, Const. Lim. 2*
- 2. State, n.** A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries capable of making war and peace and of entering into international relations with other communities of the globe. *United States v. Kusche, D.C.Cal., 56 F.Supp. 201, 207, 208.* **The organization of social life** which exercises sovereign power in behalf of the people. *Delany v. Moraitis, C.C.A.Md., 136 F.2d 129, 130.* In its largest sense, a "state" is a body politic or a society of men. *Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d 636, 254 .Y.S.2d 763, 765.* A body of people occupying a definite territory and politically organized under one government. *State ex rel. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d 539, 542.* A territorial unit with a distinct general body of law. *Restatement, Second, Conflicts, 3.* Term may refer either to body politic of a nation (e.g. United States) or to an individual governmental unit of such nation (e.g. *California*)

'5' Lawful Questions:

1. Who Authorized The American Constitution (What Nation State?)
2. Is there a difference between a Corporate State and a Nation State?
3. Why was it Established and who is it for? Who Is Obligated To follow It?
4. Who Is Obligated To Enforce It?
5. How Is It Enforced?

Supreme Court Case Laws for Review:

“Officers of the court have no immunity, when violating a Constitutional right, from liability. For they are deemed to know the law.” **Owen v. Independence, 100 S.C.T. 1398, 445 US 622**

“The claim and exercise of a Constitutional right cannot be converted into a crime.”
Miller v. U.S., 230 F.2d. 486, 489

“Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness.”
Brady v. U.S., 397 U.S. 742, 748

“An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”
Norton v. Shelby County, 118 U.S. 425

Concluding Lawful Perspective:

**US Supreme Court in
US vs. Minker, 350 US 179 at page 187:**

“Because of what appears to be a lawful command on the surface, many citizens, because of their respect for what only appears to be a law, are cunningly coerced into waiving their rights, due to ignorance.”

Next Class:

What to do about Public Servants who violate their Oath bound obligations? (Read Article 3, 6, and 9)

Hint: A Case Law Support:

“When a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason.” *US v Will, 449 US 200,216, 101 S Ct, 471, 66 LEd2nd 392, 406 (1980) Cohens V Virginia, 19 US (6 Wheat) 264, 404, 5LEd 257 (1821)*