ORIGINAL

OATH OF CERTIFIED COPY

15-0303

On this 13 day of FEB, of 2015, I, the undersigned Notary Public, has compared the original and the copies and certify under penalty of perjury under the Laws of the Republic for the united States of America that said attached copies are exact duplicates to the original

Grace A. Terry

Notary Public Signature

2-15-16

My Commission Expires

NOTARIAL SEAL STATE OF OHIO

GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-16

FILED
FEB 20 2015
CLERK OF COURT
SUPREME COURT OF OHIO

COPY

SUPREME "COURT" OF OHIO

NOTARIAL SEAL INSTITUTIONAL STATE OF OHIO
COMPARED
GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-16

1 C-lotus: justice
1 The Great Republic of America
Union of Sovereign States
United States of America
1 Plaintiffs
1 v
2 "United States" et al
1 STATE OF OHIO et al
3 FRANKLIN COUNTY MUNICIPAL
1 "COURT"
2 FRANKLIN COUNTY "COURT" OF
3 COMMON PLEAS
4 FRANKLIN COUNTY
5 SHERIFFS OFFICE et al
6 CITY OF COLUMBUS et al
7 MONICA GREER JUSTICE, et al

Claim in Equity

18 WRIT OF UNLAWFUL ESCHEAT
19 A CLAIM IN EQUITY
20 C-lotus: justice
21 % P.O. Box 82251
22 Columbus, Ohio the State
23 United States of America
24 Petitioner of Writ of Unlawful Escheat
25 Lawful Executor to PERSON MONICA GREER JUSTICE

THE SUPREME "COURT"
OF OHIO

NOTARIAL SEAL STATE OF OHIO

COMPARED
GRACIA REPPY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-18

Plaintiffs: Juma
The Great Republic of America
Union of Sovereign States
of America
United States of America
Plaintiffs

v

"United States," et al.
c/o donald-la: velli, jr.
United States Department of
Justice
950 Pennsylvania Avenue NW
Washington, District of
Columbia
Zone Improvement Plan Code
20530-0001

STATE OF OHIO, et al.
c/o John: Kasich
77 South High Street
Columbus, Ohio the State
Zone Improvement Plan Code 43215

A Claim in Equity

page 2 of the

COPY

WRIT OF UNLAWFUL ESCHEAT
A CLAIM IN SECURITY

COMPARED
GRACE TERRY
Notary Public, State of Ohio
W/ COMMISSION EXPIRES 02-15-16

NOTARIAL SEAL
STATE OF OHIO

FRANKLIN COUNTY MUNICIPAL
"COURT," et al.
C/o FRANKLIN COUNTY MUNICIPAL
"COURT" CLERK OF "COURTS"
375 S. High Street
Columbus, Ohio the State
Zone Improvement Plan Zone 43215

FRANKLIN COUNTY "COURT" OF
COMMON PLEAS, et al.
C/o FRANKLIN COUNTY "COURT" OF
COMMON PLEAS CLERK OF
"COURTS"
373 S. High Street
Columbus, Ohio the State
Zone Improvement Plan Code 43215

FRANKLIN COUNTY SHERIFFS
OFFICE
C/o Zach Scotts
373 S. High Street
Flor 2 B
Columbus, Ohio the State
Zone Improvement Plan
Code 43215

COPY WRIT OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY

COMPARED
GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-18

NOTARIAL SEAL
STATE OF OHIO

CITY OF COLUMBUS, et. al.
% michael-b: Coleman
90 West Broad Street
Columbus, Ohio the United
Zone Empowerment Plaza
Code 43215

MONICA GREER JUSTICE, et al
% C-lotus: justice
P.O. Box 82251
United States of America

WRIT OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY

1 I, C-lotus: justice, a Born Living of a Man that Born from the
2 living, flesh & blood We(Men) of The Lands and not a
3 Fiction of and at Law, not a civilly dead entity
4 nor the unlawfully created Fraudulent instrument of
5 commerce, the PERSONS, MONICA LYNNE TINDALL, et al,
6 MONICA GREER JUSTICE, et al, & LOTUS JUSTICE, et al, or
7 any derivative or derivation thereof, that was unlawfully created
8 without my consent and derived by Fiction (see "Black's Law
9 Dictionary" 4th Edition, West Publishing 1968) and Fraud from the living
10 real flesh and blood We(Men) of The Land, whose living flesh
11 has been Fraudulently and unlawfully declared dead

COPYRIGHT OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY

NOTARIAL SEAL STATE OF OHIO
NOTARY PUBLIC, State of Ohio
MY COMMISSION EXPIRES 02-15-1

'beyond the Sea' (See "Black's Law Dictionary," 4th Edition, West Publishing 1968) to affect & effect unlawful Escheat. I am not bankrupt nor a 14th Amendment citizen of the Federal Corporation the PERSON/person, THE UNITED STATES / The "United States" of America" / The "United States", pursuant to Title 28 "United States" Code § 3002, Section (15)(A), nor am I a "United States" citizen with only privileges and immunities instead of un-alienable rights. I am a Private National, a Citizen for The Great Republic of America comprised of All Free People of The Land that created the Union of Sovereign States of America united as the United States of America, and who by their Grant of Law in The Law of The Land as is defined and delineated in The Constitution for the united States of America, conferred upon their servants of their governance, as Stewards of Men & Wo(Men), the privilege to effect their collective Will of their good Society. I Stand in propria persona, representing the posterity of The Great Republic of America comprised of All Free People of The Land. I Have the Character & Standing, and the un-alienable rights, Saving to Suitors (See "Black's Law Dictionary" 4th Edition, West Publishing 1968) to proceed in personam in cases in The Common Law and/or Admiralty jurisdictions as was conferred by The Judicial Act of 1789 (See Genesius ex Admiralty 6th Edition, Subsection 20-23). I Stand in The Natural Law of The Land, The Common Law, Standing under The Will of The People, The Judiciary Act of 1789, The Northwest Ordinance and The Natural Law of The Land as ordained by The Will of The People of The Great

COPY WRIT OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY

Republic of America and its inalienable guarantee of un-alienable rights that The Creator endowed in Me, The Living. I Stand as a Sovereign of The Land having the Standing in Law as a Preferred Creditor pursuant to The Bankruptcy Act of 1898 and am designated by said language of the Act & subsequent Acts thereof, as the beneficiary of the cestui que (cestuy que trust) created therein, as well as the petitioner in the causes at bar with the PERSONS, FRANKLIN COUNTY MUNICIPAL COURT" and FRANKLIN COUNTY "COURT" OF COMMON PLEAS, in that I was the one, being the lawful Executor for the PERSON, MOUSA OBER JUSTICE, who was made by threats, duress, coercion and intimidation to sign the bond application in the causes at bar. I possess the corporeal & incorporeal hereditaments conferred to the descendants of the Freeholding Men and Wo(Men) born from the lineage with Foreign Sovereign Immunity, whose control of The Land, preceded the Founding of The Great Republic of America, the Union of Sovereign States of America, and The Constitution for the United States of America created by & derived from the Will of the People of The Great Republic of America united in their Cause, as Predecessors and Grantors of the Perfect Usufruct Trust. All Free People of The Land of The Great Republic of America who shall be known here to forward as the PERSON, THE GREAT REPUBLIC OF AMERICA, when appearing in commerce, composed of those who hold allodial Title by Occupancy of The Land by The Law an is Law. I bring forth this Writ of Unlawful Escheat as a Private Attorney

COPY

POST OF UNLAWFUL ASSOCIATION
NOTICE IN EQUITY

NOTARY PUBLIC STATE OF OHIO

JAMES E. D. PERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02.15.1

General for The Great Republic of America for The United States of America, as an Executor de Son Tort operating on behalf of All Free People of The Land and as the Preferred Creditor and lawful Executor & authorized agent for the commercial entities, the PERSONS/persons, MONICA LYNNE TIENDALL, et al, MONICA L TIENDALL, ML TIENDALL, M TIENDALL, Monica Lynne Tiedall, Monica Tindall, M. Tindall, MONICA GREER JUSTICE, et al, MONICA G JUSTICE, MONICA JUSTICE, MG JUSTICE, M JUSTICE, Monica Greer Justice, Monica G Justice, Monica Justice, M.G. Justice, M. Justice, R LOTUS JUSTICE et al., R JUSTICE, R-LOTUS JUSTICE, R-LOTUS: JUSTICE, LOTUS JUSTICE, R LOTUS, R. LOTUS, LOTUS, The LOTUS, The Lotus, R. Lotus Justice, R. Justice, Lotus Justice or any derivation or derivative thereof of the trademarks, trademarks, and or service marks (hereafter LOTUS, et al.) as well as any and all commercial instruments of debt or credit created by secrets and/or adjustments and their derivatives and/or interest(s) derived therefrom and from such entities in light of the Fictio, Fraud & misprision that has been brought forth & put upon myself, The Lotus, and LOTUS et al., by the purported Trustees and/or Settlors and/or the purported petitioners, the STATE OF OHIO and CITY OF COLUMBUS, representatives, Esquires For/of the BAR Union, of the Cestui que/ Cestuy que trust created by their law, The Bankruptcy Act of 1898. Therefore as a Private National state descendant of the Freeholding Man and Wo(Man) born of the lineage with

page 7 of 16

COPY WRIT OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY

COMPARED
NOTARY PUBLIC
GEORGE A TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-18

Foreign Sovereign Immunity holding the a Title by Occupancy of The Land by The law a in Law and The Will of The People. Standing under the Grant of law as conferred by The Great Republic of America, All Free People of The Land, in The Constitution for the united States of America, as Grantor Beneficiary, Preferred Creditor & lawful Executor for LOTUS, et al, as a Private Attorney General for a as the Executor de son Tort pleading on behalf of The Great Republic of America For the united States of America, I do lay this Writ of Unlawful Eschat upon the bar & the public record in the causes at bar and with the PERSON, THE SUPREME "COURT" OF OHIO, a corporation operating as a purported "Court" of law using a name of similar form & implied function as the Court of law defined & delineated in the Ohio Constitution. The Ohio Supreme Court, thought THE SUPREME "COURT" OF OHIO has not proven itself to be such a Court of law by answering a Demurrer which lays upon the bar & the public record. Wherefore, I, Tha Lotus, do invoke the power of law, the "Supreme Court of the territory" as was established by The Bankruptcy Act of 1898 with jurisdiction over appeals in bankruptcy brought forth under said Act & do aver the following in the Causes 14 CR-1581 with the FRANKLIN COUNTY "COURT" OF COMMON PLEAS & causes 2014 CR B 00463, 2014 TRD 120151, 2014 CRA 005905 with the FRANKLIN COUNTY MUNICIPAL "COURT":

1) I aver that the acts taken by agents of the PERSON, THE CITY OF COLUMBUS, THE CITY OF COLUMBUS POLICE

COPY ARREST OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY
on March 18, 2014

STATE OF OHIO
THOMAS A. PRIETO
Notary Public, State of Ohio
My Commission Expires 03-15-

DEPARTMENT, in the unlawful arrest, assault & detention of Myself, The Lotus, was an unlawful act of forced bankruptcy pursuant to the bankruptcy Act of 1898 upon an allodial title Grantor of the Perfect Usufruct Trust of The Great Republic of America and the Union of Sovereign States created by the Will of the People in the Constitution for the United States of America & a Preferred Creditor of the cestui que / cestuy que trust created by said Act. I aver that said unlawful arrest, assault & detention of Myself, The Lotus, lays upon the bar as claims in Equity with the private bank, the PERSON FRANKLIN COUNTY MUNICIPAL "COURT" in Cases 2014 CR B 00747 & 2014 TR O 112015, whereby said private bank is operating in an extra constitutional jurisdiction called "civil jurisdiction" unlawfully created by The Bankruptcy Act of 1898.

2) I aver that the acts taken by agents of the PERSONS, FRANKLIN COUNTY MUNICIPAL "COURT" & the CITY OF COLUMBUS on March 18, 2014 in the unlawful arrest, assault, & detention of Myself, The Lotus, was an unlawful attempt, using threat, duress, coercion, Fraud, unlawful arrest, assault & detention by said PERSONS to unlawfully force the Grantor, Preferred Creditor & lawful Executor of Lotus et al, to surrender said lawful seats / titles / standings to Esquires for / of the BAR Union in order to allow a select unlawful

COPY

ARREST OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY

NOTARIAL SEAL STATE OF OHIO

COMPARED
GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-18

Escheat for their foreign masters, the Crown of England & the Church of Rome. Whereby said Esquires for/of the BAR Union would gain unlawful access to the cestui que/cestuy que trust & the Perdue Usufruct Trust whereby the foreign agents, Esquires for/of the BAR Union would once again be allowed to "harass" the American People and "eat out their substance" (See The Unanimous Declaration of the Thirteen United States of America, The Declaration of Independence, In Congress Assembled, July 4, 1776, Paragraph). I aver that said unlawful arrest, assault & detention of myself, the Latter, lays upon the bar as a claim in Equity with the private bank, the PERSONS FRANKLIN COUNTY "COURT" OF COMMON PLEAS in case 14 CR 1581 & FRANKLIN COUNTY MUNICIPAL "COURT" in case 2014 CR A 005285, whereby said private banks are operating in an over constitutional jurisdiction called "civil jurisdiction" unlawfully created by the Bankruptcy Act of 1898, though it is purported to be a criminal action despite Ohio Rules of Civil Procedures Rule stating that all cases in Ohio are civil (See Ohio Rules of Civil Procedure) & the lack of a lawfully empanelled Common Law Grand Jury.

3) I aver that the continued acts taken by agents of PERSONS, STATE OF OHIO, CITY OF COLUMBUS, FRANKLIN COUNTY MUNICIPAL "COURT" & FRANKLIN COUNTY "COURT" OF COMMON PLEAS, including the current

COPY

unlawful arrest, assault & detention of Myself and Lords are just continuations of the acts of threat, duress, coercion, Fraud, unlawful arrest, assault & detention by said PERSONS to unlawfully acquire access to the cestui que/cestuy que trust of the Perfect Usufruct in order to effect a Fraudulent unlawful Escheat for the Crown of England & the Church of Rome by unlawful, Fraudulent acquisition of parol/hearsay evidence in the claims in Equity which lay at the bar (See Exhibit 1, attached as if fully rewritten herein)

4) The Facts show that I, as the lawful Executor for LOTUSeal, have repeatedly averred that said private banks, PERSONS FRANKLIN COUNTY MUNICIPAL "COURT" & FRANKLIN COUNTY COMMON PLEAS "COURT" wrongfully not lawful Courts of Law with the lawful Grants of Law pursuant to The Constitution for the United States of America having averred a Demurrer with both. Whereby both PERSONS lay in Default of Demurrer having never answered said Demurrer, wherefore by their procuration said private banks have admitted by Facts in Law to not be Courts of Law operating under a Grant of Law pursuant to The Constitution for the United States of America (See Exhibit 2, attached as if fully rewritten herein), and are thus subject to the demands of default judgment for the Demurrer stated therein Exhibit 2.

COPY

NOTARY PUBLIC STATE OF OHIO
MY COMMISSION EXPIRES 02-15-

5) Whereby, as is avowed in Exhibit 2, the PERSONS
the STATE OF OHIO & THE UNITED STATES, are
debtors institutions of "State" resulting from the
Coup d'etat of the de jure government of the
United States of America during the American
Civil War of 1861 as was exacted by Traitors
in the military & Foreign agents, Esquires
for/of the B.A.R. Union (See Exhibit 3, attached
as the fully rewritten herein) upon All Free
People of The Land. Whereby after said coup d'etat
the traitorous military & Esquires for/of the B.A.R.
Union did exact Martial Law under the Lieber Code
upon All Free People of The Land & did unlawfully occupy
them on Martial law on behalf of Foreign Masters to
affect & effect unlawful Escheat of The Land.
Whereby upon the enactment of the Bankruptcy Act
of 1898 by the debtors "The Congress" the "civil"
authority, an unlawful monopoly of Esquires for/of
the B.A.R. union have continued to exact their unlawful
Escheat by means of forums of fiat called
"Courts of law of the judicial branch" whereby
the color of law is to this day used to affect
& effect criminal acts of theft, racketeering, human
trafficking, barratry, Fraud, Sedition & Treason
to "harass" the American People and "eat out their
substance" (See the Unanimous Declaration of the

COMPARED
C.A. TERRY
Notary Public State of Ohio
MY COMMISSION EXPIRES 02-15-19

Thirteen United States of America, The Declaration of Independence, In Congress Assembled, July 4, 1776, Fact 10) with unlawful Escheats.

Whereby in conclusion, in as much as the cestui que/cestuy que trust was created by Fraud by de facto institutions of Foreign, non citizens, agents after the coup d'etat of the American Civil War, and in as much as said de facto institutions were not the lawful Grantors of the surety of the cestui que/cestuy que trust, The Perfect Usufruct Trust created by The Will of The People in The Constitution for the united States of America, and in as much as said de facto institutions have defrauded not only the American People, but All Free People of The Land in The World since 1861, any and all claims laid by said defacto "State" since 1861 by Fraudulent Claims in Equity are void for Fraud. (St. John v Bonaker 4 T.C.R. 111). (Steere v Steere, 5 J.C.R. 1), (Edward v Harben, 2 T.R. 587, and Bankard v Bacon cited in note), (Rait v Buller, 5 Taunt. 372)]. Wherefore the Causes of the bar are void for Fraud & barred by Estoppel from moving forward.

Wherefore I, The Lawful, Must by law be immediately released from the unlawful bondage currently being exacted upon me by said defacto institutions of "State", both militarily & civilly & the unlawfully intitled Convictions must be set aside. Additionally, in as much as I possess the hereditaments, both corporeal & incorporeal which give me the unique Character &

and standing to affect & effect a peaceful resolution
to this gross & egregious misconduct of State" by way of
the Law & Treaty via settlements & adjustments in Claims
of Equity, preserving the peace for the unknowing
peaceful inhabitants of the land, all parties stated
herein should be made by forced bankruptcy to come
to the causes as bar & this writ & protect their fraudulently
acquired assets as tender for said settlements and adjustments
to resolve their bankruptcies & pay the lawful Creditors &
Grantors. Wherefore upon such offers of Grace and Virtue
the relief from the trespasses may be settled & the
Criminality & remedy of Torts may then begin to be brought
by All. I am not one to say that many are
knowing of the Facts as I over them &
thought ignorance of the law does not excuse
one of criminality. I hope that very few are
knowingly, willfully operating in the criminality,
fraud, sedition & treason that I over, for systems
long set into play can be obscured by time as
can their motivations. Having said that all rights
to affect & effect both remedy & relief by the law
& criminally are reserved by this Writ against
any & all Executors de son Torts.

Wherefore let it be know that if the PERSON,
THE SUPREME "COURT" OF OHIO fail's to

COPY

WRIT OF UNLAWFUL ESCHEAT
A CLAIM IN EQUITY

COMPARED
GRACE A. TERRY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 02-15-

act on this Writ of Unlawful Escheat in the
failure to act in the manner that this Writ demands
by Law in barring said PERSONS as private banks
from moving forward, barred by Estoppel, and ordering
the release of me, The Lotus, from the unlawful bondage
that is currently being exacted upon me, THE SUPREME
"COURT" OF OHIO will be enjoined/injoined, as derived
from enjoindre/inivingo which by etymology means
"to join with"/"to attach," to the cause or bar having
participated in the continued unlawful enterprise of the
Perpetual Usufruct Trust & cestui que/cestuy que trusts by
unlawful Escheat as well as the Fraudulent & criminal
acts being taken against me, The Lotus.

I plead this Writ of Unlawful Escheat on the behalf
of All Free People of The Land as their Executor de
Son Tort claiming no personal profit or benefit from
the Equity Claim that shall follow, reserving all
rights to amend this Writ as I see fit.

I lay a bond of 21 (twenty one), non bankrupt pre 1861
United States of America Silver Dollars($) as the principle
in the demand of forced bankruptcy laid upon the
bar by this Writ.

COMPARED
GRACE A. TERRY
Notary Public, State of Ohio
My Commission Expires

Certificate of Service:

The defendants sworn herein in this Writ shall received a true copy of this document & the supporting Exhibits by electronic media by "United States" Postal Service delivery, a third party carrier or by personal service.

Exhibits:

Exhibit 1 - THE LOTUS NOTICE AND WILL BY TESTEMANDAL AFFIDAVIT

Exhibit 2 - WRIT OF MANDAMUS

Exhibit 3 - WRIT OF CONSPIRACY

I affirm, convey & attest that the statements made herein are facts known to be true to me under penalty of perjury by the laws of the United States of America pursuant to Title 28 U.S.C. §1746 with my Creator as my witness (The Gospel of John 5:31).

R Lotus ARR

r-lotus: justice

lawful Executor for LOTUS estate, Private Attorney General & Executor de Son Tort for the Great Republic of America, the Union of Sovereign States of America & the United States of America

January 26, 2015

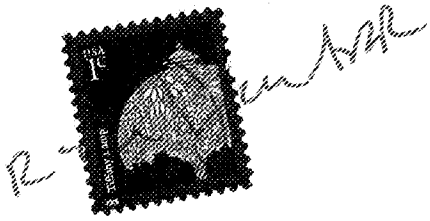
~r.- lotus: justice
P.O. Box 82251
Columbus, ohio the state

~john - p.: graceffo, Esquire
before
~stephen – l. :mcintosh, Esquire
345 South High Street
Courtroom 4B
4th Floor
Columbus, OH
Zone Improvement Plan Code 43215

RE: Affidavit per the causes at bar - 14 CR-1581 with the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS and 2014 CR B 00767, 2014 TR D 1120151, and 2014 CR A 005905 with the PERSON, FRANKLIN COUNTY MUNICIPAL *COURT*

~john - p.: *graceffo* ***before*** ~stephen - l.: mcintosh, Esquire;

Let it be known that I have not written this Affidavit to provide citations of The Law that are evident and known by those who follow The Way, The Truth and The Light, anymore than I am here to provide citations of the particular laws of unjust Men and Wo(Men) when The Superior Laws, The Natural Law and The Common Law, derived from the noumenon The Creator gave every Man, Wo(Man), Beast and The Land, are the foundations and reasoning behind my propositions, position and posture. I have cited a plethora of The Superior Laws, The Natural and The Common Law, and particular laws of Men and Wo(Men), known as statute, codes, rules, orders, etc., before in the preponderance of arguments I have placed upon the bar, the *public* record and The Public Record in the causes at bar cited herein, all of which continue to be left


USA
1¢

unanswered by All for 10 (ten) months. Wherefore, in as much as All arguments and averments stated therein have been left un-refuted by All, they have been accepted as Facts *in* Law by the Maxim of Law, *tacit procuration*, silence being consent. In consideration of the preponderance of evidence that I have laid upon the bar and the public *record*, with the absence of any from the other side of the bar, I intend to focus on new concepts in the causes at the bar. Regardless, it is a Maxim of The Common Law that ignorance of The Law/Law is no excuse and thus may not be used in defense of violations of The Law regardless of what the constructs of Man or Wo(Man) and their resulting institutions may say against such Truths, it is accepted that we are All born knowing The Law that lays within us. And though the states of men, The States of Men, or THE STATES OF MEN may make their Law and laws by their wishes, thinking that All should follow them, if they lay in contradiction or in opposition of The Law of The Creator, The Natural Law, or The Common Law, they are mute and void *in* Law. Thus those that follow such particular laws that are in contradistinction to The Law of the Creator or The Common Law of Men and Wo(Men), are guilty of dishonoring The Law and Law and have no equitable defenses for their actions. Having said that, there are some technical writing keys I have used in the propositions, position and posture I bring forth in *The LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit* that need to be explained so as to make my arguments and averments and My Self clear. They are as such: Anything that is highlighted in red is the living flesh and corporeal in Nature or is a position or posture which embodies some form of recognized status or state in a societal constructs pursuant to Community Standards that must be effected or occupied by The Will of The Living Flesh. Terms or words that I know to be Latin, or terms or words that are not deemed part of the common American English lexicon shall always be in *italics*. Title of books or

publications of reference shall always be in *italics*. Other words that are not of a strictly foreign etymology nor a title of a book or publication of reference but which are in *italics* are there to express emphasis of the distinctive definitions *in* Law, such as *for* versus *of* and *in* versus *at*. For when one is *at* the door, one is not *in* the door. Words that are in *italics* and offset by one font size greater than the rest of the associated texts are terms, words, or positions held by presumption *at* law only and are not clearly defined and/or founded by actions or Facts *in* Law. Words that have letters underlined is done to distinguish a hierarchy *in* Law, one higher *in* Law, the first upper case letter underlined, than the one lower *in* Law or *at* law, the first lower case letter underlined. Thus a Citizen is a higher title held by the living *in* Law, than a citizen, highlighted in black, who is a mere "constituent member" pursuant to *Black's Law Dictionary* 4th Edition, West Publishing 1968, and is a presumption *at* law only and is not clearly defined and/or founded by actions or Facts *in* Law as the living flesh, and is thus made a **thing** *at* law. **Bolded words** are for emphasis, clearly. Entities spelled in all upper case letters and highlighted in black, such as the PERSON, MONICA GREER JUSTICE, are presumptions *at* law, **things**, Fictions *of* and *at* Law, civilly dead entities commercial or corporate entities created by the states of men, The States of Men, or THE STATES OF MEN. Entities spelled in mixed upper and lower letters and highlighted in black, such as the person, Monica Greer Justice, are terms, words, or positions held *in* and *by* presumption *at* law only and are not clearly defined and/or founded by actions or Facts *in* Law. Names such as ~r.-lotus; justice in all lower case and highlighted in red are the living flesh and blood Man or Wo(Man). Entities spelled in mixed upper and lower case or all upper case letters and highlighted in red with the word "The" spelled with an upper case "T," preceding them, such as The Constitution *for* the united States of America and The Way, are Living

Instruments as True Trust(s), as created pursuant to The Common Law by and in the name of consenting Men and/or Wo(Men) by The Will of Their Living Flesh as is recorded in The Public Record. The color of red, representing the flesh, and the color black, representing **things**, in *The LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit* to define, with clear visual distinction, what is flesh *by* The Law and *in* Law, and that which is a **thing** or a civilly dead entity *at* law. Wherefore, if any Man or Wo(Man) doth disagree with my propositions, position and posture, feel free to put them upon paper and lay them upon the bar and The Public Record signed by their hand in wet ink, affirmed, attested and conveyed under penalty of perjury by the Laws of the united States of America, lest their silence be deemed consent to the arguments, averments, affirmations, conveyances and attestations held here in *The LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit.*

As such, I, ~r.-lotus: justice, affirm, covey and attest that I am the living, real flesh and blood, a Wo(Man) of The Land and **not** a Fiction *of* and *at* Law, not a civilly dead entity nor the unlawfully created fraudulent instrument of commerce, the PERSONS, MONICA LYNNE TINDALL, et al., MONICA GREER JUSTICE, et al., R LOTUS JUSTICE, et al., or any derivative or derivation thereof, that was unlawfully created without my consent and derived by Fictio (see *Black's Law Dictionary* 4th Edition, West Publishing 1968) and Fraud from the living, real flesh and blood Wo(Man) of The Land, whose living flesh has been fraudulently and unlawfully declared dead, 'beyond the sea' (see *Black's Law Dictionary* 4th Edition, West Publishing 1968) to affect and effect unlawful escheat. I am **not** bankrupt **nor** a 14th Amendment citizen of the Federal Corporation the

1 PERSON/persons, THE UNITED STATES/The "United States" 'of America'/The "United States,"
2 pursuant to Title 28 "United States" Code § 3002, Section (15)(A), **nor** am I a "United States"
3 citizen with only privileges and immunities instead of un-alienable rights. I am a Private National,
4 a Citizen *for* The Great Republic of America comprised of All Free People of The Land that created
5 the Union of Sovereign States of America united and the united States of America, and who by
6 their Grant of Law *in* the The Law of the Land as is defined and delineated in The Constitution *for*
7 the united States of America, conferred upon their institutions of their governance, as States of
8 Men and Wo(Men), the **privilege** to effect the collective Will of their jural society. I stand in
9 *propria persona*, representing the posterity of The Great Republic of America comprised of All
10 Free People of The Land. I have the Character, Standing, and the right, Saving to Suitors (see
11 *Black's Law Dictionary* 4th Edition, West Publishing 1968) to proceed in *personam* in causes in The
12 Common Law and/or Admiralty jurisdictions as was conferred by the Judicial Act of 1789
13 (Benedict on Admiralty 6th Edition, Subsection 20-23). I stand in The Natural Law of The Land, The
14 Common Law, standing under The Will of The People, the Judiciary Act of 1789, the Northwest
15 Ordinance and The Natural Law of The Land as ordained by The Will of The People of The Great
16 Republic of America, All Free People of The Land, in The Constitution *for* the united States of
17 America and its immutable guarantees of un-alienable rights that The Creator endowed in me. I
18 stand as a Sovereign of The Land having the Standing *in* Law as a Preferred Creditor pursuant to
19 The Bankruptcy Act of 1898 and am designated by said the language of the Act as the Beneficiary
20 of the *cestui que/cestuy que* trust(s) created therein, as well as the petitioner in the causes at bar
21 pursuant to §69 of the Act in thatI was the one who was made for threat, duress, coercion and
22 intimidation to sign the bond application in the cause. I possess the corporeal and incorporeal

1 hereditaments conferred to the descendants of the Freeholding Men and Wo(Men) born from
2 the lineage with Foreign Sovereign Immunity, whose control of The Land **preceded** the founding
3 of The Great Republic of America, the Union of Sovereign States of America, and The Constitution
4 *for* the united States of America created by and derived from The Will of The People of The Great
5 Republic Of America united in their cause, as Predecessors and Grantors of the Perfect Usufruct
6 Trust, All Free People of The Land of The Great Republic Of America whose shall be known here
7 to forward as the PERSON, THE GREAT REPUBLIC OF AMERICA when operating in commerce,
8 comprised of those who hold the allodial Title by Occupancy of The Land by The Law and *in* Law. I
9 bring forth The *LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit* as a Private
10 Attorney General for The Great Republic of America for the united States of America, and as a
11 Preferred Creditor and lawful Executor and authorized agent for the entities, the
12 PERSONS/persons, MONICA LYNNE TINDALL, et al., MONICA L. TINDALL, M. L. TINDALL, M.
13 TINDALL, Monica Lynne Tindall, Monica L. Tindall, Monica Tindall, M. Tindall, MONICA GREER
14 JUSTICE, et al., MONICA G. JUSTICE, MONICA JUSTICE, M. G. JUSTICE, M. JUSTICE, Monica Greer
15 Justice, Monica G. Justice, Monica Justice, M. G. Justice, M. Justice, R. LOTUS JUSTICE, et al., R.
16 JUSTICE, R-LOTUS: JUSTICE, R-LOTUS: Justice, LOTUS JUSTICE, R. LOTUS, R LOTUS, LOTUS, R. Lotus
17 Justice, R. Justice, Lotus Justice or any other derivations or derivatives thereof of the trade
18 names, trademarks, and/or service marks (hereafter LOTUS, et al.) as well as **any and all**
19 **commercial instruments of debt or credit created by setoffs and/or adjustments and their**
20 **derivatives** of and from such entities in light of the *Fictio*, Fraud and Misprision that has been
21 brought forth and put upon My Self and LOTUS, et al., by the purported Trusties and/or Settlers
22 and/or the petitioners representatives, Esquires for/of the BAR Union, of the *cestui que/cestuy*

1 *que* trust(s) created by the law, The Bankruptcy Act of 1898. Wherefore, as a Private National of
2 the descendant of the Freeholding Men and Wo(Men) born of the lineage with Foreign Sovereign
3 Immunity, holding the allodial Title by Occupancy of The Land by The Law and *in* Law and The Will
4 of The People, standing under the Grant of Law as conferred by The Great Republic Of America,
5 All Free People of The Land, in The Constitution *for* the united States of America, as Grantor,
6 Beneficiary and Preferred Creditor for LOTUS, et al. and as a Private Attorney General for The
7 Great Republic of America for the united States of America, I do lay this correspondence upon the
8 bar and The Public Record as The ***LOTUS Notice of Estoppel By Error And Will By Testimonial***
9 ***Affidavit*** and thus you and yours have been lawfully noticed by Me on this matter.

10

11 Enclosed you, ~john - p., Esquire , *before* ~stephen - l., Esquire, shall find a wet signature copy of the
12 return correspondence sent to Ms. ~k. a. jones along with a certified notarized copy of the
13 correspondence she attempted to deliver to Me (see Exhibit 1, attached as if fully rewritten
14 herein) in her unlawful attempts to engage Me in *ultra vires* contract. I aver that the
15 correspondence wa addressed to "Lotus Justice" and not to the Defendant in the cause of action
16 the PERSON, MONICA GREER JUSTICE, was an improper, fraudulent attempt to implead and
17 enjoin/injoin, as derived from *enjoindre/*iniungo which by etymology means "to join with"/"to
18 attach," the wrong person, Lotus Justice, to the Defendant in the cause of action, a **thing**, the
19 PERSON, MONICA GREER JUSTIC and thus is an act of Fraud.

1 As the Relator in these causes at bar and a Preferred Creditor and lawful Executor for LOTUS, et
2 al., Law requires Me to bring forth the content and context of *The* ***LOTUS Notice of Estoppel By***
3 ***Error And*** *Will By Testimonial Affidavit* in order to affect and effect lawful notice and protect the
4 un-alienable rights of All under The Law in the cited causes at bar. This is especially prudent and
5 warranted in consideration of the manner in which the domestic enemies, foreign agent Esquires
6 for/of the BAR Union, use sham legal processes pursuant to Ohio Revised Code 2921.52, in
7 theirtheatres of fiction in *fictio* presented as purported *courts* of law, where they hold an
8 unlawful monopoly of private banks in *fictio*. Whereby your lot, members for/of the BAR Union,
9 attorns Law and law by misrepresenting and co-mingling the meanings of words and terms *in* Law
10 and *at* law from the differing jurisdictions *in* Law defined and delineated in The Constitution for
11 the united States of America, as they have been unlawfully obfuscated by your lot, the BAR
12 Union, to hide the "civil" claims of bankruptcy with which your lot, the BAR Union, affect and
13 effect your unlawful claims in Fraud. Additionally, as a matter of standard **business** practices your
14 lot refuses to disclose upon the bar and The Public Record which jurisdiction *in* Law the purported
15 Plaintiff(s) in the cause of action, re-presented by Esquires of the BAR Union in most actions, are
16 attempting to invoke, and under which jurisdiction *in* Law and by what Grant of Law the
17 purported *courts* of law are operating under. I aver that such purported *courts* are mere private
18 banks in *fictio* operating in commerce using an unlawful monopoly, pursuant to the Sherman
19 Antitrust Act, of Esquires for/of the BAR Union. In these causes at bar, those purported *courts* of
20 law are known as the PERSONS, FRANKLIN COUNTY MUNICIPAL *COURT* and FRANKLIN COUNTY
21 *COURT* OF COMMON PLEAS. This unlawful obfuscation of Law and law is done by the Esquires
22 for/of the BAR Union as a standard **business** practice even when a Demurrer, a statutorily

1 affirmed right of All, even for Esquires, pursuant to Ohio Revised Code 2937.04 and 2941.57, a
2 challenge to the jurisdiction of a *court* and the Law it is using which must be answered by Law
3 and law, is laid upon the bar and the *public* record questioning and/or challenging the presumed
4 jurisdiction of the purported *court* of law, the jurisdiction of Law being invoked by the purported
5 Plaintiff, and the standing of the Plaintiff to bring the causes at bar. Wherefore the answers to
6 such challenges must be placed upon the bar and the *public* record in writing before the
7 purported *court* of law can move forward *in* Law (Latana v Hoppe, 102 f. 2nd 188; Chicago v New
8 York, 37 F. Supp 150, Rosemond v Lambert, 469 F2nd 416, Stuck v Medical Examiners, 94 Ca 2nd
9 751, 211 P 2d 389). Additionally, when a *court* moves forward in a cause at bar under such Errors
10 of Fact and *in* Law without establishing which jurisdiction *in* Law the purported *court* of law is
11 operating in, as they are defined and delineated by The Constitution *for* the united States of
12 America, and without placing it upon the bar and the p*ublic* record in writing, as both purported
13 *courts* of law cited have, it is not only a denial of due process but is considered to be engaging in
14 acts of Treason {(U.S. v Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L Ed. 2d 392, 406 (1980); Cohen
15 v Virginia, 19 U. S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821)}.

16

17 In the cited causes at bar, an averred and affirmed oral and written Demurrer has laid in default
18 unanswered for more 10 months in these causes at bar thus making the averments stated therein
19 Facts *in* Law. Additionally, I aver, as I have come to know over the course of these causes at bar
20 and through previous exposure to said PERSONS/persons as *courts* of law and the Men and
21 Wo(Men) who affect and effect **business** or **contract** within them, that Esquires for/of the BAR

1 Union misrepresent and co-mingle the meanings of words and terms *in* Law and *at* laws used
2 from the differing jurisdictions *in* Law in order to collusively affect and effect Fraud, racketeering,
3 international negotiable instrument theft and human torture and trafficking, victimizing all those
4 who are forced by threat, duress, coercion, intimidation and deceit to come before the BAR
5 Union theatres of fiction in *fictio*, mere private banks in *fictio* presented by your lot as *courts* of
6 law, with the "police powers" of the judiciary available to them. I aver that this is done with
7 knowledge, Malice and forethought. Such frauds, crimes and racketeering are the standard
8 **business** practices of the BAR Union in the purported civil authority administrative hearings and is
9 done by the attorning and the co-mingling of words and terms from various jurisdiction *in* Law
10 without disclosure as to which jurisdiction *in* Law Esquires for/of the BAR Union are unlawfully
11 bringing actions and fraudulently operating in. Such seditious acts of Treason are acts of
12 fraudulent, criminal, collateral undertakings disguised as actions *in* Law, under the color of law
13 and the color of state, whereby Esquires for/of the BAR Union appear to simulate the process of
14 Law in order to engage its victims in *ultra vires* contracts created by **parole in War, parol**
15 **intercourse and the presentation of parol evidence in claims in Equity** and the subsequent *ultra*
16 *vires* contracts they affect and effect by such unlawfully acquired intercourse. I have also come to
17 know why and how the BAR Union hs undermined The Law of The Land with *administrative rule*
18 changes and *edicts* that are abhorrent to The Law of The Land as it is defined and delineated in
19 The Constitution *for* the united States of America.

1 It is Fact *of* Law, as was established by the ***Writ of Conspiracy*** that I placed upon the bar and
2 *public* record over six months ago in these causes at bar that Esquires for/of the BAR Union,
3 having accepted a Title of Nobility are non-Citizens/citizens, foreigners to the united States of
4 America and The United States /THE UNITED STATES pursuant to the lawfully ratified original 13th
5 Titles of Nobility Amendment. The writ having been provided by certificate of service to all
6 parties of interest in these causes at bar, including both PERSONS, FRANKLIN COUNTY MUNICIPAL
7 *COURT* and FRANKLIN COUNTY *COURT* OF COMMON PLEAS, as well as the PERSONS, UNITED
8 STATES DISTRICT *COURT* SOUTHERN DISTRICT OF OHIO EASTERN DIVISION and UNITED STATES
9 DISTRICT *COURT* FOR THE DISTRICT OF COLUMBIA, and THE NATIONAL SHERIFFS ASSOCIATION, as
10 well as the Men and Wo(Men) occupying the seats of all the Joint Chiefs of Staff, the Solicitor
11 General of THE UNITED STATES DEPARTMENT OF JUSTICE, the Secretary of State of THE UNITED
12 STATES DEPARTMENT OF STATE, the Major General of THE UNITEDS STATES ARMY INTELLEGENCE
13 & SECURITY COMMAND, the President and Secretary-General of THE UNITED NATIONS, the Pope
14 of The Holy See of the Bishop of Rome, as well as multiple Governors of THE STATES, multiple
15 Native Tribal Councils and Chiefs, to which the ***Writ of Conspiracy*** has been left unanswered with
16 no real One or PERSON/person having rebutted the Facts and averments upon The Public Record;
17 whereby it states The lawful ratification of original 13th Titles of Nobility Amendment is a Fact
18 that has been hidden from the Public Record, knowledge base and our mindset of the People for
19 almost 200 (two hundred) years as a result of the *coup d'état* affected and effected by the
20 Esquires for/of the BAR Union and traitorous military Men in The War of 1812, and culminating
21 with The American Civil War. Since that time the Esquires for/of the BAR Union operating under
22 the color of law and the color of state, exacting a *coup* of the States with endless Wars and the

1 resulting bankruptcies declared by the *de facto* entities of governance of The "United States," the
2 Esquire for/of the BAR Union have also taken incremental actions by the enactment of laws
3 known as statutes, codes and rules to obfuscate the boundaries of the jurisdictions *in* Law
4 established by The Constitution *for* the united States of America, as listed from the highest form
5 to the lowest form, The Common Law, Law of Equity, Law of Admiralty, and Maritime Law,
6 whereby the words and terminology Esquires for/of the BAR Union use in your theatres of fiction
7 in *fictio*, mere private banks in *fictio* the BAR Union present as *courts* of law, help you lot hide the
8 seditious and traitorous acts from the bar, Public Record and public witness. Whereby such
9 intentionally exacted subterfuge has afforded them the ability to covertly, collectively, and
10 collusively operate as domestic enemies using *de facto* entities of governance overlaid upon the
11 lawful seats of the *de jure* government of The Great Republic of America for the united States of
12 America, whereby Esquires for/of the BAR Union use such crimes, *Fictio*, Frauds and the extra
13 constitutional "police powers" they themselves have unconstitutionally created (see Ohio Juris
14 Prudence 3d, Volume 16, Constitutional Law, §309) to monopolize the *de facto* "Judicial Branch",
15 most seats of the *de facto* "Legislative Branch", the preponderance of seats in the *de facto*
16 "Executive Branch," whereby they control an unconstitutional military by way of legal counsel
17 with the Esquires of the Judge Advocate General, whereby they use the *de facto* military
18 authority military law, The Lieber Code, to enforce civil actions in bankruptcy upon All Free
19 People of The Land, effectively coercing the military authority through Fraud, lies and deceit to
20 **violate their oaths of office to "both" Constitutions.**

One such example of the sedition and Treason (See *The Constitution of the United States of America (Annoted)*, Director of the Legislative Reference Service, Document No. 232, 74th Congress, 2nd Session of the Senate, pages 506-510) exacted by Esquires for/of the BAR Union to dismantle The Law, Law and law of the united States of America as they are defined and delineated by The Constitution for the united States of America, is hidden in plain sight for all to see and yet their acts are obscured by the volume of particular laws and *administrative rule* changes and *edicts* is found in Title 28, "United States" Code, Federal Civil Judicial Procedure and Rule, Rule 1, Notes of the Advisory Committee on Rules, 1966 amendment to the 1937 adoption/adaption as enacted by the *de facto* **the** Congress of the federal corporation, the PERSON/person, THE UNITED STATES/The "United States," known in commerce as the PERSON/person, THE UNITED STATES CORPORATION COMPANY/The "United States" Corporation Company, not the *de jure* a Congress for the united States of America. Whereby the Title 28 *note* states:

> "This is the fundamental change necessary to effect unification of the civil and admiralty procedure. Just as the 1938 rules abolished the distinction in actions at law and suits in equity, this change would abolish the distinction between civil actions and suits in admiralty."

Rule 2 of that same section of The "United States" Code goes on to state that there shall be one form of action to be known as "civil action." Thus the *rules* that anyone operating in the *de facto* entities of governance of The "United States," are required to follow and operate under the **color**

1 **of law** and the **color of state** states that there is only one form of action, civil actions, and thus to
2 assert that there is any other form of action at law, such as a criminal action, is Fraud in and of
3 itself in that I know that all actions presented to the rest of the World as criminal actions are
4 mere "civil actions" acted out by your lot, the seditious and traitorous domestic enemies, foreign
5 agent Esquires for/of the BAR Union, and made to appear as criminal actions *at* law. This may
6 give new meaning to the title of The American "Civil" War for it appears as though it was initiated
7 by such traitors, including Mr. ~abraham: lincoln himself, to affect a single form of law, civil law,
8 an extra constitutional jurisdictional creation of the Esquires for/of the BAR Union, which would
9 afford the Esquires for/of the BAR Union, as swarm of foreign agents/Officers, the ability to once
10 again "harass" the American People "and eat out their substance" (see *The Unanimous*
11 *Declaration of the Thirteen United States of America, The Declaration of Independence*, In
12 Congress Assembled, July 4, 1976, Fact 10) and their Lands for whatever foreign masters the
13 Esquires served/serve. With the formation of the PERSON/person, THE UNITED NATIONS /The
14 United Nations, that *coup d'état* extended to the preponderance of the Nations of the World
15 whereby THE UNITED STATES "armed forces," as unconstitutional institutions, use "police
16 powers" to "police" the World and aid the Esquires for/of the BAR Union to operate in foreign
17 Lands to "harass" and "eat out the substance" of all those united Nations and the People therein
18 as well as the Nations and the People who oppose such criminal behaviors and occupations of
19 War for profit, deceit and the enslavement of All of humanity, the Free People of The Land. Let
20 the World know that this *de facto* worldwide mafia, the PERSON/person THE UNITED STATES/The
21 "United States," is not the united States of America envisioned and intended by The Great
22 Republic of America, my Forefathers and Foremothers included, nor is it the united States of

1 America created by their Will as affirmed, delineated and defined by The Constitution *for* the
2 united States of America, which they defended with their lives. Thus Esquires for/of the BAR
3 Union are noticed by The *LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit*
4 that your lot shall no longer hide behind the great names and institutions of the *de jure* united
5 States of America, nor use my or my families' names or hereditaments, or the instruments
6 created thereof, LOTUS, et al., to exact such evil upon the innocent of the World. I shall no longer
7 assent, consent or allow such crimes, trespasses, torts and laches in my or my families' names
8 against All Free People of the World, The Great Republic of America.

9

10 It is Fact *of* Law as was established by the ***Writ of Conspiracy*** that I placed upon the bar and
11 *public* record as well as having been provided to all parties cited herein that in as much as
12 Esquires for/of the BAR Union, are not Citizens/citizens of the united States of America or the
13 PERSON/person, THE UNITED STATES/The "United States," pursuant to the lawfully ratified
14 original 13th Amendment to The Constitution *for* the united States of America, thus Esquires
15 for/of the BAR Union have no capacity to bring forth criminal charges in actions in Law against
16 the People of The Land for attorners at law have no standing *in* Law to do so against the Citizens
17 or the citizens herein. Thus the need to create theatres of fiction in *fictio* to hide your fraudulent
18 claims in Equity under the auspices of criminality and the need for the creation of **parol**
19 **intercourse and the presentation of parol evidence in claims in Equity** in order to unlawfully
20 extort All Free People of The Land with the subsequent *ultra vires* contracts that are affected and
21 effected by your lot by such **parol intercourse** (see *Black's Law Dictionary* 4th Edition, West

1 Publishing 1968). Regardless, even if Esquires for/of the BAR Union were Citizens/citizen of the
2 united States of America and PERSON/person, THE UNITED STATES/The "United States," which
3 they are not, because your lot has successfully *coup'ed* the highest minstrel officer of The
4 Constitution *for* the united States of America, the shires-reeve as Sheriffs, with deceit, *Fictio*, and
5 Fraud was the BAR Union as counsel, there are no lawful elected and seated Petite of Grand Jury
6 elected and seated by the Maxims and Tenants of The Common Law as is required by The
7 Common Law at the BAR Unions' disposal to present such criminal charges in order to bring forth
8 a True Bill, thus your lots' need for things such as "direct" or "directed" indictments. I aver that
9 no cause at bar bring forth such clear expositions of such false truths, barratry, deceit, *Fictio*,
10 Fraud and acts of sedition and Treason by Facts and Law as the actions in barratry and Fraud
11 brought against the PERSON, MONICA GREER JUSTICE, et al., LOTUS, et al., and the associated
12 acts taken against me, the Preferred Creditor and lawful Executor for LOTUS, et al., in the
13 attempts by you and other Esquires for/of the BAR Union to create and introduce **parol /hearsay**
14 **evidence**; whereby your lot has used 100% **parol/hearsay evidence** to bring forth charges in a
15 cause at bar including a "direct indictment" where no hearing was had before a lawfully seated
16 Grand Jury empanelled by the Maxims and Tenant of The Common Law, a form of "directed"
17 indictment not afforded by THE STATE OF OHIO laws, whereby no lawful affidavits of claim nor
18 testimony from the a real party of interest or a competent Fact witness with firsthand knowledge
19 presented under oath and penalty of perjury by the Laws of the united States of America or by
20 the laws of the PERSON/person, THE UNITED STATES/The "United States," have been put upon
21 the causes at bar and the *public* record addressing the purported offenses named in the causes
22 of action at bar; whereby only **parol/hearsay evidence** was presented during the purported

1 trying of a cause at bar acted out in your lots' theatres of fiction in *fictio*, the purported *courts* of
2 law in *fictio*, which have not, cannot establish which jurisdiction *in* Law the Esquire is attempting
3 to invoke/evoke upon the bar and The Public Record pursuant to those defined and delineated by
4 The Constitution *for* the united States of America, and which have not, cannot establish subject
5 matter jurisdiction in the causes at bar, and will never, ever establish personal jurisdiction by
6 willful, knowing and reasoned consent; whereby your lot used unlawful threat, duress, coercion,
7 intimidation and deceit, using unlearned, unjust, violent belligerent Men and Wo(Men) as
8 highway robbers/pirates, to affect and effect your theatres of fiction in *fictio*; whereby the
9 Esquires for/of BAR Union presented a purported Plaintiff, who cannot establish their standing *in*
10 Law upon the bar and The Public Record to bring the cause of action; nor can your lot produce a
11 real victim or a competent Fact firsthand witness that will bring forth affidavits given under oath
12 under the penalty of perjury by the Law and laws placing them upon the bar and the *public*
13 record and establishing the claim. Whereby the purported *judges* in the causes at bar, all
14 Esquires for/of the BAR Union, have directly attorned and violated The Law, Law, laws known as
15 statutes, the Rules of Evidence and Procedure unto which they are beholden and who have
16 repeatedly, and has directly interfered with the due process of the Defense and the un-aleinable
17 rights pursuant to The Constitution for the united States of America, and The Bill of Rights of The
18 Constitution for the united States of America as amended in 1789. Your lot has done this in open
19 testimony and upon the bar and the *public* record, denying access to esculpatory evidence for
20 Defense, harassing Defense Witnesses, arresting Defense Witness, denying Defense Witnesses
21 and many various other offenses that lay upon the bar and the public record; and whereby the
22 purported *judges* have on more than one occasion used the unconstitutuional "police powers," a

1 creation of the BAR Union via the *de facto* entities of governance, The "United States,"Judiciary
2 Branch (see Ohio Juris Prudence 3d, Volume 16, Constitutional Law, §309), and have sent out
3 personal squads of plunder, as is defined and delineated by Clause 82 of the military law, The
4 Lieber Code, to affect and effect more **parol/hearsay evidence**. This was done in All of these
5 causes at bar where the prima fascia evidence in the first cause of action at bar against the
6 PERSON, MONICA GREER JUSTICE, were violent acts against ~r.-lotus: justice, a living flesh and
7 blood Wo(Man) non-combatant, peaceful inhabitant of The Land by agents for Esquires for/of the
8 BAR Union, the police and the sheriffs, acting as belligerent highway robbers/pirates, as they are
9 defined by Clause 82 of the *de facto* military authorities military law, The Lieber Code, whereby
10 Esquires for/of the BAR Union initiating the unlawful cause of action at the bar in a collusive
11 attempt to engage ~r.-lotus: justice, the Preferred Creditor and lawful Executor for LOTUS, et al.,
12 in *ultra vires* contract.

13

14 I aver that all of the threats, duress, coercion, intimidation and deceit to affect and effect criminal
15 acts of barratry, *Fictio*, Fraud, of sedition and Treason were/are done in the hopes of completing
16 your lots' plunders of LOTUS, et al., on behalf of whatever foreign masters your lot serves and to
17 ensure that the liabilities for fraudulent conveyances, using a myriad of torts, trespasses, and
18 laches affected and effected by your lot in these causes at bar, never falling upon you and your
19 fellow Esquires for/of the BAR Union by fraudulently using Law of Equity to unlawfully convert
20 one of your lot, an Esquire for the BAR Union, or your lots' masters, as Barretors, from the
21 position of legatee to that of Executor (Moore v Moore, 1 Phill. 422, 430.) though the intent not

able to be proven willful, and rebutted by this written document, *The LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit* and thus fraudulently acquired and conveyed {(St. John V Benedict 6 J. C. R. 111), (Steere v Steere, 5 J. C. R. 1)}, wherefore it is void {(Edward v. Harben, 2 T. R. 587, and Bamford v Baron, cited in the note), (Reid v Blades, 5 Taunt, 212)}. All of Your lot are without honor *in* Law in these causes of action at bar and the Dishonor is accepted for its value for set offs and adjustments per the Law of Equity, the law, The Bankruptcy Act of 1898, which created the *cestui que/cestuy que* trust(s), and aided in the creation of the Uniform Commercial Code (hereafter U.C.C.) founded upon said Act *of* law. Regardless of how the circumstance of this plight may end for me, the Preferred Creditor and lawful Executor for LOTUS, et al., the Esquires for/of the BAR Union in these causes of action are criminals by Law and are without any equitable defense for your actions having operated only for personal, self and foreign interests, by covertly and collectively conspiring, using threat, duress, coercion, intimidation and deceit, to prevent the Laws of the united States of America and the laws of the PERSON/person, THE UNITED STATES/The "United States," from being enacted or enforced throughout the entire course of these causes at bar by engaging in criminal acts of barratry, *Fictio*, Fraud, sedition and Treason.

I care not if you are offended by my words, for I have found the actions of your lot, the Esquires for/of the BAR Union, offensive for some time now and I intend to make it very clear by placing it upon the bar and The Public Record that there are **at least** two kinds of **parol/parole.** As is affirmed in this correspondence, and as was discussed with you via a phone conversation we had

which I have transcribed from a recording I took of our conversation (see Exhibit 2, attached as if fully rewritten herein), taken as a precaution and for my protection when dealing with such a dishonorable Man. As I affirmed also in oral testimony on December 12, 2014, I have no intention of ever aiding you and yours in the creation of any **secret parol/hearsay evidence created by parol intercourse, verbal or oral communications, not recorded by writing or sealed instrument which could fraudulently be used to impart that I am engaged in contract or business** with ~john - p., ~stephen - l., Esquire, Ms. ~k. a. jones, Mr. ~john-p.: graceffo, Esquire or any other Men and Wo(Men) operating on behalf of any "body politic" municipal corporation, the PERSONS, STATE OF OHIO, or any other franchise and/or *de facto* entities of governance of the federal corporation the PERSON/person, THE UNITED STATES/The "United States," operating under the color of law and the color of state engaged in for-profit **contract**, **business**, intercourse and/or extortion for foreign interests, using threat, duress, coercion, intimidation and deceit through covert, collective, and collusive acts to prevent the Laws of the united States of America and the laws of the PERSON/person, THE UNITED STATES/The "United States," the Federal Corporation, from being enacted and enforced, an act of Treason. I do not engage in **contract** or **business**, intercourse, or extortion with any such profligate Men and/or Wo(Men) operating as agents for the stated PERSONS/persons or the PERSONS/persons themselves and I have no intention of ever engaging in **contract** or **business**, intercourse and/or extortion with them for I am morally and spiritually opposed to such unlawful, reprobate and evil covenants, operations, practices, behaviors and policies. Nor, can anyone by any process of Law or laws force Me or require Me to engage in such actions with any such profligate Men and/or Wo(Men) operating as agents for the stated PERSONS/persons or the PERSONS/persons themselves in order to retain the un-alienable

1 rights and freedoms that The Creator granted to Me upon my landing, especially when I am living
2 and operating as a non-combatant, peaceful inhabitant in and of The Land. Fact is, when such
3 profligate Men and/or Wo(Men) operating as agents for the stated PERSONS/persons or the
4 PERSONS/persons themselves, *de facto* entities of governance, engage in such actions of threat,
5 duress, coercion, intimidation, and deceit in order to unlawfully and fraudulently solicit **contract**
6 or **business**, they are operating outside the Law and the laws and as such they violate and
7 dishonor Law and engage in acts of sedition and Treason with their actions. To that I say I
8 recognize and accept your lots' dishonor of Law and law and aver vehemently that I shall never,
9 ever, ever voluntarily, willfully, knowingly, surrender to such threats, duress's, coercions,
10 intimidations, deceits, or criminal acts of Frauds, sedition or Treason, or such evil criminal
11 institutions. As such let it be known upon the bar and The Public Record that any such
12 **parol/hearsay evidence** brought or presented against JUSTICE, et al, will have been acquired
13 unlawfully by way of threat, duress, coercion, intimidation, deceit, *Fictio*, Fraud, criminality and
14 acts of sedition and Treason for the purposes of exacting fraudulent conveyance of my control
15 and interests of the *cestui que/cestuy que* trust(s)Estates and Chattels, both personal and real,
16 that I, ™r.-lotus: justice, am the lawful Executor of by the Common Law and Law of Equity.

17

18 In consideration of the forms of **parol/parole** exercised on these Lands, let Me say that I am
19 aware that **parol** is a term used *in* Law of Equity. I am aware that the other term, **parole**, is a term
20 used and cited in the *de facto* military authorities military law, with specificity, The Lieber Code,
21 as was instituted after the unlawful coup d'état of united States of America and The Great

Republic of America, by the domestic enemies, foreign agent Esquires for the American, British, United Kingdom, Vatican BAR Union, and the invading military, both operating on behalf of foreign interests in the conflict known as The American Civil War. Pursuant to the term *in* Law of Equity, **parol** is defined by *Black's Law Dictionary* 4th Edition, West Publishing 1968, as:

> **parol:** A word; speech; hence, oral or verbal; expressed or evidence by speech only; not expressed by writing; not expressed by sealed instrument.

Let it be known that I am not, nor will ever voluntarily, willfully do **business** or **contract** with any of those stated Men and/or Wo(Men) as domestic enemies, Esquires for/or the BAR Union operating as agents for the stated PERSONS/persons or the PERSONS/persons themselves, as unlawfully occupying *de facto* entities of governance and thus have no need to have **parol intercourse** with them. Nor will I ever voluntarily, willfully aid them in the creation of **parol/hearsay evidence** defined by *Black's Law Dictionary* 4th Edition, West Publishing 1968, as:

> **parol evidence**: Oral or verbal evidence, that which is given by word of mouth; the ordinary kind of evidence, given by witness in court 3 Bl. Comm. 369. In a particular sense, and with reference to contracts, deeds, wills, and other writings, parole evidence is the same as extraneous evidence or **evidence *aliunde***.

1 Wherefore ***aliunde* evidence** or ***aliunde* evidence**, as defined by *Black's Law Dictionary* 4th
2 Edition, West Publishing 1968, as:

3

4 **evidence *aliunde***: evidence from outside, from another source. In certain cases a written
5 instrument may be explained by evidence *aliunde*, that is, by evidence drawn from sources
6 exterior to the instrument itself, e. g. the testimony of a witness to conversations, admission,
7 or preliminary negotiations.

8 Evidnce *aliunde* (I. e., from without the will) may be received to explain the ambiguity in a
9 will. 1 Greenl. Ev. §291.

10 Wherefore, pursuant to the ***aliunde* rule,** defined by *Black's Law Dictionary* 4th Edition, West
11 Publishing 1968, as:

12

13 ***aliunde* rule**: A verdict may not be impeached by evidence or juror unless foundation for
14 introduction thereof is first made by competent evidence aliunde, or from other source. State
15 v. Adams, 141 Ohio St. 423, 48 N.E.2nd 861, 863, 146 A.L.R. 509.

16

17 could be used to impeach the evidence presented by Me in Defense of the unfounded claims,
18 complaints and the charges against the PERSON, MONICA GREER JUSTICE, as well as to impeach
19 my character and standing in The Common Law and Law of Equity as the Preferred Creditor and
20 lawful Executor for LOTUS, et al..

1 Wherefore the "Pre-Sentencing Investigation (PSI)" in which you and yours are attempting to
2 unlawfully, fraudulently force Me to engage in **parol intercourse**, by threat, duress, coercion,
3 intimidation and deceit, by unlawfully revoking the bond, in order to create more/additional
4 bonds upon the cause of action, attempt to affect and effect **business** by *ultra vires* **contract** that
5 would be created thereby from the forced and fraudulent preliminary negotiations, wherefore
6 the **contract** that was alluded to by you in our phone conversation as a "pre-sentencing report,"
7 would create ***aliunde* evidence** which Esquires for/of the Bar Union would be used to impeach
8 the evidence presented by Me in Defense of the unfounded claims, complaints and the charges in
9 the causes at bar levied against the PERSON, MONICA GREER JUSTICE, as well as to impeach my
10 character and standing in The Common Law and Law of Equity as the Preferred Creditor and
11 lawful Executor for LOTUS, et al.. Thus, **parol intercourse** shall not happen, ever by my Will. As
12 such, I will not allow you and yours to unlawfully re-present me, nor will I ever voluntarily,
13 willfully, knowingly **contract** or do **business** with any of stated Men and/or Wo(Men), as Esquires
14 for/of the BAR Union, domestic enemies operating as agents for the stated PERSONS/persons or
15 the PERSONS/persons themselves, as unlawfully occupying *de facto* entities of governance, nor
16 will I voluntarily, willfully aid you and yours in the creation of **parol/hearsay evidence** by
17 engaging in **parol intercourse** for I am aware that pursuant to Law of Equity, such procured
18 unwritten **parol/hearsay evidence may be used to convert a legatee into a trustee** (Moore v
19 Moore, 1 Phill. 422. 430). Wherefore, you, operating as a presumptive Trustee/Referee, albeit an
20 unlawful presumption, could reassign the position of Executor from the lawful Executor, Mr. lotus:
21 justice, to a Barretor, a fellow Esquire of the BAR Union, presented in your lots' theatres of fiction
22 in *fictio* as the purported Plaintiff though in Fact and Law, the Plaintiff itself is a Fiction *of* and *at*

1 Law, a *Fictio*, a **thing**, the PERSON, THE STATE OF OHIO and/or the PERSON, THE CITY OF
2 COLUMBUS, neither a Citizen of the united States of America. Though this is very cunning in its
3 nature, such actions taken by your lot, Esquires for/of the BAR Union, attorners *at law*, the Crown
4 , the Vatican, and the Pentagon, are a Fraud *in Law*, The Common Law under which I, the
5 Preferred Creditor as the lawful Executor for LOTUS, et al., stand. Wherefore, let it be known and
6 placed upon the bar and The Public Record that any such attempts to unlawfully create such *ultra*
7 *vires* **contracts parol/hearsay evidence** or **aliunde evidence** using threat, duress, coercion,
8 intimidation, deceit, *Fictio*, Fraud, criminality and acts of sedition and Treason such as by
9 unlawfully revoking a bond and/or the issuance of a *capias* and/or warrant to create such
10 circumstances, whereby off the record conversations as **parol intercourse** may be had in order to
11 unlawfully convert one, as professed legatee, to the station/seat of Executor whereby one could
12 unlawfully usurp the lawful station/seat from Mr.-lotus: justice, the Preferred Creditor and lawful
13 Executor of the *cestui que/cestuy que* trust(s) set aside for the PERSON, MONICA GREER JUSTICE,
14 et al., and LOTUS, et al., as well as all of my Estates and Chattels, and assign it to another of your
15 lots' union, is not only an Error of Fact and *in* Law, but a criminal act of barratry and Fraud by The
16 Common Law and Law of Equity. Wherefore by the **Parol Evidence Rule** as defined by *Black's Law*
17 *Dictionary* 4th Edition, West Publishing 1968, which states:

18

19 **Parol Evidence Rule** : Under this rule, when parties put their agreement in writing, all
20 previous oral agreements merge in the writing and a contract as written cannot be modified
21 or changed by parol evidence, in the absence of a plea of mistake or fraud in the preparation
22 of the writing. Russell v. Halteman's Adm'x, 287 Ky. 404, 153 S.W.2nd 899, 904. But rule does

not forbid a resort to parol evidence not inconsistent with the matter stated in the writing. Elkins v. Super-Cold Southwest Co., Tex.Civ.App., 157 S.W. 2nd 946, 947.

Such fraudulent averments made by the stated parties founded in the unlawfully acquired **parol/hearsay evidence** when done with the intent to defraud the lawful Preferred Creditor, are not only prevented by estoppels but void for Fraud by and *in* Law {(Edwards v Harben, 2T. R. 587, Bamford v Baron cited in the notes), (Reid v Blades, 5 Taunt, 212)}. Additionally, I aver that such acts of barratry and Fraud would be acts of sedition and Treason, for the object of the causes of action affected and effected by your lot is to gain access to the Public Perfect Usufruct known as the *cestui que/cestuy que* trust(s) that were set aside and created for the benefit use of All Free People of The Land and which was not created nor intended to be used by the domestic enemies, foreign agents Esquires for/of the BAR Union or their foreign masters, "to eat out our substance", or any other united Nations' "substance." Nor was it intended to be used to overthrow our lawful form of voluntary, jural, Republican government, as The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America and is ensured/insured by our Will. Nor was it intended to be used to overthrow any other united Nations lawful form of government. Or was it? Regardless, the *cestui que/cestuy que* trust(s) shall not be used in such a unlawful, fraudulent fashion anymore by my Will, The Law and Law. Additionally, let it be known that by the Maxim of Law, *Consentientes et agentes pari poena plectentur,* those consenting and those perpetrating in fraudulent averments shall be embraced and are liable in the same punishment (5 Coke 80) thus let it be known that anyone who aids your lot, Esquires for/of the

BAR Union, or has aided your lot in such unlawful actions, be them knowing or unknowing of their intent, are subject to the same criminality by and *in* Law.

Pursuant to the term **parol,** used in Law of Equity, versus the term used in the *de facto* military authority military law, The Lieber Code, **parole** is defined by *Black's Law Dictionary* 4th Edition, West Publishing 1968, and states:

> **parole:** In military law. A promise given by a prisoner of War, when he has leave to depart from custody, that he will return at the time appointed, unless discharged. Webster.
>
> An engagement by a prisoner of war, upon being set at liberty, that he will not again take up arms against the government by whose forces he was captured, either for a limited period or while hostilities continue.
>
> In criminal law. A conditional release: condition being that, if a prisoner makes good he will receive an absolute discharge from balance of sentence, but, if he does not, he will be returned to serve unexpired time.

In as much as Title 28, "United States" Code, Federal Civil Judicial Procedure, Rule 2, Notes of the Advisory Committee on Rules states that all cases are civil, the "criminal law" does not, cannot apply in these causes at bar, nor can it be applied in the absence of a lawfully seated Grand Jury seated by the Maxims and Tenants of The Common Law. Even if Law and laws had been followed, which they were not, the inability of a Non-Citizen/citizen, a foreigner, an Esquire for the BAR

Union, to establish the standing and character to bring forth a criminal charge in the name of a **thing**, a Fiction *of* and *at* Law, as the victim against a living, real flesh and blood Wo(Man) of The Land, a Private National, a Citizen for the united States of America, is not possible in The Common Law, and thus the term and definition for **parole**, as reference in the *de facto* military authority military law, The Lieber Code, doth apply here. Additionally, in as much as I am not a agent of the military or the civil authority, nor a belligerent, enemy combatant having taken up arms or operating as or in any oppositional military force, but am a non-combatant, peaceful inhabitant, a Wo(Man) of The Land, innocent of any offensive aggressions against any unlawful *de facto* or lawful, *de jure* civil authority, who My Self was actually victimized and targeted by Men and Wo(Men), domestic enemies operating as agents for the unlawful occupying military and civil authority, again *de facto* pursuant to the lawfully ratified original 13th Titles of Nobility Amendment to The Bill of Rights of The Constitution *for* the united States of America as amended in 1789, who exercised unjustified force, taking up arms against Me and exacting unprovoked violence upon Me, placing Me in chains under gunpoint, and brought claims against the PERSON, MONICA GREER JUSTICE, with no foundations *in* Law. Those who participated in such acts against me, the Preferred Creditor and lawful Executor for LOTUS, et al., are the belligerents in these causes at bar in violation of The Lieber Code of martial law and thus are the criminals under Law and The Lieber Code of martial law. I shall go further and again aver that such belligerent action were taken by those Men and Wo(Men) as domestic enemies operating as agents for the various PERSONS strictly for the purposes of usurping the station/seat from the Preferred Creditor and lawful Executor, ~r.-lotus: justice, of the *cestui que/cestuy que* trust(s) set aside for the flesh and blood Wo(Man), ~r.-lotus: justice and LOTUS, et al.. Regardless, in consideration of The Lieber

Code of martial law, under which this Nation currently operates, Clause 33 of The Lieber Code states that it is "a serious breach of the law of war --to force the subjects of the enemy into the service of the victorious government" and thus pursuant to the definition of "service" *in* Law as is defined by *Black's Law Dictionary*, Abridged 6th Edition, West Publishing Company, 1991, which states:

> **service:** Contracts. Duty or labor to be rendered by one person to another, for former being bound to submit his will to the direction and control of the latter. The act of serving the labor performed or the duties required. Occupation, condition, or status of a servant, etc.

I cannot, nor can anyone else, be forced into **service as contract or peonage** with the occupying civil or military authority by threat, duress, coercion, intimidation and deceit, or any other methodology for that matter pursuant to law under which you and yours operate as a standard **business** practice. Additionally, per Clause 133 of The Lieber Code, "no prisoner of war can be forced by the hostile government to **parole** himself....As the pledging of the **parole** is an individual act, so is paroling, on the other hand, an act of choice" and thus by The Lieber Code, using threat, duress, coercion, intimidation and deceit, such as by unlawfully revoking a bond by *capias* and the issuance of a *capias* bond or warrant bond for not offering such acts of **parole** is an act of belligerence, an act of War even, by the civil authority against a non-combatant, peaceful Inhabitant of The Land pursuant to the military law, The Lieber Code. Thus your lot is in violation of Clause 133 of The Lieber Code. Additionally, I am aware that pursuant to Clause 124

of The Lieber Code, once paroled, if one breaks **parole** one "is punished with death when the person breaking parole is captured again." Having said that, in consideration that the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, has itself seen fit to annotating the action with the word "Sovereign" (See Exhibit 3, attached as if fully rewritten herein), wherefore the Men and Wo(Men) as domestic enemies, foreign agent Esquires for/of the BAR Union, who have annotated the actions as such have not provided the definition of that term pursuant to findings in Fact and conclusions *in* Law and placed them upon the bar and the *public* record. Wherefore, in consideration that a Man named tyshawn :hancock, who purportedly identified himself to be a "Sovereign", and who was a "parolee" of the very same PERSON/person, Franklin County *Court* of Common Pleas Adult Probation Department, was killed, "punished with death," upon his purported recapture by domestic enemies, police, operating as agents on behalf of the very same PERSON/person, Franklin County *Court* of Common Pleas Adult Probation Department, (see Exhibit 4, attached as if fully rewritten herein), I have no intention of giving any one the authority to legally or lawfully assassinate Me, a peaceful inhabitant of The Land, by pledging **parole,** as it is defined by in the military law in The Lieber Code, to such an evil coven who use threat, duress, coercion, intimidation and deceit, by covert, collective, and collusive criminal acts, engage in barratry, *Fictio*, Fraud, sedition and Treason under the color of law and the color of state, in violation of Titles 18 and 42 of The "United States" Code, in order to engage Free Men and Wo(Men), peacefully, non-combatively, inhabitants of The Land that may aver that your lot are operating as domestic enemies Esquires for/of the BAR Union in this civil and military occupation is unlawful, into *ultra vires* **contract,** whereby they are assassinated subsequently after pledging **parole.** Thus, let Me again affirm I have no intention of ever aiding you and yours in the creation

of any **secret parol/hearsay evidence created by parol intercourse** nor will I ever entertain any pledging of **parole** to any purported civil or military authority, or any other entity, be them *de facto* or *de jure*, who has not followed The Law of The Land as is defined by and delineated in The Constitution *for* the united States of America who has committed the following Errors and Omissions of Fact and Law:

1. Has not required the purported *court* of law or the purported Plaintiff to place upon the bar and The Public Record an answer to the Demurrer that lies in default in the purported *courts* of law as is required by Law and law.

2. Has not required the Esquire for/of the BAR Union for the purported Plaintiff or the purported *court* of law to produce and placed upon the bar and The Public Record the Grant of Law proving that the purported *courts* of law are in Fact and Law Courts of Law operating under as is defined and delineated by The Constitution *for* the united States of America, and as is required by it, the Law and law.

3. Has not required the Esquire for/of the BAR Union for the purported Plaintiff or the purported *court* of law to define and place upon the bar and The Public Record which jurisdiction *in* Law under which the purported *courts* of law purportedly are operating in as is defined and delineated by The Constitution *for* the united States of America, as is required by it, the Law and law.

4. Has not required the Esquire for/of the BAR Union for the purported Plaintiff or the purported *court* of law to established Nature and Cause upon the bar and the public record as is required pursuant to the 6th Amendment to The Constitution *for* the united States of America.

5. Has not required the purported Plaintiff(s) in the causes of action at bar to define and place upon the bar and The Public Record the purported jurisdictions *in* Law the purported Plaintiff has invoked as is defined and delineated by The Constitution *for* the united States of America, as is required by it, the Law and law.

6. Has not required the purported *court* of law to placed upon the bar and The Public Record the definitions of the words and terms "Sovereign" or "United States Citizen/citizen", terms applied by the purported *courts* of law to the action against the purported Defendant, the PERSON, MONICA GREER JUSTICE.

7. Has not required the purported Plaintiff(s) in the causes of action at bar to place upon the bar and The Public Record affidavits of Facts from any real victim averring the alleged Facts of the purported crime and purported resulting injury or damages incurred by the Man or Wo(Man) as a real victim from the actions of the purported Defendant, the PERSON, MONICA GREER JUSTICE, nor have such real victim(s) been required to give testimony under the penalty of perjury by the Laws of the united States of America, as is required by Law and law.

8. Has not required the purported Plaintiff(s) in the causes of action at bar to place upon the bar and The Public Record affidavits of Facts or testimony under the penalty of perjury by the Laws of the united States of America from any **competent Fact firsthand** witness **averring alleged facts** which provides any evidence of a criminal action causing a real victim any injury or damage pursuant to the Law and law.

9. Has not required the purported Plaintiff(s) in the causes of action at bar to prepare or place upon the bar and the *public* record a Victim Impact Statement regarding the impact the alleged crime has had upon the purported real victim, as is required by Law and law (Title 18, "United States" Code, §3771).

10. Has not required the purported *courts* of law to deliver said purported notices, orders and verdicts under wet signature and seal of the purported *judges* by Certificate of Service to the proper objects of said actions as is required by Law and law.

11. Has not required the purported *courts* of law to place upon the bar and The Public Record the purported notices, orders and **verdicts** under wet signature and seal of the purported *judges* upon the bar and The Public Record as is required by Law and law.

12. Has not required the *judges* for the purported *courts* of law to place upon the bar and The Public Record the answers to All objections writs, motions, orders and/or any other form of lawful notices delivered unto them and placed upon the bar and the *public* record

by the Defense, with findings in Fact and conclusions *in* Law, under wet signature and seal of the purported *judges,* as is required by Law and law.

Wherefore, in cooperating with such purported civil or military authority, or any other entity, that does not follow The Law of The Land as is defined by and delineated in The Constitution *for* the united States of America, **would be trading/consorting with a domestic enemy and would be an act of sedition and Treason in and of itself** on my part. I shall not aid anyone in preventing Law of the united States of America or the laws of the PERSON/person, THE UNITED STATES/The "United States," from being enacted and enforced and I shall not engage in such acts of sedition of Treason against the All Free People of The Land, The Great Republic of America, the Union of Sovereign States, or the united States of America.

Such a circumstance of a non-combatant, peaceful inhabitant of The Land reminds Me of the trial of ~Yahushua, called ~jesus of Nazareth by some, ~yeshua or ~yeshu by others, as it was described in the affidavit and testimony of ~john the Apostle in The Gospel of Saint John (see Exhibit 5, attached as if fully rewritten herein) wherein, it is testified that ~pontius :pilatus, the Prefect of Judaea did himself anoint ~Yahushua with a crown of thorns and place a purple robe upon ~Yahushua and did then re-present Him to the Pharisees as the "King of the Jews," bringing about a conviction in a cause with sentence of death. Now, I am not here to say that I am such a pious non-combatant, peaceful inhabitant as ~Yahushua, but The Law defined therein in The Gospel of Saint John affirms that neither ~pontius :pilatus as Prefect nor the Pharisees had

jurisdiction over ~Yahushua in the claims that were brought against Him by the Pharisees for He was not a Citizen/citizen of Rome, the military occupation, nor had He violated any law that the civil authority of the Pharisees had jurisdiction over and thus any semblance of jurisdiction that was created was acquired **after** ~pontius :pilatus did re-present ~Yahushua as a King to the Pharisees, an anointment which ~pontius :pilatus did himself put upon Him. Though this was also very cunning in nature, again it was a **Fraud *in* Law**. The Law defined therein in The Gospel of Saint John affirms that ~moses gave us The Law in The Ten Commandments that raised the Serpents in the desert, and The Truth and The Grace came by ~Yahushua, as second witness to ~moses, The Truth as when ~Yahushua cast out the private banks of the Pharisees that were operating in the Temple Courts, as was His right as a Rabbi appointed by His People, and The Grace as when He was sacrificed, killed by penalty of death by the hands of the Romans at the insistence of the Pharisees, for His bringing the offenses of Rome and the Pharisees to the People in peaceful preaching, witnessed by his 12 (twelve) witnesses, His Apostles, and subsequently placed upon The Public Record as testimony by the affidavits of His chosen jury of 12 (twelve) Men, His Apostles, by The Law as it was set forth in The Bible as it was confirmed as The Law of The Land of The "United States" 'of America' by **the** Congress Assembled the *de facto* government formed after The American Civil War. Thus your lot have been given a warning twice before, by ~moses first, then seconded by ~Yahushua who told your lot that ye shall not by The Law operate your lots' private banks in or in the name of our Temple Courts. As such I give your lot their third and final notice that ye, the lot of you, be ye agents of Rome or the Pharisee or just some other coven of evil Men and Wo(Men), Esquires for/of the BAR Union, who do not follow The Way, but who "bind heavy burdens and grievous to be borne, and lay them on men's

shoulders; but they themselves will not move them with one of their fingers"(see Matthew 23:4), and who operate as enemies against All the Free People of The Land, that All of your lot are now in **Default of** The Law which The Creator gave to us All to follow. Even though I may never come close to such divinity, I shall follow The Law as it was given to us All, for I know ye by your lots' deeds and I see that again your lot operates its private banks in *fictio* in what were once our Temple Courts of The Land and I shall tell your lot for the third and last time, as Grace has already satisfied The Law with ~moses and ~Yahushua, your lot is in **Default of** The Law, and by The Law as it was given to us by The Creator, your lots' actions are against All Free People of The Land who are The Land Walking in The Way.

Again, let Me aver, affirm and attest that I shall never, ever, ever voluntarily, willfully, knowingly surrender to such deceit, *Fictio*, Fraud, crimes or evil criminal institutions or commit acts of sedition and Treason against The Great Republic of America, All Free People of The Land, and as such let it be reaffirmed and placed upon the bar and The Public Record that any actions taken against me, the Preferred Creditor and lawful Executor for LOTUS, et al., to affect and effect such **parol/hearsay evidence** that may be brought or presented against the PERSON, MONICA GREER JUSTICE, will be criminal acts of barratry, Fraud, sedition and Treason and such **parol/hearsay evidence**, if presented by your lot will have been acquired unlawfully by way of threat, duress, coercion, intimidation, deceit, *Fictio*, Fraud, criminality and acts of sedition and Treason, Errors of Fact and *in* Law. Again, I aver that your lot is in **Dishonor and Default of** The Law, **Law, law** and the U.C.C. and regardless of how the circumstance of this plight ends for me, the Preferred

Creditor and lawful Executor for LOTUS, et al., the lot of you are criminals by The Law as it was given to us by The Creator and are without any equitable defenses in The Law, Law and law, for your actions are founded in foreign, personal and self interest, trappings of the flesh even, having covertly, collectively, and collusively conspired to use threat, duress, coercion, intimidation and deceit to prevent the Word of The Creator, The Natural Law, The Common Law, the Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States" from being enacted and enforced throughout the entire course of these causes at bar.

As such, if the following averments, affirmations, conveyances and attestations are not satisfied and met by the cited parties, no settlement shall be offered thereafter, nor more Grace given for as I said I am not so pious or divine as ~Yahushua and I bring forth your **Dishonor and Default of** The Law**, Law and law** and thus I demand that All those found in violation of Law be punished to the fullest extent afforded by the Laws cited. The averments, affirmations, conveyances and attestations are as such:

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john - p. : graceffo, *before*~stephen – l. : mcintosh, Esquire, operating as an agent for the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, defines and places upon the bar and The Public Record the term "Sovereign" and "United States Citizen/citizen," he is barred by

Estoppel by Error and the **Doctrine of Laches** from moving forward in the cause, and is engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution for the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions.

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~isaac :rinsky, *before* ~mark :hummer, Esquire, operating as an agent for the PERSON, FRANKLIN COUNTY MUNICIPAL *COURT*, defines and places upon the bar and The Public Record the term "Sovereign" and "United States Citizen/citizen," he is barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in these causes at bar, and is engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions.

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john - p. : graceffo, *before* ~stephen - l. : mcintosh, Esquire operating as an agent for the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS defines and places upon the bar and The

1 Public Record which spelling, from which jurisdiction *in* Law and which definition of **parol**
2 **versus parole** he is using when he refers to **parol/parole**, he is barred by **Estoppel by Error**
3 and the **Doctrine of Laches** from moving forward in the cause, and is engaged in using
4 threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry,
5 *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The
6 Land as it is defined and delineated in The Constitution *for* the united States of America, Laws
7 of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The
8 "United States," I demand that he shall be judged for his actions.
9
10 † I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john-p.:
11 graceffo, Esquire operating as an agent for the PERSON, FRANKLIN COUNTY *COURT* OF
12 COMMON PLEAS, defines and places upon the bar and The Public Record which spelling, from
13 which jurisdiction *in* Law and which definition of **parol versus parole** he is using when he
14 refers to **parol/parole**, he is barred by **Estoppel by Error** and the **Doctrine of Laches** from
15 moving forward in the cause, and is engaged in using threats, duress, coercion, intimidation
16 and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason,
17 and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in
18 The Constitution *for* the united States of America, Laws of the united States of America, and
19 the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he
20 shall be judged for his actions.

1 † I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Wo(Men), ~kathy
2 a. :jones and ~cynthia :gibson, operating as agents for the PERSON, FRANKLIN COUNTY
3 *COURT* OF COMMON PLEAS, define and place upon the bar and The Public Record which
4 spelling, from which jurisdiction *in* Law and which definition of **parol versus parole** they are
5 using when they refer to **parol/parole**, they are barred by **Estoppel by Error** and the **Doctrine**
6 **of Laches** from moving forward in the cause, and are engaged in using threats, duress,
7 coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of
8 sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is
9 defined and delineated in The Constitution *for* the united States of America, the Laws of the
10 united States of America, and laws of the PERSON/person, THE UNITED STATES/The "United
11 States," I demand that they shall be judged for their actions.
12
13 † I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john-p.:
14 graceffo, Esquire operating as an agent for the PERSON, STATE OF OHIO places his contract to
15 represent the PERSON upon the bar, defines and places upon the bar and The Public Record
16 which jurisdiction *in* Law as defined and delineated by The Constitution *for* the united States
17 of America, the purported Plaintiff has attempted to invoke in the cause of action at the bar,
18 established Nature and Cause as well as provide a real victim in the actions, which must be a
19 real party of interest as is required pursuant to Ohio Rules of Civil Procedure 17(a), as well as
20 provide real competent Fact firsthand witness to the action, he is barred by **Estoppel by Error**
21 and the **Doctrine of Laches** from moving forward in the cause, and is engaged in using
22 threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry,

Fictio, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions.

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~isaac :rinsky, Esquire operating as an agent for the PERSONS, STATE OF OHIO and CITY OF COLUMBUS, places his contract to represent the PERSONS upon the bar, defines and places upon the bar and The Public Record which jurisdiction *in* Law as defined and delineated by The Constitution *for* the united States of America, the purported Plaintiff(s) have attempted to invoke in the causes of action at bar, established Nature and Cause as well as provide a real victim in the actions, which must be a real party of interest as is required pursuant to Ohio Rules of Civil Procedure 17(a), as well as provide real competent Fact firsthand witness to the actions, he is barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in the causes at bar, and is engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions.

1 † I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Men, ~john - p. :
2 graceffo, *before* ~stephen – l. : mcintosh, Esquire and ~isaac: rinsky, *before* ~mark :hummer,
3 Esquire each operating as an agent for the PERSONS, FRANKLIN COUNTY *COURT* OF
4 COMMON PLEAS, and FRANKLIN COUNTY MUNICIPAL *COURT,* respectively, requires the
5 purported Plaintiff(s) to define and place upon the bar and The Public Record, which
6 jurisdiction *in* Law as defined and delineated by The Constitution *for* the united States of
7 America, they have invoked in the causes of action at bar, as well as require them to provide a
8 real victim in the actions, which must be a real party of interest as is required pursuant to
9 Ohio Rules of Civil Procedure 17(a), as well as provide real competent Fact firsthand witness
10 to the actions, they are barred by **Estoppel by Error** and the **Doctrine of Laches** from moving
11 forward in the cause, and are engaged in using threats, duress, coercion, intimidation and
12 deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and
13 by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The
14 Constitution *for* the united States of America, Laws of the united States of America, and the
15 laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that they
16 shall be judged for their actions.
17
18 † I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Men, ~john - p. :
19 graceffo, *before* ~stephen – l. : mcintosh, Esquire and ~isaac: rinsky, *before* ~mark :hummer,
20 Esquire each operating as an agent for the PERSONS, FRANKLIN COUNTY *COURT* OF
21 COMMON PLEAS, and FRANKLIN COUNTY MUNICIPAL *COURT,* respectively, define and place
22 upon the bar and The Public Record which jurisdiction *in* Law as defined and delineated by

1 The Constitution *for* the united States of America in which the purported *court* the PERSONS,
2 FRANKLIN COUNTY *COURT* OF COMMON PLEAS and FRANKLIN COUNTY MUNICIPAL *COURT*,
3 are operating in these causes at bar, they are barred by **Estoppel by Error** and the **Doctrine of**
4 **Laches** from moving forward in these causes at bar, and are engaged in using threats, duress,
5 coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud,
6 sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is
7 defined and delineated in The Constitution *for* the united States of America, Laws of the
8 united States of America, and the laws of the PERSON/person, THE UNITED STATES/The
9 "United States," I demand that they shall be judged for their actions.
10
11 † I, r-lotus: justice, aver, affirm, convey, and attest that until such time as the Men, ~john - p. :
12 graceffo, *before* ~stephen ~ l. : mcintosh, Esquire and ~isaac: rinsky, *before* ~mark :hummer,
13 Esquire each operating as an agent for the PERSONS, FRANKLIN COUNTY *COURT* OF
14 COMMON PLEAS, and FRANKLIN COUNTY MUNICIPAL *COURT*, respectively, provide and place
15 upon the bar and The Public Record the Grant of Law under which the purported courts are
16 operating pursuant to an Article I or an Article III Court of Law as defined and delineated by
17 The Constitution *for* the united States of America, they are barred by **Estoppel by Error** and
18 the **Doctrine of Laches** from moving forward in these causes at bar, and are engaged in using
19 threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry,
20 *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The
21 Land as it is defined and delineated in The Constitution *for* the united States of America, Laws

of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that they shall be judged for their actions.

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john - p. : gracefio, *before* ~stephen – l. : mcintosh, Esquire, and ~isaac: rinsky, *before* ~mark thummer, Esquire operating as an agent for the PERSONS, FRANKLIN COUNTY *COURT* OF COMMON PLEAS and FRANKLIN COUNTY MUNICIPAL *COURT*, respectively, provide and place upon the bar and The Public Record, under their wet signature and seal, to be delivered by Certificate of Service, to Wo(Man), ~r.-lotus: justice, the Preferred Creditor and lawful Executor for the PERSON, MONICA GREER JUSTICE, et al., their answers to objections, writs, motions, orders and/or any other form of lawful notices delivered unto them and placed upon the bar and the *public* record by the Defense, with findings in Fact and conclusions *in* Law, they are barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in the causes, and are engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that they shall be judged for his actions..

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john - p. : gracefio, *before* ~stephen – l. : mcintosh, Esquire, operating as an agent for the PERSON,

FRANKLIN COUNTY *COURT* OF COMMON PLEAS, provides and places upon the bar and The Public Record his order titled "BOND MODIFICATION" under his wet signature and seal, which has yet to be delivered by Certificate of Service, to Wo(Man), ~r.-lotus: justice, the Preferred Creditor and lawful Executor for the PERSON, MONICA GREER JUSTICE, et al., he is barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in the cause, and is engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions.

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john - p. : graceffo, ***before*** ~stephen – l. : mcintosh, Esquire, operating as an agent for the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, provides and places upon the bar and The Public Record his order titled "PSI ORDER" under his wet signature and seal, which has yet to be delivered by Certificate of Service, to the Wo(Man), ~r.-lotus: justice, the Preferred Creditor and lawful Executor for the PERSON, MONICA GREER JUSTICE, et al., he is barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in the cause, and is engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the

united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john - p. : graceffo, *before* ~stephen – l. : mcintosh, Esquire, operating as an agent for the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, provide and places upon the bar and The Public Record his order titled "CAPIAS – REQUEST FOR FORM" under his wet signature and seal, which has yet to be delivered by Certificate of Service, to Wo(Man), ~r.-lotus: justice, the Preferred Creditor and lawful Executor for the PERSON, MONICA GREER JUSTICE, et al., he is barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in the cause, and is engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for the* united States of America, Laws of the united States of America, and laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions.

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time as the Man, ~john - p. : graceffo, *before* ~stephen – l. : mcintosh, Esquire, operating as an agent for the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, provides and places upon the bar and The Public Record a notarized, certified copy of the entry titled "VERDICT' under his wet signature

and seal, which has yet to be delivered by Certificate of Service, to Wo(Man), ™r.-lotus: justice, the Preferred Creditor and lawful Executor for the PERSON, MONICA GREER JUSTICE, et al. as is required by Federal Rules of Civil Procedure pursuant to due process of Law, he is barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in the cause, and is engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that he shall be judged for his actions.

† I, r.-lotus: justice, aver, affirm, convey, and attest that until such time that **all** Men and Wo(Men) cited herein, Esquires for/of the BAR Union, each operating as an agent for the PERSONS, FRANKLIN COUNTY *COURT* OF COMMON PLEAS and FRANKLIN COUNTY MUNICIPAL *COURT*, provides and places upon the bar and The Public Record the cited requirements of settlement, all those associated with the actions of the cited Men and Wo(Men), they having consented to the actions cited herein by directly aiding or silently consenting to them, they are arred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward in the cause, and are engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, *Fictio*, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and

the laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that they shall be judged for his actions.

And lastly, but certainly not least, I, m-lotus: justice, aver, affirm, convey, and attest that I, m-lotus: justice, the Preferred Creditor and lawful Executor for LOTUS, et al., will never, ever voluntarily nor willfully pledge **parole** to, or engage in conversations off the record, thus creating **hearsay/parol evidence**, with a *de facto* civil or *coup'ed* military authority, nor can the absence of counsel as witness be denied one in any conversations with said domestic enemies as a matter of due process and Law as defined and delineated by The Constitution *for* the united States of America, the Constitution **of** The United States of America and the military law, The Lieber Code, and as such I aver, affirm, convey, and attest that anyone who so ever attempts to force **parole** upon me, or force **parol intercourse** outside of the presence of a voluntarily or willfully appointed counsel or witness, lawfully appointed and chosen by my voluntary Will as the Preferred Creditor and lawful Executor for the PERSON, MONICA GREER JUSTICE, et al., **any and all such conversations will** have been acquired unlawfully by way of threat duress, coercion, intimidation, deceit, *Fictio*, Fraud, criminality and acts of Treason and thus their actions are barred by **Estoppel by Error** and the **Doctrine of Laches** from moving forward. Wherefore All those attempting to affect and effect such **parole** and **parol intercourse** are engaged in using threats, duress, coercion, intimidation and deceit to affect and effect criminal acts of barratry, Fraud, of sedition and Treason, and by The Common Law, Canon Law, The Law of The Land as it is defined and delineated in The Constitution *for* the united States of America, Laws of the united States of America, and the

laws of the PERSON/person, THE UNITED STATES/The "United States," I demand that they shall be judged for their actions.

The Errors and Laches cited in The *LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit* will lie upon the bar and The Public Record for 10(ten) days in order to give the Men, Wo(Men) and PERSONS/persons the opportunity to address the averments, affirmations, conveyances, attestations and demands held and made therein. If said stated averments, affirmations, conveyances, attestations and demands are not satisfied, or refuted by the cited parties, by their *tacit procuration*, the actions of all parties cited herein shall be deemed to be covert, collective, and collusive attempts to deprive me, ™r.-lotus: justice, the Preferred Creditor and lawful Executor of LOTUS, et al., of my un-alienable rights that The Creator endowed in me, using the color of law and the color of state to attempt to create ultra vires **contract** with **parol/hearsay evidence,** using threat, duress, coercion, intimidation, and deceit to affect and effect criminal acts of barratry, Fraud, of sedition and Treason for the purposes and the intent of usurping the station/seat from the Preferred Creditor lawful Executor for *cestui que/cestuy que* trust(s) set aside for the flesh and blood Wo(Man), r.-lotus: justice and LOTUS, et al., to exact fraudulent conveyance of my control and interests of my Testimonial Estate, or Any or All other *cestui que/cestuy que* trust(s) set aside for the flesh and blood Wo(Man), r.-lotus: justice and LOTUS, et al., and my Estates and Chattels, both personal and real. Such acts are a Fraud upon the instruments and a **Dishonor and Default of** The Law, **Law and law,** and are criminal acts of barratry, Fraud, sedition and Treason. I again place upon the bar and The Public Record that I

1 recognize and accept your lots' **Dishonor and Default of** *The Law*, **Law and law** and aver
2 vehemently that I shall never, ever, ever surrender to such *Fictio*, Fraud, crimes and acts of
3 sedition and of Treason, nor will I voluntarily or willfully engage in **contract, business**, intercourse
4 and/or extortion with any domestic or foreign enemies or criminal institutions thereof who serve
5 such interests and evil.

6

7 Let it be known and placed upon the bar and The Public Record that you, the Man, ~john - p. :
8 graceffo, *before* ~stephen ~ l. : mcintosh, Esquire, have seen fit, though in the last hearing held on
9 December 11, 2014 you did refuse to set aside a particular and specific day by which the
10 purported pre-sentencing investigation needed to be completed at the request of the purported
11 Plaintiff, and you did instead set aside a hearing date of February 6, 2015, whereby instead of
12 waiting for the hearing date to which you set, and without notice to the Wo(Man), ~r.-lotus:
13 justice, the Preferred Creditor and lawful Executor for the PERSON, MONICA GREER JUSTICE, et
14 al., you did on January 9, 2015 revoke the Surety Bond #AUL-209894 issued by AMERICAN
15 CONTRACTORS INDEMNITY COMPANY/American Contractors Indemnity Company and did issue a
16 *capias* on January 12, 2015 citing a failure of the cited Defendant of the causes of action at bar,
17 the PERSON, MONICA GREER JUSTICE, to participate in **parol intercourse** via a "PSI" though no
18 notice of such a requirement was ever sent to the cited Defendant of the causes of action at bar,
19 the PERSON, MONICA GREER JUSTICE. Whereby on January 15, 2014, a private army of
20 belligerent highway robbers/pirates operating under the law of prize, piracy, were sent hither as
21 a "swarm of Officers to harass"(see *The Unanimous Declaration of the Thirteen United States of*

1 *America, The Declaration of Independence*, In Congress Assembled, July 4, 1976, Fact 10) "r.-
2 lotus: justices' Mother's place of rest twice, once loudly pounding on her door like a storm during
3 the a.m. hours of the night until it startled her and woke her from her peaceful slumber, in order
4 to threaten, cause duress, coerce, intimidate and deceive her dear, seriously physically ill Mother,
5 who was loving enough to proffer the binder for the surety of said bond to secure my freedoms
6 from unlawful detention in chains under gunpoint. Wherefore I aver that your acts are in
7 violation of The Law of The Land as it is defined and delineated in The Constitution *for the* united
8 States of America and the Lieber Code, and that you have effected Fraud and Tyranny from the
9 bench in violation of the Maxim of Law, *cedant arma togae*, and have committed criminally
10 coercive acts in an attempt to affect and effect your lots' need for **parol/hearsay evidence**.
11 Wherefore I aver that both such actions shall be deemed *by* and *in* Law as Errors, in the
12 revocation of the bond, an Omission in the issuance of a *capias*, with criminality being affected by
13 the unlawful utilization of "police powers" against non-combatant, peaceful inhabitants of The
14 Land. Thus in order to secure my Mothers' safety and prevent any further such life threatening
15 intercourses with such domestic enemies, police and/or sheriffs, operating on the behalf of
16 domestic enemies, foreign agent Esquires for/of the BAR Union, as well as removing such
17 instruments from being used to effect any further such Fraud and Tyranny, I have revoked my
18 signature upon all powers of attorney as the Preferred Creditor and lawful Executor for the
19 PERSON, MONICA GREER JUSTICE, et al., per U.C.C section 2-608 ***ab initio*** associated with all
20 bonds created by my signature and/or the signature of those purporting to act as my agent on my
21 behalf, as well as any and all other instruments, negotiable or otherwise, which created any
22 express or implied Power of Attorney therewith with such domestic enemies, foreign agent

Esquires for/of the BAR Union, in fact or in assumption or in *fictio*, signed by Me or anyone acting as my agent or purporting to act as my agent, as it pertains to the *cestui que/cestuy que* trust(s) set aside for the flesh and blood Wo(Man), ~r.-lotus: justice and LOTUS, et al. (see Exhibit 6, attached as if fully rewritten herein). Wherefore, having acting in Fraud, your lot are liable for the collateral and the full value of the bonds originated in Fraud and wherefore I do hereby demand the surrender and return of said bonds, as well as all interest and derivatives derived from them, to the lawful owner whose signature did secure them, ~r-lotus: justice, the Preferred Creditor and lawful Executor for LOTUS, et al. and the *cestui que/cestuy que* trust(s) from which they were drawn as setoffs and adjustments. All parties are hereby noticed of such a demand and shall be given 15(fifteen) days upon the receipt of such notices to return said instruments as well as all interest and derivatives derived from them, to their proper owner(s) by way of the mail via the P.O. Box provided in this notice. Wherefore such entities are also demanded to surrender the name(s) of their attorney(s) and the name(s) of their insurer which holds the indemnity for fraudulent acts committed against Law.

Let it also be known and placed upon the bar and The Public Record that in as much as said issuance of said *capias* is unlawful, if I am taken into unlawful custody by any domestic enemies, police/sheriffs/or other agents using "police powers," operating on the behalf of the domestic enemies, foreign agent Esquires for/of the BAR Union, and held in unlawful bondage, your lot, each and every Man, Wo(Man) and PERSON, having any responsibility for and/or participating in effecting such unlawful arrest and detention shall be charged a demurrage fee of $225,000 (two

1 hundred and twenty five thousand "dollars"), X3 (times three) for compensatory damages, x800
2 (times eight hundred) for malice and forethought as was established in Pacific Mutual v Haslip,
3 499 U.S. 1 (1990) per every 15(fifteen) minutes I am held in unlawful detention and bondage.
4 Wherefore I shall demand in relief of the offenses from every Man, Wo(Man) and PERSON,
5 having any responsibility for and/or participating in effecting such unlawful arrest and detention,
6 the **sum certain amount in damages** in cumulative demurrage fees of $540,000,000 (five
7 hundred million "dollars") per fifteen minutes, for each and every Man, Wo(Man) and
8 PERSON/person having any responsibility for and/or participating in effecting such unlawful
9 arrest and detention. Wherefore I will demand in remedy of the criminal offenses, the maximum
10 criminal penalty afforded by Law.

11

12 Also let it be known and placed upon the bar and The Public Record for it is *The LOTUS* ***Notice of***
13 ***Estoppel By Error And*** *Will By Testimonial Affidavit* that in as much as said issuance of said
14 *capias* is unlawful, should I meet with death as a result of or by the hands of any domestic
15 enemies, police/sheriffs/or other agents using "police powers," operating on the behalf of the
16 domestic enemies, foreign agent Esquires for/of the BAR Union, before the lawful adjudication of
17 these causes at bar cited herein or in any of the other outstanding claims *in* Law and Equity which
18 have been lain elsewhere by me, as Executor de son Tort on behalf of All Free People of The Land,
19 as Private Attorney General of The Great Republic of America for the united States of America, or
20 as the Preferred Creditor and lawful Executor of LOTUS, et al., upon the bar the *public* record and
21 The Public Record against such domestic enemies as cited herein in *The LOTUS* ***Notice of Estoppel***

1 ***By Error And** Will By Testimonial Affidavit*, that such actions will be an open act of War upon the
2 non-combatant, peaceful inhabitants of The Land as well as a War Crime by the military law, The
3 Lieber Code, and the Geneva Convention. Wherefore, let it be known and placed upon the bar
4 and The Public Record that upon my death I do hereby convey by the Maxims and Tenants of The
5 Common Law as Grantor, Beneficiary and Preferred Creditor and lawful Executor for LOTUS, et al.
6 all control and interest of the said *cestui que/cestuy que* trust(s), all my Estates and Chattels, both
7 personal and real, and all other corporeal and incorporeal hereditaments, both ***ab initio*** and ***ab***
8 ***infinitum***, as well as Any and All other real monies, negotiable instruments or notes in my control
9 or by my hand, and including Any and All settlements and derivatives derived thereof that may
10 be/have been/are being unlawfully withheld from me, including Any and All proceeds of Any and
11 All claims that lay upon the bar, the *public* record and The Public Record in demand of remedy
12 and relief as well as Any and All default judgments that have yet to be settled but for which I have
13 perfected and hold by my signature and position as Executor/Executor de son Tort on behalf of
14 My Self and All Free People of The Land, The Great Republic of America, the Union of Sovereign
15 States of America, and the united States of America, for the trespasses, torts, laches and criminal
16 and unlawful actions that Men, Wo(Men) and PERSONS/persons have taken against me, mr.-lotus:
17 justice, the living flesh and blood Wo(Man) as non-combatant peaceful inhabitant of The Land,
18 LOTUS, et al., the *cestui que/cestuy que* trust(s) set aside for the flesh and blood Wo(Man), mr.-
19 lotus: justice and LOTUS, et al., the Estates and Chattels and All the derivatives derived thereof in
20 which I hold interest, as well as those *cestui que/cestuy que* trust(s) set aside for and of All Free
21 People of The Land, the Union of Sovereign States of America, and the united States of America,
22 their Estates and Chattels and All the derivatives derived thereof, The Great Republic of America,

1 or any other Trust or Estate I, as the bearer and the Preferred Creditor and lawful Executive of,
2 am entitled to, and I do by my Will Give them, Any and All, as well as I do by my Will Give my
3 flesh and blood, with Love, back unto the creator of my flesh and blood from this Land, and thus
4 the lawful owner, my Mother, ~judy – anna of the Clan of greer from Chaffee of the Nation state
5 Missouri. Whereby she as Trustee, occupying the Seat of Trustee as The LOTUS, or her Kin or
6 Heirs by Will or others as she, as Trustee assigns as Heirs or as worthy Citizens for The Great
7 Republic of America for the united States of America with lawful and valid Claim(s), or entrusts by
8 gift and/or conveyance and/or appointment, All done under the Maxims and Tenants of The
9 Common Law, shall set up a Living Instrument Of True Trust, a Perfect True Testamentary Trust
10 (see *Black's Law Dictionary*, Abridged 6th Edition, West Publishing Company, 1991) called The
11 Republic Trust by the Maxims and Tenants of The Common Law in the name of The Great
12 Republic of America, known here to forward as THE GREAT REPUBLIC OF AMERICA when
13 operating in commerce, which shall continue ***ad infinitum* in perpetuity** whereby all Officers of
14 The Republic Trust held and protected in Perfect Usufruct (see *Black's Law Dictionary* 4th Edition,
15 West Publishing 1968) must be Men and Wo(Men) who are non-combatant, peaceful inhabitants
16 of The Land as Private Nationals as Citizens for The Great Republic of America for the united
17 States of America, standing under The Law of The Land as it is defined and delineated in The
18 Constitution *for* the united States of America, The Will of The People of The Great Republic Of
19 America, with the Standing and Character *in* Law to affect and effect protections and continue
20 said claims *in* Law and Equity as the Executors/Executors de son Tort of the said causes at bar
21 cited and stated herein in this Will.

Wherefore said Executors/Executors de son Tort, as the said Trustee shall assign and/or entrust, by gift and/or conveyance and/or appoint, shall begin to account and assess the said total value of said *cestui que/cestuy que* trust(s), which as Grantor, Beneficiary and Preferred Creditor for said trust(s), i, ™r-lotus: justice, the living flesh and blood Wo(Man) held lawful control and interest, including All the derivatives derived thereof, as well as all my Estates and Chattel, both personal and real, and all other corporeal and incorporeal hereditaments, both ***ab initio*** and ***ad infinitum***, as well as Any and All negotiable instruments or notes in my control or by my hand, and including Any and All settlements and derivatives derived thereof that may be/have been/are being unlawfully withheld from me, including Any and All proceeds of Any and All claims that lay upon the bar, the *public* record and The Public Record in demand of remedy and relief as well as Any and All default judgments that have yet to be settled by offset of adjustment but for which I perfected and held by my signature and position as Executor/Executor de son Tort on behalf of My Self and All Free People of The Land, The Great Republic of America, the Union of Sovereign States of America, and the united States of America, for the trespasses, torts, laches and criminal and unlawful actions that Men, Wo(Men) and PERSONS/persons, have taken against me, ™r-lotus: justice, the living flesh and blood Wo(Man) and non-combatant peaceful inhabitant of The Land, LOTUS, et al., said *cestui que/cestuy que* trust(s), Estates and Chattels and All the derivatives derived thereof in which I hold interest, as well as those *cestui que/cestuy que* trust(s), Estates and Chattels and All the derivatives derived thereof of All Free People of The Land, The Great Republic Of America, the Union of Sovereign States of America, and the united States of America.

1 Wherefore the Trustee, as The LOTUS, and the Executors/Executors de son Tort, acting on the
2 behalf of My Self, All Free People of The Land, The Great Republic Of America, the Union of
3 Sovereign States of America, and the united States of America, they shall lay a Claim in Equity in
4 the name of The Great Republic of America against LOTUS, et al., for the deceits, *Fictio* and
5 Frauds being put upon its creation, done without lawful consent, wherefore I aver my exposing of
6 such crimes, trespasses, and torts will have been the reason for my death. Wherefore they shall
7 also name in the Claim in Equity brought in the name of The Great Republic of America, name
8 Any and All others, Men, Wo(Men) and PERSONS/persons, who either by direct or indirect action
9 were effectors of my death and/or the trespasses, torts, laches and criminal and unlawful actions
10 taken against My Self and All Free People of The Land, The Great Republic Of America, the Union
11 of Sovereign States of America, and the united States of America. Whereby, I demand by my Will
12 and thus they shall demand in the name of The Great Republic of America, in relief of the
13 offenses, the **sum certain amount in damages** of 3X(three times) the total values as can be
14 accounted and assessed by Facts *in* Law of Any and All said trust(s), Estates and Chattels and All
15 the derivatives derived thereof for compensatory damages, X800 (times eight hundred) for
16 malice and forethought as was established in Pacific Mutual v Haslip, 499 U.S. 1 (1990).
17 Wherefore I demand by my Will and thus they shall demand in my name, in remedy of the
18 criminal offenses, that All found guilty of such offenses *in* Law and *at* law, a penalty of death shall
19 be levied, as is afforded and defined in Clause 44 or The military law, The Leiber Code, unto which
20 All the effectors of my death were beholden, wherever it can be applied, or by the severest
21 punishment by The Superior Laws, exacted by whatever manner it is afforded by said Law for
22 such criminality.

1 Wherefore the Trustee, as The LOTUS, and the Executors/Executors de son Tort, acting on the
2 behalf of My Self, All Free People of The Land, The Great Republic of America, the Union of
3 Sovereign States of America, and the united States of America, the Trustee, Executors/Executors
4 de son Tort shall hold such honors as long as they operate in a manner befitting one of Honor
5 who lives, Loves and walks *in* Law and The Way and they shall continue to use such conveyance
6 and settlements to prosecute any and all crimes committed by those Men, Wo(Men) and
7 PERSONS/persons that have and continue to usurp the Will of All Free People of The Land and the
8 great institutions of government they created in their name and by their sacrifice of flesh and
9 blood, wherefore said trespasses, torts, laches and criminal and unlawful actions taken against
10 them shall lay in perpetuity against The Great Republic of America for the united States of
11 America and for All Free People of The Land who have inhabited peacefully therein, including My
12 Self, as it was created by The Will Of The People as it is delineated in The Constitution for the
13 united States of America, until The Law is served unto the violators of The Will Of The People and
14 my Will. Wherefore such conveyances and settlements in demand of remedy and relief from such
15 crimes, trespasses and torts and criminal and unlawful actions shall be used by and for the
16 benefit of The Great Republic of America for the united States of America as the usufructuaries
17 (see *Black's Law Dictionary*, Abridged 6th Edition, West Publishing Company, 1991) for the
18 restoration and perpetual continuation of them both. I do not recognize any other Man,
19 Wo(Man), or PERSON/person as having any authority over my Will or having the Standing *in* Law,
20 privilege, right or claim to review, complain, or probate my Will, wishes, trust(s), The Republic
21 Trust, Estates or Chattels nor any of the derivatives derived thereof stated herein. Nor do I
22 authorize their unlawful confiscation of them by Escheat nor recognize any who act counter my

wishes and Will stated herein and thus they shall prove by their actions to be in Fraud and counter to the Common Law. My Will is conveyed by my words that are stated herein. Any Will that may precede this Will is null and void if in contradiction to My Will stated herein. I do affirm, convey and attest that this is my Will and that I do so of sound mind, not infant or insane, and **not** under, nor subject to, any threat, duress, fraud, or undue influence, and fully aware of my assets.

Regardless of what manner torts, trespasses and laches and criminal and unlawful actions are or have been and/or will be affected and effected against My Self, the Preferred Creditor and lawful Executor for LOTUS, et al., the manner in which the remedy shall be settled by the offending parties shall be paid to THE GREAT REPUBLIC OF AMERICA and placed in The Republic Trust in Perfect Usufruct as a holding of The Great Republic of America, for the use and shared benefit of All Free People of The Land *in, by, for* and *under* The Superior Laws and Law as is defined and delineated by The Constitution *for* the united States of America. Said payment shall be in the form of pre 1933, non bankrupt united States of America Silver Dollars or pre 1885, non bankrupt, united States of America 420 Grain, .900 Fine Trade Dollar, credited as equal face value exchange as one Silver "Dollar" for every one Federal Reserve Note "dollar" as was the stated terms of exchange given by the Men and Wo(Men) operating as agents for the FRANKLIN COUNTY MUNICIPAL *COURT* CLERK OF *COURTS* when agents for the Preferred Creditor and lawful Executor proffered to pay a surety bond with pre 1933, non bankrupt United States of America Silver Dollars in these causes at bar referenced in *The LOTUS* ***Notice of Estoppel By Error And*** *Will By Testimonial Affidavit.*

And lastly, let it be known that a paradox exposes itself by its own premise, and thus invalidates the argument(s) therein. In as much as logic and reason are the foundation to all of Laws of Men and Wo(Men), it is with great irony that in your lots' efforts to affect and effect your plans you have exposed your lots' own Frauds and crimes, for even after the domestic enemy agents of your lots' creation, your highway robbers called police, arrested Me in my peaceful travels, assaulted Me, injured me, and falsely imprisoned Me in chains under gunpoint until a ransom in the form of a bill of pains and penalty, one of the bonds cited in Exhibit 6, was paid under threat, duress, coercion, intimidation and deceit to acquire my freedom, I came to speak to your lot in Peace and Grace as The LOTUS, bringing forth and having produced all of the proper documents and arguments, having the hereditaments to affect such character and effect such standing, in the hopes of affecting and effecting a peaceful settlement as the Executor of LOTUS, et al. for All. Wherefore your lot, All Esquires for/of the BAR Union, did refuse to review the documents tendered for examination and did refuse tender. Whereby I was again assaulted, had my flesh and mind damaged and my bones broken by a group of 3 (three) Men, which included two Esquires for/of the BAR Union, and again I was falsely imprisoned in chains under gunpoint by **parol/hearsay evidence**, this time for a longer time until I could pay yet another higher ransom in the form of a bill of pains and penalty, the specific bond cited herein, under threat, duress, coercion, intimidation and deceit. Now, your lot sits in great need of my hereditaments, aggressively seeking the unlawful surrender of them in order to save your lot and your masters' asses, to put it bluntly, from the many liabilities that now lays upon the Men and Wo(Men), the BAR Union and your masters for the multitude of unlawful actions the Esquires for/of the BAR Union has exacted upon All Free People of The Land. For though the BAR Union Esquires refused

1 to recognize my hereditiments *at* law as they were presented to your lot *in* Law by Me in the first
2 place, the BAR Union has engaged in **business** with the civilly dead entity, the PERSON, MONICA
3 GREER JUSTICE, by making claims, all be them false, against it. And though I do not, have not,
4 have refused to, and continue to refuse to engaged in **business** or **contract** with BAR Union
5 Esquires, as is my un-alienable right as the Preferred Creditor and lawful Executor for LOTUS, et
6 al., as it is defined and delineated by Article I, section 10, clause 1 of The Constitution *for* the
7 united States of America; your lot needs my Standing, my Character, and my signature by the Will
8 of My Self, **or** must unlawfully acquire it, by unlawfully usurping it via **parol/hearsay evidence**,
9 using threat, duress, coercion, intimidation, deceit, *Fictio*, Fraud, criminality and acts of Treason,
10 in the BAR Unions' Fiction *of* and *at* Law, your purported courts of law, your *fictio*, your paradox,
11 in order complete your lots' crimes against humanity and unlawfully effect the settlement for the
12 masters the BAR Union desires.

13

14 I aver that my un-alienable right as the Preferred Creditor and lawful Executor for LOTUS, et al.,
15 as it is defined and delineated by Article I, section 10, clause 1 of The Constitution *for* the united
16 States of America which prohibits the States from enacting any Law or law that impairs the
17 contract rights of All the Free People of The Land, was why your lot, Esquires for/of the BAR
18 Union, needed to coup the united States of America and eventually the States themselves, in an
19 attempt to remove the protections the States would have been required to affect and effect
20 against the BAR Unions' attacks against All the Free People of The Land and The Land itself. And
21 though the seats of our *de jure* government may lay vacant temporarily by the BAR Union *coup*

d'état, and though the BAR Union has unlawfully and with criminality usurped The Will of The People, The Constitution *for* the united States of America, as the Law of The Land and a Living Instrument Of True Trust, in order to affect and effect their crimes; those who created the *de jure* government of the united States of America, All the Free People of The Land, The Great Republic of America, as The Fourth Branch of Government **and** Sovereigns **of The Land, possess, control and hold the** Will **and the** Grant of Law ***ad infinitum* in perpetuity *in* their hereditiments and the Law**. Thus by the actions and needs your lot affects and effects, as proven by the need for a *coup d'état* itself, the BAR Union proves Me to be exactly what I averred that I was when your lot, Esquire for the BAR Union, brought forth the cause of action in Barrarty, against the PERSON, MONICA GREER JUSTICE, for as I averred then, and your lots' actions have proven, I **am the Preferred** Creditor **and lawful** Executor **for the civilly dead entity, the PERSON, MONICA GREER JUSTICE.** That makes my argument in these causes at bar the ***a fortiori* argument** and thus your lot, the BAR Union, may no longer operate in presumption and the burden of proof is upon your lot, the BAR Union, to prove your claims *in* Law.

I find your lots' plight humorous, albeit sardonic in nature, for I have thwarted your crimes and offenses with great zeal and the greater argument in reason, for I know your lot, Esquires for/of the BAR Union, by their deeds and I know what evils your lot do and thus I have not allowed you or anyone of your brothers and sisters of foreign agents, Esquires for/of the BAR Union, to re-present Me in the manner that ~pontius :pilatus did with ~Yahushua, despite your and many others, many unlawful efforts to do just that. I take great pleasure and solace in the Fact that my

1 argument is the *a fortiori argument*, for Law, founded in logic and reason, always prevails and as I
2 said, a paradox eventually exposes itself by its own premise, and thus invalidate the argument(s)
3 therein. Had this been an argument of logic and reason between GentleMen and
4 GentleWo(Men), as The Law and Law affords us by our Wills, that would have been one thing. But
5 that is not Your Way for your lot does not follow The Way and in that a distinction *in* The Law and
6 Law is drawn between your lot, the BAR Union, and I, for the distinction between what is
7 ultimately right in and by The Law and what is ultimately wrong in and by The Law, for we all
8 have our own sources of logic and reason, is your lots' use of violence and force instead of, even
9 as a preference in opposition to, using logic and reason and The Law to affect and effect Your
10 Way. Your lot, the BAR Union, insists on exacting its unlawful plunders with violence and forced
11 peonage wherefore I come with The Law, Grace and The Truth as a child of The Way, walking and
12 living as a Free Wo(Man) of The Land in Peace and The Law, espousing logic, reason, Fact, Truth
13 and Law. And yet here we All do sit, by your very order, again your lot has chosen to operate in
14 violence and peonage and I in logic, reason, Fact, Truth, and The Law, a Free Wo(Man) of The
15 Land in Peace, offering *Peace*. There is no bankruptcy controversy in these causes at bar and
16 these causes should have been settled a long time ago by the Law. All your lot has done by Fact,
17 Truth and Law, is prove that every act that your lot has taken in these causes at bar and since the
18 unlawful *coup d'état* of 1861 are/were unlawful and dishonor The Law for when I first offered my
19 hereditaments, corporeal and incorporeal, standing *in* The Common Law the first time, if your lot
20 was and is operating in The Law and Law, a peaceful settlement should have been completed
21 without violence or requirement of peonage, a violation of the Law and law, and yet no
22 settlement was not. Instead of offering Me comity, which is required by the Law, that I have

consistently extended to your lot, your lot broke my bones and held Me in bondage and chains at gunpoint and exposed Me to your lots' tortures of others. Now, because of those actions, these causes sit above the bar and the BAR Union is without jurisdiction and standing *in* Law. It is counter to logic and reason, and thus The Law and Law, to hold a gun to a peaceful Man or Wo(Man)'s head or threaten his Family, his society, his Nation, or Country in order to make him follow Your Way and espouse that "you are The Law", Law or law for that matter, for the following of The Law is a voluntary act of the just and reasoned. Shall your lot, the BAR Union, volunteer to follow the Law and offer or accept a settlement *of, for,* or *in Peace* I wonder or shall you continue with Your Way? I imagine your lot will follow whatever way your masters tell you to for your lot follows Your Way and I follow The Way, The Truth and The Light.

What your lot does not seem to fully grasp, for it seems you are unjust and lack the capacity to use logic and reason, is that the Men and Wo(Men) of my lineage have been opposed to the likes of your lot for hundreds of years now, having walked in the same places, the same Temples, Courts and courts, having left them because of the corruptions, proclivities and vices practiced therein. My Forefathers and Foremothers came here to live in Peace with The Land and were instrumental in the founding of Jamestown in the early 1600's. My Family and kin fought in every American War ever declared by the presumptive entities of governance, with many lives lost and many injured. I will never, ever betray my Family's Legacy or Love for the Nation, The Great Republic of America, or the Country they helped build, the united States of America, or the institutions thereof. Nor will I betray the The Land, The Way or The Creator of us All and thus will

never, ever voluntarily, willfully consort with or consent to the likes of your lot, the BAR Union. Your lots' malphesance is incredibly distasteful at best to a truly honorable Man or Wo(Man) who follow The Way, for your lot makes merchandise of Man, Wo(Man), Beast, and The Land by acting out sham legal processes in your temple banks, a Sin *by* and *in* The Law of The Creator and an Error and a crime *by* and *in* Law, as your lot seems to have no skills of creation of your own at your disposal, and thus your lot enslaves the toils of others in order to affect and effect fiefdoms, holding them up as a measure of self worth to whatever master or elohim you follow, exacting various violences, War and murder, routed in pride and glutton, lusting, coveting the creations and wealth of others, all corruptions of The Spirit and thus The Soul. Your lot, the Esquires for/of the BAR Union, have helped create more than 25% (twenty five percent) of the Worlds' prisoners, slaves of peonage, in a Country that holds only 5% (five percent) of the Worlds' People. What a purgatory Your Way has created for the innocence of this World! And yet there you sit, reprobate, a Sin *by* and *in* The Law of The Creator and an Error and a crime *by* and *in* Law, as a purported *judge* of others, another Sin *by* and *in* The Law of The Creator and an Error and a crime *by* and *in* Law, and then you exact violence upon the World *with* and *by* your Will, a third Sin *by* and *in* The Law of The Creator and an Error and a crime *by* and *in* Law. Your Spirit and Soul are bankrupt, and your hands are unclean. And thus pursuant to the Clean Hands Doctrine, You sir ~john - p.: graceffo, *before* ~stephen – l. : mcintosh, Esquire, are not, shall not be the *judge* nor the master of Me. I Master My Self. Nor Will I tithe or pay tribute to your masters, ever. No One shall ever control My Will, especially no bankrupt, unclean Man or Wo(Man) or Beast of Evil who does not follow The Way, The Truth, and The Light. I am intransigent on these Facts. And as I have already averred, I am not bankrupt, I hold more riches that your lot could ever imagine or know.

Your lot, Esquires for/of the BAR Union, operate in fiat, fiction, Fictio and Fraud instead of the real, the flesh and The Law, Law and law, and thus I aver that your lot and the masters you serve to be the bankrupts and I demand that you pay your liabilities to you creditors. I think of your lot to be some of the most dishonorable and repugnant Men and Wo(Men) I have ever had the displeasure of coming across in my travels here. Your lot are of the kind ~john-fitzgerald: kennedy and ~malcolm-x warned All Free People of The Land about, and probably died for the telling of. I am told by others that you sir present yourself as a Man of The Way, if that is a truth, I shall affirm, convey and attest under penalty of perjury by The Law, before The Creator, that you are not a Man that follows The Way and that you misrepresent yourself for I know you by your deeds as witnessed firsthand by my own eyes. Tell me, how many slaves have you shackled in peonage for your masters? You and your lot should take heed of your apparent need for penance and atonement. But then again, you are free by The Will of The Creator to either follow The Law or not.

I reserve the right to amend my perceptions, propositions, positions and postures, and thus this testimonial affidavit, at any time as I see fit as The Light, Graces Me with The Way, and The Truths is revealed to me. Corrigendum shall be in the form of *Errata*, addendums shall be in the form of Amendment.

If any statement or words used herein in this testimonial affidavit are not clear to you sir, so that you may understand them sir, may I suggest you seek counsel of someone learned *in* the Law, not *at* law.

With Great Prejudice,

~r. lotus

CERTIFICATE OF SERVICE

A true copy of the proceeding document will be sent to the following by United States Postal Service Certificate of Service or by a traceable third party, private post vendor with confirmed delivery and reserving all rights

~mark – a : hummer, Esquire
375 South High Street
Courtroom 13C
13th Floor
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

~john - p.: graceffo, Esquire
373 South High Street
14th Floor
Columbus, Ohio the State
(Zone Improvement Plan Code 43215)

~isaac : rinsky, Esquire
c/o COLUMBUS CITY ATTORNEYS OFFICE
375 South High Street
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

~k. - a.: jones
c/o of Adult Probation Department for
FRANKLIN COUNTY *COURT* OF COMMON PLEAS
369 South High Street, 5th Floor
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

~cynthia : gibson
c/o of Adult Probation Department for
FRANKLIN COUNTY *COURT* OF COMMON PLEAS
369 South High Street, 5th Floor
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

~ned : Kirby, Esquire
c/o FRANKLIN COUNT CLERK OF *COURTS*
373 South High Street
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

woody fox
c/o WOODY FOX BAIL BONDS
289 South 3rd Street
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

STATE OF OHIO, et al.
77 South High Street
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

FRANKLIN COUNT CLERK OF *COURTS*, et al.
373 South High Street
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

FRANKLIN COUNTY MUNICIPAL *COURT*
CLERK OF *COURTS, et al.*
2nd Floor
375 South High Street
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

CITY OF COLUMBUS, et al.
90 West Broad Street
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

FRANKLIN COUNTY SHERIFF'S OFFICE, et al.
373 South High Street
Floor 2B
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

COLUMBUS, OHIO DIVISION OF
POLICE, et, al.
120 Marconi Boulevard
Columbus, Ohio the state
(Zone Improvement Plan Code 43215)

ALLEGHENY CASUASLTY COMPANY, et al.
P.O. Box 9810
Calabasas, California the state
(Zone Improvement Plan Code 91372-9810)

AMERICAN CONTRACTORS INDEMNITY
COMPANY, et al.
601 South Figueroa Street
Suite 1600
Los Angeles, California the state
(Zone Improvement Plan Code 90017)

The State of Ohio
Franklin County, ss.

The laws of Ohio do not require a Notary Public to file a copy of seal impressions.

I, Maryellen O'Shaughnessy, Clerk of the Court of Commons Pleas, which is a court of record, within and for said County and State aforesaid, do hereby certify that

GRACE A. TERRY

whose name is subscribed to the annexed instrument and thereupon written, was at the time a duly commissioned and qualified Notary Public in and for the said County, and as such officer was duly authorized to administer oaths required or authorized by law; take and certify depositions; take and certify acknowledgements of deeds, mortgages, liens, power of attorney, and other instruments of writing; and receive, make, and record notarial protests; that I am acquainted with the signature of said Notary Public and verily believe that the signature to said instrument is genuine.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at

Columbus, Ohio, this 27TH day of JANUARY, 20 15.

Maryellen O'Shaughnessy
Clerk of the Court of Commons Pleas

Maryellen O'Shaughnessy
I attest to the accuracy and integrity of this document

COC-CV-131 (Rev. 11-2000)

I affirm, convey, and attest that the foregoing facts stated herein in The *LOTUS* ***Notice of Estoppel By Error And*** *Will by Testimonial Affidavit* are known to be true and correct by Me. I declare and execute this on 1/23/15 by/with my signature under penalty of perjury under the Laws of the united states of America pursuant to Title 28, United States Code § 1746. I plead these on behalf of The Great Republic of America, All Free People of The Land for the united States of America and Community Standards.

The lotus: justice

Preferred Creditor and Lawful Authorized Agent/Executor for LOTUS, et al.
Private Attorney General and Executor de son Tort for All Free People of The Land in The Great Republic of America for the united States of America and the Union of Sovereign States of America
Sui Juris
All Right Reserved
PO Box 82251
Columbus, Ohio the state

AKNOWLEDGEMENT OF SIGNATURE

The state, Ohio, County of FRANKLIN:

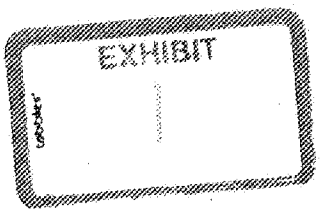
On this 23 day of Jan, 2015 before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the Exequtor/Agent for the person(s) whose names are subscribed to the above document, and acknowledged that (s)he executed the same for the purposes expressed herein. I attest that the principal appear to be of sound mind, not infant or insane, and not under, nor subject to, any apparent threat, duress, fraud, or undue influence. I attest that I am executing this notary as a neutral party. I declare and execute this by/with my signature and seal under penalty of perjury under the Laws of the united States of America pursuant to Title 28, United States Code § 1746.

Notary Public

My Commission Expires 2-15-16

1 January 3, 2015

2 R.-Lotus: Justice
3 P.O. Box 82251
4 Columbus, Ohio the state
5
6 Ms. K. A. Jones
7 c/o of Adult Probation Department
8 Franklin County *Court* of Common Pleas
9 369 South High Street, 5th Floor
10 Columbus, Ohio 43215



11
12 Ms. Jones,
13
14 Why have you, as an agent for of Adult Probation Department and Franklin County *Court* of
15 Common Pleas, sent correspondence addressed to Lotus: Justice? I affirm, convey and attest
16 under penalty of perjury by the Laws of the united States of America, the Republic, that Lotus
17 Justice nor any of my holdings do business or engage in contract with you or the PERSONS,
18 ADULT PROBATION DEPARTMENT or FRANKLIN COUNTY *COURT* OF COMMON PLEAS. I affirm,
19 convey and attest under penalty of perjury by the Laws of the united States of America, the
20 Republic, that neither I, Lotus: Justice, nor any of my holdings have a lawful contract to do
21 business or engage in contract with you or the PERSONS, ADULT PROBATION DEPARTMENT or
22 FRANKLIN COUNTY *COURT* OF COMMON PLEAS. As such I am unaware as to why you would
23 attempt such correspondence and thus the envelope and its' contents are being returned to
24 you unopened, marked "Refused for FRAUD," in that such an attempt is deemed by me as an
25 unlawful fraudulently attempt to unlawfully engage me, Lotus: Justice, in an ultra vires
26 contract. Wherefore, sans the capacity to produce of a lawful contract where the name and
27 signature of Lotus Justice is upon it as a freely, lawfully, consenting party along with the

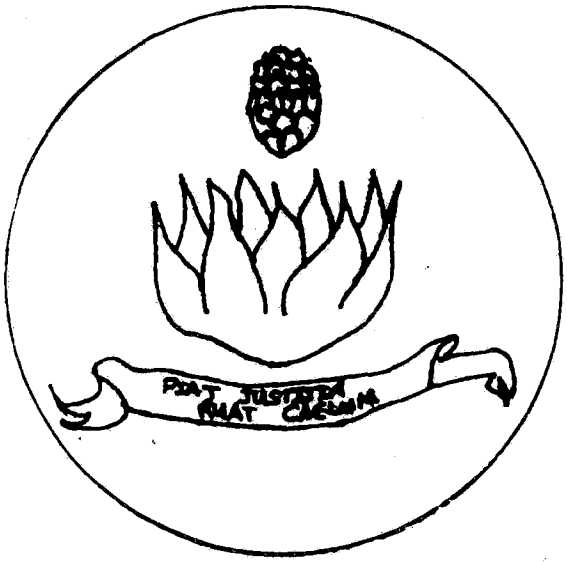


EXHIBIT
2

R.- Lotus: Justice
c/o P.O. Box 82251
Columbus, Ohio the state
{Zone Improvement Code Plan 43202}

The Attached Document Is An Accurate And True Copy Of Original Pleadings Laid Upon The Bar And The *Public* Record In The **UNITED STATES DISTRICT *COURT* FOR THE DISTRICT OF COLUMBIA in case number 14 CV 1631 on November 10, 2014**

I, **R.- Lotus: Justice, Executor De Son Tort** in the causes, affirm, attest and convey that the attached copies are true copies of the original pleadings under penalty of perjury by the laws of the Great Republic of the united States of America.

Witness my hand and seals on this day, November 24, 2014.

R Lotus Justice ARR

R.- Lotus: Justice

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

R.-Lotus: Justice
Great Republic of America
Union of Sovereign States of America
Plaintiffs

v

UNITED STATES, et al.
MONICA GREER JUSTICE, et al.

UNITED STATES DISTRICT *COURT*
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION
85 Marconi Boulevard
Columbus, Ohio the state
Zone Improvement Plan Code 43215

STATE OF OHIO, et al,
FRANKLIN COUNTY MUNICIPAL
COURT, et al.
FRANKLIN COUNTY *COURT* OF COMMON
PLEAS, et al.
CITY OF COLUMBUS, et al.
FRANKLIN COUNTY SHERIFF'S OFFICE, et al.
COLUMBUS, OHIO DIVISION OF
POLICE, et al.

Andrea –C.: Peeples
375 South High Street
*Court*room 14D
14th Floor
Columbus, Ohio the state
Zone Improvement Plan Code 43215

Mark – A.: Hummer
375 South High Street
Courtroom 13C
13th Floor
Columbus, Ohio the state
Zone Improvement Plan Code 43215

RECEIVED
NOV 10 2014
Clerk, U.S. District and Bankruptcy Courts

Civil Action No. 1:14-cv-01631-KBJ

WRIT OF MANDAMUS BY PRAECIPE
DEMAND FOR SUMMARY JUDGMENT
NOTICE OF DEMAND FOR ENTRY OF JUDGMENT UPON DEFAULT
NOTICE OF JOINDER BY WRIT OF PROHIBITION VIOLATION

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1 and its immutable guarantees of un-alienable rights. I stand as a Sovereign of the Land having
2 the Standing in Law as a Priority Creditor pursuant to the 1934 Bankruptcy Act indemnified by
3 the Trust of the Great Republic of America, the Trust of All the Free People of the Land. I
4 possess the corporeal and incorporeal hereditaments conferred to the descendants of the
5 Freeholding Men and Wo(Men) born from the lineage with Foreign Sovereign Immunity, whose
6 control of the Land **preceded** the founding of the Great Republic of America and the Union of
7 Sovereign States of America united as Predecessors of the Trust of the Great Republic of
8 America whose shall be known here to forward as the PERSON, THE GREAT REPUBLIC OF
9 AMERICA when operating in commerce, holding the allodial Title by Occupancy of the Land. I
10 bring forth this ***Writ Of Mandamus By Præcipe, Demand For Summary Judgment, Notice Of***
11 ***Joinder By Writ Of Prohibition Violation*** and ***Notice Of Demand For Entry Of Judgment Upon***
12 ***Default,*** and place it upon the bar and the *public* record in the cause. I do this as the lawful
13 Authorized Agent/Executor for the commercial entity, the fiction of Law , the civilly dead entity
14 and unlawfully created fraudulent instrument of commerce, the PERSON, MONICA GREER
15 JUSTICE, et al., created and derived from the living, real flesh and blood Wo(Man) of the Land
16 fraudulently and unlawfully being declared dead, 'beyond the sea,'' and as the Executor De Son
17 Tort pleading on behalf of All Free People of the Land of the Great Republic of America and the
18 Union of Sovereign States of America in affirmation of Community Standards. I place this ***Writ***
19 ***Of Mandamus By Præcipe, Demand For Summary Judgment, Notice Of Joinder By Writ Of***
20 ***Prohibition Violation*** and ***Notice Of Demand For Entry Of Judgment Upon Default*** upon the bar
21 and the *public* record invoking that Court of Law the District Court of the United States of
22 America, with the original jurisdiction in concurrent Common Law and Admiralty causes; the

1 Federal Rules of Civil Procedure Rule 55(a) whereby an **ENTRY OF DEFAULT** against the parties
2 may be entered, an ***Affidavit Of Notice Of Default, Entry Of Default, Writ Of Replevin*** (see
3 Exhibit A, attached as if fully rewritten herein) was placed upon the bar and the public record
4 with the PERSON, UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT OF OHIO EASTERN
5 DIVISION. Whereby the PERSON, UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT OF
6 OHIO EASTERN DIVISION has proven itself by tacit procuration {U.S. v Tweel, 550 F. 2nd
7 297(1977)} to not be the Court of Law, invoked in the cause, the District Court of the United
8 States of America with the original jurisdiction in concurrent Common Law and Admiralty
9 causes, the Court of Law in the historic sense, bound by the tenants and Maxims of the
10 Common Law and the Law of the Land, defined, delineated and created by the Judiciary Act of
11 1789, and the Natural Law of the Land as ordained by the Will of the People of the Great
12 Republic of America, All the Free People of the Land, the Constitution for the united States of
13 America, having the Grant of Law as is defined and delineated by the Common Law, the Natural
14 Law of the Land by the Will of the People of the Great Republic of America, All the Free People
15 of the Land, in the Constitution for the united States of America [Martin v Hunter's Lessee, 14
16 U.S. 304 (1816)]. Instead, the PERSON, UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT
17 OF OHIO EASTERN DIVISION, has proven itself to be but a mere territorial legislative *court*
18 [Maine v Thiboutot, 448 U.S. 1 (1980), Mookini v U.S., 330 U.S. 201 (1938)] ***operating in***
19 ***commerce with the intent to defraud those who come forth in Law, invoking the Courts of***
20 ***Law, the District Court of the United States of America***; and as such, having accepted the funds
21 in commerce and having then operated in the capacity and exercising the jurisdiction of the

1 Let it also be known and placed upon the bar and the *public* record as Fact that pursuant to the
2 same Title 28 that ***the*** Congress of the United States, not **a** Congress of the United States
3 Assembled, unlawfully combined by statutory provisions all civil actions in Law with actions in
4 Admiralty, thereby unlawfully combining the four jurisdictions in Law, as defined by Article II,
5 Section 2 of the Constitution for the united States of America into one, effectively denying All
6 Free People of the Land remedy and/or relief in the Common Law. This act was an exercise of
7 extra Constitutional power not conferred by the Constitution for the united States of America
8 to either the **dejure, a** Congress of the United States Assembled, or the **defacto, *the*** Congress
9 of the United States, and is thus repugnant to the Constitution for the united States of America
10 and is thus void [Marbury v Madison, 5 U.S. 137 (1808)]. Again, this act by the **defacto, *the***
11 Congress, was an extra Constitutional action act of Sedition and Treason for it "attempts to
12 oppose, or prevent, by force, numbers, or intimidation, a public and general Law of the United
13 States, with intent to prevent its operation or compel its repeal [United States v Fries, 3 Dall.
14 515 (1799), 9 Fed. Cas No. 5126 (1799)]."
15
16 Wherefore, the attempt by the PERSON, UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT
17 OF OHIO EASTERN DIVISION, and the Men and WoMen as agents for the PERSON to utilize such
18 unlawful statutory edicts or legislative express jurisdiction in causes where the Courts of Law,
19 the District Courts of the United States, was invoke was by Fact and Law an attempt to
20 perpetrate and perpetuate Fraud upon the Constitution for the united States of America, the
21 Courts of Law, the District Courts of the United States, as well as All the Free People of the

1 The new Facts being placed upon the bar and in the public record and for which the Plaintiffs
2 are seeking remedy and/or relief pursuant to the course of the Common Law are as follows:
3
4 Let it be known that on September 29, 2014, I, R.-Lotus: Justice, the real flesh and blood
5 Wo(Man) and the lawful Executor for the commercial entity, the Fiction of Law, the PERSON,
6 MONICA GREER JUSTICE, et al., did attend a hearing located at 373 South High Street,
7 Columbus, Ohio the state, in a cause that lay at the bar with the PERSON, FRANKLIN COUNTY
8 *COURT* OF COMMON PLEAS, case number 2014 CR 001581, and did hand deliver a clerk
9 stamped copy of the ***Writ of Prohibition, Demand For Quash Of Warrants***, case number 1:14-
10 cv-01631-KBJ, which lay upon the bar and public record with the PERSON, UNITED STATES
11 DISTRICT *COURT* FOR THE DISTRICT OF COLUMBIA, to Stephen – L. :McIntosh and John-P. :
12 Graceffo. Let it be known that despite this personal service Mr. McIntosh did immediately move
13 forward in the cause without requiring Mr. Graceffo to establish upon bar or the *public* record
14 the seven elements of jurisdiction required to invoke a jurisdiction in Law in a Court of Law. Let
15 it be known that at that time a ***Writ of Habeas Corpus*** and an oral ***Demurrer,*** a plea statutorily
16 afforded by Ohio Revised Code 2937.04, laid upon the bar and the *public* record with both the
17 PERSON, FRANKLIN COUNTY MUNICIPAL *COURT*, and the PERSON, FRANKLIN COUNTY *COURT*
18 OF COMMON PLEAS, both unsatisfied and unanswered. Let it be known that the Executor for
19 the Defendant, the commercial entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE,
20 was precluded from putting anything in writing upon the bar and the *public* record in the
21 PERSON, FRANKLIN COMMON, other than the ***Writ of Habeas Corpus*** by a mandatory e-filing

1 American from being enacted. Additionally, moving forward in a cause sans the establishment
2 of jurisdiction upon the record is an act of peonage against a Defendant for it forces the
3 Defendant to unlawfully contract with the individual effecting control over or administrating
4 the proceedings. This is a violation of the Anti Peonage Act of 1867, 18 USC § 1581 and 42 USC
5 Chapter 21 § 1994, and the Contract Clause, Article I, Section 10, Clause 1 and the 5th
6 Amendment of the Constitution for the united States of America and its immutable guarantee
7 of the un-alienable right to Due Process. Let it be known that on October 6, 2014, a finding of
8 guilty was placed upon the bar and the *public* record with the PERSON, FRANKLIN COUNTY
9 *COURT* OF COMMON PLEAS, against the Defendant, the commercial entity, the Fiction of Law,
10 the PERSON, MONICA GREER JUSTICE, et al.
11
12 Let it be known that in lieu of the multiple Errors in Law and Process that occurred at the hands
13 of Mr. McIntosh, I, the lawful Executor for the commercial entity, the Fiction of Law, the
14 PERSON, MONICA GREER JUSTICE, et al., did attempt to place a ***Writ of Audita Querela by***
15 ***Præcipe, Notice of Reservation of Relief from Judgment/Correction of Sentence on Remand by***
16 ***Federal Rules of Civil Procedure Rule 60(b) and by Federal Rules of Criminal Procedure Rule 35***
17 ***(a) Respectively*** (see Exhibit B, attached as if fully rewritten herein) upon the bar and in the
18 public record with the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS. Wherefore,
19 when the lawful Executor for the commercial entity, the Fiction of Law, the PERSON, MONICA
20 GREER JUSTICE, et al., did attempt to place the ***Writ of Audita Querela by Præcipe, Notice of***
21 ***Reservation of Relief from Judgment/Correction of Sentence on Remand by Federal Rules of***

1 form, in some courts created under its authority (a Congress inferred)" {*Martin v Hunter 14*
2 *U.S., 1 Wheat 304 (1816)*}; given by the Will of the People, the immutable instrument, the
3 Constitution for the Republic for the united States of America, is a violation of Title 28 of United
4 States Code §2255, a variety of Federal and Ohio Rules of Criminal and Civil Procedure, the
5 Constitution for the Republic for the united States of America and its immutable guarantee of
6 the un-alienable right to Due Process, the Maxims and Tenant of the Common Law, and the
7 Community Standards which founded the Great Republic of America and the Union of
8 Sovereign States of America united. Wherefore the PERSON, FRANKLIN COUNTY MUNICIPAL
9 *COURT*, and the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS are mere
10 commercial entities operating in commerce under the color of law, to disguise collateral
11 undertakings in Fraud against All the Free People of the Land of the Great Republic of America
12 and the Union of Sovereign States of America for the purposes of extorting the Perfect Usufruct
13 created by the Trust of the Republic, the Trust of All the Free People of the Land upon the
14 creation of the free and Sovereign nation known to all as the United States of America. As such,
15 the creation, utilization and absconding of any/all international negotiable instruments as
16 Bonds, created by the actions of the PERSON, FRANKLIN COUNTY MUNICIPAL *COURT*, and the
17 PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS which are secured by or drawn from
18 that Perfect Usufruct are actions of Racketeering and Fraud in violation of Title 18 § 1961-1968
19 exacted by **foreign agents**, a union of Esquires **foreign to the Great Republic of America and**
20 **the Union of Sovereign States of America**, of the **foreign** *defacto* corporation the Federal
21 Corporation the "United States 'of America'," doing business as the "United States" under the

1 that was created by the Trust of the Republic, the Trust of All the Free People of the Land;
2 pursuant to 28 United States Code Annotated (here to forward U.S.C.A) §1361, I do hereby lay
3 this ***Writ Of Mandamus By Præcipe,*** upon the bar and the *public* record with the PERSON,
4 UNITED STATES DISTRICT *COURT* FOR THE DISTRICT OF COLUMBIA CLERK OF *COURT*, and do so
5 order the following:

6 • By order of ***Writ Of Mandamus by Præcipe***, the immediate reopening of the case
7 number 1:14-cv-01631-KBJ laid upon the bar and the public record with the PERSON,
8 UNITED STATES DISTRICT *COURT* FOR THE DISTRICT OF COLUMBIA. Let it be known that
9 this Executor De Son Tort takes notice and deems the dismissal of the cause as very
10 premature and preventing the ripening of the claim, in contradistinction if not in
11 violation of the Administrative rules the purported *court* purports to operate under,
12 having not allowed the 60 days allowed for summons and answers to transpire
13 appearing prejudicial. Having said that, if the Men and Wo(Men) who operate as agents
14 for the PERSON, UNITED STATES DISTRICT *COURT* FOR THE DISTRICT OF COLUMBIA,
15 cannot operate as a neutral party in the Law, adhering to even their own Administrative
16 rules, let it be known that this claim shall not perish for it lays in perpetuity in the Law
17 and upon the bar and thus Justice will not be denied. Remedy and/or relief will be
18 sought by the Plaintiffs, with more entities enjoined on both sides of the bar if need be,
19 until a Court of Law that operates by the course of the Common Law is found or
20 convened and Justice by the Law is had by All Free People of the Land of the Great
21 Republic of America and the Union of Sovereign States of America.

1 Wherefore the record shall be certified by affidavit under wet signature and seal of both
2 the clerk of the purported *court* and all *court* administrators associated with the causes
3 certifying that the record provided is a complete, exact and true copy of the record by
4 the Law. This shall be done forthwith to preserve the bar and the Public Record for
5 posterity and Law and to establish Facts upon the causes.
6
7 • By order of ***Writ Of Mandamus by Præcipe***, the immediate creation of an Escrow
8 account, created in the name of THE GREAT REPUBLIC OF AMERICA with a neutral
9 international Court of Common Law with a Grant of Law as the third party Escrow
10 Administrative Agent as Indemnifier. Wherefore **all** Bonds created in the cited causes
11 and here to forward by the PERSON, FRANKLIN COUNTY MUNICIPAL *COURT*, the
12 PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, and the PERSON, UNITED
13 STATES DISTRICT *COURT* SOUTHERN DISTRICT OF OHIO EASTERN DIVISION, shall be
14 deposited along with **all** Bond proceeds, interest and derivatives created from said
15 Bonds, here to forward. Wherefore the neutral international Court of Common Law with
16 a Grant of Law as the third party Escrow Agent as Indemnifier shall only disburse monies
17 from said Escrow account for lawful operations of both sides of the bar in the cause as is
18 determined by the Escrow Agent by the course of the Common Law. This shall be done
19 to protect the Perfect Usufruct created by the Trust of the Republic, the Trust of All the
20 Free People of the Land from further actions of racketeering and Fraud by agents

1. ***Writ of Conspiracy*** and the ***Amendment To The Writ of Conspiracy By Affidavit, Charge Of High Treason, Errata*** filed with the PERSON, FRANKLIN COUNTY MUNICIPAL COURT
2. ***Writ of Replevin By Affidavit, Claim In Equity*** and the ***Amendment To The Writ of Replevin By Affidavit, Claim in Equity*** filed with the PERSON, FRANKLIN COUNTY MUNICIPAL COURT
3. ***Writ Of Common Law Cross Claim*** and a ***Writ Of Common Law Counter Claim*** filed with the PERSON, FRANKLIN COUNTY MUNICIPAL COURT
4. ***Entry Of Default By Affidavit*** and the ***Amended Entry Of Default By Affidavit*** filed with the PERSON, FRANKLIN COUNTY MUNICIPAL COURT
5. ***Affidavit of Notice of Default, Entry of Default*** filed with PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS
6. ***Writ of Audita Querela by Præcipe*** filed with PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS
7. ***Affidavit Of Notice Of Default, Entry Of Default, Writ of Replevin*** filed with PERSON, UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

I order these actions by ***Writ Of Mandamus By Præcipe*** as the Executor De Son Tort pleading on behalf of All Free People of the Land of the Great Republic of America and the Union of Sovereign States of America in affirmation of Community Standards, and acting as a "Private

1 relief and the misprision and the unlawful holding of the lawful Executor for the commercial
2 entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., of a demurrage fee of
3 the sum certain amount of **$58,875 (fifty eight thousand eight hundred seventy five dollars).**
4
5 For the agent of the municipal corporation the PERSON, COLUMBUS, OHIO DIVISION OF POLICE,
6 **Mr. Cuong-C.: Cao, et al.**, the real flesh and blood Man, the Plaintiffs demand a **Summary**
7 **Judgment** in remedy for his participation in denial of both remedy and relief and the misprision
8 and the unlawful holding of the lawful Executor for the commercial entity, the Fiction of Law,
9 the PERSON, MONICA GREER JUSTICE, et al., of a demurrage fee of the sum certain amount of
10 **$58,875 (fifty eight thousand eight hundred seventy five dollars).**
11
12 For the PERSON, **STATE OF OHIO, et al.**, as masters to the many agents, the Plaintiffs demand a
13 **Summary Judgment** in remedy for its participation in denial of both remedy and relief and the
14 misprision and the unlawful holding of the lawful Executor for the commercial entity, the
15 Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., of a demurrage fee of the sum
16 certain amount of **$392,500,000 (three hundred ninety two million, five hundred thousand**
17 **dollars).**
18
19 For the PERSON, **CITY OF COLUMBUS, et al.**, as masters to the many agents, the Plaintiffs
20 demand a **Summary Judgment** in remedy for its participation in denial of both remedy and
21 relief and the misprision and the unlawful holding of the lawful Executor for the commercial
22 entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., of a demurrage fee of

1 **$6,000 (six thousand dollars).**

2

3 Let it be known, that in as much as the above cited Defendants have forfeited all rights to
4 challenge such a **Summary Judgment** by the perfection of the Default of the Demurrer and
5 their tacit procuration having created Facts upon the bar and in the *public* record as well as
6 having implied Fraud {U.S. v Tweel, 550 F. 2nd 297(1977)}, summons shall be sent out only to
7 provide the above cited Defendants with the opportunity to defend themselves against the
8 claims of torts, trespasses and latches that shall be levied against them forthwith for no other
9 defenses by the Law may be laid upon the bar or on the public record.

10

11 **NOTICE OF DEMAND FOR ENTRY OF JUDGMENT UPON DEFAULT**

12

13 Pursuant to the Fact that an ***Affidavit of Notice of Default, Entry of Default, Writ of Replevin***
14 (see Exhibit 4, attached as if fully rewritten herein) was laid upon the bar and in the *public*
15 record on November 7, 2014, with the UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT
16 OF OHIO EASTERN DIVISION, et al., after a 30 (thirty) day period of Grace and depending upon
17 how the Defendant offers any settlement, the Plaintiffs demand for remedy for the Defendant's
18 participation in the denial of both remedy and relief and the misprision and the unlawful
19 holding of the lawful Executor for the commercial entity, the Fiction of Law, the PERSON,
20 MONICA GREER JUSTICE, et al., shall be either a **Summary Judgment** for the demurrage fees of
21 the sum certain amount of **$392,500,000 (three hundred ninety two million, five hundred**
22 **thousand dollars)** or a **Default On A Writ of Replevin, Claim of Equity** of the sum certain

1 For the agent of the municipal corporation the PERSON, FRANKLIN COUNTY MUNICIPAL
2 *COURT*, **Ms. Andrea - C.: Peeples, et al.**, the real flesh and blood Wo(Man), purportedly
3 occupying a seat of the State of the People, as master of servants, the Plaintiffs **Demand for**
4 **Entry of Judgment Upon Default** in remedy for her participation in denial of both remedy and
5 relief and the misprision and the unlawful holding of the lawful Executor for the commercial
6 entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., shall be a demurrage fee
7 of the sum certain amount of **$392,500,000 (three hundred ninety two million, five hundred**
8 **thousand dollars).**
9
10 For the agent of the municipal corporation the PERSON, FRANKLIN COUNTY MUNICIPAL
11 *COURT*, **Mr. Mark – A.: Hummer, et al.**, the real flesh and blood Man, purportedly occupying a
12 seat of the State of the People, as master of servants, the Plaintiffs **Demand for Entry of**
13 **Judgment Upon Default** in remedy for his participation in denial of both remedy and relief and
14 the misprision and the unlawful holding of the lawful Executor for the commercial entity, the
15 Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., shall be a demurrage fee of the sum
16 certain amount of **$392,500,000 (three hundred ninety two million, five hundred thousand**
17 **dollars).**
18
19 For the agent of the municipal corporation the PERSON, COLUMBUS CITY ATTORNEYS OFFICE,
20 **Mr. Richard – C.: Pfeiffer, Jr., et al.**, the real flesh and blood Man, purportedly occupying a seat
21 of the State of the People, as master of servants, the Plaintiffs **Demand for Entry of Judgment**

1 **NOTICE OF JOINDER BY WRIT OF PROHIBITION VIOLATION**
2 **NOTICE OF DEMAND FOR ENTRY OF JUDGMENT UPON DEFAULT**
3

4 In consideration of the Fact that the ***Writ of Prohibition*** which was served to the PERSONS,
5 and/or the Men and Wo(Men) as agents to the PERSONS by hand by the lawful Executor and
6 via United States Postal mail carrier, was violated and the cause cited in the ***Writ of Prohibition***
7 was moved forward by the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, and the
8 Men and Wo(Men) operating as agents for the PERSON, sans having proved and placed upon
9 the bar and the *public* record in Fact and Law the jurisdictional capacity to do so in addition to
10 additional Errors of Law and Process; and wherefore, by such actions the PERSON, FRANKLIN
11 COUNTY *COURT* OF COMMON PLEAS, the Men and Wo(Men) as agents for the PERSON, having
12 denied both remedy and relief, are now enjoined to the collusive participation in the misprision
13 and the unlawful holding of the lawful Executor for the commercial entity, the Fiction of Law,
14 the PERSON, MONICA GREER JUSTICE, et al., and many other High Crimes and Misdemeanors,
15 the PERSON, FRANKLIN COUNTY *COURT* OF COMMON PLEAS, and the Men and Wo(Men)
16 operating as agents for the PERSON, here to forward shall be Defendants in this civil cause.
17 Wherefore, in remedy, the Plaintiffs **Demand for Entry of Judgment Upon Default** by the
18 Defendants for their participation in the misprision and the unlawful holding of the lawful
19 Executor for the commercial entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE, et
20 al., shall be the following demurrage fees of the sum certain amounts:
21

1 the PERSON, MONICA GREER JUSTICE, et al., the PERSON, MONICA GREER JUSTICE, et al., and
2 All Free People of the Land of the Great Republic of America in this cause, of the sum certain
3 amount of **$536,500,000 (five hundred thirty six million, five hundred thousand dollars).**
4
5 For the agent of the municipal corporation the PERSON FRANKLIN COUNTY PROSECUTING
6 ATTORNEY, **Mr. Ron: O'Brien, et al.** (middle name unknown), the real flesh and blood Man,
7 purportedly occupying a seat of the State of the People, as a master of servants, the Plaintiffs
8 **Demand for Entry of Judgment Upon Default** in remedy for his participation in denial of both
9 remedy and relief and the misprision and the unlawful holding of the lawful Executor for the
10 commercial entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., shall be a
11 demurrage fee inclusive of the time that the lawful Executor was compelled by Good Conscious,
12 the Law and the Community Standards to dedicate time in defense of the many offenses the
13 actions of these man have brought upon the lawful Executor for the commercial entity, the
14 Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., the PERSON, MONICA GREER
15 JUSTICE, et al., and All Free People of the Land of the Great Republic of America in this cause, of
16 the sum certain amount of **$536,500,000 (five hundred thirty six million, five hundred**
17 **thousand dollars).**
18
19 For the agent of the municipal corporation the PERSON, FRANKLIN COUNTY PROSECUTING
20 ATTORNEY, **Mr. John-P.: Graceffo, et al.**, the real flesh and blood Man, the Plaintiffs **Demand**
21 **for Entry of Judgment Upon Default** in remedy for his participation in denial of both remedy
22 and relief and the misprision and the unlawful holding of the lawful Executor for the

1 misprision of the lawful Executor inclusive of the time that the lawful Executor was compelled
2 by Good Conscious, the Law and the Community Standards to dedicate time in defense of the
3 many offenses the actions of these man have brought upon the lawful Executor for the
4 commercial entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., the PERSON,
5 MONICA GREER JUSITCE, et al., and All Free People of the Land of the Great Republic of
6 America in this cause, and does not address the potential criminality of the actions of the
7 parties, actions in malice, the many other High Crimes and Misdemeanors, or the many
8 additional latches, trespasses and torts the actions of Men, Wo(Men) and multiple PERSONs
9 have brought upon the lawful Executor for the commercial entity, the Fiction of Law, the
10 PERSON, MONICA GREER JUSTICE, et al., the PERSON, MONICA GREER JUSTICE, et al., and All
11 Free People of the Land of the Great Republic of America in the causes. Wherefore, on the bar
12 and the *public* record I lay and reserve all rights to add or amend this Writ and/or demand
13 remedy and/or relief for those forms of actions by the PERSONs, and the Men and Wo(Men) as
14 agent for PERSONs at any future time as I, as the real Wo(Man), as the lawful Executor of the
15 PERSON, MONICA GREER JUSTICE, et al., and as Executor De Son Tort for All Free People of the
16 Land of the Great Republic of America, see fit.
17
18 As bond in this Common Law Claim I lay a bond of 21 (twenty one), pre 1933 Silver International
19 Trade Dollars demanding that remedy be satisfied pursuant to the Law of the Land, the
20 Common Law, the Judicial Act of 1789 Savings to Suitors Clause, the Constitution for the united
21 States of America, Benedict on Admiralty, the Ohio Constitution, and Title 42 U.S.C. § 1988, all
22 founded upon the Community Standards of the Great Republic of America as was secured by

1 It is my hope that in approaching the **court of last resort** in this Land, the PERSON, UNITED
2 STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, that remedy and/or relief may be
3 had in this cause for All Free People of the Land of the Great Republic of America and the Union
4 of Sovereign States of America. If that turns out not be the case, and remedy and/or relief
5 denied, Justice unavailable within the boundaries of the Great Republic of America, "the old
6 maxim, *cedant arma togae* will very ill apply to Courts of Justice. Instead of being the peaceful
7 arbiters of right, and the sacred asylum of unprotected innocence, their very *forums* will be the
8 feat of war and confusion," [Penhallow v Dones, 3 U.S., 54, (1795)]. "We must never forget that
9 the highest appreciation is not to utter words, but to live by them. (President John Fitzgerald
10 Kennedy)." May the Creator bless us all if in our search for Truth and Justice, we find that those
11 who purportedly speak the Law, do not follow it.

12 I reserve the right to amend this Common Law Claim at any time during the course of this
13 cause.

14

15 **CERTIFICATE OF SERVICE**

16 A true copy of the proceeding document will be sent by United States Postal Service Certificate
17 of Service or by a traceable third party, private vendor reserving all rights.

UNITED STATES, et al.
Donald – B.: Verrilli, Jr.
c/o United States Department of Justice
950 Pennsylvania Avenue Northwest
Washington, District of Columbia
Zone Improvement Plan Code 20530-0001

MONICA GREER JUSTICE, et al.
P.O. Box 82251
Columbus, Ohio the state

WRIT OF MANDAMUS BY PRÆCIPE
DEMAND FOR SUMMARY JUDGMENT
NOTICE OF DEMAND FOR ENTRY OF JUDGMENT UPON DEFAULT
NOTICE OF JOINDER BY WRIT OF PROHIBITION VIOLATION

John-P. : Graceffo, et al
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Zone Improvement Plan Code 43215

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AFFIDAVIT OF NOTICE OF DEFAULT
ENTRY OF DEFAULT
WRIT OF REPLEVIN

November 5, 2014

2014 NOV 7 PM 3:02
CLERK OF COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

R.- Lotus: Justice
P.O. Box 82251
Columbus, Ohio the state

UNITED STATES DISTRICT *COURT* SOUTHERN
DISTRICT OF OHIO EASTERN DIVISION
85 Marconi Boulevard
Columbus, Ohio the state
Zone Improvement Plan Code 43215

EXHIBIT
A

RE: 2:14-cv-343 MHW/MRA

To Whom it May Concern:

I, R.-Lotus : Justice, a living, real flesh and blood wo(man) of the Land and **not** the fiction of Law, the civilly dead entity and fraudulent instrument of commerce created and derived from the living, real flesh and blood wo(man) of the Land, being fraudulently and unlawfully declared dead, 'beyond the sea,' the PERSON, MONICA GREER JUSTICE, et al., and **not** a 14th Amendment citizen of the Federal Corporation the United States of America **nor** a "United States" citizen, but representing in propria persona as the posterity of the Trust of the Great Republic of America, All the Free People of the Land, Saving to Suitors the right to proceed in personam in causes in the Common Law and/or Admiralty jurisdictions as was conferred by the Judicial Act of 1789 (Benedict on Admiralty 6th Edition, Subsection 20-23), standing in the Law of the Land, the Common Law, standing under the Will of the People, the Judiciary Act of 1789, the Northwest Ordinance and the **Natural** Law of the Land as ordained by the Will of the People of the Great Republic of America, All the Free People of the Land, the Constitution for the united States of America and its immutable guarantees of un-alienable rights, standing as a Sovereign of the Land having the Standing in Law as the Priority Creditor pursuant to the 1934 Bankruptcy Act for the Trust of the Republic, the Trust of All the Free People of the Land, with the corporeal and incorporeal hereditaments conferred to the descendants of the Freeholding men and wo(men) of Foreign Sovereign Immunity who **preceded** the founding of the Great Republic of

1 agents for the PERSON, that AFFIDAVIT being an ***Affidavit of Demurrer*** (see Exhibits 2, attached
2 as if fully rewritten herein).
3
4 Let it be known that the *public* record does show, as the certified docket for the case number
5 cited in the causes 2:14-cv-343 provide (see Exhibits 1, attached as if fully rewritten herein),
6 that on September 19, 2014 a SECOND NOTICE OF AFFIDAVIT OF DEMURRER (see Exhibits 3,
7 attached as if fully rewritten herein) referencing the AFFIDAVIT file on August 18, 2014 was
8 place upon the bar and filed in the cited cause with the PERSON, UNITED STATES DISTRICT
9 *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON.
10
11 Let it be known that the *public* record does show, pursuant to the certified docket for the case
12 number cited in the causes 2:14-cv-343 provide (see Exhibits 1, attached as if fully rewritten
13 herein), that the parties, be it the PERSON, UNITED STATES DISTRICT *COURT* OF OHIO, the Men
14 and WoMen as agents for the PERSON nor any other party, as PERSONs or Men and WoMen as
15 agents for PERSONs, have not entered a plea, motion or writ, or otherwise defended the
16 Affidavits of Demurrer placed upon the bar and filed in the causes with the UNITED STATES
17 DISTRICT *COURT* OF OHIO and thus have failed to plead or otherwise defend themselves
18 against the claims and averments within them. Wherefore, pursuant tacit procuration [U.S. v
19 Tweel, 550 F. 2nd 297 (1977)] and Federal Rules of Civil Procedure Rule 55(a) an ENTRY OF
20 DEFAULT against the parties may be entered. This ***Affidavit of Notice of Default, Entry of***
21 ***Default***, is just such an entry.
22
23 Wherefore, the **Demand for Entry of Judgment Upon Default** of the party, is in the form of a
24 ***Replevin*** demanding the return of the *filing fee* of **$400 (four hundred Federal Reserve Note**
25 **United States Dollars)** that was proffered and accepted by the PERSON, UNITED STATES
26 DISTRICT *COURT* OF OHIO, the Men and WoMen as agents for the PERSON on April 14, 2014
27 (see Exhibits 4, attached as if fully rewritten herein) when a COMPLAINT was filed with the
28 PERSON, UNITED STATES DISTRICT *COURT* OF OHIO, invoking the Court of Law, the District
29 Court of the United States of America, a Court of Law in the historic sense, bound by the

1 participation in the misprision and the unlawful holding of the Executor for the commercial
2 entity, the stated Defendant in the causes, the PERSON, MONICA GREER JUSTICE, the PERSON,
3 UNITED STATES DISTRICT *COURT* OF OHIO and the Men and WoMen as agents for the PERSON
4 a demurrage fee of the sum certain amount of **$392,500,000 (three hundred ninety two**
5 **million, five hundred thousand Federal Reserve Note United States Dollars)** shall be
6 demanded in remedy, the same demurrage fee demanded in remedy from the masters to the
7 many agents who have participated in the misprision and the unlawful holding of the Executor.
8 Wherefore, sans the returning of the *filing fee* accepted by the PERSON, UNITED STATES
9 DISTRICT *COURT* OF OHIO and the Men and WoMen as agents for the PERSON, the manner in
10 which the remedy shall be settled by the stated parties shall be paid in the form of pre 1933,
11 non bankrupt United States of America Silver Dollars or pre 1885, non bankrupt, United States
12 of America 420 Grain, .900 Fine Trade Dollar, credited as equal face value exchange as one
13 Silver "dollar" for every Federal Reserve Note "dollar" as was the stated terms of exchange
14 given by agents for the FRANKLIN COUNTY MUNICIPAL *COURT* CLERK OF *COURTS* when the
15 Executor for the commercial entity, the stated Defendant in the causes, the PERSON, MONICA
16 GREER JUSTICE, proffered to pay a surety bond with pre 1933, non bankrupt United States of
17 America Silver Dollars in the causes brought forth in the COMPLAINT placed upon the bar with
18 the PERSON, UNITED STATES DISTRICT *COURT* OF OHIO.

19

20 Let it be known that the demurrage demanded in remedy from the parties only addresses the
21 demurrage levied for the misprision of the Executor and does not address the potential
22 criminality of the actions of the parties, actions in malice, or the many additional trespasses and
23 torts the actions of Men, Wo(men) and multiple PERSONs have brought upon the Defendant,
24 the Executor, and All Free People of the Land of the Great Republic of America in the causes.
25 Wherefore, on the record, I am reserving all rights to amend the Writ and/or demand remedy
26 for those forms of actions by the PERSONs, and the Men and Wo(men) as agent for PERSONs at
27 any future time as I, as Executor of the PERSON, MONICA GREER JUSTICE, and as Executor De
28 Son Tort for All Free People of the Land of the Great Republic of America, see fit.

EXHIBIT 1

CLOSED

U.S. District Court
Southern District of Ohio (Columbus)
CIVIL DOCKET FOR CASE #: 2:14-cv-00343-MHW-MRA
Internal Use Only

State of Ohio v. Greer Justice
Assigned to: Judge Michael H. Watson
Referred to: Magistrate Judge Mark R. Abel
Case in other court: Franklin County Common Pleas Court, 2014 CR 001581
Cause: 28:1441 Petition for Removal

Date Filed: 04/14/2014
Date Terminated: 04/15/2014
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

State of Ohio represented by **State of Ohio**
PRO SE

V.

Defendant

Monica Greer Justice represented by **Monica Greer Justice**
P.O. Box 82251
Columbus, OH 43202
614-267-2337
PRO SE

Date Filed	#	Docket Text
04/14/2014	1	NOTICE OF REMOVAL from Franklin County Municipal Court, case number 2014CR001581 filed by Monica Greer Justice. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20) (srl) (Entered: 04/14/2014)
04/14/2014	2	COMPLAINT filed by State of Ohio against Monica Greer Justice. (Attachments: # 1 Exhibit 2, # 2 Exhibit 3, # 3 Exhibit 4, # 4 Exhibit 5, # 5 Exhibit 6, # 6 Exhibit 7, # 7 Exhibit 8, # 8 Exhibit 9, # 9 Exhibit 10, # 10 Exhibit 11, # 11 Exhibit 12, # 12 Exhibit 13, # 13 Exhibit 14, # 14 Exhibit 15, # 15 Exhibit 16, # 16 Exhibit 17, # 17 Exhibit 18, # 18 Exhibit 19, # 19 Exhibit 20) (srl) (Entered: 04/14/2014)
04/14/2014		Filing fee: $ 400.00, receipt number COL032064 (srl) (Entered: 04/14/2014)
04/14/2014	3	MOTION for Temporary Restraining Order filed by Defendant Monica Greer Justice. (srl) (Entered: 04/14/2014)

JOHN P. ... CLERK
2014 AUG 18 AM 9:1
EAST DIV. COLUMBUS

1 August 17, 2014

2
3 R.- Lotus: Justice
4 P.O. Box 82251
5 Columbus, Ohio the state

6 UNITED STATES DISTRICT *COURT* SOUTHERN
7 DISTRICT OF OHIO EASTERN DIVISION
8 85 Marconi Boulevard
9 Columbus, Ohio the state
10 Zone Improvement Plan Code 43215
11

EXHIBIT
2

12 RE: 2:14-cv-343

13

14 To Whom it May Concern:

15

16 I, R.-Lotus : Justice, a real flesh and blood wo(man) of the Land, not a fiction in Law, and not a
17 14th Amendment citizen of the Federal Corporation the United States of America nor a "United
18 States" citizen, representing in propria persona as the posterity of the Trust of the Great
19 Republic of America, All the Free People of the Land, Saving to Suitors the right to proceed in
20 personam in causes in the Common Law and/or Admiralty jurisdictions as was conferred by the
21 Judicial Act of 1789 (Benedict on Admiralty 6th Edition, Subsection 20-23), standing in the Law
22 of the Land, the Common Law, standing under the Will of the People, the Northwest Ordinance
23 and Constitution for the united States of America and its immutable Grants of un-alienable
24 rights, standing as a Sovereign of the Land having the Standing in Law as the Priority Creditor
25 pursuant to the 1934 Bankruptcy Act for the Trust of the Republic, the Trust of All the Free
26 People of the Land, with the corporeal and incorporeal hereditaments conferred to the
27 descendants of the Freeholding men and wo(men) of Foreign Sovereign Immunity who
28 preceded the founding of the Great Republic of America and the Union of Sovereign States of

1 FACT 1: In as much as much as the entity the PERSON, UNITED STATES DISRTICT *COURT* OF
2 OHIO solicited and accepted $400 (four hundred) Federal Reserve Note Dollars in payment of
3 the services they purportedly provide, pursuant to the Clearfield Doctrine, the PERSON, UNITED
4 STATES DISRTICT *COURT* OF OHIO, is defined as a mere corporation operating in commerce.
5
6 Wherefore, in as much as all entities operating in commerce are required to have a franchise or
7 corporate charter from the *state* in which they operate, that being Ohio the state. In that the
8 only entity pursuant to the Constitution for the Republic for the united States of America, with
9 the power to grant such franchises and/or charters in Ohio, I demand that the PERSON, UNITED
10 STATES DISRTICT *COURT* OF OHIO, provide a certified, notarized copy of such a franchise or
11 charter from Ohio the state.
12
13 Additionally, in as much as a state franchise or corporate charter in not a Grant of Law nor
14 would they designate the PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, as a Court of
15 Law, pursuant to the ***Affidavit of Demurrer*** before you, provide the Grant of Law from Congress
16 of the United States Assembled operating under the authority of the Article 3 of the
17 Constitution for the united States of America [Martin v Hunter, 14 U.S. 1 Wheat 304 (1816),
18 Cohen v Virginia, 6 Wheat 264 (1821)] providing the PERSON, UNITED STATES DISRTICT *COURT*
19 OF OHIO, the capacity in Law to operate as the Court of Law described in the Judicial Act of
20 1789, the District Court of the United States of America, thereby allowing the PERSON, UNITED
21 STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON the
22 capacity in Law to express an OPINION AND ORDER citing statutory provisions and not in Law, in

1 Madison, 5 U.S. 137 (1808)]. Wherefore, any attempt by the PERSON, UNITED STATES DISRTICT
2 *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON to utilize such unlawful
3 statutory edicts or legislative acts in the answering of this ***Affidavit of Demurrer*** will be deemed
4 in Fact and Law an attempt to perpetrate and perpetuate such unlawful actions of Fraud upon
5 the Constitution for the united States of America, the Courts of Law, the District Courts of the
6 United States, as well as All the Free People of the Great Republic of America.
7
8 FACT 2: Thought the averments laid at the bar clearly stated that R.-Lotus : Justice, a real flesh
9 and blood wo(man) of the Land and not a fiction in Law, representing in propria persona, Saving
10 to Suitors the right to proceed in personam in causes in the Common Law and/or Admiralty
11 jurisdictions as was conferred by the Judicial Act of 1789 (Benedict on Admiralty 6th Edition,
12 Subsection 20-23), standing in the Law of the Land, the Common Law , was placing the
13 averments at the bar as the lawful Authorized Agent/Executor for the commercial entity, the
14 fiction in Law, the PERSON, MONICA GREER JUSTICE; the reply titled OPINION AND ORDER from
15 the PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents
16 for the PERSON, addressed Monica Greer Justice, spelled capital M, little o, little n, little i, little
17 c, little a, space, capital G, little r, little e, little e, little r, space, capital J, little u, little s, little t,
18 little c, little e, in the reply as the Defendant and **not** the Defendant cited in all charges laid at
19 the bar by purported agents for the purported Plaintiffs, the commercial entity, the fiction in
20 Law, the PERSON, MONICA GREER JUSTICE, spelled capital M, capital O, capital N, capital I,
21 capital C, capital A, space, capital G, capital R, capital E, capital E, capital R, space, capital J,
22 capital U, capital S, capital T, capital I, capital C, capital E.

capital O, capital N, capital I, capital C, capital A, space, capital G, capital R, capital E, capital E, capital R, space, capital J, capital U, capital S, capital T, capital I, capital C, capital E.

FACT 3: The PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON stated in their reply titled OPINION AND ORDER that Monica Greer Justice, spelled capital M, little o; little n, little i, little c, little a, space, capital G, little r, little e, little e, little r, space, capital J, little u, little s, little t, little c, little e, was representing in *pro se* when the averments placed at the bar clearly stated that R-Lotus: Justice, spelled capital R, hyphen, capital L, little o, little t, little u, little s, space, semicolon, capital J, little u, little s, little t, little i, little c, little e, a real flesh and blood wo(man) of the Land and not a fiction in Law, standing in the Law of the Land, the Common Law; standing under the Will of the People, the Constitution for the united States of America and its immutable Grants of un-alienable rights, standing as a Sovereign of the Land having the Standing in Law as the Creditor for the Trust of the Republic, the Trust of All the Free People of the Land, with the corporeal and incorporeal hereditaments conferred to the descendants of the Freeholding men and wo(men) of Foreign Sovereign Immunity who preceded the founding of the Great Republic of America, the Union of Sovereign States of America united, having Title by Occupancy of the Land; **was representing in propria persona** Saving to Suitors the right to proceed in personam in causes in the Common Law and/or Admiralty jurisdictions as was conferred by the Judicial Act of 1789 (Benedict on Admiralty 6th Edition, Subsection 20-23) That would be *pro per* and not *pro se*. Propria Persona, *pro per*, meaning in ***one's own proper person*** versus *pro se* meaning for oneself, in one's own behalf.

1 WoMen as agents for the PERSON, provide findings in Fact and conclusions in Law showing
2 where the PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as
3 agents for the PERSON can modify the pleadings in the causes in an attempt to enjoin Monica
4 Greer Justice, spelled capital M, little o, little n, little i, little c, little a, space, capital G, little r,
5 little e, little e, little r, space, capital J, little u, little s, little t, little c, little e, to the causes
6 against the commercial entity, the fiction in Law, the PERSON, MONICA GREER JUSTICE, spelled
7 capital M, capital O, capital N, capital I, capital C, capital A, space, capital G, capital R, capital E,
8 capital E, capital R, space, capital J, capital U, capital S, capital T, capital I, capital C, capital E.
9 Additionally, I demand that the PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the
10 Men and WoMen as agents for the PERSON, provide findings in Fact and conclusions in Law
11 which would allow the PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and
12 WoMen as agents for the PERSON to attempt to redefine the standing invoked by one in a writ
13 or pleading placed upon the bar from pro per to pro se. Additionally I demand that the PERSON,
14 UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON
15 provide findings in Fact and conclusions in Law that proves that I, R-Lotus: Justice, spelled
16 capital R, hyphen, capital L, little o, little t, little u, little s, space, colon, capital J, little u, little s,
17 little t, little i, little c, little e, and the commercial entity, the fiction in Law, the PERSON,
18 MONICA GREER JUSTICE, spelled capital M, capital O, capital N, capital I, capital C, capital A,
19 space, capital G, capital R, capital E, capital E, capital R, space, capital J, capital U, capital S,
20 capital T, capital I, capital C, capital E, are in Fact and Law the same and are interchangeable.
21

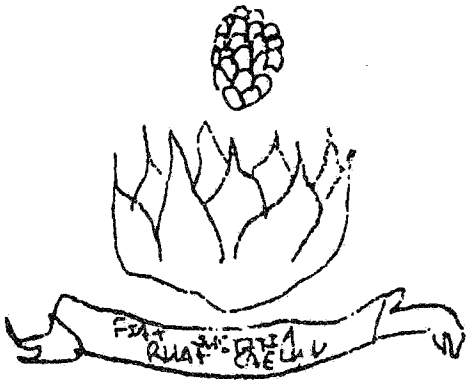
1 ***Demurrer*** and prove in Fact and Law by citing findings and Facts and conclusions in Law, their
2 capacity to do the following:

3 1. To exercise the jurisdiction in Law as the Court of Law that was invoked in the cause by
4 myself, R.-Lotus: Justice on behalf of and as the Authorized Agent/Executor of the
5 commercial entity, the fiction in Law, the PERSON, MONICA GREER JUSTICE, by Grant of
6 Law.
7 2. To modify the stated name of the Defendant on the pleading in a cause.
8 3. To modify the standing of the Authorized Agent/Executor of the commercial entity, the
9 fiction in Law, the PERSON, MONICA GREER JUSTICE bringing the cause to the bar from
10 pro per to pro se.
11 4. To enjoin others parties to the cause that are not stated in the pleading as Defendants
12 or Plaintiffs in the cause.
13 5. To modify the name of the Authorized Agent/Executor of the commercial entity, the
14 fiction in Law, the PERSON, MONICA GREER JUSTIC,E bringing the cause to the bar
15

16 Having said that I still reserve all rights to amend this ***Affidavit of Demurrer*** at any time as new
17 evidence comes to light in order to preserve all rights to remedy in the Law.
18

19 As the Authorized Agent/Executor of the commercial entity, the fiction in Law, the PERSON,
20 MONICA GREER JUSTICE, I lay this ***Affidavit of Demurrer***, for which the PERSON, UNITED
21 STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON are
22 required by both Law and statute to answer in denial or agreement, lest the silence be deemed

I attest that the facts stated herein in this decree are known to be true by me under oath under penalty of perjury by the laws of the Republic of the united States of America. I plead these of behalf of All Free People of the Land in the Great Republic of the united States of America and Community Standards.



R Lotus Justice ARR

R-Lotus: Justice
Executor for Defendant
MONICA GREER JUSTICE
Executor de son Tort for All Free People of the Land in the Great Republic of the united States of America.
Sui Juris
All Right Reserved
PO Box 82251
Columbus, Ohio the state

AKNOWLEDGEMENT OF SIGNATURE

The state, Ohio, County of FRANKLIN:

On this 18 day of Aug, 2014, before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the Executor/Agent for the person(s) whose names are subscribed to the above document, and acknowledged that (s)he executed the same for the purposes expressed herein. I attest that the principal appear to be of sound mind, not infant or insane, and **not** under, nor subject to, any apparent threat, duress, fraud, or undue influence. I attest that I am executing this notary as a neutral party. I attest this under penalty of perjury under the laws of the Republic of the united States of America.

Notary Public

2-15-16
My Commission Expires

NOTARIAL SEAL STATE OF OHIO
Notary Public State of Ohio
MY COMMISSION EXPIRES 02-15-16

1 Standing in Law as the Priority Creditor pursuant to the 1934 Bankruptcy Act for the Trust of the
2 Republic, the Trust of All the Free People of the Land, with the corporeal and incorporeal
3 hereditaments conferred to the descendants of the Freeholding men and wo(men) of Foreign
4 Sovereign Immunity who **preceded** the founding of the Great Republic of America and the
5 Union of Sovereign States of America united, here to forward known as THE GREAT REPUBLIC
6 OF AMERICA in commerce, having Title by Occupancy of the Land, and do hereby bring forth
7 this ***Second Notice of Affidavit of Demurrer*** and place it upon the bar. I do this as the lawful
8 Authorized Agent/Executor for the commercial entity, the fiction of Law , the civilly dead entity
9 and fraudulent instrument of commerce created and derived from the living, real flesh and
10 blood wo(man) fraudulently and unlawfully being declared dead, 'beyond the sea," the
11 PERSON, MONICA GREER JUSTICE, et al., and as the Executor De Son Tort pleading on behalf of
12 All Free People of the Land of the Great Republic of America in affirmation of Community
13 Standards, invoking that Court of Law, the District Court of the United States of America, a
14 Court of Law in the historic sense, bound by the tenants and Maxims of the Common Law and
15 the Law of the Land, created under Article III of the Natural Law of the Land as ordained by the
16 Will of the People of the Great Republic of America, All the Free People of the Land, the
17 Constitution for the united States of America, having the Grant of Law as is defined and
18 delineated by the Common Law, the Natural Law of the Land as ordained by the Will of the
19 People of the Great Republic of America, All the Free People of the Land, the Constitution for
20 the united States of America [Martin v Hunter's Lessee, 14 U.S. 304 (1816)] and is laid upon the
21 bar and directed at the PERSON, UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT OF
22 OHIO EASTERN DIVISION, a territorial legislative *court* [Maine v Thiboutot, 448 U.S. 1 (1980),

1 Mookini v U.S., 330 U.S. 201 (1938)] (hereafter UNITED STATES DISRTICT *COURT* OF OHIO), and
2 the Men and WoMen as agents for the PERSON, the entity that bears a name in commerce similar
3 in form and implied function to the Court of Law described in the Judicial Act of 1789, the
4 District Court of the United States of America.
5
6 I bring this ***Second Notice of Affidavit of Demurrer*** and lay it upon the bar directed at the
7 PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for the
8 PERSON, as a last offer of Grace as is required by the Law, having afforded the PERSON, UNITED
9 STATES DISRTICT *COURT* OF OHIO, a territorial legislative *court* [Maine v Thiboutot, 448 U.S. 1
10 (1980), Mookini v U.S., 330 U.S. 201 (1938)], and the Men and WoMen as agents for the PERSON, 30
11 (thirty) days to answer the Facts and averments placed upon the bar on August 18, 2014, in the
12 ***Affidavit of Demurrer*** by the Authorized Agent/Executor of the commercial entity, the fiction of
13 Law, the civilly dead entity and fraudulent instrument of commerce created and derived from
14 the living, real flesh and blood wo(man) being fraudulently and unlawfully declared dead,
15 'beyond the sea,' the PERSON, MONICA GREER JUSTICE, et al., which would prove in Fact and
16 Law, by citing findings of Facts and conclusions in Law, their capacity and authority in Law to
17 attempt to do, among other things, the following:
18 1. To exercise the jurisdiction in Law as the Court of Law that was invoked in the cause by
19 me, R.-Lotus: Justice, on behalf of and as the Authorized Agent/Executor of the
20 commercial entity, the fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., by
21 Grant of Law.
22 2. To modify the stated name of the Defendant on the pleading in a cause.

1 3. To modify the standing of the Authorized Agent/Executor of the commercial entity, the
2 fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., bringing the cause to the bar
3 from pro per to pro se.
4 4. To enjoin others parties to the cause that are not stated in the pleading as Defendants
5 or Plaintiffs in the cause.
6 5. To modify the name of the Authorized Agent/Executor of the commercial entity, the
7 fiction of Law, the PERSON, MONICA GREER JUSTICE, et al., bringing the cause to the
8 bar.
9
10 As the Authorized Agent/Executor of the commercial entity, the fiction of Law , the civilly dead
11 entity and fraudulent instrument of commerce created and derived from the living, real flesh
12 and blood wo(man) fraudulently and unlawfully being declared dead, 'beyond the sea,'' the
13 PERSON, MONICA GREER JUSTICE, et al., I lay this ***Second Notice of Affidavit of Demurrer***,
14 affording the PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as
15 agents for the PERSON, 3 (three) additional days as is required by Law, statute and Grace to
16 answer the Facts and averments contained in the writ ***Affidavit of Demurrer*** in denial or
17 agreement, lest the silence be deemed as *tacit procuration* to the averments made. Such
18 silence shall by Fact and Law be equated to Fraud and henceforth the averments made by the
19 ***Affidavit of Demurrer***, if left unchallenged by a reply or by refusal and/or failure to answer the
20 Facts and averments in the ***Affidavit of Demurrer***, shall be made Facts by Law for the PERSON,
21 UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON
22 have a lawful, legal and moral duty to answer the averments, demands, queries and

1 ruminations of the ***Affidavit of Demurrer*** [U.S. v Tweel, 550 F. 2nd 297 (1977)], in order to
2 ensure that comity, due process and remedy as is guaranteed to All in this cause by the tenants
3 and Maxims of the Common Law of the Land, the Constitution for the united States of America,
4 the Natural Law of the Land as ordained by the Will of the People of the Great Republic of
5 America, All the Free People of the Land.
6
7 The refusal and/or failure to answer the Facts and averments placed upon the bar on August
8 18, 2014 in the ***Affidavit of Demurrer*** by the Authorized Agent/Executor of the commercial
9 entity, the fiction of Law, the civilly dead entity and fraudulent instrument of commerce
10 created and derived from the living, flesh and blood wo(man) fraudulently and unlawfully being
11 declared dead, 'beyond the sea,'' the PERSON, MONICA GREER JUSTICE, et al., shall cause the
12 PERSON, UNITED STATES DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for
13 the PERSON, to be in **Default of Demurrer** and shall enjoin the PERSON, UNITED STATES
14 DISRTICT *COURT* OF OHIO, and the Men and WoMen as agents for the PERSON, to any and all
15 causes brought forth by the Authorized Agent/Executor of the commercial entity, the fiction of
16 Law, the civilly dead entity and fraudulent instrument of commerce created and derived from
17 the living, flesh and blood wo(man) being fraudulently and unlawfully declared dead, 'beyond
18 the sea,' the PERSON, MONICA GREER JUSTICE, et al., in demand of remedy of trespasses and
19 torts. Let it be known that it shall be ordered by Entry of Default if the ***Second Notice of***
20 ***Affidavit of Demurrer*** is left unanswered upon the lapse of 3 (three) days.
21

1 I reserve all rights to amend this ***Second Notice of Affidavit of Demurrer*** at any time as new

2 evidence comes to light in order to preserve all rights to remedy to All in the Law.

3

I attest that the facts stated herein in this decree are known to be true by me under oath under penalty of perjury by the Laws of the Republic of the united States of America. I plead these of behalf of All Free People of the Land in the Great Republic of the united States of America and Community Standards.

R Lotus Justice APR

R-Lotus: Justice
Executor for Defendant
MONICA GREER JUSTICE
Executor de son Tort for All Free People of the Land in the Great Republic of the united States of America.
Sui Juris
All Right Reserved
PO Box 82251
Columbus, Ohio the state

AKNOWLEDGEMENT OF SIGNATURE

The state, Ohio, County of Franklin:

On this 19 day of SEPT, 2014, before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the Executor/Agent for the person(s) whose names are subscribed to the above document, and acknowledged that (s)he executed the same for the purposes expressed herein. I attest that the principal appear to be of sound mind, not infant or insane, and not under, nor subject to, any apparent threat, duress, fraud, or undue influence. I attest that I am executing this notary as a neutral party. I attest this under penalty of perjury under the laws of the Republic of the united States of America.

Grace A Terry

Notary Public

GRACE A TERRY
Notary Public State of Ohio
MY COMMISSION EXPIRES 02-15-16

2-15-16

My Commission Expires

EXHIBIT
4

Court Name: US District Court SDO
Division: 2
Receipt Number: 200COL032064
Cashier ID: stoutp
Transaction Date: 04/14/2014
Payer Name: JUDY A GREER

CIVIL FILING FEE
For: JUDY A GREER
Case/Party: D-OHS-2-14-CV-000343-001
Amount: $400.00

CASH
Amt Tendered: $60.00
CHECK
Remitter: JUDY A GREER
Check/Money Order Num: 2578
Amt Tendered: $340.00

Total Due: $400.00
Total Tendered: $400.00
Change Amt: $0.00

A [illegible] $53.00 will be assessed on all returned checks.

Writ of Audita Querela by Præcipe
Notice of Reservation of Relief from Judgment/Correction of Sentence on Remand
by Federal Rules of Civil Procedure Rule 60(b)
and by Federal Rules of Criminal Procedure Rule 35 (a) Respectively

November 5, 2014

EXHIBIT
B

R.- Lotus: Justice
P.O. Box 82251
Columbus, Ohio the state

Attn: Stephen – L. :McIntosh
345 South High Street
Courtroom 4B
4th Floor
Columbus, Ohio the state
Zone Improvement Plan Code 43215

RE: 14 CR-1581

To Whom it May Concern:

I, R.-Lotus : Justice, a living, real flesh and blood wo(man) of the Land and **not** the fiction of Law, the civilly dead entity and fraudulent instrument of commerce created and derived from the living, real flesh and blood wo(man) of the Land, being fraudulently and unlawfully declared dead, 'beyond the sea,' the PERSON, MONICA GREER JUSTICE, et al., and **not** a 14th Amendment citizen of the Federal Corporation the United States of America **nor** a "United States" citizen, but representing in propria persona as the posterity of the Trust of the Great Republic of America, All the Free People of the Land, Saving to Suitors the right to proceed in personam in causes in the Common Law and/or Admiralty jurisdictions as was conferred by the Judicial Act of 1789 (Benedict on Admiralty 6th Edition, Subsection 20-23), standing in the Law of the Land, the Common Law, standing under the Will of the People, the Judiciary Act of 1789, the Northwest Ordinance and the Natural Law of the Land as ordained by the Will of the People of the Great Republic of America, All the Free People of the Land, the Constitution for the united States of America and its immutable guarantees of un-alienable rights, standing as a Sovereign of the Land having the Standing in Law as the Priority Creditor pursuant to the 1934 Bankruptcy Act for the Trust of the Republic, the Trust of All the Free People of the Land, with the corporeal

1 and incorporeal hereditaments conferred to the descendants of the Freeholding men and
2 wo(men) of Foreign Sovereign Immunity who **preceded** the founding of the Great Republic of
3 America and the Union of Sovereign States of America united, here to forward known as THE
4 GREAT REPUBLIC OF AMERICA in commerce, having Title by Occupancy of the Land; and do
5 hereby bring forth this ***Writ of Audita Querela by Præcipe, Notice of Reservation of Relief from***
6 ***Judgment/Correction of Sentence on Remand by Federal Rules of Civil Procedure Rule***
7 ***60(b)and by Federal Rules of Criminal Procedure Rule 35 (a) Respectively*** and place it upon the
8 bar and *public* record in the cause directed at the PERSON, FRANKLIN COUNTY COURT OF
9 COMMON PLEAS (hereafter FRANKLIN COMMON), and the PERSON, and the Men and Women
10 as agents for the PERSON. I do this as the lawful Authorized Agent/Executor for the commercial
11 entity, the fiction of Law , the civilly dead entity and fraudulent instrument of commerce
12 created and derived from the living, real flesh and blood wo(man) of the Land fraudulently and
13 unlawfully being declared dead, 'beyond the sea," the PERSON, MONICA GREER JUSTICE, et al.,
14 and as the Executor De Son Tort pleading on behalf of All Free People of the Land of the Great
15 Republic of America and the Union of Sovereign States of America in affirmation of Community
16 Standards.
17
18 There are a variety of Facts and point of Law and Process that shall be addressed in this Writ.
19 They are as follows.
20
21 Pursuant to the Errors of Law allowed by the PERSON, FRANKLIN COMMON, and the Men and
22 Wo(Men) operating as agents for the PERSON, by the a absence of a real party of interests and
23 the subsequently Errors of Process allowed that followed, the Facts are as such:
24
25 Let it be known that though this cause was brought forth to the bar by the purported
26 representative of the plaintiff in the cause, the PERSON, FRANKLIN COUNTY PROSECUTING
27 ATTORNEY'S OFFICE purportedly representing the PERSON, STATE OF OHIO, as a criminal
28 action, the Facts show that **no real party of interest was brought forth** with a claim or

statement of damages by affidavit under oath under penalty of perjury and thus no real victim with standing to bring a civil or criminal claim exists in this cause. This is in violation of Federal and Ohio Rules of Civil Procedure, Rule 17, and in violation of the 5th Amendment of the Constitution for the united States of America and its immutable guarantee of the un-alienable right to Due Process, as was affirmed in Bond v U.S. 564 U.S. (2011). The Facts show that the only written statement (see Exhibit 1, attached as if fully rewritten herein)brought forth in the cause was presented by a declarant, Detective Jacobs, operating in his official capacity as an agent for the *court,* the PERSON, FRANKLIN COUNTY MUNICIPAL *COURT* (hereafter FRANKLIN MUNICIPAL), and that his statements made were not of a firsthand knowledge or direct eye witness nature and were rather a compilation of various statements made by others conveyed in and of a hearsay nature. Additionally, the Facts show that the statements brought forth by Detective Jacobs were not made by affidavit under penalty of perjury or under oath before any person authorized by law to administer oaths as is required by Federal and Ohio Rules of Criminal Procedure, Rule 3. The Facts show that no written statements by affidavit under oath under penalty of perjury were brought forth or exist in the cause regardless of whether they were made by any eye witness with firsthand knowledge or any purported real party of interest. Additionally, the Facts show that absent an affidavits made under oath under penalty of perjury made by any eye witness with firsthand knowledge or a purported real party of interest, no real party of interest testified in a purported arraignment held for the cause in the PERSON FRANKLIN MUNICIPAL on March 18, 2014 (see Exhibit 2, attached as if fully rewritten herein) and that in Fact Detective Jacobs gave ex parte, hearsay testimony in violation of Federal Rules of Evidence, Rule 803 (8)(A)(ii) and Ohio Rules of Evidence Rule 803 (8).

The Facts show that subsequent to the purported arraignment, the cause was removed from the PERSON, FRANKLIN MUNICIPAL, to the PERSON, FRANKLIN COMMON as a result of a ***direct indictment*** by a Grand Jury thought there is not provision for ***direct indictment*** pursuant to Ohio Rules of Criminal Procedure, Rule 6. Additionally, no evidence or testimony was permitted from the Defense side of the bar in the purported ***direct indictment*** in violation of the 5th

1 Amendment of the Constitution for the united States of America and its immutable guarantee
2 of un-alienable right to Due Process. Additionally, pursuant to the Common Law, where the
3 matter charged is no offense at Common Law, the omission of these words will so entirely
4 vitiate, that no judgment can be given on it (1 Hale, 172, 189, 192), and thus violations of the
5 Law must be proven prior to violations of statute being brought forth and thus, in as much as
6 no charges were properly brought forth pursuant to the Maxims and Tenants of the Common
7 Law, not statutory charges could lawfully be brought forth, this again, as affirmed in Bond v U.S.
8 564 U.S. (2011).
9

10 Pursuant to the Errors of Law allowed by the PERSON, FRANKLIN COMMON, and the Men and
11 Wo(Men) operating as agents for the PERSON, in the denial of Process and denial of Due
12 Process and the subsequently Errors of Process allowed that followed, the Facts are as such:
13
14 Let it be known other than an initial filing of a ***Writ of Habeas Corpus*** (see Exhibit 3, attached as
15 if fully rewritten herein) that was laid upon the bar and the *public* record with the PERSONS,
16 FRANKLIN MUNICIPAL and FRANKLIN COMMON, on March 31, 2014, which to date still lays
17 unsatisfied and answered, the Executor for the Defendant, the commercial entity and the
18 fiction of Law, the PERSON, MONICA GREER JUSTICE, has been precluded from putting anything
19 in writing upon the bar and the *public* record in the PERSON, FRANKLIN COMMON, by a
20 mandatory e-filing Administrative Order (see Exhibit 4, attached as if fully rewritten herein)
21 whereby the Executor for the Defendant was required to agreed to contract with the PERSON,
22 FRANKIN COMMON, by agreeing to comply with the Administrative Orders and/or local Rules of
23 the Division or Branch of the PERSON, FRANKLIN COMMON (see Exhibit 5, attached as if fully
24 rewritten herein), in violation of the Contract Clause, Article I, Section 10, Clause 1 of the
25 Constitution for the united States of America, and whereby the Executor for the Defendant was
26 required to agreed to surrender the standing in Law of *propria persona* (see Exhibit 6, attached
27 as if fully rewritten herein) to *pre se* in violation of the Saving to Suitors clause of the Judicial

1 Act of 1789 (Benedict on Admiralty 6th Edition, Subsection 20-23) providing for the right to
2 proceed in personam in causes in the Common Law and/or Admiralty jurisdictions. The Errors of
3 Law and Process that were brought about by this Administrative Rule were allowed by the
4 PERSON, FRANKLIN COMMON, and the Men and Wo(Men) operating as agents for the PERSON,
5 were discovered when the Executor for the Defendant attempted to lay a ***Notice of Removal***
6 upon the bar and the *public* record with the PERSON, FRANKLIN COUNTY *COURT* OF COMMON
7 PLEAS CLERK OF *COURT*, on April 11, 2014 (see Exhibit 7, attached as if fully rewritten herein).
8 The Errors of Law and Process were brought to the attention of the PERSON, FRANKLIN
9 COMMON, and the Men and Wo(Men) as agent for the PERSON, in oral argument in the first
10 meeting of the purported parties (see Exhibit 8, attached as if fully rewritten herein) on May 29,
11 2014 and on multiple occasion in subsequent meetings. This denial of Process in general and
12 the denial of Due Process in violation of the 5th Amendment of the Constitution for the united
13 States of America and its immutable guarantee of the un-alienable right to Due Process,
14 subsequently precluded the Defense side of the bar from exercising Federal Rules of Criminal
15 Procedure 7(f), 12, 15, 16, 17, 18, and 47 and Ohio Rules of Criminal Procedure Rules 7(E), 12,
16 15, 16, 17, 18, and 47. The Errors of Law and Process allowed by the PERSON, FRANKLIN
17 COMMON, and the Men and Wo(Men) operating as agents for the PERSON was left
18 unanswered and unresolved for the duration of the cause whereby the Administrator in the
19 cause, Stephen – L. :McIntosh, did state on multiple occasions that it was a choice of the
20 Executor for the Defendant to not comply with the mandatory Administrative Order, whereby,
21 I, as the Executor for the Defendant, am in agreement with that statement for the right to
22 contract is a choice protected by the Contract Clause, Article I, Section 10, Clause 1, of the
23 Constitution for the united States of America. However, the right to contract or not to contract
24 cannot by the Law be a condition to access to the Law, Process or Due Process under the Law
25 and thus again, the mandatory Administrative Order is in violation of the Contract Clause,
26 Article I, Section 10, Clause 1 and the 5th Amendment of the Constitution for the united States
27 of America and its immutable guarantee of the un-alienable right to Due Process. Let it be know
28 that though Defense was precluded from putting anything in writing upon the bar and the

1 *public* record, any Writs of Notices cited herein, were provided to the Plaintiff and the
2 Administrator in one form or another directly by the Defense during oral testimony.
3
4 Pursuant to the Errors of Law allowed by the PERSON, FRANKLIN COMMON, and the Men and
5 Wo(Men) operating as agents for the PERSON, in the failure to establish jurisdiction and the
6 subsequently Errors of Process allowed that followed, the Facts are as such:
7
8 Let it be known that as the transcripts of the purported arraignment on March 31, 2014
9 indicate (see Exhibit 9, attached as if fully rewritten herein), this cause stems from a cause
10 originating in the PERSON, FRANKLIN MUNICIPAL where a ***Affidavit of Notice of Default, Entry***
11 ***of Default*** has been laid upon the bar and in the *public* record with the PERSON, FRANKLIN
12 MUNICIPAL, and the PERSON, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
13 COLUMBIA (hereafter DC DISTRICT), with the PERSON, FRANKLIN MUNICIPAL, having failing to
14 establish the elements of jurisdiction and the jurisdiction in Law invoked by the purported
15 plaintiff upon the record in the cause by answering a written ***Demurrer***, a plea statutorily
16 afforded by Ohio Revised Code 2937.04, that was place upon the bar and in the *public* record in
17 the cause on March 18, 2018, the day of the incident in question in the cause before the
18 PERSON, FRANKLIN COMMON. In as much as the fruit of the tree from the originating cause is
19 spoiled, the cause as it was brought to the PERSON, FRANKLIN COMMON, is spoiled.
20 Additionally, as the transcripts from March 18, 2014 (see Exhibit 2, attached as if fully rewritten
21 herein) indicate, a Demurrer was again place upon the bar and the *public* record by oral
22 testimony with the PERSON, FRANKLIN MUNICIPAL. On March 31, 2014 an objection and
23 challenge to the direct indictment was place upon the *public* record in oral testimony with the
24 PERSON, FRANKLIN COMMON, with no corpus delecti or real party of interest having produced
25 an affidavit under oath under penalty of perjury. Let it also be known that the originating cause
26 with the PERSON, FRANKLIN MUNICIPAL, has yet to be adjudicated and that as was stated
27 previously, a ***Writ of Habeus Corpus*** still lays upon the bar and the *public* record unsatisfied and

1 unanswered (see Exhibit 3, attached as if fully rewritten herein). Additionally, as the transcripts
2 from May 29, 2014 indicate (see Exhibit 8, attached as if fully rewritten herein), the Facts show
3 that not only did the PERSON, FRANKLIN COMMON, and the Men as Wo(Men) operating as
4 agents failing to establish the elements of jurisdiction and the jurisdiction in Law invoked by the
5 purported plaintiff upon the record in the cause by answering an oral ***Demurrer***, a plea
6 statutorily afforded by Ohio Revised Code 2937.04, but that Stephen – L. :McIntosh stated that
7 he did not have to establish jurisdiction, without citing findings of Facts and conclusions of Law
8 to support such a claim, whereby he also stated that he would proceed without establishing it
9 upon the record despite a challenge being placed upon the bar and the *public* record in oral
10 argument, a violation of Federal Rules of Criminal and Civil Procedure, Rule 12, as well as Ohio
11 Rules of Criminal and Civil Procedure, Rule 12. The moving forward without establishing
12 jurisdiction, especially when jurisdiction has been challenged is by Fact and Law and is an act of
13 Treason, for it is an attempt to prevent the Laws of the Great Republic of the united States of
14 American from being enacted. Additionally, moving forward in a cause sans jurisdiction is an act
15 of peonage against a Defendant for it forces the Defendant to unlawfully contract with the
16 individual effecting control over or administrating the proceedings. Thisis a violation of the Anti
17 Peonage Act of 1869 and the Contract Clause, Article I, Section 10, Clause 1 and the 5th
18 Amendment of the Constitution for the united States of America and its immutable guarantee
19 of the un-alienable right to Due Process.

20

21 Pursuant to the Errors of Law allowed by the PERSON, FRANKLIN COMMON, and the Men and
22 Wo(Men) operating as agents for the PERSON, in preventing the Defense from effecting proper
23 counsel, in preventing the admission of exculpatory evidence and in tampering with witnesses
24 and the Jury and the Errors of Process allowed that followed, the Facts are as such:

25

26 The Facts show that Stephen – L. :McIntosh, operating as the Administrator in the cause did
27 repeatedly prevent the Defense from effecting proper counsel, did prevent the presenting of

1 exculpatory evidence in violation of Federal and Ohio Rules of Evidence 401, 402, 803, 902,
2 1002, 1003, and did tamper with witnesses in violation of 18 U.S. Code § 1512 and the Jury in
3 violation of 18 U.S. Code § 1503 by acting in the following manner:
4
5 Mr. McIntosh did repeatedly prevent the presenting and submission of exculpatory evidence by
6 the Defense, stating that public records, books of more than 20 years of age of which some had
7 been submitted into the Congressional Record, case Law citations, Ohio Juris Prudence
8 citations, the Constitution of Ohio and the Constitution for the united States of America were
9 not relative to the Defense and inadmisable. Additionally he stated that any generated
10 document such as medical/hospital reports and records including CDs, records from the actual
11 case file including the declarant complaint submitted by Detective Jacobs brought forth by the
12 Defense during cross examination, and original wet copy court reporter transcripts brought
13 forth as evidence, were hearsay documents and were not allowed to be entered into evidence
14 unless the man or woman who produced/printed the records or reports were subpoenaed and
15 could verify their authenticity by direct testimony. This declaration by Mr. McIntosh would
16 apparently apply to public record documents where the originators may be unavailable or dead,
17 presumable possibly even applying to the Constitution for the united States of America.
18 Additionally, Mr. McIntosh did repeatedly state that such items were not relative to the
19 Defense even when attempts to bring them forth were done during direct testimony of
20 witnesses for the Defense. Let it be known that the Defense attempted to utilize, cite or enter
21 more than 18 exhibits to which all were refused and not allowed to be put upon the record
22 whereby Mr. McIntosh did state that they were not relative to the Defense or stated that they
23 were classified as hearsay documents. The three photos which Mr. McIntosh did allow the
24 Defense to use during witness testimony were subsequently not allowed to be part of the
25 permanent record. All Plaintiff evidence submission, photographs and such, were allowed
26 without condemnation or authentification by Mr. McIntosh.
27

1 Additionally, Mr. McIntosh even allowed Detective Jacobs, a Plaintiff witness, to directly speak
2 of and reference an interrogation video that he stated he had reviewed in preparation of his
3 testimony whereby he conveyed hearsay testimony, stating what other witnesses first hand
4 knowledge was and testifying that the purported Defendant had admitted to being guilty of the
5 crime as charged, and yet Detective Jacobs was not required to produce the video and present
6 it to the Defense for cross or examination. Additionally, Mr. Groceffo brought forth three
7 Plaintiff witnesses classified as "counsel only witnesses" that did not disclose that they were
8 named in separate civil lawsuits by the Defense.
9
10 Mr. McIntosh repeatedly interrupting the Defense and requiring the Defense to assign titles of
11 station or office such as Officer, Detective or Judge in lieu of the titles of Mister or Miss, even
12 going so far as to order the Defense to assign such titles of station of office. He did this while in
13 the presence of the Jury on two occassion, thereby tampering with and prejudicing the Jury.
14 Additionally, Mr. McIntosh prevented the Defense from defending the right to not use titles of
15 station or offices before the Jury pursuant to case Law, additionally tampering with and
16 prejudicing the Jury.
17
18 Mr. McIntosh solicited excessive side bars, often numbering over 15 per day whereby he
19 repeatedly did state that evidence being presented or the line of questioning that was being
20 presented by the Defense was not relevant to the Defense, thereby repeatedly controlling and
21 limiting the scope and focus of the Defense. Mr. McIntosh even solicited over 5 side bars during
22 the closing arguments by the Defense again stating that the statements being made were not
23 relative to the Defense. At that time Mr. McIntosh stated that the whole of the judicial system
24 could not be indicted, to which I stated, "yes it can."
25
26 Mr. McIntosh did subject three of the four Defense witnesses to threats of arrest if they did not
27 surrender their Social Security numbers to him (see Exhibits 10 and 11, attached as if fully
28 rewritten herein). Mr. McIntosh did actually affect an arrest upon one of the Defense

1 witnesses, removing him from them court under and holding him in contempt until such time
2 as he did surrender his Social Security number though Mr. McIntosh never did produce his
3 authority to effect such a demand and arrest, actually stating in open court that he was
4 "operating outside of Rule 16." Though the stated purpose for needing them was to affect
5 security background checks at the demands of the Plaintiff, all three witnesses did offer their
6 State of Ohio identifications as substitute but were refused. Mr. McIntosh did this did this in the
7 middle of testimony between Defense and Plaintiff cross after having sent the Jury out. Mr.
8 McIntosh did not provide the state statute that required the witnesses to surrender their Social
9 Security numbers to him as is required by Federal statute even when the witnesses requested
10 or demanded to see the state statute. None of the Plaintiffs witnesses were subjected to such
11 demands, threats of arrests or arrest by Mr. McIntosh and thus Mr. McIntosh did effectively
12 tamper with Defense witnesses with threats, duress and coercion not placed upon Plaintiff
13 witnesses. The fourth witness for the Defense, and expert witness, was not allowed to testify in
14 that his testimony was deemed not relative to the Defense by Mr. McIntosh.
15
16 Mr. McIntosh repeatedly ignored objections made by the Defense pursuant to statements
17 made by Mr. McIntosh concerning what was relative to the Defense, whereby the Defense
18 demanded that he provide findings in Facts and conclusions in Law of his ability to determine
19 what defense the Defense could or could not effect. Mr. McIntosh repeatedly did not allow the
20 Defense to address the lawfulness of the actions of the purported *court* or the warrants being
21 exacted by the purported court that resulted in the charges cited in the cause, nor did he allow
22 the Defense to introduce the lawful resistance to an unlawful arrest as a defense, bring the
23 Defense to a sidebar when the subject was approach.
24
25 Mr. McIntosh allowed the Plaintiff to obscure the requirement of the statue to prove intent to
26 the Jury as is inferred by the words "knowingly cause or attempt", whereby Mr. McIntosh did
27 admit in open court while discussing Jury instructions without the Jury present that the
28 requirement of intent had not been approached in the cause.

1

2 Mr. McIntosh did state in a side bar during Defense closing arguments that the jury was not the
3 Law, but that he was the Law. He actually emphatically stated "I am the Law."
4
5 There are some statements the Facts that though they may seem random, need to be stated.
6 They are as such:
7
8 The initial Jury pool, which pursuant to Ohio Revised Code was pulled only from registered
9 voters, had over 40+% of the potential jurors as having close friends or relatives that were
10 connected to law enforcement. This seems highly improbable if the Jury pool was pulled from a
11 blind, random sample. Additionally, during the course of proceedings, the Defense evidence
12 box would be left in a purportedly controlled and locked closet during lunch breaks. This was
13 the only time that Defense evidence was not in direct and locked control of the Defense. On the
14 last day of proceedings it was discovered that the final jurors list with the first and last names of
15 all of the jurors was missing from the Defense evidence box. Additionally, an original copy of a
16 Writ of Replevin that had been place upon the bar and the public record with the PERSON,
17 FRANKLIN MUNICIPAL was also found to be missing.
18
19 In this ***Writ of Audita Querela by Præcipe, Notice of Reservation of Relief from***
20 ***Judgment/Correction of Sentence on Remand by Federal Rules of Civil Procedure Rule***
21 ***60(b)and by Federal Rules of Criminal Procedure Rule 35 (a) Respectively*** an abundance of
22 Facts have been brought forth showing how the variety of Errors of Law allowed by the
23 PERSON, FRANKLIN COMMON, and the Men and Wo(Men) operating as agents for the PERSON
24 that allowed Errors in Process to occur. The preponderance of the Errors stated herein this Writ
25 speaks to either gross incompetence, negligence, or malice or all of the above for Mr. McIntosh
26 not only failed to establish jurisdiction he refused to establish it, and act implicit of Fraud (U.S. v
27 Tweel, 550 F. 2nd 297 (1977)) that denied the Defense the knowledge required to effect proper
28 counsel and exercise the Law and appeals. Mr. McIntosh not only repeatedly failed to follow

1 Federal and state Rules of Procedure, he repeatedly went out of his way to control the Defense
2 and prevent the Defense from presenting exculpatory evidence to the Jury. Mr. McIntosh not
3 only repeatedly failed to follow the Federal and state Rules of Evidence, he clearly stated that
4 he was operating outside of them in open court. Mr. McIntosh not only repeatedly failed to
5 ensure proper Process in general and Due Process of Law, he grossly violated them by
6 exercising his own personal law as a tyrant from the bench, violating the unalienable rights of
7 everyone involved, Defendant and jurors alike with his law. Mr. McIntosh not only repeatedly
8 failed to insure that the Constitution of the unites States of America was being followed he took
9 steps to undermine its enactment, an overt act of Treason. When Mr. McIntosh failed to
10 observe the ***Writ of Prohibition*** that was filed in the US DISTRICT, whereby upon viewing it Mr.
11 McIntosh stated that it had no bearing on the cause at hand and proceeded to move to trial,
12 Mr. McIntosh showed that a rush to judgment was more important than insuring Justice for the
13 Defendant. When Mr. McIntosh openly operated outside the Rules of Evidence and arrested a
14 sitting witness in the middle of testimony when he refused to surrender his Social Security
15 number, without ever having provided that witness his authority by Law and/or statute to
16 demand such things or take such actions, though lawful authority was demanded, Mr. McIntosh
17 committed a federal felony from the bench. All of these actions in concert speak to motives
18 born of malice and forethought and bring a Fraud upon Courts of Law, the Executor for the
19 Defendant, the Defendant, the Defense witnesses, All Free People of the Land in the Great
20 Republic of the united States of America and the Union of Sovereign States of America.
21
22 Wherefore, by such actions the PERSON, FRANKLIN COMMON, the Men and WoMen as agents
23 for the PERSON are now enjoined by collusive participation, in the misprision and the unlawful
24 holding of the Executor for the commercial entity, the stated Defendant in the causes, the
25 PERSON, MONICA GREER JUSTICE. As such, in remedy for their collusive participation in the
26 misprision and the unlawful holding of the Executor for the commercial entity, the stated
27 Defendant in the causes, the PERSON, MONICA GREER JUSTICE, the PERSON, FRANKLIN
28 COMMON, and the Men and WoMen as agents for the PERSON, a demurrage fee of the sum

1 certain amount of **$392,500,000 (three hundred ninety two million, five hundred thousand**
2 **Federal Reserve Note United States Dollars)** shall be demanded in remedy, the same
3 demurrage fee demanded in remedy from the masters to the many agents who have
4 participated in the misprision and the unlawful holding of the Executor in this cause with an
5 additional demurrage fee of the sum certain amount of **$144,000,000 (one hundred fourty four**
6 **million Federal Reserve Note United States Dollars)** calculated as $250,000 (two hundred and
7 fifty thousand dollars) per every 15 (fifteen) minutes, for the 6 (six) days the Executor was
8 compelled by the Good Conscious, the Law and the Community Standards to dedicate time in
9 defense of the many offenses the actions of these man have brought upon the Defendant, the
10 Executor and All Free People of the Land of the Great Republic of America in this cause, for a
11 total demand in remedy of the sum certain amount of **$536,500,000 (five hundred thirty six**
12 **million, five hundred thousand Federal Reserve Note United States Dollars).**
13
14 Additionally, the following PERSONS and Men and Wo(Men) as agents for the PERSON have
15 also been enjoined by their actions
16
17 The agent of the municipal corporation the PERSON, FRANKLIN COMMON, **Mr. Stephen – L.**
18 **:McIntosh,** the real flesh and blood man purportedly occupying a seat of the State of the
19 People, for his participation in the misprision and the unlawful holding of the Executor for the
20 Defendant, the commercial entity, the Fiction of Law, the PERSON, MONICA GREER JUSTICE, et
21 al., along with the additional dedication of time, a demurrage fee in demand of remedy of the
22 sum certain amount of **$536,500,000 (five hundred thirty six million, five hundred thousand**
23 **Federal Reserve Note United States Dollars).**
24
25 The agent of the municipal corporation the PERSON FRANKLIN COUNTY PROSECUTING
26 ATTORNEY, **Mr. Ron: O'Brien (middle name unknown)** the flesh and blood purportedly
27 occupying a seat of the State of the People, for his participation in the misprision and the
28 unlawful holding of the Executor for the Defendant, the commercial entity, the Fiction of Law,

1 the PERSON, MONICA GREER JUSTICE, et al., along with the additional dedication of time, a
2 demurrage fee in demand of remedy of the sum certain amount of **$536,500,000 (five hundred**
3 **thirty six million, five hundred thousand Federal Reserve Note United States Dollars).**
4
5 The agent of the municipal corporation the PERSON, FRANKLIN COUNTY PROSECUTING
6 ATTORNEY, **Mr. John-P.: Graceffo** for his participation in the misprision and unlawful holding of
7 the Executor for the Defendant, the commercial entity, the Fiction of Law, the PERSON,
8 MONICA GREER JUSTICE, et al., a demurrage fee of the sum certain amount of **$58875 (fifty**
9 **eight thousand eight hundred seventy five)** with an additional demurrage fee of the sum
10 certain amount of **$5400 (fifty four hundred dollars)** calculated at $150 (one hundred and fifty
11 dollars) per hour, for the 6 (six) hours for 6 (six) days the Executor was compelled by the Good
12 Conscious, the Law and the Community Standards to dedicate time in defense of the many
13 offenses the actions of these man have brought upon the Defendant, the Executor and All Free
14 People of the Land of the Great Republic of America in this cause for a total demand in remedy of the
15 sum certain amount of **$64275 (sixty four thousand two hundred seventy five Federal Reserve**
16 **Note United States Dollars).**
17
18 Wherefore, the manner in which the remedy shall be settled by the stated parties shall be paid
19 in the form of pre 1933, non bankrupt United States of America Silver Dollars or pre 1885, non
20 bankrupt, United States of America 420 Grain, .900 Fine Trade Dollar, credited as equal face
21 value exchange as one Silver "dollar" for every Federal Reserve Note "dollar" as was the stated
22 terms of exchange given by agents for the FRANKLIN COUNTY MUNICIPAL *COURT* CLERK OF
23 *COURTS* when the Executor for the commercial entity, the stated Defendant in the causes, the
24 PERSON, MONICA GREER JUSTICE, proffered to pay a surety bond with pre 1933, non bankrupt
25 United States of America Silver Dollars in the causes brought forth in the COMPLAINT placed
26 upon the bar with the PERSON, UNITED STATES DISTRICT *COURT* OF OHIO.
27

1 Let it be known that the demurrage demanded in remedy from the parties only addresses the
2 demurrage levied for the misprision of the Executor and does not address the potential
3 criminality of the actions of the parties, actions in malice, or the many additional trespasses and
4 torts the actions of Men, Wo(men) and multiple PERSONs have brought upon the Defendant,
5 the Executor, and All Free People of the Land of the Great Republic of America in the causes.
6 Wherefore, on the record, I am reserving all rights to amend the Writ and/or demand remedy
7 for those forms of actions by the PERSONs, and the Men and Wo(men) as agent for PERSONs at
8 any future time as I, as Executor of the PERSON, MONICA GREER JUSTICE, and as Executor De
9 Son Tort for All Free People of the Land of the Great Republic of America, see fit.
10
11 Here to forward let it be known by all parties a that in lieu of a **Writ of Habeus Corpus** laying
12 upon the bar and the *public* record left unsatisfied and unanswered, in lieu of the repeated
13 violations of the Rules of Procedure, both Civil and Criminal, both Federal and Ohio, and the
14 Constitution for the united States of America, all in violation of 28 United States Code §2255, in
15 light of the Fact that unseen video evidence is now available, and in light of the averments
16 made in the ***Writ of Prohibition*** the was laid upon the bar and the *public* record with the
17 PERSON, DC DISTRICT, on September 26, 2014; the Executor for the Defendant shall demand
18 the use Federal Rules of Civil Procedure Rule 60(b) as is afforded by Rule 12 of the Rules
19 Governing Proceedings In The United States District Court Under Section 2255 Of Title 28,
20 U.S.C. for both relief from judgment and/or as an amendment to an existing action that lays
21 upon the bar and the *public* record with the PERSON, DC DISTRICT. This ***Writ of Audita Querela***
22 ***by Præcipe, Notice of Reservation of Relief from Judgment/Correction of Sentence on Remand***
23 ***by Federal Rules of Civil Procedure Rule 60(b)and by Federal Rules of Criminal Procedure Rule***
24 ***35 (a) Respectively*** was placed upon the bar as an offer of Grace to the purported *courts*, the
25 PERSONS, FRANKLIN MUNICIPAL and FRANLIN COMMON, and the Men and WoMen as agents
26 for the PERSONS, so that they may have the opportunity to correct all Errors of Law, and to
27 limit or diminish the latches, trespasses and torts that have been committed against and upon
28 the All Free People of the Land in the Great Republic of the united States of America and the

1 Union of Sovereign States of America, the Executor for the Defendant and the stated Defendant
2 in the cause, the commercial entity, the PERSON, MONICA GREER JUSTICE, as a sign of good
3 faith. Whereby if the PERSONS, and Men and Wo(Men) operating as agents for the PERSONS
4 stated herein, do not correct all Errors of Law, and limit or diminish the latches, trespasses and
5 torts that have been committed, nor defend themselves against the claims and averments
6 within this Writ, then pursuant to tacit procuration [U.S. v Tweel, 550 F. 2nd 297 (1977)] and
7 Federal Rules of Civil Procedure Rule 55(a) an ***Entry of Default*** may be entered.

CERTIFICATE OF SERVICE

A true copy of the proceeding document will be sent by United States Postal Service Certificate of Service or by a traceable third party, private vendor reserving all rights.

STATE OF OHIO, et al.
77 South High Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

FRANKLIN COUNTY MUNICIPAL *COURT*
CLERK OF *COURTS*, et al.
2nd Floor
375 South High Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

FRANKLIN COUNTY *COURT* OF COMMON
PLEAS CLERK OF *COURT*, et
al.
373 South High Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

Mark – A :Hummer, et al
375 South High Street
Courtroom 13C
13th Floor
Columbus, Ohio the state
Zone Improvement Plan Code 43215

COLUMBUS CITY ATTORNEYS OFFICE
Richard – C.:Pfeiffer, Jr
77 North Front Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

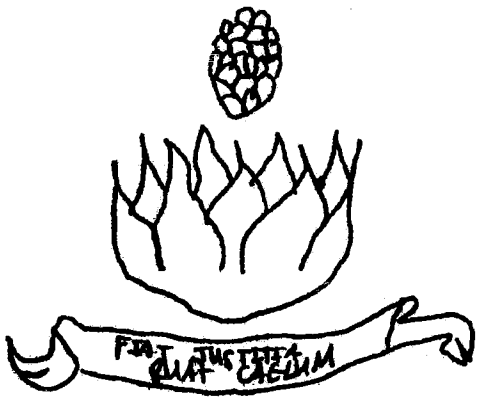
Isaac: Rinsky, et al.
375 South High Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

FRANKLIN COUNTY PROSECUTING
ATTORNEYS OFFICE
Ron: O'Brien, et al.
373 South High Street
14th Floor
Columbus, Ohio the state
Zone Improvement Plan Code 43215

John-P. : Graceffo, et al
373 South High Street
14th Floor
Columbus, Ohio the State
Zone Improvement Plan Code 43215

Writ of Audita Querela by Præcipe
Notice of Reservation of Relief from Judgment/Correction of Sentence on Remand
by Federal Rules of Civil Procedure Rule 60(b)
and by Federal Rules of Criminal Procedure Rule 35 (a) Respectively

I attest that the facts stated herein in this decree are known to be true by me under oath under penalty of perjury by the Laws of the Republic of the united States of America. I plead these of behalf of All Free People of the Land in the Great Republic of the united States of America and the Union of Sovereign States of America.



R Lotus Justice APR

R-Lotus: Justice
Lawful Authorized Agent/Executor for
MONICA GREER JUSTICE, et al.
Executor de son Tort for All Free People of the Land in the Great Republic of the united States of America and the Union of Sovereign States of America
Sui Juris
All Right Reserved
PO Box 82251
Columbus, Ohio the state

AKNOWLEDGEMENT OF SIGNATURE -

The state, Ohio, County of FRANKLIN :

On this 7 day of Nov, 2014 before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the Executor/Agent for the person(s) whose names are subscribed to the above document, and acknowledged that (s)he executed the same for the purposes expressed herein. I attest that the principal appear to be of sound mind, not infant or insane, and **not** under, nor subject to, any apparent threat, duress, fraud, or undue influence. I attest that I am executing this notary as a neutral party. I attest this under penalty of perjury under the Laws of the Republic of the united States of America.

Grace A. Terry

Notary Public

2-15-16

My Commission Expires

GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-16

EXHIBIT
1

Franklin County Municipal Court

Lori M. Tyack, Clerk of Court 375 S. HIGH ST., COLUMBUS, OHIO 432

TIME STAMP

State of Ohio
County of Franklin
City of Columbus } V: MONICA GREER JUSTICE
OTHER JURISDICTION — DEFENDANT

COMPLAINT

Complainant, being duly sworn, states that the above named defendant, at Franklin County / Columbus, Ohio, on or about the 17TH day of MARCH, 2014 did: KNOWINGLY CAUSE OR ATTEMPT TO CAUSE PHYSICAL HARM TO ANOTHER, TO WIT: COLUMBUS POLICE OFFICER DAVID JENKINS #86, A PEACE OFFICER WHILE IN THE PERFORMANCE OF HIS OFFICAL DUTIES BY MEANS OF STRUGGLING WITH HIM AND SWINGING HER ARMS AT HIM CAUSING HIM TO FALL TO THE FLOOR AND STRIKE HIS HEAD ON A WOODEN BENCH WHILE TRYING TO PLACE THE DEFENDANT UNDER ARREST

in violation of section 2903.B (A) ☐ City Code ☒ O.R.C., a ☐ Misdemeanor ☒ Felony of the FOURTH degree.

Complainant [signature] #675 — SIGNATURE
DET. RUSSELL G. REDMON #675 — PRINT FULL NAME — BADGE NUMBER
120 MARCONI BLVD. — ADDRESS OR AGENCY & ASSIGNMENT
COLUMBUS — CITY
DIVISION OF POLICE — STATE
120 MARCONI BLVD — ZIP CODE
43215

Sworn to and subscribed before me, this 17 day of March, 2014

Lori M. Tyack
Clerk of the Franklin County Municipal Court
By [signature]
CLERK / DEPUTY CLERK / NOTARY PUBLIC / PEACE OFFICER

Notary Seal & Expiration Date

☒ ARREST WARRANT

To any law enforcement officer of the State of Ohio:
You are hereby commanded to arrest the above named defendant and bring him/her before the Franklin County Municipal Court without unnecessary delay, to answer to the complaint hereon. WHEN APPLICABLE, IN ACCORDANCE TO CRIMINAL RULE #4, THE WARRANT HAS BEEN ISSUED BEFORE THE DEFENDANT HAS APPEARED AND THE BAIL PROVISION CRIMINAL RULE 46 SHALL APPLY. ARRAIGNMENT COURT IS HELD IN COURTROOM 4C AT 9:00 AM., MONDAY THROUGH FRIDAY.

Lori M. Tyack
Clerk of the Franklin County Municipal Court
Slate #. ..... Control #. .....
By [signature] DEPUTY — 3/17/14 DATE

Complaint Number: 7102594
Issuing Office: R. G. REDMON — Badge Number: 675
Case No. 14 5905 — ☒ WARRANT ☐ SUMMONS ☐ MISDEMEANOR CITATION
Charge: ASSAULT ON A PEACE OFFICER
Section Number: 2903.13(A) — City Code ☒ O.R.C. — Offense Date: 3.17.2014 — Offense Time: 12:30 AM/PM
Offense Location: 375 S. HIGH ST. CT. RM. 4C — Suspect Cruiser Dist.
Name: JUSTICE (LAST) MONICA (FIRST) GREER (MIDDLE)
Street: 622 S. NAPOLEON AVENUE
City: COLUMBUS — State: OHIO — Zip: 43213
SEX: F — RACE: W — 14 OR 1581 — WGT: 160# — HAIR: RED — EYES: BLU
DOB: 1-6-1967 — S.S.: KT465830 — DL / I.D.#:

☐ SUMMONS: Read Notice #1 on reverse side.
You MUST appear in courtroom 4C ☐ or 15C ☐ on the date and time indicated. I personally served the Defendant a copy of this Summons on _____ Signature _____

Type of SUMMONS Service Requested:
☐ Personal ☐ Certified Mail

☐ CITATION: Read Notice #2 on reverse side.
Court appearance is OPTIONAL. You may contest this citation by appearing in COURTROOM 4C ☐ COURTROOM 15C ☐ on the date and time indicated.

COURT DATE & TIME
MONTH | DAY | YEAR | TIME AM PM
X
This is not an admission of guilt. An ARREST WARRANT will be issued if you do not properly respond to this charge.

1 IN THE FRANKLIN COUNTY MUNICIPAL COURT

2 COLUMBUS, OHIO

3 CRIMINAL DIVISION

4 - - -

5 State of Ohio, :
City of Columbus, :
6 :
Plaintiffs, :
7 :
-vs- : Case Nos. 2014 CRA 005905
8 : 2014 TRD 120151
2014 CRB 005767
Monica Greer Justice, :
9 :
Defendant. :
10

11

12 - - -

13 TRANSCRIPT OF PROCEEDINGS

14 March 18, 2014

15 - - -

16 HONORABLE MARK HUMMER,
17 Judge, presiding.

18

19

20

21

22 - - -

23 Shirley M. Harris, RMR,
24 Official Court Reporter.

25 - - -

1 APPEARANCES:

2 RONALD J. O'BRIEN, Franklin County Prosecutor,
373 South High Street, Columbus, Ohio,
3 By: Kara Keating, Asst. County Prosecutor,

4 On behalf of the State.

5 RICHARD C. PFEIFFER, JR., City Attorney,
City Hall, 90 West Broad Street, Columbus, Ohio,
6 By: Amy Meyers, Asst. City Prosecutor,

7 On behalf of the City.

8 Monica Greer Justice, the Defendant,

9 In her own behalf.

10 ALSO PRESENT:

11 FRANKLIN COUNTY PUBLIC DEFENDER,
373 South High Street, Columbus, Ohio,
12 By: Jaclyn Polsinelli Sivers, Attorney at Law.

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1 BE IT REMEMBERED THAT, on the 18th day of
2 March, 2014, this cause came on for arraignment before
3 the Honorable Mark A. Hummer, Judge. And the parties
4 appearing in person and/or by counsel, as herein set forth,
5 the following proceedings were had:
6 MS. KEATING: 2014 CRA 5905, State of Ohio versus
7 Monica Greer Justice, one count of felony four assault on a
8 police officer; 2014 CRB 5767, M1 CCW, M2 resisting arrest;
9 2014 TRD 120151, M1 no operator's license, MM failure to
10 display, MM expired tags.
11 THE COURT: Thank you.
12 Any facts on this matter?
13 DETECTIVE JACOBS: Yes, Your Honor. The location
14 of the offense occurred at 375 South Front Street --
15 THE DEFENDANT: I object. I object.
16 DETECTIVE JACOBS: -- Courtroom 4C.
17 THE DEFENDANT: I object.
18 THE COURT: Hold on for just a second.
19 THE DEFENDANT: Can we establish --
20 THE COURT: That's fine that you object, but,
21 no --
22 THE DEFENDANT: Then the Court can give --
23 THE COURT: -- you can't object.
24 THE DEFENDANT: Yeah, I can object.
25 THE COURT: You can object, and I can say stop

1 talking.

2 THE DEFENDANT: Well, you have to establish the

3 jurisdiction of court first. So I demur if you're not going

4 to establish the jurisdiction of court.

5 THE COURT: Thank you for demurring.

6 THE DEFENDANT: Okay. So can we establish the

7 jurisdiction? Because the jurisdiction cannot be invoked if

8 you don't establish it. So what kind of court are we in?

9 Are we in a court? You're a court of law?

10 THE COURT: We're in the Franklin County Municipal

11 Court of the United States of America.

12 THE DEFENDANT: Are you a court of law?

13 THE COURT: You are in Columbus, Ohio.

14 THE DEFENDANT: Are you an Article One or an

15 Article Three court?

16 THE COURT: You are in the State of Ohio --

17 THE DEFENDANT: State of Ohio?

18 THE COURT: -- which became a member of the Union,

19 I believe, in 1803.

20 THE DEFENDANT: No, the State Ohio became a Union.

21 The State of Ohio didn't exist in 1803.

22 THE COURT: Thank you.

23 THE DEFENDANT: So are you an Article One or an

24 Article Three court?

25 THE COURT: Do you have anything else to say?

1 THE DEFENDANT: Are you an Article One? Do you
2 follow the constitution? Are you an Article One or an
3 Article Three court?
4 THE COURT: Tell me when you're done talking.
5 THE DEFENDANT: I need to establish the
6 jurisdiction. You're the purported judge. So what kind of
7 court --
8 THE COURT: We are in the Franklin County
9 Municipal Court in the --
10 THE DEFENDANT: Are you a --
11 THE COURT: -- State of Ohio of the United States
12 of America.
13 THE DEFENDANT: Which of the four lawful
14 jurisdictions are you in the constitution? Are you common
15 law, equity, admiralty or maritime?
16 THE COURT: We are a court of law.
17 THE DEFENDANT: You're a court of law. Which --
18 THE COURT: And you are in jail.
19 THE DEFENDANT: -- which law? Which law? Are you
20 common law, equity --
21 THE COURT: Franklin County --
22 THE DEFENDANT: -- admiralty, maritime?
23 THE COURT: -- Municipal Court, State of Ohio --
24 THE DEFENDANT: Can you not answer these
25 questions?

1 THE COURT: -- United States of America.
2 THE DEFENDANT: Do you not know the answer to
3 these questions?
4 THE COURT: All right. I'm going to give you one
5 more chance to let him read the facts of the case --
6 THE DEFENDANT: Well, he can't read the facts of
7 the case --
8 THE COURT: -- and if you refuse --
9 THE DEFENDANT: -- and you can't move forward --
10 THE COURT: -- we'll remove you from the courtroom
11 and we'll set a bond without you.
12 THE DEFENDANT: Well, that would not be lawful.
13 THE COURT: But it's going to happen.
14 THE DEFENDANT: So you're going to --
15 THE COURT: I will count to five.
16 THE DEFENDANT: I object. Objection.
17 THE COURT: One.
18 THE DEFENDANT: Please state conclusions of law --
19 THE COURT: Two.
20 THE DEFENDANT: -- findings of fact, how you can
21 violate --
22 THE COURT: Three.
23 THE DEFENDANT: -- Federal Rule Civil Procedure
24 Twelve --
25 THE COURT: Four.

1 THE DEFENDANT: -- and move forward --
2 THE COURT: Five.
3 THE DEFENDANT: -- without establishing --
4 THE COURT: She can go.
5 THE DEFENDANT: -- the jurisdiction of the court.
6 THE COURT: Thank you.
7 THE DEFENDANT: I object.
8 THE COURT: Great.
9 THE DEFENDANT: Treason.
10 THE COURT: I appreciate it.
11 (Defendant exiting courtroom.)
12 THE DEFENDANT: You just committed treason.
13 THE COURT: Now can we read the facts?
14 DETECTIVE JACOBS: Yes, Your Honor. The
15 location of the offense occurred at 375 South High Street,
16 Courtroom 4C. The victim is CPD Officer David Jenkins,
17 Badge 86.
18 On Monday, March 17 of 2014, during arraignment
19 hearing in Courtroom 4C, the defendant refused to identify
20 herself to the Court in order for the arraignment process to
21 proceed properly. Warrants were issued for the arrest of
22 the defendant. And at the time the Court Liaison Officer,
23 David Jenkins, approached the defendant to take her into
24 custody for those warrants, she began swinging her arms,
25 striking Officer Jenkins and struggling with him.

1 During the struggling and striking of
2 Officer Jenkins by the defendant, he was caused to fall to
3 the floor, and in doing so Officer Jenkins struck his head
4 on a wooden bench in the courtroom. Officer Jenkins
5 suffered a laceration to the area of his right temple during
6 this fall that was caused by the defendant; however, his
7 injury did not require medical attention.
8 At the time the defendant assaulted
9 Officer Jenkins, Officer Jenkins was wearing an issued
10 Columbus Division of Police uniform complete with issued
11 breast badge displayed on the left side of his uniform shirt
12 and the standard patches on each of the sleeves of the shirt
13 uniform, pants and gun belt.
14 During the processing of the defendant at police
15 headquarters, the defendant continued her turbulent behavior
16 and refused to cooperate repeatedly. A no-bond is requested
17 until the defendant complies with providing the above-noted
18 items; i.e., identification, home address, identification
19 photograph, fingerprints and DNA standard.
20 THE COURT: Thank you.
21 For the record, I believe she was here yesterday
22 in Courtroom 4C on a charge of driving without a license,
23 for an arraignment. Would that be correct?
24 MS. KEATING: Yes. She was here, Your Honor, on
25 that accompanying traffic offense as well as the resisting

1 arrest.

2 THE COURT: All right. What kind of record do we

3 have?

4 MS. KEATING: No known priors. The State does

5 request a high bond or no bond. It's apparent that she's

6 not going to follow the court orders, wouldn't even follow

7 them in the courtroom today. If she were released on bond

8 there's a concern that if she were to come back to 4C or 4D

9 the exact same thing would happen again. So the State

10 requests a high or a no-bond.

11 THE COURT: Thank you.

12 The identifying information on this woman is that

13 she was born in 1967 and lives in Clintonville. Strange

14 that she can go all these years and not surface before now.

15 So somehow she's off the rails, but I believe I have to

16 treat her with what I would consider fairness. So

17 everybody's upset about the fact that she is kind of off the

18 rails, but from what you said, she has no record, so I will

19 set what I believe is an appropriate bond.

20 On the traffic misdemeanor, it's 500 appearance.

21 On the CCW it's 500 appearance. On the other charge, the

22 assault on a peace officer, it's 50,000 cash or surety.

23 COUNTY PROSECUTOR REPRESENTATIVE: March 27th at

24 10:00 a.m.

25 THE COURT: Thank you.

1 DETECTIVE JACOBS: Thank you, Your Honor.
2 THE COURT: Let's put something else on the
3 record. One of the prosecutors, Kevin Mantel, from one of
4 the suburbs, was in the courtroom -- I don't know if he was
5 involved in the case -- Oh, there he is.
6 Mr. Mantel, anything else you want -- Since you
7 were kind of a victim in this incident, would you like to
8 say anything?
9 MR. MANTEL: Your Honor, the statement that was
10 offered to downplay the significance of Ms. Lotus or
11 whatever --
12 (Disturbance in back hallway.)
13 THE COURT: Come on out so we can hear.
14 MR. MANTEL: When the Judge instructed this woman
15 not to leave the courtroom, she proceeded back, and the
16 officer did the same. She -- She informed everyone present,
17 her retinue, everyone present, those folks sitting right
18 there who are carefully taking down everything we're saying,
19 that we'll get a transcript of this, because, undoubtedly,
20 they're going to sue everybody here.
21 THE COURT: Oh, are these people that are --
22 MR. MANTEL: Sovereign citizens, Your Honor,
23 sovereign citizens.
24 THE COURT: Okay.
25 MR. MANTEL: She violently informed that if they

1 would touch her, anyone would touch her, that she would
2 resist. She wasn't lying. She resisted. This is no
3 disrespect to Officer Jenkins, but she threw him around like
4 a rag doll. She was abusing him; threw him into the wall.
5 We all went to the floor.
6 THE COURT: So it was more than a bump on a wooden
7 bench.
8 MR. MANTEL: Your Honor, she picked him up, she
9 had a hold of him, she wouldn't turn loose of him, after we
10 got back up on our feet, and she threw him at least six feet
11 into the benches on the east side of the courtroom,
12 dislodging two of them; threw him into them, to the floor.
13 It's surprising that he didn't get hurt any worse than he
14 did.
15 THE COURT: I wasn't aware of that.
16 Now let me ask another question.
17 Go get one of the deputies.
18 MS. POLSINELLI: Deputy.
19 (Deputy enters courtroom.)
20 THE COURT: Would that have been the same person
21 screaming or somebody different?
22 UNIDENTIFIED DEPUTY: No, somebody different.
23 THE COURT: All right. Thank you. I appreciate
24 that.
25 I believe the bond is appropriate. 50,000 cash or

1 C-E-R-T-I-F-I-C-A-T-E

2

3 I do hereby certify that the foregoing is a
4 true, correct, and complete written transcript of the
5 proceedings in this matter, taken by me on the 18th day
6 of March, 2014, and transcribed from my stenographic notes.

7

8 Shirley M. Harris

9 Shirley M. Harris, RMR,
Official Court Reporter.

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1 surety.

2 Thank you.

3 The Court's thought about it a little bit. I'm
4 going to change that to 100,000 cash or surety. I just feel
5 like, given the fact that she's disrupted everybody's lives
6 here in the court system for two days, the severity of the
7 behavior with the officer, the message it sends to other
8 people in the community, the fact that she's never been here
9 when I set any of this, so it doesn't change what she's
10 thinking, she doesn't know what the bond is set, I'm going
11 to make it 100,000 cash or surety instead.

12 Thank you.

13 DETECTIVE JACOBS: Thank you, Your Honor.

14 (Other arraignment cases heard.)

15 THE COURT: On the Justice case, recalling it for
16 a minute. The City prosecutor's requested that she be
17 ordered fingerprinted --

18 And what?

19 MS. MEYERS: And ID, that she go through all of
20 the ID process --

21 THE COURT: How do we force her to be ID'd?

22 MS. MEYERS: Well, she -- I can try to get the
23 sergeant down here to see exactly what they would do, but
24 she's going to have to go through ID.

25 THE COURT: Well, I can write defendant ordered to

1 be fingerprinted, if they can do that against her will.
2 Right?
3 MS. MEYERS: Uh-huh. And ID --
4 THE COURT: But I can't force them to have her
5 say, my name is whatever, can I?
6 DETECTIVE WALKER: Photograph and DNA.
7 THE COURT: So defendant ordered to be
8 fingerprinted, DNA, and photographed.
9 DETECTIVE WALKER: Which is standard now. On
10 a felony they get fingerprinted, and a DNA's standard and
11 take --
12 THE COURT: Okay. So anything else? Defendant
13 ordered to be fingerprinted, DNA, and photographed. All
14 right.
15 DETECTIVE WALKER: Thank you, Your Honor.
16 THE COURT: Thank you.
17 Just to establish that she is a citizen of the
18 United States of America, for all those sovereign people out
19 there.
20 DETECTIVE WALKER: And she may have a criminal
21 history based on her fingerprints so ...
22 THE COURT: Thank you.
23 - - -
24
25

HCK 501
Monica Justice

WRIT OF HABEAS CORPUS

2014 TR D 120151
2014 CR B 005767
2014 CR A 005905

FILED
2014 MAR 29 PM 9:11
FRANKLIN COUNTY
MUNICIPAL COURT
LORI M. TYACK

2014 MAR 25 PM 12:49
FRANKLIN COUNTY SHERIFF

EXHIBIT
3

March 19, 2014 in the year of our Lord

R-Lotus: Justice
P.O. Box 82251
Columbus, Ohio the State

To The Sheriff of the County of Franklin in Ohio the State

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
2014 MAR 31 AM 8:47
CLERK OF COURTS

WRIT OF HABEAS CORPUS

I, R-Lotus: Justice, being a real woman of the Land, standing in the Law of the Land, the Common Law, and standing under the Will of the People, the Constitution for the Republic for the United States of America, do demand to see a Duly Judge [redacted] for a probable cause hearing in remedy [redacted] persuant to the Judicial Act of 1789 & the Saving to Suitors Clause.

If In as much as an injured party must exist in order for a claim to be valid in which the "state" cannot be an injured party (U.S. vs Bond (2004)), which has not been established in this cause, ~~that~~ has resulted in my unlawful incarceration, and thus "a tort has been put upon me as a yoke of lawlessness. Additional, in as much as the purported "court", FRANKLIN COUNTY MUNICIPAL "COURT", has not established jurisdiction which is required before a cause can move forward [redacted] Ifo vs Becker ; my right to "Due process has been violated & thus my liberty interests have been torted by said purported "court." Despite

WRIT OF HABEAUS CORPUS

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
2014 MAR 31 AM 8:47
CLERK OF COURTS

FILED
2014 MAR 28 PM 12:49
FRANKLIN COUNTY
MUNICIPAL COURT
CLERK

Multiple queries to the Servants of the "governmental "court," its servants are either unwilling or unable to answer with specificity, which jurisdiction in law is being envoke. In as much as one cannot mount a defense against a charge when one does not know by what Laws in what jurisdiction in Law one is being charge, I am unable to defend myself in the manner afforded to me as a propria persona litigant as is granted to me as an immutable right under the Law of the Land, the Common Law, & the Constitution for the Republic for the united States of America. Again, the servants the purported "court" themselves have placed a yoke of Lawlessness upon me & tested my liberty Interests. They in consort have brought War upon the Land with their actions & thus have brought War upon all the Free People of the [redacted] Great Republic of the United States of America & the Constitution for the Republic for the united States of America

As such, I demand the Sheriff of the County of Franklin in Ohio the State deliver me to a Duty "Judge" learned in the common Law to hold a hearing for probable cause so that these questions & [redacted] nature & cause of the Charges can be answered with specificity so that I may cry my objections to a learned & lawful ear & remedy be saved.

I do hereby convey, confirm & attest to my Creator, the Creator of All Things & Persons under penalty of perjury by the Laws of

WRIT OF HABEAUS CORPUS

FILED
2014 MAR 29 PM 2:50
FRANKLIN COUNTY
MUNICIPAL COURT
LORI M. TACK

the Great Republic for the United States of America that the statements made by me are facts & truths to me.

R Lotan [illegible] ARR
Executrix de son Tort for All the Free people of the Land of the Great Republic of America, in States United
Sui Juris
P.O. Box 82251
Columbus. Ohio the State

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COMMON PLEAS COURT
FRANKLIN CO. OHIO
2014 MAR 31 AM 8:47
CLERK OF COURTS

WRIT OF HABEAUS CORPUS

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2014 MAR 29 PM 9:10
FRANKLIN COUNTY
MUNICIPAL COURT
LORI M. TYACK

Certificate of Service:
Andrea C. Peeples
Mark A. Hummer

CITY OF COLUMBUS, et al

FRANKLIN COUNTY, et. al.

FRANKLIN COUNTY MUNICIPAL "COURT," et al

SUPREME "COURT" OF THE STATE OF OHIO, et. al

STATE OF OHIO, et. al

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MUNICIPAL COURT
LORI M. TYACK

2014 MAR 29 PM 9:12
FRANKLIN COUNTY
MUNICIPAL COURT
CLERK OF COURTS

2014 MAR 31
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COMMON PLEAS COURT

The state Ohio)
) ss:
County of Franklin)

I, Ingrid K. Loesch, being first duly cautioned and sworn, do hereby depose and state the following facts:

On March 17th, 2014, I witnessed R. Lotus Justice ("Justice") appear before Judge Andrea Peeples ("Peeples") in response to summons for her negotiable instrument, MONICA GREER JUSTICE, on a traffic matter. Justice properly identified herself as the executor of the entity MONICA GREER JUSTICE, and demurred to the jurisdiction of the court. Prosecutor Kevin Mantel ("Mantel") confused her position as executor as a status limited to the county probate court.

Justice presented State of Ohio identification and birth certificate to prove she was the executor of the entity MONICA GREER JUSTICE, which the Franklin County Municipal Court ("FCMC") had summoned. She noted in particular that her personal signature and face appeared on the State of Ohio identification, and Peeples confirmed this and that all of the detailed information matched their record for the entity they had summoned. Peeples said for the purposes of the court she was interested in identifying Justice as the inanimate entity MONICA GREER JUSTICE.

Justice plainly and clearly demonstrated the fact that the entity MONICA GREER JUSTICE is not her, but it s a negotiable instrument that she has lawful and legal control of in general and for the particular function of the summons. She explained that the city corporate charter for which Martel works for was no more him as an individual than the corporate entity MONICA GREER JUSTICE was her. Martel was unaware of the basic definition of "corporation" and did not believe that a corporate charter necessarily implies a corporation and appeared not to understand much at all the construct of the court system he works for.

Peeples said she was either MONICA GREER JUSTICE or she was issuing a warrant for MONICA GREER JUSTICE for failure to appear even though Justice was present and had established her documented authority to handle the affairs of the negotiable instrument, MONICA GREER JUSTICE. Justice reminded Peeples that there was now a demur before the court and that a warrant could not be issued until they had established jurisdiction.

Justice stated she had standing and the court had no jurisdiction, to which Peeples said "OK, then you can leave," after claiming to have issued warrant for MONICA GREER JUSTICE, and regarding which Peeples stated she believed was Justice.

Justice went to leave and officer David Jenkins ("Jenkins") contradicted Peeple's instruction to leave and attacked her at the back of the court. I retrieved her paperwork and belongings dropped from the floor. Martel followed Jenkins and assisted in assaulting Justice to arrest her against her instruction to leave and against their refusal of her identification. Martel attacked her from the back causing Justice and Jenkins to fall forward and caused injury to Jenkins head, and Jenkins pepper sprayed Martel in the eyes in response. During the altercation, Justice and Martel both dropped their glasses which I attempted to retrieve to safety for both parties, and I was assaulted by another attorney body bumping me and pushing me with hands. I told him to stop touching me and he pushed me further and Justice's

glasses were damaged as a result. I told him he had assaulted me and he asked for me to charge him then, but declined to provide his name so I could do so and was later no where to be found.

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Another female officer arrived and continued to arrest Justice as MONICA GREER JUSTICE, despite the contradictory claim that MONICA GREER JUSTICE had not been present for the proceedings, and take her into custody. During this time Justice kept advising that they were conducting an unlawful arrest. All witnesses were asked to leave the court room. I returned after Justice had been taken into custody to give Martel's glasses back to him.

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MUNICIPAL COURT
LEAH M. TYACK

I reserve the right to amend this affidavit.

I attest that the facts stated herein in this affidavit are known to be true by me under oath under penalty of perjury by the laws of the Republic of the united States of America.

Ingrid K. Loesch
1147 ½ Jager Street
Columbus, Ohio the state

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2014 MAR 31 AM 8: 47
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AKNOWLEDGEMENT of SIGNATURE

The state, Ohio; County of Franklin:

On this 24th day of March, 2014, before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the person whose name is subscribed to the above document, and acknowledged that he executed the same for the purposes expressed herein. I attest this under penalty of perjury under the laws of the Republic of the united States of America.

Notary Public

11/9/16
My Commission Expires

LAURIE RUPP
Notary Public, State of Ohio
My Commission Expires 11-09-16

Affidavit of Fact

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2014 MAR 29 PM 9: 1
FRANKLIN COUNTY
MUNICIPAL COURT
CLERK OF COURTS
2014 MAR 31 AM 8: 47
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COMMON PLEAS COURT

Champaign County)
) ss
Ohio State)

I the affiant, John Anthony Shutway state and aver the following:

On March 17, 2014 I witnessed R-Lotus Justice in the Franklin County Municipal Court room number 4C. At approximately 12:30 PM, Andrea Peeples asked if anyone in the courtroom had business to do with the court because court was concluded. Lotus Justice stated that she had a summons for MONICA GREER JUSTICE and she brought the defendant with her, was there to parlay for the defendant and was the Executor of the defendant. The prosecutor had to search for two case files, one was 2014 TRD120151 and other was 2014 CRB 05767. Lotus Justice informed the court that she was there to parlay for the defendant and had the defendant MONICA GREER JUSTICE with her in the court room then held up a document for the court to see. When asked by the Prosecutor "What is your name" she identified her self as Lotus Justice. The prosecutor and Andrea Peeples told Lotus that she did not have standing as the Executor for MONICA GREER JUSTICE in a criminal case. Lotus did show Andrea Peeples when she asked to see, the State of Ohio drivers license of MONICA GREER JUSTICE. Then Andrea Peeples took, into her hands the State of Ohio license with Lotus Justice's picture and signature on it. After inspecting the license Andrea asked Lotus Justice if the picture on the license was Lotus's, to which Lotus responded "yes" that is my picture and signature. When Andrea Peeples asked if the person identified in the court room with the State of Ohio drivers license was either MONICA GREER JUSTICE or not, Lotus Justice responded that she was Lotus Justice not MONICA the entity in commerce. Andrea Peeples then issued instructions for a warrant for MONICA GREER JUSTICE and instructed a police officer to arrest Lotus Justice in the courtroom. The police officer said "Lotus" wait don't leave and proceeded to attempt an arrest without showing a warrant. Lotus informed the police officer that she would resist any unlawful attempted arrest. Initially police officer Jenkins attempted to

arrest Lotus by himself and then was joined in the attempted arrest by Kevin Mantel. Kevin Mantel pushed Lotus into officer Jenkins causing him to fall down. After returning to his feet officer Jenkins attempting to spray Lotus in the face with mace missed her and directly sprayed Kevin Mantel's eyes. I did not see Lotus strike officer Jenkins or Kevin Mantel at any time during the attempted arrest.

I reserve the right to amend this affidavit by adding more statements.

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MUNICIPAL COURT
CLERK

I certify the forgoing statements to be accurate and true to the best of my knowledge under the penalty of perjury under the Laws of the United States of America.

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ARR

John Anthony Shutway

State Ohio
County of Champaign

BEFORE ME personally appeared John Anthony Shutway who, by me being dully sworn and identified by Ohio law, did execute the foregoing affidavit in my presence this 24th day of March, 2014

Notary Public

My commission expires 3-9-19

NOTARIAL SEAL STATE OF OHIO

MARINA OSIPOVA
Notary Public, State of Ohio
My Commission Expires 03-09-19

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2014 MAR 20 PM 9:12
FRANKLIN COUNTY MUNICIPAL COURT LORI M. TYACK
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2014 MAR 24 PM 3:08
FRANKLIN COUNTY MUNICIPAL COURT LORI M. TYACK

AFFIDAVIT of FACT

The state Ohio)
) ss:
County of Champaign)

I, Michael A. Galluzzo, being first duly cautioned and sworn, do hereby depose and state as follows:

On March 17, 2014, I was in the Franklin County Courthouse, courtroom 4C, on a 9:00 hearing on a summons for MONICA GREER JUSTICE. Judge Peeples was on the bench. At approximately 12:30, it seemed as though all business had been concluded. Five people remained in the courtroom. Judge Peeples asked why they were still in the court. Lotus Justice spoke up and stated that she had two (2) summons for MONICA GREER JUSTICE to appear. Lotus gave the case numbers to the assistant prosecutor and he looked and found the files.

Discussion ensued as to the complaints. Lotus had filed a *Demurrer* and challenged the jurisdiction of the court to bring her before them. Lotus explained her position as executor for the legal entity, MONICA GREER JUSTICE. The court would not allow Lotus to act as executor for MONICA. Lotus presented a state ID, birth certificate and other documents to establish her status as executor for the entity, MONICA GREER JUSTICE.

The judge told Lotus she could leave and that she was going to issue a warrant for MONICA GREER JUSTICE for failure to appear. After further discussion, Lotus began to leave and the judge ordered the officer in the court to arrest her. Officer David Jenkins yelled at her, "Lotus, don't leave!" Lotus responded that she was leaving and would resist any attempt to falsely arrest her on an invalid warrant.

At that point, Officer Jenkins rushed to the back of the courtroom and grabbed Lotus. Lotus attempted to free herself and repeatedly told Officer Jenkins, "Get off me! Get off me! This is an invalid arrest. You don't have a valid warrant!"

As the altercation continued, Assistant Prosecutor Kevin Mantel attempted to assist the officer, got behind Lotus and appeared to push Lotus forward and caused Officer Jenkins to fall backwards to the ground. As Officer Jenkins got up, he grabbed a can of mace with his left hand and attempted to mace Lotus but missed and hit Kevin Mantel in the eyes.

Another man who had previously asked the judge to sign documents was near the back of the courtroom and blocked a woman, Ingrid Loesch, from leaving the courtroom. I heard her say, "Don't touch me!" then he appeared to push her back in the isle.

Officer Jenkins moved Lotus to the front of the courtroom where several other officers put her on the ground and cuffed her. Due to the mace, the courtroom was ordered to be cleared.

Though Lotus had established her status as executor over the entity of MONICA GREER JUSTICE, the court continued to address "Lotus" but would not allow her to represent that

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entity, then proceeded to issue a warrant for MONICA GREER JUSTICE for failure to appear, and arrested "Lotus," the "executor"!

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LORI M. TYACK

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2014 MAR 24 PM 5: 00
FRANKLIN COUNTY
MUNICIPAL COURT
LORI M. TYACK

I reserve the right to amend this affidavit.

Further Affiant Sayeth Naught.

I attest that the facts stated herein in this affidavit are known to be true by me under oath under penalty of perjury by the laws of the Republic of the United States of America.

Michael Anthony Gallozzo
c/o P.O. Box 710
St. Paris, Ohio (near) 43072

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FRANKLIN CO. OHIO
2014 MAR 31 AM 8: 47
CLERK OF COURTS

AKNOWLEDGEMENT of SIGNATURE

The state, Ohio; County of Champaign:

On this 24th day of March, 2014, before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the person whose name is subscribed to the above document, and acknowledged that he executed the same for the purposes expressed herein. I attest this under penalty of perjury under the laws of the Republic of the United States of America.

Notary Public

3-9-19
My Commission Expires

NOTARIAL SEAL
STATE OF OHIO

MARINA OSIPOVA
Notary Public, State of Ohio
My Commission Expires 03-09-19

EXHIBIT 4

IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO
CRIMINAL DIVISION

IN RE: ELECTRONIC FILING
OF COURT DOCUMENTS

SECOND AMENDED ADMINISTRATIVE ORDER

I. APPLICATION AND SCOPE OF ADMINISTRATIVE ORDER

On April 3, 2013, the Franklin County Clerk of Courts and the Franklin County Common Pleas Court began a phased implementation of an electronic filing system ("the e-Filing System") with respect to criminal cases. The Franklin County Common Pleas Court then implemented mandatory e-Filing in criminal cases as outlined below:

Criminal Case Type		Mandatory e-File "Go-Live" Date
All Indictments (*excluding Bill of Information)		April 3, 2013
All criminal cases, new and existing, assigned to the following Judges, and with the exception of the following proceedings within a given criminal case:		
Judge Horton	3F	April 11, 2013
Judge Cocroft	4E	April 11, 2013
Judge Schneider	5A	April 11, 2013
Judge Reece	6A	April 11, 2013
Judge Holbrook	5B	April 25, 2013
Judge Frye	5F	April 25, 2013
Judge Beatty	6B	April 25, 2013
Judge McIntosh	4B	May 2, 2013
Judge Lynch	7E	May 2, 2013
Judge Serrott	6E	May 9, 2013
Judge Fais	6F	May 9, 2013
Judge Brown	5E	May 16, 2013
Judge Hogan	7B	May 16, 2013

Judge O'Donnell	4F	**May 23, 2013**
Judge Sheward	7A	**May 23, 2013**
Judge Sheeran	4A	**May 30, 2013**
Judge Cain	7F	**May 30, 2013**

* **Exceptions:** Arraignments; the initiating of a Bill of Information (but once a Bill of Information is filed, parties can e-file to that case); extraditions; "Rule 4" proceedings; requests for a Governor's Warrant; Governor's Warrants; criminal miscellaneous cases designated as "MI" (including, but not limited to, subpoenas for persons/records, out-of-state subpoenas, oaths, voting records, partial reports submitted by Grand Jury, entries naming subpoena servers, entries naming forepersons/clerks/deputy forepersons for Grand Jury, true bills, Grand Jury subpoenas, internet services, release records (Google records, Yahoo records, cell phone records, bank records, medical records, cell tower pings, state tax records), disposal of property, GPS tracking devices and search warrant inventories); out-of-county writ of habeas corpus prosequendum; and old criminal cases with alpha-numeric numbering (ex: 89CR-123B). **(Please also refer to Section XI, which addresses in more detail the conventional filing and/or signing of certain forms and documents in otherwise mandatory e-file cases.)**

Consistent with Ohio Sup.R. 27, Ohio Civ.R. 5(E), Ohio Civ.R. 2, Ohio Crim.R. 12(B), the Ohio Supreme Court Advisory Committee on Technology, the Court's draft Standards for Electronic Filing Processes, and Rule 110 of the Franklin County Rules of Practice of the Court of Common Pleas, the Franklin County Clerk of Courts ("the Clerk") and the Franklin County Common Pleas Court ("the Court") hereby adopt the following Administrative Order governing electronic filing ("e-Filing") in criminal cases.

If necessary, the Court may issue additional administrative orders or adopt local rules that supplement this Order and designate various other case types, other than those identified below, as mandatory e-File case types. Case types so designated shall be filed electronically after the effective date of such supplemental order or local rule.

This Administrative Order applies to all filers (party filers and non-party filers). Any and all persons or entities who need to file anything in a mandatory e-File case type, unless specifically excluded from that requirement elsewhere in this Order, shall file their documents electronically, as outlined herein.

II. DEFINITION OF TERMS

The following terms in this Order shall be defined as follows:

A. **Case Type.** A case type that has been designated by the Administrative Order or Local Rule as being a mandatory e-File case.

B. **Clerk.** The Clerk of Courts for the Franklin County Common Pleas Court, as defined by the Ohio Revised Code.

C. **Clerk Review.** A preliminary review of electronically submitted documents by the Clerk in accordance with Court rules, policies, procedures and practices. Court clerks will preliminarily review the data and documents to ensure their compliance with Court rules, policies and procedures prior to accepting the documents and sending them to the Case Management System and Document Management System. If the submitted documents comply with the applicable Court rules, policies and procedures, they will be accepted by the Clerk for e-Filing. If the submitted documents do not comply with the applicable Court rules, policies and procedures, they will not be accepted for e-Filing and the Clerk shall notify the filer of the deficiency or problem with the submission.

D. **Case Management System ("CMS").** A system that manages the receipt, processing, storage and retrieval of data associated with a case and performs actions on the data.

E. **Confidentiality or Confidential.** All documents submitted for e-Filing shall be confidential until accepted by the Clerk.

F. **Court Electronic Record.** Any document received in electronic form, recorded in the Court's Case Management System and stored in the Document Management System. "Court Electronic Record" will include notices and orders created by the Court, as well as pleadings, other documents and attachments created by practitioners and parties. "Court Electronic Record" will not include physical evidence or exhibits that are not able to be captured in electronic format.

G. **Document.** A filing made with the Court or by the Court in either electronic format or in paper format that is then converted to an electronic record, not to include electronic media.

H. **Document Management System ("DMS").** A system that manages the receipt, indexing, storage and retrieval of electronic documents associated with a case.

I. **Electronic.** Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities. "Electronic" is not meant to encompass activities involving facsimile transmission.

J. **Electronic Filing (e-Filing).** The electronic transmission, acceptance and processing of data, one or more documents and/or images. This definition of electronic filing does not apply to facsimile or email.

K. **Electronic Service (e-Service).** The electronic transmission of notice of a filing to all other electronically registered case participants via the e-Filing System.

L. **Electronic Signature.** An electronic sound, symbol or process that is attached to, or logically associated with, an electronic record and executed or adopted by a person with the intent to sign the electronic record.

M. **Electronic Record.** A record created, generated, sent, communicated, received or stored by electronic means.

N. **Filer/Filing Party.** Any person, agency or entity that is filing a document in a case pending in the Franklin County Common Pleas Court, or in which the Court may exercise jurisdiction. The use of the words "filer" and "filing party" shall include party and non-party filers.

O. **Mandatory Case Types.**

Civil: A separate Administrative Order governs the civil cases that have been designated as mandatory e-File cases.

Criminal: With the exception of arraignments, extraditions, Rule 4 proceedings and "MI" cases, all criminal cases shall be mandatory e-File cases, as expressly identified in Section I above.

P. **Original Document.** A document that becomes part of the Court record.

Q. **Registered User.** A person who has read and agreed to the terms of the e-Filing System's User Agreement, has provided his/her credentials through the e-Filing System proving his/her identity, and has been provided with a user name and password through the e-Filing System.

R. **Signature Pad.** A specialized computer input device, furnished by the Court and available in the courtrooms or other Court facilities, which captures a digitized image of a handwritten signature. Corresponding software then embeds this image into the signed document and prevents further changes to the document, if applicable.

III. ELECTRONIC FILING IN MANDATORY E-FILE CASE TYPES

Pursuant to the schedule listed in Section I and as of the "go-live" dates listed therein, all pleadings, motions, briefs, memoranda of law, deposition transcripts, transcripts of proceedings, orders and other documents submitted in designated mandatory e-File case types shall be filed electronically through the e-Filing System. Subject to the exceptions listed in Section I and Section X, the Clerk shall not accept for filing or file any documents in paper format in mandatory e-File case types.

Parties (and non-party filers) shall electronically file their documents by registering to use the Court's e-Filing System. If a filer does not have internet access, the filer can use the Clerk's public access computer stations to register to use the e-Filing System and to then file his/her/its documents electronically.

IV. REGISTERED USERS AND AUTHORIZATION IN MANDATORY E-FILE CASE TYPES

All persons filing documents in case types designated as mandatory e-File case types shall be registered as users in the e-Filing System.

A. **Documents Submitted in Person.** If a self-represented defendant, an attorney representing a party, or any other person/filer presents a document in person to the Clerk's office for filing in hard-copy/paper format, and that person/filer is not a registered user of the e-Filing System, the filer shall be directed to a computer station in the Clerk's office for registration purposes. The Clerk shall provide assistance to the filer during the registration process, if needed, but the Clerk shall not be designated as a filer of any of these documents. Once the filer is a registered user of the e-Filing System, his/her document(s) will be submitted through the e-Filing System.

B. **Documents Received by Mail From Attorneys.** If the Court or Clerk receives, via mail, documents to be filed from a licensed attorney, the documents will be returned to the filer with instructions on how to register as a user of the e-Filing System and how to submit the documents electronically. However, the Clerk may process, subject to Clerk Review, Notices of Appeals to initiate an appeal, provided that the required deposit and /or filing fees have been paid. All subsequent filings in any case so initiated, where the case is a mandatory e-File case type, must be e-Filed.

C. **Documents Received by Mail From Self-Represented Defendants.**

1. If the Court or Clerk receives, via mail, documents to be filed from a self-represented defendant, the Clerk's office will first register the defendant as a user in the e-Filing System, noting that this party will **not** receive electronic notification.

2. The Clerk will then scan-in and upload in PDF format the submitted documents on the self-represented defendant's behalf.

3. The Clerk will then e-File the same through the e-Filing System, listing the self-represented defendant as the filer.

4. If a defendant, whether self-represented or represented by an attorney, submits any documents and/or letters, via mail, addressed to the assigned Judge's chambers, the same process as that outlined above shall be followed in the event the Judge requests that the documents/letters be filed.

D. **Documents Received From Indigent Defendants.** Please refer to Section XVI.

E. **Authorization.** Parties to an assigned e-File case, who are represented by counsel, shall promptly take steps to allow their counsel to file, serve, receive, review and retrieve copies of the pleadings, orders and other documents filed in the case(s) electronically. By definition, parties filing electronically or receiving electronic service of any documents filed shall become participants in the e-Filing System.

V. CONFIDENTIAL AND UNIQUE ELECTRONIC IDENTIFIER

Upon registration, the e-Filing System shall assign to the party and/or the party's designated representative(s), who will now become registered user(s) of the system, a confidential and unique electronic identifier, i.e., a user name. Registered users will also choose a password that will be used, along with the user name, to file, serve, receive, review and retrieve electronically filed pleadings, orders and other documents filed in the assigned case.

Each person who is a registered user of the e-Filing System shall be responsible for the security, use and confidentiality of his/her unique user name and password.

All documents filed electronically will be deemed to be made with the authorization of the party who is assigned to the specific unique electronic identifier, unless the party demonstrates to the Court otherwise, by clear and convincing evidence.

VI. SELF-REPRESENTED DEFENDANTS

Self-represented defendants who present to the Clerk in person, for filing purposes, documents in hard-copy/paper format, shall be accommodated as follows:

A. The Clerk shall first provide and direct the self-represented defendant to a secured public access computer station, from which the defendant (and any other litigant or filer) will be permitted to register to use the e-Filing System.

B. The Clerk shall then scan the paper documents, save them in a PDF format, and return the paper copies to the self-represented defendant.

C. The self-represented defendant can then e-File his/her documents, now scanned in and saved in a PDF format, through the e-Filing System.

D. Unlike the process followed with respect to *pro se* parties in civil cases, the self-represented defendant will not receive electronic notification through the e-Filing system, regardless of whether or not he/she has an e-mail address and/or access to the Internet in order to receive electronic notice. Instead, the self-represented defendant shall be entitled to paper copies of all filed documents that need to be served upon the defendant.

E. If a self-represented defendant is incarcerated, he/she shall file documents on his/her case by submitting the documents, in paper format, to the Clerk's office. No one else (other that the defendant him/herself, if not incarcerated) shall be allowed to e-file documents on behalf of an incarcerated self-represented defendant. This does not preclude an attorney from e-filing on behalf of his/her client, who happens to be incarcerated.

VII. FORMAT OF DOCUMENTS ELECTRONICALLY FILED

All electronically filed documents shall, to the extent practicable, be formatted in accordance with the applicable rules governing formatting of paper pleadings and in any other format as the Court may require. All electronically filed documents, pleadings and papers shall be filed with the Clerk in Portable Document Format (PDF), with the exception of proposed orders. Proposed orders shall be submitted in a Microsoft Word (.doc or .docx) format and shall reference the specific motions to which they apply. The e-Filing System will electronically transmit the proposed orders to the assigned Judge.

A. **Size of Filing.** Submissions shall be limited to five megabytes (5MB) in size. No combination of PDF files in one transmission may accumulate to more than 25 megabytes (25MB) in size.

B. **Font Style and Size.** Documents created for e-Filing shall be double-spaced, in either Times New Roman or Arial font style and at least 12 point type.

C. **Signatures.**

1. **Attorney's/Filer's Signature.** Any document filed electronically with the Clerk that requires an attorney's or a filer's signature shall be signed with a conformed signature of "/s/ (name)." The correct format for an attorney's signature is as follows:

/s/Attorney Name
Attorney Name
Supreme Court ID Number (#1234567)
Attorney for (Plaintiff/Defendant)
ABC Law Firm
Address
Telephone
Email
Fax

The conformed signature on an electronically filed document, submitted through the use of the attorney's/filer's unique username and password, is deemed to constitute a legal signature on the document for purposes of the signature requirements imposed by the Ohio Rules of Superintendence, Rules of Civil Procedure, Rules of Criminal Procedure and/or any other law.

The attorney/filer who signs the electronically filed document shall be the attorney/filer whose unique username and password are used to file the document.

2. **Multiple Signatures.** When a stipulation or other document requires two or more signatures, one of the following options may be used:

   a. If the document is a form/entry that can be filled-in, a signature pad shall be used by all parties to sign the electronic document. The form/entry will then be saved to a shared access drive. The Judge will access the completed form/entry off of the shared access drive to sign it electronically.

   b. If the document is not a form that can be filled-in, then all affected parties must sign the document by hand and the requesting party/party submitting the document must scan-in and e-file the document, in PDF format.

   c. To the extent one attorney is signing the form/entry on behalf of another attorney, with his/her prior authorization to do so, the following process shall be followed:

      i. The filing party or attorney shall sign the stipulation or document him/herself as follows: "/s/ John Smith."

      ii. The filing party or attorney shall then sign the document on behalf of the other attorney by confirming in writing that the contents of the document are acceptable to the person on whose behalf he/she is signing, indicating the agreement of that person at the appropriate place in the document, usually on the signature line. Ex: "/s/ Jane Doe, per written authorization, by John Smith."

d. Notwithstanding the foregoing, continuance entries, which require multiple signatures, shall not be signed with the "/s/" electronic signature, Continuance entries shall be hand-signed then scanned-in and filed as outlined in Section XI.

3. **Third-Party Signatures.** A document containing the signature of a third party who is not a party to the action (ex: affidavit, etc.) shall be electronically filed only as a hand-signed scanned-in PDF document.

4. **Defendant's Signature.** A document that needs to be signed by the defendant (regardless of whether he/she is self-represented or represented by an attorney), but that also needs to be signed by the Judge, shall be submitted as a filled-in form that shall be signed by all parties through a signature pad. Notwithstanding the foregoing, and with the approval of the assigned trial judge, defense counsel may sign a continuance entry on behalf of his/her client when the client is unavailable. Continuance entries will be signed manually and filed as outlined in Section XI.

5. **Judge/Judicial Officer Signature.** Electronic documents may be signed by a Judge or judicial officer via a digitized image of his or her signature superimposed over the Court seal. All decisions, orders, decrees, judgments and other documents signed in this manner, through the use of the Judge's or judicial officer's unique username and password, shall have the same force and effect as if the Judge or judicial officer had affixed his or her signature to a paper copy of the document. Because proposed orders and entries submitted via the Court's e-Filing System will be signed electronically, the proposed orders and entries shall not contain a blank signature line for the Judge's signature.

D. Document Types.

1. Motions shall be filed in a PDF format, and they may either be signed by hand and scanned-in, or they may be signed electronically with the "/s/ name" electronic signature.

2. Proposed orders and entries shall be filed in word document (.doc or .docx) format, with no mail merge fields embedded in the documents. Proposed orders/entries also may not contain picture boxes, which are actually in PDF format, but have been copied and pasted into the word document.

   All proposed orders/entries shall be signed by the attorney/filer submitting the same, indicating the attorney/filer has approved the order/entry.

   Proposed orders/entries will be transmitted by the e-Filing System to the assigned Judge. Proposed orders/entries may be modified or replaced by the Court prior to acceptance.

Counsel are advised to read and review the signed orders for any revisions or additions thereto.

3. Excluding trial exhibits, all exhibits capable of being filed electronically shall be filed in PDF format and shall, to the extent possible, be filed along with the motion or brief to which they apply. Exhibits that must be filed separately (ex: exhibits accompanying a motion that exceed the filing size limitations, etc.) shall be accompanied with a cover page that contains the full case caption and case number of the case in which they are filed. If filed in multiple parts, exhibits shall be clearly marked to identify which part of the submission they contain (Ex: "Exhibits A through J – Part 1 of 3"). To avoid confusion, and unless necessary to the argument being made, exhibits previously filed in other cases shall not bear any case numbers associated with the previous cases.

VIII. FILING DATE AND TIME OF ELECTRONICALLY FILED DOCUMENTS

Documents may be submitted to the Clerk for e-Filing 24 hours a day, seven days a week. Documents may be deemed filed, however, 24 hours a day, five days a week. Documents electronically submitted for e-Filing shall be deemed filed on the date and time as outlined below. All times listed herein refer to Eastern Standard Time or Eastern Daylight Savings Time.

The e-Filing System is hereby appointed the agent of the Clerk for purposes of electronic filing, receipt, service and retrieval of electronic documents.

A. Upon receipt of an electronic document submitted for filing, the e-Filing System shall issue to the e-Filer a confirmation that the submission has been received. The confirmation notice shall include the date and time of receipt and shall serve as proof of receipt of the submission. The confirmation notice shall also inform the e-Filer that, if the document is accepted for filing, the date and time reflected in the confirmation notice shall serve as the date and time of filing, unless the document was submitted for filing after 11:59 p.m. on a Friday or after 11:59 p.m. on a business day before a Court holiday. In that case, the document will be deemed filed on the following business day.

B. An e-Filer will receive subsequent notification from the Clerk indicating that the submission has been accepted or rejected by the Clerk's office for docketing and filing into the Court's Case Management System.

C. If a document submitted for e-Filing has been accepted by the Clerk after Clerk Review, the document will receive an electronic stamp. This stamp will include the date and time that the filer transmitted the document to the e-Filing System (i.e., date and time of receipt outlined in Section A above). Subject to the exceptions noted in Section F below, the date and time reflected on the electronic stamp shall become the filing date and time for that document.

D. In the event the Clerk rejects a submitted document following Clerk Review, the document shall not become part of the official Court record and the e-Filer will be required to re-file the document to meet necessary filing requirements.

E. If a document is submitted for e-Filing prior to 11:59 p.m. on a Friday or prior to 11:59 p.m. on a business day that is not a Court holiday, and that document is then accepted for filing after Clerk Review, the date and time reflected on the electronic stamp on the document (i.e., the date and time of receipt of submission, as outlined in Section A above), shall be the date and time the document is deemed to have been filed.

F. If a document is submitted for e-Filing after 11:59 p.m. on a Friday or after 11:59 p.m. on a business day before a Court holiday, and that document is then accepted for filing after Clerk Review, the document shall be deemed to have been filed on the following business day, even though the electronic stamp on the document will bear the date and time of submission of said document. This does not in any way alter the provision in Crim.R. 45 that filing deadlines that fall on a Saturday, a Sunday, or a legal holiday, run until the end of the following day that is not a Saturday, a Sunday, or a legal holiday.

G. Unlike non-Court filers, Judges and Magistrates do not receive confirmation notices that their decisions and orders have been received by the Clerk. Nonetheless, the e-Filing System tracks the date and time of receipt of all electronic submissions, as described in Paragraph A above. Any documents submitted for e-Filing by the Court, after having been signed electronically, shall be deemed to have been filed as of the date and time of receipt of the same by the Clerk through the e-Filing System. Although such filings must still be reviewed and accepted by the Clerk, which may delay the posting of the signed, time-stamped image of the documents onto the Court's CMS and DMS, the electronic transmission of a document with an electronic signature by a Judge or Magistrate, executed and submitted in compliance with procedures outlined herein, shall, upon the complete receipt of the same by the Clerk, constitute filing of the document for all purposes of the Ohio Civil Rules, Ohio Criminal Rules, Rules of Superintendence, and the Local Rules of this Court.

IX. ELECTRONIC FILING AND ELECTRONIC SERVICE BY THE COURT OF COURT-CREATED DOCUMENTS

In all e-File case types, the Court shall issue, file and serve all notices, decisions, orders and other documents that are created by the Court electronically, through the Court's e-Filing System, subject to the applicable provisions in the Court's local rules. The Court shall serve self-represented defendants and parties who are not registered users of the Court's e-Filing System with paper copies of all notices, decisions, orders and other documents that are created by the Court

The electronic transmission of a document that has been electronically signed by a Judge or Magistrate in compliance with procedures adopted by the Court shall, upon the complete receipt of the same by the Clerk, constitute filing of the document for all purposes of the Ohio Civil Rules, Ohio Criminal Rules, Rules of Superintendence, and the Local Rules of this Court.

X. ELECTRONIC SERVICE OF FILINGS AND OTHER DOCUMENTS

Subject to the exceptions noted in Sections A and B below, it shall be the responsibility of the filing party to serve all documents filed subsequent to the arraignment proceeding on all other parties in a mandatory e-File case. The filing party shall make service upon all other registered users of the e-Filing System electronically via the Court's authorized e-Filing System, with the exception of self-represented defendants, who shall be entitled to paper copies of any such filings. Parties, or their designated counsel, shall receive all documents electronically filed and electronically served upon them via access to the e-Filing System.

A. Arraignment-Related Filings

Arraignment-related filings will not be e-Filed.

B. Service of Filings Subsequent to Arraignment.

1. All motions, memoranda and proposed entries subsequent to the arraignment process, with the exception of filings related to extraditions, Rule 4 proceedings, requests for a Governor's Warrant, Governor's Warrants, cases designated as "MI" cases, out-of-county writ of habeas corpus prosequendum, and old criminal cases with alpha-numeric numbering as noted in Section I, and with the exception of the entries and forms that are to be conventionally signed and/or filed as set forth in Section XI, shall be filed electronically in accordance with these procedures. When such documents are e-Filed, the e-Filing System will generate a "Notice of Electronic Filing" to the filing party and to any other party who is a registered user of the e-Filing System who has also requested electronic service, with the exception of self-represented defendants who may also be registered users of the e-Filing System. If the recipient is a registered user, a courtesy "Notice of Electronic Filing" e-mail will be delivered to the user's e-Filing-designated e-mail account and a similar notification will appear on the user's notifications page in the e-Filing System. This electronic notice through the e-Filing System shall constitute service of that document upon that party in accordance with the applicable rules of the Court, unless the registered user is also a self-represented defendant. All self-represented defendants, regardless of whether or not they are also registered users of the e-Filing System, are entitled to paper copies of all filed documents. It is the responsibility of the registered user to check his/her notifications page in the e-Filing System for notices pertaining to recent filings, and to not rely solely on the courtesy e-mails delivered to the user's designated e-Filing e-mail account. It is also the

responsibility of the registered user to ensure the courtesy e-mails with notices of electronic filings are not blocked by the spam filter of his/her designated e-Filing e-mail account

2. A Certificate of Service is still required when a party files a document electronically. The Certificate of Service shall state the manner, including by e-Service if applicable, in which service or notice was accomplished on each party entitled to service. The Certificate of Service shall set forth the date on which the attached document is being submitted for e-Filing, and shall designate that date as the date of service of said document.

3. Parties who are not registered users of the e-Filing System and all self-represented defendants (even if they are registered users in the e-Filing System) are entitled to a paper copy of an electronically filed document. The filing party shall serve all non-registered parties and all self-represented defendants with the document in accordance with the applicable rules of the Court. Upon notification that its document has been accepted for e-Filing, the filing party shall print out a copy of the e-Filed document and mail it to the non-registered users and self-represented defendants at said parties' last known addresses.

4. The filing party is also responsible for the service of any proposed orders and entries submitted to the Court through the e-Filing System. Upon notification that its proposed order or entry has been approved by the Court and e-Filed, the party who submitted that proposed order or entry shall print out a copy of the e-Filed order or entry and mail it to all non-registered parties and all self-represented defendants on that case, at those parties' last known addresses. The electronic notification appearing on a registered user's notifications page through the e-Filing System, along with the courtesy "Notice of Electronic Filing" e-mail delivered to the registered user's e-Filing-designated e-mail account, shall constitute service of that order or entry upon that party in accordance with the applicable rules of the Court.

5. Crim.R. 45 provides that service upon an attorney or upon an unrepresented party shall be made in accordance with Civ.R. 5(B) and Civ.R. 5(D). The Ohio Supreme Court recently adopted amendments to the Ohio Rules of Civil Procedure, specifically Civ.R. 5(B) and Civ.R. 6(D). Pursuant to those amendments, as of July 1, 2012, parties served electronically shall no longer be entitled to the three-day extension of time to respond that they would otherwise be entitled to if they were served by mail or by a commercial carrier service. This limitation to the application of "the three-day rule" applies only to documents served subsequent to the Complaint.

6. A filer who brings a document to the Clerk's office for scanning and uploading to the e-Filing System shall serve paper copies of the same on all non-registered parties and all self-represented defendants in the case. Such a filer will have to print out (via the Clerk's print services and at a rate set by the Clerk, or via any other computing and/or print station) a

copy of the e-Filed document and mail it to the non-registered parties and self-represented defendants. However, such a filer shall serve all registered users on that case electronically via the e-Filing System (e-Service).

7. Documents shall be filed under seal only with prior Court order.

C. **Service on Parties: Time to Respond or Act.**

1. E-Service of an electronically filed document shall be deemed complete when the registered user receives the notice appearing on his/her notifications page through the e-Filing System, notifying said user that the specific document has been e-Filed.

2. Service of a paper copy of an electronically filed document on a non-registered user shall be deemed complete on the date set forth on the Certificate of Service attached to said document, i.e., the date on which the attached document was submitted to the e-Filing System for e-Filing.

3. The time to respond to documents received via e-Service or otherwise shall be computed in accordance with the applicable rules of Court, including the Ohio Rules of Criminal Procedure, the Ohio Rules of Civil Procedure, and the Franklin County Rules of Practice of the Court of Common Pleas.

D. **Failure of Electronic Service.** If e-Service on a party does not occur, the party to be served may, upon motion, be entitled to an order extending that party's response deadline or the period within which any right, duty or act shall be performed.

XI. CONVENTIONAL SIGNING AND/OR FILING OF DOCUMENTS

Notwithstanding the foregoing, and in addition to the exceptions noted in Section I, the following types of documents shall be filed conventionally, unless expressly required to be filed electronically by the Court.

A. **Motion for Approval of Payment of Appointed Counsel Fees and Expenses (Financial Disclosure/Affidavit of Indigence).** This type of motion/form will continue to be filled out manually in paper format and presented in person.

B. **Clerk's/Auditor's Transcript Fee for an Indigent Defendant.** This type of form will continue to be filled out manually, in person and in paper format, and presented at the front counter of the Clerk's office, after the Court Reporter has completed the form.

C. **"Bond Surrender" Form.** This type of form will continue to be filled out manually, in person and in paper format, at the front counter at the Clerk's office, after the filer's identity has been verified.

D. **Continuance Form.** Counsel will fill-out the continuance form manually, in paper format and in chambers, and will obtain the Judge's hand-signature. A new date will be given either by chambers or by the Assignment Office, depending on the assigned Judge's chambers' protocol. The prosecutor will then take the completed continuance form to the Assignment Office, where the document will be scanned-in and e-filed by Assignment staff. After the form has been scanned-in, it will be returned to the prosecutor.

E. **Nolle Prosequi.** These entries will be e-filed by the Prosecutor's Office but they will be submitted in a .PDF format, not in a word document format. They will then be signed electronically by the Judge.

F. **Expungements.** Probation staff will continue to bring the expungement folders to dispositions for the expungement hearings. The Judge will then physically sign one of the entries (granted, denied, withdrawn), and the folders will be returned to the Judicial Program Assistant, who will then scan-in and e-file the signed entries. If an expungement hearing is continued, an electronic processing sheet will need to be filled out and e-filed as a criminal disposition sheet.

G. **Diversion Waiver/Entry Judge Unassigned and Diversion Waiver/Entry Judge Assigned.** These forms will be filled out and signed manually. They will then be scanned-in by Diversion staff and e-filed as PDF documents.

H. **Drug Court Forms.** The following forms will be filled out manually, the hand-signatures of all necessary parties will be obtained, and the forms will then be scanned-in and uploaded for e-filing by the TIES Coordinator/Staff:

1.) Consent and Waiver by Defendant for Referral to TIES Program to be Evaluated for Program Eligibility and Admission;

2.) Entry Transferring Defendant's Case to TIES Program; and

3.) Consent, Waiver and Agreement by Defendant for Admission to TIES Program.

I. **Explanation of Duties to Register as a Sex Offender or Child Victim Offender.** This form will continue to be manually filled out by counsel, and it will continue to be distributed to the appropriate agencies in paper format. The defendant will receive a paper copy of the form while he/she is in the courtroom. If the defendant lives in another county, the bailiff will mail a paper

copy of the form to the Sheriff's office of the defendant's county of residence. The Clerk will receive the remaining copies of this form in paper format.

J. **Notice of Duties to Register as an Arson Offender.** This form will continue to be manually filled out by counsel, and it will continue to be distributed to the appropriate agencies in paper format. The defendant will receive a paper copy of the form while he/she is in the courtroom. If the defendant lives in another county, the bailiff will mail a paper copy of the form to the Sheriff's office of the defendant's county of residence. The Clerk will receive the remaining copies of this form in paper format.

K. **Oath of Interpreter.** This form will be a fillable PDF document that will be accessible via a shared network location. It will be filled out by the bailiff (defendant name and case number) and will then be signed in the courtroom by the interpreter and the Judge through the use of the signature pad. The bailiff will then save the signed form to the shared network location and from there Court staff will upload it for e-filing.

L. **Report of Drug Offense Conviction.** This form will be a fillable PDF document that will be accessible via a shared network location. It will be filled out by the prosecutor and saved on the shared network location. From there, the form will be accessed by the Judge and signed through the use of the signature pad in the courtroom. The bailiff will then save the signed form to the shared network location and from there Court staff will upload it for e-filing. The bailiff will also print out and mail a copy of this form to the Bureau of Motor Vehicles.

M. **Report of Convictions Instructions to the Court.** This form will be a fillable PDF document that will be accessible via a shared network location. It will be filled out by the prosecutor and saved on the shared network location. From there, the form will be accessed by the Judge and signed through the use of the signature pad in the courtroom. The bailiff will then save the signed form to the shared network location and from there Court staff will upload it for e-filing. The bailiff will also print out and mail a copy of this form to the Bureau of Motor Vehicles.

N. **Entry for Limited Driving Privileges.** This form will continue to be filled out and signed manually. Once signed by the Judge, the form will be scanned-in and e-filed by Court staff.

O. **Judge Recusals.** These forms will continue to be filled out and signed manually by chambers and brought to the Director of Court Support Services to be e-filed.

P. **Entry Waiving Right to Counsel.** This entry will be a fillable PDF document that will be accessible via a shared network location. It will be filled out by the bailiff and then signed by the defendant, the prosecutor and the Judge through the use of the signature pad in the courtroom. Once the entry has been signed by the Judge, it will be saved to the shared network location and from there uploaded by Court staff for e-filing.

Q. **Entry Waiving Right to a Jury Trial.** This entry will be a fillable PDF document that will be accessible via a shared network location. It will be filled out by the defendant's counsel and then signed by the defendant, the defendant's counsel, the prosecutor and the Judge through the use of the signature pad in the courtroom. Once the entry has been signed by the Judge, it will be saved to the shared network location and from there uploaded by Court staff for e-filing.

R. **Notice of Right to Appeal.** This entry will be a fillable PDF document that will be accessible via a shared network location. It will be filled out by the bailiff and signed by the defendant, the defendant's counsel and the Judge through the use of the signature pad in the courtroom. Once the entry has been signed by the Judge, it will be saved to the shared network location and from there uploaded by Court staff for e-filing.

S. **Documents Filed Under Seal.** A party shall file documents to be sealed only after an order sealing the documents has been signed and journalized.

Unless otherwise ordered, all documents that are covered by a protective or other order requiring that they be filed under seal shall be submitted to the Clerk for filing in a securely sealed envelope.

The face of the envelope containing such documents shall contain a conspicuous notation that it contains "DOCUMENTS UNDER SEAL" or the equivalent. It shall also contain the case caption, a descriptive title of the document (unless such information has been included among the information ordered sealed), and the date of any order or reference to any statute permitting the item to be sealed.

The Clerk's file stamp and appropriate related information or markings shall be made on the face of the envelope. The Clerk shall file the document in accordance with any judicial order for sealing, or statute permitting filing under seal, and the Clerk's internal procedures for filing of sealed documents. If not prohibited by the order for sealing, the document shall be scanned, uploaded to the system, and reviewed for quality assurance. Once quality assurance is completed, the documents shall be destroyed, unless otherwise ordered by the court or unless a request is made for the return of the document by the filing party. If the request is granted, the filing party shall provide the Court with the proper mailing materials for return of the document.

Should the documents be ordered unsealed and maintained in the case record, the Clerk shall change the electronic restriction of the document, which preserves the actual date of the filing of the document.

T. **Documents to be presented to the Court for *in camera* review.** Any documents submitted for *in camera* inspection shall be submitted to the assigned Judge outside the e-Filing System.

U. **Exhibits.** Every reasonable effort shall be made to submit all exhibits electronically whenever practicable. However, exhibits or other items that cannot be captured or stored in an electronic format may be filed and served conventionally. Such exhibits shall be identified by a cover page using the caption of the case, the case number and the assigned judge, and shall provide other information identifying the name and party designation of the filer. Example: "Exhibits in Support of Defendant John Doe's Motion to Strike."

V. **Notices of Appeal.** As of August 1, 2012, the Local Rules of the Tenth District Court of Appeals allow notices of appeal to be filed either electronically or in paper form, depending on whether the case type of the case being appealed is subject to mandatory e-Filing. Therefore, in light of *Louden v. A.O. Smith Corporation*, 121 Ohio St.3d 95, 2009-Ohio-319, 902 N.E.2d 458, after August 1, 2012, notices of appeal may be either e-Filed or filed in paper form. Counsel shall consult the Local Rules of the Tenth District Court of Appeals to determine the proper means of filing a specific notice of appeal.

W. **Vision-Impaired Filers.** Due to limitations associated with the electronic readers used by some vision-impaired filers, vision-impaired filers may petition the Court for leave to file in paper format. A motion seeking exemption from the mandatory e-Filing requirements may be filed in paper format.

XII. DEPOSITION TRANSCRIPTS

If a party reasonably believes that deposition transcripts will be needed as evidence pertaining to any motions or other proceeding, those deposition transcripts shall be filed electronically. If ordered by the Court, deposition transcripts shall also be filed in paper using condensed or "minuscript"® format, and two-sided copying. All deposition transcripts filed with the Clerk must include a witness signature page and statement of changes in form or substance made by the witness pursuant to Civ.R. 30(E) and Crim.R. 15.

XIII. NON-PARTY FILERS

If a non-party entity receives an electronic document from the Court or the Clerk, and is asked to perform an act with respect to the same (serve it, obtain a signature, fill it out and submit it back to the Court/Clerk, etc.), it is that entity's responsibility to carry out the requested act, make the appropriate notations on the document/form, and then scan-in and upload the same for electronic filing back to the Court/Clerk. Once the paper document has been scanned-in and submitted electronically through the e-Filing System pursuant to the procedures identified herein, the electronic document becomes a part of the Court's official electronic record. Notwithstanding any entity-specific rules or statutes pertaining to

records retention that may state otherwise, the non-party filer need not keep a paper copy of the electronically submitted document once the non-party filer receives confirmation from the Clerk that the document has been reviewed and accepted for e-Filing.

XIV. REQUEST TO BROADCAST/TELEVISE/RECORD/PHOTOGRAPH COURT PROCEEDINGS

The media representative/party requesting permission to broadcast, televise, record and/or photograph a court proceeding will access this form, which will be a fillable .PDF document, through either the Court's or the Clerk's websites. The form can be found under Document Category: "Media," Document Type: "Proposed Order Media Permission." The form will be filled out by the media representative and e-filed as a proposed entry for the Judge's signature.

XV. OFFICIAL COURT RECORD

For a document that has been electronically filed, or a document that has been presented in paper format that has then been scanned-in and uploaded to the e-Filing System, the electronic version of that document constitutes the official Court record.

XVI. USER FILING ERRORS AND TECHNICAL PROBLEMS

A. User Filing Errors

Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's office. A filer cannot make changes to any document once it has been submitted and accepted for filing.

A document that is incorrectly submitted for e-Filing (e.g., as a result of entering a wrong case number, selecting an incorrect document type, attaching an incorrect PDF file to a submission for e-Filing, or where the electronic file is corrupt or unreadable) may be deleted from the e-Filing System as long as the document has not been accepted for filing by the Clerk's office.

In the event of an incorrect case number or an electronic file that is corrupt or unreadable, the Clerk will reject the submission and notify the filer of the error(s) and of the need to re-submit. However, where the error consists of something other than a wrong case number or a corrupt file, the filer should, as soon as possible after the error is discovered, contact the Clerk's office and provide the case number and document number for which a correction is

being requested. The Clerk may then delete the document from the e-Filing System. The Clerk shall immediately notify the filer of the error and the need to resubmit, if appropriate. The Clerk will not delete the relevant docket text, but will annotate the docket with a Notice of Correction to show the deletion, the reason for deletion, and that the filer has been notified. If appropriate, the Court will make an entry indicating that the document was filed in error.

However, once a document has been accepted for e-Filing by the Clerk, only a Judge can strike the document in the event it has been filed in error.

B. Technical Failures

The Clerk shall deem the e-Filing System to be subject to a technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. that day. Known system outages will be posted on the web site, if possible.

1. Technical Issues on the Filer's End

Problems on the filer's end, such as phone line problems, problems with the filer's Internet Service Provider (ISP), or hardware or software problems, may also prevent timely filing. A filer who cannot file a document electronically because of a problem on the filer's end must file the document, in PDF format, through the public access computer stations in the Clerk's office.

A filer who cannot submit a document electronically because of a problem on the filer's end may, upon satisfactory proof, petition the Court for an order permitting the document to be deemed filed as of the date it was electronically submitted. The Court may specify by local rule, or otherwise, a procedure for seeking relief under this provision. Counsel and parties should not assume that such relief is available on jurisdictional time limits (such as statutes of limitation or deadlines for appeal).

2. Technical Issues With the E-Filing System

In the rare event that there is a technical failure that originates with the e-Filing System, whether the failure is anticipated or unexpected, the following provisions shall apply whenever the e-Filing System is down for longer than one hour after 10:00 a.m. on a given day:

a. If the system outage is known and/or anticipated ahead of time, the Clerk's Office shall post a message on the Clerk's website and the e-Filing website, alerting filers of a possible system outage. Said message shall constitute an official acknowledgment of a system outage that may have prevented some filers from submitting their filings within a certain timeframe.

b. If the system outage is unexpected, the Clerk's Office shall post a message on the Clerk's website once the outage has been resolved. Said message shall constitute an official acknowledgment of a system outage that may have prevented some filers from submitting their filings within a certain timeframe, as identified in the message. All reasonable efforts shall be made to post such a message within 24 hours of a resolved system outage or no later than 12:00 p.m. on the next business day after an unexpected system outage.

c. Filers who are unable to electronically submit their filings due to a system outage, and who then submit their filings no later than the next business day after an officially acknowledged system outage, shall be deemed to have timely submitted their filings.

The provisions outlined above do not apply in instances where the technical problems are on the filer's end, such as phone line problems, problems with the filer's Internet Service Provider (ISP), or hardware or software problems. A filer who cannot submit a document electronically because of a problem on the filer's end **must file the document through the public access computer stations in the Clerk's office.**

XVII. METHOD OF PAYMENT

Unlike in civil cases, there are no deposits as security for costs or any other filing fees in criminal cases, with the exception of expungement-related filings. Fees related to requests for expungements shall be paid either by credit card through the e-Filing System or in person at the Clerk's counter. Payments made to probation will continue to be accepted in person at the Clerk's counter.

Notwithstanding the foregoing, filers who qualify for indigent status, along with some government agencies, will need to have their costs (if any) deferred, and the Clerk and/or the Court will need to validate that those parties are in fact indigent or that they represent a qualifying government agency.

A. Approval of Affidavit of Indigence:

1. In-Person Presentation of Affidavit of Indigence

a.) When an indigent party presents to the Clerk, in person, documents to be filed, and those documents are accompanied by an affidavit of indigence, the Clerk will direct said party to a public access computer station to register as a user of the e-Filing System. If necessary, the Clerk will assist said party with the registration process. The Clerk will scan-in and upload in PDF format the documents to be e-Filed. The indigent party will then e-File his/her documents, including the affidavit of indigence.

b.) The indigent party will **not** receive electronic notification through the e-Filing System.

c.) The affidavit of indigence will then be reviewed by the Judge or Magistrate assigned to that case.

d.) In the event the affidavit of indigence is rejected by the assigned Judge or Magistrate and, after proper notice, the indigent party fails to pay the applicable filing fees and deposit as security for costs, the case will be dismissed.

2. **When Affidavit of Indigence is Mailed to the Clerk**

a.) When an indigent party mails to the Clerk documents to be filed, and the documents are accompanied by an affidavit of indigence, the Clerk shall: 1.) register the indigent party as a user of the e-Filing System; 2.) scan-in and upload in PDF format the submitted documents on the indigent party's behalf; and 3.) e-File the same through the e-Filing System on the indigent party's behalf, listing the indigent party as the filing party.

b.) The indigent party will **not** receive electronic notification through the e-Filing System.

c.) The affidavit of indigence will then be reviewed by the Judge or Magistrate assigned to that case.

d.) In the event the affidavit of indigence is rejected by the assigned Judge or Magistrate and, after proper notice, the indigent party fails to pay the applicable filing fees and deposit as security for costs, the case will be dismissed.

B. **Fee Deferral for Certain Government Agencies.** If a filer is a government agency or other entity from which pre-payments are not required by statute, rule or practice, the documents submitted for e-Filing by that filer must include a clear indication that they are filed by, or on behalf of, an agency or entity entitled to deferral of, or exemption from, the payment of deposits as security for costs or pre-payments that would otherwise be required in connection with the filing.

XVIII. COLLECTION OF FILING DEPOSITS AND FEES

The authorized e-Filing System will establish a method for accepting payments of deposits and fees electronically.

XIX. PUBLIC ACCESS COMPUTER STATIONS AND PRINT CHARGES

The public can view and print e-Filed documents on public access computer stations located in the Clerk's office. Users shall be charged for printed copies of documents at rates established by the Clerk.

XX. EFFECTIVE DATE OF ADMINISTRATIVE ORDER

This Administrative Order shall become effective immediately.

SO ORDERED:

Administrative Judge, on behalf of all Judges of the Franklin County Common Pleas Court, General Division

Electronic Filing

User Agreement

User Agreement

In order to register for an account with EFlex, you must accept the terms of the user agreement as explained below. Failure to accept these terms will take you back to the login screen.

Franklin County, Ohio e-Filing System User Agreement

In order to register for an account with the Franklin County, Ohio, e-Filing System, including the Common Pleas Court General Division, Common Pleas Court Probate Division, Common Pleas Court Division of Domestic Relations and Juvenile Branch, the Tenth District Court of Appeals and the Clerks of Court for the respective Courts, you must accept the terms of the User Agreement below. Failure to accept these terms will result in you being denied access to the system and being re-directed take you back to the login screen.

Each person who has been approved to file electronically shall be responsible for the security and use of the user name and password that are assigned to that person. Any electronic filing made utilizing that user name and password shall be deemed to be made with the authorization of the owner of the user name and password.

Each authorized user of the Franklin County, Ohio, e-Filing System agrees to comply with the Administrative Orders and/or Local Rules of the Division or Branch of the Common Pleas Court or Tenth District Court of Appeals governing e-Filing as are then in effect in the applicable Court, Division or Branch at the time of each electronic filing.

Service of pleadings and other documents filed electronically using the e-Filing System shall be governed by the above-referenced Administrative Orders and/or Local Rules governing e-Filing in effect on the date of the filing of the pleadings or documents to be served. E-Service shall not replace the methods of service of pleadings prescribed in the applicable Rules of Procedure. In accordance with those procedures, all parties registered and approved to file documents electronically may be served with notices and copies of documents filed subsequent to a Complaint or Third-Party Complaint by Notice of Electronic Filing (NEF). By accepting the terms of this e-Filing System User Agreement, the filer consents to receive notices and copies of documents electronically, and waives the right to receive by first class mail notice of any document filed electronically subsequent to the Complaint or Third-Party Complaint.

Each authorized user of the Franklin County, Ohio, e-Filing System agrees he/she will not use the e-Filing system to engage in criminal activity or to commit fraud or identity theft. Each authorized user of the Franklin County, Ohio, e-Filing System also agrees not to upload or submit prohibited content into the system. As used in this agreement, "prohibited content" includes, by way of example and not limitation, the following:

- Documents, articles, links or other materials that promote racism, bigotry, hatred or physical harm of any kind against any group or individual;
- Documents, articles, links or other materials that are or could be harmful to minors, exploit persons under 18 years of age in a sexual or violent way, or solicit personal information from anyone under 18 years of age;
- Documents, articles, links or other materials that harass or advocate harassment of another person or are abusive, threatening, or obscene;
- Documents, articles, links or other materials that involve the transmission of "junk mail," "chain letters," unsolicited mass mailing or "spamming;"
- Documents, articles, links or other materials that promote or contain information known to be false;
- Documents, articles, links or other materials that promote or encourage illegal activities or conduct, or provide instructional information about illegal activities such as making or buying illegal weapons, violating someone's privacy, or providing or creating computer viruses;
- Documents, articles, links or other materials that display pornographic materials or images of any kind; and
- Documents, articles, links or other materials that solicit passwords or personal identifying information from other users for commercial or unlawful purposes.

Each authorized user understands and agrees that in the event the user violates the provisions of this User Agreement and specifically this paragraph, the user's privilege to participate in the Franklin County e-Filing System and the user's access to the system may be terminated, at the sole discretion of the Common Pleas Court General Division, Common Pleas Court Probate Division, Common Pleas Court Domestic Relations Division, the Juvenile Branch of the Common Pleas Court Division of Domestic Relations and Juvenile Branch, the Tenth District Court of Appeals, and the Clerks of Court for the respective Courts. Each authorized user also understands and consents to removal of the prohibited content from the e-Filing System at the discretion of the Courts and Clerks identified.

Important notice of redaction responsibility: Rules 44 and 45 of the Rules of Superintendence for the Courts of Ohio provide that parties and their attorneys should not include, or must redact where inclusion is necessary, certain personal indentifiers in order to protect personal privacy. Rule 44 (H) defines personal identifiers to mean "social security numbers, except for the last four digits; financial account numbers, including but not limited to debit card, charge card, and credit card numbers; employer and employee identification numbers; and a juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as 'CV' for 'child victim.'" Personal identifiers should be omitted or redacted from all case documents submitted to the Court or filed with the Clerk, unless otherwise ordered by the Court.

I have read the applicable Administrative Order(s) and/or Local Rules, located at http://www.franklincountyohio.gov/clerk/e-File.cfm, that govern e-Filing and I accept the terms of the user agreement.

- I do not accept the terms of the user agreement

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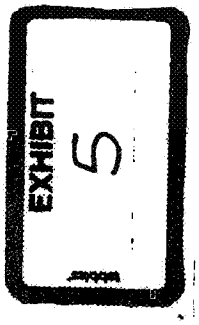


Franklin County e-Filing

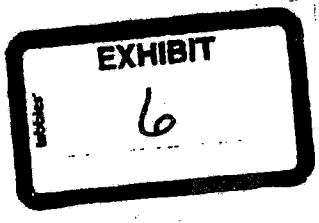
Electronic Filing

User Agreement => Select User Role

USER ROLES

Select your user role:

- Pro Hac Vice
- Pro Se
- Process Server
- Agency / Facility
- Media
- Probate Doctor
- Government Agency
- Attorney
- Attorney-CSEA
- Government Agency with queues
- Agency / Facility ADMINISTRATION



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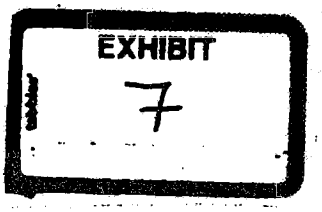
AFFIDAVIT OF FACTS
Judy-A.: Greer



I, Judy-A: Greer, do attest, affirm and convey the following facts:

- On April 11, 2014, in the afternoon, I, along with Ms. Justice, went to the FRANKLIN COUNTY *COURT* OF COMMON PLEAS CLERK OF *COURTS* to enter a NOTICE OF REMOVAL on behalf of the PERSON, MONICA GREER JUSTICE.

- We requested that the clerk on duty (her name tag stated Erin) provide a wet stamp on the NOTICE OF REMOVAL and accept the document in the case as cited on the NOTICE OF REMOVAL.

- She (Erin) stated that they do not provide wet stamps anymore and that we had to E-File the document.

- Ms. Justice advised her (Erin) that the UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT OF OHIO EASTERN DIVISION required the document to be entered into the cause cited as a step in the removal of the cause to the UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT OF OHIO EASTERN DIVISION.

- She (Erin) left her station with no explanation as to what she was doing.

- She (Erin) returned to her station with additional clerks (nametags of Becky and Sandy) and again advised that it was their procedure that we had to E-file all documents after a hearing had been held.

- She stated that we could talk to the *judge* on duty on the 6th floor, Mr. Reese.

- Ms. Justice and I then went to the sixth floor and talked with Mr. Guy-L.: Reese and explained that we needed a wet stamp copy on the document and needed to enter it into the cause cited.

AFFIDAVIT OF FACTS
Judy-A.: Greer

- Mr. Reese stated that he would not allow the document to be entered in any manner but by E-file.

- Ms. Justice and I then went back to the FRANKLIN COUNTY *COURT* OF COMMON PLEAS CLERK OF *COURTS* office and asked the clerk to show us the E-filing process.

- I sat down at the E-file terminal. After the clerk explained the basic process and the requirements needed to E-file, and after going through several of the "webpages", I advised the clerk that I could not, in all good conscience, proceed because I did not want to accept the Administrative Procedures of the FRANKLIN COUNTY *COURT* OF COMMON PLEAS nor did I meet any of their six categories provided in the E-file process. While their E-filing procedures did allow for Pro Se, it did not allow for Pro Per (which would have been my basis for filing), and having practical experience in Federal Notary practices, I knew it would be unlawful for me to proceed.

- Ms. Justice then asked to speak to their Compliance Officer to seek his assistance.

- The clerk advised that he had left for the day.

- We then left without being able to file the NOTICE OF REMOVAL unless we agreed to the Administrative and E-File Procedure of the FRANKLIN COUNTY *COURT* OF COMMON PLEAS.

AFFIDAVIT OF FACTS
Judy-A.: Greer

I attest that the facts stated herein in this decree are known to be true by me under oath under penalty of perjury by the laws of the Republic of the united States of America.

Judy-A.: Greer
All Right Reserved
110 East California Avenue
Columbus, Ohio the state

AKNOWLEDGEMENT OF SIGNATURE

The state, Ohio, County of FRANKLIN:

On this 4 day of NOV, 20 14 before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the Executor/Agent for the person(s) whose names are subscribed to the above document, and acknowledged that (s)he executed the same for the purposes expressed herein. I attest that the principal appear to be of sound mind, not infant or insane, and **not** under, nor subject to, any apparent threat, duress, fraud, or undue influence. I attest that I am executing this notary as a neutral party free of charge. I attest this under penalty of perjury under the laws of the Republic of the united States of America.

Notary Public

NOTARIAL SEAL STATE OF OHIO

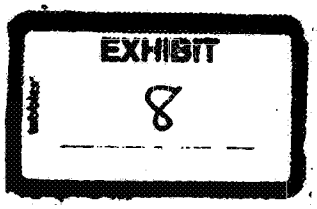
GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-16

2-15-16
My Commission Expires

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO

CRIMINAL DIVISION

- - -



State of Ohio,
Plaintiff,
vs.
Monica Justice,
Defendant.

Case No. 14CR-1581

ORIGINAL

- - -

TRANSCRIPT OF PROCEEDINGS
May 29, 2014

- - -

APPEARANCES:

John Graceffo, Assistant Prosecuting Attorney
On behalf of the State of Ohio.

Lotus Justice

- - -

BE IT REMEMBERED, that on the hearing of the above-entitled cause at the May Term, 2014 of the Common Pleas Court of Franklin County, Ohio, before the Honorable Stephen L. McIntosh, Judge, the following proceedings were had, to wit:

1 Thursday Morning Session,
2 May 29, 2014.
3 - - -
4 THE COURT: State of Ohio vs. Monica
5 Justice.
6 MS. JUSTICE: I'm Lotus Justice
7 appearing here. Hearing notice today at 9:00.
8 THE COURT: Are you on this case,
9 ma'am?
10 MS. JUSTICE: Yeah. I'm standing in
11 common law, parlay, if that's a problem. I'm
12 here to parlay in common law.
13 THE COURT: Well, I'm calling the case.
14 MS. JUSTICE: I understand. But I want
15 to make it clear before I cross the bar that I'm
16 here in common law.
17 THE COURT: And just so that it's
18 clear, I indicated Monica Justice and you said
19 your name was?
20 MS. JUSTICE: Lotus Justice. I'm known
21 by Lotus Justice.
22 THE COURT: Okay. This is Case No.
23 14CR-14 -- excuse me -- 14CR-1581, State of Ohio
24 versus, I guess, Lotus Justice, aka --
25 MS. JUSTICE: No. Object. That's not

1 in the pleading.

2 THE COURT: Excuse me, ma'am. I'm

3 talking.

4 MS. JUSTICE: I understand that. But I

5 object to that. You can't enjoin me to that

6 action, sir.

7 THE COURT: Okay.

8 MS. JUSTICE: The pleading says Monica

9 Greer Justice, in all caps.

10 THE COURT: We can get through this a

11 whole lot quicker, ma'am, if you let me talk

12 when it's my time and I give you an opportunity

13 to talk when it's your time.

14 MS. JUSTICE: I understand that. But

15 if you try to enjoin me to the action by stating

16 that I am the defendant in this cause when the

17 action clearly states Monica Greer Justice,

18 capital M, capital O, capital N, capital I,

19 capital C, capital A, space, capital G, capital

20 R, capital E, capital E, capital R, space,

21 capital J, capital U, capital S, capital T,

22 capital I, capital C, capital E, that is the

23 cause. So changing the pleading would not be

24 lawful.

25 THE COURT: Okay. This matter is

1 scheduled today for trial.

2 MS. JUSTICE: Well, I would object to

3 that.

4 THE COURT: The fact is it's scheduled

5 for trial today. Okay. It's my recollection at

6 the pretrial Ms. Justice was not present because

7 there may have been a mixup or something with

8 respect to the notice.

9 MS. JUSTICE: I was never notified.

10 THE COURT: Okay. Ma'am, please.

11 MS. JUSTICE: Oh.

12 THE COURT: Okay. You're being

13 extremely rude right now.

14 MS. JUSTICE: I'm sorry. I was just

15 trying to clarify for the record.

16 THE COURT: Okay. I will give you an

17 opportunity.

18 I need to make sure that the address

19 that we have is a correct address to make sure

20 that you receive all your proper notices.

21 What is the address that you wish us to

22 send information to you?

23 MS. JUSTICE: Care of P.O. Box 82251,

24 Columbus, Ohio, the State.

25 MR. GRACEFFO: Judge, may I interject?

1 THE COURT: Yes, please.

2 MR. GRACEFFO: If I recall correctly,
3 that post office box that was just placed on the
4 record is the address to which the last notices
5 were sent. And I'm looking on the court
6 computer and I believe that those were returned
7 as undeliverable. And I've pulled it up on the
8 website. It says, "return to sender. No such
9 number. Unable to forward." So that's an
10 invalid address.

11 MS. JUSTICE: I believe that there was
12 a zone improvement plan code error on that.

13 THE COURT: Well, the question is
14 whether or not we have a good address that we
15 can get information to you. And if the P.O. box
16 that you've provided does not allow us to do
17 that then we need a better address.

18 MS. JUSTICE: Well, that is an accurate
19 address. He has received certificate of service
20 of pleadings. He does have the correct address
21 on that certificate of service, his return
22 address that is deliverable.

23 MR. GRACEFFO: Judge, I just printed it
24 up and I can show it to the defendant if she'd
25 like to see what it says. But as far as the

1 State's concerned, that's not a good address.
2 MS. JUSTICE: And as I said, the zone
3 improvement plan code is wrong on that. It's
4 43215. The correction on that was given both to
5 this gentleman in the cert. of service for
6 anything that has been filed prior to this
7 hearing.
8 And I also delivered by hand a letter
9 to you providing the cert. of service that was
10 delivered to him with that corrected.
11 THE COURT: Okay. The only point that
12 I have here, we need to make sure that we can
13 get into contact with you.
14 MS. JUSTICE: Right.
15 THE COURT: If you're telling me that
16 this is the correct address to do so and we send
17 out notices --
18 MS. JUSTICE: Right.
19 THE COURT: -- and you do not get those
20 notices --
21 MS. JUSTICE: Correct.
22 THE COURT: -- and therefore then I
23 issue a warrant for your arrest --
24 MS. JUSTICE: I understand. I
25 understand the quandary. What I'm expressing to

1 him is the zone improvement plan code that he
2 sent that notice to is not accurate. He was
3 provided a corrected one and he has it in the
4 cert. of service. As were you. You were
5 provided a letter that was hand delivered. I
6 can send it to you by postal notary, if you'd
7 like me to, to certify that the address that I'm
8 telling you to send things in care of is an
9 actual proper P.O. box.
10 So the clerk, the gentleman over
11 here -- I'm not sure of the standing yet.
12 MR. GRACEFFO: I introduced you to
13 myself.
14 MS. JUSTICE: I understand that.
15 MR. GRACEFFO: I'm the prosecutor on
16 your case.
17 MS. JUSTICE: Well, as I said, standing
18 hasn't been established yet. I understand you
19 have introduced yourself as the man.
20 So he is aware of the change and -- I
21 have not made that error on the clerk and the
22 information was provided to both of you. I'm
23 not sure what you -- I've provided you with
24 that.
25 THE COURT: Right. That if we need to

1 get in contact with you that you can be
2 contacted --
3 MS. JUSTICE: Yes.
4 THE COURT: -- at P.O. Box 82251.
5 MS. JUSTICE: And that -- that the --
6 that clerk needs to correct the zone improvement
7 plan code if they choose to use those enclave
8 orders.
9 THE COURT: Okay. You need to provide
10 that to them.
11 MS. JUSTICE: I have provided it to
12 this gentleman here.
13 THE COURT: He's not with the clerk's
14 office.
15 MS. JUSTICE: And --
16 THE COURT: You need to provide it with
17 the clerk's office, the correct address.
18 THE WITNESS: I will send them a cert.
19 of service.
20 MR. GRACEFFO: What is the proper zip
21 code?
22 MS. JUSTICE: The zone improvement plan
23 code for that P.O. box, care of, is 43202. That
24 is the enclave number.
25 MR. GRACEFFO: Thank you.

1 MS. JUSTICE: But you have been
2 notified of that.
3 MR. GRACEFFO: I have not personally,
4 nor has the State, accepted service of that.
5 I'm with the State's -- I represent the State of
6 Ohio, and the county prosecutor's office is my
7 employer. I am not with the Clerk of Courts.
8 But if I need to send you documentation, because
9 you're going to be representing yourself, I need
10 to know how to reach you.
11 MS. JUSTICE: I am in agreement with
12 that.
13 MR. GRACEFFO: 43202 is the proper zip
14 code?
15 MS. JUSTICE: The enclave.
16 MR. GRACEFFO: Is that a zip code?
17 MS. JUSTICE: Zone improvement plan
18 code.
19 MR. GRACEFFO: Which ZIP is an acronym
20 for zone improvement plan, is it not?
21 MS. JUSTICE: Yes, sir.
22 MR. GRACEFFO: Okay. Thank you.
23 THE COURT: Now, Mr. Graceffo --
24 MR. GRACEFFO: Yes, Your Honor.
25 THE COURT: -- have you been able to

1 provide discovery on this matter?
2 MS. JUSTICE: I object. I object to
3 him speaking before he establishes standing
4 during the cause.
5 THE COURT: I don't object to him
6 speaking.
7 Mr. Graceffo, have you been able to
8 provide any discovery to Ms. Justice?
9 MR. GRACEFFO: Your Honor, I have not.
10 Although, Ms. Justice has not formally
11 filed a demand for discovery pursuant to
12 Criminal Rule 16, I anticipated that I would
13 need to provide discovery to her. I've provided
14 discovery, e-filed it with the court and tried
15 to mail it via regular mail service to the
16 address that was on the outside of my file,
17 which was 622 S. Napoleon Avenue. The zip code
18 is 43213. It was returned as undeliverable as
19 addressed. And there's a note. I don't know
20 whose handwriting is on the outside of the file;
21 but says "don't live here."
22 So at this time I'd like the record to
23 reflect I am attempting to serve Ms. Justice
24 with a copy of discovery that the State is
25 required to give all criminal defendants.

1 Thank you.
2 THE COURT: Thank you. The record
3 shall so reflect.
4 All right. Ms. Justice, all
5 indications are that you plan on representing
6 yourself in this matter. Is that correct,
7 ma'am?
8 MS. JUSTICE: Well, I intend to
9 represent that commercial entity Monica Greer
10 Justice since I am the executor and spokesman
11 the beneficiary of it, yes.
12 But, again, I want to object to you,
13 sir, prior to establishing that this is a court
14 of law and establishing that he has the standing
15 to bring a cause of action -- one, I'd like to
16 know, is this an Article I or an Article III
17 court?
18 THE COURT: Whatever objections you
19 have, go ahead and file them so that they are in
20 the record.
21 MS. JUSTICE: Well, there's a problem
22 with filing those in the record in that in the
23 e-file I'm required to, quote -- this is from --
24 let the record reflect I'm holding up the
25 Electronic Filing Requirement for User Agreement

1 for the Franklin County Common Pleas Court. It
2 was actually printed out for me by your clerk.
3 It says, "Each authorized user of the Franklin
4 County Ohio e-file system agrees to comply with
5 the administrative orders and/or local rules --
6 Each authorized user of the Franklin
7 County, Ohio e-file system agrees to comply with
8 the administrative orders and/or local rules of
9 the division or branch of the Common Pleas Court
10 or Tenth District Court of Appeals governing
11 e-filing as they are in effect in the applicable
12 court, division, or branch at the time of each
13 electronic filing."
14 I have no intention of contracting with
15 this Court and I'm not obligated to contract
16 with this Court in order to enter things upon
17 the record as the executor and authorized agent
18 for this entity.
19 Secondly, even if I were willing to do
20 that, the user role provided in the next filing
21 page, which again was provided by your clerk,
22 provides for the following role: Pro hac vice,
23 pro se, process server, agency, facility, media,
24 probate doctor, government agency, attorney,
25 attorney CSEA -- all capitals -- government

1 agency with Qs, agency slash facility
2 administrator.
3 I am none of those. I am propria
4 persona in proper standing as the executor of
5 the commercial entity and the beneficiary of
6 that entity. I don't qualify any of these and
7 it would be unlawful for me nor would I
8 surrender any jurisdiction by qualifying myself
9 as any of these.
10 I've spoken with the variety of
11 individuals on the federal and to the Supreme
12 Court, State of Ohio, in that the inability to
13 put anything upon the record without contracting
14 with you is a denial of due process by this
15 Court. And they suggested that since you are
16 privately regulated and that these rules, as I
17 was told, were actually put into effect by the
18 judges themselves, quote, purported judges, that
19 I was told by the Supreme Court that if I could
20 not resolve this that I should file a suit
21 against you in order to allow myself to put
22 things in the court without contracting.
23 I would prefer to not do that. I would
24 prefer to come up with a methodology that I can
25 put things on the record without contracting

1 with you or forced to contract with you, because
2 I'm not going to do that.
3 So there's a variety of things that I
4 would like to put on the record --
5 THE COURT: Okay.
6 MS. JUSTICE: -- in this --
7 THE COURT: Okay. Ms. Justice, okay,
8 for me to consider certain matters, they need to
9 be filed with the Court. Your filing documents
10 with the Court does not create a contract
11 between you --
12 MS. JUSTICE: Well, that's a matter of
13 opinion. I should not be --
14 THE COURT: Ms. Justice, okay, I
15 listened to you. I ask that you please listen
16 to me while I'm talking and stop interrupting
17 me.
18 MS. JUSTICE: Okay. Gotcha.
19 THE COURT: It does not create a
20 contract because if you want me to consider
21 something it needs to be filed and it needs to
22 be filed properly with this Court. And that's
23 the only way, obviously, that I can then
24 consider those issues.
25 The point that I was trying to make

1 earlier, though, that it's my understanding that
2 you intend to represent yourself. In other
3 words, you're not going to hire an attorney?
4 MS. JUSTICE: There will be no attorney
5 on this side of the bar in common law.
6 THE COURT: Okay. And just want to
7 make sure that it's clear to you that if you're
8 going to represent yourself, that the rules that
9 apply in this courtroom would apply to you in
10 terms of the proper way to conduct a trial. And
11 we'll get into a little bit more detail if we
12 get to that point.
13 MS. JUSTICE: Well, I --
14 THE COURT: Please understand -- I'm
15 still talking, ma'am.
16 MS. JUSTICE: I object to that.
17 THE COURT: You need to understand that
18 when we get to the point of having a trial,
19 bringing jurors up, having witnesses testify
20 that there's a certain way that all of that
21 needs to be done that generally those who have a
22 law license and have practiced in this
23 jurisdiction know and understand.
24 You absolutely have the right to
25 represent yourself, and if you choose to do so,

1 that's fine. But you just need to be aware that
2 you have to abide by the same rules that any
3 attorney would who's trying a case before this
4 Court.
5 I would advise you --
6 MS. JUSTICE: I object to that.
7 THE COURT: -- even if you don't plan
8 to use an attorney to at least talk to someone
9 that may be able to give you some information or
10 some guidance with that in that regard. If you
11 decide not to, probably what I'm going to do is
12 just have someone available --
13 MS. JUSTICE: No, sir.
14 THE COURT: -- if you have any
15 questions.
16 MS. JUSTICE: No, sir. There will be
17 no attorney on my side of the bar. If I choose
18 to have next friend or counsel, it will be of my
19 choosing. There will be no attorney on my side
20 of the bar. I stand in common law. Attorneys
21 stand in statute and at law.
22 And as far as objecting, there's
23 several objections that I have. I am not bound
24 by the rules that these attorneys follow. I am
25 bound by the law. That's what I'm bound by.

1 And I understand the decorum of a process of the
2 court, of a court, and that you show respect to
3 the witness and to the opposing sides of the
4 bar. So that will not be of issue. But to make
5 the statement that I am bound by the same rules
6 as an attorney is not cause. I'm bound by the
7 law. They are bound by statute. I am bound by
8 the law. They are bound by your administrative
9 rules of this Court. I am not bound by it,
10 which is exactly why I have not entered anything
11 because I am not bound by the administrative
12 rules of this Court in that they tend on the
13 whole to deny individuals the capacity to defend
14 themselves, in my opinion, in the law.
15 Secondly, he doesn't own nor possess,
16 nor do you possess a license in the law. You
17 possess a bar card. There's nothing on anything
18 that you all have that says you have a license
19 to practice law. So I object to that statement
20 as well.
21 But I am in complete agreement that
22 when someone is in a court of law, if this
23 proves itself to be a court of law, which it has
24 yet to do, that someone should show respect to
25 the process of the law. So I am in agreement

1 with that with you.

2 THE COURT: Well, and, again, there are

3 certain rules, evidentiary rules, criminal rules

4 that must be followed.

5 MS. JUSTICE: Right. I understand the

6 Rules of Evidence. I understand the Rules of

7 Evidence.

8 THE COURT: Okay. Now, Mr. Graceffo --

9 MR. GRACEFFO: Your Honor.

10 THE COURT: -- where is the State with

11 respect to this case right now? I know --

12 MS. JUSTICE: Again, I object.

13 THE COURT: -- you just handed the

14 defendant discovery. And my assumption is that

15 you've only met Ms. Justice this morning so

16 you've not had any opportunity to discuss any

17 pleas or things of that sort.

18 MR. GRACEFFO: Your Honor, that's

19 correct on both counts. I did, in fact, just

20 meet Ms. Justice this morning. I told her that

21 I was going to treat her as any other criminal

22 case should be treated in that I'm going to deal

23 with her directly.

24 I told her that it would probably be

25 best to make a record. She agreed with me.

1 And we have issued subpoenas for every
2 witness' appearance. I just know that it's late
3 in the week and I know that I'm scheduled to
4 appear in this Court for dispositions tomorrow
5 morning. I don't anticipate that we are going
6 to start a trial today or this afternoon; so I
7 anticipate a request for a continuance.
8 I have not had an opportunity to
9 discuss any plea negotiations with Ms. Justice
10 at this point. So if the Court allows, I'd like
11 to put the offer on the record.
12 And just for the record, the case is an
13 assault on a peace officer case, a felony of the
14 fourth degree. The State acknowledges that
15 Ms. Justice does not have a significant enough
16 prior criminal record to overcome the
17 presumption of community control in this matter.
18 So the offer is -- Ms. Justice has two choices
19 essentially. Either she can plead guilty to the
20 assault on a peace officer charge as indicted
21 and the State will go along with a joint
22 recommendation of community control in this
23 matter or she can make me do my job and present
24 the case to a jury or to a judge for their
25 consideration.

1 I know what I anticipate what her
2 choice is going to be, and that's why I took the
3 liberty to start preparing a continuance entry.
4 THE COURT: Okay.
5 MR. GRACEFFO: Thank you, Your Honor.
6 THE COURT: All right. And you
7 understand what the prosecutor is saying,
8 Ms. Justice?
9 MS. JUSTICE: I comprehend the words --
10 THE COURT: That he's offering a plea
11 to the charge with a recommendation that I place
12 you on community control, probation.
13 MS. JUSTICE: Yeah, I hear his words.
14 Pertaining to that, as it was stated in
15 the first hearing where I was being held
16 unlawfully in custody, the prima facia evidence
17 on this cause stems from unlawful stop and
18 unlawful --
19 THE COURT: Well, you really shouldn't
20 get into the facts of the case. You
21 understand --
22 MS. JUSTICE: I understand that.
23 THE COURT: -- everything you're saying
24 is being taken down.
25 MS. JUSTICE: -- but bear in mind --

1 THE COURT: Hold on one second, ma'am.
2 Everything you're saying is being taken down and
3 can be used against you.
4 MS. JUSTICE: I understand that.
5 THE COURT: So I advise you not to go
6 into the facts of this case.
7 MS. JUSTICE: Well, in such that the
8 prima facia evidence in this cause is of
9 unconstitutional nature and in violation of the
10 constitutional rights of myself and the
11 defendant Monica Greer Justice, that it seems
12 premature, for a variety of reasons, for this
13 cause to even move forward until the prima facia
14 evidence which brought about the circumstances
15 of the hearing on the 18th to even be brought
16 forth until that cause has been adjudicated.
17 Secondly, as I understand, this charge
18 is a statutory charge only. Statutory charges
19 must be accompanied by common law charges you
20 cannot rise to statutory claim of criminality
21 without a conviction or an adjoining common law
22 felony cause.
23 Is there a common law cause or claim on
24 this pleading by this individual over here? Who
25 yet, again, still has not established standing.

1 MR. GRACEFFO: Your Honor, may I
2 address that issue?
3 THE COURT: Yes, please.
4 MR. GRACEFFO: We don't need to do
5 that, quite simply. We presented the case for
6 the grand jury's consideration. They heard the
7 evidence the State presented and decided
8 probable cause existed such that a warrant --
9 excuse me -- that an indictment should issue.
10 That's all that's required pursuant to the
11 criminal rules. And that's what happened.
12 MS. JUSTICE: I object to that because
13 it was a direct indictment and I would ask that
14 if there was a grand jury that the records of
15 the grand jury, sans the names, be put upon the
16 record. I would definitely like a copy of that.
17 Secondly, I bring to the Court at least
18 one cause, which is *Bond v. U.S.* which was heard
19 in 2010. It says that if there is a
20 constitutional -- and it's cited -- quote, this
21 is from Justice Ginsburg. This is *Bond v. U.S.*
22 564 U.S. 2011. It says, an offense created by
23 an unconstitutional law is not a crime. A
24 conviction under such law is not merely
25 erroneous but is illegal and void and cannot be

1 a legal because of imprisonment. If a law is
2 invalid as applied to the criminal defendant's
3 conduct, the defendant is entitled to go free.
4 What this says is that you can't charge
5 people straight by statutory justice.
6 THE COURT: Ms. Justice, okay, as I
7 indicated to you earlier, if there's things that
8 you need to me to consider, you need me to file
9 a motion for me to do so.
10 MS. JUSTICE: I understand that, sir.
11 Should I also --
12 THE COURT: Okay. Because you need to
13 file the motion because then the State has the
14 opportunity to respond.
15 MS. JUSTICE: Uh-huh.
16 THE COURT: And then I get the motions
17 and I can review them and then I will give you
18 an opportunity to argue those motions.
19 MS. JUSTICE: Well, there will be no
20 plea until those issues are resolved. And one
21 of the biggest issues is the filing of things
22 with you. And, again, I'm assuming that the
23 questions of jurisdiction and standing, I'm
24 assuming, if I want to ask him, for example --
25 can you ask this gentleman right here what law,

1 what jurisdiction of law he's invoking in this
2 cause?
3 MR. GRACEFFO: I can answer that quite
4 simply.
5 THE COURT: Ms. Justice --
6 MS. JUSTICE: I need --
7 THE COURT: No, no. I acknowledge his
8 right to be able to do everything that he's
9 doing here.
10 MS. JUSTICE: Okay.
11 THE COURT: And you may have a problem
12 with that and you may have issues with that.
13 MS. JUSTICE: Well, I need to know
14 that.
15 THE COURT: But, okay, he is
16 legitimately before me. The State is
17 legitimately before me. Indictment was properly
18 filed.
19 MS. JUSTICE: State of Ohio is
20 legitimately before you.
21 THE COURT: The case is properly before
22 me.
23 MS. JUSTICE: Well, that is an opinion.
24 THE COURT: Now, again, if there's
25 something beyond that that you want me to

1 consider, put it in writing and file it --
2 MS. JUSTICE: Well, then --
3 THE COURT: And I will consider that at
4 that time.
5 MS. JUSTICE: -- that means that you
6 know the court of law based on the jurisdictions
7 afforded does by the constitution of the
8 republic that he's invoking. So I would like to
9 know it so I know what I'm dealing with here.
10 Is it the law of cause of law, common law,
11 equity, maritime?
12 THE COURT: Well, again, if you want me
13 to consider something, put it in writing, ma'am.
14 MS. JUSTICE: And how should I deliver
15 that to you if I an unwilling to surrender to
16 administrative rule? Just send it to you in the
17 mail?
18 THE COURT: It needs to be filed and
19 then a copy provided to the State.
20 MS. JUSTICE: And, again, if I am
21 unwilling to surrender and to contract with you
22 by accepting your administrative rules for this
23 Court, how is that to be done?
24 THE COURT: If it's not filed, it won't
25 be considered. It's up to you to decide how you

1 wish to handle that, whether you wish to file it
2 or not.
3 MS. JUSTICE: So you are requiring
4 then, in order for you to receive filings, that
5 I am to comply with administrative orders and
6 rules of the Common Pleas Court?
7 THE COURT: Yes. That's the process
8 for filing motions.
9 MS. JUSTICE: Well, and I'm going to
10 charge that that's a denial of due process by
11 this Court then.
12 THE COURT: Okay.
13 MS. JUSTICE: That will be --
14 THE COURT: I'd like to go ahead and
15 schedule a jury trial date.
16 MS. JUSTICE: Sir, I object to that.
17 You can't move forward without establishing
18 jurisdiction, and to do that would actually be
19 unlawful as well as. If you intend to move
20 forward without establishing jurisdiction
21 without --
22 THE COURT: Ma'am, I don't have to
23 establish jurisdiction. Okay. You have to file
24 a motion to prove to me that I don't have
25 jurisdiction --

1 MS. JUSTICE: Well, there's a habeas on
2 the record.
3 THE COURT: -- to satisfy you that I
4 have jurisdiction. I have jurisdiction, ma'am.
5 MS. JUSTICE: You have to provide --
6 THE COURT: Again, if you have some
7 legal precedence, some law that you want me to
8 consider that says I don't --
9 MS. JUSTICE: So you're operating on
10 the presumption of jurisdiction even though --
11 THE COURT: No. I don't presume that,
12 ma'am.
13 MS. JUSTICE: So you --
14 THE COURT: If you have something to
15 show me otherwise I'd like to take a look at it.
16 MS. JUSTICE: There's also a habeas on
17 the record that stands an affidavit --
18 THE COURT: Ms. Justice --
19 MS. JUSTICE: -- so I thought you might
20 want to have that. There's a stamped copy if
21 you'd like it.
22 THE COURT: What I would like to do is
23 go ahead and set a trial date.
24 MS. JUSTICE: Well, I object to that.
25 THE COURT: You can object, ma'am, but

1 I'm going to set a trial date.
2 MS. JUSTICE: So you are going to move
3 forward without establishing jurisdiction as I
4 am requesting? You're not going to define
5 whether you're Article I or Article III Court
6 and you're not going to define for me before you
7 go forward in a trial with making him define
8 which jurisdiction of law, which Supreme Court
9 of the United States says he has to do, to bring
10 forth a cause in law before he can attach a
11 statement, a statutory issue? You're going to
12 go ahead and move forward with that despite my
13 objections?
14 THE COURT: Yes, ma'am.
15 So if you have your calendar -- and I'm
16 looking at my calendar and, Mr. Graceffo, if you
17 have your calendar.
18 MR. GRACEFFO: I do, Your Honor.
19 THE COURT: If we are going to have a
20 trial in this matter right now I'm looking at
21 earliest date --
22 MS. JUSTICE: I am in no hurry unless
23 you are. There's a lot to be done.
24 THE COURT: -- August 4th, Monday,
25 August 4th.

1 MS. JUSTICE: Again, I object to you
2 moving forward.
3 And I'd also like to remind you, I'll
4 put it in writing, but let's state for the
5 record, I also know writing is required in
6 addition to oratory; but moving forward in a
7 cause without jurisdiction when operating under
8 common law is an act of sedition and treason.
9 MR. GRACEFFO: August 4th is okay with
10 me.
11 THE COURT: Okay. Ms. Justice.
12 MS. JUSTICE: Well, I'm in objection.
13 It doesn't seem to matter because you're going
14 to move forward regardless.
15 THE COURT: Yes. Okay. August.
16 MR. GRACEFFO: I'm also fine if you
17 want to go sometime in July, Judge.
18 THE COURT: No. I mean, my schedule is
19 such that this is the best date.
20 MR. GRACEFFO: That will work for the
21 State.
22 MS. JUSTICE: The State of.
23 MR. GRACEFFO: Yes. The State of Ohio.
24 MS. JUSTICE: Correct. Which is not
25 the State, Ohio.

1 MR. GRACEFFO: Well, it's just
2 abbreviation.
3 MS. JUSTICE: It's a matter of opinion.
4 And objection.
5 MR. GRACEFFO: Okay.
6 THE COURT: So, Ms. Justice, and notice
7 will be sent to the P.O. Box 82251.
8 MS. JUSTICE: With the proper enclave,
9 it should get there.
10 MR. GRACEFFO: Do you have the right
11 zip code, Judge?
12 THE COURT: I'm sorry?
13 MR. GRACEFFO: The right zip code? I
14 think she said 43202.
15 THE COURT: Yes. That's what she
16 indicated.
17 But trial in this matter is set for
18 Monday, August 4th at 9:00 a.m.
19 And, again, Ms. Justice, if there's
20 anything that you wish me to consider, please
21 file it with the court and I'll take a look at
22 it and then I will give the State an opportunity
23 to respond.
24 MS. JUSTICE: Again --
25 THE COURT: And then decide --

1 MS. JUSTICE: -- you've prevented me
2 from filing with the court.
3 THE COURT: No. No one is preventing
4 you, ma'am. You just chose not to at this point
5 --
6 MS. JUSTICE: I am not obligated by due
7 process to contract with any private bank of
8 attorneys in order to put something before them.
9 THE COURT: All right.
10 MS. JUSTICE: That's denial of due
11 process.
12 MR. GRACEFFO: Your Honor, I've
13 prepared a continuance entry. I for the record
14 would like to present it to Ms. Justice for her
15 consideration.
16 THE COURT: Yes.
17 MR. GRACEFFO: Thank you.
18 Ms. Justice, just for the record, this
19 is -- and I know you're objecting and your
20 objection has been noted, but this is a
21 continuance entry that the Judge will process to
22 move the date that we have to come back from
23 today's date to August 4th.
24 MS. JUSTICE: I understand.
25 MR. GRACEFFO: Are you going to sign

1 it?

2 MS. JUSTICE: Why do would I sign it?

3 You're the with one asking for it.

4 MR. GRACEFFO: Well, are you ready to

5 go to trial right now?

6 MS. JUSTICE: Happy to go to trial. I

7 mean, are you saying sign something or go to

8 trial? That would be an obstruction of justice

9 and denial of due process as well.

10 THE COURT: Ms. Justice --

11 MS. JUSTICE: Well, then he can sign

12 it.

13 THE COURT: Ms. Justice, even if you

14 could put on there that you object --

15 MR. GRACEFFO: You understand we are

16 making a record, right?

17 THE COURT: So if you can just put on

18 there --

19 MS. JUSTICE: Again, I'm not pleading

20 to jurisdiction here. You haven't established

21 jurisdiction. If you would like to schedule for

22 that time if you want to go forward with trial

23 being that there's tons of objections on the

24 record and you want to deny due process, that's

25 up to you. I clearly can't keep you from

1 violating the law. But if he would like -- if
2 you would like to continue this to another time
3 and he would like -- as far as I'm concerned
4 until you even establish jurisdiction and
5 standing going to trial, I mean, again, I have
6 pleadings I'd like to put on before but I'm not
7 going to contract with you all to do that.
8 THE COURT: Okay. Do you acknowledge
9 the fact that I've told you that the trial date
10 is August 4th?
11 MS. JUSTICE: I acknowledge the fact
12 that you have said that there will be a trial of
13 some sort on August 4th to which you will hear
14 regardless of jurisdiction, yes.
15 MR. GRACEFFO: Your Honor, may I?
16 THE COURT: Yes.
17 MR. GRACEFFO: It appears from the
18 interaction between the Court and Ms. Justice
19 that she is refusing to sign the document.
20 With the Court's permission, and in her
21 presence, I will write, over objection, in the
22 defendant line.
23 THE COURT: That's fine. That's
24 sufficient for the Court.
25 MR. GRACEFFO: May I approach?

1 THE COURT: Please.
2 MR. GRACEFFO: Thank you, Your Honor.
3 THE COURT: Trial in this matter is set
4 for August 4, 2014, at 9:00 a.m. That is all.
5 Thank you.
6 MR. GRACEFFO: Thank you, Your Honor.
7 MS. JUSTICE: I did inform the zone
8 improvement code of 43202. I just want to make
9 sure that there's not further confusion with
10 that.
11 THE COURT: Yes. That's what you
12 provided, 43202. Thank you.
13 MR. GRACEFFO: Ms. Justice, one more
14 thing for the record. I'm going to give you my
15 mailing address in case you don't have it
16 already.
17 MS. JUSTICE: You did get something
18 certified service from me. I have proof of
19 that.
20 MR. GRACEFFO: I did not personally.
21 My office did. It was delivered to Jeff Rogers
22 in the civil division. But if you want to
23 address things to me directly I'm going to give
24 you a piece of paper with my name and address on
25 it. I welcome anything you want to say. Okay?

1 Thank you.

2 THE COURT: Thank you very much.

3 MS. JUSTICE: Thank you for your time,

4 Judge.

5 MR. GRACEFFO: Thank you, Your Honor.

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CERTIFICATE

I do hereby certify that the foregoing is a true, correct, and complete transcript to the best of my ability of the proceedings in this matter of May 29, 2014, taken by me and transcribed from my stenographic notes.

Carla D. Manahan, RPR
Assistant Court Reporter

1 IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO
2 CRIMINAL DIVISION
3 - - - - -
4 State of Ohio, :
5 Plaintiff, :
6 vs. : Case No. 14CR-1581
7 Monica G. Justice, :
8 Defendant. :
9 - - - - -
10 TRANSCRIPT OF AUDIO/VIDEO PROCEEDINGS
11 Before Myron A. Thompson, Magistrate, on Monday, March
12 31, 2014.
13 - - - - -
14
15 APPEARANCES
16 Shanda M. Behrens, Assistant Prosecuting Attorney,
17 On behalf of the Plaintiff, State of Ohio.
18 - - - - -
19
20
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25

EXHIBIT
9

FILE COPY

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1 Monday Afternoon Session
2 March 31, 2014
3 - - -
14:09:10 4 THE MAGISTRATE: Okay. Counsel, sorry,
14:09:10 5 why don't you call the case again?
14:09:14 6 MS. BEHRENS: Your Honor, this is
14:09:24 7 14CR-1581, Monica Justice, F4, assault on a
14:09:30 8 police officer.
14:09:30 9 MS. MURRAY: Your Honor, at this time,
14:09:32 10 Ms. Justice is declining the assistance of
14:09:34 11 counsel for this hearing.
14:09:38 12 THE COURT: Okay. Ms. Justice, good
14:09:50 13 afternoon. I'll explain the scope of the
14:09:52 14 hearing, but I'll start with an admonition
14:09:54 15 that you are not obligated to testify or
14:09:56 16 state anything for the record. We have
14:09:58 17 counsel for the public defender available if
14:10:02 18 you're willing to cooperate. If you do want
14:10:04 19 to address the limited scope of this
14:10:06 20 hearing, which has to do with assigning
14:10:08 21 bond, assigning counsel only if you submit
14:10:10 22 an affidavit of indigency, which I
14:10:12 23 understand that you have not done at this
14:10:14 24 point, and then taking a plea of guilty or
14:10:18 25 not guilty, you could certainly address

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14:10:20 1 those issues, which would have to do with
14:10:24 2 your ties to the community, the severity of
14:10:26 3 the offense, the danger to the community if
14:10:30 4 you are, in fact, released, as well as the
14:10:32 5 gravity of the offense that's alleged in the
14:10:34 6 indictment. You can certainly address those
14:10:36 7 issues.
14:10:36 8 As I indicated, I'm stating that you do
14:10:40 9 not have to speak at all. If you do decide
14:10:42 10 to waive those privileges, which, again, we
14:10:46 11 could have the public defender assist and
14:10:48 12 explain further to you, then this is a
14:10:50 13 proceeding that is on the record. It is
14:10:52 14 recorded. Statements that you make in this
14:10:54 15 proceeding could be used later on as this
14:10:58 16 case gets further adjudicated. And just to
14:11:02 17 repeat, this is not a determination of the
14:11:06 18 facts that are alleged. We have a trial and
14:11:08 19 a procedure and assigned judge that will
14:11:10 20 preside over that scope of the hearing.
14:11:12 21 So with that said, do you wish to
14:11:14 22 further concur with the public defender in
14:11:20 23 any way?
14:11:20 24 THE DEFENDANT: No, I do not wish to be
14:11:32 25 appointed counsel. I wish to be in propria

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14:11:44 1 persona, my own counsel.

14:11:44 2 THE MAGISTRATE: Sure. And let's --

14:11:46 3 and having been warned and -- and you've

14:11:48 4 decided to -- to proceed, do you intend to

14:11:50 5 submit a plea to begin with?

14:11:52 6 THE DEFENDANT: The plea that I'll be

14:11:54 7 presenting is demurrer.

14:11:56 8 THE COURT: Okay. I will interpret

14:11:58 9 that to be a not guilty plea.

14:12:00 10 THE DEFENDANT: Well, you may interpret

14:12:00 11 it that way, but the plea is demurrer. It's

14:12:14 12 a challenge to the jurisdiction of the cause

14:12:28 13 and the courtroom.

14:12:28 14 THE MAGISTRATE: I understand.

14:12:30 15 Reflected for the record. I will,

14:12:32 16 nevertheless, indicate that this defendant

14:12:34 17 pleads not guilty. And do you wish to

14:12:36 18 address bond?

14:12:36 19 THE DEFENDANT: I object to that, you

14:12:38 20 entering a plea of not guilty on my behalf.

14:12:52 21 You do not have a right to be counsel from

14:12:54 22 the bench for me, sir.

14:13:04 23 THE MAGISTRATE: Sure. You've

14:13:06 24 objected. You've made your record.

14:13:08 25 Overruled. Not guilty plea will be

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14:13:10 1 reflected in the record. Do you wish to
14:13:10 2 address bond at this time?
14:13:12 3 THE DEFENDANT: I do wish to address
14:13:12 4 bond.
14:13:14 5 THE MAGISTRATE: Okay. You may do so.
14:13:14 6 THE DEFENDANT: But I would like to
14:13:16 7 return to demurrer because I would like on
14:13:18 8 the objections for you to place direct
14:13:32 9 objections, conclusions of law and findings
14:13:34 10 of fact that you may enter a plea over my
14:13:38 11 demurrer of not guilty. I'd like to put
14:13:40 12 that upon the record.
14:13:40 13 Pursuant to bond, I'd like to be on my
14:13:44 14 own recognizance. I am not a flight risk at
14:13:56 15 all. I am a probator of several businesses
14:14:12 16 over a variety of businesses. And that's my
14:14:16 17 source of income, too. (Inaudible) I have
14:14:30 18 every intention of defending to whatever
14:14:32 19 forum is brought forth in this cause.
14:14:46 20 THE MAGISTRATE: Understood. Anything
14:14:48 21 further?
14:14:48 22 THE DEFENDANT: No, sir.
14:14:50 23 THE MAGISTRATE: Okay. Can we have a
14:14:54 24 bond sheet? No. I have that. Could we
14:14:56 25 have -- I'm sorry. Could we have a not

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14:15:00 1 guilty form that I've already stated that I
14:15:02 2 will execute? I'll execute to make the
14:15:02 3 record despite the defendant's objections.
14:15:06 4 And while we get that ready, let's hear
14:15:08 5 the record, if there is one, for Ms. Monica
6 Justice.
14:15:12 7 THE PROSECUTOR: On March of 2014, a
14:15:14 8 pending matter, carrying concealed weapon,
14:15:16 9 M1; resisting arrest, M2, that's scheduled
14:15:20 10 for trial to Judge Hummer on April 16th with
14:15:32 11 an order in and today's case.
14:15:34 12 The defendant was interviewed. She
14:15:36 13 reported being homeless and unemployed.
14:15:38 14 She's a moderate risk for reporting.
14:15:50 15 THE MAGISTRATE: Anything to add from
14:15:52 16 the State?
14:15:54 17 MS. BEHRENS: Your Honor, the State
14:15:54 18 would note that this stems out of a 4c case.
14:16:00 19 Defendant indicated that she was somebody
14:16:02 20 else. So an order in was issued at that
14:16:04 21 time. She got into a physical altercation
14:16:16 22 with one of the officers in the courtroom
14:16:18 23 who hit his head on a wooden bench.
14:16:24 24 Columbus police arrived, had to use mace to
14:16:28 25 break things up. There is $100,000 cash or

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14:16:32 1 surety bond out of muni court.

14:16:34 2 In addition to that, Judge Hummer

14:16:36 3 ordered no bond until identification process

14:16:38 4 was ordered, which she refused to comply for

14:16:44 5 -- comply with. Your Honor, we would ask

14:16:44 6 for the same bond as muni court. It does

14:16:56 7 not appear that she is inclined to corporate

14:17:02 8 at all with the process. The State has

14:17:12 9 concerns about her cooperation on any

14:17:14 10 reporting bond.

14:17:16 11 Thank you, Your Honor.

14:17:16 12 THE MAGISTRATE: Understood. Thank

14:17:18 13 you.

14:17:34 14 THE DEFENDANT: I'm going to speak to

14:17:34 15 that, sir?

14:17:34 16 THE MAGISTRATE: You may.

17 THE DEFENDANT: Pursuant to this

14:17:48 18 individual over there, I did not indicate

14:17:50 19 that I was homeless. I indicated that I

14:17:52 20 reside here.

14:17:52 21 THE MAGISTRATE: Okay.

14:17:54 22 THE DEFENDANT: Okay. Secondly, I did

14:17:56 23 not indicate that I -- I just said that I

14:18:00 24 was not employed. I said I was probator of

14:18:02 25 businesses and that I have a (inaudible).

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14:18:18 1 That does not mean I am impoverished.
14:18:22 2 THE MAGISTRATE: Understood.
14:18:24 3 THE DEFENDANT: Pursuant to the
14:18:24 4 individual over there, which I do not know
14:18:26 5 her identity, I'm not sure --
14:18:30 6 THE MAGISTRATE: Prosecutor. Sure.
14:18:30 7 THE DEFENDANT: Prosecutor. It is my
14:18:32 8 understanding that I was brought here on
14:18:34 9 direct indictment. So I would like to
14:18:38 10 understand how this purported plaintiff over
14:18:40 11 here is able to bring forth charges having
14:18:44 12 never been produced a sworn affidavit of
14:18:46 13 charges, corpus delecti, or having even
14:19:00 14 established probable cause for the charges
14:19:02 15 to which I was available to challenge.
14:19:04 16 THE MAGISTRATE: Understood. You've
14:19:06 17 made your record. I find that those
14:19:08 18 statements, those challenges are beyond the
14:19:10 19 scope of this proceeding.
14:19:12 20 THE DEFENDANT: Yes.
14:19:12 21 THE MAGISTRATE: I am prepared to
14:19:12 22 assign bond. And bond shall be perpetuated
14:19:18 23 at the sum that was assigned previously by
14:19:20 24 Judge Hummer. That would be 1,000 surety,
14:19:22 25 2,000 recognizance in addition to that.

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14:19:26 1 And, again, you're not seeking counsel. And
14:19:30 2 the other issues that you have you can take
14:19:32 3 up with the assigned judge in the case.
4 Thank you.
14:19:34 5 THE DEFENDANT: I just wanted to put
14:19:36 6 those objections on the record.
14:19:46 7 THE MAGISTRATE: Those objections are
14:19:48 8 certainly recorded on the record. Thank
9 you.
14:19:50 10 THE DEFENDANT: Uh-huh.
11 - - - - -
12 Thereupon, the foregoing proceedings
13 were concluded.
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1 CERTIFICATE

2 I do hereby certify that the foregoing
3 is a true, correct, and complete transcript
4 of the proceedings in this matter on Monday,
5 March 31, 2014, taken by audio/video
6 proceeding and transcribed by me.
7
8
9
10
11 Kit Graft,
12 Assistant Official Court Reporter.
13 - - - - -
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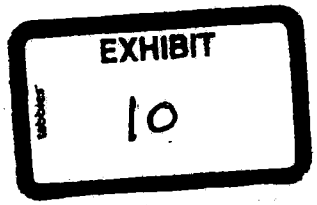


AFFIDAVIT and VERIFICATION
of
Michael Anthony Galluzzo

State Ohio)
) ss:
County of Champaign)

I, Michael Anthony Galluzzo, being first duly cautioned and sworn, do hereby depose and aver as follows:

1) I am of sound mind and legal age;
2) I am a real flesh and blood Sovereign of the Great Republic of the United States of America, a natural inhabitant of Champaign County in the Republic state Ohio;
3) I am not a fiction in law, not a 14th Amendment citizen of the *federal corporation* dba the UNITED STATES OF AMERICA, nor a "United States" citizen;
4) I stand in the Law of the Land, the Common Law, standing with the Will of the People, in the Constitution for the United States of America, the Great Republic, and its immutable Grants of un-alienable rights and reserve all rights therein;
5) I stand in the Northwest Ordinance of 1787, a compact between the original States and the people and States in the territory which shall forever remain unalterable and reserve all rights therein;
6) I reserve all rights pursuant to the savings to suitors clause and the Uniform Commercial Code, specifically UCC 1-308.
7) I, Michael Anthony Galluzzo, aver that I was served a subpoena to testify in the matter brought against MONICA GREER JUSTICE, Case No. 14 CR 1581, in the COMMON PLEAS COURT of FRANKLIN COUNTY, OHIO commencing on September 29, 2014.
8) The proceedings took place in the FRANKLIN COUNTY COMMON PLEAS COURTHOUSE at 345 South High Street, Columbus, Ohio in Courtroom 4B, Rm. 4804.

9) Judge Stephen L. McIntosh (hereafter Judge McIntosh) presided over the hearing.

10) John P. Graceffo (hereafter A.P. Graceffo) was the assistant prosecutor for the plaintiff, STATE OF OHIO.

11) I, Michael Anthony Galluzzo, was called to testify in the matter on October 2, 2014.

12) After questioning by Lotus Justice, Executor for the defendant, MONICA GREER JUSTICE, and prior to exam by A. P. Graceffo, the jury was recessed and Asst. Prosecutor Graceffo began to interrogate me.

13) A. P. Graceffo asked me to provide my social security number.

14) I questioned A. P. Graceffo as to why he needed my social security number.

15) A. P. Graceffo stated he needed my number to run a background check to impeach me as a witness.

16) I again replied that I was not comfortable giving him my number.

17) A. P. Graceffo asked the judge to order me to comply.

18) Judge McIntosh stated to me that if I did not comply with the request, he would have to hold me in contempt and hold me until I gave him the number.

19) I requested that A. P. Graceffo produce the statute that required me to surrender my social security number.

20) A. P. Graceffo refused to produce the statute.

21) Again I declined and the offer of contempt was restated by Judge McIntosh.

22) I stated to Judge McIntosh and A. P. Graceffo the pursuant to the Privacy Act of 1974, I was not required to disclose my social security number.

23) Judge McIntosh and A. P. Graceffo persisted in their demands.

24) I proposed to A. P. Graceffo that he provide me a 'disclosure statement' as required by law and A. P. Graceffo stated he would not give me a statement.

25) Judge McIntosh again threatened me with contempt and incarceration.

26) I requested to consult a lawyer and Judge McIntosh declined my request.

27) After several minutes of analysis, I told Judge McIntosh that I didn't know if it was proper or not but that I was objecting on the record to providing my social security number.

28) I provided my social security number and the jury was recalled and the trial continued.

29) No information was used in A. P. Graceffo's questioning.

30) Later that day, I asked A. P. Graceffo for a copy of the information he had retrieved. He stated he couldn't give it to me but would check with the court.

31) On October 3, 2014, John Anthony Shutway was called to testify. I was informed that he was also asked to provide his social security number. He could not provide his number at that time and was taken into custody for a time until he was able to provide the court and A. P. Graceffo with his social security number.

32) I later learned that Ingrid Loesch, also called by the defense, was also threatened with contempt if she failed to provide her social security number.

33) On October 6, 2014, I again asked A. P. Graceffo for the documentation he obtained with my social security number and in an arrogant tone responded, "I'm not giving you anything, you can get it yourself!"

34) I, Michael Anthony Galluzzo, view the above actions as the legal system run amuck and a complete violation of the court's authority and my privacy..

35) I view the courts actions as an attempt to <u>intimidate</u> and <u>tamper</u> with witnesses.

36) I reserve the right to alter or amend this affidavit to correct any potential errors or misstatements that may come to my attention.

37) Further Affiant Sayeth Naught.

I attest that the facts stated herein in this affidavit are known to be true by me under oath under penalty of perjury by the laws of the Republic of the United States of America.

Michael Anthony Galluzzo
c/o P.O. Box 710
St. Paris, Ohio [43072]

AKNOWLEDGEMENT of SIGNATURE

State Ohio:
County of Champaign:

On this 1st day of November, 2014, before me, the undersigned ~~Notary Public~~ Notorial Officer, personally appeared, known to be or satisfactory proven to be the person whose name is subscribed to the above document, and acknowledged that he executed the same for the purposes expressed herein. I attest this under penalty of perjury under the laws of the Republic of the United States of America.

William-Henry: Ellwood
~~Notary Public~~
Notorial Officer

My Commission Expires

AFFIDAVIT of
john anthony shutway

State Ohio)
) cs:
County of Champaign)

I, john anthony shutway, affiant states and avers the following:

1) I, john anthony shutway the affiant (hereafter I), am of sound mind and of majority in age.
2) I am a People, one of the Posterity as stated in the preamble to the Constitution for the united States of America, of the State Ohio.
3) I was subpoenaed to testify in case 14 CR 1581, of the Common Pleas Court of Franklin County, Ohio at 345 South High Street, Columbus, Ohio in Courtroom 4B.
4) I was called to testify in case 14 CR 1581 on October 3, 2014.
5) Judge Stephen L. McIntosh (hereafter Jd. McIntosh) presided over the hearing.
6) John P. Graceffo (hereafter Pros. Graceffo) was the assistant prosecutor for the plaintiff, STATE OF OHIO.
7) After being directly examined by the Defense, the jury was recessed by Jd. McIntosh then I was cross examined by Pros. Graceffo.
8) Pros. Graceffo asked me to provide my name, occupation and social security number.
9) I questioned Pros. Graceffo as to the purpose for which he needed my social security number.
10) It was stated the social security number was needed to run a background check.
11) I requested Pros. Graceffo to provide the Ohio statute which required the production of a social security number.
12) Jd. McIntosh ordered me to provide provide my social security number.
13) I offered my Ohio drivers license as identification as I did not have the requested number.
14) Jd. McIntosh stated that if I did not provide the social security number, I would be in held contempt of court.
15) I made the request of Jd. McIntosh to provide the statute which required the production of a social security number.
16) I informed Jd. McIntosh that I would provide the social security number if he would provide the statute which required the production of a social security number.
17) Jd. McIntosh stated that I was in contempt of court.
18) Jd. McIntosh stated that I could purge the contempt by providing the social security

number.

19) I informed Jd. McIntosh that I did not know the social security number.

20) Jd MacIntosh gave instructions that I was to call jan ellen shutway, my wife to obtain the social security number.

21) I made a phone call to jan ellen shutway while on the witness stand.

22) I was unable to speak with her and obtained only an answering machine.

23) I recorded a message asking my wife to call back with the social security number.

24) I was then removed from the court room and constructively arrested by a Deputy Sheriff.

25) I was then searched and the contents of my suit pockets were removed by three Deputy Sheriffs.

26) I was placed into a holding cell by a Deputy Sheriff.

27) After a period of time, while still in the holding cell I was handed a phone which my wife had called and I received from her the social security number.

28) I was then removed from the holding cell and returned to the court room.

29) Under protest I delivered the social security number, written on a piece of paper to Jd. McIntosh who then recalled the Jury to the court room.

30) Pros. Graceffo received the piece of paper and continued to cross examine me.

Further Affiant Sayeth Naught.

I certify under penalty of perjury under the laws of the united States of America that the forging are true and correct.

john anthony shutway

john anthony shutway
c/o 573 East Church Steet
Urbana, Ohio

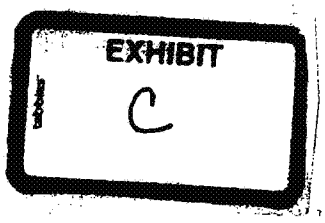
State Ohio:
County of _____:

On this first day of November, 2014, before me personally appeared john anthony shutway being identified by Ohio law, and executed the forgoing affidavit in my presence. I certify this to be true and correct under penalty of perjury under the laws of the united States of America.

William-Harry: Ellwood
Notarial Agent officer

upon Death
My Commission Expires

AFFIDAVIT OF FACT



State, Ohio)
) ss:
County of Franklin)

I, Michael Anthony Galluzzo, being first duly cautioned and sworn, do hereby depose and aver the following:

1. On November 7, 2014 at approximately 4:15 p.m., I accompanied one R. Lotus Justice and her mother, Judy Greer, to the FRANKLIN COUNTY COMMON PLEAS COURTHOUSE and after clearing security, proceeded to the Common Pleas Clerk's office to file documents related to a case involving Lotus Justice.

2. After inquiring about filings with one of the clerks, the clerk got her supervisor to address the question. Lotus Justice was speaking with a supervisor named Becky.

3. Becky informed Lotus that they were under an administrative order from the judges that ALL filings had to be done electronically and that they could only accept documents to file in that manner.

4. Lotus advised Becky that she would not file electronically because it would affect her 'standing' in the matter and that the clerk would receive a copy by mail as service.

5. We departed the courthouse without filing the documents.

6. Further Affiant RESERVES THE RIGHT TO AMEND THIS DOCUMENT. MAG

I attest that the facts stated herein in this affidavit are known to be true by me under oath under penalty of perjury by the laws of the Republic of the United States of America.

Michael Anthony Galluzzo

Michael ~~Anthony Galluzzo~~
c/o P.O. Box 710
St. Paris, Ohio [43072]

On this 7th day November, 2014, before me, the undersigned Notorial Officer, the Affiant did appear, known to be or satisfactory proven to be the person whose name is subscribed to the above document, and acknowledged that he executed the same for the purposes expressed herein. I attest this under penalty of perjury under the laws of the Republic of the United States of America.

William-Harry: Ellwood
Notorial Officer

Upon Death
My Commission Expires

EXHIBIT D

Affidavit of Fact

I, Judy Anna Greer, being first duly cautioned and sworn, do hereby depose and aver the following.

I aver that on Friday, November 7, 2014, at approximately 4:15 PM, I along with Michael Galluzzo, and R Lotus Justice, went to the Franklin County Common Pleas Court, to provide a copy of a Præcipe related to case number 2014-CV-343 to the Clerk of the Franklin County Common Pleas Court.

I aver that R Lotus Justice talked with one of the supervisors of the Clerk office, Becky (Last Name Unknown) and advised Becky that she (Lotus) was there to provide a copy of a Præcipe related to case number 2014-CV-343 to the Clerk of the Franklin County Common Pleas Court and requested that the Clerk's Office take the five copies of the Præcipe and wet stamp them, keeping one for the Clerk's Office.

I aver that Becky advised R Lotus Justice that she (Becky) was unable to accept any paper copies and further advised that the papers to be submitted had to be electronically filed with the Clerk's office.

I aver that R Lotus Justice informed Becky that she would not file them electronically as doing so would affect her standing in her claim.

I aver that Becky then advised R Lotus Justice that the Judges for the Franklin County Common Pleas Court had issued an Administrative Order that the Clerk's Office was only to accept electronic copies.

We subsequently left without any documents being filed.

I reserve the right to amend this affidavit. JG

Affidavit of Fact

I attest that the facts stated herein in this decree are known to be true by me under oath under penalty of perjury by the Laws of the Republic of the united States of America. I plead these of behalf of All Free People of the Land in the Great Republic of the united States of America and the Union of Sovereign States of America.

Judy Anna Greer

AKNOWLEDGEMENT OF SIGNATURE

The state, Ohio, County of Franklin

On this 7th day of November, 2014 before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the Executor/Agent for the person(s) whose names are subscribed to the above document, and acknowledged that (s)he executed the same for the purposes expressed herein. I attest that the principal appear to be of sound mind, not infant or insane, and not under, nor subject to, any apparent threat, duress, fraud, or undue influence. I attest that I am executing this notary as a neutral party. I attest this under penalty of perjury under the Laws of the Republic of the united States of America.

William Harry Ellwood
Notorial Officer

upon Death
My Commission Expires

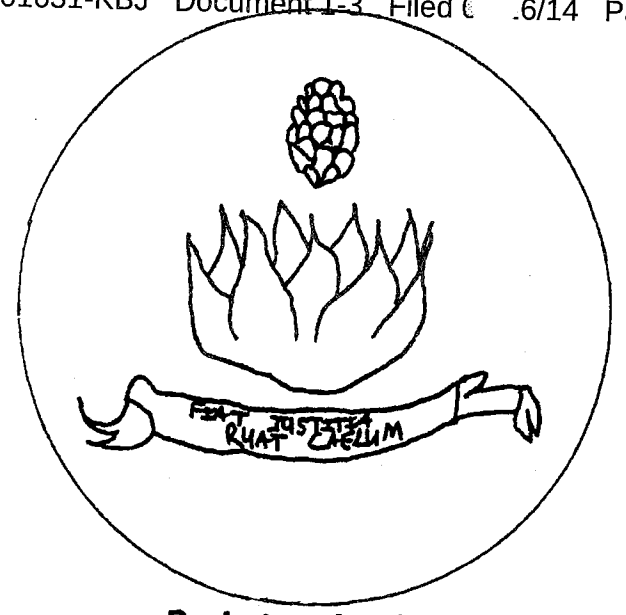


EXHIBIT
3

R.- Lotus: Justice
P.O. Box 82251
Columbus, Ohio the state
{Zone Improvement Code Plan 43202}

The Attached Document Is An Accurate And True Copy Of Original Pleadings Laid Upon The Bar In:

FRANKLIN COUNTY MUNICIPAL *COURT:*	2014 CR B 005767 2014 TR D 1120151 2014 CR A 005905
UNITED STATES DISTRICT *COURT* SOUTHERN DISTRICT OF OHIO EASTERN DIVISION:	2014 CV 000343

I, **R.- Lotus: Justice, Executor De Son Tort** in the causes, affirm, attest and convey that the attached copies are true copies of the original pleadings under penalty of perjury by the laws of the Great Republic of the united States of America.

Witness my hand and seals on this day, August 25, 2014.

R Lotus Justice TDR

R.- Lotus: Justice

EXHIBIT 3

WRIT OF CONSPIRACY BY AFFIDAVIT

2014-CV-343 RRJ

FILED

FILED JOHN P. HEHMAN CLERK

FILED

2014 AUG 18 PM 3: 40

2014 AUG 14 PM 8: 23

FRANKLIN COUNTY MUNICIPAL COURT LORI M. TYACK

U.S. DISTRICT COURT SOUTHERN DIST. OHIO EAST. DIV. COLUMBUS

FRANKLIN COUNTY MUNICIPAL COURT LORI M. TYACK

2014 AUG 19 PM 3: 1 U.S. DISTRICT COURT SOUTHERN DIST. OHIO EAST. DIV. COLUMBUS JOHN P. HEHMAN CLERK

July 31, 2014

Rexton-Lotus: Justice
c/o P.O. Box 82251
Columbus, Ohio the state

FRANKLIN COUNTY MUNICIPAL
COURT, et al.
375 South High Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

RE: The 13th Amendment to the Constitution for the Republic of the united States of America known as the Titles of Nobility Amendment

To whom it may concern,

I, R.-Lotus : Justice, a real flesh and blood wo(man) of the Land, not a fiction in Law, and not a 14th Amendment citizen of the Federal Corporation the United States of America nor a "United States" citizen, representing in propria persona as the posterity of the Trust of the Great Republic of America, All the Free People of the Land, Saving to Suitors the right to proceed in personam in causes in the Common Law and/or Admiralty jurisdictions as was conferred by the Judicial Act of 1789 (Benedict on Admiralty 6th Edition, Subsection 20-23), standing in the Law of the Land, the Common Law, standing under the Will of the People, the Northwest Ordinance and Constitution for the united States of America and its immutable Grants of un-alienable rights, standing as a Sovereign of the Land having the Standing in Law as the Priority Creditor pursuant to the 1934 Bankruptcy Act for the Trust of the Republic, the Trust of All the Free People of the Land, with the corporeal and incorporeal hereditaments conferred to the descendants of the Freeholding men and wo(men) of Foreign Sovereign Immunity who **preceded** the founding of the Great Republic of America and the Union of Sovereign States of America united, here to forward known as THE GREAT REPUBLIC OF AMERICA in commerce, having Title by Occupancy of the Land, do hereby bring forth this ***Writ of Conspiracy*** as the Executor De Son Tort pleading on behalf of All Free People of the Land of the Great Republic of America in affirmation of Community Standards.

In this ***Writ of Conspiracy*** I aver that the 13th Amendment to the Constitution for the Republic of the united States of America known as the Titles of Nobility Amendment was in Fact and Law passed into

1 Law pursuant to Article V of the Law of the Land, the Constitution for the united States of America.
2 Wherefore all real men and women having accepted a Title of Nobility of Esquire, Doktor, et. al., are
3 ineligible to be a citizen of the "United States," a Citizen of the united States of America, a citizen of a
4 United State of America, or a Citizen of a United State of America and thus foreign to the State, the
5 state, the Citizens and citizens of the respective institutions of governance. Wherefore, those **foreign**
6 **agents**, Esquires, Doktors, et. al., have no standing to bring any claim against any or the
7 aforementioned Citizen or citizen of a United State, the united States of America or the "United
8 States" except in international Courts of Common Law pursuant to the 11th Amendment to the
9 Constitution for the united States of America. To support this averment I bring forth the following
10 Facts as they appear in perpetuity upon the public record and I place them upon the bar for all parties
11 of interest.

12 FACTS AS THEY APPEAR UPON THE PUBLIC RECORD:

13 FACT 1: Titles of Nobility are defined pursuant to the Table of Precedence as are expressed in W.
14 Blackstone's "Commentaries on the Laws of England," (see Exhibit 1, page 313 with specificity,
15 attached as if fully rewritten herein), in which *Esquires* are enumerated as a Title of Nobility.

16

17 FACT 2: Pursuant to the Debates and Proceedings of Congress of 1789 to 1791 (see Exhibit 2, columns
18 777-778 with specificity, attached as if fully rewritten herein), as published in 1834, an **Amendment**
19 to the Constitution for the united States of America was introduced into Congress of the United
20 States Assembled in August of 1789 addressing restrictions being placed upon persons holding an
21 office of trust or profit of the United States accepting Titles of Nobility. Though restrictions on the
22 holding of any office of trust or profit by such persons holding a Title of Nobility had already been
23 affirmed by Article 6 of the Articles of Confederation and Perpetual Union between the States as
24 passed by the States of America in Congress Assembled on November 15, 1777, and though the
25 granting and acceptance of a Title of Nobility by persons holding any office of profit or trust under
26 them were restricted pursuant to the Law of the Land, the Constitution for the united States of
27 America, Article I, Section 9, Clause 8, as passed by the Convention of nine (nine) states, pursuant to

the requirements of Article 10 of the Articles of Confederation and Perpetual Union between the States, on June 21, 1788, the proposed **Titles of Nobility Amendment** stated:

> "Congress shall at no time consent that any person holding an office or trust or profit under the United States shall accept of a title of nobility or any other title or office from and King, Prince, or foreign State."

FACT 3: Pursuant to the Annals of the Congress of the United States (see Exhibit 3, columns 670-672 with specificity, attached as if fully rewritten herein), as published in 1853, on Friday, April 27, 1810, the *Senate of the United States of America, in Congress assembled*, did read for a third time and pass a resolution in respect to the Constitutional Amendment restricting Titles of Nobility with a passing vote of 19 (nineteen) yeas and 5 (five) nays.

FACT 4: Pursuant to the Annals of the Congress of the United States (see Exhibit 4, column 2050 with specificity, attached as if fully rewritten herein), as published in 1853, on Tuesday, May 1, 1810, the *House of Representatives of the United States of America, in Congress assembled*, having been read a third time, did pass the previously passed Senate resolution in respect to the Constitutional Amendment restricting Titles of Nobility with a passing vote of 87 (eighty seven) yeas and 3 (three) nays, and then did submit the proposed Amendment to the Legislatures of the several States at the time of passage of the Amendment for ratification. The proposed **Titles of Nobility 13th Amendment** as passed by two-thirds of both Houses concurring reads as follows in the Annals:

> "If any citizen of the United States shall accept, claim, receive, or retain, any title of nobility or honor, or shall without the consent of Congress, accept or retain any present, pension, office, or emolument, of any kind whatever, from any person, King, Prince, or foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

FACT 5: Pursuant to the Annals of Congress (see Exhibit 5, column 865 with specificity, attached as if fully rewritten herein), as published in 1854, on Friday, February 6, 1818 a Message from the President of the United States, James Monroe, a member of the British BAR and Esquire, transmitting a report of the United States Secretary, John Quincy Adams, a British BAR member and Esquire, in compliance with a resolution, was placed upon the table in the *House of Representatives of the United States of America, in Congress assembled* showing 15 (fifteen) of the 17 (seventeen) States having reportedly approved the Amendment with 13 (thirteen) of 17 (seventeen) having purportedly provided documentation of their approval of the **Titles of Nobility 13th Amendment** to the United States Secretary at that time, those States and their approval dates purportedly being:

1. Maryland on December 25, 1810
2. Kentucky on January 31 1811
3. Ohio on January 31, 1811
4. Delaware on February 2, 1811
5. Pennsylvania on February 6, 1811
6. New Jersey on February 13, 1811
7. Vermont on October 24, 1811
8. Tennessee on November 21, 1811
9. Georgia on December 13, 1811
10. North Carolina on December 23, 1811
11. Massachusetts on February 27, 1812
12. New Hampshire on December 10, 1812
13. Rhode Island on December 15, 1814

With New York disapproving of the Amendment and three States, Connecticut, South Carolina, Virginia, purportedly having not provided documentation to the United States Secretary of their approval or disapproval of the proposed Titles of Nobility 13th Amendment as of February 1818.

As of February 6, 1818 the public record records a total of 13/17 x 100% = 76.47% (thirteen divided by seventeen equaling seventy six point forty seven percent) of States having approved the proposed Titles of Nobility 13th Amendment and thus ratified pursuant to the Law of the Land as stated in Article V of the Constitution for the united States of America. Wherefore, the public record begins to reflect that that the **Titles of Nobility 13th Amendment** was in Fact and Law ratified and was the Law of the Land as is exhibited in Exhibits cited in FACTS 6, 7 and 8.

FACTS 6: In the published Laws of Ohio of 1819, 1824 and 1830, published 1820, 1824 and 1831, respectively, (see Exhibit 6a, 6b and 6c respectively, page 292, page 14, and page 14 respectively with specificity, attached as if fully rewritten herein), the **Titles of Nobility 13th Amendment** is published as a ratified Amendment to the Constitution.

FACT 7: In the published Laws of the State of Missouri published in 1825, (see Exhibit 7, page 31 with specificity, attached as if fully rewritten herein), Missouri having entered into the Union of the Several States on August 10, 1821, after the ratification of the Titles of Nobility 13th Amendment, the **Titles of Nobility 13th Amendment** is published as a ratified Amendment to the Constitution.

FACT 8: In the published book, "The Young American: or Book of Government and Law; Showing Their History, Nature and Necessity. For the Use of Schools," published in 1842, (see Exhibit 8, page 211 with specificity, attached as if fully rewritten herein), a book that was entered, according to Act of Congress, in the year 1842, By S. G. Goodrich, in the Clerk's Office of the District Court of the District of Massachusetts, the **Titles of Nobility 13th Amendment** is published as a ratified Amendment to the Constitution.

FACT 9: Moving forward, I now bring forth "The Constitution of the United States of America (Annotated)" (see Exhibit 9, page 42 with specificity, attached as if fully rewritten herein), adopted in 1936, in which the **Title of Nobility 13th Amendment** is referenced in an annotation on page 42 (forty two) as having "failed of adoption, being ratified by but 12 States up to December 10, 1812 {2 Miscell. Amer. State Papers, 477-479; 2 Doc. Hist. Const. 454-499}, there then being 18 in all."

Note that this publication, Exhibit 9, as was ordered complied by Senate of the "United States" Concurrent Resolution No. 35, contradicts the published Annals of Congress cited in Exhibit 5, wherein pursuant to the Message from the President of the United States as it was placed upon the public record, there were 17 (seventeen) States having entered the Union at that time the proposed Amendment was submitted to the Legislatures of the several States, and thus eligible to ratify the

proposed Amendment, of which 13 (thirteen) had confirmed their ratification in writing to the Secretary of State.

FACT 10: As was reference in Exhibit 9, "The American State Papers," Miscellaneous, Volume 2, (see Exhibit 10, pages 477-479 with specificity, attached as if fully rewritten herein), as published in 1834, provides the purported letter as was reference in Exhibit 6 from the United States Secretary, JOHN QUINCY ADAMS, and the purported letter from South Carolina concerning the rejection of the proposed Titles of Nobility 13th Amendment. The letter referenced in Exhibit 6 from the United States Secretary report the States and their approval dates purportedly being:

1. Maryland on December 25, 1810
2. Kentucky on January 31 1811
3. Ohio on January 31, 1811
4. Delaware on February 2, 1811
5. Pennsylvania on February 6, 1811
6. New Jersey on February 13, 1811
7. Vermont on October 24, 1811
8. Tennessee on November 21, 1811
9. Georgia on December 13, 1811
10. North Carolina on December 23, 1811
11. Massachusetts on February 27, 1812
12. New Hampshire on December 10, 1812

With four States, Rhode Island, New York, Connecticut and South Carolina, having disapproving of the Amendment and one State, Virginia, purportedly having not provided documentation to the United States Secretary of their approval or disapproval of the proposed Titles of Nobility 13th Amendment as of February 1818, thus 12 (twelve) of the 16 (sixteen) reporting ratifying the Amendment. *Note that publication, Exhibit 10, is in contradiction to Exhibit 5 in that Exhibit 5 shows Rhode Island ratifying the Amendment on December 15, 1814 and Exhibit 10 stating the Rhode Island rejected the Title of Nobility 13th Amendment on September 15, 1814.*

FACT 11: As was reference in Exhibit 9, the "Documented History of the Constitution," Volume 2 (see Exhibit 11, pages 452-515 with specificity, attached as if fully rewritten herein), as published in 1894, provides the purported documents submitted to the United States Secretary from 16 (sixteen) States

in reference to the approval or disapproval of the proposed Title of Nobility 13th Amendment with 12 (twelve) approving the purposed Titles of Nobility 13th Amendment.

Note that correspondence from Virginia concerning the approval or the disapproval is not included or provided in the Exhibit 9 publication, thereby leaving the question of Virginia's approval or disapproval of the proposed Title of Nobility 13th Amendment unknown.

Until now.

FACT 12: In "The Revised Code of the Laws of Virginia," Volume I, (see Exhibit 12, page 30 with specificity, attached as if fully rewritten herein), as was published in 1819 pursuant to an act of the General Assembly of Virginia, entitled "An act providing for the re-publication of the Laws of this Commonwealth," passed March 12, 1819, the Titles of Nobility 13th Amendment is published as a ratified Amendment to the Constitution.

Note that the title page of this book holds an apostille, wet stamped AUTHORIZED, of the James M. Clift, ***Masonic Library of Roanoke, Virginia****.*

FACT 13: In the "Supplement of the Revised Code of the Laws of Virginia," (see Exhibit 13, page 52 with specificity, attached as if fully rewritten herein), "Being A Collection Of All Of The Acts Of The General Assembly, Of A Public And Permanent Nature, Passed Since The Year 1819,"

Note that the title page of this book holds an apostille, wet stamped AUTHORIZED, of the James M. Clift, ***Masonic Library of Roanoke, Virginia****, as does the page 51, upon the act of the General Assembly titled "CHAP. 42 – An ACT for the completing the publication of the statutes at large. † (Passed January 23d, 1823.) which states in Clause 2:*

> *"2. And be it further enacted, That in the re-publication of the said first four volumes, a certificate from any two members of the executive council, that they had compared the same with the originals, or with a copy, as corrected by the certificates of the examiners heretofore*

appointed, shall be deemed of equal validity as the comparison altogether with the originals themselves."

Thus, in conclusion, the body of factual evidence presented, with specificity Exhibits 12 and 13, provide the factual evidence as published pursuant to an act of the General Assembly of Virginia and placed upon the public record in perpetuity, *apostilled, wet stamped AUTHORIZED, of the James M. Clift,* ***Masonic Library of Roanoke, Virginia,*** affirmed by an act of the General Assembly of Virginia, as witnessed by two members of the executive council and declared to be of "equal validity as the comparison altogether with the originals themselves," provides the proof that Virginia ratified the proposed **Title of Nobility 13th Amendment** and thus 13 (thirteen) of 17 (seventeen), 13/17 x 100% ≈ 76.47% (thirteen divided by seventeen equaling seventy six point forty seven percent), more than three-fouths, of the States eligible to vote on its ratification, ***did approved and ratify the Titles of Nobility 13th Amendment*** and thus it was ratified pursuant to the Law of the Land as stated in Article V of the Constitution for the united States of America. Whereby, any and all real men and women, having accepted a Title of Nobility of Esquire are ineligible to be a citizen of the "United States," a Citizen of the united States of America, a citizen of a United State of America, or a Citizen of a United State of America and thus foreign to the State, the state, the Citizens and citizens of the respective institutions of governance.

Additional, I further aver, as is evident by the Facts placed upon the public record, as reaffirmed in this ***Writ of Conspiracy***, that a conspiracy of omissions of Facts and Truth, a Fraud, would have to have been perpetrated by numerous agents in offices of trust upon the Great Republic of America, All the Free People of the Land, the united States of America and the United States, to hide the ratification of the Titles of Nobility 13th Amendment from publication and dissemination by the proper institutions of governance. In this ***Writ of Conspiracy*** I aver that those responsible for such a conspiracy are those that did and have directly benefited from such a conspiracy and miscarriage of Law and Justice as is evident by the public record and by disguising collateral undertakings in fraud could as Courts of Law, those who control, preserve and the publish the presentation of the public

record, those same union of self serving anarchists described as a swarm of officers in the Declaration of Independence, those same Sophists that were the object of the Titles of Nobility 13th Amendment, **Esquires.** Wherefore I aver that the British BAR and American BAR members alike, all Esquires, as servants to unknown foreign Powers, as unlawful occupants and holders of offices of trust and/or profit, have conspired for well over 150 (one hundred and fifty) years, if not since the creation of the Great Republic of America, to prevent the Laws of the united States of America from being enacted by the conspiring to omit of Laws of the united States of America from the public record along with numerous High Crimes and Misdemeanors required to affect such a conspiracy. Which, pursuant to Article II, Section 3 of the Constitution for the united States of America as annotate in Exhibit 9, pages 506-509 (five hundred six thru five hundred nine) with specificity, defines those complicit in such actions as traitors and defines such a conspiracy as the "Levying of War against the United States," the Constitution for the united States of America, the United States, the Great Republic of America, All the Free People of the Land, crimes of High Treason.

With the Facts that having been firmly established and by this ***Writ of Conspiracy***, pursuant to the Law of the Land, the Constitution of the united States of America, any and all real men and women having accepted a Title of Nobility of Esquire are ineligible to be a citizen of the "United States," a Citizen of the united States of America, a citizen of a United State of America, or a Citizen of a United State of America and thus foreign to the State, the state, the Citizens and citizens of the respective institutions of governance. Wherefore, Esquires have no standing to bring any claim against any or the aforementioned Citizen or citizen of a United State, the united States of America or the "United States" except in international Courts of Common Law pursuant to the 11th Amendment to the Constitution for the united States of America.

Additionally, in as much as the Titles of Nobility 13th Amendment was clearly removed from public publication in the Law of the Land, the Constitution for the united States of America, upon the reconstruction of the Union of Sovereign States of America after the Civil War without the consent of the Great Republic of America, All the Free People of the Land, thereby having been unlawfully

removed from the Will of the People, the purported "government" that followed that reformation is in Fact and Law a defacto government of an unlawful coup de tat, with no Grant of Law by the Will of the People, the Constitution for the united States of America for the Great Republic of America, All the Free People of the Land, to operate as the government of the united States of America or the United States. Wherefore, all acts of the said defacto "government" since the unlawful reformation are null and void by Fact and Law by the Law of the Land, the Constitution for the united States of America.

Let it be known in Law, that hence forth, having been notified by this ***Writ of Conspiracy*** of the lawful ratification of the **Titles of Nobility 13th Amendment of the Constitution for the united States of America**, any and all continued actions of any and all men and women having received a Title of Nobility of Esquire or Doktor who are precluded by Law from holding any office of trust or profit under them, or either of them of the United States, who affect acts in such seats of State unlawfully, are by Fact and Law, openly declaring War against the Great Republic of America, All the Free People of the Land, the Constitution for the united States of America and the United States and thus are openly committing High Treason.

I reserve the right to amend this ***Writ of Conspiracy*** at any time as new evidence is brought forth, new defendants are revealed, and/or new charges/averments come to light.

I duly submit this ***Writ of Conspiracy*** as the Executor De Son Tort pleading on behalf of All Free People of the Land of the Great Republic of America in affirmation of Community Standards.

With Great Prejudice

R. Lotus: Justice
Executor De Son Tort
Sui Juris

CERTIFICATE OF SERVICE

A true copy of the proceeding document was delivery by hand or by mail to the following individuals.

STATE OF OHIO, et al.
77 South High Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

CITY OF COLUMBUS, et al.
90 West Broad Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

Richard C. Pfeiffer, Jr., et al.
COLUMBUS CITY ATTORNEYS OFFICE
77 North Front Street
Columbus, Ohio the state
Zone Improvement Plan Code 43215

FACT INDEX:

FACT 1	page 2	FACT 6	page 5	FACT 11	page 6
FACT 2	page 2	FACT 7	page 5	FACT 12	page 7
FACT 3	page 3	FACT 8	page 5	FACT 13	page 7
FACT 4	page 3	FACT 9	page 5		
FACT 5	page 4	FACT 10	page 6		

EXHIBITS LIST:

Exhibit 1: Notarized copies of original of "Commentaries on the Laws of England," by George W. Childs, Ledger Building, Sixth & Chestnut Sts., 1868, 5 (five) pages total.

Exhibit 2: STATE LIBRARY OF OHIO stamped copies of "The Debates and Proceedings in the Congress of the United States," by Gales and Seaton, 1834, 2 (two) pages total.

Exhibit 3: STATE LIBRARY OF OHIO stamped copies of "Annals of the Congress of the United States, Eleventh Congress, First and Second Sessions," by Gales and Seaton, 1853, Senate Annals, 3 (three) pages total.

Exhibit 4: STATE LIBRARY OF OHIO stamped copies of "Annals of the Congress of the United States, Eleventh Congress, First and Second Sessions," by Gales and Seaton, 1853, House of Representatives Annals, 4 (four) pages total.

Exhibit 5: STATE LIBRARY OF OHIO stamped copies of "Annals of the Congress of the United States, Fifteen Congress, First Sessions," by Gales and Seaton, 1854, 4 (four) pages total.

Exhibit 6a: STATE LIBRARY OF OHIO stamped copies of "Acts of a General Nature, Enacted, Revised and Ordered to be Re-Printed at the First Session of the Fifteenth General Assembly of the STATE OF OHIO," Volume 18, 1819, by P. H. Olmsted, 1820, 10 (ten) pages total.

Exhibit 6b: STATE LIBRARY OF OHIO stamped copies of "Acts of a General Nature, Enacted, Revised and Ordered to be Re-Printed at the First Session of the Twenty Second General Assembly of the STATE OF OHIO," Volume 22, by P. H. Olmsted, 1824, 5 (five) pages total.

Exhibit 6c: STATE LIBRARY OF OHIO stamped copies of "Acts of a General Nature, Enacted, Revised and Ordered to be Re-Printed at the First Session of the Twenty-Ninth General Assembly of the STATE OF OHIO," Volume 29, by P. H. Olmsted, 1831, 5 (five) pages total.

Exhibit 7: Notarized copies of original of "Laws of the State of Missouri; Revised and Digested by Authority of the General Assembly. In Two Volumes with an Appendix," Volume 1, Published according to an act of the General Assembly, Passed 21st February, 1825, by E. Charles, for the State in 1825, 4 (four) pages total.

Exhibit 8: Notarized copies of original of "The Young American: or Book of Government and Law;" Showing Their History, Nature and Necessity, For the Use of Schools, by S. G. Goodrich, 1842, 5 (five) pages total.

Exhibit 9: Notarized copies of original of "The Constitution of the United States of America (Annotated), Annotations of Cases Decided by the Supreme Court of the United States to January 1, 1938," by Superintendent of Documents, Government Printing Office, Washington, D.C., 74 (seventy four) pages total.

Exhibit 10: STATE LIBRARY OF OHIO stamped copies of "American State Papers, Class X, Miscellaneous, Volume II," by Gales and Seaton, 1834, 13 (thirteen) pages total.

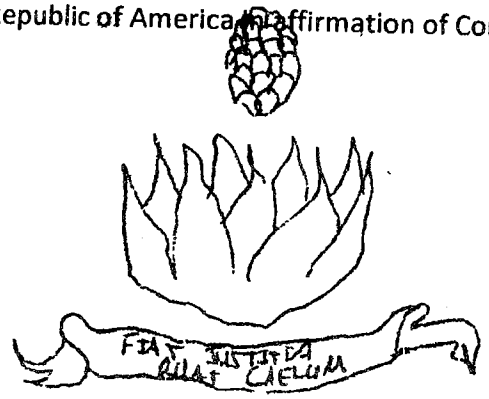
Exhibit 11: Notarized copies of original of "Documentary History of the Constitution of the United States of America," 1786-1870, Volume II, by Department of State, 1894, 73 (seventy three) pages total.

Exhibit 12: Notarized copies of original of "The Revised Code of the Laws of Virginia," Volume I, by Thomas Richie, Printer of the Commonwealth, 1819, 35 (thirty five) pages total.

Exhibit 13: Notarized copies of original of "Supplement to the Revised Code of the Laws of Virginia," Samuel, Shepard & co., 5 (five) pages total.

WRIT OF CONSPIRACY BY AFFIDAVIT

I attest that the facts stated herein in this decree are known to be true by me under oath under penalty of perjury by the laws of the Great Republic of the united States of America. I plead this cause as the Executor De Son Tort pleading on behalf of All Free People of the Land of the Great Republic of America affirmation of Community Standards..



R Lotus Justice ARR

R-Lotus: Justice
Executor De Son Tort
Sui Juris
All Right Reserved
PO Box 82251
Columbus, Ohio the state

AKNOWLEDGEMENT OF SIGNATURE

The state, Ohio, County of FRANKLIN:

On this 4 day of Aug, 2014 before me, the undersigned Notary Public, personally appeared, known to be or satisfactory proven to be the Executor/Agent for the person(s) whose names are subscribed to the above document, and acknowledged that (s)he executed the same for the purposes expressed herein. I attest that the principal appear to be of sound mind, not infant or insane, and **not** under, nor subject to, any apparent threat, duress, fraud, or undue influence. I attest that I am executing this notary as a neutral party. I attest this under penalty of perjury under the laws of the Republic of the united States of America.

Grace A. Terry

Notary Public

2-15-16

My Commission Expires

NOTARIAL SEAL STATE OF OHIO

GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-16

OATH OF CERTIFIED COPIES

On this the 1 day of Aug, 2014 I, the undersigned Notary Public, have compared the originals and the copies and certify under penalty of perjury under the laws of the Republic for the united States of America that said attached copies are exact duplicates to the originals.

Grace A. Terry

Notary Public Signature

2-15-16

My Commission Expires

NOTARIAL SEAL STATE OF OHIO

GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-16

EXHIBIT
1

EXHIBIT
1

BLACKSTONE

COMMENTARIES
ON THE LAWS
OF ENGLAND
VI

COPY

STATE OF OHIO
COMPARED
GRACE A. TERRY
Notary Public, State of Ohio
MY COMMISSION EXPIRES 02-15-16

Entered according to Act of Congress, in the year 1859, by
CHILDS & PETERSON,
in the Clerk's Office of the District Court of the United States for the Eastern District of Pennsylvania.

COLLINS, PRINTER.

Case 1:14-[redacted]01631-KBJ Document 1-2 Filed 0[redacted]/14 Page 112 of 198

COPY

last(s) the heralds rank all *colonels, serjeants at law, and doctors in the three learned professions. [*405

*Esquires and gentlemen are confounded together by Sir Edward Coke, who observes,(t) that every esquire is a gentleman, and a gentleman is deemed to be one *qui arma gerit*, who bears coat armour, the grant of which adds gentility to a man's family: in like manner as civil nobility among the Romans, was founded in the *jus imaginum*, or having the image of one ancestor at least, who had borne some curule office. It is indeed a matter somewhat unsettled, what constitutes the distinction, or who is a real *esquire*; for it is not an estate, however large, that confers this rank upon its owner. Camden, who was himself a herald, distinguishes them the most accurately; and he reckons up four sorts of them:(u) 1. The eldest sons of knights, and their eldest sons, in perpetual succession:(v) 2. The eldest sons of younger sons of peers, and their eldest sons in like perpetual succession: both which species of esquires Sir Henry Spelman entitles *armigeri natalitii*.(w) 3. Esquires created [*406

(t) The rolls of precedence in England may be reduced to the following table, in which those marked * are entitled to the rank here allotted them by statute 31 Hen. VIII. c. 10; statute 1 W. and M. c. 21, sec. 4; statute 4 Geo. I. c. 10; patent, 6 Jac. I.; which, as in Bacon, Tit. of Hon. II. 6, 10, and III. 3, marked †, by ancient usage and established custom, for which see, among others, Camden's Britannia, pp. 94, 95, Miller's Catalogue of Honour, edit. 1610, and Chamberlayne's Present State of England, b. 3, ch. 2, p. 7.

TABLE OF PRECEDENCE.

* The King's children and grandchildren.
* " " brothers.
* " " uncles.
* " " nephews.
* Archbishop of Canterbury.[35]
* Lord Chancellor or Keeper, if a baron.
* Archbishop of York.
* Lord Treasurer,
* Lord President of the Council, } if barons.
* Lord Privy Seal,
* Lord Great Chamberlain. But see 21 Geo. II. c. 3, 1 Geo. I. c. 8,
* Lord High Constable,
* Lord Marshal,
* Lord Admiral,
* Lord Steward of the Household,
* Lord Chamberlain of the Household, } above all peers of their own degree.
* Dukes,
* Marquisses,
* Dukes' eldest sons.
* Earls,
* Marquisses' eldest sons.
* Dukes' younger sons.
* Viscounts,
* Earls' eldest sons.
* Marquisses' younger sons.
* Chancellor of Ireland, if a bishop.
* Bishop of London
* " " Durham.
* " " Winchester.
* Bishops.
* Secretary of State, if a baron.
* Barons.
* Speaker of the House of Commons.
* Lord Commissioners of the Great Seal.
* Viscounts' eldest sons.
* Barons' younger sons.
* Earls' younger sons.
* Knights of the Garter.
* Privy Councillors.
* Chancellor of the Exchequer.
* Chancellor of the Duchy.
* Chief Justice of the King's Bench.[36]
* Master of the Rolls.
* Chief Justice of the Common Pleas.
* Chief Baron of the Exchequer.
* Judges and Barons of the Coif.
* Knights Bachelors, royal.
* Viscounts' younger sons.
* Barons' younger sons.
* Baronets.
* Knights Banneretts.
* Knights of the Bath.
* Knights Bachelors.
* Baronets' eldest sons.
* Knights' eldest sons.
* Baronets' younger sons.
* Knights' younger sons.
* Colonels.
* Serjeants-at-law.
* Doctors.
* Esquires.
* Gentlemen.
* Yeomen.
* Tradesmen.
* Artificers.
* Labourers.

* Married women and widows are entitled to the same rank among each other as their husbands would respectively have borne between themselves, except small rank in merely professional or official; and unmarried women, to the same rank as their eldest brothers would bear among men during the life of their fathers.

(t) 2 Inst. 668.
(u) 2 Inst. 668.
(v) 2 Inst. 667.
(w) Gloss. 42.

[35] It is said that before the conquest, by a constitution of pope Gregory, the two archbishops were equal in dignity, and in the number of bishops subject to their authority, and that William the Conqueror thought it prudent to give precedence and superiority to the archbishop of Canterbury; but Thomas, archbishop of York, was unwilling to acknowledge his inferiority to Lanfranc, archbishop of Canterbury, and appealed to the pope, who referred the matter to the king and barons; and in a council held at Windsor Castle, they decided in favour of the archbishop of Canterbury. Godw. Com. de Præsul. 665.

But the archbishops of York long afterwards refused to acquiesce in this decision; for bishop Godwin relates a curious and ludicrous struggle, which took place in the reign of Hen. II., above one hundred years afterwards, between Roger, archbishop of York, and Richard, archbishop of Canterbury, for the chair on the right hand of the pope's legate. Ib. 79. Perhaps to this decision, and their former equality, we may refer the present distinction between them; viz., that the archbishop of Canterbury is primate of all England, and the archbishop of York is primate of England.—CHRISTIAN.

[36] Vice-chancellor, by stat. 53 Geo. III. c. 24.—CHITTY.

THE

DEBATES AND PROCEEDINGS

IN THE

CONGRESS OF THE UNITED STATES;

WITH

AN APPENDIX,

CONTAINING

IMPORTANT STATE PAPERS AND PUBLIC DOCUMENTS,

AND ALL

THE LAWS OF A PUBLIC NATURE;

WITH A COPIOUS INDEX.

EXHIBIT 2

VOLUME I,

COMPRISING (WITH VOLUME II) THE PERIOD FROM MARCH 3, 1789, TO MARCH 3, 1791, INCLUSIVE.

COMPILED FROM AUTHENTIC MATERIALS,

BY JOSEPH GALES, SENIOR.

WASHINGTON:

PRINTED AND PUBLISHED BY GALES AND SEATON.

1834.

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the mode of requisitions will operate in so easy a way, by being so consonant to the habits of the people, that the supplies will be sooner realized in the treasury by this means than by any other. It will require a length of time to form a uniform system of taxation, that shall operate equally and justly through all the States; though I doubt the possibility of forming such a system. It has been said, that requisitions have not been complied with in former times, but it is to be hoped that there will not be so much difficulty in future. The supplies from the impost will greatly diminish the requisitions; besides, should any of the States refuse to comply, they will be liable to the exercise of the power of Congress in the very heart of their country. This power will be so disagreeable, that the very dread of it will stimulate the States to an immediate and prompt compliance with the requisitions. This amendment has been proposed by several of the States, and by some of the most important ones. For this and other reasons that have been offered on the subject, I hope the amendment will be adopted.

Several methods were proposed for disposing of this question for the present; but the motion for its lying on the table being put and negatived, Mr. Partridge, referring to his instructions, was solicitous that this amendment should not be too precipitately decided upon, and moved the previous question, which was negatived.

Mr. Sedgwick said, that he believed his mind was as strongly impressed with the force of the instructions he had received from his constituents, as that of other gentlemen. But, sir, a Government entrusted with the freedom and the very existence of the people, ought surely to possess, in a most ample degree, the means of supporting its own existence; and as we do not know what circumstances we may be in, or how necessary it may be for Congress to exercise this power, I should deem it a violation of the oath I have taken to support the Constitution were I now to vote for this amendment.

Mr. Sherman remarked, that if Congress should exercise this power, the taxes would be laid by the immediate representatives of the people; neither would it be necessary to adopt one uniform method of collecting direct taxes. The several States might be accommodated by a reference to their respective modes of taxation.

The question upon the paragraph being called for from every part of the House, the yeas and nays were taken.

Yeas—Messrs. Burke, Coles, Floyd, Grout, Hathorn, Livermore, Van Rensselaer, Sumter, and Tucker—9.

Nays—Messrs. Ames, Benson, Brown, Cadwalader, Carroll, Clymer, Fitzsimons, Foster, Gale, Gerry, Gilman, Goodhue, Hartley, Heister, Jackson, Lawrence, Lee, Madison, Matthews, Moore, Muhlenburg, Page, Parker, Partridge, Schureman, Scott, Sedgwick, Seney, Sherman, Sylvester, Sinnickson, Smith, (of Maryland,) Smith, of South Carolina, Stone, Sturgis, Thatcher, Trumbull, Vining, and Wadsworth—39.

Mr. Tucker proposed the following amendment to the Constitution:

Article 1, section 8, clause 9, strike out the words, "tribunals superior to the Supreme Court," and insert the words "courts of admiralty."

And on the question being put, it passed in the negative.

He then moved for a further amendment to the Constitution, as follows:

In the third section of the sixth article insert the word "other" between the word "no" and the word "religious."

And on the question that the House do agree to the said amendment, it passed in the negative.

Mr. Gerry moved to add to the amendments already agreed to the following articles, to wit:

"That Congress erect no company of merchants with exclusive advantages of commerce." And on the question that the House do agree to the said proposed article, it passed in the negative.

He introduced another motion, to add to the amendments already agreed to the following article, to wit:

"Congress shall at no time consent that any person holding an office of trust or profit under the United States shall accept of a title of nobility or any other title or office from any King, Prince, or foreign State."

And on the question being put, it was negatived.

Mr. Benson introduced a resolution to the following purport:

Resolved by the House of Representatives of the United States in Congress assembled, That the following amendments to the Constitution of the United States having been agreed to by two-thirds of both Houses, be submitted to the Legislatures of the several States; which, when ratified, in whole or in part, by three-fourths of the said Legislatures, shall be valid to all intents and purposes as parts of the said Constitution.

This resolution was referred to a committee consisting of Messrs. Benson, Sherman, and Sedgwick, who were directed to arrange the said amendments and make report thereof.

ADJOURNMENT.

Mr. Goodhue moved that the report of the joint committee on the adjournment be made the order of the day for Monday next. Passed in the affirmative.

TREASURY BILL.

The committee on the part of the House appointed to confer with the Senate on their amendment to the Treasury bill, being called on to report, Mr. Madison reported verbally, that the committee had met and conferred upon the subject; that the members on the part of the Senate stated the reasons on which their amendment was founded, which not being satisfactory to the committee on the part of the House, they submitted certain propositions to the committee of the Senate, who, on their part, offered none. Mr. Madison further reported, that it is the opinion of the committee on the part of the House, that it would not be right for the House to recede from their disagreement.

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Monday, August 24.

Mr. Fitzsimons, from the committee appo[illegible] according to order, presented a bill establ[illegible] the salaries of the Executive officers of G[illegible]ment, with their assistants and clerks, wh[illegible] received and read the first time.

Mr. Benson, from the committee appointed [illegible] purpose, reported an arrangement of the [illegible] of amendment to the Constitution of [illegible] United States, as agreed to by the House on [illegible] last; also, a resolution prefixed to the sa[illegible] which resolution was twice read and agreed t[illegible] House, as follows:

Resolved by the Senate and House of Representa[illegible] of the United States of America in Congress assem[illegible] two-thirds of both Houses deeming it necessary,) [illegible] following articles be proposed to the Legisla[illegible] of the several States as amendments to the Con[illegible] of the United States, all or any of which art[illegible] ratified by three-fourths of the said Legislat[illegible] valid to all intents and purposes as part o[illegible] Constitution.

Ordered, That the Clerk of this Hous[illegible] to the Senate a fair engrossed copy o[illegible] proposed articles of amendment, and d[illegible] their concurrence.

ADJOURNMENT.

The House proceeded to the consideratio[illegible] report of the joint committee, on the adj[illegible]ment.

Mr. Vining was against taking up this re[illegible] thought it appeared absurd to enter i[illegible]cussion of the question at this momen[illegible] would necessarily bring on a great deal of d[illegible] consume much time, and would lik[illegible] counteract the object of gentlemen ent[illegible] while so many important subjects were y[illegible]cided, which must be attended to and fi[illegible]vious to a recess. He moved for a post[illegible]ent; in order to take up the Treasury bill.

Mr. Hartley said, that the honorable g[illegible]'s remarks furnished the best argume[illegible] to a determination upon the adjourn[illegible] present time, as it was the best way t[illegible] attention of the House to the ess[illegible] claimed their immediate attention a[illegible]

Sedgwick was in favor of deciding [illegible] immediately; he contended that th[illegible]iness would be expedited thereby: t[illegible] he said, was founded upon expe[illegible] the time is fixed, and gentlemen ar[illegible]ssed with the importance of despa[illegible]ss in a given time, they will exert [illegible] to the utmost. He had known as [illegible]ss transacted in the Assembly of [illegible]s in one week, and as well done, [illegible] before in three. He further observe[illegible] gentlemen were anxious to go home [illegible]kly season was approaching, and th[illegible]rnment does not take place, the m[illegible] be so thinned off, that in all proba[illegible]ess number than the present will be [illegible]siness.

EXHIBIT
3

ANNALS

OF

THE CONGRESS OF THE UNITED STATES.

ELEVENTH CONGRESS.—FIRST AND SECOND SESSIONS.

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OF THE STATE LIBRARY OF OHIO

#20 X20

THE

DEBATES AND PROCEEDINGS

IN THE

CONGRESS OF THE UNITED STATES;

WITH

AN APPENDIX,

CONTAINING

IMPORTANT STATE PAPERS AND PUBLIC DOCUMENTS,

AND ALL

THE LAWS OF A PUBLIC NATURE;

WITH A COPIOUS INDEX.

ELEVENTH CONGRESS—FIRST AND SECOND SESSIONS.

COMPRISING THE PERIOD FROM MAY 22, 1809, TO MAY 1, 1810, INCLUSIVE.

COMPILED FROM AUTHENTIC MATERIALS.

WASHINGTON:

PRINTED AND PUBLISHED BY GALES AND SEATON.

1853.

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Senate Friday April 27, 1810

NAYS—Messrs. Anderson, Brent, Champlin, Clay, Crawford, Franklin, Gaillard, German, Goodrich, Hillhouse, Horsey, Lambert, Lloyd, Pickering, Pope, Reed, Smith of Maryland, Smith of New York, Sumter, and Turner.

On motion, to amend the last report of the select committee, so as to read as follows:

"If any citizen of the United States shall accept, claim, receive, or retain, any title of nobility, or honor, or shall, without the consent of Congress, accept any present, pension, office, or emolument, of any kind whatever, from any Emperor, King, Prince, or foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them:"

It was determined in the affirmative—yeas 26, nays 1, as follows:

YEAS—Messrs. Anderson, Brent, Champlin, Clay, Condit, Crawford, Franklin, Gaillard, German, Gilman, Goodrich, Hillhouse, Horsey, Lambert, Leib, Lloyd, Mathewson, Meigs, Pickering, Pope, Reed, Smith of Maryland, Sumter, Tait, Turner, and Whiteside.

NAY—Mr. Smith, of New York.

On motion, by Mr. POPE, to add to the resolution the following words: "And be subject to such other penalties and disabilities as may be provided by law:" it was determined in the negative—yeas 12, nays 14, as follows:

YEAS—Messrs. Anderson, Brent, Clay, Gregg, Leib, Lloyd, Pickering, Pope, Reed, Sumter, Tait, and Turner.

NAYS—Messrs. Champlin, Condit, Crawford, Franklin, Gaillard, German, Gilman, Goodrich, Hillhouse, Lambert, Mathewson, Smith of Maryland, Smith of New York, and Whiteside.

And the resolution having been further amended by inserting the words "and retain," after the words "accept," in the second instance, the President reported it to the House accordingly. On the question, Shall this resolution be engrossed and read a third time as amended? it was determined in the affirmative.

FRIDAY, April 27.

The Senate resumed, as in Committee of the Whole, the bill making further provision for the corps of engineers, together with the amendment reported thereto by the select committee. On motion, it was agreed that the further consideration thereof be postponed until Monday next.

The Senate resumed, as in Committee of the Whole, the bill appropriating a sum of money for procuring munitions of war, and for other purposes.

On motion, it was referred to a select committee, to consider and report thereon; and Messrs. SMITH of Maryland, GILMAN, and CLAY, were appointed the committee.

Mr. SMITH, of Maryland, from the committee to whom was referred the bill from the House of Representatives authorizing a loan, reported the same with the following proposed amendment:

SEC. 4. *And be it further enacted.* That the incorporation of the subscribers to the Bank of the United States, made and established by the act, entitled "An act to incorporate the subscribers to the Bank of the United States," be, and the same is hereby, continued until the thirtieth day of June, one thousand eight hundred and twelve.

Mr. CLAY asked and obtained leave to bring in a bill, supplementary to an act, entitled "An act for the punishment of certain crimes against the United States;" which bill was read and passed to the second reading.

The Senate resumed, as in Committee of the Whole, the bill for the preservation of peace, and maintenance of the authority of the United States in the ports, harbors, and waters, under their jurisdiction, together with the amendments reported thereto by the select committee; and the further consideration thereof was postponed until the first Monday in December next.

Mr. GILMAN, from the committee, also reported the resolution for an amendment to the Constitution, respecting titles of nobility, correctly engrossed; and the resolution was read the third time as amended.

On the question, Shall this resolution pass as amended? it was determined in the affirmative—yeas 19, nays 5, as follows:

YEAS—Messrs. Anderson, Champlin, Crawford, Franklin, Gaillard, Goodrich, Gregg, Hillhouse, Lambert, Leib, Lloyd, Mathewson, Meigs, Pickering, Reed, Smith of Maryland, Sumter, Tait, and Turner.

NAYS—Messrs. German, Gilman, Robinson, Smith of New York, and Whiteside.

So it was *Resolved*, That this resolution pass as amended.

On motion, by Mr. LLOYD, it was agreed, by unanimous consent, that a bill in addition to an act, entitled "An act concerning the Library for the use of both Houses of Congress," be now twice read.

On the question, Shall this bill be engrossed and read the third time? it was determined in the affirmative.

Mr. GILMAN, from the committee, reported the bill last mentioned, correctly engrossed, and the bill was read the third time by unanimous consent, and passed.

The bill entitled "An act providing for the sale of certain lands in the Indiana Territory, and for other purposes," was read the third time as amended.

Resolved, That this bill pass with amendments.

The Senate resumed, as in Committee of the Whole, the bill, entitled "An act for the relief of Jared Shattuck," together with the amendment proposed thereto; and the further consideration thereof was postponed to the first Monday in December next.

The Senate resumed, as in Committee of the Whole, the bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dickson, and John Murray."

On motion, it was agreed that the further consideration thereof be the order of the day for tomorrow.

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ANNALS

OF

THE CONGRESS OF THE UNITED STATES.

ELEVENTH CONGRESS.—FIRST AND SECOND SESSIONS.

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THE

DEBATES AND PROCEEDINGS

IN THE

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WITH

AN APPENDIX,

CONTAINING

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AND ALL

THE LAWS OF A PUBLIC NATURE;

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1853.

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House of Representatives Tuesday May 1, 1810

after which they were willing to adjourn for an hour.

The motion to lie on the table was lost—37 for it, and 40 against it.

Mr. RANDOLPH renewed the motion for indefinite postponement of the bill, which was negatived—52 to 22.

The House now (about four o'clock) found itself without a quorum, in consequence of several members going out at once.

The only question on the Senate's amendments remaining to be taken was merely a verbal one, involving no principle, except that the bill could not be returned to the Senate until it was decided in one way or other.

At length a quorum appeared.

A motion was made to lay the bill on the table, in order to adjourn. Lost—ayes 17, noes 54

A question was taken on the amendment now remaining, when the SPEAKER counted thirteen in the affirmative, and sixty-two in the negative, four more than sufficient to form a quorum.

A second count was called for by Mr. RANDOLPH, which produced the same result.

Mr. RANDOLPH called for a third count, alleging that one member had been counted twice, having risen on both sides of the question.

The member alluded to (Mr. WHITEHILL) said, he rose inadvertently, and immediately resumed his seat, and was not counted.

Mr. RANDOLPH said, he had no idea that the gentleman intended to be counted twice, but he believed he had been.

The SPEAKER said he had not counted the gentleman.

The House again divided, when there were twelve affirmatives and sixty-three negatives.

The amendments having thus been all decided on—on motion of Mr. GHOLSON, it was resolved to appoint conferees to meet such as should be appointed by the Senate to confer on the disagreeing votes of the two Houses on the bill.

Messrs. BASSETT, SMILIE, and BACON, were accordingly appointed.

The House adjourned for one hour, a call of the House having been ordered at six o'clock.

Evening Sitting.

The call having been made, a quorum appeared—

The bill fixing the compensation of Ministers and Consuls on the coast of Barbary, &c., was read the third time, and passed.

A message from the Senate informed the House that the Senate agree to the conference asked by this House on the disagreeing votes of the two Houses to the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

Mr. ALSTON, from the Committee of Ways and Means, to whom was referred the report of the Secretary of the Treasury, relative to advances of public moneys to William Short, made a report thereon; which was read, and ordered to lie on the table.

A message from the Senate informed the House that the Senate recede from that part of their fourth amendment to the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," which proposes to insert a new section as the fourth section of the bill; and they adhere to all their other amendments to the said bill. The Senate have passed the bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dixon, and John Murray," with amendments.

TITLES OF NOBILITY.

Mr. MACON called for the order of the day on the joint resolution from the Senate respecting titles of nobility, &c. He said he considered the vote on this question as deciding whether or not we were to have members of the Legion of Honor in this country.

The House resolved itself into a Committee of the Whole on the resolution. It was agreed to, and reported to the House.

No amendment was offered in the House, and the resolution was ordered to be read a third time.

The resolution was then read a third time, as follows:

"*Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled*, two-thirds of both Houses concurring, That the following section be submitted to the Legislatures of the several States, which, when ratified by the Legislatures of three-fourths of the States, shall be valid and binding as a part of the Constitution of the United States:

"If any citizen of the United States shall accept, claim, receive, or retain, any title of nobility or honor, or shall, without the consent of Congress, accept or retain any present, pension, office, or emolument, of any kind whatever, from any person, King, Prince, or foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

And on the question that the same do pass, it was resolved in the affirmative—yeas 87, nays 3, as follows:

YEAS—Willis Alston, jun., William Anderson, Ezekiel Bacon, David Bard, Burwell Bassett, William W. Bibb, Daniel Blaisdell, Adam Boyd, James Breckenridge, John Brown, Robert Brown, William A. Burwell, William Butler, Joseph Calhoun, William Chamberlin, Matthew Clay, John Clopton, Howell Cobb, James Cochran, James Cox, William Crawford, Richard Cutts, John Dawson, Joseph Desha, William Ely, James Emott, William Findley, Meshack Franklin, Barzillai Gannett, Gideon Gardner, David S. Garland, Thomas Gholson, Peterson Goodwyn, Daniel Heister, Jacob Hufty, John G. Jackson, Robert Jenkins, Walter Jones, William Kennedy, Joseph Lewis, jun., John Love, Matthew Lyon, Aaron Lyle, Nathaniel Macon, Robert Marion, Archibald McBryde, Samuel McKee, Alexander McKim, William Milnor, John Montgomery, Nicholas R. Moore, Thomas Moore, Jeremiah Morrow, Jonathan O. Moseley, Gurdon S. Mumford, Roger

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Nelson, Thomas Newton, John Nicholson, Joseph Pearson, Timothy Pitkin, jun., John Porter, Elisha R. Potter, John Randolph, John Rea of Pennsylvania, Matthias Richards, John Roane, Ebenezer Sage, Thomas Sammons, Adam Seybert, Samuel Shaw, Daniel Sheffey, Dennis Smelt, John Smilie, George Smith, John Smith, Samuel Smith, Henry Southard, Richard Stanford, John Stanley, Jacob Swoope, John Taylor, John Thompson, Charles Turner, jun., Archibald Van Horn, Robert Weakley, Robert Whitehill, and James Wilson.

NAYS—Pleasant M. Miller, John Rhea of Tennessee, and Killian K. Van Rensselaer.

PUBLIC BUILDINGS.

The House resolved itself into a Committee of the Whole, on the bill making further appropriations for completing the Capitol, &c.

Considerable debate took place on the proposed appropriations: Messrs. RANDOLPH and W. ALSTON opposing them; and Messrs. LEWIS, MACON, LYON, KEY, and LOVE, supporting them.

The House refused the appropriation for completing the wall around the President's square, appropriating, however, five thousand dollars for the repair of the President's house.

Mr. W. ALSTON offered the following section as an amendment to the bill, which was agreed to:

"*And be it further enacted,* That it shall be the duty of the Superintendent of the City, prior to any further advances of money being made, to call for all claims due on account of materials furnished, or work done, on the public buildings, in order that the same may be liquidated and paid."

The Committee rose, and reported the bill as amended.

The report of the Committee of the Whole was ordered to lie on the table.

Mr. BASSETT, from the committee of conference appointed on the disagreeing vote of the two Houses on the bill concerning commercial intercourse, reported that, after a full and free conference, they recommend that the House of Representatives recede from their disagreement to all the Senate's amendments but one, viz: the convoy section, and that the Senate recede from that one.

The House resumed the consideration of the bill making appropriations for the Capitol, &c., which, however, was again laid on the table, on motion of Mr. RANDOLPH—40 to 38, to make way for the reading of a message received some hours before from the President.

COMMERCIAL INTERCOURSE BILL.

The House then took up, 60 to 17, the bill concerning commercial intercourse, &c., which had been received from the Senate, and amended as proposed by the committee of conference.

Mr. BASSETT explained the operation of the report of the committee of conference to be, that the Senate yield the convoy system, and the House yield the additional duty.

Mr. QUINCY said the result was, in other words, a sort of bargain that, if the Senate would agree not to protect commerce, the House would agree not to burden the people with an additional tax of three millions of dollars.

Mr. QUINCY and others complained that they could not understand the precise bearing of the amendments.

Mr. LYON said he could not understand anything about it; and, as others appeared in the same predicament, he moved to postpone the further consideration of the bill indefinitely.

Mr. FINDLEY said, that the only reason given for postponement, by the gentleman from Kentucky, was, that he could not understand the bill. As, he presumed, every one else did understand it, and the House were not obliged to furnish the gentleman with understanding, he hoped his want of comprehension would be no argument against the bill.

Messrs. QUINCY and DANA spoke in favor of indefinite postponement, because they were against the remaining features of the bill, particularly the authority to renew the non-intercourse against either belligerent on a certain event, which event, they said, depended on the will or caprice of a Sovereign of a foreign Power.

The question on indefinite postponement was decided in the negative—yeas 27, nays 64, as follows:

YEAS—Daniel Blaisdell, James Breckenridge, John Campbell, William Chamberlin, Epaphroditus Champion Samuel W. Dana, William Ely, James Emott, Richard Jackson, jun., Robert Jenkins, Joseph Lewis, jun., Matthew Lyon, Nathaniel Macon, Archibald McBryde, William Milnor, Joseph Pearson, Timothy Pitkin, jun., Elisha R. Potter, Josiah Quincy, John Randolph, Daniel Sheffey, John Stanley, Jacob Swoope, Archibald Van Horn, Killian K. Van Rensselaer, Laban Wheaton, and James Wilson.

NAYS—Willis Alston, jun., William Anderson, Ezekiel Bacon, Burwell Bassett, William W. Bibb, Adam Boyd, John Brown, Robert Brown, William Butler, Joseph Calhoun, Matthew Clay, John Clopton, James Cochran, Orchard Cook, James Cox, William Crawford, Richard Cutts, John Dawson, Joseph Desha, William Findley, Meshack Franklin, Barzillai Gannet, Gideon Gardner, David S. Garland, Thos. Gholson, Peterson Goodwyn, Jacob Hufty, John G. Jackson, Walter Jones, William Kennedy, John Love, Aaron Lyle, Robert Marion, Samuel McKee, Alexander McKim, Pleasant M. Miller, John Montgomery, Nicholas R. Moore, Thomas Moore, Jeremiah Morrow, Gurdon S. Mumford, Roger Nelson, Thomas Newton, John Nicholson, John Porter, John Rea of Pennsylvania, John Rhea of Tennessee, Matthias Richards, John Roane, Ebenezer Sage, Thomas Sammons, Adam Seybert, Samuel Shaw, Dennis Smelt, John Smilie, George Smith, John Smith, Henry Southard, Richard Stanford, John Taylor, John Thompson, Charles Turner, jun., Robert Weakley, and Robert Whitehill.

The House then concurred in the report of the committee of conference without a division, after hearing a speech of half an hour from Mr. WHEATON, against the bill.

The House resolved itself into a Committee of the Whole on the bill from the Senate, entitled "An act allowing compensation to Robert Robinson." The bill was reported without amendment, read the third time, and passed.

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Vol. 31

ANNALS

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FIFTEENTH CONGRESS.—FIRST SESSION.

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ORGE MUMFORD.

AMENDMENT TO THE CONSTITUTION.

A Message was received from the President of the United States, transmitting a report of the Secretary of State, in compliance with a resolution of this House, requesting information concerning the ratification by the States of an article which is printed in some late copies of the Constitution, but which, it appears, has not yet officially received the sanction of three-fourths of the States in the Union.

[The amount of the report from the Department of State, is, that the 13th article of the amendments to the Constitution of the United States has been—

Ratified by	1. Maryland,	December	25, 1810.
Do.	2. Kentucky,	January	31, 1811.
Do.	3. Ohio,	January	31, 1811.
Do.	4. Delaware,	February	2, 1811.
Do.	5. Pennsylvania,	February	6, 1811.
Do.	6. New Jersey,	February	13, 1811.
Do.	7. Vermont,	October	24, 1811.
Do.	8. Tennessee,	November	21, 1811.
Do.	9. Georgia,	December	13, 1811.
Do.	10. North Carolina,	December	23, 1811.
Do.	11. Massachusetts,	February	27, 1812.
Do.	12. New Hampshire,	December	10, 1812.
Rejected by	13. New York,	March	12, 1811.
Do.	14. Rhode Island,	December	15, 1814.
Do.	15. Connecticut.		
Uncertain,	16. South Carolina.		
Do.	17. Virginia.		

The Secretary of State, in the course of last month, addressed a letter to the Governor of Virginia, and to the Governor of South Carolina, requesting information as to any final decisions by those States in relation to this amendment, but had not received answers thereto on the 3d instant.]

The report lies on the table.

MONDAY, February 9.

Another member, to wit; from the State of South Carolina, ELDRED SIMKINS, appeared, produced his credentials, was qualified, and took his seat.

Mr. NEWTON, from the Committee of Commerce and Manufactures, reported a bill "to continue in force, from and after the 30th of June, 1819, until the 30th of June, 1826, the fourth paragraph of the first section of the act, 'to regulate the duties on imports and tonnage;'" which was twice read and committed.

Mr. NEWTON also reported a bill "to increase the duties on iron in bars and bolts, iron in pigs, castings, nails, and alum;" and to disallow the drawback of duties on the exportation of powder.

[The duties to be substituted for those now existing are, on iron pigs, fifty cents per hundred weight; on iron castings, seventy-five cents per hundred weight; on nails four cents per pound; on iron in bars and bolts excepting iron manufactured by rolling, one dollar per hundred weight; and on alum, two dollars per hundred weight.]

The bill was twice read and committed.

Mr. CLAIBORNE, from the select committee to whom was referred the remonstrance of Major General Andrew Jackson, as one of the representatives of John Donelson, praying for the allowance of a certain quantity of land granted by the State of Georgia out of the land ceded by that State to the United States, at a period long anterior to said cession, reported a bill "for the benefit of Thomas Carr and others;" which was twice read and committed.

Mr. WILLIAMS made a report on the petition of Major General Jacob Brown, which was read; when Mr. W. reported a bill for the relief of the said Major General Jacob Brown, which was read and committed to the Committee of the Whole, on the bill for the relief of Major Loring Austin.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting a report of the Third Auditor of the Treasury, in relation to the accounts of General Authur St. Clair, in obedience to a resolution of the House, of the 3d instant; which was ordered to lie on the table.

The SPEAKER also laid before the House the annual report of the Commissioners of the Sinking Fund, which was ordered to lie on the table.

The SPEAKER also laid before the House a letter from Richard Bland Lee, Commissioner of Claims, transmitting "a report of the facts" in the case of John Chalmers, of the City of Washington, with the evidence accompanying it, which was referred to the Committee of Claims.

COLONIAL TRADE.

Mr. FORSYTH, from the Committee on Foreign Relations, to whom was referred so much of the President's Message as relates to the commercial intercourse of the United States with the British West India islands, North American colonies, and the petitions of sundry inhabitants of different parts of the District of Maine, upon the subject of the said intercourse, made a report, which was read; when Mr. FORSYTH reported a bill, supplementary to the act, regulating duties on imports and tonnage, passed the 27th April, 1816, which was read twice and committed to a Committee of the Whole. The report is as follows:

The committee to whom was referred that part of the President's Message which relates to the commercial intercourse of the United States with the British West India islands and North American colonies; and also the petition of the inhabitants of the different parts of the District of Maine, on the same subject, report: That, by the statement marked A, annexed to this report, it appears that the average amount of duties upon merchandise annually imported into the United States from the British West India islands and North American colonial possessions, from 1802 to 1816, excluding the period from the commencement of the restrictive system to the termination of the late war, exceeds two millions of dollars. The value of this merchandise, upon which these duties accrued, is supposed to be equal to seven millions of dollars per annum. The statement B. shows that the average annual amount of exports to the same places, principally of domestic production, up to 1817, excluding the time of the operation of the restrictive system and the continuance of the war, have exceeded six millions

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OF

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AT THE FIRST SESSION

OF THE

Eighteenth General Assembly

OF THE

STATE OF OHIO,

BEGUN AND HELD IN THE TOWN OF COLUMBUS,

DECEMBER 6, 1819;

AND IN THE EIGHTEENTH YEAR OF SAID STATE.

VOL. XVIII.

PUBLISHED BY AUTHORITY.

COLUMBUS:

Printed at the Office of the Columbus Gazette,

BY P. H. DIMSTED.

1820.

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and the senators and representatives elected. That the electors should meet on the day fixed for the election of the president, and should transmit their votes, certified, signed sealed, and directed, as the constitution requires, to the secretary of the United States, in congrees assembled; that the senators and representatives should convene at the time and place assigned; that the senators should appoint a president of the senate, for the sole purpose of receiving, opening and counting the votes for president; and, that after he shall be chosen, the congress, together with the president, should, without delay, proceed to execute this constitution.

By the unanimous order of the convention.

GEORGE WASHINGTON, *president.*

WILLIAM JACKSON, *secretary.*

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IN CONVENTION,

SEPTEMBER 17th, 1787.

SIR,

WE have now the honor to submit to the consideration of the United States in congress assembled, that constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired that the power of making war, peace, and treaties; of coining money, and regulating commerce, and the correspondent executive and judicial authorities, should be fully and effectually vested in the general government of the union; but the impropriety of delegating such extensive trust to one body of men, is evident; hence results the necessity of a different organization. It is obviously impracticable in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society, must give up a share of liberty to preserve the rest. The

magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion, this difficulty was increased by a difference among the several states as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject, we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the convention to be less rigid on points of inferior magnitude, than might have been otherwise expected; and thus the constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession, which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every state, is not perhaps to be expected; but each will doubtless consider, that had her interest been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish. With great respect, we have the honor to be, sir, your excellency's most obedient and humble servants.

By unanimous order of the convention.

GEORGE WASHINGTON, *president.*

His excellency the president of congress.

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No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation.

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In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

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STATUTES

OF OHIO

345.12
OH.3

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ACTS

OF

A GENERAL NATURE,

Enacted, revised and ordered to be re printed,

AT THE FIRST SESSION

OF THE

Twenty-Second General Assembly

OF THE

STATE OF OHIO,

BEGUN AND HELD IN THE TOWN OF COLUMBUS,

DECEMBER 1, 1823;

AND IN THE TWENTY-SECOND YEAR OF SAID STATE.

VOL. XXII.

PUBLISHED BY AUTHORITY.

COLUMBUS:

PRINTED BY P. H. OLMSTED.

1824.

24,000.

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ACTS

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OF

A GENERAL NATURE,

ENACTED, REVISED AND ORDERED TO BE REPRINTED,

AT THE FIRST SESSION

OF THE

TWENTY-NINTH GENERAL ASSEMBLY

OF THE

STATE OF OHIO.

VOL. XXIX.

PUBLISHED BY AUTHORITY.

COLUMBUS:

PRINTED BY OLMSTED & BAILHACHE.

1831.

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Letter
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OATH OF CERTIFIED COPIES

The state, Ohio, County of Franklin :

On this the 14 day of June, 2013, I, the undersigned Notary Public, have compared the original and the copies and certify under penalty of perjury under the laws of the united States of America that said copies are exact duplicates to the originals.

Jan 3 2018
My Commission Expires

Wayne Klein
Notary Public

LAWS

OF THE

State of Missouri;

REVISED AND DIGESTED

BY AUTHORITY

OF THE

GENERAL ASSEMBLY.

IN TWO VOLUMES.

WITH AN APPENDIX.

VOL. I.

Published according to an act of the General Assembly, passed 21st February, 1825.

ST. LOUIS:
Printed by E. Charless, for the State
1825.

EXHIBIT 7

COMPARED

Wayne Kline
Notary Public, State of Ohio
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WK 01-03-2018

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Wayne Kline
Notary Public, State of Ohio
My Commission Expires Indefinite
WL-01-03-2018

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COPY

ARTICLE 10.

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ARTICLE 11.*

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* ante. art. 3, sec. 2, clause 1.
† ante. art. 2, sec. 1, clause 3, page 23.

Wayne Kiss
Notary Public, State of Ohio
My Commission Expires
01-03-2018
COMPARED

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[See, as connected with this subject, ante. art. 1, sec. 9, clause 7, page 20.]

[NOTE.—The 11th article of the amendments to the constitution, was proposed at the second session of the third congress; the 12th article, at the first session of the eighth congress; and the 13th article, at the second session of the eleventh congress.]

TREATY OF CESSION.

Treaty between the U. States of America and the French republic. 30 April, 1803

The president of the United States of America, and the first consul of the French republic, in the name of the French people, desiring to remove all source of misunderstanding relative to objects of discussion mentioned in the second and fifth articles of the convention of the 8th Vendemiaire, an 9 (30th September, 1800) relative to the rights claimed by the United States, in virtue of the treaty concluded at Madrid the 27th October, 1795, between his catholic majesty and the said United States, and willing to strengthen the union and friendship which at the time of the said convention was happily re-established between the two nations, have respectively named their plenipotentiaries, to wit, the president of the United States of America, by and with the advice and consent of the senate of the said states, Robert R. Livingston, minister plenipotentiary of the United States, and James Monroe, minister plenipotentiary and envoy extraordinary of the said states, near the government of the French republic; and the first consul, in the name of the French people, the French citizen Barbe Marbois, minister of the public treasury, who, after having respectively exchanged their full powers, have agreed to the following articles:

Desire of the parties to remove all source of misunderstanding relative to the construction of the treaty of Madrid, of the 27th October, 1795, &c.

And to strengthen the union and friendship of the two nations.

EXHIBIT
8

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Jan 3 2018
My Commission Expires

Wayne Kline
Notary Public

THE

YOUNG AMERICAN:

OR

BOOK OF GOVERNMENT AND LAW.

EXHIBIT 8

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Notary Public, State of Ohio
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Wayne Kane
Notary Public, State of Ohio
My Commission Expires ~~10-21-2017~~
01-03-2018
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Entered, according to Act of Congress, in the year 1842,
BY S. G. GOODRICH,
In the Clerk's Office of the District Court of the District of Massachusetts.

STEREOTYPED BY
GEO. A. CURTIS,
NEW ENGLAND TYPE AND STEREOTYPE FOUNDRY, BOSTON.

PREFACE.

In a country where government derives its very existence from the people, and where its entire administration is dependent on them, it is clear that it will be good or bad, as the people are intelligent or ignorant, virtuous or vicious. We cannot gather grapes of thorns, or figs of thistles; we cannot expect a wise government from ignorance, or a pure one from corruption. Hence, the familiar remark, that the safety of our liberty—of our republican institutions, lies in the intelligence and virtue of the people.

The diffusion of moral and intellectual light is therefore the great work of the patriot in these United States. And while this is true, as a general remark, it should not be forgotten that there is special reason for the diffusion of *political* truth. Government is an artificial structure, vast in its dimensions, curious and complicated in its parts. A man can no more be born a government-maker, than he can be born a house-maker, or a watch-maker; he needs to learn his trade as much in the one case as the other. And yet, every citizen, whenever he goes to the polls, goes as a political architect,

The Thief.

"The law is everywhere."

Natural Liberty.

"Might is right."

THE

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OR

BOOK OF GOVERNMENT AND LAW;

SHOWING THEIR

HISTORY, NATURE AND NECESSITY.

FOR THE USE OF SCHOOLS.

BY S. G. GOODRICH:
AUTHOR OF PETER PARLEY'S TALES.

NEW YORK:
WILLIAM ROBINSON.
1842.

COMPARED
Wayne Kline
Notary Public, State of Ohio
My Commission Expires
01-03-2018
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States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

This is a very significant provision; it declares that all powers not given up to Congress, belong to the people of the several states.

ART. XI.—*The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state.*

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Notary Public, State of Ohio
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01-03-2018
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2. *The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President: a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.*

3. *But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.*

In the Constitution as originally adopted, Sec. 1 of Article II. pointed out the mode of electing the President and Vice-President of the United States. This passage was subsequently struck out, and the preceding amendment took its place. It is by the rule here laid down that these high officers of the government are now chosen.

In most cases, the presidents have been chosen by the electors selected by the people: but in some cases it has been otherwise. In 1825, there being no choice by the electors, John Quincy Adams, of Massachusetts, was chosen by the House of Representatives.

ART. XIII.—*If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.*

EXHIBIT
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OATH OF CERTIFIED COPIES

On this the 3rd day of MARCH, 2014, I, the undersigned Notary Public, have compared the originals and the copies and certify under penalty of perjury under the laws of the Republic for the united States of America that said attached copies are exact duplicates to the originals.

Rosanna L. Miller
Notary Public Signature

January 23, 2019
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STATE OF OHIO

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74th Congress
2d Session

SENATE

Document
No. 232

THE CONSTITUTION

OF THE

UNITED STATES OF AMERICA

(ANNOTATED)

EXHIBIT
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ANNOTATIONS OF CASES DECIDED BY THE
SUPREME COURT OF THE UNITED STATES
TO JANUARY 1, 1938

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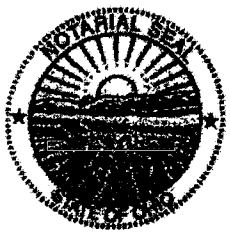

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SENATE CONCURRENT RESOLUTION NO. 35

(Submitted by Mr. Ashurst)

Resolved by the Senate (the House of Representatives concurring), That the Constitution of the United States of America (Annotated), including all amendments thereto, and with citations of the cases of the Supreme Court of the United States construing its several provisions, collated under each separate provision, be compiled and revised up to date, and that the same shall be printed and bound; and that three thousand copies shall be printed, of which two thousand two hundred copies shall be for the use of the House of Representatives and eight hundred copies for the use of the Senate.

Adopted May 14, 1936.

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PREFACE

By Senate Concurrent Resolution No. 35, submitted by Senator Henry F. Ashurst of Arizona, and subsequently adopted by the Congress on May 14, 1936, there was directed to be compiled a revised edition of the Constitution of the United States (Annotated) which had been published by order of the Senate in 1924. With the concurrence of the then Director of the Legislative Reference Service, the task of revision was entrusted to the Bill Digest Section of that Service.

Recognizing that the 1924 Annotation has been widely used, the present compilers have in the main followed the plan of that work. Any alteration has been made with the one object of increasing the practical usefulness of the publication.

Some changes in format and type have been adopted, which will speak for themselves. In particular, the clauses of the Constitution, where they appear through the body of the text, are printed in special type; and cut-in side notes indicate the subject matter of the several clauses.

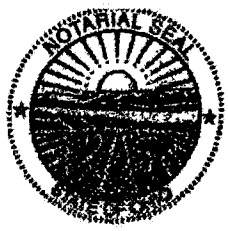
Several important substantive changes require explanation:

First. The revision has undertaken to break down the accumulated statements of the several paragraphs of text, and allocated to each the pertinent citations by means of numbered notes. This task confronted the revisers at the very outset and has necessitated a careful check of all the material in the 1924 volume especially where multiple citations were given to a paragraph which contained several statements of law. It has materially lengthened the period of preparation but seemed clearly worth while in a volume designed for rapid and ready reference.

Second. The examination necessary to carry out the more exact citation of cases thus undertaken led to a rather extensive rewriting of the notes. In view of the considerable number of new cases to be included, it was felt that every reasonable means of saving space should be adopted. Obviously the work could not hope to be exhaustive without overrunning the bounds of a single volume. The revisers have therefore limited the number of quotations or statements on any one point. Mere iteration has in general been avoided. This has meant cutting many of the notes in the 1924 volume which, while pertinent, seemed not to be essential.

In preparing the notes, the exact language of the Court has in many instances been reproduced. In addition to exact quotations, or paraphrases of the opinions, the headnotes of the reports have been freely utilized in summing up the law.

The arrangement of notes under the several clauses has for the most part followed the order of the text of the particular clause under consideration. This procedure is obviously suggested by such clauses as article 1, section 8



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(powers of Congress) or article 1, section 10 (enumerating actions prohibited to the States); it is equally followed where annotations are made upon separate words of the text, and under clauses where an extensive subheading proved necessary.

Aid from the textwriters has been limited by practical considerations of time and staff. Of the general works on the Constitution, those of Justices Story and Miller, and the more recent volumes of Willoughby, have been most frequently consulted, and in more specialized fields the works of Benedict on Admiralty, McGehee on Due Process of Law, Freund on Police Power, and Gavit on the Commerce Clause. The United States Code Annotated has proved valuable not only in checking the cases, but in suggestions for arrangement.

Certain features of the earlier volume, which are perhaps strictly beyond the scope of a mere annotation, have been retained in a revised form [e. g., an historical statement of the formation of the Constitution (p. 9) a general note on constitutional interpretation (p. 57), a list of Federal statutes held unconstitutional (p. 1065)].

A new feature is the table of cases (p. 1079) which it is hoped will facilitate the use of the volume.

The annotations include the decisions of the Supreme Court rendered prior to January 1, 1938.

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In Charge, Bill Digest Section.

Herbert Putnam,
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HISTORICAL NOTE ON FORMATION OF THE CONSTITUTION

In June 1774, the Virginia and Massachusetts assemblies independently proposed an intercolonial meeting of delegates from the several colonies to restore union and harmony between Great Britain and her American Colonies. Pursuant to these calls there met in Philadelphia in September of that year the first Continental Congress, composed of delegates from 12 colonies. On October 14, 1774, the assembly adopted what has come to be known as the *Declaration and Resolves of the First Continental Congress*. In that instrument, addressed to His Majesty and to the people of Great Britain, there was embodied a statement of rights and principles, many of which were later to be incorporated in the Declaration of Independence and the Federal Constitution.[a]

This Congress adjourned in October with a recommendation that another Congress be held in Philadelphia the following May. Before its successor met, the battle of Lexington had been fought. In Massachusetts the colonists had organized their own government in defiance of the royal governor and the Crown. Hence, by general necessity and by common consent, the second Continental Congress assumed control of the "Twelve United Colonies", soon to become the "Thirteen United Colonies" by the cooperation of Georgia. It became a *de facto* government: it called upon the other colonies to assist in the defense of Massachusetts; it issued bills of credit; it took steps to organize a military force, and appointed George Washington commander in chief of the Army.

While the declaration of the causes and necessities of taking up arms of July 6, 1775,[b] expressed a "wish" to see the union between Great Britain and the colonies "restored", sentiment for independence was growing. Finally, on May 15, 1776, Virginia instructed her delegates to the Continental Congress to have that body "declare the united colonies free and independent States."[c]

[a] The colonists, for example, claimed the right "to life, liberty, and property", "the rights, liberties, and immunities of free and natural-born subjects within the realm of England"; the right to participate in legislative councils; "the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of [the common law of England]"; "the immunities and privileges granted and confirmed to them by royal charters, or secured by their several codes of provincial laws"; "a right peaceably to assemble, consider of their grievances, and petition the king." They further declared that the keeping of a standing army in the colonies in time of peace without the consent of the colony in which the army was kept was "against law"; that it was "indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other"; that certain acts of Parliament in contravention of the foregoing principles were "infringements and violations of the rights of the colonists." (Text in Documents Illustrative of the Formation of the Union, pp. 1–5.)

[b] Text in Documents Illustrative of the Formation of the Union, pp. 10–17.

[c] Ibid., pp. 19–20.

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HISTORICAL NOTE

Accordingly on June 7 a resolution was introduced in Congress declaring the union with Great Britain dissolved, proposing the formation of foreign alliances, and suggesting the drafting of a plan of confederation to be submitted to the respective colonies.[4] Some delegates argued for confederation first and declaration afterwards. This counsel did not prevail. Independence was declared on July 4, 1776; the preparation of a plan of confederation was postponed. It was not until November 17, 1777, that the Congress was able to agree on a form of government which stood some chance of being approved by the separate States. The Articles of Confederation were than submitted to the several States, and on July 9, 1778, were finally approved by a sufficient number to become operative.

Weaknesses inherent in the Articles of Confederation became apparent before the Revolution out of which that instrument was born had been concluded. Even before the thirteenth State (Maryland) conditionally joined the "firm league of friendship" on March 1, 1781, the need for a revenue amendment was widely conceded. Congress under the Articles lacked authority to levy taxes. She could only request the States to contribute their fair share to the common treasury, but the requested amounts were not forthcoming. To remedy this defect, Congress applied to the States for power to lay duties and secure the public debts. Twelve States agreed to such an amendment, but Rhode Island refused her consent, thereby defeating the proposal.

Thus was emphasized a second weakness in the Articles of Confederation, namely, the *liberum veto* which each State possessed whenever amendments to that instrument were proposed. Not only did all amendments have to be ratified by each of the 13 States, but all important legislation needed the approval of 9 States. With several delegations often absent, one or two States were able to defeat legislative proposals of major importance.

Other imperfections in the Articles of Confederation also proved embarrassing. Congress could, for example, negotiate treaties with foreign powers, but all treaties had to be ratified by the several States. Even when a treaty was approved, Congress lacked authority to secure obedience to its stipulations. Congress could not act directly upon the States or upon individuals. Under such circumstances foreign nations doubted the value of a treaty with the new republic.

Furthermore, Congress had no authority to regulate foreign or interstate commerce. Legislation in this field, subject to unimportant exceptions, was left to the individual States. Disputes between States with common interests in the navigation of certain rivers and bays were inevitable. Discriminatory regulations were followed by reprisals.

Virginia, recognizing the need for an agreement with Maryland respecting the navigation and jurisdiction of the Potomac River, appointed in June 1784, four commissioners to "frame such liberal and equitable regulations concerning the said river as may be mutually advantageous to the two States." Maryland in January 1785 responded to the Virginia resolution by appointing a like number of commissioners[5] "for the purpose of settling the navigation and

[4] Ibid., p. 21.

[5] George Mason, Edmund Randolph, James Madison, and Alexander Henderson were appointed commissioners for Virginia; Thomas Johnson, Thomas Stone, Samuel Chase, and Daniel of St. Thomas Jenifer for Maryland.

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jurisdiction over that part of the bay of Chesapeake which lies within the limits of Virginia, and over the rivers Potomac and Pocomoke" with full power on behalf of Maryland "to adjudge and settle the jurisdiction to be exercised by the said States, respectively, over the waters and navigations of the same."[1]

At the invitation of Washington the commissioners met at Mount Vernon, in March 1785, and drafted a compact which, in many of its details relative to the navigation and jurisdiction of the Potomac, is still in force.[2] What is more important, the commissioners submitted to their respective States a report in favor of a convention of all the States "to take into consideration the trade and commerce" of the Confederation. Virginia, in January 1786, advocated such a convention, authorizing its commissioners to meet with those of other States, at a time and place to be agreed on, "to take into consideration the trade of the United States; to examine the relative situations and trade of the said States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States, such an act relative to this great object, as when unanimously ratified by them, will enable the United States in Congress, effectually to provide for the same."[3]

This proposal for a general trade convention seemingly met with general approval; nine States appointed commissioners. Under the leadership of the Virginia delegation, which included Randolph and Madison, Annapolis was accepted as the place and the first Monday in September 1786 as the time for the convention. The attendance at Annapolis proved disappointing. Only five States—Virginia, Pennsylvania, Delaware, New Jersey, and New York—were represented; delegates from Massachusetts, New Hampshire, North Carolina, and Rhode Island failed to attend. Because of the small representation, the Annapolis convention did not deem "it advisable to proceed on the business of their mission." After an exchange of views, the Annapolis delegates unanimously submitted to their respective States a report in which they suggested that a convention of representatives from all the States meet at Philadelphia on the second Monday in May 1787 to examine the defects in the existing system of government and formulate "a plan for supplying such defects as may be discovered."[4]

The Virginia legislature acted promptly upon this recommendation and appointed a delegation to go to Philadelphia. Within a few weeks New Jersey, Pennsylvania, North Carolina, Delaware, and Georgia also made appointments. New York and several other States hesitated on the ground that, without the consent of the Continental Congress, the work of the convention would be extra-legal; that Congress alone could propose amendments to the Articles of Confederation. Washington was quite unwilling to attend an irregular convention. Congressional approval of the proposed convention became, therefore, highly important. After some hesitancy Congress approved the suggestion for a convention at Philadelphia "for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and

[1] The text of the resolutions is to be found in 153 U. S. 162–163.

[2] See Wharton v. Wise, 153 U. S. 155 [1894].

[3] Text in Documents Illustrative of the Formation of the Union, p. 38.

[4] Ibid., pp. 39–43.

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confirmed by the States render the Federal Constitution adequate to the exigencies of Government and the preservation of the Union."

Thereupon, the remaining States, Rhode Island alone excepted, appointed in due course delegates to the Convention, and Washington accepted membership on the Virginia delegation.

Although scheduled to convene on May 14, 1787, it was not until May 25 that enough delegates were present to proceed with the organization of the Convention. Washington was elected as presiding officer. It was agreed that the sessions were to be strictly secret.

On May 29 Randolph, on behalf of the Virginia delegation, submitted to the convention 15 propositions as a plan of government. Despite the fact that the delegates were limited by their instructions to a revision of the Articles, Virginia had really recommended a new instrument of government. For example, provision was made in the Virginia plan for the separation of the three branches of government; under the Articles executive, legislative, and judicial powers were vested in the Congress. Furthermore the legislature was to consist of two houses rather than one.

On May 30 the Convention went into a committee of the whole to consider the 15 propositions of the Virginia plan *seriatim*. These discussions continued until June 13, when the Virginia resolutions in amended form were reported out of committee. They provided for proportional representation in both houses. The small States were dissatisfied. Therefore, on June 14 when the Convention was ready to consider the report on the Virginia plan, Paterson of New Jersey requested an adjournment to allow certain delegations more time to prepare a substitute plan. The request was granted, and on the next day Paterson submitted nine resolutions embodying important changes in the Articles of Confederation, but strictly amendatory in nature. Vigorous debate followed. On June 19 the States rejected the New Jersey plan and voted to proceed with a discussion of the Virginia plan. The small States became more and more discontented; there were threats of withdrawal. On July 2 the convention was deadlocked over giving each State an equal vote in the upper house—five States in the affirmative, five in the negative, one divided.[j]

The problem was referred to a committee of 11, there being 1 delegate from each State, to effect a compromise. On July 5 the committee submitted its report, which became the basis for the "great compromise" of the convention. It was recommended that in the upper house each State should have an equal vote, that in the lower branch each State should have one representative for every 40,000 inhabitants, counting three-fifths of the slaves, that money bills should originate in the lower house (not subject to amendment by the upper chamber). When on July 12 the motion of Gouverneur Morris of Pennsylvania that direct taxation should also be in proportion to representation, was adopted, a crisis had been successfully surmounted. A compromise spirit began to prevail. The small States were now willing to support a strong national government.

Debates on the Virginia resolutions continued. The 15 original resolutions had been expanded into 23. Since these resolutions were largely declarations of principles, on July 24 a committee of five[k] was selected to draft a detailed

[j] The New Hampshire delegation did not arrive until July 23, 1787.

[k] Rutledge of South Carolina, Randolph of Virginia, Gorham of Massachusetts, Ellsworth of Connecticut, and Wilson of Pennsylvania.

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constitution embodying the fundamental principles which had thus far been approved. The Convention adjourned from July 26 to August 6 to await the report of its committee of detail. This committee, in preparing its draft of a Constitution, turned for assistance to the State constitutions, to the Articles of Confederation, to the various plans which had been submitted to the Convention and other available material. On the whole the report of the committee conformed to the resolutions adopted by the Convention, though on many clauses the members of the committee left the imprint of their individual and collective judgments. In a few instances the committee avowedly exercised considerable discretion.

From August 6 to September 10 the report of the committee of detail was discussed, section by section, clause by clause. Details were attended to, further compromises were effected. Toward the close of these discussions, on September 8, another committee of five [1] was appointed "to revise the style of and arrange the articles which had been agreed to by the house."

On Wednesday, September 12 the report of the committee of style was ordered printed for the convenience of the delegates. The Convention for 3 days compared this report with the proceedings of the Convention. The Constitution was ordered engrossed on Saturday, September 15.

The Convention met on Monday, September 17, for its final session. Several of the delegates were disappointed in the result. A few deemed the new Constitution a mere makeshift, a series of unfortunate compromises. The advocates of the Constitution, realizing the impending difficulty of obtaining the consent of the States to the new instrument of Government, were anxious to obtain the unanimous support of the delegations from each State. It was feared that many of the delegates would refuse to give their individual assent to the Constitution. Therefore, in order that the action of the convention would appear to be unanimous, Governeur Morris devised the formula "Done in Convention, by the unanimous consent of the States present the 17th of September * * * In witness whereof we have hereunto subscribed our names." Thirty-nine of the forty-two delegates present thereupon "subscribed" to the document.[2]

The Convention had been called to revise the Articles of Confederation. Instead, it reported to the Continental Congress a new Constitution. Furthermore, while the Articles specified that no amendments should be effective until approved by the legislatures of all the States, the Philadelphia Convention suggested that the new Constitution should supplant the Articles of Confederation when ratified by conventions in nine States. For these reasons, it was feared that the new Constitution might arouse opposition in Congress.

Three members of the Convention—Madison, Gorham, and King—were also Members of Congress. They proceeded at once to New York, where

[1] William Samuel Johnson of Connecticut, Alexander Hamilton of New York, Gouverneur Morris of Pennsylvania, James Madison of Virginia, and Rufus King, of Massachusetts.

[2] At least 65 persons had received appointments as delegates to the Convention; 55 actually attended at different times during the course of the proceedings; 39 signed the document. It has been estimated that generally fewer than 30 delegates attended the daily sessions. For further details respecting the Convention of 1787 *see*: Elliott, Debates; Farrand, Records of the Constitutional Conventions; Farrand, The Framing of the Constitution; Meigs, Growth of the Constitution.

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Congress was in session, to placate the expected opposition. Aware of their vanishing authority, Congress on September 28, after some debate, decided to submit the Constitution to the States for action. It made no recommendation for or against adoption.

Two parties soon developed, one in opposition and one in support of the Constitution, and the Constitution was debated, criticized, and expounded clause by clause. Hamilton, Madison, and Jay wrote a series of commentaries, now known as the Federalist Papers, in support of the new instrument of government.* The closeness and bitterness of the struggle over ratification and the conferring of additional powers on the central government can scarcely be exaggerated. In some States ratification was effected only after a bitter struggle in the State convention itself.

Delaware, on December 7, 1787, became the first State to ratify the new Constitution, the vote being unanimous. Pennsylvania ratified on December 12, 1787, by a vote of 46 to 23, a vote scarcely indicative of the struggle which had taken place in that State. New Jersey ratified on December 19, 1787, and Georgia on January 2, 1788, the vote in both States being unanimous. Connecticut ratified on January 9, 1788; yeas 128, nays 40. On February 6, 1788, Massachusetts, by a narrow margin of 19 votes in a convention with a membership of 355, endorsed the new Constitution, but recommended that a bill of rights be added to protect the States from Federal encroachment on individual liberties. Maryland ratified on April 28, 1788; yeas 63, nays 11. South Carolina ratified on May 23, 1788; yeas 149, nays 73. On June 21, 1788, by a vote of 57 to 46, New Hampshire became the ninth State to ratify, but like Massachusetts she suggested a bill of rights.

By the terms of the Constitution nine States were sufficient for its establishment among the States so ratifying. The advocates of the new Constitution realized, however, that the new government could not succeed without the addition of New York and Virginia, neither of which had ratified. Madison, Marshall, and Randolph led the struggle for ratification in Virginia. On June 25, 1788, by a narrow margin of 10 votes in a convention of 168 members, that State ratified over the objection of such delegates as George Mason and Patrick Henry. In New York an attempt to attach conditions to ratification almost succeeded. But on July 26, 1788, New York ratified, with a recommendation that a bill of rights be appended. The vote was close—yeas 30, nays 27.

Eleven States having thus ratified the Constitution,* the Continental Congress—which still functioned at irregular intervals—passed a resolution on September 13, 1788, to put the new Constitution into operation. The first Wednesday of January 1789 was fixed as the day for choosing presidential electors, the first Wednesday of February for the meeting of electors, and the first Wednesday of March (i. e. March 4, 1789) for the opening session of the new Congress. Owing to various delays, Congress was late in assembling, and it was not until April 30, 1789, that George Washington was inaugurated as the first President of the United States.

* These commentaries on the Constitution, written during the struggle for ratification, have been frequently cited by the Supreme Court as an authoritative contemporary interpretation of the meaning of its provisions.

* North Carolina added her ratification on November 21, 1789; yeas 184, nays 77. Rhode Island did not ratify until May 29, 1790; yeas 34, nays 32.

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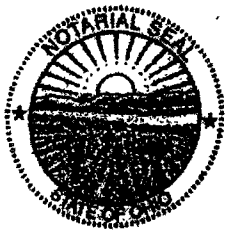

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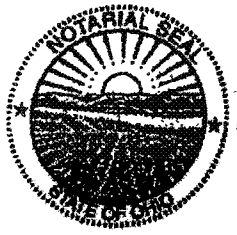

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CONSTITUTION OF THE UNITED STATES

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

Article. I.

Section. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within

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three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

NOTARIAL SEAL
ROSANNA L. MILLER

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The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

NOTARIAL SEAL
ROSANNA L. MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2011

Section. 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

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CONSTITUTION OF THE UNITED STATES

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questiond in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Recon-

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sideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

NOTARIAL SEAL
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Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 20

Section. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

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To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

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In and for the State of Ohio
My Commission Expires
January 28, 2014

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Section. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post

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facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article. II.

Section. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of

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In and for the State of Ohio
My Commission Expires
January 28, 2018

the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President,

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declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

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January 23, 2017
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CONSTITUTION OF THE UNITED STATES

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article. III.

Section. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a

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Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3. 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 Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article. IV.

Section. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

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In and for the State of Ohio
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January 23, 2014
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Section. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States,

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shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of it's equal Suffrage in the Senate.

Article. VI.

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

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

NOTARIAL SEAL STATE OF OHIO
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Attest WILLIAM JACKSON Secretary

done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

G°. WASHINGTON—Presid.t
and deputy from Virginia

New Hampshire	JOHN LANGDON NICHOLAS GILMAN
Massachusetts	NATHANIEL GORHAM RUFUS KING
Connecticut	W.M SAM.L JOHNSON ROGER SHERMAN
New York	ALEXANDER HAMILTON
New Jersey	WIL: LIVINGSTON DAVID BREARLEY. W.M PATERSON. JONA: DAYTON
Pensylvania	B FRANKLIN THOMAS MIFFLIN ROB.T MORRIS GEO. CLYMER THO.S FITZSIMONS JARED INGERSOLL JAMES WILSON GOUV MORRIS

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Delaware	GEO: READ GUNNING BEDFORD jun JOHN DICKINSON RICHARD BASSETT JACO: BROOM
Maryland	JAMES M^C HENRY DAN OF S^T THO^S JENIFER DAN^L CARROLL
Virginia	JOHN BLAIR— JAMES MADISON JR.
North Carolina	W^M BLOUNT RICH^D DOBBS SPAIGHT. HU WILLIAMSON
South Carolina	J. RUTLEDGE CHARLES COTESWORTH PINCKNEY CHARLES PINCKNEY PIERCE BUTLER.
Georgia	WILLIAM FEW ABR BALDWIN

In Convention Monday, September 17th 1787.

Present

The States of

New Hampshire, Massachusetts, Connecticut, Mr Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Resolved,

That the preceeding Constitution be laid before the United States in Congress assembled, and that it is the Opinion of this Convention, that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the People thereof, under the Recommendation of its Legislature, for their Assent and Ratification;

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In and for the State of Ohio
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January 23, 2014

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and that each Convention assenting to, and ratifying the Same, should give Notice thereof to the United States in Congress assembled. Resolved, That it is the Opinion of this Convention, that as soon as the Conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a Day on which Electors should be appointed by the States which shall have ratified the same, and a Day on which the Electors should assemble to vote for the President, and the Time and Place for commencing Proceedings under this Constitution. That after such Publication the Electors should be appointed, and the Senators and Representatives elected: That the Electors should meet on the Day fixed for the Election of the President, and should transmit their Votes certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled, that the Senators and Representatives should convene at the Time and Place assigned; that the Senators should appoint a President of the Senate, for the sole Purpose of receiving, opening and counting the Votes for President; and, that after he shall be chosen, the Congress, together with the President, should, without Delay, proceed to execute this Constitution.

By the Unanimous Order of the Convention

G° WASHINGTON Presid^t

W. JACKSON Secretary.

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ROSANNA L. MILLER
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In and for the State of Ohio
My Commission Expires
January 23, 2014

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AMENDMENTS

TO THE

CONSTITUTION OF THE UNITED STATES OF AMERICA

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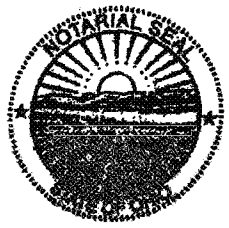

ROSANNA L MILLER
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In and for the State of Ohio
My Commission Expires
January 23, 2019

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ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE SEVERAL STATES, PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION.[a]

AMENDMENT [I.][b]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

[a] In Dillon v. Gloss, 256 U. S. 368 [1921], the Supreme Court stated that it would take judicial notice of the date on which a State ratified a proposed constitutional amendment. Accordingly the Court consulted the State journals to determine the dates on which each house of the legislature of certain States ratified the 18th Amendment. It, therefore, follows that the date on which the governor approved the ratification, or the date on which the secretary of state of a given State certified the ratification, or the date on which the Secretary of State of the United States received a copy of said certificate, or the date on which he proclaimed that the amendment had been ratified are not controlling. Hence, the ratification date given in the following notes is the date on which the legislature of a given State approved the particular amendment (signature by the speaker or presiding officers of both houses being considered a part of the ratification of the "legislature"). When that date is not available, the date given is that on which it was approved by the governor or certified by the secretary of state of the particular State. In each case such fact has been noted. Except as otherwise indicated information as to ratification is based on data supplied by the Department of State.

[b] Brackets enclosing an amendment number indicate that the number was not specifically assigned in the resolution proposing the amendment. It will be seen, accordingly, that only amendments XIII, XIV, XV and XVI were thus technically ratified by number. The first 10 amendments along with 2 others which failed of ratification were proposed by Congress on September 25, 1789, when they passed the Senate [1 Ann. Cong. (1st Cong., 1st sess.) 90], having previously passed the House on September 24 [*Id.*, 948]. They appear officially in 1 Stat. 97. Ratification was completed on December 15, 1791, when the eleventh State (Virginia) approved these amendments, there being then 14 States in the Union.

The several State legislatures ratified the first 10 amendments to the Constitution (i. e. nos. 3 to 12 of those proposed) on the following dates: New Jersey, November 20, 1789: Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; New York, February 27, 1790; Pennsylvania, March 10, 1790; Rhode Island, June 7, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791. The two amendments which failed of ratification (i. e. nos. 1 and 2 of those proposed) prescribed the ratio of representation to population in the House, and specified that no law varying the compensation of members of Congress should be effective until after an intervening election of Representatives. The first was ratified by 10 States (1 short of the requisite number) and the second by 6 States [2 Doc. Hist. Const., 325–390].

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CONSTITUTION OF THE UNITED STATES

AMENDMENT [II.]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

AMENDMENT [III.]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT [IV.]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT [V.]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

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AMENDMENT [VI.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

AMENDMENT [VII.]

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.

AMENDMENT [VIII.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT [IX.]

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

AMENDMENT [X.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

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AMENDMENT [XI.][a]

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT [XII.][d]

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall

[a] The 11th Amendment was proposed by Congress on March 4, 1794, when it passed the House [4 Ann. Cong. (3d Cong., 1st sess.) 477, 478], having previously passed the Senate on January 14 [*Id.*, 30, 31]. It appears officially in 1 Stat. 402. Ratification was completed on February 7, 1795, when the twelfth State (North Carolina) approved the amendment, there being then 15 States in the Union. Official announcement of ratification was not made until January 8, 1798, when President John Adams in a message to Congress stated that the 11th Amendment had been adopted by three-fourths of the States and that it "may now be deemed to be a part of the Constitution" [1 Mess. and Papers of Pres. 250]. In the interim South Carolina had ratified, and Tennessee had been admitted into the Union as the Sixteenth State.

The several State legislatures ratified the 11th Amendment on the following dates: New York, March 27, 1794; Rhode Island, March 31, 1794; Connecticut, May 8, 1794; New Hampshire, June 16, 1794; Massachusetts, June 26, 1794; Vermont, between October 9 and November 9, 1794; Virginia, November 18, 1794; Georgia, November 29, 1794; Kentucky, December 7, 1794; Maryland, December 26, 1794; Delaware, January 23, 1795; North Carolina, February 7, 1795; South Carolina, December 4, 1797; State Department, Press Releases, vol. XII, p. 247 (1935)].

[d] The 12th Amendment was proposed by Congress on December 9, 1803, when it passed the House [13 Ann. Cong. (8th Cong., 1st sess.) 775, 776], having previously passed the Senate on December 2 [*Id.*, 209]. It was not signed by the presiding officers of the House and Senate until December 12. It appears officially in 2 Stat. 306. Ratification was probably completed on June 15, 1804, when the legislature of the thirteenth State (New Hampshire) approved the amendment, there being then 17 States in the Union. The Governor of New Hampshire, however, vetoed this act of the legislature on June 20, and the act failed to pass again by two-thirds vote then required by the State constitution. Inasmuch as art. V of the Federal Constitution specifies that amendments shall become effective "when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof," it has been generally believed that an approval or veto by a governor is without significance If the ratification by New Hampshire be deemed ineffective, then the amendment became operative by Tennessee's ratification on July 27, 1804. On September 25, 1804, in a circular letter to the Governors of the several States, Secretary of State Madison declared the amendment ratified by three-fourths of the States.

The several State legislatures ratified the 12th Amendment on the following dates: North Carolina, December 22, 1803; Maryland, December 24, 1803; Kentucky, December 27, 1803; Ohio, between December 5 and December 30, 1803; Virginia, between December 20, 1803 and February 3, 1804; Pennsylvania, January 5, 1804; Vermont, January 30, 1804; New York, February 10, 1804; New Jersey, February 22, 1804; Rhode Island, between February 27 and March 12, 1804; South Carolina, May 15, 1804; Georgia, May 19, 1804; New Hampshire, June 15, 1804; and Tennessee, July 27, 1804. The amendment was rejected by Delaware on January 18, 1804, and by Connecticut at its session begun May 10, 1804

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not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

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AMENDMENT XIII.*

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

* The 13th Amendment was proposed by Congress on January 31, 1865, when it passed the House [Cong. Globe (38th Cong., 2d sess.) 531], having previously passed the Senate on April 8, 1864 [*Id.* (38th Cong., 1st sess.) 1490]. It appears officially in 13 Stat. 567 under date of February 1, 1865. Ratification was completed on December 6, 1865, when the legislature of the twenty-seventh State (Georgia) approved the amendment, there being then 36 States in the Union. On December 18, 1865, Secretary of State Seward certified that the 13th amendment had become a part of the Constitution [13 Stat. 774].

The several State legislatures ratified the 13th Amendment on the following dates: Illinois, February 1, 1865; Rhode Island, February 2, 1865; Michigan, February 2, 1865; Maryland, February 3, 1865; New York, February 3, 1865; West Virginia, February 3, 1865; Missouri, February 6, 1865; Maine, February 7, 1865; Kansas, February 7, 1865; Massachusetts, February 7, 1865; Pennsylvania, February 8, 1865; Virginia, February 9, 1865; Ohio, February 10, 1865; Louisiana, February 15 or 16, 1865; Indiana, February 16, 1865; Nevada, February 16, 1865; Minnesota, February 23, 1865; Wisconsin, February 24, 1865; Vermont, March 9, 1865 (date on which it was "approved" by Governor); Tennessee, April 7, 1865; Arkansas, April 14, 1865; Connecticut, May 4, 1865; New Hampshire, June 30, 1865; South Carolina, November 13, 1865; Alabama, December 2, 1865 (date on which it was "approved" by Provisional Governor); North Carolina, December 4, 1865; Georgia, December 6, 1865; Oregon, December 11, 1865; California, December 15, 1865; Florida, December 28, 1865 (Florida again ratified this amendment on June 9, 1868, upon its adoption of a new constitution); Iowa, January 17, 1866; New Jersey, January 23, 1866 (after having rejected the amendment on March 16, 1865); Texas, February 18, 1870; Delaware, February 12, 1901 (after having rejected the amendment on February 8, 1865). The amendment was rejected by Kentucky on February 24, 1865, and by Mississippi on December 2, 1865.

"A thirteenth amendment depriving of United States citizenship any citizen who should accept any title, office, or emolument from a foreign power, was proposed by Congress on May 1, 1810, when it passed the House [21 Ann. Cong. (11th Cong., 2d sess.) 2050], having previously passed the Senate on April 27 [20 Ann. Cong. (11th Cong., 2d sess.) 672]. It appears officially in 2 Stat. 613. It failed of adoption, being ratified by but 12 States up to December 10, 1812 [2 Miscell. Amer. State Papers, 477–479; 2 Doc. Hist. Const. 454–499], there then being 18 in all.

"Another thirteenth amendment, forbidding any future amendment that should empower Congress to interfere with the domestic institutions of any State, was proposed by Congress on March 2, 1861, when it passed the Senate [Cong. Globe (36th Cong., 2d sess.) 1403], having previously passed the House on February 28 [*Id.*, 1285]. It appears officially in 12 Stat. 251. It failed of adoption, being ratified by but three States: Ohio, May 13, 1861 [58 Laws Ohio, 190]; Maryland, January 10, 1862 [Laws Maryland (1861–62) 21]; Illinois, February 14, 1862 [2 Doc. Hist. Const., 518] irregular, because by convention instead of by legislature as authorized by Congress." [Burdick, The Law of the American Constitution, 637.]

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CONSTITUTION OF THE UNITED STATES

AMENDMENT XIV.[f]

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the

[f] The 14th Amendment was proposed by Congress on June 13, 1866, when it passed the House [Cong. Globe (39th Cong., 1st sess.) 3148, 3149], having previously passed the Senate on June 8 [*Id.*, 3042]. It appears officially in 14 Stat. 358 under date of June 16, 1866. Ratification was probably completed on July 9, 1868, when the legislature of the twenty-eighth State (South Carolina or Louisiana) approved the amendment, there being then 37 States in the Union. However, Ohio and New Jersey had prior to that date "withdrawn" their earlier assent to this amendment. Accordingly, Secretary of State Seward on July 20, 1868, certified that the amendment had become a part of the Constitution if the said withdrawals were ineffective [15 Stat. 706–707]. Congress at once (July 21, 1868) passed a joint resolution declaring the amendment a part of the Constitution and directing the Secretary to promulgate it as such. On July 28, 1868, Secretary Seward certified without reservation that the amendment was a part of the Constitution. In the interim, two other States, Alabama on July 13 and Georgia on July 21, 1868, had added their ratifications.

The several State legislatures ratified the 14th Amendment on the following dates: Connecticut, June 30, 1866; New Hampshire, July 7, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866 (the New Jersey Legislature on February 20, 1868 "withdrew" its consent to the ratification; the Governor vetoed that bill on March 5, 1868; and it was repassed over his veto on March 24, 1868); Oregon, September 19, 1866 (Oregon "withdrew" its consent on October 15, 1868); Vermont, October 30, 1866; New York, January 10, 1867; Ohio, January 11, 1867 (Ohio "withdrew" its consent on January 15, 1868); Illinois, January 15, 1867; West Virginia, January 16, 1867; Michigan, January 16, 1867; Kansas, January 17, 1867; Minnesota, January 17, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Indiana, January 23, 1867; Missouri, January 26, 1867 (date on which it was certified by the Missouri secretary of state); Rhode Island, February 7, 1867; Pennsylvania, February 12, 1867; Wisconsin, February 13, 1867 (actually passed February 7, but not signed by legislative officers until February 13); Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, March 9, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; North Carolina, July 2, 1868 (after having rejected the amendment on December 13, 1866); Louisiana, July 9, 1868 (after having rejected the amendment on February 6, 1867); South Carolina, July 9, 1868 (after having rejected the amendment on December 20, 1866); Alabama, July 13, 1868 (date on which it was "approved" by the Governor); Georgia, July 21, 1868 (after having rejected the amendment on November 9, 1866—Georgia ratified again on February 2, 1870); Virginia, October 8, 1869 (after having rejected the amendment on January 9, 1867); Mississippi, January 17, 1870; Texas, February 18, 1870 (after having rejected the amendment on October 27, 1866); Delaware, February 12, 1901 (after having rejected the amendment on February 7, 1867). The amendment was rejected (and not subsequently ratified) by Kentucky on January 8, 1867, and by Maryland on March 23, 1867.

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whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

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AMENDMENT XV.[a]

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XVI.[b]

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment

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[a] The 15th Amendment was proposed by Congress on February 26, 1869, when it passed the Senate [Cong. Globe (40th Cong., 3rd sess.) 1641], having previously passed the House on February 25 [*Id.* 1563, 1564]. It appears officially in 15 Stat. 346 under date of February 27, 1869. Ratification was probably completed on February 3, 1870, when the legislature of the twenty-eighth State (Iowa) approved the amendment, there being then 37 States in the Union. However, New York had prior to that date "withdrawn" its earlier assent to this amendment. Even if this withdrawal were effective, Nebraska's ratification on February 17, 1870, authorized Secretary of State Fish's certification of March 30, 1870, that the 15th Amendment had become a part of the Constitution [16 Stat. 1131].

The several State legislatures ratified the 15th Amendment on the following dates: Nevada, March 1, 1869; West Virginia, March 3, 1869; North Carolina, March 5, 1869; Louisiana, March 5, 1869 (date on which it was "approved" by the Governor); Illinois, March 5, 1869; Michigan, March 5, 1869; Wisconsin, March 5, 1869; Maine, March 11, 1869; Massachusetts, March 12, 1869; South Carolina, March 15, 1869; Arkansas, March 16, 1869; Pennsylvania, March 25, 1869; New York, April 14, 1869 (New York "withdrew" its consent to the ratification on January 5, 1870); Indiana, May 14, 1869; Connecticut, May 19, 1869; Florida, June 14, 1869; New Hampshire, July 1, 1869; Virginia, October 8, 1869; Vermont, October 20, 1869; Alabama, November 16, 1869; Missouri, January 7, 1870 (Missouri had ratified the first section of the 15th Amendment on March 1, 1869; it failed to include in its ratification the second section of the amendment); Minnesota, January 13, 1870; Mississippi, January 17, 1870; Rhode Island, January 18, 1870; Kansas, January 19, 1870 (Kansas had by a defectively worded resolution previously ratified this amendment on February 27, 1869); Ohio, January 27, 1870 (after having rejected the amendment on May 4, 1869); Georgia, February 2, 1870; Iowa, February 3, 1870; Nebraska, February 17, 1870; Texas, February 18, 1870; New Jersey, February 15, 1871 (after having rejected the amendment on February 7, 1870); Delaware, February 12, 1901 (date on which approved by Governor; Delaware had previously rejected the amendment on March 18, 1869). The amendment was rejected (and not subsequently ratified) by California, Kentucky, Maryland, Oregon, and Tennessee.

[b] The 16th Amendment was proposed by Congress on July 12, 1909, when it passed the House [44 Cong. Rec. (61st Cong., 1st sess.) 4390, 4440, 4441], having previously passed the Senate on July 5 [*Id.*, 4121]. It appears officially in 36 Stat. 184. Ratification was completed on February 3, 1913, when the legislature of the thirty-sixth State (Delaware, Wyoming, or New Mexico) approved the amendment, there being then 48 States in the Union. On February 25, 1913, Secretary of State Knox certified that this amendment had become a part of the Constitution [37 Stat. 1785].

The several State legislatures ratified the 16th Amendment on the following dates: Alabama, August 10, 1909; Kentucky, February 8, 1910; South Carolina, February 19, 1910

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among the several States, and without regard to any census or enumeration.

AMENDMENT [XVII.][4]

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Illinois, March 1, 1910; Mississippi, March 7, 1910; Oklahoma, March 10, 1910; Maryland April 8, 1910; Georgia, August 8, 1910; Texas, August 16, 1910; Ohio, January 19, 1911; Idaho, January 20, 1911; Oregon, January 23, 1911; Washington, January 26, 1911; Montana, January 27, 1911; Indiana, January 30, 1911; California, January 31, 1911; Nevada, January 31, 1911; South Dakota, February 1, 1911; Nebraska, February 9, 1911; North Carolina, February 11, 1911; Colorado, February 15, 1911; North Dakota, February 17, 1911; Michigan, February 23, 1911; Iowa, February 24, 1911; Kansas, March 2, 1911; Missouri, March 16, 1911; Maine, March 31, 1911; Tennessee, April 7, 1911; Arkansas, April 22, 1911 (after having rejected the amendment at the session begun January 9, 1911); Wisconsin, May 18, 1911; New York, July 12, 1911; Arizona, April 8, 1912; Minnesota, June 11, 1912; Louisiana, June 28, 1912; West Virginia, January 31, 1913; Delaware, February 3, 1913; Wyoming, February 3, 1913; New Mexico, February 3, 1913; New Jersey, February 4, 1913; Vermont, February 19, 1913; Massachusetts, March 4, 1913; New Hampshire, March 7, 1913 (after having rejected the amendment on March 2, 1911). The amendment was rejected (and not subsequently ratified) by Connecticut, Rhode Island, and Utah.

[4] The 17th Amendment was proposed by Congress on May 13, 1912, when it passed the House [48 Cong. Rec. (62d Cong., 2d sess.) 6367], having previously passed the Senate on June 12, 1911 [47 Cong. Rec. (62d Cong. 1st sess.) 1925]. It appears officially in 37 Stat. 646. Ratification was completed on April 8, 1913, when the thirty-sixth State (Connecticut) approved the amendment, there being then 48 States in the Union. On May 31, 1913, Secretary of State Bryan certified that it had become a part of the Constitution [38 Stat. 2049].

The several State legislatures ratified the 17th Amendment on the following dates: Massachusetts, May 22, 1912; Arizona, June 3, 1912; Minnesota, June 10, 1912; New York, January 15, 1913; Kansas, January 17, 1913; Oregon, January 23, 1913; North Carolina, January 25, 1913; California, January 28, 1913; Michigan, January 28, 1913; Iowa, January 30, 1913; Montana, January 30, 1913; Idaho, January 31, 1913; West Virginia, February 4, 1913; Colorado, February 5, 1913; Nevada, February 6, 1913; Texas, February 7, 1913;

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AMENDMENT [XVIII.][1]

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

[illegible], February 7, 1913; Wyoming, February 8, 1919; Arkansas, February 11, 1913; [illegible], February 13, 1913; [illegible], February 14, 1913; [illegible], February 18, 1913; [illegible], February 19, 1913; New Hampshire, January 21, 1914; Vermont, February 19, 1913; South Dakota, February 20, 1913; Maine, February 24, 1913; Oklahoma, February 24, 1913; Ohio, February 26, 1913; Missouri, March 7, 1913; New Mexico, March 13, 1913; [illegible], March 14, 1913; New Jersey, March 17, 1913; Tennessee, April 1, 1913; Pennsylvania, April 2, 1913; Connecticut, April 8, 1913; Louisiana, June 9, 1914. The amendment was rejected by Utah on February 24, 1913.

[1] The 18th Amendment was proposed by Congress on December 18, 1917, when it passed the Senate (Cong. Rec. [illegible] Cong., 2d sess.) [illegible], having previously passed the House on December 17 (*Id.*, 470). It appears officially in 40 Stat. [illegible]. Ratification was completed on January 16, 1919, when the Nebraska State approved the amendment, there being then 48 States in the Union. On January 29, 1919, Acting Secretary of State Polk certified that this amendment had been adopted by the requisite number of States (40 Stat. 1941). By its terms this amendment did not become effective until 1 year after ratification.

The several State legislatures ratified the 18th Amendment on the following dates: Mississippi, January 8, 1918; Virginia, January 11, 1918; Kentucky, January 14, 1918; North Dakota, January 28, 1918 (date on which approved by Governor); South Carolina, January 29, 1918; Maryland, February 13, 1918; Montana, February 19, 1919; Texas, March 4, 1918; Delaware, March 18, 1918; South Dakota, March 20, 1918; Massachusetts April 2, 1918; Arkansas May 31, 1919; Georgia, June 26, 1918; Louisiana, August 9, 1918 (date on which approved by Governor); Florida, November 27, 1918; Michigan, January 2, 1919; Ohio, January 7, 1919; Oklahoma, January 7, 1919; Idaho, January 8, 1919; Maine, January 8, 1919; West Virginia, January 9, 1919; California, January 13, 1919; Tennessee, January 13, 1919; Washington January 13, 1919; Arkansas, January 14, 1919; Kansas, January 14, 1919; Illinois, January 14, 1919; Indiana, January 14, 1919; Alabama, January 15, 1919; Colorado, January 15, 1919; Iowa, January 15, 1919; New Hampshire, January 15, 1919; Oregon, January 15, 1919; Nebraska, January 16, 1919; North Carolina, January 16, 1919; Utah, January 16, 1919; Missouri, January 16, 1919; Wyoming, January 16, 1919; Minnesota, January 17, 1919; Wisconsin, January 17, 1919; New Mexico, January 20, 1919; Nevada, January 21, 1919; Pennsylvania, February 25, 1919; Connecticut, May 6, 1919; New Jersey, March 9, 1922; New York, January 29, 1919; Vermont, January 29, 1919.

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AMENDMENT [XIX.][1]

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT [XX.][2]

SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators

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[1] The 19th Amendment was proposed by Congress on June 4, 1919, when it passed the Senate [Cong. Rec. (66th Cong., 1st sess.) [illegible]], having previously passed the House on May 21, [illegible]. It appears [illegible] in [illegible]. Ratification was completed on August 18, 1920, when the thirty-sixth State approved the amendment, there being then 48 States in the Union. On August 26, 1920, Secretary of State Colby certified that it had become a part of the Constitution [41 Stat. [illegible]].

The several State legislatures ratified the 19th Amendment on the following dates: Illinois, June 10, 1919; [illegible]; Michigan, June 10, 1919; Wisconsin, June 10, 1919; Kansas, June 16, 1919; [illegible]; Ohio, June 16, 1919; Pennsylvania, June 24, 1919; [illegible]; Massachusetts, July 2, 1919; [illegible]; Texas, July 18, 1919; [illegible]; Iowa, August 2, 1919; Missouri, August 14, 1919; [illegible]; Arizona, August 27, 1919; [illegible]; Minnesota, September 8, 1919; [illegible]; Maine, November 5, 1919; North Dakota, December 1, 1919; South Dakota, December 4, 1919 (date on which certified); Colorado, December 15, 1919 (date on which approved by Governor); Kentucky, January 6, 1920; Rhode Island, January 6, 1920; Oregon, January 13, 1920; Indiana, January 16, 1920; Wyoming, January 27, 1920; Nevada, February 7, 1920; New Jersey, February 9, 1920; Idaho, February 11, 1920; Arkansas, February 12, 1920; New Mexico, February 21, 1920 (date on which approved by Governor); Utah, February 26, 1920; West Virginia, March 10, 1920; Washington, March 22, 1920; Tennessee, August 18, 1920; Connecticut, September 14, 1920 (ratified September 21, 1920); Vermont, February 8, 1921. The amendment was rejected by Georgia on July 24, 1919; by Alabama on September 22, 1919; by South Carolina on January 28, 1920; by Virginia, on February 12, 1920; by Maryland on February 24, 1920; by Mississippi on March 29, 1920; by Louisiana on July 1, 1920.

[2] The 20th Amendment was proposed by Congress on March 2, 1932, when it passed the Senate [Cong. Rec. (72d Cong., 1st sess.) [illegible]], having previously passed the House on March 1 [72, [illegible]]. It appears [illegible] in [illegible]. Ratification was completed on January 23, 1933, when the thirty-sixth State approved the amendment, there being then 48 States in the Union. On February 6, 1933, Secretary of State Stimson certified that it had become a part of the Constitution [47 Stat. [illegible]].

The several State legislatures ratified the 20th Amendment on the following dates: Virginia, March 4, 1932; New York, March 12, 1932; Mississippi, March 16, 1932; Arkansas, March 17, 1932; Kansas, March 17, 1932; New Jersey, March 21, 1932; South Carolina, March 25, 1932; Michigan, March 31, 1932; Maine, April 1, 1932; Rhode Island, April 14, 1932; Illinois, April 21, 1932; Louisiana, June 22, 1932; West Virginia, July 30, 1932; Pennsylvania, August 11, 1932; Indiana, August 15, 1932; Texas, September 7, 1932; Alabama, September 13, 1932; California, January 4, 1933; North Carolina, January 5, 1933; North

Representatives at noon on the 3d day of January, of the years which such terms would have ended if this article had not been ified; and the terms of their successors shall then begin.

SEC. 2. The Congress shall assemble at least once in every year such meeting shall begin at noon on the 3d day of January, ess they shall by law appoint a different day.

SEC. 3. If, at the time fixed for the beginning of the term of the sident, the President elect shall have died, the Vice President ct shall become President. If a President shall not have been en before the time fixed for the beginning of his term, or if the sident elect shall have failed to qualify, then the Vice President ct shall act as President until a President shall have qualified; d the Congress may by law provide for the case wherein neither President elect nor a Vice President elect shall have qualified, clarifying who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

[illegible], January 9, 1933; Minnesota, January 12, 1933; Arizona, January 13, 1933; Montana, January 15, 1933; Nebraska, January 15, 1933; Oklahoma, January 19, 1933; Kansas, January [illegible], 1933; Oregon, January 16, 1933; Delaware, January 10, 1933; Washington, January 13, [illegible]; Wyoming, January 13, 1933; Iowa, January 24, 1933; South Dakota, January 30, [illegible]; Tennessee, January 30, 1933; Idaho, January 31, 1933; New Mexico, January 31, 1933; [illegible], January 23, 1933; Missouri, January 30, 1933; Ohio, January 23, 1933; Utah, [illegible] 23, 1933; Colorado, January 24, 1933; [illegible], January 24, 1933; Wisconsin, January 24, 1933; [illegible], January 26, 1933; Connecticut, January 27, 1933; New Hampshire, January 31, 1933; Vermont, February 2, 1933; Maryland, March 24, 1933; Florida, April 26, 1933.

A proposed amendment which would authorize Congress to limit, regulate, and prohibit the labor of persons under 18 years of age was passed by Congress on June 2, 1924. This proposal at the time it was submitted to the States was referred to as "the proposed 20th Amendment." It appears officially in 43 Stat. 670.

The status of this proposed amendment is a matter of conflicting opinion. The Kentucky Court of Appeals in Wise v. Chandler (270 Ky. 1 [1937]) has held that it is no longer open to ratification because: (1) Rejected by more than one-fourth of the States; (2) a State may not reject and then subsequently ratify, at least when more than one-fourth of the States are on record as rejecting; and (3) more than a reasonable time has elapsed since it was submitted to the States in 1924. The Kansas Supreme Court in Coleman v. Miller (145 Kan. 290 [1937]) came to the opposite conclusion.

On October 1, 1937, 27 States had ratified the proposed amendment. Of these States 10 had previously rejected the amendment on one or more occasions. At least 26 different States have at one time rejected the amendment.

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City of Philadelphia, State of Pennsylvania
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Feb. 28, 1977

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SEC. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

SEC. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

AMENDMENT [XXI.]*

SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SEC. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use

* The 21st Amendment was proposed by Congress on February 20, 1933, when it passed the House (Cong. Rec. (72d Cong., 2d sess.) 4500), having previously passed the Senate on February 16 (*Id.*, 4044). It appears officially in 47 Stat. 1625. Ratification was completed on December 5, 1933, when the thirty-sixth State (Utah) approved the amendment, there being then 48 States in the Union. On December 5, 1933, Acting Secretary of State Phillips certified that it had been adopted by the requisite number of States (48 Stat. 1742).

The several State conventions ratified the 21st Amendment on the following dates: Michigan, April 10, 1933; Wisconsin, April 25, 1933; Rhode Island, May 8, 1933; Wyoming, May 23, 1933; New Jersey, June 1, 1933; Delaware, June 24, 1933; Indiana, June 26, 1933; Massachusetts, June 26, 1933; New York, June 27, 1933; Illinois, July 10, 1933; Iowa, July 10, 1933; Connecticut, July 11, 1933; New Hampshire, July 11, 1933; California, July 24, 1933; West Virginia, July 25, 1933; Arkansas, August 1, 1933; Oregon, August 7, 1933; Alabama, August 8, 1933; Tennessee, August 11, 1933; Missouri, August 16, 1933; Arizona, September 5, 1933; Nevada, September 5, 1933; Vermont, September 20, 1933; Colorado, September 26, 1933; Washington, October 3, 1933; Minnesota, October 10, 1933; Idaho, October 17, 1933; Maryland, October 18, 1933; Virginia, October 25, 1933; New Mexico, November 2, 1933; Florida, November 14, 1933; Texas, November 24, 1933; Kentucky, November 27, 1933; Ohio, December 5, 1933; Pennsylvania, December 5, 1933; Utah, December 5, 1933; Maine, December 6, 1933; Montana, August 6, 1934. The amendment was rejected by a convention in the State of South Carolina, on December 4, 1933. The electorate of the State of North Carolina voted against holding a convention at a general election held on November 7, 1933.

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therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

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Notary Public
State of Ohio
My Commission Expires
January 26, 2014

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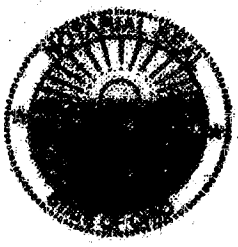

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
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GENERAL PRINCIPLES OF INTERPRETATION

OF THE

CONSTITUTION OF THE UNITED STATES OF AMERICA

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GENERAL PRINCIPLES OF INTERPRETATION

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GENERAL PRINCIPLES OF INTERPRETATION

The Approach to Constitutional Decisions.

Constitutional interpretation has formed one of the "delicate and important" functions of the Supreme Court.* In the early case of McCulloch v. Maryland, Chief Justice Marshall remarked: "We must never forget it is a Constitution we are expounding"[1] and the great cases of constitutional law are studded with similar reminders of the significance of a decision by the Supreme Court construing the basic charter of Government.[2]

[1] 4 Wheat. 316, 407 (1819).

[2] See e. g., Ex parte Garland, 4 Wall. 333, 378 (1867); Hepburn v. Griswold, 8 Wall. 603, 615 (1869); Adams v. Chicago, [illegible], 184 U. S. 448, 464 (1902).

The whole object of constitutional, as of statutory, construction is to give effect to the intention of the framers of the instrument, and additionally, to the intention of the people in adopting it.[1] This intent, together with the general scope of the particular provision, is therefore to be kept constantly in view.[2] The same general rule was enunciated in somewhat more detail in Prigg v. Pennsylvania:[3] "It will, indeed, probably, be found, when we look to the character of the Constitution itself, the objects which it seeks to attain, the powers which it confers, the duties which it imposes, and the rights which it secures, as well as the known historical fact that many of its provisions were matters of compromise of opposing interests and opinions; that no uniform rule of interpretation can be applied to it which may not allow, even if it does not positively demand, many modifications in its actual application to particular classes. And, perhaps, the safest rule of interpretation after all will be found to be to look to the nature and objects of the particular powers, duties, and rights, with all the lights and aids of contemporary history; and to give to the words of each just such operation and force, consistent with their legitimate meaning, as may fairly secure and attain the ends proposed. * * * If by one mode of interpretation the right must become shadowy and unsubstantial, and without any remedial power adequate to the end; and

* The Supreme Court, expressly provided for in the Constitution, was organized pursuant to the Judiciary Act of September 24, 1789 (1 Stat. 73), and held its first term in New York, in February 1790. No cases were decided at the first three terms, while action of a preliminary character only was taken in two cases at the August term, 1791. One case was taken under advisement at the February term, 1792, and further action taken therein at the August term, 1792, but the first case in which an extended opinion was rendered was Georgia v. Brailsford, in August 1792, 2 Dall. 402. And with the exception of further hearings in this and another previous case, and on Hayburn's case (which was never decided) the first important case decided in the Supreme Court involved the construction of the Constitution (Chisholm v. Georgia, 2 Dall. 419 in February 1793).

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by another mode it will attain its just end and secure its manifest purpose; it would seem, upon principles of reasoning, absolutely irresistible, that the latter ought to prevail."

[1] Lake County v. Rollins, 130 U. S. 670 [1889].
[2] Ex parte Yerger, 8 Wall. 85, 101 [1869].
[3] 16 Pet. 539, 610 [1842].

Constitutional decisions are not lightly undertaken. It is a settled principle in the Supreme Court that it will decide only actual matters in controversy essential to the decision of the particular case at bar.[1] The mere raising of a constitutional question, therefore, does not insure a decision upon it. To realize that caution in approaching such problems is of the first importance, it is necessary only to note the practical safeguards and restrictions which the Supreme Court has thrown around its consideration of constitutional questions. Justice Brandeis in a concurring opinion recently enumerated seven:[2]

(1) The Court will not pass on the constitutionality of legislation in a friendly, non-adversary proceeding.[3]

(2) The Court will not "anticipate a question of constitutional law in advance of the necessity of deciding it."[4]

(3) The Court will not "formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied."[5]

(4) The Court will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be decided.[6]

(5) The Court will not pass upon the validity of a statute on complaint of one who fails to show that he is injured by its operation.[7]

(6) The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits.[8]

(7) It is a cardinal principle that a statute will, if fairly possible, be construed so as to avoid a question of constitutionality.[9]

[1] United States v. Alaska S. S. Co., 253 U. S. 113, 116 [1920].
[2] Ashwander v. Tennessee Valley Authority, 297 U. S. 288, 346 [1936].
[3] Citing Chicago & Gt. Trunk Ry. v. Wellman, 143 U. S. 339 [1892].
[4] Citing Liverpool, N. Y. & P. S. S. Co. v. Emigration Commissioners, 113 U. S. 33 [1885]; Abrams v. Van Schaick, 293 U. S. 125 [1934]; Wilshire Oil Co. v. United States, 295 U. S. 100 [1935].
[5] Citing Liverpool, N. Y. & P. S. S. Co. v. Emigration Commissioners, 113 U. S. 33 [1885].
[6] Citing Siler v. Louisville & N. R. Co., 213 U. S. 175, 191 [1909]; Light v. United States, 220 U. S. 523, 538 [1911]; Burns College v. Kentucky, 211 U. S. 45, 53 [1908].
[7] Citing Tyler v. Judges of Court of Registration, 179 U. S. 405 [1900]; Hendrick v. Maryland, 235 U. S. 610, 621 [1914].
[8] Citing Great Falls Mfg. Co. v. Attorney General, 124 U. S. 581 [1888]; Wall v. Parrot Silver & Copper Co., 244 U. S. 407, 411–412 [1917]; St. Louis Malleable Casting Co. v. Prendergast Construction Co., 260 U. S. 469 [1923].
[9] Citing Crowell v. Benson, 285 U. S. 22, 62 [1932].

The Purpose and Nature of the Constitution.

IN GENERAL.

The Constitution of the United States was made by, and for the protection of, the people of the United States.[1] In Abbeman v. Booth,[2] holding that

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the process of a State court or judge has no authority beyond the limits of the sovereignty which confers the judicial power, Chief Justice Taney said: "The Constitution was not formed merely to guard the States against danger from foreign nations, but mainly to secure union and harmony at home; for if this object could be attained, there would be but little danger from abroad; and for accomplishing this purpose, it was felt by the statesmen who formed the Constitution, and by the people who adopted it, that it was necessary that many of the rights of sovereignty which the States then possessed should be ceded to the General Government; and that, in the sphere of action assigned to it, it should be supreme, and strong enough to execute its own laws by its own tribunals, without interruption from a State or from State authorities." This language was quoted in substantiation of the opinion of the court by Mr. Justice Field in Turner's Case.[1]

[1] Lessee v. De Young, 11 How. 203 [1851].
[2] 21 How. 506, 517 [1859].
[3] 12 Wall. 587 [1872].

The general object of the Constitution is constantly to be kept in view; the language of each separate provision must be construed with reference to that purpose and so as to subserve it.[1] No court is authorized to construe a clause of the Constitution, so as to defeat its obvious end, upon another construction, equally consistent with the words and sense, will subserve and protect it.[2] But the obvious purpose of a provision is not to be substituted by and at the known purpose of its adoption. For example, the Thirteenth Amendment had its origin in the previous existence of African slavery, but the generality of its language makes its prohibition apply to slavery of white men as well; and also to peonage and every other form of involuntary labor. So, the provision of the Constitution prohibiting legislation by States impairing the obligation of contracts (art. 1, sec. 10) had its origin in the existence of tender laws, appraisement laws, stay laws, and installment laws passed by the States soon after the Revolution when their finances were embarrassed, and their people overwhelmed with debts, but in its construction the provision has not been limited to mere commercial contracts.[3]

[1] Gibbons v. Ogden, 9 Wheat. 1 [1824]; Brown v. Maryland, 12 Wheat. 427 [1827]; Maxwell v. Dow, 176 U. S. 581, 601 [1900]; Kaukuk Northern Line Packet Co. v. Kaukuk, 95 U. S. 80, 87 [1877]; Legal Tender Cases, 12 Wall. 457, 531 [1871]. *See also* Dartmouth College v. Woodward, 4 Wheat. 644 [1819].
[2] Prigg v. Pennsylvania, 16 Pet. 612 [1842].
[3] Railroad Tax Cases, 13 Fed. 722, 740 [1882], writ of error dismissed, 116 U. S. 128 [1885].

The terms of the Constitution are not to be nullified or evaded by astute verbal criticism without regard to the aim and objects of the instrument and the principles on which it was based; and where words admit of different intendments, that one is to be selected which is most consonant to the object in view.[1]

[1] Aldrich v. Kinney, 4 Conn. 380, 385 [1823]; People v. Dowell, 35 Mich. 247, 261 [1877].

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PRINCIPLES OF INTERPRETATION

PERMANENCE.

The Constitution is a written instrument. As such its meaning does not alter. That which it meant when adopted it means now. Being a grant of powers to a government, its language is general, and as changes come in social and political life it embraces in its grasp all new conditions which are within the scope of the powers in terms conferred. In other words, while the powers granted do not change, they apply from generation to generation to all things to which they are in their nature applicable. This in no manner abridges the fact of its changeless nature and meaning. Those things which are within its grants of power, as those grants were understood when made, are still within them, and those things not within them remain still excluded.

It must also be remembered that the framers of the Constitution were not mere visionaries, toying with speculations or theories, but practical men, dealing with the facts of political life as they understood them, putting into form the government they were creating, and prescribing in language clear and intelligible the powers that government was to take.[1]

[1] South Carolina v. United States, 199 U. S. 437, 448, 449 [1905]. *See also* Pensacola Tel. Co. v. Western Union, 96 U. S. 9 [1878]; In re Debs, 158 U. S. 564 [1895].

Some provisions, however, are considered as "progressive." Thus the Eighth Amendment, prohibiting cruel and unusual punishments, "is not fastened to the obsolete but may acquire meaning as public opinion becomes enlightened by a humane justice."[1]

[1] Weems v. United States, 217 U. S. 349, 373 [1910].

It is the constant changing of conditions and the application to them of the changeless basic grants of the Constitution that give a present interest to the statement penned by Chief Justice Marshall in 1819: "the question respecting the extent of the powers actually granted, is perpetually arising, and will probably continue to arise, so long as our system shall exist."[1]

[1] McCulloch v. Maryland, 4 Wheat. 316, 404 [1819].

DELEGATED AND RESERVED POWERS.

The Constitution enumerates the powers granted by the people[1] of the then existing States to the General Government.[2] To distinguish between such granted powers and the powers reserved to the States, the general rule of construction laid down in Livingston v. Van Ingen may be cited:

"When the people create a single, entire government, they grant at once all the rights of sovereignty * * *. 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 created with only a portion of the sovereign power, the rule of construction is directly the reverse, and every power is reserved to the members 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."[3] "While the Federal Government is acknowledged as one of enumerated powers, 'there is

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no phrase in the instrument which, like the articles of confederation, excludes incidental or implied powers; and which requires that everything granted shall be expressly and minutely described. Even the Tenth Amendment, which was framed for the purpose of quieting the anxious jealousies which had arisen, omits the word "expressly," and declares only, that the powers "not delegated to the United States, nor prohibited to the States, are reserved to the States or to the people"; thus leaving the question, whether the particular power which may become the subject of contest, has been delegated to the one government, or prohibited to the other, to depend on a fair construction of the whole instrument."[1]

[1] Jarrett v. Doherty, 103 U. S. 580 [1881]; Martin v. Hunter, 1 Wheat. 326 [1816]; Lake County v. Rollin, 130 U. S. 662, 670 [1889]; Gibbons v. Ogden, 9 Wheat. 1, 188 [1824].

[2] See McCulloch v. Maryland, 4 Wheat. 316 [1819].

[3] 8 Johns. (N. Y.) 567, 574 [1811].

[4] McCulloch v. Maryland, 4 Wheat. 316, 406 [1819].

Even the express grant of powers by the Constitution cannot be too literally construed. "It is not doubted, that the powers given to the Government imply the ordinary means of execution. That, for example, of raising revenue, and applying it to national purposes, is admitted to imply the power of conveying money from place to place, as the exigencies of the nation may require, and of employing the usual means of conveying it."[1]

[1] McCulloch v. Maryland, 4 Wheat. 316, 420 [1819].

The rule that unexercised power is power establish its existence is not applicable to the Constitution as to other governments;[1] and "an exception of any particular case presupposes that those which are not excepted are embraced within the grant or prohibition."[2] Exceptions are not to be implied;[3] a negative operation will be given affirmative words only where necessary to their having any operation at all.[4]

[1] Gibbons v. Ogden, 9 Wheat. 1, 101 [1824]; Brown v. Maryland, 12 Wheat. 419 [1827].

[2] Rhode Island v. Massachusetts, 12 Pet. 657, 720 [1838].

[3] Gibbons v. Virginia, 6 Wheat. 264, 272 [1821].

[4] Marbury v. Madison, 1 Cr. 174 [1803].

CONFLICT BETWEEN FEDERAL AND STATE AUTHORITY.

A mere grant of power by the Constitution to the Federal Government does not per se transfer exclusive sovereignty in that field, unless so stated in terms, or jurisdiction is prohibited to the States, or there is "a direct repugnancy or incompatibility in the exercise of it by the States."[1] These exceptions have been further elaborated, especially by cases under the commerce clause. As stated in Cardwell v. American River Bridge Co.,[2] the cases "illustrate the general doctrine, now fully recognized, that the commercial power of Congress is exclusive of State authority only when the subjects upon which it is exerted are national in their character and admit and require uniformity of regulations affecting alike all the States; and that when the subjects within that power are local in their nature or operation, or constitute mere aids to commerce, the

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States may provide for their regulation and management, until Congress intervenes and supersedes their action."

[1] Houston v. Moore, 5 Wheat. 1, 49 [1820].
[2] 112 U. S. 205, 210 [1885].

In Brown v. Houston,[1] the Court said: "So long as Congress does not pass any law to regulate commerce among the several States, it thereby indicates its will that that commerce shall be free and untrammeled; and any regulation of the subject by the States is repugnant to such freedom."

[1] 114 U. S. 622, 631 [1885]. *See also* Wabash, St. L. & P. R. Co. v. Illinois, 118 U. S. 557, 577 [1886].

In Sturges v. Crowninshield, involving a bankruptcy statute, Chief Justice Marshall laid down the principle that "Whenever the terms in which a power is granted to Congress, or the nature of the power, requires that it should be exercised exclusively by Congress, the subject is as completely taken from the State legislatures, as if they had been expressly forbidden to act on it."[1]

[1] 4 Wheat. 122, 193 [1819].

Whenever any conflict arises between enactments of the National and State Governments, or in the enforcement of their asserted authorities, those of the National Government have supremacy until the validity of the different enactments and authorities is determined by the tribunals of the United States. The Court explained the necessity for such result in Tarble's Case: "This temporary supremacy until judicial decision by the national tribunals, and the ultimate determination of the conflict by such decision, are essential to the preservation of order and peace, and the avoidance of feasible collision between the two governments."[1]

[1] 13 Wall. 397, 407 [1872].

GENERALITY OF LANGUAGE.

The Constitution is an instrument of government, in general terms, made and adopted by the people for practical purposes.* "The Constitution unavoidably deals in general language. It did not suit the purposes of the people, in framing this great charter of our liberties, to provide for minute specifications of its powers, or to declare the means by which those powers should be carried into execution. It was foreseen, that this would be a perilous and difficult, if not an impracticable, task. The instrument was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter; and restrictions and specifications, which, at the present, might seem salutary, might, in the end, prove the overthrow of the system itself. Hence, its powers are expressed in general terms, leaving to the legislature, from time to time, to adopt its own means to effectuate legitimate objects, and to

* For a brief statement indicating the very practical considerations and proceedings underlying the Constitution, *see* Historical Note on Formation of the Constitution, p 9.

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mold and model the exercise of its powers, as its own wisdom, and the public interests, should require." [1]

[1] Martin v. Hunter, 1 Wheat. 304, 326 [1816].

Primary Consideration—Meaning of Words Used.

Primarily, constitutional interpretation is a question of ascertaining the meaning of the words used. No word or clause can be rejected as expletive or meaningless, but each must be given its due force and appropriate meaning.[1]

[1] Knowlton v. Moore, 178 U. S. 41, 87 [1900].

The Constitution must receive a practical construction.[1] Words are to be taken in their natural and obvious sense, and not in a sense unreasonably restricted or enlarged.[2] "As men, whose intentions require no concealment, generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who framed our Constitution, and the people who adopted it, must be understood to have employed words in their natural sense, and to have intended what they have said." [3]

[1] Pacific R. R. Co. v. Railway, 10 Wall. 5, 24 [1870].
[2] Pollock v. Farmers' Loan & Trust Co., 158 U. S. 601 [1895].
[3] Gibbons v. Ogden, 9 Wheat. 1, 188 [1824].

Unless there are strong reasons for a contrary interpretation, terms in the Constitution, as in common parlance, are to be given the meaning they have in common use.[1] Thus, in view of possible change in usage, and between the literal and the natural construction, that meaning should be given which obtained at common law and at the time the Constitution and its several amendments were adopted.[2]

[1] Tennessee v. Whitworth, 117 U. S. 137 [1886]; United States v. Sprague, 282 U. S. 716, 731 [1931].
[2] Veazie Bank v. Fenno, 8 Wall. 533 [1869].

"The interpretation of the Constitution of the United States is necessarily influenced by the fact that its provisions are framed in the language of the English common law, and are to be read in the light of its history." [1] Resort to the maxims and principles of the common law is constantly had.[2] For example, the term *ex post facto*, which, literally construed, would apply to any act operating upon a previous fact, has always been understood as embracing only criminal laws and laws providing for the recovery of penalties or forfeitures.[3]

[1] Smith v. Alabama, 124 U. S. 465, 479 [1888]. *See also* United States v. Wong Kim Ark, 169 U. S. 649 [1898]; Moore v. United States, 91 U. S. 270 [1876].
[2] *See* e. g., South Carolina v. United States, 199 U. S. 440 [1905]; Callan v. Wilson, 127 U. S. 540 [1888]; United States v. Sprague, 282 U. S. 716 [1931]; Compers v. United States, 233 U. S. 604 [1914].
[3] Locke v. New Orleans, 4 Wall. 172 [1867].

Where a particular word or sentence, taken by itself, is obscure or of doubtful meaning, such expression is to be examined in connection with its context. *Noscitur a sociis* applies with special force.[1] While the particular

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provision involved is the starting point of discussion in each concrete case, and the primary basis for textual construction, it is well settled that the Constitution, together with amendments, is to be regarded as one whole, and construed accordingly.[1] A provision afterward changed by amendment should be considered in construing the amendment.[2] The different clauses should each be given effect and if possible reconciled; and any actual conflict between the original instrument and an amendment is to be resolved in favor of the amendment.[3]

[1] Virginia v. Tennessee, 148 U. S. 519 [1893]; Ex parte Bain, 121 U. S. 1, 12 [1887]; Carpenter v. Pennsylvania, 17 How. 456, 463 [1855]; Kendall v. United States, 12 Pet. 524 [1838].

[2] Prout v. Starr, 188 U. S. 537, 543 [1903].

[3] Fletcher v. Peck, 6 Cr. 87, 139 [1810]; Brown v. Walker, 161 U. S. 591 [1896]; United States v. Wong Kim Ark, 169 U. S. 649, 694 [1898].

[4] Holden v. United States, 138 U. S. 63, 66 [1894].

Extrinsic Aids to Interpretation.

IN GENERAL.

Where the meaning of a provision is plain and clear, resort to collateral aids to interpretation is unnecessary and cannot be indulged in to narrow or enlarge the text.[1] But where there is ambiguity or doubt the principle stated by Justice Story "with all the lights and aids of contemporary history," applies and may safely be construed to comprehend all the contents that which may be resorted to by courts. In fact, constitutional interpretation follows the same rules and has recourse to the same sources of judicial information as statutory construction in general.[2] There can be no construction where there is nothing to construe.[3]

[1] McPherson v. Blacker, 146 U. S. 27 [1892].

[2] Rhode Island v. Massachusetts, 12 Pet. 657, 720 [1838].

[3] United States v. Kendall, 6 Wall. 524, 529 [1868].

Before any appeal can be made to practical construction, it must appear that the true meaning of a provision of the Constitution is not clear. No number of statutes, or interpretations of the Constitution, however numerous, can be permitted to import a power which does not exist, or to furnish a construction not warranted; long acquiescence of Congress and the Executive, by which the rights of parties have been determined and adjusted for many years, does not make constitutional that which is unconstitutional.[1]

[1] Fairbank v. United States, 181 U. S. 283, 287 [1901]; United States v. Boyer, 85 Fed. 425 [1898]; Marshall Field & Co. v. Clark, 143 U. S. 649, 691 [1892].

When the text of a constitutional provision is not ambiguous, the courts are not at liberty to search for its meaning beyond the instrument itself. If a case is within the letter of the Constitution it is not to be excluded from its meaning by showing that it was not in the minds of those who framed and adopted it; it is further necessary to show that, had the case been suggested, the language would have been changed so as to except it. It cannot be inferred from extrinsic circumstances that a case, for which the Constitution expressly provides, is exempted from its operation; such an exception may be made only if

something in the literal construction is obviously absurd or mischievous or repugnant to the spirit of the Constitution.[1] But for the application of this rule, a case must at least be within the words of the Constitution.

[1] Dartmouth College v. Woodward, 4 Wheat. 518, 644 [1819]. See also Ogden v. Saunders, 12 Wheat. 213 [1827]; Houston v. Moore, 5 Wheat. 1 [1820]; Briscoe v. Bank of Kentucky, 11 Pet. 257 [1837].

HISTORICAL ORIGIN.

The historical origin may be considered and historical evidence may be resorted to as aids in the construction and application of words and provisions. "What went before the adoption of the Constitution may be resorted to for the purpose of throwing light on its provisions."[1] "But in this, as in other instances, when called upon to construe and apply a provision of the Constitution of the United States, we must look not merely to its language but to its historical origin."[2]

[1] Marshall v. Gordon, 243 U. S. 521, 539 [1917]. See also Twining v. New Jersey, 211 U. S. 78 [1908]; Williamson v. United States, 207 U. S. 425 [1908].
[2] Wheaton v. Peters, 161 U. S. 463, 473 [1896]. See also Kansas v. Minnesota, 186 U. S. 450 [1902]; South Carolina v. United States, 199 U. S. 437 [1905].

HISTORY OF THEIR ADOPTION.

The history of the time when a provision was framed and adopted should be considered in determining the old law the remedy, and the mischief to be remedied, and the object of a clause was to remove some doubt concerning principles which had become permanently fixed in the law of the land by decisions which had become precedents. In ascertaining the meaning of a constitutional provision the rule was to read the language in connection with the known conditions of affairs out of which the occasion for its adoption may have arisen, and then to construe it in a way, so far as is reasonably possible, to forward the known purpose or object for which it was adopted.[1]

[1] United States v. Wong Kim Ark, 169 U. S. 694 [1898].

DEBATES IN CONVENTION AND CONGRESS.

The views of the participating Members or the course of proceedings in the Convention cannot control the full meaning and general scope of the Constitution as it was finally framed, and what individual Senators or Representatives may have uttered in debate in regard to the meaning to be given to a proposed amendment does not furnish a firm ground for its construction, nor is it important as explanatory of the grounds upon which the Members voted in adopting it.[1]

[1] Legal Tender Cases, 12 Wall. 457, 561 [1871]; 110 U. S. 421, 444 [1884]; Maxwell v. Dow, 176 U. S. 581, 601 [1900].

In the case of Downes v. Bidwell[1] the court said: "It is unnecessary to enter into the details of this debate. The arguments of individual legislators are no proper subject for judicial comment. They are so often influenced by personal or political considerations, or by the assumed necessities of the situation, that they can hardly be considered even as the deliberate views of

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the persons who make them, much less as dictating the construction to be put upon the Constitution by the courts." [1]

[1] 182 U. S. 244, 254 [1901]. *Cf.* Smith *v.* Turner (Passenger Cases), 7 How. 283, 395 [1849].

THE FEDERALIST.

As in the case of other contemporaneous exposition, the construction given to the Constitution by the authors of the Federalist is entitled to great weight. This collection of 85 essays, published in the newspapers immediately after the submission of the Constitution to the State conventions, constitutes indeed a frank advocacy of its adoption, by Hamilton, Madison and Jay; and in applying their opinions to cases which may arise, a right to judge of their correctness must be retained.[1]

[1] McCulloch *v.* Maryland, 4 Wheat. 316, 433 [1819]; Cohens *v.* Virginia, 6 Wheat. 264, 419 [1821]; Pollock *v.* Farmers' Loan & Trust Co., 158 U. S. 601, 637 [1895].

EXISTING LAW.

The law existing at the time the Constitution and the amendments were adopted and ratified, is often the best basis for ascertaining the scope and effect of a constitutional provision when such provision [illegible] by such law, rather than [illegible]. [illegible] the Constitution provided (art. 1, sec. 10) that [illegible] for executing their inspection laws. [illegible] to exceptions in the case of [illegible] since [illegible] at the adoption of the Constitution and not intended to be disregarded.[3]

[1] [illegible], 114 U. S. 417, 422 [1885]; Turner *v.* Maryland, 107 U. S. 38, 52 [1883]; [illegible] *v.* United States, [illegible].

[2] New York *v.* Compagnie Générale Transatlantique, 10 Fed. 357 [1882], affirmed 107 U. S. 59 [1883].

[3] Kirby *v.* United States, 174 U. S. 47 [1899].

CONTEMPORARY LEGISLATION.

Proceedings in the State legislatures or the Continental Congress immediately before adoption of the Constitution have an important bearing on the construction to be given to that instrument.[1] And legislation by Congress at the time of proposing or immediately following the proposal or adoption of an amendment, is authoritative in determining the scope of a constitutional provision. For example, the first 10 amendments to the Constitution were proposed by the First Congress on September 25, 1789; at the same session (July 31) an act was passed to regulate the collection of customs duties (1 Stat. 29), which in section 23 authorized customs officials to seize and search for goods suspected of having been fraudulently entered or concealed. It cannot be suggested with any force that the same Congress which proposed the amendments could have regarded the Fourth and Fifth Amendments as forbidding the enactment of those or of kindred provisions.[2]

[1] Waring *v.* Clarke, 5 How. 441, 456 [1847].

[2] Matter of Platt, 19 Fed. Cas. No. 11,212 [1874]. *See also* United States *v.* Rhodes, 27 Fed. Cas. No. 16151 [1866]; Cohens *v.* Virginia, 6 Wheat. 264 [1821].

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PRINCIPLES OF INTERPRETATION

CONTEMPORANEOUS CONSTRUCTION.

Contemporary interpretation of the Constitution is entitled to great weight, and the practice and acquiescence under it for a period of years afford an irrefutable answer to objection and fix the construction.[1]

[1] Cohens v. Virginia, 6 Wheat. 264, 418 [1821]; United States v. Midwest Oil Co., 236 U. S. 459 [1915]; The "Laura", 114 U. S. 411, 416 [1885]; The "Genesee Chief" v. Fitzhugh, 12 How. 443, 456 [1851]; Stuart v. Laird, 1 Cr. 299 [1803]; Burrow Giles Lithographic Co. v. Sarony, 111 U. S. 53, 57 [1884]; Butte City Water Co. v. Baker, 196 U. S. 119, 127 [1905]; Walker v. Nebraska, 225 U. S. 24 [1907]; Myers v. United States, 272 U. S. 52 [1926].

Especially in cases of doubt, the solemn, deliberate, well-considered, and long settled decisions of the judiciary, and the quiet assent of the people to an important and unvarying practice, ought to constitute the action of courts in cases of a judicial nature to be established, even when the individual opinions of the judges would be different were the question *res integra*.[1]

[1] Missouri v. Illinois, 180 U. S. 208, 219 [1901]; Kilbourn v. Thompson, 103 U. S. 168, 204 [1881]; Stevenson v. Fain, 195 U. S. 165, 167 [1904]; Wilson v. Leland, 2 Pet. 627; and Justices Cushing v. Washington, 12 How. 213, 215 [1851]; Veazie Bank v. Fenno, 8 Wall. 533, 541 [1869].

In Ames v. Kansas,[1] it was said that in view of the practical construction put on the contracts provision at the moment of the organization of the Government, and of the significance that no court of the United States had ever intervened to the contrary, the Supreme Court was "unable to say" that the lending of jurisdiction in question was not within the power of Congress. In the recent case of United States v. Curtiss-Wright Export Corp.,[2] the Court cited a long succession of instances wherein power had been granted the President in respect to foreign relations, and held that "an impressive array of legislation * * * enacted by nearly every Congress from the beginning of our national existence to the present day, must be given unusual weight in the process of reaching a correct determination of the problem [validity of Joint Resolution of May 28, 1934 (48 Stat. 811), relating to exports to the Chaco]."

[1] 111 U. S. 449 [1884].
[2] 299 U. S. 304, 327 [1936].

Liberal Construction.

The Constitution is not to be interpreted with the strictness of a code of laws, or of a private contract. Liberal construction received its great impetus with Chief Justice Marshall, who, in the case of McCulloch v. Maryland, laid down the classic rule: "We admit, as all must admit, that the powers of the Government are limited, and that its limits are not to be transcended. But we think the sound construction of the Constitution must allow to the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which

are not prohibited, but consi[illegible] letter and spirit of the Constitution, are constitutional."[1]

[1] 4 Wheat. 316, 421 [1819].

In particular, the provisions for the protection of life, liberty, and property are to be largely and liberally construed in favor of the citizen[1] ... since they are not to be construed [illegible] language, should ever be held subject to the spirit and purpose."[3]

[1] [illegible]
[2] [illegible]
[3] [illegible]

Liberal construction, however, may not be carried to the extent of inserting anything in the Constitution which is not expressed or cannot be fairly implied. The general rule, that affirmative words may be given negative operation, i. e., may imply a negative of other objects than those affirmed—can be applied only where the implication protects, not where it defeats, the obvious intention of an article. For example, in the case of the grant to the Supreme Court of original jurisdiction in certain cases, a negative or exclusive sense must be given or it has no operation, but in the grant of appellate jurisdiction, that jurisdiction may be exercised in every case cognizable under article III, in the Federal courts, in which original jurisdiction cannot be exercised, and the extent of this judicial power is to be measured, not by giving the affirmative words of the distributive clause a negative operation in every possible case, but by giving their true meaning to the words which define its extent.[1]

[1] Cohens v. Virginia, 6 Wheat. 264, 394 [1821]; Marbury v. Madison, 1 Cr. 137, 174 [1803].

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Stare Decisis.*

The doctrine of *stare decisis* assumes an added importance where the Constitution is under consideration.

The general rule is, that a point of law once settled by a decision forms a precedent not afterward to be departed from—a precedent for the guidance of courts in substantially similar cases, adherence to which is necessary to preserve the certainty, stability, and symmetry of our jurisprudence.[1] [illegible]

[1] See Broom, Legal Maxims, 7th ed., p. 147; The "Madrid", 40 Fed. 677, 679 [1889].

[2] [illegible] Gold Mining Co. v. [illegible] Gold Mining Co., 27 Colo. 1 [1899].

[3] [illegible]

[4] [illegible] 238 U. S. 447 [1914].

Application of the doctrine [illegible] a decision by a majority of the court; [illegible] as to the particular [illegible] authority for the determination of other cases, either in the Supreme or inferior courts.[1]

[1] Hertz v. Woodman, 218 U. S. 205, 213 [1910].

On the other hand, the authority of a decision is not lessened by a failure to give the grounds for decision. Thus, in Fidelity & Deposit Co. v. United States, 187 U. S. 315 [1902], it was held that the decision in Smoot v. Rittenhouse [unreported], upholding the validity of a certain rule of the District of Columbia Supreme Court, was authoritative, though no grounds of decision were stated; and the inference to be drawn from that circumstance was that the Court felt there was no question as to the validity of the rule under consideration.

Application of the doctrine further presumes a discrimination between what is decision and *obiter dictum*. Thus, it was stated in Pollock v. Farmers' Loan and Trust Co., 157 U. S. 429, 574 [1895]: "Doubtless the doctrine of *stare decisis* is a salutary one, and to be adhered to on all proper occasions, but it only arises in respect of decisions directly upon the points in issue."

General expressions in an opinion are to be taken in connection with the case in which those expressions are used. If they go beyond the case they may be respected but ought not to control the judgment in a subsequent suit when

* *See also* p. 960.

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the very point is presented for decision.[1] No opinion can be relied on as binding authority unless the case called for its expression. Its weight of reason must depend on what it contains; but it cannot be said that a case is not authority on one point because although that point was properly presented and decided in the regular course of the consideration of the case, something else was found in the end which disposed of the whole matter.[2]

[1] Cohens v. Virginia, 6 Wheat. 399 (1821). *See also* Brooks v. Marbury, 11 Wheat. 78 (1826).

[2] Carroll v. Carroll, 16 How. 275 (1853); Florida Cent. R. Co. v. Schutte, 103 U. S. 118 (1881); Mast, Foos & Co. v. Stover Mfg. Co., 177 U. S. 485 (1900).

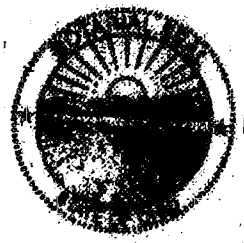
However, while the doctrine is thus recognized and acted upon by the Supreme Court within limits, in the language of Justice Brandeis, "stare decisis is not, like the rule of res judicata, a universal, inexorable command."[1] It is merely the wise policy, because in most matters it is more important that the applicable rule of law be settled than that it be settled right; but it does not mean that the court is bound by a clearly erroneous decision. As early as 1856, Chief Justice Taney stated the position that "it be expected, however, on the part of this court, that its opinion upon the construction of the Constitution is always given with deliberation when it is supposed to have been brought in doubt, and that the judicial authority should seldom depend altogether on the force of the reasoning by which it is supported."[2]

[1] Dissenting opinion in Burnet v. Coronado Oil & Gas Co., 285 U. S. 393, 406 (1932). [illegible]

[2] Smith v. Turner (Passenger Cases), 7 How. 283, 470 (1849).

In the light of experience and better reasoning, the Supreme Court has not infrequently overruled its constitutional decisions.[1]

[1] For a list of such cases, see dissenting opinion of Justice Brandeis in Burnet v. Coronado Oil & Gas Co., 285 U. S. 393, 407 (note 2), 409 (note 4) (1932).



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THE CONSTITUTION OF THE UNITED STATES OF AMERICA WITH ANNOTATIONS

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PREAMBLE

The Preamble
The people of the United States
To what a free public [illegible]
For the United States of America
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
Preamble as a source of substantive power
Of general application

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January 12, 2012

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THE CONSTITUTION OF THE UNITED STATES OF AMERICA WITH ANNOTATIONS

[The abbreviations "Sec." stand for Section, "Cl." for Clause, and "Amdt." for Amendment]

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

The People of the United States.

The Constitution emanated from the people and was not the act of sovereign and independent States.[1] The preamble contemplates the body of citizens composing the States, the terms "people" and "citizens" being synonymous. Negroes, whether free or slaves, were not included in the term "people of the United States" at that time.[2]

[1] McCulloch v. Maryland, 4 Wheat. 316 [1819]. *See also* Chisholm v. Georgia, 2 Dall. 419, 470 [1793]; Ex parte Bollman v. Dunn, 3 Dall. 54, 93 [1795]; Martin v. Hunter, 1 Wheat. 304, 324 [1816]; Barron v. Baltimore, 7 Pet. 247 [1833].

[2] Scott v. Sandford, 19 How. 393, 404 [1857].

To Form a More Perfect Union.

The Union of the States was never a purely artificial and arbitrary relation. It grew out of common origin, kindred principles and similar interests, and was confirmed by the necessities of war. It received definite form from the Articles of Confederation; and when these were found inadequate, the Constitution was ordained "to form a more perfect union."[1]

[1] Texas v. White, 7 Wall. 724 [1869]. *See also* Martin v. Hunter, 1 Wheat. 304, 328 [1816]; Scott v. Sandford, 19 How. 393, 441 [1857]; Legal Tender Cases, 12 Wall. 457, 544 [1871]; White v. Hart, 13 Wall. 650 [1872]; United States v. Cruikshank, 92 U. S. 542 [1876]; Wharton v. Wise, 153 U. S. 155, 167 [1894].

For the United States of America.

The Government is established "for the United States of America" and not for countries outside of their limits.[1] Where the Constitution

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has been once formally extended by Congress to Territories, neither Congress nor the Territorial legislature can enact laws inconsistent therewith.[1]

[1] In re Ross, 140 U. S. 453 [1891].
[2] Downes v. Bidwell, 182 U. S. 244, 271 [1901].

ALASKA.—Under the treaty with Russia concerning Alaska it appears that Alaska is incorporated into and is a part of the United States, and the provisions of the Constitution are applicable to that Territory.[1]

[1] Rasmussen v. United States, 197 U. S. 516 [1905].

CUBA.—Within the meaning of the extradition act of June 6, 1900 (31 Stat. 499), Cuba was, in 1902, foreign territory. "It cannot be regarded, in any constitutional, legal or international sense, a part of the territory of the United States." As between the United States and Cuba, the island was territory held in trust for the inhabitants of Cuba, to whom it rightfully belongs and to whom ultimately control it will be surrendered, when a stable government shall have been established by their voluntary action."[1]

[1] Neely v. Henkel (No. 1), 180 U. S. 109, 118, 120 [1901].

HAWAIIAN ISLANDS.—Mere annexation did not effect incorporation of the Islands into the United States, and the provisions of the Constitution as to jury trial are not applicable to them.[1] But they are not foreign country within the meaning of the tariff laws.[2]

[1] Dorrit v. [illegible] (Dowie Honolulu R. T. & L. Co. v. Hawaii, [illegible]).
[2] Gaston v. United States, 196 U. S. 89, [illegible].

PHILIPPINE ISLANDS.—In the absence of incorporation into the United States, the status of the Islands, and the powers of Congress in relation thereto, are determined by article IV, section 3. While it was established in Insular Tobacco Co. v. Gomez, 1 Phil. 351 [1903], Dowdell v. United States, 221 U. S. 325 [1911], and other cases, that Congress in any exercise of the plenary authority in the legislation for the Union, with the exception of the power especially granted to govern the Territories is not without limitations. Right to a common-law jury was held not to be extended directly by force of the Constitution.[1] But the prohibition of double jeopardy, guaranteed by the Fifth Amendment, was held applicable.[2] The Islands were held not to be foreign country within the meaning of the tariff laws.[3]

[1] Dorr v. United States, 195 U. S. 138 [1904].
[2] Kepner v. United States, 195 U. S. 100 [1904]; Grafton v. United States, 206 U. S. 333 [1907].
[3] Fourteen Diamond Rings v. United States, 183 U. S. 177 [1901]; Lincoln v. United States, 197 U. S. 427 [1905].

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Puerto Rico.—Puerto Rico was not incorporated into the United States by the cession from Spain, but became a territory appurtenant and belonging to the United States, though not within the revenue clauses of the Constitution.[1] It was not incorporated by the Civil Government Act of 1900 (31 Stat. 77) nor by the Jones Act of 1917 (39 Stat. 951) (nor by the extension of revenue, navigation, immigration, banking, bankruptcy, commerce, mails and other laws, the grant of citizenship, establishment of district court, etc.); and the requirement of jury trial, Sixth Amendment, does not apply.[2]

[1] Downes v. Bidwell, 182 U. S. 244 [1901]. *See also* Dorsey v. United States, 195 U. S. 308 [1904]; Ponce v. Roman Catholic Apostolic Church, 210 U. S. 296 [1908].

[2] Balzac v. Porto Rico, 258 U. S. 298 [1922].

Preamble as a Source of Substantive Power.

No power to enact any statute is derived from the preamble. The Constitution is the only source of power authorizing action by any branch of the Federal Government.[1]

[1] Trop v. United States, 356 U. S. 86 [1958]; Jacobson v. Massachusetts, 197 U. S. 11 [1905].

Of General Application.

In connection with the preamble and as of general application and intent, see—

Barron v. Baltimore, 32 Wheat. 243 [1833]; Gibbs v. Burgess, 94 U. S. 393 [1876]; Hepburn v. Ewing, 16 U. S. 190 [1918]; Ex parte Ferry, 256 U. S. 211 [1921]; United States v. Jones, 149 U. S. 262 [1893]; New Jersey Steam Nav. Co. v. Merchants' Bank, 114 U. S. 401 [1885]; United States, 144 U. S. 305 [1892]; Fong Yue Ting v. United States, 149 U. S. 698 [1893]; United States v. Knight, 166 U. S. 1 [1895]; Matter v. United States, 166 U. S. 337 [1897].

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A conviction in the District of Columbia upon an indictment charging a scheme to defraud a corporation by mail, the letter being posted in Pennsylvania, was upheld because of the presumption that the letter was delivered in the District of Columbia—the indictment to be considered accordingly as charging an offense committed within the District.[1]

[1] Hagner v. United States, 285 U. S. 427, 430 [1932].

The physical absence of the accused from the State of Missouri when the acceptance by a St. Louis corporation of his offer to render services in consideration of the compensation forbidden by Revised Statutes, section 1782 (U. S. C. 18: 202), was discovered by mail or telegram, does not deprive the Church Court of the United States for the Eastern District of Missouri of jurisdiction of the offense on the theory that the crime was not committed in that State.[1]

[1] Burton v. United States, 202 U. S. 344 [1906].

An indictment cannot be found in one State of the Union for an offense committed in another State.[1] But there is no principle of constitutional law which entitles one to be tried for a criminal offense in the district where he resides.[2]

[1] In Re Robinson, 29 Fed. 467 [1886].
[2] Beale v. Russell, 234 U. S. 311 [1914].

SECTION 3. 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.*

Article III. Sec. 3. Treason. Cl. 1. Treason defined.

Definition.

STATUTORY ORIGIN.

The two species of treason mentioned in the Constitution are described in it in language borrowed from that of the English statute of treasons.[1]

[1] United States v. Burr, 25 Fed. Cas. No. 14693 [1807]; United States v. Greathouse, 26 Fed. Cas. No. 15282 [1863], wherein the court said that the phrase "levying war" is understood and applied in the United States in the same in which it has been used in England. Charge to Grand Jury, 30 Fed. Cas. No. 16371 [1861].

CONSTITUTIONAL DEFINITION EXCLUSIVE.

The definition of treason by the Constitution itself prohibits Congress from making any other acts of the citizen than those specified treason.[1] No other acts than those defined in the Constitution can be

*See also pp. 117, 403, 509, 563 on the subject of treason.

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declared to constitute the offense. Congress can neither extend, nor restrict, nor define the crime. Its power over the subject is limited to prescribing the punishment.[1]

[1] Charge to Grand Jury, 30 Fed. Cas. No. 18271 [1861].
[2] United States v. Greathouse, 26 Fed. Cas. 18264 [1863].

LEVYING WAR.

To constitute the specific crime of treason, war must be actually levied against the United States. However flagitious may be the crime of conspiring to subvert by force the Government of our country, such conspiracy is not treason. To conspire to levy war, and actually to levy war, are distinct offences. The first must be [illegible] upon action by the conspirators of war, for a purpose [illegible] in itself, or the first of [illegible] war [illegible]. To complete the crime of treason [illegible] must be an actual assemblage of men, for the purpose of executing a treasonable design.[1]

[1] In Bollman, 4 Cr. 75, [illegible] discussing [illegible] a writ of habeas corpus [illegible] charged with treason in the case of [illegible] United States v. Burr, [illegible] an assemblage of [illegible] purpose in the levying of war, [illegible].

The consummation of acts of violence by a number of persons, with the intention to suppress an office of nation and to compel the resignation of the entire Union, so as to render an act of Congress in effect null and void, constitutes the crime of high treason in the contemplation of the Constitution and law of the United States.[1]

[1] United States v. Vigol, 2 Dall. (C. C.) 346 [1795]; United States v. Mitchell, 2 Dall. (C. C.) [illegible] [1795]. *See also* Charge to Grand Jury, 30 Fed. Cas. Nos. 18275 [1851], 18274 [1852].

It is "levying war against the United States" for persons to oppose or prevent, by force, numbers or intimidation, a public and general law of the United States, with intent to prevent its operation or compel its repeal. Force is necessary to complete the crime; but the *quantum* of force is immaterial.[1]

[1] United States v. Fries, 2 Dall. 515 [1799], 9 Fed. Cas. No. 5126 [1799]. *See also* Charge to Grand Jury, 30 Fed. Cas. Nos. 18275 [1852], 18276 [1851].

Successfully to instigate treason is to commit it.[1]

[1] Charge to Grand Jury, 30 Fed. Cas. No. 18276 [1851].

GIVING AID AND COMFORT.

There is more difficulty in determining what constitutes the overt act under the second clause—namely, adhering to the enemy, giving

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him aid and comfort (then under the clause as to levying war). Questions arising under this clause must depend very much upon the facts and circumstances of each particular case. There are some acts of the citizen, in his relations with the enemy, which leave no room for doubt—such as, giving intelligence, with intent to aid him in his acts of hostility—sending him provisions or money—furnishing arms, or troops, or munitions of war—surrendering a military post, etc., all with a like intent. These and kindred acts are overt acts of treason, by adhering to the enemy.[1]

[1] Charge to Grand Jury, 30 Fed. Cas. No. 18271 [1861].

He who, being bound by his allegiance to a government, sells goods to the agent of an armed combination to overthrow that government, knowing that the purchaser buys them for that treasonable purpose, is himself guilty of treason or a misprision thereof.[1]

[1] Hanauer v. Doane, 12 Wall. 342, 347 [1871].

WHO MAY BE GUILTY

If war be actually levied, that is, if a body of men be actually assembled for the purpose of effecting by force a treasonable purpose, all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors.[1]

[1] Ex parte Bollman, 4 Cr. 75, 126 [1807]. See also United States v. Greiner, 26 Fed. Cas. No. 15,262 [1861].

An alien, while domiciled in the United States, owes a local and temporary allegiance, which continues during the period of his residence, and is amenable to the laws of the United States prescribing punishment for treason, and for giving aid and comfort to rebellion.[1] Treason is a breach of allegiance, and can be committed by him who owes allegiance either perpetual or temporary.[2]

[1] Carlisle v. United States, 16 Wall. 147 [1873].
[2] United States v. Wiltberger, 5 Wheat. 76, 97 [1820].

The Confederate Government was never acknowledged by the United States as a de facto government in the sense that adherents to it in war against the Government of the United States did not incur the penalties of treason. From a very early period of the Civil War to its close, it was regarded as simply the military representative of the insurrection against the authority of the United States.[1]

[1] Thorington v. Smith, 8 Wall. 1 [1869], holding that contracts made in aid of insurrection cannot be enforced through the courts of the United States; Sprott v. United States, 20 Wall. 459, 464 [1875], holding that the government of the Confederate States had no existence, except as a conspiracy to overthrow lawful authority; its foundation was treason against the existing Federal Government. See also White v. Hart, 13 Wall. 646, 650 [1872], where it was stated: "The doctrine of secession is a doctrine of treason, and practical secession is practical treason, seeking to give itself triumph by revolutionary violence."

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Evidence Required by the Constitution.

Of the overt act of treason there must be proof by two witnesses, and if there be testimony by four witnesses that the defendant was at a certain place, at a certain time, and that he was armed, that the assemblage was composed of men armed, and that the defendant was actually present in the assemblage at that place, and that the treasonable act was in furtherance of the assemblage, the evidence is sufficient, even if there be testimony of only one witness as to his actual presence at the place of attack.[1]

[1] United States v. Mitchell, 2 Dall. (C. C.) 348 [1795].

When a conspiracy is made out of overt acts it is not itself sufficient to convict although proved by two witnesses, but may be given in evidence as corroborative proof of the treason. Treason may be proved by one witness, although from circumstances, or acts by a single fact.[1]

[1] United States v. Fries, 3 Dall. 515, 9 Fed. Cas. No. 5126 [1799].

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Power of Congress.

The power to declare the punishment for treason is exclusively in Congress, but in those cases in which this exclusive right of legislation exists in Congress, it is for the Congress to determine whether the General Government shall exercise the power to punish exclusively or give to the States a concurrent power.[1]

[1] Houston v. Moore, 5 Wheat. 1, 34 [1820].

Necessity for the Provision.

In England attainders of treason worked corruption of blood and perpetual forfeiture of the estate of the person attainted, to the disinheritance of his heirs or of those who would otherwise be his heirs. Thus innocent children were made to suffer because of the offense of their ancestor. When the Federal Constitution was framed, this was felt to be a great hardship, and even rank injustice. For this reason it was ordained that no attainder of treason should work corruption of blood or forfeiture except during the life of the person attainted.[1]

[1] Wallach v. Van Riswick, 92 U. S. 202 [1876].

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CLASS X.

MISCELLANEOUS.

VOLUME II.

AMERICAN STATE PAPERS.

DOCUMENTS,

LEGISLATIVE AND EXECUTIVE,

OF THE

CONGRESS OF THE UNITED STATES,

FROM THE FIRST SESSION OF THE ELEVENTH TO THE SECOND SESSION OF THE SEVENTEENTH CONGRESS, INCLUSIVE:

COMMENCING MAY 20, 1809, AND ENDING MARCH 3, 1823.

SELECTED AND EDITED, UNDER THE AUTHORITY OF CONGRESS.

BY WALTER LOWRIE, *Secretary of the Senate,*

AND

WALTER S. FRANKLIN, *Clerk of the House of Representatives.*

VOLUME

WASHINGTON:

PUBLISHED BY GALES AND SEATON.

1834.

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now that I have taken my seat as a member of Congress, cannot interfere with me or my seat, without a violation of the oaths that they have taken? Would they not be liable to impeachment for [illegible] contrary to statutes, a man in the execution of the duties of an office after that man had become a member of Congress? I and that one of the ways in which an undue exercise of power could be exercised is this.

Besides, sir, in all cases where it is necessary that a resignation should be seen, it is equally necessary that it should be received, and so important that it should be accepted, and all for the reason before given, viz. to enable the officer to retire quietly. But to construe the proceeding in question would put it completely in the power of the heads of Departments, by refusing to accept, or by refusing to acknowledge, the receipt of a resignation, to prevent any one who held an office from taking his seat as a member of Congress. Now, sir, will it be contended that the President, or the Secretary, or the Commissioner (neither of whom pretends to recognize me as an accountant) intended, by saying in their report, "that no resignation had been received from Mr. Mumford," to fix upon him the stigma of having violated the constitution and his oath, and to deprive him of his reputation, and his emoluments of the Representative of their chosen Legislature. If I am asked why the resolution required information "whether any officer were at that time [December 14] so held," and why, by the answer given, "that no resignation had been received from Mr. Mumford," it is left to be inferred that he is yet in office, I could answer, that it would not have been proper for the President (or the Secretary of State) to have expressed an opinion as to Mr. Mumford's qualification as a member. He had simply to state the facts, viz. that Mr. Mumford had been appointed to an office therein, and that no resignation had been received. He could not with propriety say whether a resignation was given not necessary; nor (when the nature of the question is understood) could it be expected that he would answer as to whether any of the members held offices at that time: no inference ought therefore to be drawn from the report on either of these points. Suppose, sir, that I had held an office after the 4th of March: what then? I was not elected as a Representative until August. But suppose that I had held an office up to the 1st of December: does it follow that I held it up to the 12th, and that I continue to hold it now? Does my having held prove that I do hold? Do you ask when I became a member? When does a man become a witness, or a juror, or a husband? Can they become so in an instant? Can you make a mathematical point? Is a man married until the last ceremony is performed? Yet has he not privileges as a bridegroom? and have not witnesses and jurors and Representatives privileges also? When does a quill become a pen? Before you have put your knife to it, it is a quill; the instant that it is nibbed, it is a pen, and not before.

But, after all, it may be asked, what great object of state policy is expected to result from knowing the offices, the term of appointment, of acceptance, and of resignation, by persons who are now members of Congress? Some ingenious person might suppose that it was intended that the few names on that list should be known and held up to public view as suspected of executive influence. Some spiteful enemy might insist that it was intended that Mr. Mumford (who was appointed, accepted, and served to the end, in the unthankful and laborious office of principal assessor, and who, after having so served, had received, in his election to a seat in Congress, the reward due only to the faithful) should be so held up. But inasmuch as there is another way of vacating an office besides dying, resigning, and dismissing, as there is such a thing as political death as to an office without political disgrace, and as the office which he held has become vacant in that way, it would seem to become the moral duty of those who have cast the odium to wipe it off. It may be said, however, that it was not intended or expected that he would have been touched in this business. Sir, I believe it; I am convinced that he was not thought of when that resolution was introduced and passed; but the ill-natured will not be disposed to view it so favorably, which leaves it to be concluded that a stone should have been thrown in the dark. Only suppose, sir, that, instead of looking back, that resolution had looked forward, and, instead of asking the President to tell how many of the members he was improperly and unconstitutionally keeping in office, (for this is really the question,) it had been required of him to communicate whether any, and to which of the members of the House of Representatives he had promised an appointment, designating the office, the time promised, whether it was to be accepted, and how far a right to a seat was created thereby—this stone would not have fallen on my head. Sir, the cautious had better look forward for danger than backward. Being convinced that it could not have been intended to charge me with a wrong by a resolution in which I am not named, nor to find me guilty by a report that does not say that I hold an office, I will rest my case here. Indeed, sir, I believe I should have paid a better compliment to your understanding, and that of the House, if I had rested it in silence; and I should have done so, but that the language of the resolution, affecting to be the language of the House, made it my duty to treat it with more attention. Sir, I became a member of Congress on Monday, the 1st day of December. I have held no office, nor have I discharged the duties of any, since; nor have I held or discharged the duties of any since I became officially informed of my election. And as I possess all the qualifications prescribed by the constitution, I trust that you will so report.

Very respectfully, I am, sir, yours, &c.

GEO. MUMFORD.

To the Hon. Mr. TAYLOR, *Chairman of the Committee of Elections.*

[Ninth Congress.] No. 446. [1st Session.

AMENDMENT PROPOSED TO THE CONSTITUTION IN RELATION TO TITLES OF NOBILITY, &c.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, FEBRUARY 5, 1818.

To the House of Representatives: WASHINGTON, *February 4, 1818.*

Pursuant to a resolution of the House of Representatives of the 31st of December last, requesting information of the number of States which had ratified the thirteenth article of the amendments to the constitution of the United States, I transmit to the House a detailed report from the Secretary of State, which contains all the information that has been received upon that subject.

No time will be lost in communicating to the House the answers of the Governors of the States of South Carolina and Virginia to the inquiries stated by the Secretary of State to have been recently addressed to those States, which are expected at that Department.

JAMES MONROE.

DEPARTMENT OF STATE, February [illegible]

The Secretary of State, to whom was referred a resolution of the House of Representatives of [illegible] and another bill, respecting information of the number of States which have ratified the thirteenth article [illegible] to the constitution of the United States proposed at the second session of the eleventh Congress, [illegible] respectfully to report to the President that it appears, by authentic documents on file in the [illegible] Department of State, that the said article was ratified—

1. By Maryland, on the 14th of December, 1810.
2. By Kentucky, on the 21st of January, 1811.
3. By Ohio, on the 21st of January, 1811.
4. By Delaware, on the 2d of February, 1811.
5. By Pennsylvania, on the 3d of February, 1811.
6. By New Jersey, on the 13th of February, 1811.
7. By Vermont, on the 20th of October, 1811.
8. By Tennessee, on the 21st of November, 1811.
9. By Georgia, on the 13th of December, 1811.
10. By North Carolina, on the 23d of December, 1811.
11. By Massachusetts, on the 27th of February, 1812.
12. By New Hampshire, on the 10th of December, 1812.

That it further appears by authentic documents, also on file, that the said article was rejected—

13. By New York, on the 19th of March, 1812.
14. By Rhode Island, on the 15th of September, 1814.

15. That it was submitted to the Legislature of the State of Connecticut at May session, 1811; but that, on the 20th of April, 1812, according to a letter of that date from Governor Smith, no final decision had [illegible] thereon; that, in pursuance of the resolution of the House of Representatives, in conformity to which this [illegible] made, the Secretary of State addressed a letter to the Governor of Connecticut, and enclosed to him the [illegible] copy of the proposed amendment to the constitution, requesting information as to any final decision to [illegible] it; and that the answer to said letter, under date of the 22d ultimo, was accompanied by an authenticated [illegible] resolutions of the General Assembly of that Commonwealth, declaring that the said amendment was not [illegible]

16. That, on the 25th November, 1811, a report was made by a committee of the Senate of South [illegible] recommending the adoption of the amendatory article, which report was agreed to, and ordered to be sent [illegible] House of Representatives, in which House a report was also made on the subject on the 7th of December, [illegible] recommending the rejection of the said article, but which report does not appear to have been definitively [illegible] upon by that House; that the Secretary of State addressed to the Governor of South Carolina a letter, with [illegible] of the amendment, of a like tenor and date to that which he addressed to the Governor of Connecticut, to [illegible] he has not hitherto received any answer.

17. And that a similar letter, accompanied also by a copy of the amendment, was written by the Secretary of State to the Governor of Virginia, from whom, up to this period, no answer has been received at the Department of State on the subject.

All which is respectfully submitted.

JOHN QUINCY ADAMS.

SIR: EXECUTIVE OFFICE, CHARLESTON, February 14, 1818.

Your communication of the 7th ultimo was received in due time, but, owing to my absence from Columbia, it was out of my power to give you the necessary information required at an earlier date. You will now receive, duly authenticated copies of the proceedings of the Legislature of this State upon the proposed amendment of the constitution of which you enclosed me a copy, by which it will appear that the amendment was not agreed to.

I have the honor to be, with very great respect, your humble servant,

ANDREW PICKENS.

The Hon. JOHN QUINCY ADAMS, *Secretary of State United States.*

Extract from the Journals of the Senate.

NOVEMBER 29, 1811.

The House then took into consideration the following report:

"The committee to whom was referred the resolution of the Congress of the United States, proposing an amendment to the federal constitution, in the words following: '*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, (*two-thirds of both Houses concurring*,) That the following article be submitted to the Legislatures of the several States, which, when ratified by the Legislatures of three-fourths of the States, shall be valid and binding as a part of the constitution of the United States: If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any Emperor, King, Prince, or foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of profit or trust under them, or either of them,' beg leave to report: That they have duly considered the foregoing resolution, and are of opinion that it ought to become a part of the constitution of the United States. Your committee, therefore, beg leave to recommend to the Senate to concur in the adoption of the [illegible] resolution, said, when it may be agreed to and concurred in by three-fourths of the Legislatures of the several States, that it may become a part of the constitution of the United States of America."

The House, having considered the report, agreed thereto.

Ordered, That the same be sent to the House of Representatives for their concurrence. By order of the Senate.

OFFICE OF CLERK OF THE SENATE, *February 3*, 1818.

I do hereby certify that the foregoing is a correct extract from the journals of the Senate.

J. MURPHY, *Clerk of the Senate.*

Extract from the Journals of the House of Representatives of the State of South Carolina.

December 21, 1814.

The committee to whom was referred the message of his excellency the Governor, (No. 5,) [illegible] the attention of the House to a resolution of the Senate and House of Representatives of the United States, proposing an amendment to the constitution thereof, passed on the — day of December, 1811, report: That the resolution referred to the committee was submitted to this House as early as the session of 1811, and referred to a select committee, who reported favorably, and recommended the adoption of the said amendment; and their report on the said resolution was several times taken up and considered by this House, and ultimately postponed on the 21st of December, 1811, without coming to any final decision thereon. That the said resolution was again brought to the view of the Legislature of 1812, by a message from his excellency the Governor, reminding them that no decision had yet been made thereon, and enclosing a resolution of the Legislature of New Hampshire, approving and adopting the same. That, at the September session of 1812, a committee was appointed to examine the journals of this House, and to report its proceedings on this resolution; and that the report made by them was ordered to lie on the table, and was not further acted upon during that session. That, at the last session, this resolution was referred to a committee, who reported thereon, and recommended its rejection. It does [illegible] that this report was ever called up or acted upon, thus still leaving the subject undecided by any expression of the sentiments of this Legislature. Your committee beg leave to report that they have had the aforesaid [illegible] under consideration, and are of opinion that a respect for the recommendation of the Congress of the United States and for our sister States imperiously requires that this House should, during the present session, finally [illegible] their sentiments upon the proposed amendment. They beg leave to observe that they are not aware that any evil consequences have resulted from the existing provisions of the constitution, while, on the other [illegible] they believe that the adoption of such an amendment would operate injuriously on innocent individuals as well as the community at large. Under these views of this important subject, your committee recommend the rejection of the aforesaid resolution, which is in the words following: "*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,)* [illegible] following section be submitted to the Legislatures of the several States, which, when ratified by the [illegible] three-fourths of the States, shall be valid and binding as a part of the constitution of the United States: [illegible] citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or [illegible] without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any Emperor, King, Prince, or foreign power, such person shall cease to be a citizen of the United States, and be incapable of holding any office of profit or trust under them, or either of them." Your committee [illegible] recommend the adoption of the following resolutions, viz:

Resolved by the Senate and House of Representatives of the State of South Carolina, That the foregoing amendment, proposed by Congress to the constitution of the United States, be disagreed to, and the same is hereby rejected on the part of this State.

And be it further resolved, That his excellency the Governor be requested to transmit copies of the foregoing resolution to the President of the Senate and Speaker of the House of Representatives of the United States, and to each of the Governors of the several States.

Ordered, That the same be sent to the Senate for their [illegible]

COLUMBIA, *February 3, 1818.*

I do hereby certify that the foregoing is a correct extract [illegible] of the House of Representatives.

[illegible] MURPHY, *Clerk of the Senate.*

[15th Congress.] No. [illegible] [1st Session.

CITY OF WASHINGTON: LOCATION OF PUBLIC OFFICES.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, FEBRUARY 10, 1818.

SIR:

OFFICE OF COMMISSIONER OF PUBLIC BUILDINGS, *February 6, 1818.*

In compliance with a resolution of the House of Representatives of the 2d instant, I now enclose a copy of [illegible] of the original deeds of conveyance to the trustees of [illegible] for the ground in the city of Washington, (the deeds from the other proprietors being of the same [illegible] copies of all the correspondence which I have been able to find in this office relating to the location [illegible] on the President's square.

I have the honor to be, with great respect, [illegible]

SA[illegible] L[illegible] *Commissioner of Public Buildings.*

Hon. HENRY CLAY, *Speaker of the House of Representatives.*

This indenture, made this twenty-eighth day of June, in the year of our Lord one thousand seven hundred and ninety-one, between Samuel Davidson, of the State of [illegible] of the one part, and Thomas Beall and John Mackall Gantt, of the State of Maryland, of the other part, witnesseth: That the said Samuel Davidson, for and in consideration of the sum of five shillings to him in hand paid by the said Thomas Beall and John Mackall Gantt, [illegible] the sealing and delivery of these presents, the receipt whereof he hereby acknowledges, and therefrom [illegible] against the said Thomas Beall and John Mackall Gantt, their heirs, executors, administrators, and also in consideration of the uses and trusts hereinafter mentioned to be performed by the said Thomas Beall and John Mackall Gantt, and the survivor of them, and the heirs of such survivor, to the true intent and meaning hereof, [illegible] granted, bargained, sold, aliened, released, and confirmed, and by these presents doth grant, bargain, sell, alien, release, and confirm, unto the said Thomas Beall and John Mackall Gantt, and the survivor of them, and the

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OF THE

[illegible] THE UNITED STATES,

[illegible] ELEVENTH TO THE SECOND SESSION OF THE [illegible]TH CONGRESS, INCLUSIVE:

[illegible], 1789, AND ENDING MARCH 3, 1833.

[illegible] UNDER THE AUTHORITY OF CONGRESS,

[illegible]OWRIE, *Secretary of the Senate,*

AND

[illegible], *Clerk of the House of Representatives.*

[illegible]

[illegible]SHINGTON:

[illegible]ELISH[illegible] BY GALES AND SEATON.

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[illegible]

[illegible], Chairman of the Committee of Elections.

No. 446. [illegible]

[illegible] TO THE CONSTITUTION IN RELATION TO TITLES OF NOBILITY, &c.

[illegible]

Washington, February 4, [illegible]

[illegible]

JAMES [illegible].

INFORMATION FILMED BY THE CATHOLIC UNIVERSITY OF AMERICA

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Department of State, February

[illegible] that the said article was adopted—

[illegible] 1814.

[illegible] of Congress on May session, 1811, [illegible]

[illegible] 1812, [illegible] Representatives, [illegible] Governor of Connecticut, [illegible]

[illegible] 1811, a report was made by a committee of the House of Rep[illegible]

[illegible] the Legislature of South Carolina, [illegible]

[illegible] Virginia, from whom, up to this period, no answer has been received at the Depart[illegible] subject.

All which is respectfully submitted.

JOHN QUINCY ADAMS.

Executive Office, Charlestown, February 14, 1815.

[illegible] 7th article was rejected by the House, but, owing to my absence from Colum[illegible] I will not receive, [illegible] of the Legislature of this State upon the proposed amendment of the [illegible] you enclosed me it appears by which it will appear that the amendment was not agreed to [illegible] of the honor to be, with very great respect, your humble servant,

ANDREW PICKENS.

Hon. Quincy Adams, *Secretary of State United States.*

Extract from the Journals of the Senate.

November 29, 1811.

[illegible] took into consideration the following report:

[illegible] report was referred the resolution of the Congress of the United States, proposing an amendment to the Constitution, in the words following, "Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, (two thirds of both Houses concurring,) That the following article be proposed to the Legislatures of the several States, which, when ratified by the Legislatures of three-fourths of the said States, shall be valid to all intents and purposes, as a part of the Constitution of the United States: If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept any present, pension, office, or emolument of any kind whatever, from any King, Prince, or foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of a place of profit or trust under them, or either of them," beg leave to report: That they have duly considered the resolution, and are of opinion that it ought to become a part of the Constitution of the United States, therefore, they have to recommend to the Senate to concur in the adoption of the resolution, that it may be signed by and conveyed to the four-fourths of the Legislatures of the several States, as a part of the Constitution of the United States of America."

Having considered the report, agreed thereto.

Ordered that the same be sent to the House of Representatives for their concurrence. By order of the Senate.

Office of Clerk of the Senate, February 3, 1815.

I certify that the foregoing is a correct extract from the journals of the Senate.

J. MURPHY, *Clerk of the Senate.*

INFORMATION REPRODUCED BY THE STATE LIBRARY OF OHIO

[illegible] of the House of Representatives of the State of South Carolina.

December 21, 1814.

[illegible] the message of his excellency the Governor, (No. 5,) calling the attention [illegible] Senate and House of Representatives of the United States, [illegible] on the — day of December, 1811, report: That the resolution [illegible] House as early as the session of 1811, and referred to a select committee, [illegible] the adoption of the said amendment, and their report on the said resolution [illegible] by this House, and ultimately postponed on the 21st of December, 1811 [illegible] thereon. That the said resolution was again brought to the view of the Legislature [illegible] excellency the Governor, mentioning that the resolution had yet been [illegible] the Legislatures of New Hampshire, rejecting and vetoing the same. [illegible] the report made by them was referred to the on the table, and was kept [illegible] That, at the last session, the resolution was referred to a committee, who [illegible] report. It does not appear that this report was ever called up or [illegible] by any expression of the sentiments of the Legislature. [illegible] Congress of the United States and the several States respectively [illegible] resolution, finally make known their sentiments upon the proposed [illegible] they are not aware that any evil consequences have resulted from [illegible] this, on the other hand, they cannot but believe that the adoption of the [illegible] on innocent individuals as well as the community at large. Under these [illegible] recommend the rejection of the aforesaid resolution, which is in the [illegible] and House of Representatives of the United States of America [illegible] Houses concurring,) That the following article be submitted to the Leg[illegible] when ratified by the Legislatures of three-fourths of the States, shall be valid [illegible] of the United States: If any citizen of the United States shall accept [illegible] of honor, or title, without the consent of Congress, accept and [illegible] present of any kind whatever, from any Emperor, King, Prince, or foreign [illegible] a citizen of the United States, and shall be incapable of holding any office [illegible] States." Your committee, therefore, recommend the adoption of the following [illegible]

[illegible] of Representatives of the State of South Carolina, That the foregoing [illegible] the consideration of the United States, be disagreed to, and the same is hereby [illegible]

[illegible] his excellency the Governor be requested to transmit copies of the foregoing [illegible] and Speaker of the House of Representatives of the United States, as [illegible] States.

[illegible] the Senate for their concurrence.

Columbia, February 3, 1815.

[illegible] is a correct extract from the journals of the House of Representatives.

J. MURPHY, *Clerk of the Senate.*

No. 447. [1st Session.

[illegible]ON: LOCATION OF THE PUBLIC OFFICES.

[illegible] THE HOUSE OF REPRESENTATIVES, JANUARY 10, 1815.

Office of Commissioner of Public Buildings, February 6, 1815.

[illegible] of the House of Representatives of the 9th instant, I now enclose a copy of [illegible] to the wharves of the United States for the ground in the city of Washington [illegible] being of the entire town plan, copies of all the correspondence which [illegible] relating to the location of the public offices on the President's square.

[illegible] with great respect, your obedient servant,

SAMUEL LAND, *Commissioner of Public Buildings.*

[illegible] *House of Representatives.*

[illegible]ighth day of June, in the year of our Lord one thousand seven hundred and [illegible] of the State of Maryland, of the one part, and Thomas Beall and John [illegible], of the other part, witnesseth: That the said Samuel Davidson, for and in [illegible] to him in hand paid by the said Thomas Beall and John Mackall Grant [illegible] premises, the receipt whereof he doth hereby acknowledge, and therefrom [illegible] Mackall Grant, their executors and administrators, and also to assignees [illegible] covenanted to be performed by the said Thomas Beall and John Mackall [illegible] heirs of such survivor, according to the true intent and meaning thereof, [illegible] covenanted, and confirmed, and by these presents doth grant, bargain, sell [illegible] Thomas Beall and John Mackall Grant, and the survivor of them, and the

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11

OATH OF CERTIFIED COPIES

On this the 3rd day of March, 2014, I, the undersigned Notary Public, have compared the originals and the copies and certify under penalty of perjury under the laws of the Republic for the united States of America that said attached copies are exact duplicates to the originals.

Robanna L Miller
Notary Public Signature

January 23 2019
Commission Expires

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ROBANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2019

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STATE OF OHIO

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Walter B. Gray

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DOCUMENTARY HISTORY

OF THE

CONSTITUTION

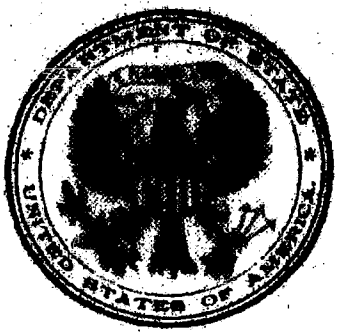
OF THE

UNITED STATES OF AMERICA

1786–1870.

DERIVED FROM THE RECORDS, MANUSCRIPTS, AND ROLLS DEPOSITED IN THE BUREAU OF ROLLS AND LIBRARY OF THE DEPARTMENT OF STATE

VOLUME II



WASHINGTON
DEPARTMENT OF STATE
1894

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Documentary History of the Constitution of the United States of America.

1787–1870.

In Convention, September 17, 1787.*

Sir,

We have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired, that the power of making war, peace, and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the general government of the Union: But the impropriety of delegating such extensive trust to one body of men is evident—Hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all: Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw

*From Washington's copy of the Journal of Congress (vol. xii, p. 164), the original not having been found among the papers of the Continental Congress up to the time of going to press.

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In and for the State of Ohio
My Commission Expires
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with precision the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion this difficulty was encreased by a difference among the several states as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the Convention to be less rigid on points of inferior magnitude, than might have been otherwise expected; and thus the Constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensible.

That it will meet the full and entire approbation of every state is not perhaps to be expected; but each will doubtless consider, that had her interest been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, We have the honor to be, Sir,

Your Excellency's

most obedient and humble servants,

GEORGE WASHINGTON, *President.*

By unanimous Order of the Convention.

His Excellency the PRESIDENT of CONGRESS.

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In and for the State of Ohio
My Commission Expires
January 20, 2014

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ELEVENTH CONGRESS OF THE UNITED STATES;
At the Second Session,
Begun and held at the city of Washington in the territory of Columbia, on Monday the twenty-seventh day of November, one thousand eight hundred and nine.

Resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, Two-thirds of both Houses concurring, that the following section be submitted to the legislatures of the several states, which when ratified by the legislatures of three fourths of the states, shall be valid and binding, as a part of the constitution of the United States:

If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

J. B. VARNUM Speaker of the House of Representatives.

JOHN GAILLARD President of the Senate pro tempore.

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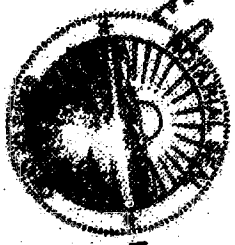
COMPARED

I certify that this resolution did originate in the Senate.

Attest

SAM A OTIS

Sec'



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In and for the State of Florida
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January 30, 1977

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ROSANNA L. MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 29, 2014

COMPARED

Council Chamber Annapolis March 29.

Sir

I have the honor to transmit to you herewith enclosed, an authenticated Copy of An Act passed by the General Assembly of Maryland at Novem: Session eighteen hundred and ten, ratifying an Amendment to the Constitution of the United States proposed by Congress to the Legislatures of the several States.

I am with Respect

Lev. Winder

[ADDRESS.]

Ninian Pinkney

Annapolis Md April 5 Free

The Honorable James Monroe
Secretary of State of the United States
Washington

[INDORSEMENT.]

Maryl^d
Amendm^t of Const^n
Maryland
Amendment to the Constitution.
13th Art. ratified.

Maryland, Sc^t

At a Session of the General Assembly of Maryland, begun and held at the City of Annapolis, on Monday the

COPY

COMPARED

fifth of November, and ended on the twenty fifth of December, in the year of our Lord one thousand eight hundred and ten.

His Excellency Edward Lloyd, Esquire, Governor.

Amongst others the following Law was enacted, to wit:

N° 162. An Act to ratify an amendment to the constitution of the United States of America, proposed by Congress to the Legislatures of the several States.

Whereas at the second session of the eleventh Congress of the United States, begun and held at the City of Washington, in the territory of Columbia, on monday the twenty seventh day of November, one thousand eight hundred and nine, it was resolved as followeth, to wit: "Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following section be submitted to the Legislatures of the several States, which, when ratified by the Legislatures of three fourths of the States, shall be valid and binding as a part of the constitution of the United States:

"If any citizen of the United States shall accept, claim, receive or retain, any title of nobility or honour, or shall without the consent of Congress, accept and retain any present, pension, office or emolument, of any kind whatever, from any Emperor, King, Prince or Foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

Be it enacted, by the General Assembly of Maryland, That the aforesaid amendment be and the same is hereby confirmed and ratified.

COPY

COMPARED

By the House of Delegates, December 25. 1810
Read and assented to
By order
Jn° Brewer clk

By the Senate, December 25. 1810
Read and assented to
By order
Thos Rogers clk

Edwd Lloyd
The Great Seal in wax Appendant.

Maryland, Sc'

I hereby certify that the foregoing is truly taken from Liber TH. N° 3. folios 4 and 5, one of the Law Records of the State of Maryland, belonging to the Office of the Court of appeals for the Western Shore of the said State.

In Testimony whereof I hereunto subscribe my name and affix the seal of the said court of appeals, [SEAL.] this third day of April in the year of our Lord one thousand eight hundred and thirteen.

Th: Harris, Jun. clk C' appls W. S.

IN COUNCIL,

Annapolis, November 16, 1811.

Sir,

In compliance with a Resolution of the General Assembly of this State, we have the Honor to transmit to you, ["r Excellency," stricken out] herewith enclosed, an authenticated Copy of an Act passed at the last Session of the Legislature of Maryland, ratifying an Amendment to the

COPY

COMPARED

Constitution of the United States, proposed by Congress to the Legislatures of the several States.

We are,

With high Consideration and Respect,

Your Obedient Servants,

ROBT BOWIE

The Honorable James Monroe
Secretary of State of the United States

Maryland, sct.

At a Session of the General Assembly of Maryland, begun and held at the City of Annapolis, on Monday, the fifth of November, and ended on the twenty-fifth of December, in the Year of our Lord, One Thousand Eight Hundred and Ten—his excellency Edward Lloyd, Esq. Governor—amongst others, the following Law was enacted, to wit:

No. 162. An Act to ratify an Amendment to the Constitution of the United States of America, proposed by Congress to the Legislatures of the several States.

Whereas, at the second Session of the Eleventh Congress of the United States, begun and held at the City of Washington, in the Territory of Columbia, on Monday the twenty-seventh day of November, one thousand eight hundred and nine, it was resolved, as followeth, to wit:

"RESOLVED, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both houses concurring, that the following section be submitted to the Legislatures of the several states: which, when ratified by the Legislatures of three-fourths of

COPY

COMPARED

the states, shall be valid and binding as a part of the Constitution of the United States.

"If any citizen of the United States shall accept, claim, receive or retain, any title of nobility or honour, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any Emperor, King, Prince or Foreign Power, such person shall cease to be a Citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

BE IT ENACTED by the General Assembly of Maryland, That the aforesaid amendment be, and the same is hereby confirmed and ratified.

By the House of Delegates, December 25, 1810.

Read and assented to,

By Order, JNO. BREWER, Clk.

By the Senate, December 25, 1810.

Read and assented to.

By Order, THO'S ROGERS, Clk.

EDW^D LLOYD.

(The Great Seal, in Wax, Appendant.)

MARYLAND, sct.

I hereby certify, that the foregoing is truly taken from Liber T. H. No. 3, Folio 4, one of the Law Records of the State of Maryland, belonging to the Office of the Court of Appeals, for the Western Shore of the said State.

IN TESTIMONY WHEREOF, I hereunto subscribe my Name, and affix the Seal of the said Court of Appeals, this sixteenth Day of November, in the Year of Our Lord, One Thousand Eight Hundred

[SEAL.]

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COMPARED

and Eleven; and in the Thirty-Sixth Year of the Independence of the United States of America.

TH: HARRIS, Jun. clk C^t App^ls

[INDORSEMENT.]

13th Art. ratified by M^d

notice of amendm^t of constitution by State of Maryland—

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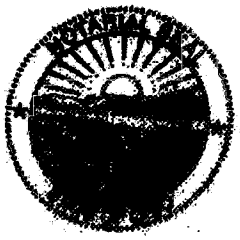


ROBANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 30, 2012

COMPARED

STATE OF KENTUCKY,

FRANKFORT, FEBRUARY 9th, 1811.

SIR,

PURSUANT to the duty enjoined on me, I have the honor to transmit to you, the enclosed resolution passed by the Legislature of this state, at their last session.

I am, with considerations of high respect,

Your most obedient servant,

CHᵗ SCOTT

[ADDRESS.]

Frankfort K.
Febʸ 10th

Free

The Honorable
The Speaker of the
Senate U. S. Congress
City Washington

STATE OF KENTUCKY.

IN GENERAL ASSEMBLY, JANUARY 29, 1811.

THE General Assembly of the Commonwealth of Kentucky, have taken under consideration, the section submitted by the Senate and House of Representatives of the United States of America, as an amendment to the constitution of the United States, proposing, that,

COPY

COMPARED

"If any citizen of the United States, shall accept, claim, "receive or retain any title of nobility or honor, or shall, "without the consent of Congress, accept and retain any "present, pension, office or emolument of any kind whatever, from any Emperor, King, Prince, or foreign power; "such person shall cease to be a citizen of the United States, "and shall be incapable of holding any office of trust or "profit under them, or either of them."

Whereupon, resolved, that the assent of the state of Kentucky, be, and it is, by the Legislature thereof, hereby given to the said proposed amendment to the Constitution of the United States; and on the part of the said state of Kentucky, it is assented, that the said section be adopted, and shall be valid and binding, as a part of the Constitution of the United States, when ratified by the Legislatures of three fourths of the states.

Resolved, That the Governor of this Commonwealth, be requested to communicate the foregoing resolution, to the Senate and House of Representatives of the United States, and to the Governor of each of the states.

(Signed) John Simpson
Speaker of the House of Representatives.

Gabriel Slaughter,
Speaker of the Senate.

Approved, 31st January, 1811.

Charles Scott,
Governor.

By the Governor,
J. Bledsoe,
Secretary.

COPY

COMPARED

SECRETARY'S OFFICE,

Frankfort, 9th February, 1811.

I Certify the foregoing to be a true copy of an enrolled resolution in this office.

Teste, J: BLEDSOE *Secretary.*

In Senate of the United States,

1811 February 20th

The President communicated a resolution of the Legislature of the State of Kentucky approving the amendment to the constitution respecting titles of nobility, which was read; and

Ordered, That it be transmitted to the office of the Secretary for the department of state.

Attest

SAM A OTIS Secretary.

[INDORSEMENT.]

Kentucky

Amendment to the Constitution.

13th art. ratified.

COPY

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 20__

COMPARED

WHEREAS His Excellency the Governor of this State, has laid before this General Assembly, a RESOLUTION passed by the Congress of the United States, in the words following, to wit:—

Resolved by the Senate and House of Representatives in Congress assembled, two thirds of both houses concurring, That the following section be submitted to the Legislatures of the several states, which, when ratified by the legislatures of three fourths of the states, shall be valid and binding as a part of the Constitution of the United States:—

If any citizen of the United States shall accept, claim, receive or retain, any title of nobility or honor, or shall, without consent of Congress, accept and retain any present, pension, office or emolument whatever, from any Emperor, King, Prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them—

THEREFORE,

Resolved unanimously by the General Assembly of the State of Ohio, That the foregoing amendment, proposed by congress, to the constitution of the United States, be, and the same is hereby (on the part of this state) agreed to, ratified and confirmed.

Resolved, That his Excellency the Governor be requested to transmit copies of thd foregoing resolution to the President of the Senate and Speaker of the House of Represent-

COPY

COMPARED

atives, and to each of our Senators and Representatives in Congress, and to each of the Governors of the several states.

EDWARD TIFFIN, *Speaker*
Of the House of Representatives.

Attest—R. OSBORN, Clk. H. R.

THOS. KIRKER, *Speaker of the Senate.*

Attest—CARLOS A. NORTON, Clk. Senate.

SECRETARY OF STATE'S OFFICE,

ZANESVILLE, *January 31st, 1811.*

I CERTIFY the foregoing Resolution to be a correct copy of the original, remaining on file in this office.

JER. M^cLANE *Secretary of the State of Ohio.*

Zanesville (Ohio)
Jany 31—1811

Sir

In compliance with the Request of the General Assembly of the State of Ohio, I transmit the preceding Resolution and am with great Respect

your Ob^t S^t

RETURN JONATHAN MEIGS

The President of the
Senate of the United States

[ADDRESS.]

The President of the Senate
of the United States—

COPY

COMPARED

In Senate of the United States.

1811 February 11th

The Letter from the Governor of the State of Ohio addressed to the President of the Senate, transmitting a Resolution of the General Assembly of said state, approving the Amendment to the Constitution of the United States proposed by the Congress thereof, respecting titles of Nobility, was read; And

Resolved, That the secretary transmit the said letter and resolution to the secretary for the department of State.

Attest.

SAM A OTIS Secretary.

[ADDRESS.]

The Secretary
for the department
of State

Ohio

[INDORSEMENT.]

Ohio.
Amendment to the Constitution.
13th art ratified.

COPY

ROSANNA L. MILLER
Notary Public
In and for the State of California
My Commission Expires
January 23, 20[illegible]

COMPARED

Sir

Geo. Town

29. Augt 1814

Your letter of the 29th Ult^o was received by the Governor, And Agreeably to the Orders of his Excellency I have the Honor herewith to enclose a Copy of the Proceedings of the Legislature on the Subject of the Amendment of the Constitution of the U. S. as by you requested. And have the

Honor to be

Your Most humb^le S^t

P. Robinson

Sec^y of State.

[Address.]

Geo Town Del — Free

August 30th

The Honourable

James Monroe.

Secretary of State

Washington

[Indorsement.]

Mr Graham

29th August 1814

The Secretary of the State of Delaware transmits the proceedings of the Legislature approving of the amendment proposed to the Constitution of the United States.

13th Art. ratified.

COPY

COMPARED

In the House of Representatives
of the State of Delaware
February 1st 1811.

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the following amendment to the constitution of the United States proposed by the Senate and House of Representatives of the United States of America in Congress assembled is hereby approved and ratified by the General Assembly of this State: that is to say, "If any citizen of the United States shall "accept, claim, receive or retain any title of nobility or honour, "or shall without the consent of Congress accept and retain "any present, pension, office or emolument of any kind "whatever from any Emperor, king, prince or foreign "power, such person shall cease to be a citizen of the United "States and shall be incapable of holding any office of trust "or profit under them or either of them."

Resolved further by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the Governor of this State be and he is hereby requested to transmit a copy of the foregoing resolution to the Executives of the several States in the United States and to the Secretary of State of the United States.

Read and adopted.

MOLTON C. ROGERS Clerk.

In Senate February 1st 1811. Read.
February 2d read again and concurred in.

A. L. HAYES Clerk.

Dover August 3d 1814.

I do certify that the foregoing is a true copy of the original

COPY

COMPARED

resolution with the endorsements thereon now remaining on the files of the House of Representatives.

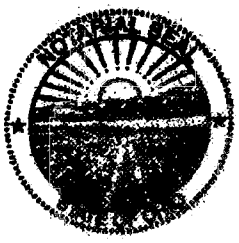
J. GORDON BRINCKLE Clerk of the
House of Representatives of
the State of Delaware.

Secretary's office George Town
Augt 29th 1814.

The foregoing Resolutions & proceedings of the Senate & House of Representatives of the State of Delaware, are a true Copy from the Journals of the said Senate & House of Representatives, deposited in my office pursuant to Law.

PETER ROBINSON
Sec^y of State.

COPY



ROSANNA L. MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 20[illegible]

COMPARED

Lancaster February 11th 1811

Sir

I have the honor to transmit to You an exemplified copy of an Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An act to ratify on behalf of the "State of Pennsylvania a proposed amendment to the Con-"stitution of the United States relative to titles of Nobility "or honor, presents, pensions, offices & emoluments from "any foreign power"—

With high consideration & respect Sir

Your Ob^t S^rt

SIMON SNYDER

James Madison

President of the United States

[ADDRESS.]

[Postmark:] Lancaster Feb 11 Free

James Madison

President of the United States

Mail. Washington

[INDORSEMENT.]

Pennsylvania

Governor Snyder

enclosing an exemplified Copy of an Amendment to the Constitution.

An Act to ratify on behalf of the State of Pennsylvania a proposed amendment of the Constitution of the United

COPY

COMPARED

States relative to titles of nobility or honor, presents, pensions Offices and emoluments from any foreign power.—

Section, 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the following amendment of the Constitution of the United States, proposed by the Congress of the United States, in the mode prescribed by the fifth Article of the Constitution Viz' "If any citizen of the United States "shall accept, claim, receive, or retain any title of Nobility or "honor, or shall without the consent of Congress accept, and "retain, any present, pension, Office or emolument of any "kind whatever, from any emperor, king, prince or foreign "power, such person shall cease to be a Citizen of the "United, and shall be incapable of holding any Office of "trust or profit under them or either of them," be and the same is hereby ratified on behalf of the State of Pennsylvania, to become, when ratified by the Legislatures of three fourths of the several States, part of the Constitution of the United States.—

JOHN WEBER Speaker of the House
of Representatives

P. C. LANE Speaker of the Senate.—

Approved the sixth day of February one thousand eight hundred and eleven.—

SIMON SNYDER.

Secretary's Office
Lancaster, February 11th 1811.

I hereby Certify the foregoing, to be a true Copy of the original law now remaining in this Office.

Witness my hand & Seal

N. B. BOILEAU Sec' [SEAL.]

COPY

COMPARED

Lancaster, (Pennsylvania) February 27th, 1811.

SIR,

I herewith transmit to you a copy of an act of the Legislature of Pennsylvania, ratifying on their part, an amendment proposed by Congress to the Constitution of the United States.

Very respectfully, sir, your obt. svt.

SIMON SNYDER

The Speaker of the Senate
of the United States

An ACT to ratify on behalf of the state of Pennsylvania, a proposed amendment of the constitution of the United States, relative to titles of nobility or honor, presents, pensions, offices and emoluments from any foreign power.

SECT. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the Authority of the same, That the following amendment of the constitution of the United States, proposed by the Congress of the United States, in the mode prescribed by the fifth article of the constitution, viz. "If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them," be, and the same is hereby ratified on behalf of the state of Pennsylvania to become, when ratified by the Legislatures of three-fourths of

COPY

COMPARED

the several states, part of the constitution of the United States.

JOHN WEBER,
Speaker of the House of Representatives.
P. C. LANE,
Speaker of the Senate.

Approved the sixth day of February, one thousand eight hundred and eleven.

SIMON SNYDER.

Secretary's Office, Lancaster, February 27th, 1811.

I certify the foregoing to be a correct copy of the original remaining among the original rolls in this office.

N. B. BOILEAU Secretary of the Commonwealth of Pennsylvania.

[ADDRESS.]

On public service.

[Postmark:] Lancaster Feb. 28. Free

The Hon: George Clinton
President of the Senate of the United States
at
New York ["Washington" stricken out.]

New York 13th March 1811

Sir

The enclosed Copy of an Act of the Common Wealth of Pensylvania ratifying an Amendment proposed by Congress to the Constitution of the United States was forwarded to me at this Place after I had left the Senate, and I now take

COPY

COMPARED

the liberty of transmitting it to you to be deposited in the Office of the Department of State which if my recollection serves me is the usual Course

I am with great respect & Esteem

Your Most Obed^t Servant

GEO: CLINTON

The hon^ble

Robert Smith Esquire Sec^y of State

[ADDRESS.]

[Postmark:] New York 15 Mar Free

The hon^ble

Robert Smith Esquire Secretary of State

Washington City

[INDORSEMENT.]

Pennsylvania.

Amendment to the Constitution.

Ratified

13th article.

Pennsylvania

Rec^d 28th March

COPY

ROBANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2012

COMPARED

State of New. Jersey.

Trenton Janry 19th 1811.

Sir,

I have the honor to acknowledge reception of your letter of 15th currt with copy of a resolution, of the Senate & House of Representatives of the United States, proposing an Amendment to the Constitution of the United States; and which shall be immediately submitted to the Legislature of New-Jersey, now in Session.

I am, Sir,

very respectfully,

Your obedt Servt

JOSEPH BLOOMFIELD.

The Honorable

Robert Smith, Esq. Secretary of State &c.

[INDORSEMENT.]

Govr Bloomfield

19th Janr

has received a Copy of the Resolution of Congress, proposing an amendment. to the Constitution; will submit it to the Legislature.

State of New-Jersey.

Trenton 18: February 1811.

Sir,

I have the honor to transmit an Act of the Legislature of

COPY

COMPARED

the State of New-Jersey, entitled "An Act to ratify an Amendment to the Constitution of the United States"—

I am, very respectfully

Your mo obed Servt

JOSEPH BLOOMFIELD.

The Honourable

Robert Smith Esq

Secretary Department of State.

[INDORSEMENT.]

New Jersey.

13th Amend^t

ratified

State of New Jersey

An Act to ratify an amendment to the Constitution of the United States.

I Be it enacted by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same That the amendment to the Constitution of the United States, proposed by a resolution of the Senate and House of Representatives of the United States of America, in Congress assembled, to the Legislatures of the several States; which proposed amendment is in the following words, viz.

"If any citizen of the United States shall accept, "claim, receive or retain any title of nobility or honor, or "shall without the consent of Congress, accept and retain "any present, pension, office or emolument of any kind "whatever, from any emperor king, prince or foreign

COPY

COMPARED

"power, such person shall cease to be a citizen of the "United States and shall be incapable of holding any "office of trust or profit under them or either of them"

Be and the same is hereby, upon the part of this Legislature, and in the name of this State, ratified and made a part of the Constitution of the United States.

House of Assembly February 11. 1811. This bill having been three times read and compared in this House.

Resolved That the same do pass. By order of the House

Wm Kennedy Speaker

Council Chamber Feb: 13. 1811. This bill having been three times read and compared;

Resolved That the same do pass. By order of Council

Joseph Bloomfield

President

I James Linn Secretary of the State of New Jersey Do certify the foregoing to be a true Copy of a law of the Legislature of said State, filed in the Office of said Secretary.

Witness my hand the eighteenth day of February in the year of our LORD one thousand eight hundred and eleven.

James Linn

State of New Jersey ss:

Joseph Bloomfield Governor of the State of New Jersey.

To all to whom these presents shall come;

Know Ye, That the name "James Linn" subscribed to the foregoing certificate, is the proper handwriting of James Linn, who was at the time of subscribing the same and now is the Secretary in and for the aforesaid State—Therefore due faith and credit is and ought to be given to his proceedings and certificates as such

COPY

COMPARED

In testimony whereof the Great Seal of the State is hereunto affixed Witness the hand of the said Gov-
[SEAL.] ernor at Trenton, the eighteenth day of February in the year of our LORD one thousand eight hundred and eleven.

JOSEPH BLOOMFIELD

By the Governor
JAMES LINN
Secretary

[INDORSEMENT.]

New Jersey.
Amendment to the Constitution.
13th Art. ratified.

COPY

ROBANNA L. MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 20[illegible]

COMPARED

State of Vermont—

IN GENERAL ASSEMBLY, OCT. 22, 1811.

WHEREAS, his Excellency the Governor has communicated to this house, a resolution, passed by the Congress of the United States, proposing an amendment to the constitution of the United States, in the words following, to wit;

"If any citizen of the United States, shall accept, claim, receive, or retain, any title of nobility or honor, or shall, without consent of Congress, accept and retain any present, pension, office or emolument whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

THEREFORE,

Resolved, the Governor and Council concurring herein, That the foregoing amendment proposed by Congress, as aforesaid, be, and the same is hereby (on the part of this State) agreed to, ratified, and confirmed. Also,

Resolved, That his Excellency the Governor, be requested to transmit copies of the foregoing resolution to the President of the Senate, and Speaker of the House of Representatives of the United States, and to each of our Senators, and Representatives in Congress, and to each of the Governors of the several States in the union.

Attest. WM. D. SMITH, *Clerk.*

COPY

COMPARED

IN COUNCIL, *October 24, 1811.*

Read and concurred.

Attest. ROLLIN C. MALLARY, Sec'y.

A true copy.

Attest. TH LEVERETT Sec'y of State.

State of Vermont Shaftsbury Nov. 10th 1811

Sir,

In Compliance with the request of the General Assembly of this State, I transmit to you the foregoing resolution, ratifying & confirming on the part of this State a certain proposal of amendment to the Constitution of the United States made by Congress at their last Session—

With great respect, I am

Sir, your obedient servant

JONAS GALUSHA

The Hon' The President of the Senate
of the United States

[ADDRESS.]

Free

Hon. The President of the Senate
of the United States
Washington—

[INDORSEMENT.]

12 Cong. } L
1 Sess. }

Resolution of the legislature of the State of Vermont con-

COPY

COMPARED

firming on the part of that State the resolution respecting titles of nobility.

Decem^r 19th 1811 Read

Vermont

Amendment to the Constitution

13th Art. ratified.

ROSANNA L. MILLER
Notary Public
In and for the District of Columbia
My Commission Expires
January 30, 1981

COPY

ROSANNA L. MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 20[illegible]

COMPARED

Knoxville Novr 27th 1811

Sir,

I have the honor to transmit to you a copy of the proceedings of the General Assembly of the State of Tennessee, on the subject of certain amendments to the Constitution of the United States, as proposed by the legislatures of Massachusetts, of Pennsylvania, of Virginia and by the Senate and House of Representatives of the United States in Congress assembled—And have the honor to be very respectfully,

Your Ob^t Servant

WILLIE BLOUNT

The Honble
James Monroe
Sec^y State United States

[INDORSEMENT.]

Tennessee.
Amendments to the Constitution.
13th art. ratified.
Tennessee
amendment to the Constitution

STATE OF TENNESSEE,

IN GENERAL ASSEMBLY.

NOVEMBER 21, 1811.

Resolved, That this General Assembly, do disapprove of

COPY

COMPARED

and dissent from the amendment to the constitution of the United States, proposed by the legislature of the state of Massachusetts, June 19th, 1809, that no law shall be enacted for laying an embargo, or for prohibiting commerce for a longer period than until the expiration of thirty days, from the commencement of the session of Congress next, succeeding that session, in which such law shall have been enacted.

Resolved, That this General Assembly, do disapprove of & dissent from the amendment to the Constitution of the United States, proposed by the legislature of the State of Virginia, on the 13th day of January, 1808 "that the senators in the Congress of the United States, may be removed from office, by the vote of a majority of the whole number of members of the respective state legislatures, by which the said senators have been or may be elected.

Resolved, That this General Assembly, do disapprove of and dissent from the amendment to the Constitution of the United States, as proposed by the legislature of the State of Pennsylvania, April the 3d, 1809, "that an impartial tribunal may be established to determine disputes between the General and the states Government."

Resolved, That this General Assembly, do approve of and agree to the amendment to the Constitution of the United States, proposed by the senate & House of Representatives, of the Congress of the United States, "that if any Citizen of the United States, shall accept claim, receive or retain any title of nobility or honor, or shall without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatsoever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable

COPY

COMPARED

of holding any office of trust or profit under them or either of them."

Resolved, That the executive of this state be requested to forward copies of the foregoing resolutions to the executives of the several states, and also to each of our senators and representatives in Congress.

JOHN COCKE
Speaker of the house
of Representatives.

Attest
J. PECK C H R

JOHN ANDERSON Ck
of the Senate

THO^S HENDERSON
Speaker of the Senate

STATE OF TENNESSEE,

IN GENERAL ASSEMBLY.

NOVEMBER 21, 1811.

Resolved, That this General Assembly, do disapprove of and dissent from the amendment to the constitution of the United States, proposed by the legislature of the state of Massachusetts, June 19th, 1809, that no law shall be enacted for laying an embargo, or for prohibiting commerec for a longer period than until the expiration of thirty days, from the commencement of the session of Congress next, succeeding that session, in which such law shall have been enacted.

Resolved, That this General Assembly, do disapprove of and dissent from the amendment to the Constitution of the United States, proposed by the legislature of the State of Virginia, on the 13th day of January, 1808 "that the senators in the Congress of the United States, may be removed from office, by the vote of a majority of the whole number of members of the respective state legislatures, by which the said senators have been or may be elected.

COPY

COMPARED

Resolved, That this General Assembly, do disapprove of and dissent from the amendment to the Constitution of the United States, as proposed by the legislature of the State of Pennsylvania, April the 3d 1809, "that an impartial tribunal may be established to determine disputes between the General and the states Government."

Resolved, That this General Assembly, do approve of and agree to the amendment to the constitution of the United States, proposed by the senate & House of Representatives, of the Congress of the United States, "that if any Citizen of the United States, shall accept claims, receive or retain any title of nobility or honor, or shall without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatsoever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them."

Resolved, That the executive of this state be requested to forward copies of the foregoing resolutions to the executives of the several states, and also to each of our senators and representatives in Congress.

JOHN COCKE
Speaker of the house
of Representatives.

THO^S HENDERSON
Speaker of the Senate

Attest
J PECK C H R
JOHN ANDERSON Ck
of the Senate

[INDORSEMENT.]

12th Cong.
1st Sess. } L.

Resolutions of the Legislature of the State of Tennessee, rela-

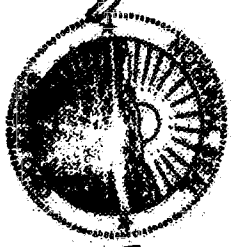
COPY

COMPARED

tive to resolutions amendatory of the constitution of U S.
1811 Decr 24th

Read.—

Proceedings of Legislature of the State of Tennessee, relative to resolutions amendatory of Constitution of the U. States—



ROSWELL L. MILLER
Secretary of State
By Commission Expires
January 15, 1914

COPY

ROSANNA L. MILLER
Notary Public
In and for the State of Georgia
My Commission Expires
January 23, 20[illegible]

COMPARED

Executive Department, GEORGIA.

MILLEDGEVILLE, 4th January, 1812.

SIR,

In compliance with a resolution of the General Assembly of this State, I have the honor to transmit you a copy of a resolution passed by them at their last Session, ratifying and confirming an amendment proposed by Congress to the Constitution of the United States.

I am sir,

with high consideration and respect

your very obedient servant

D: B: MITCHELL.

The Honble.

The President of the Senate

of the United States

STATE OF GEORGIA,

In Senate, 22nd November, 1811.

WHEREAS, His Excellency the Governor of this State has laid before this General Assembly, a Resolution passed by the Congress of the United States in the words following to wit:

"*Resolved*, by the Senate and House of Representatives, in Congress assembled, two thirds of both Houses concurring, that the following section be submitted to the Legisla-

COPY

COMPARED

tures of the several States, which, when ratified by the Legislatures of three fourths of the States shall be valid and binding as a part of the Constitution of the United States."

"If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall without the consent of Congress, accept and retain any present, pension office or emolument of any kind whatever, from any Emperor, King, Prince, or Foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them."

Be it unanimously Resolved, by the General Assembly of the State of Georgia, that the foregoing amendment proposed by Congress to the Constitution of the United States be, and the same is hereby, on the part of this State, agreed to, ratified and confirmed.

And be it further Resolved, That His Excellency the Governor, be requested to transmit copies of the foregoing Resolution to the President of the Senate and Speaker of the House of Representatives of the United States, and to each of our Senators and Representatives in Congress, and to each of the Governors of the several States.

Read and agreed to unanimously.

MATHEW TALBOT,
President of the Senate.

ATTTEST,
William Robertson, Sec'ry.

In the House of Representatives—Read and concurred in

ROBERT IVERSON,
Speaker.

COPY

COMPARED

ATTEST,

Hines Holt, Cl'k.

EXECUTIVE DEPARTMENT, GEORGIA.

Approved, 13th December, 1811.

DAVID B. MITCHELL, *Governor.*

ATTEST,

Anthony Porter, Sec'ry.

Office of Secretary of State,

Milledgeville Georgia, 4th January, 1812.

I certify that the aforegoing Resolution is truly copied from the original now of file in this office, with the Great Seal of the State affixed thereto.

AB^R HAMMOND Secretary.

[ADDRESS.]

[Postmark.]

Free

The Honble

The President of the Senate

of the United States

Washington City

[INDORSEMENT.]

Resolution of the Legislature of Georgia concurring in the proposed amendment to the Constitution, respecting titles of nobility.

Executive Department, GEORGIA.

MILLEDGEVILLE, 4th January, 1812.

SIR,

In compliance with a resolution of the General Assembly of this State, I have the honor to transmit you a copy of a

COPY

COMPARED

resolution passed by them at their last Session, ratifying and confirming an amendment proposed by Congress to the Constitution of the United States.

I am sir,

with high consideration and respect

your very obedient servant

D: B: MITCHELL

The Honble.

James Monroe

Secretary of State

of the United States

STATE OF GEORGIA,

In Senate, 22nd November, 1811.

WHEREAS, His Excellency the Governor of this State has laid before this General Assembly, a Resolution passed by the Congress of the United States in the words following to wit:

"*Resolved*, by the Senate and House of Representatives, in Congress assembled, two thirds of both Houses concurring, that the following section be submitted to the Legislatures of the several States, which, when ratified by the Legislatures of three fourths of the States shall be valid and binding as a part of the Constitution of the United States."

"If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall without the consent of Congress, accept and retain any present, pension office or emolument of any kind whatever, from any Emperor, King, Prince, or Foreign Power, such person shall cease to be a citizen of the United States, and shall be

COPY

COMPARED

incapable of holding any office of trust or profit under them or either of them."

Be it unanimously Resolved, By the General Assembly of the State of Georgia, that the foregoing amendment proposed by Congress to the Constitution of the United States be, and the same is hereby, on the part of this State, agreed to, ratified and confirmed.

And be it further Resolved, That His Excellency the Governor, be requested to transmit copies of the foregoing Resolution to the President of the Senate and Speaker of the House of Representatives of the United States, and to each of our Senators and Representatives in Congress, and to each of the Governors of the several States.

Read and agreed to unanimously.

MATHEW TALBOT,
President of the Senate.

ATTEST,

William Robertson, Sec'ry.

In the House of Representatives—Read and concurred in

ROBERT IVERSON,
Speaker.

ATTTEST,

Hines Holt, Cl'k.

EXECUTIVE DEPARTMENT, GEORGIA.
Approved, 13th December, 1811.
DAVID B. MITCHELL, *Governor.*

ATTEST,

Anthony Porter, Sec'ry

Office of Secretary of State,
Milledgeville Georgia, 4th January 1812.

I certify that the aforegoing Resolution is truly copied

COPY

COMPARED

from the original now of file in this office, with the Great Seal of the State affixed thereto.

AB^k HAMMOND Secretary

[ADDRESS.]

[Postmark.] Free

The Honorable
James Monroe,
Secretary of State United States,
Washington.

[INDORSEMENT.]

Georgia.
Governor of Georgia
4th Jany 1812
Amendment to Constitution

In Senate of the United States
1812, February 10th

Resolved, That the secretary of the Senate, transmit to the Secretary for the department of State, the Resolution of the Legislature of the State of Georgia, ratifying and confirming an amendment proposed by Congress to the constitution of the United States, respecting titles of Nobility, together with the resolutions of the Legislatures of such other States as have ratified the same.

Attest

SAM^L A. OTIS Secretary.

COPY

COMPARED

[ADDRESS.]

The Secretary

for the department of State

[INDORSEMENT.]

1st Session. 12th Congress.

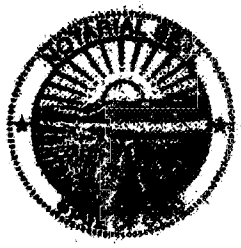
Resolution of the Senate of the United States.

Transmitting to the Department of State, the Resolution of the Legislature of Georgia, ratifying and confirming an amendment proposed by Congress to the Constitution of the United States respecting titles of Nobility. together with resolutions of other Legislatures.

13th Art. ratified

Note of States adopting amendmt to Constitution

COPY



ROBANNA L. MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 28, 20[illegible]

COMPARED

RALEIGH, (N. CAROLINA) JANUARY 14, 1812.

SIR,

I have the honour to transmit to you, herewith, an authenticated copy of an Act of the General Assembly of this State, ratifying an amendment to the Constitution of the United States, proposed by Congress to the Legislatures of the several States.

I have the honour to be, with consideration and respect, Sir,

Your obedient servant,

WILLIAM HAWKINS

James Madison Esqr

An Act

To Ratify on behalf of the State of North-Carolina, a proposed amendment of the Constitution of the United States, relative to titles of nobility or honour, presents, pensions, offices or emoluments from any Foreign Power.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the following amendment of the Constitution of the United States, proposed by the Congress of the United States, in the manner prescribed by the fifth article of the Constitution, viz. "If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honour, or shall, without the consent of Congress, accept

COPY

COMPARED

and retain any present, pension, office or emolument of any kind whatsoever, from any Emperor, King, Prince or Foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them," be, and the same is hereby ratified on behalf of the State of North-Carolina, to become when ratified by the Legislatures of three-fourths of the several States, part of the Constitution of the United States.

Read three times and ratified in General Assembly, the 23d day of December, A. D. 1811.

J. RIDDICK, Speaker of the Senate

J. STEELE, Speaker of the House of Representatives

A true copy from the original as filed in my office,

Wm HILL Secretary of State.

[ADDRESS.]

[Postmark:] Ralh N. C. Jany 17 Free

James Madison Esqr

President of the United States

Washington

[INDORSEMENT.]

North Carolina

Amendment to the Constitution.

13th Art. ratified.

RALEIGH, (N. CAROLINA) JANUARY 14, 1812.

SIR,

I have the honour to transmit to you, herewith, an

COPY

COMPARED

authenticated copy of an Act of the General Assembly of this State, ratifying an amendment to the Constitution of the United States, proposed by Congress to the Legislatures of the several States.

I have the honour to be, with consideration and respect, Sir,

Your obedient servant,

WILLIAM HAWKINS

The Honble Jesse Franklin Esqr

An Act

To Ratify on behalf of the State of North-Carolina, a proposed amendment of the Constitution of the United States, relative to titles of nobility or honour, presents, pensions, offices or emoluments from any Foreign Power.

BE IT enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the following amendment of the Constitution of the United States, proposed by the Congress of the United States, in the manner prescribed by the fifth article of the Constitution, viz. "If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honour, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatsoever, from any Emperor, King, Prince or Foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them," be, and the same is hereby ratified on behalf of the State of North-Carolina, to

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COMPARED

[INDORSEMENT.]

8. May 1813.

Governor Tompkins.

Rejection of the proposed amendment to the Constitution by the Legislature of the State of New York.

13th Art. rejected

COPY

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 25, 2024

COMPARED

Sharon (Con.) 22. April 1813—

Sir

Immediately after the receipt of your letter of the 23. ultimo I forwarded to the Secretary of this State directions to examine the records of the Legislature, for its decision on the proposition to amend the Constitution of the United States, to which you refer. His answer I have this day received; by which it appears that at the May Session AD 1811 the Chief Magistrate, then in office, submitted the proposition in question to the consideration of the General Assembly, but that no final opinion upon its merits has as yet been expressed by that honourable body.

The Legislature will convene early in the next month; at which time your communication will be laid before them—

With great respect I have the honour
to be Sir your obedient and
very humble servant
JOHN COTTON SMITH

The Honourable The Secretary of State &c

[ADDRESS.]

Free

The Honourable
James Monroe
Secretary of State
Washington—

COPY

COMPARED

[INDORSEMENT.]

22 April 1813.

John C. Smith Lieu' Govern
relative to amendment of the Constitution
Connecticut.
Not *ratified.*
Connecticut relative to amendmt of const"

At a General Assembly of the State of Connecticut, holden at Hartford in said State, on the second Thursday of May, in the year of our Lord one thousand eight hundred and thirteen.

[SEAL.]

Whereas his Excellency the Governour, has laid before this Assembly a resolution passed by the Congress of the United States, in the words following, viz. Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, ["that" stricken out] two thirds of both houses concurring, that the following Section be submitted to the Legislatures of the several States, which when ratified by the Legislatures of three fourths of the States, shall be valid and binding as a part of the constitution of the United States;

If any citizen of the United States, shall accept, claim, receive, or retain any title of nobility or honour, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever from any Emperour, King, Prince or foreign Power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

COPY

COMPARED

Resolved by this Assembly, That this Assembly do not ratify the foregoing amendment proposed by Congress to the Constitution of the United States, and the same on the part of this State, is not ratified.

And be it further Resolved, that his Excellency the Governour be requested to transmit copies of the foregoing resolution, to the Secretary of State of the United States, to the President of the Senate, and Speaker of the House of Representatives of the United States.

A true copy of record,

Examined by

THOMAS DAY, Secretary.

[SEAL.] At a General Assembly of the State of Connecticut holden at Hartford in said state on the Second Thursday of may One thousand eight hundred and Thirteen.

Whereas his Excellency the Governour has laid before this Assembly a resolution passed by the Congress of the United States in the words following—Viz—

Resolved by the senate and house of Representatives of the United States of America in Congress assembled, two thirds of both houses concurring that the following Section be submitted to the Legislatures of the several States which when ratified by the Legislatures of three fourths of the States, shall be valid,—and binding, as a part of the Constitution of the United States.—

"If any citizen of the United States shall accept claim, receive or retain any title of nobility or honour or shall without the consent of Congress accept or retain any

COPY

COMPARED

Pension, Office, or emolument of any kind whatever from any Emperour, King Prince or Foreign Power such person shall cease to be a citizen of the United States and shall be incapable of holding any office of trust or profit under them or either of them.

"Resolved by this Assembly, That this Assembly do not ratify the foregoing amendment proposed by congress to the Constitution of the United States, and the same on the part of this State is not ratified.—

And be it further Resolved—That his Excellency the Governour be requested to transmit copies of the foregoing Resolution to the Secretary of State of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States.—

I Thomas Day Secretary of the State of Connecticut do hereby certify and make known that the above and foregoing is a true Copy of Record. In testimony whereof I have hereunto set my Hand and affixed the Seal of said State at the City of Hartford this twenty-ninth day of May in the year of our Lord one thousand eight hundred and thirteen.

THOMAS DAY

[INDORSEMENT.]

Resolution of the State of Connecticut
May 1813

At a General Assembly of the State of Connecticut holden at Hartford, in said State, on the second thursday of May, in the year of our Lord, one thousand eight hundred and thirteen

COPY

COMPARED

Whereas his Excellency the Governour has laid before this Assembly a resolution passed by the Congress of the United States, in the words following, viz, "Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both houses concurring, that the following section be submitted to the Legislatures of the several states, which when ratified by the Legislatures of three fourths of the States shall be valid and binding as a part of the Constitution of the United States."

"If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honour, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument, of any kind whatever, from any Emporour, King, Prince, or Foreign Power; such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them."

Resolved by this Assembly, That this Assembly do not ratify the foregoing amendment proposed by Congress, to the Constitution of the United States, and the same on the part of this State, is not ratified.

And be it further Resolved, That His Excellency the Governour be requested to transmit copies of the foregoing resolution to the Secretary of State of the United States, to the President of the Senate, and Speaker of the House of Representatives of the United States.

I Thomas Day Secretary of the State of Connecticut do hereby certify and make known that the above and foregoing is a true Copy of record.

[SEAL.]

In faith whereof I have hereunto set my hand and affixed the Seal of this State the twelfth day of

COPY

COMPARED

August in the year of our Lord one thousand eight hundred and fourteen.

THOMAS DAY

State of Connecticut:
Secretary's Office, Jany 22. 1818.

Sir,

By direction of His Excellency Governour Wolcott, I transmit to you the enclosed exemplification; and am,

With great respect,

Your obed^t Servt

THOMAS DAY

Hon. J. Q. Adams,
Secretary of State.

[ADDRESS.]

[Postmark:] Hartford Jan 23 Free

Hon. John Q. Adams,
Secretary of State,
Washington City

[INDORSEMENT.]

Connecticut does not ratify the 13th Art. of amendments to the Constitution of the U. S.

COPY

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 20[illegible]

COMPARED

Executive Department—S. C.
Charleston—October 27th 1814

Sir

In answer to your enquiry relative to the decision of South Carolina upon the amendment of the Federal Constitution, proposed by Congress in 1811, I have now the honor to transmit you copies of the proceedings of the two branches of our Legislature up on that subject. From these you will perceive that the question of adoption or rejection, on the proposed amendment, has never been taken by this State

I have the honor to be, sir
very respectfully
yr Obt &c

The Honble The Secy of State — Jos: Alston

[Indorsement.]

27. Oct. 1814.
Governor of South Carolina transmitting copies of the Proceedings of the State Legislature, relative to the amendment proposed by Congress to the Federal Constitution.
Not finally acted upon.

13th

An Extract from the Journals of the Senate, Novr 1811.
Nov. 26.

The House then read the Resolution of the Congress of

COPY

COMPARED

the United States, which accompanied the Message of his Excellency the Governor, proposing an Amendment to the Constitution of the United States—

Ordered

That the same be referred to a Committee

And a Committee was appointed accordingly i e,

Col Mays

Mr Du Bose Mr Reid—

Novr 28.

Col Mays from the Committee to whom was referred the Resolution of the Congress of the United States submitted a report.

Ordered

That the same be taken into consideration to Morrow

Nov. 29. The House then took into consideration the Report of the Committee of the Senate to whom was referred the Resolution of the Congress of the United States proposing an Amendment to the Federal Constitution in the words following

Resolved By the Senate and House of Representatives of the United States in Congress assembled two thirds of both Houses concurring that the following Section be submitted to the Legislatures of the several States which when ratified by the Legislatures of three fourths of the States shall be valid and binding as a part of the Constitution of the United States—Viz: If any Citizen of the United States shall accept, claim, receive or retain any Title of Nobility, or Honour, or shall without the consent of Congress accept and retain any present, pension, office or emolument of any kind whatever from any Emperor, King, Prince or foreign Power, such person shall cease to be a Citizen of the United

COPY

COMPARED

States and shall be incapable of holding any office of Trust or Profit under them or either of them"—beg leave to Report,

That they have duly considered the foregoing Resolution and are of opinion it ought to become a part of the Constitution of the United States—Your Committee therefore beg leave to recommend to the Senate to concur in the adoption of the said Resolution, and when it may be agreed to and concurred in by three fourths of the Legislatures of the several States, that it may become a part of the Constitution of the United States of America—

The House having considered the Report agreed thereto,

Resolved, That this House do agree to the Report—

Ordered, That the same be sent to the House of Representatives for their concurrence

By order of the Senate.

Office of Clerk of the Senate, Col^a Sept. 1–1814

I do hereby certify that the foregoing is a correct extract from the Journals of the Senate of every thing which appertains to the above mentioned Resolution.

JOHN MURPHY C. S.

[INDORSEMENT.]

Rec'd in Governor Alston's letter of 27th Oct. 1814

In the House of Representatives

Decr 7th 1813.

The following report was made (viz)

"The Committee to whom was referred a Resolution of the Senate and House of Representatives of the U. S. recom-

COPY

COMPARED

meading an alteration & amendment of the Constitution, passed by the Congress of the U. S. on the of

respectfully Report.

That the resolution referred to them was originally presented to the last Legislature and referred by them to a Select Committee who reported thereon—That the report of that Select Committee & the resolution were several times taken up and Considered by the House and ultimately postponed on the 21st Decr 1811 without their coming to any final decision in regard to them—

That the aforesaid Resolution was again brought to the view of the Legislature at the late September Session by a Message of his Excellency the Governour N° 2 reminding them that no decision had been made thereon and enclosing a Resolve of the State of New-Hampshire approving and adopting the same—

That at the September Session a Committee was appointed to examine the Journals & report the proceedings of the preceding Legislature in the Case; & that the report made by it & the Resolution of Congress were ordered to lie on the table, and not further acted upon—

Your Committee beg leave further to report, that respect to the recommendation of the Congress of the U. S. & to our Sister States would seem to require of the House that they should during the present Session take up and finally dispose of the Resolution by adopting or rejecting it, and that in their opinion it ought to be rejected

The Constitution of the U. S. has already provided "That no Title of Nobility shall be granted by the U. S. And no person holding any office of profit or Trust under them shall, without the Consent of Congress accept of any present,

COPY

COMPARED

emolument office or Title of any kind whatever, from any King, Prince or Foreign State—Congress have in more instances than one within the knowledge of your Committee exercised the power vested in them by the above provision, and refused permission to Individuals in high public offices to accept of presents offered by Foreign Powers, nor are they aware of any inconveniences which have arisen and required further provisions on this Subject to be ingrafted in the Constitution of the U S. At all events & should they be mistaken in this respect, the Committee are of opinion that the amendment proposed & submitted to their consideration is not the proper remedy; and that under its provisions, & the terms in which it is worded, consequences might follow & evils accrue as well to innocent Citizens individually as to the Community at large, which were neither foreseen nor contemplated by the Framers of the Resolution.

Under these impressions your Committee recommend that the House reject the aforesaid resolution & adopt the following resolutions to that effect "Resolved by the Senate & House of Representatives of the State of S° C° that they deem it inexpedient to adopt & therefore reject on the part and in behalf of the State of S° Carolina the Resolution submitted to them & passed by the Congress of the U. S. on the — day of in the following words (to wit) "Resolved by the Senate and House of Representatives of the U. S. of America in Congress assembled, two thirds of both Houses concurring, that the following Section be submitted to the Legislatures of the several states, which when ratified by the Legislatures of Three fourths of the States shall be valid and binding as a part of the Constitution of the U. S. "If any Citizen of the U. S. shall accept claim receive or retain any

COPY

COMPARED

Title of Nobility or Honor; or shall without the consent of Congress accept and retain any present, pension Office or emolument of any kind whatever from any Emperor, King, Prince or Foreign Power, such person shall cease to be a Citizen of the U. S. and shall be incapable of holding any Office of Trust or profit under them or either of them"—

Resolved that his Excellency the Governor be requested to forward Copies of the above resolution rejecting on the part of and in behalf of the State of S° C° the amendment proposed by the Congress of the U. S. & passed on the day of to the President of the Senate & the Speaker of the House of Representatives of the U. S. and to each and all of the Governors of the several States"

BENJAMIN HUGER Chairman

Whereupon

Ordered, that the report be taken into consideration on Thursday next—

I Certify the foregoing to be a true Extract from the Journal of the House of Representatives

Attest—

RICHARD GANTT
Clerk of the House of Representatives
of S° Carolina

[INDORSEMENT.]

Rec^d in Governor Alston's letter of 27th Oct. 1814.

ROSAMIA L. MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 28, 2013

COPY

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 28, 2014

COMPARED

State of Rhode Island and Providence Plantations.

Sir; Providence Sept 21. 1814.

I have the honour to transmit to you enclosed, a copy of the Resolution passed by the General Assembly of this State on the 15th Instant, relative to the proposed amendment of the Constitution of the United States—

I have the Honour to be sir;

Very respectfully your Obed^t Servt

Wm JAMES

Governor of said State,

Honble. James Munro

Secretary of the U. States,

[ADDRESS.]

[Postmark:] Providence R. I. Sept 23 Free

Honble James Monroe

Secretary of the U. States

Washington

[INDORSEMENT.]

Dep^t of State

Rhode Island rejects 13th Art. of Amdts to Const^n of U. S.

State of Rhode Island & Providence Plantations | In General Assembly September, 15th 1814.

Resolved, That the amendment to the Constitution of the

COPY

COMPARED

United States, proposed at the Second Session of the Eleventh Congress, in the following words, viz. "If any Citizen of the United States shall accept, claim, receive or retain any title of nobility or honour, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument, of any kind whatever, from any Emperor, King, Prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them," be and the same is hereby disapproved of—

A true Copy.

Witness SAMUEL EDDY Secry.

ROSANNA L. WILLIS
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 1967

EXHIBIT
12

OATH OF CERTIFIED COPIES

On this the 3rd day of MARCH, 2014, I, the undersigned Notary Public, have compared the originals and the copies and certify under penalty of perjury under the laws of the Republic for the united States of America that said attached copies are exact duplicates to the originals.

Rosanna L Miller
Notary Public Signature

January 23, 2019
My Commission Expires

NOTARIAL SEAL
STATE OF OHIO

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2019

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ROSANNA L. MILLER
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In and for the State of Ohio
My Commission Expires
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COPY

[redacted]

Gl. Hamilton [illegible]
Cookham

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NOTARIAL SEAL

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2014

COMPARED

The Revised Code

OF THE

LAWS OF VIRGINIA:

BEING

A COLLECTION OF ALL SUCH ACTS

OF THE

GENERAL ASSEMBLY,

OF A PUBLIC AND PERMANENT NATURE, AS ARE NOW IN FORCE;

WITH A GENERAL INDEX.

TO WHICH ARE PREFIXED,

THE CONSTITUTION OF THE UNITED STATES;
THE DECLARATION OF RIGHTS;
AND
THE CONSTITUTION OF VIRGINIA.

Published pursuant to an act of the General Assembly, entitled "An act providing for the re-publication of the Laws of this Commonwealth," passed March 12, 1819.

VOLUME I.

RICHMOND:
PRINTED BY THOMAS RITCHIE,
PRINTER TO THE COMMONWEALTH.

1819.

EXHIBIT
12

COPY

NOTARIAL SEAL

ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2014

COMPARED

PREFACE.

THE Legislature having been pleased to direct, that the present publication of the laws should be made under my immediate superintendency, I thought myself hardly at liberty to decline this public service, however laborious and incompatible with my other avocations. The Code is now presented to the public, in as perfect a form, as the exertion of my best judgment and utmost industry, (aided by two very competent assistants, Mr. *Hening* and Mr. *Munford*,) could accomplish.

IT has occurred to me, that a concise explanation of the plan of the edition may answer a good purpose.

I have, in [illegible] the directions of the Legislature, prescribed the order, in which the several laws should be published in the Code, classing them, without regard to their dates, according to their subject matter, as far as it was practicable so to class them, and at the same time preserve each statute entire. The provisions of some of the laws are in themselves miscellaneous; for example, the act *for arranging the counties into districts for the election of Senators*, and *for equalizing the land tax*. The classification is, therefore, in some measure, unavoidably imperfect. In order to facilitate the use of the Code, I have placed running titles over the several laws, and prefixed a table to the first volume, shewing, in a very small compass, the contents and arrangement of the whole Code.

THIS novel order of publication rendered it impossible to designate the year of the Commonwealth, at the top of the page, as in all the other publications of our laws since the revolution. Loath to deviate from the custom of dating all public acts from the epoch of our independence, (a custom grateful to public feeling, and, in my opinion, of real utility,) I have placed the year, of the foundation of the republic, as well as the year of our Lord, in the side margin.

MINUTE and accurate references have been made, with much pains, to the original acts from which the particular provisions of the revised acts have been compiled; and references are also made, (from the titles,) to all former general laws relating to the same subjects;

and, in both cases, the editions, or sessions acts, in which the original or former acts are to be found, are carefully cited. I have also added references, (in the side margin,) to the English statutes *in pari materia*.

In regard to most of the important provisions of the laws, especially those affecting the rights of property, I have made an essay to give, in the notes, such a concise history of our statute law, (from very early periods, often from the first institution of the colonial legislature,) as may serve all general purposes, and assist more minute and particular investigations.

Such of the amendments made at the late revision, as consist in new provisions, are distinguished by being printed within single inverted commas. But very many of the amendments consist in the substitution of new for old provisions; in the striking out of former provisions altogether; and in alterations of the language of former laws, very slight at first view, but often very important in effect: these also are noted, and explanations of them attempted, where they could be made without a too prolix annotation.

Wherever I found that the Legislature struck out any provision reported by the revisors, in a revised bill reducing into one act all former acts on the subject, and omitted to insert it in any other act, I have considered the provision so struck out, as intentionally rejected and repealed. I have, therefore, omitted all such rejected provisions.

It is proper to mention, that, in the interpretation I have given (and have followed in the publication) to one very material provision of the act by authority of which this edition is published, I am not sure, that I have not gone beyond the legislative intention in one respect, and stopt short of it in another: I mean the provision, which directs the publication of "the several other acts, not therein enumerated, concerning the entering, surveying, and acquiring title to lands, the property of the Commonwealth." In the first place, as all laws relating to the acquisition, in any manner, of titles to any lands, the property of the Commonwealth, fall within the general description of the provision; and as, in truth, all laws falling within that description, according to the most liberal interpretation of it, are equally proper to be preserved in a Code which may readily be consulted; I have concluded, that not only the series of laws relating to grants of waste and unappropriated lands, but of such as relate to grants of escheated and forfeited lands, and to sales of lands by revenue officers for taxes, ought to be inserted in this Code. In the next place, I have concluded, that only the series of land-laws enacted since the foundation of the

Commonwealth, are required to be published; because the laws declared are those only that relate to lands the property of the Commonwealth; and because the insertion of the land-laws passed before the revolution, would swell the edition far beyond the limits of two octavo volumes, the form of publication prescribed by the act. I have therefore published, in three copious appendices, the series of land-laws passed since the revolution, the series of laws relating to escheated or forfeited lands, and the series of laws relating to forfeitures and sales of lands for taxes: and to make amends for my mistake of the intention of the Legislature, (if I have made a mistake,) in omitting the land-laws passed before the revolution, I have prefixed to the series of land-laws which I have inserted, *references* to all the land-laws passed before the revision of 1765, and *summaries* of those passed at that revision, and thenceforth to the revolution.

In general, I have endeavoured to supply whatever I myself have regarded, or heard others mention, as *desiderata* in other editions. Nothing has been treated with slighting, excluded, without my own careful examination. It was allowed me to divide the labor, but not the responsibility. The provision that repeals all acts of a general nature, which shall not be published in this Code, either entire or by their titles, pursuant to the directions of the act concerning the publication, has been continually present to my mind. I am sensible of the danger, as well as of the honor, of the confidence thus reposed in me. For my own credit, and yet more from a sense of public duty, I have laboured, most assiduously, to collect all the public laws now in force; weighing with due deliberation, those concerning which there could be a doubt, whether they were repealed or superseded by subsequent laws or not; and always prudently inclining to hold, rather than to exclude. Nevertheless, I may have fallen into errors of judgment: and, in the dispatch which was requisite to complete the publication within the time prescribed, some laws that ought to have been inserted, may have escaped me, and therefore be omitted. They are very few, I hope, and very inconsiderable; and if, at any time, I shall discover such omissions, I will not fail to bring them, in a proper manner, to the notice of the Legislature.

B. W. LEIGH.

Richmond, 1819.

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NOTARIAL SEAL
ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 28, 2017
C. A. P. F. O

COPY

NOTARIAL SEAL
ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires

COMPARED

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A TRUE COPY

I, Benjamin Watkins Leigh, appointed by the act of Assembly, providing for the re-publication of the Laws of this Commonwealth, passed March 12, 1819, superintendant of the said publication, do hereby certify, that the Laws printed in this first volume, have been carefully examined, and that (with the exception of the errors noted in the table of errata,) I find them correctly printed.

B. W. LEIGH.

Richmond, 1819.

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ERRATA.

Page 64, § 5, line 18, for *Lastland*, read *Markland*.
68, § 1, line 7, before word *to*, read *for remedy whereof*.
116, § 69, line 9, for *of the fees*, read *of all the fees*.
181, § 3, line 10, for *granted to all*, read *granted to do all*.
209, § 61, last word, for *according*, read *accordingly*.
220, line 24, before the word *general*, read *judge of the*.
223, c. 68, § 1, line 3, after *Harrison*, read *Wood*.
272, § 19, line 2, before *to suspect*, read *freely*.
277, § 5, line 2, before *required*, read *empowered and*.
314, § 8, line 43, after "for serving an attachment on the body," read 63 instead of 53 cents.
325, § 13, line 8, for *next neighbouring*, read *next or neighbouring*.
336, line 3, for *land lies*, read *lands lie*.
376, § 3, line 12, for *he or she have*, read *he or she shall have*.
378, § 16, lines 5 and 6, for *to one*, read *to any one*.
416, line 1, for *one*, read *the*.
438, § 67, line 7, omit word *free*, at the end of the line.
466, c. 119, § 1, line 10, between the words *patent*, *grant*, read *or*.
479, line 8, (from bottom,) for *attached*, read *attached*.
548, § 1, line 8, after *under-sheriff*, read *serjeant*.
599, line 12, omit word *any*, at the beginning of the line.

WHEREAS, in the ninth section of the act entitled "An act, to reduce into one, the several acts, for the better securing the payments of rents, and preventing the fraudulent practices of tenants, and to regulate the practice of suing out and prosecuting writs of replevin," which passed on the twelfth of January, in the year eighteen hundred and eighteen, and in the fourth section of the act entitled "An act to reduce into one act, the several acts and parts of acts, for establishing a penitentiary house, and for the punishment of crimes," which passed on the sixth day of March, in the year eighteen hundred and nineteen, mistakes have occurred, which might create some doubt in the interpretation of the said acts: for remedy whereof—

Be it enacted, by the General Assembly, That whenever any landlord or lessor, or his agent, shall desire to sue out the process of attachment, provided for by the said ninth section, the oath required thereby shall be dispensed with, provided that such landlord, lessor, or agent, shall make oath or affirmation what rent the tenant is to pay, at what time the same will be due, and that he has just cause to suspect, and verily believes, that such tenant will remove his or her effects from the leased tenement before the time of payment; with likewise, the said landlord, lessor, or agent, shall be entitled to the attachment in the same manner as if he had made the oath required by the said ninth section.

Be it further enacted, That every person duly convicted of the crime of murder, in the second degree, or of the crime of robbery or burglary, or as accessory thereto before the fact, or of simple larceny to the value of four dollars and upwards, or as accessory thereto before the fact, shall be punished by confinement, in the public jail and penitentiary house, in the same manner as if the words "similar confinement," which, in the late edition of the laws, are found in the fifth line of the aforesaid fourth section, had been substituted, in pursuance of the manifest intention of the legislature, by the words "confinement in the public jail and penitentiary house;" and the act aforesaid in which the fourth section is found, shall, to all intents and purposes, be construed in the same manner as if the second clause in the said fourth section were in the words following, viz: "Every person duly convicted of the crime of murder in the second degree shall be sentenced to undergo a confinement, in the public jail and penitentiary house, for a period not less than five years, nor more than eighteen years, under the same conditions as are hereinafter directed;" and, in all future editions of the said act, the said second clause shall be published in the words aforesaid.

It shall be the duty of the Executive to cause this act to be printed forthwith, and distributed with the aforesaid edition of the laws, and as far as practicable to cause the same to be annexed to the first volume thereof.

This act shall be in force from the passing thereof.

(A true copy.)

WM. MUNFORD,
Keeper of the Rolls.

January 1, 1820.

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CERTIFIED

REVISED CODE

OF THE

LAWS OF VIRGINIA.

C. 1.

An Act providing for the re-publication of the Laws.

A. D. 1819.
A. R. C. 43.

[Passed March 12, 1819.]

1. *BE it enacted by the General Assembly*, That there shall be published an edition of the laws of this Commonwealth, in which shall be contained the following matters, that is to say: New edition of the laws to be published.

The constitution of the *United States*, and the amendments thereto. Contents.

A declaration of rights made by the representatives of the good people of Virginia, assembled in full and free convention, which rights do pertain to them, and their posterity, as the basis and foundation of government. 16

The constitution or form of government agreed to, and resolved upon, by the delegates and representatives of the several counties and corporations of Virginia. 31

An ordinance, to enable the present magistrates and officers to continue the administration of justice, and for settling the general mode of proceedings in criminal and other cases, 'till the same can be more amply provided for. The sixth section only. Passed July third, seventeen hundred and seventy-six. 33

An act, repealing, under certain restrictions, all statutes or acts of the parliament of Great Britain, heretofore in force within this Commonwealth. Passed December the twenty-seventh, seventeen hundred and ninety-two.

An act, to supply the defect of evidence of the royal assent to certain acts of Assembly under the former government. Passed December the fourteenth, one thousand seven hundred and eighty-seven.

An act, to provide against the appropriation of money by resolution of the two Houses of Assembly. Passed December the third, one thousand seven hundred and eighty-nine.

An act, for confirming and better securing the titles to lands

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A. R. C. 43.

in the Northern Neck, held under the Right Honorable Thomas Lord Fairfax, Baron of Cameron, in that part of Great Britain called Scotland. Passed in one thousand seven hundred and thirty-six.

An act, for confirming the grants made by his majesty, within the bounds of the Northern Neck, as they are now established. Passed in one thousand seven hundred and forty-eight.

An act, for the safe-keeping the land-papers of the Northern Neck, in the Register's office. Passed in seventeen hundred and eighty-five.

An act, concerning certain lands lying in the Northern Neck. Passed December the tenth, one thousand seven hundred and ninety-six.

A resolution, requesting the Executive to take measures to carry into effect the act concerning certain lands in the Northern Neck. Agreed to by both Houses, December twenty-third, seventeen hundred and ninety-seven.

An act, to authorise the delegates of this State, in Congress, to convey to the United States, in Congress assembled, all the right of this Commonwealth to the territory north-westward of the river Ohio. Passed December the twentieth, one thousand
34 seven hundred and eighty-three.

An act, concerning the territory ceded by this Commonwealth to the United States. Passed December thirtieth, seventeen
41 hundred and eighty-eight.

An act, authorising the Executive to appoint commissioners, to unite with commissioners on the part of the United States, in running a line between the lands reserved and the lands ceded by this Commonwealth, in the State of Ohio. Passed
43 February twenty-second, eighteen hundred and thirteen.

An act, for the cession of ten miles square, or any lesser quantity of territory, within this State, to the United States, in Congress assembled, for the permanent seat of the general government. Passed December the third, one thousand seven
44 hundred and eighty-nine.

An act, concerning the erection of the District of Kentucky into an independent State. Passed December the eighteenth,
57 seventeen hundred and eighty-nine.

An act, for confirming and establishing the boundary line between this State and the State of Kentucky, ascertained and fixed by certain commissioners appointed by both States; and for other purposes. Passed January the thirteenth, one thou-
60 sand eight hundred.

An act, concerning the southern boundary of this State. Passed December the seventh, one thousand seven hundred and
62 ninety-one.

An act, for confirming and establishing the boundary line between this State and the State of Tennessee, as ascertained and adjusted by certain commissioners. Passed January the
63 twenty-second, one thousand eight hundred and three.

A resolution, for settling the disputed boundary between this State and Pennsylvania. Agreed to by both Houses, December eighteenth, seventeen hundred and seventy-six.

Report of the commissioners appointed by the States of Virginia and Pennsylvania, to run the boundary line between the

A. D. 1819.
A. R. C. 43.

two States. Recorded in the journal of the governor and council, October eighth, seventeen hundred and eighty-five. 52

An act, to approve, confirm and ratify the compact made by certain commissioners, appointed by the General Assembly of the State of Maryland, and commissioners appointed by this Commonwealth. Passed January the third, one thousand seven hundred and eighty-six. 53

An act, authorising the governor of this Commonwealth to convey certain land to the United States for the purpose of building a light-house. Passed November the thirteenth, seventeen hundred and eighty-nine. 47

An act, to empower the president of the United States, to purchase a tract of land within this State, for the purpose of erecting a public arsenal thereon. Passed November twenty-eighth, seventeen hundred and ninety-four. 45

An act, authorising the governor of this Commonwealth to convey to the United States, certain land on Old Point Comfort, for the purpose of building a light house. Passed January second, seventeen hundred and ninety-eight. 48

An act, authorising the governor of this Commonwealth to convey to the United States, upon certain conditions, the property of this Commonwealth, called Gosport. Passed January [illegible] 46

An act, authorising the governor of this Commonwealth to cede to the United States the jurisdiction over certain lands, on Mare Point Comfort, and on Smith's Point, for the purpose of building light-houses. Passed January the fifteenth, one thousand eight hundred and two. 49

An act, making provision for the disposal of the Marine Hospital, and the emoluments of the commissioners. Passed January the twentieth, one thousand seven hundred and ninety-eight.

An act, establishing religious freedom. Passed December the twenty-sixth, one thousand seven hundred and eighty-five. 77

An act, to repeal certain acts, and to declare the construction of the bill of rights and constitution, concerning religion. Passed January the twenty-fourth, one thousand seven hundred and eighty-nine. 78

An act, concerning the glebe lands and churches within this Commonwealth. Passed December nineteenth, seventeen hundred and ninety-six.[a] 79

An act, declaring that none shall be condemned without trial, and that justice shall not be sold or deferred. Passed December the fifth, one thousand seven hundred and eighty-five.

An act, to prevent frauds and perjuries. Passed November the thirtieth, one thousand seven hundred and eighty-five.

An act, for the relief of creditors against fraudulent devises. Passed December the seventeenth, one thousand seven hundred and eighty-nine.

An act, forbidding and punishing affrays. Passed November the twenty-seventh, one thousand seven hundred and eighty-six.

An act, against conspirators. Passed November the twenty-seventh, one thousand seven hundred and eighty-six.

[a] See in roll—the law was passed January 19, 1802.

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An act, prescribing the punishment of those who sell unwholesome meat or drink. Passed November twenty-seventh, seventeen hundred and eighty-six.

An act, providing that actions popular, prosecuted by collusion, shall be no bar to those which be pursued with good faith. Passed November the twenty-eighth, seventeen hundred and eighty-six.

An act, for the suppression and punishment of riots, routs and unlawful assemblies. Passed December the fourth, seventeen hundred and eighty-six.

An act, concerning homicide by misfortune. Passed November the eighteenth, one thousand seven hundred and eighty-nine.

An act, against those who counterfeit letters, or privy tokens, to receive money or goods, in other men's names. Passed November the eighteenth, one thousand seven hundred and eighty-nine.

An act, concerning the benefit of clergy. Passed November the twenty-seventh, one thousand seven hundred and eighty-nine.

An act, to punish bribery and extortion. Passed October the nineteenth, seventeen hundred and ninety-two. The first, fourth and fifth sections.

An act, against buying and selling of offices. Passed October the nineteenth, one thousand seven hundred and ninety-two.

An act, declaring at what time restitution shall be made of goods stolen. Passed October twenty-second, seventeen hundred and ninety-two.

An act, against champerty. Passed December the eighth, one thousand seven hundred and ninety-two.

An act, against divulgers of false news. Passed December the twenty-seventh, one thousand seven hundred and ninety-two.

An act, for the effectual suppression of vice, and punishing the disturbers of religious worship and sabbath-breakers. Passed December the twenty-sixth, seventeen hundred and ninety-two.

An act, concerning stealing tobacco on the highways. Passed December the fifteenth, one thousand seven hundred and ninety-two.

An act, concerning prison-breakers. Passed December the thirteenth, one thousand seven hundred and ninety-four.

An act, in addition to the act, entitled "an act to amend the penal laws of this Commonwealth." Passed January the twenty-first, eighteen hundred and one. The first, second, and fourth sections.

An act, to suppress duelling. Passed January the twenty-sixth, one thousand eight hundred and ten.

An act, concerning partitions and joint rights and obligations. Passed November twenty-eighth, one thousand seven hundred and eighty-six.

An act, declaring when the death of persons absenting themselves shall be presumed. Passed December first, seventeen hundred and eighty-six.

A. D. 1819.
A. R. C. 43.

An act, against conveying, or taking, pretenced titles. Passed December the sixth, one thousand seven hundred and eighty-six.

An act, for completing the revision of the laws. The fifth section.

An act, to authorise the establishment of fire companies. Passed January the seventh, one thousand seven hundred and eighty-eight.

An act, to prevent the importation of convicts into this Commonwealth. Passed November the fifteenth, one thousand seven hundred and eighty-eight.

An act, concerning awards. Passed December the seventeenth, one thousand seven hundred and eighty-nine.

An act, declaring the law concerning the escape of debtors, and other prisoners. Passed November twenty-fourth, seventeen hundred and ninety-two.

An act, reducing into one the several acts concerning the manner of authenticating foreign deeds, records, and other instruments of writing. Passed December the eighth, seventeen hundred and ninety-two.

An act, to reduce into one, all acts and parts of acts relating [illegible] Passed December the sixth, seventeen hundred and [illegible]

[illegible] shall be deemed citizens of this Commonwealth, and pointing out the mode by which the right of citizenship may be acquired or relinquished. Passed December twenty-third, seventeen hundred and ninety-two.

An act, concerning the right of entry, and giving remedy against collusive judgments of lands, and wrongful alienations thereof in certain cases. Passed December the nineteenth, seventeen hundred and ninety-two.

An act, concerning waste. Passed December the twenty-[illegible] one thousand seven hundred and ninety-two.

An act, declaring what remedy the Commonwealth shall have [illegible] Passed December twenty-fifth, seventeen hundred and ninety-two.

An act, declaring what acts of the present session shall be [illegible] and to suspend the operation of all other [illegible] which are of a public and permanent character. Passed December the twenty-eighth, one thousand seven hundred and ninety-two.

An act, to amend the act, prescribing the mode of ascertaining the taxable property within this Commonwealth, and of [illegible] the public revenue. Passed December the ninetenth, seventeen hundred and ninety-four. The third section.

An act, prescribing a mode for making a title to the purchasers of lands, heretofore sold by sheriffs for arrears of taxes. Passed December the twelfth, one thousand seven hundred and ninety-five.

An act, authorising certain proceedings on the writ of mandamus. Passed January the twenty-second, one thousand seven hundred and ninety-nine.

An act, declaring the law in cases of discounts and offsets. Passed December the twenty-ninth, one thousand eight hundred and six.

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An act, to explain and amend an act, reducing into one the several acts concerning forcible entries and detainers. Passed February the twelfth, one thousand eight hundred and fourteen.

An act, concerning wrecks. Passed June the twentieth, one thousand seven hundred and eighty-two. The first and second sections.

An act, to regulate the inspection of hemp. Passed December the twenty-fourth, one thousand seven hundred and ninety.

An act, reducing into one the several acts for regulating the inspection of pork, beef, tar, pitch and turpentine. Passed December the twenty-sixth, one thousand seven hundred and ninety-two.

An act, for the inspection of fish. Passed December the twenty-eighth, one thousand seven hundred and ninety-five.

An act, regulating the inspection of salt, in certain counties therein mentioned. Passed January the eighth, eighteen hundred and fourteen.

An act, to amend the act, reducing into one the several acts concerning the inspection of lumber. Passed February fifteenth, eighteen hundred and seventeen.

An act, to prevent unlawful hunting and ranging. Passed December the fourth, one thousand seven hundred and ninety-two.

An act, to prevent unlawful hunting. Passed December the twenty-third, one thousand seven hundred and ninety-two.

An act, to prevent killing of deer, within certain periods annually. Passed January the sixteenth, one thousand eight hundred and one.

An act, to prevent the burning of the woods. Passed January the sixteenth, one thousand eight hundred and two.

An act, for improving the breed of horses. Passed December the twenty-fourth, one thousand seven hundred and ninety-two.

An act, to prevent the destruction of sheep in this Commonwealth. Passed January the twenty-sixth, one thousand eight hundred and fourteen. The sixth section.

An act, concerning tributary Indians. Passed December the twenty-fourth, one thousand seven hundred and ninety-two.

An act, reducing into one the several acts concerning servants. Passed December the twenty-sixth, one thousand seven hundred and ninety-two.

An act, concerning weights and measures. Passed December the twenty-sixth, one thousand seven hundred and ninety-two.

An act, making provision for the re-payment of monies paid into the treasury, in pursuance of an act, "for sequestering British property; enabling those indebted to British subjects to pay off such debts; and directing the proceedings in suits where such subjects are parties." Passed December the nineteenth, one thousand seven hundred and ninety-six.

An act, for calling in and registering certificates of the public debt of this state. Passed January the twenty-eighth, eighteen hundred and two.

A. D. 1819.
A. R. C. 43.

An act, concerning certificates. Passed December the twenty-ninth, one thousand eight hundred and nine.

An act, for incorporating the Bank of Virginia. Passed January the thirtieth, one thousand eight hundred and four.

An act, incorporating the Farmers' Bank of Virginia. Passed February the thirteenth, one thousand eight hundred and twelve.

An act, concerning the Farmers' Bank of Virginia. Passed February the nineteenth, one thousand eight hundred and twelve.

An act, authorising the Bank of Virginia and the Farmers' Bank of Virginia to make loans to the government of the United States. Passed February the twentieth, one thousand eight hundred and twelve.

An act, for extending the charter of the Bank of Virginia, and for other purposes. Passed January the twenty-fourth, eighteen hundred and fourteen.

An act, to amend an act, entitled, an act incorporating the Farmers' Bank of Virginia. Passed January the twenty-seventh, eighteen hundred and fourteen.

An act, concerning the Bank of Virginia and the Farmers' Bank of Virginia. Passed October the nineteenth, eighteen hundred and fourteen.

An act, to provide more effectually for the payment of specie by the several banks of this Commonwealth. Passed February the twenty-third, one thousand eight hundred and sixteen.

An act, more effectually to prevent the circulation of notes emitted by unchartered Banks. Passed February the twenty-fourth, eighteen hundred and sixteen.

An act, to establish two new banks within this Commonwealth. Passed February the fifth, one thousand eight hundred and seventeen.

An act, for regulating inland navigation on Potowmac river above tide water. Passed December the ninth, seventeen hundred and ninety three.

An act, for regulating the navigation of James river above the falls of said river. Passed December the seventeenth, seventeen hundred and ninety-one.

An act, to repeal an act, entitled, "an act for regulating the navigation of James river above the falls of the said river." Passed February the ninth, one thousand eight hundred and eleven.

An act, to prevent the hauling of seines at certain places within certain periods annually. Passed January the fourth, one thousand eight hundred and five.

An act, concerning seamen. Passed January the nineteenth, one thousand eight hundred and five.

An act, concerning certain corporation courts. Passed December the twelfth, one thousand seven hundred and ninety-[illegible].

An act, for giving further time to the owners of lots, in the town of Cartersville, in Cumberland county, to build thereon; and for other purposes. Passed December the twenty-first, one thousand seven hundred and ninety-five. The fourth section.

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A. D. 1819.
A. R. C. 43.

An act, concerning corporations. Passed December the twenty second, one thousand seven hundred and ninety-six.

An act, providing for the election of sergeants of corporations in certain cases. Passed February the twenty-second, eighteen hundred and thirteen.

An act, to regulate the proceedings in suits against corporations. Passed February the nineteenth, eighteen hundred and sixteen.

An act, authorising the president of the United States to open an inland navigation, from the Chesapeake bay, or the port of Norfolk, to the channel of Currituck sound, and from Lynhaven bay to the eastern branch of Elizabeth river. Passed January the thirtieth, eighteen hundred and nine.

An act, to create a fund for internal improvement. Passed February the fifth, eighteen hundred and sixteen.

An act, prescribing certain general regulations for the incorporation of turnpike companies. Passed February the seventh, eighteen hundred and seventeen.

An act, to compel the manufacturers of salt-petre to keep their works enclosed. Passed February the fourth, eighteen hundred and fourteen.

An act, making further provision for furnishing the public officers of this Commonwealth with the laws thereof. Passed January twenty-sixth, eighteen hundred and two. The preamble, and the third section.

An act, authorising Samuel Pleasants, jr. to publish a collection of certain public laws of this Commonwealth, and for other purposes. Passed January the seventh, eighteen hundred and seven. The preamble, and first section.

An act, authorising William Waller Hening to publish an edition of the laws of this Commonwealth, and for other purposes. Passed February the fifth, one thousand eight hundred and eight. The preamble, and first section.

An act, making further provision for furnishing the public officers of this Commonwealth with the laws thereof. Passed February the tenth, one thousand eight hundred and twelve. The preamble and third section.

An act, to amend the act, "authorising William Waller Hening to publish an edition of certain laws of this Commonwealth, and for other purposes." Passed February the twelfth, eighteen hundred and thirteen.

An act, for reducing into one the several acts, and parts of acts, respecting the powers and duties of the Executive. Passed November the sixteenth, one thousand seven hundred and ninety-two.

An act, to prevent the Executive from remitting fines or amercements. Passed January the twenty-third, eighteen hundred and one.

An act, concerning appointments to civil offices. Passed November the twenty-fourth, one thousand seven hundred and ninety-four.

An act, concerning the credentials of the senators of this Commonwealth in congress. Passed December twenty-second, seventeen hundred and eighty-eight.

A. D. 1819.
A. R. C. 43.

An act, for arranging the counties of this Commonwealth into districts for choosing representatives to congress. Passed February the twelfth, one thousand eight hundred and thirteen.

An act, for arranging the counties into districts for the election of senators, and for equalizing the land tax. Passed February the eighteenth, one thousand eight hundred and seventeen.

An act, establishing a separate election on the south side of the river Roanoke, in the county of Mecklenburg. Passed January the twenty-eighth, one thousand eight hundred and twelve.

An act, establishing a separate election on the east side of Cheat River, in the county of Monongalia. Passed January the twenty-fifth, one thousand eight hundred and sixteen.

An act, establishing a separate election in the county of Ohio. Passed January the thirty-first, eighteen hundred and seventeen.

An act, authorising a separate election in that part of Bath county, lying west of the Alleghany, and for other purposes. Passed February the third, one thousand eight hundred and seventeen.

An act, reducing into one act the several acts concerning the election of members of the General Assembly, and for other purposes.

An act, reducing into one act the several acts concerning disputed elections of members of the General Assembly.

An act, for reducing into one act the several acts concerning the court of appeals, and special courts of appeals.

An act, reducing into one act all acts and parts of acts concerning the superior courts of chancery.

An act, reducing into one the several acts and parts of acts concerning the general court, and prescribing the manner of proceeding therein in certain cases.

An act, to reduce into one the several acts and parts of acts concerning the establishment, jurisdiction and powers of the superior courts of law.

An act, to reduce into one act the several acts and parts of acts concerning the county and other inferior courts of this Commonwealth.

An act, concerning the adjournments and places of sessions of certain courts, in certain cases.

An act, to reduce into one the several acts concerning grand juries, and petit juries.

An act, to reduce into one the several acts allowing a bill of exceptions to be sealed.

An act, declaring who shall be conservators of the peace within this Commonwealth.

An act, to reduce into one the several acts concerning counsel and attornies at law.

An act, to reduce into one all acts and parts of acts relating to the appointment and duties of sheriffs.

An act, to reduce into one the several acts concerning coroners.

An act, to reduce into one act the several acts concerning escheators.

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NOTARIAL SEAL
ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2014

COMPARED

A. D. 1819.
A. R. C. 43.

An act, concerning clerks of courts.

An act, to reduce into one act the several acts concerning constables.

An act, reducing into one the several acts prescribing the oath of fidelity, and the oath of public officers.

An act, to reduce into one the several acts and parts of acts ascertaining the salaries of the officers of civil government.

An act, to reduce into one act the acts to disable the officers of the continental government from holding offices under the authority of this Commonwealth.

An act, to reduce into one act the several acts and parts of acts concerning witnesses, and prescribing the manner of obtaining and executing commissions for taking their depositions, in certain cases.

An act, for limitation of actions; for preventing frivolous and vexatious suits, concerning feofails, and certain proceedings in civil cases.

An act, reducing into one act the several acts directing the method of proceeding in courts of equity, against absent debtors or other absent defendants, and for settling the proceedings on attachments against absconding debtors.

An act, reducing into one all acts and parts of acts, providing a method to help and speed poor persons in their suits.

An act, to reduce into one the several acts and parts of acts prescribing a method of protesting inland bills of exchange, and allowing assignees of obligations to bring actions thereupon in their own names.

An act, for reducing into one act all acts and parts of acts, concerning suits brought for sterling money, and for ascertaining the rate of exchange, and damages upon protested bills of exchange.

An act, for reforming the method of proceeding in writs of right.

An act, to empower securities to recover damages in a summary way, and for other purposes.

An act, to reduce into one the several acts, for the better securing the payment of rents, and preventing the fraudulent practices of tenants, and to regulate the practice of suing out and prosecuting writs of replevin.

An act, to reduce into one act the several acts concerning executions, and for the relief of insolvent debtors.

An act, to reduce into one act the acts now in force, directing the mode of suing out and prosecuting writs of *habeas corpus*, and to annul the remedy by writ *de homine replegiando*.

An act, reducing into one the several acts concerning wills, the distribution of intestates' estates, and the duty of executors and administrators.

An act, to reduce into one the several acts, directing the course of descents.

An act, to reduce into one act the several acts, for regulating conveyances, and concerning wrongful alienations.

An act, to reduce into one act the acts concerning public notaries.

A. D. 1819.
A. R. C. 43.

An act, to reduce into one the several acts, concerning guardians, orphans, curators, infants, masters and apprentices.

An act, reducing into one act all acts, and parts of acts, making provision for the restraint, support and maintenance of idiots and lunatics, and the preservation and management of their estates.

An act, to reduce into one the several acts, to regulate the solemnization of marriages; prohibiting such as are incestuous or otherwise unlawful; to prevent forcible and stolen marriages, and for punishment of the crime of bigamy.

An act, to reduce into one the several acts, concerning mills, mill dams, and other obstructions of water courses.

An act, reducing into one the several acts, for the settlement and regulation of ferries.

An act, to reduce into one the several acts, giving power to the county courts to establish ferries, and to regulate the rates of ferriage.

An act, to reduce into one the several acts, concerning public roads, and for establishing public landings.

An act, reducing into one act the several acts, directing the manner of proceeding in cases of impeachment.

An act, reducing into one the several acts, declaring what [illegible] offences injurious to the [illegible] Commonwealth, concerning felonies and offences committed out of the jurisdiction of the same; and taking from the Executive the power of granting pardon to traitors.

An act, to punish arson, the burning or setting fire to houses in towns, the malicious burning any house, or houses, or stacks, and certain house breakers and accessaries to felonies, and receivers of stolen goods.

An act, reducing into one act the several acts, declaring the punishment in case of rape.

An act, declaring the punishment of the crime of buggery.

An act, reducing into one the several acts, for punishing persons guilty of certain thefts and forgeries, and the destruction or concealment of wills.

An act, reducing into one act the several acts, declaring the punishment of [illegible] and their accessaries, and to encourage the apprehenders of house-stealers.

An act, reducing into one the several acts, against hog-stealing.

An act, against the embezzling of records.

An act, reducing into one the several acts, directing what persons shall be let to bail.

An act, reducing into one the several acts, for the safe-keeping of prisoners committed, under the authority of the United States, into any of the jails of this Commonwealth.

An act, to reduce into one act the several acts and parts of acts, to prevent unlawful gaming.

An act, to reduce into one act the several acts, against malicious or unlawful shooting, stabbing, maiming and disfiguring.

An act, to reduce into one act the several acts, concerning the method of proceeding against free persons charged with certain crimes; declaring the mode of proceeding on indict-

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In and for the State of Ohio
My Commission Expires
January 23, 2014

APEO

A. D. 1819.
A. R. C. 43.

ments, informations, and prosecutions on penal statutes; and for preventing vexatious and malicious prosecutions, and moderating amercements.

An act, to reduce into one act the several acts, and parts of acts, for establishing a penitentiary-house, and for the punishment of crimes.

An act, to reduce into one the several acts, and parts of acts, concerning perjury, subornation of perjury, and embracery.

An act, to reduce into one the several acts, for preventing trespasses; declaring what shall be deemed a lawful enclosure; for preventing infection of horned cattle, and losses from drivers thereof passing through the Commonwealth.

An act, to reduce into one act the several acts, against usury.

An act, to reduce into one all acts, to prevent the circulation of private bank notes.

An act, to reduce into one the several acts of assembly, allowing a reward for killing wolves.

An act, to reduce into one act the several acts, concerning the land office; ascertaining the terms and manner of granting waste and unappropriated lands; for settling the titles and boundaries of lands; directing the mode of processioning, and prescribing the duty of surveyors.

An act, to reduce into one the several acts declaring and regulating the practice of suing out and prosecuting writs of *scire facias*, to repeal letters patent.

An act, reducing into one the several acts concerning slaves, free negroes and mulattos.

An act, reducing into one act the several acts for apprehending and securing runaways.

An act, to reduce into one act, the several acts now in force, concerning patroles.

An act, reducing into one act the several acts, providing for the poor, and declaring who shall be deemed vagrants.

An act, to reduce into one the several acts, for regulating ordinaries, and houses of private entertainment, and for the restraint of tippling-houses.

An act, to reduce into one act the several acts, for regulating the inoculation, and for the prevention of the small pox.

An act, to reduce into one the several acts, to oblige vessels coming from foreign ports to perform quarantine.

An act, to reduce into one the several acts concerning pilots, and regulating their fees.

An act, reducing into one the several acts, for unlading ballast, and burial of dead bodies from on board ships; and prohibiting the putting sick or disabled seamen and servants on shore, without providing for their maintenance.

An act, reducing into one act the several acts concerning the appointment of harbor-masters, and declaring their duties.

An act, to reduce into one act the several acts now in force, regulating impresses, and the compensation to individuals for property taken or occupied, for public uses.

An act, to reduce into one act all acts and parts of acts, concerning the office of trustees or directors of the several towns within this Commonwealth, and for supplying vacancies in the same.

A. D. 1819.
A. R. C. 44.

An act, to reduce into one the several acts concerning estrays.

An act, to reduce into one act the acts, for the relief of persons who have been, or may be, injured, by the destruction of the records of certain courts of justice.

An act, to reduce into one the several acts, now in force, concerning the inspection of tobacco.

An act, to amend and reduce into one act the several acts, now in force, for regulating the inspection of flour, Indian meal and bread.

An act, to reduce into one act the acts, now in force, to prevent the destruction of oysters within this Commonwealth.

An act, to reduce into one act the several acts, concerning the literary fund.

An act, to reduce into one all acts, and parts of acts, concerning aliens.

An act, directing the manner in which the money of account shall be expressed, in the accounts of the public offices, and in the proceedings of the courts of this Commonwealth, and for other purposes.

An act, reducing into one act, all acts and parts of acts concerning the appointment, duties, and the salary of the public printer.

An act, to reduce into one the several acts, concerning the auditor and treasurer.

An act, reducing into one act the several acts concerning titheables, and directing the mode of laying and collecting the county levy.

An act, reducing into one the several acts, concerning the fees of certain officers, and declaring the mode of discharging the said fees.

An act, to reduce into one the several acts, concerning the recovery of debts due to the public, and the sale of lands, for judgments on behalf of the Commonwealth against public officers.

An act, to reduce into one act the several acts for enforcing the payment of fines into the public treasury.

An act, reducing into one the several acts, prescribing the mode of ascertaining the taxable property within the Commonwealth, and of collecting the public revenue.

An act, to provide for the collection of the taxes on licenses to merchants; to hawkers and pedlars; to keepers of ordinaries and houses of private entertainment; on law process; and on certain other subjects.

An act, to reduce into one act the several acts, now in force, providing for the appointment of electors to choose a president and vice-president of the United States.

An act, to reduce into one all acts and parts of acts, for regulating the militia of this Commonwealth.

An act, to reduce into one the several acts, for the government and regulation of the manufactory of arms.

An act, concerning the laws of this Commonwealth.

An act, for adjusting and settling the titles of claimers to unpatented lands, under the present and former government.

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NOTARIAL SEAL
STATE OF OHIO
ROSANNA L MILLER
Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 20

CERTIFIED

A. D. 1819.
A. R. C. 46.

previous to the establishment of the Commonwealth's land-office. Passed in the year seventeen hundred and seventy-nine.

Land laws, not enumerated, to be inserted.

The several other acts, not herein enumerated, in relation to entering, surveying, and acquiring title to lands, the property of the Commonwealth.

Also, acts of a general nature, of the last and this Assembly.

All acts of a general nature, passed during the present and the last session of the legislature, not herein particularly enumerated, which have not been either repealed, or incorporated, in other acts.

Acts, for charts and map of the State.

The several acts, providing for a chart of each county, and a general map of the Commonwealth.

Other pretermitted acts, of a general nature.

All such other acts, of a general nature, now in force, not mentioned in the volume reported to the legislature, at their last session, by the committee of revisors, as may have been pretermitted in this act.

Titles and dates of private, local and temporary acts.

The titles and dates of all private, local and temporary acts, passed from the year eighteen hundred and twelve, to the year eighteen hundred and seventeen, such as is published at the end of the volume reported as aforesaid; with a similar list of the titles and dates of such acts, passed during the last and present session of the legislature.

Time of passage to be prefixed to each act.

2. In publishing the laws aforesaid, the days upon which they respectively passed, shall be prefixed to each act immediately succeeding its title.

Style of publication.

3. The said edition shall be published in two octavo volumes, printed in the best type, on good paper, well bound in calf skin, and lettered. It shall contain a complete index, and proper marginal notes and references.

To be superintended by Benjamin W. Leigh, or some other person appointed by the Executive, in the event of his refusal.

4. The publication thereof shall be under the immediate superintendance of Benjamin Watkins Leigh; or on his failure to act, under the superintendance of such other fit person as the Executive may appoint for that purpose. It shall be his duty to prescribe the order, in which the several laws shall be published in the code; carefully classing them according to their subject matter, without reference to the time of their passage; to note particularly, the time of the enaction of each provision of the law, and to make such brief notes of explanation and reference, as he shall deem proper; he shall cause to be made proper marginal notes of the contents of each section, and a full and complete index to the whole code; and he shall cause the proof sheets to be carefully examined, during the publication. He shall be allowed to employ, with the approbation of the Executive, one or more clerks or assistants, to aid in the discharge of the duties aforesaid; and he, with the clerks or assistants aforesaid, shall be allowed, by the Executive, a reasonable compensation for their services, to be paid out of the public treasury. Upon his certificate that the laws aforesaid have been carefully examined, and that he finds them correctly printed, they shall be received in evidence in the same manner as the originals.

Duties to be performed by such superintendant.

He may appoint one or more clerks to assist him.

Their compensation.

How the work shall be authenticated.

Contract with Thomas Ritchie to print such edition, recited.

5. And whereas Thomas Ritchie hath agreed to undertake the publication of the code aforesaid, in manner aforesaid, and to deliver to the Executive, for the use of the Commonwealth,

A. D. 1819.
A. R. C. 46.

four thousand copies thereof, well printed, bound and lettered as aforesaid, at the price of six dollars for each copy, three thousand copies whereof are to be delivered on or before the first day of December, and the residue, on or before the first day of January next:

Duty of the executive in relation thereto.

Be it therefore further enacted, That the Executive shall be, and they are hereby authorised and required to contract with the said Thomas Ritchie, for the delivery of the said four thousand copies of the code aforesaid, at the times, and for the price aforesaid. When the said copies shall be received, it shall be the duty of the Executive to retain ten copies thereof, in the council chamber, for the use of the Executive department of the government, and to distribute the residue, or so many thereof as may be necessary, in the manner following: five copies to the clerk of each house of the General Assembly, for the use of the said houses, respectively; one copy to each of the judges of the court of appeals, general court, and superior courts of chancery; one copy to each of the judges of the courts of the United States resident within this State; one copy to the treasurer, auditor, and register, each, for the use of his department; one copy to the president and directors of the literary fund, and to the president and directors of the board of public works, each, for the use of their boards respectively; one copy to Thomas Jefferson, James Madison, and James Monroe, each; one copy to the superintendant of this edition of the laws; one copy to the attorney general, and to each attorney prosecuting for the Commonwealth, in any court within this State; one copy to each clerk of any court of record, within this Commonwealth, for the use of the court; and one copy to each justice of the peace, within this Commonwealth.

How the copies shall be distributed.

6. The sum necessary for the purchase aforesaid shall be paid out of any money in the treasury, not otherwise appropriated; and may be drawn for upon the order of the Executive, at any time after the said copies shall have been delivered: *Provided, however*, That it shall be lawful, at any time after the passage of this act, for the Executive to cause to be paid to the said Thomas Ritchie, in advance, for the purchase aforesaid, a sum not exceeding five thousand dollars; he the said Thomas Ritchie having first entered into bond with sufficient security, to be approved by the Executive, payable to the governor for the time being, and his successors, and conditioned for the due and faithful publication of the code aforesaid, and for the delivery of the said four thousand copies, within the times, and at the price aforesaid.

At what times they shall be paid for.

Proviso, that $5,000 dollars may be paid in advance; bond and security being given by Mr. Ritchie.

7. For the purpose of making the said advance of five thousand dollars to Thomas Ritchie; *Be it further enacted*, That the Executive of this Commonwealth shall be, and they are hereby authorised and required to borrow, on the credit of the State, the sum of five thousand dollars, until the first day of November, eighteen hundred and eighteen, at any rate of the banks in the city of Richmond, of the board of public works, the president and directors of the literary fund, or of any person whatever: *Provided*, That the interest to be paid for the said loan shall not exceed the rate of *seven per centum per annum*.

Executive authorised to borrow that sum on the credit of the State.

On an interest not exceeding 7 per cent.

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NOTARIAL SEAL
STATE OF OHIO
ROSANNA L MILLER
Notary Public
in and for the State of Ohio
My Commission Expires
January 23, 2014
APPROVED

A. D. 1812.
A. R. C. 45.

Revised bills passed the present session, not to be printed with the laws thereof. Exception.

8. *And be it also enacted*, That the revised bills passed during the present session of the General Assembly, shall not be printed with the other laws passed at the present session, except such bills and parts of bills as take effect before the first day of January next.

Repeal of all acts of a general nature not published in such Code. Proviso.

9. All acts and parts of acts, of a general nature, which shall not be published in the code aforesaid, pursuant to the directions of this act, either entire or by [illegible], shall be, and the same are hereby repealed, from and after the first day of January next: *Provided, however*, That such repeal shall not prevent the prosecution of any offence committed, or impair any right accrued before the said first day of January; but such offence may be prosecuted, and such right may be maintained and asserted, in the same manner as if this repealing section had never passed.

Commencement.

10. This act shall commence and be in force from and after the passage thereof.

C. 2.

A. D. 1788—9.
A. R. C. 15.

CONSTITUTION OF THE UNITED STATES.

We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

ARTICLE 1.

Section 1.

Legislative powers vested in congress.

1. All legislative powers herein granted, shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.

Section 2.

House of representatives; its members; by whom chosen; qualifications of electors.

1. The house of representatives shall be composed of members chosen every second year by the people of the several states; and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

A representative to be aged 25; seven years a citizen of the United States, and an inhabitant of his state when elected.

2. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and taxes to be apportioned according to numbers.

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be de-

[illegible] first meeting of the congress of the United States, [illegible] every subsequent term of six years, [illegible] shall by [illegible] exceed [illegible] at least [illegible] be made, the state of New-Hampshire shall be entitled to choose three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New-Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North-Carolina five, South-Carolina five, and Georgia three.

Vacancies; writs of election for filling vacancies.

4. When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives to choose their speaker, &c.

5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

Section 3.

Two senators chosen by the legislature of each state, for 6 years; each a vote.

1. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

[Gen. act. 5. ch. 5.]

The senators divided into three classes.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class, shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

One third of the senators vacated and to be every two years.

Incumbents of state offices, in their states, to be [illegible] of legislature.

[illegible] to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

A senator must be 30 years old, a citizen of the United States, and an inhabitant of his state when chosen.

4. The vice-president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.

Vice-president to be president of the senate; to vote on an equal division only.

5. The senate shall choose their other officers, and also a president pro tempore, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

The senate to choose their president pro tempore, &c.

6. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside: and no person shall be convicted without the concurrence of two thirds of the members present.

The sole power to try impeachments, in the senate, &c.

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Notary Public
In and for the State of Ohio
My Commission Expires
January 23, 2014
COMPARED

A. D. 1788–90.
A. R. C. 15.

Extent of judgment in cases of impeachment. Party liable also to judgment, &c. according to law.

7. JUDGMENT in [illegible] shall not extend further than to removal [illegible] to hold and enjoy any office of [illegible] States; but the party [illegible] subject to indictment, [illegible] able and ing to law.

Section 5.

Times, &c. of holding elections for senators and representatives, regulated by the states or by congress.

1. THE times, places, and [illegible] for senators and representatives [illegible] by the legislature thereof; [illegible] by law, make or alter such [illegible] of choosing senators.

Congress to assemble annually on the first Monday in December, &c.

2. THE congress shall assemble [illegible] and such meeting shall be [illegible] unless they shall by law appoint a different day.

Section 6.

Each house judge of the election of its own members. Quorum.

1. EACH house shall be the judge of the elections, returns, and qualifications, of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Each house to determine its own rules, &c.

2. EACH house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two thirds, expel a member.

Journals to be kept by each house, and published, &c.

3. EACH house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one fifth of those present, be entered on the journal.

Adjournment of both houses.

4. NEITHER house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Section 6.

Senators and representatives to be paid, &c.

1. THE senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

Privileged from arrest, &c.

Concerning the holding of offices by senators and representatives.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Section 7.

A. D. 1788–90.
A. R. C. 15.

1. ALL bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two thirds of that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment prevent its return, in which case it shall not be a law.

Joint resolutions, except for adjournment, to receive the same sanction as bills.

3. Every order, resolution, or vote, to which the concurrence of the senate and house of representatives may be necessary, (except on a question of adjournment,) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

Section 8.

THE congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

Congress have power to lay, &c.

2. To borrow money on the credit of the United States;

To borrow money.

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To regulate commerce.

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To establish a rule of naturalization, &c.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To coin money, &c.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States;

To provide for punishing counterfeiters.

7. To establish post offices and post roads;

To establish post offices, &c.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To promote science, &c.

9. To constitute tribunals inferior to the supreme court; To constitute inferior tribunals, &c.

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A. C. 1798.—9.
A. R. C. 15.

define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

To declare war.

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

To raise armies.

11. To raise and support armies; but no appropriation of money to that use, shall be for a longer term than two years:

To provide a navy.

12. To provide and maintain a navy:

To make rules for governing army and navy.

13. To make rules for the government and regulation of the land and naval forces:

To provide for calling forth the militia.

14. To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions:

To provide for organizing the militia, &c.

15. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress:

To exercise exclusive jurisdiction over a territorial district not exceeding ten miles square, &c.

16. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of government of the United States; and to exercise like authority over all places purchased, by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;—and,

To make all laws necessary to the execution of their powers.

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Section 9.

Importation of certain persons not to be prohibited until after 1808.

1. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.*

[*See art. 5, cl. 1.]

The writ of habeas corpus recognized, &c.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

No bills of attainder, or ex post facto laws.

3. No bill of attainder or ex post facto law shall be passed.

Direct taxes according to census.

4. No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No export duty, nor preference of one state to another in commerce.

5. No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

Money to be expended by legal appropriation only.

6. No monies shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No titles of nobility can be conferred by the United

7. No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them,

shall, without the consent of the congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

A. C. 1789.—9.
A. R. C. 16.

States prohibited from entering into treaties, &c.
[See amendment, art. 12.]

Powers withdrawn from the states individually.

Section 10.

1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

Powers which the states can exercise only under the sanction of congress.

2. No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the congress. No state shall, without the consent of congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE 2.

Section 1.

Executive power vested in a president, &c.

1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and together with the vice-president, chosen for the same term, be elected as follows:

Electors of president and vice-president, &c.

2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Meeting of the electors of president, &c. Their proceedings.

3. The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for; and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then, from the five highest on the list, the said

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A. R. C. 13.

house shall, in like manner, choose the [illegible]. But in choosing the president, the votes shall be [illegible] states, the representation from each state having one [illegible]. A quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors, shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them, by ballot, the vice-president.

[*Annulled. See amendments, art. 12.]

Congress may determine the time of choosing electors of president, &c.

4. The congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

The president to be natural born, or a citizen in 1788; aged 35; and 14 years a resident of the United States.

5. No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office, who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of vacancy in the office of president, the vice-president to act, &c.

6. In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

Compensation of the president.

7. The president shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

The president to take an oath.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:

Form of the oath.

"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the constitution of the United States."

Section 2.

The president is commander in chief, &c.

1. The president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He may require written opinions from principal executive officers.

He can reprieve and pardon.

He may, in conjunction with the senate, make treaties, appoint ambassadors, &c.

2. He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose

[illegible] appointments are not herein otherwise provided for, and which shall be established by law. But the congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

President to inform congress, and recommend measures; may convene and adjourn congress on certain occasions; receive ambassadors, &c.; see the laws executed, and commission all officers of the United States.

Section 3.

1. He shall from time to time give to the congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

President, &c. removable on impeachment and conviction.

Section 4.

1. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE 3.

Section 1.

Judicial powers vested in a supreme court, &c.

1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress shall from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, receive for their services a compensation, which shall not be diminished during their continuance in office.

Judges to hold their offices during good behaviour, &c.

Section 2.

Extent of the judicial power.

1. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.*

[*See a restriction of this provision, amendments, art. 11.]

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Original and appellate jurisdiction of the supreme court.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, it shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the congress shall make.

Trial of crimes to be by jury, &c.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the congress may by law have directed.

Definition of treason.

1. 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.

Congress to declare the punishment of treason, &c.

2. The congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE 4.

Section 1.

Credit to be given in one state to the public acts, &c. of another, &c.

1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Reciprocity of citizenship throughout the states. Criminals flying from one state to another, to be delivered up on demand.

1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

Runaway slaves, &c. to be delivered up.

3. No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Section 2.

New states may be admitted into the union, &c.

1. New states may be admitted by the congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the

consent of the legislatures of the states concerned, as well as of the congress.

2. The congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States; and nothing in this constitution shall be so construed, as to prejudice any claims of the United States, or of any particular state.

Not to be repealed.

Section 4.

Republican form of government guaranteed to each state, &c.

1. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and, on application of the legislature, or the executive (when the legislature cannot be convened,) against domestic violence.

ARTICLE 5.

Mode of amending this constitution.

1. The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution; or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided, that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first* and fourth* clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.†

(* Concerning the importation of certain persons, and direct taxes.)
(† See sets. 9, cl. 1.)

ARTICLE 6.

Assumption of debts, &c. preserved under this constitution.

1. All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, acts of congress, and treaties, the supreme law, &c. The state judges bound thereby.

2. This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby; any thing in the constitution or laws of any state to the contrary notwithstanding.

Senators, representatives, &c. bound by oath or affirmation to support this constitution.

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

No religious test.

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ARTICLE 7.

Ratification of nine states sufficient, &c.

1. The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention, by the unanimous consent of the states present, the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America, the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,
President, and deputy from Virginia.

NEW HAMPSHIRE.
John Langdon,
Nicholas Gilman.

MASSACHUSETTS.
Nathaniel Gorham,
Rufus King.

CONNECTICUT.
William Samuel Johnson,
Roger Sherman.

NEW YORK.
Alexander Hamilton.

NEW JERSEY.
William Livingston,
David Brearley,
William Paterson,
Jonathan Dayton.

PENNSYLVANIA.
[illegible]

DELAWARE.
George Read,
Gunning Bedford, jun.
John Dickinson,
Richard Bassett,
Jacob Broom.

MARYLAND.
James McHenry,
Daniel of St. Thomas Jenifer,
Daniel Carroll.

VIRGINIA.
John Blair,
James Madison, jun.

NORTH CAROLINA.
William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

SOUTH CAROLINA.
[illegible]

GEORGIA.
William Few,
Abraham Baldwin.

Attest, WILLIAM JACKSON, *Secretary.*

IN CONVENTION,

MONDAY, SEPTEMBER 17, 1787.

Present, the states of New Hampshire, Massachusetts, Connecticut, Mr. Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Constitution to be laid before congress, &c.

1. *Resolved,* That the preceding constitution be laid before the United States, in congress assembled, and that it is the opinion of this convention, that it should after such ratification be submitted to a convention of delegates chosen in each state by the people thereof, under the recommendation of its legislature, for their assent and ratification; and that each convention assenting to, and ratifying the same, should give notice thereof to the United States in congress assembled.

Congress to fix a day for appointing

2. *Resolved,* That it is the opinion of this convention, that as soon as the conventions of nine states shall have ratified this

constitution, the United States in congress assembled, should fix a day on which electors should be appointed by the states which shall have ratified the same, and a day on which the electors should assemble to vote for the president, and the time and place for commencing proceedings under this constitution. That after such publication the electors should be appointed, and the senators and representatives elected; that the electors should meet on the day fixed for the election of the president, and should transmit their votes, certified, signed, sealed and directed, as the constitution requires, to the secretary of the United States in congress assembled; that the senators and representatives should convene at the time and place assigned; that the senators should appoint a president of the senate, for the sole purpose of receiving, opening and counting the votes for president; and that, after he shall be chosen, the congress, together with the president, should without delay, proceed to execute this constitution.

By the unanimous order of the convention.

GEORGE WASHINGTON, *President.*

WILLIAM JACKSON, *Secretary.*

IN CONVENTION,

SEPTEMBER 17, 1787.

SIR,

Letter from the president to the president of congress.

We have now the honor to submit to the consideration of the United States in congress assembled, that constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired, that the power of making war, peace and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities, should be fully and effectually vested in the general government of the union; but the impropriety of delegating such extensive trust to one body of men is evident. Hence results the necessity of a different organization.

It is [illegible] that there should be a national government of these states, to [illegible] of independent government to each, still yet provide for the [illegible] security of all individuals adhering unto union. [illegible] to preserve the rest. The [illegible] as well on situation and circumstances, as on the object to be obtained. It is at [illegible] between states [illegible] which may be necessary [illegible] occasion this day [illegible] our desires [illegible] in this critical moment [illegible] the interest of every [illegible] the consolidation of our union, in which is involved the prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply

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impressed on our minds, led each state in the convention to [illegible] might have [illegible] which we [illegible] of that political [illegible] of our

THAT [illegible] every state, is not, [illegible] consider, that, [illegible] consequences might have [illegible] to others: that it is [illegible] ably have been expected, [illegible] promote the lasting [illegible] and secure her freedom [illegible] wish.

WITH great respect, we [illegible] your excellency's most obedient and [illegible]

BY unanimous order of the [illegible]

GEORGE WASHINGTON, *President.*

His Excellency, the President of Congress.

AMENDMENTS TO THE CONSTITUTION.

ARTICLE 1.

Congress prohibited from interfering with religion, with freedom of speech, of the press, and the right of petition.

CONGRESS shall make no law [illegible] establishment of religion, or prohibiting the free [illegible] abridging the freedom of speech, or of [illegible] the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE 2.

Right of the people to keep and bear arms, &c.

A WELL regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE 3.

No soldier to be quartered in any house, during peace, without consent, &c.

No soldier shall, in time of peace be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE 4.

No search warrant to issue, except on probable cause, oath, &c.

THE right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE 5.

A. D. 1789.
A. R. C. 14.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Person not to be held to answer for capital crime, unless, &c.

ARTICLE 6.

Assurances of speedy and public trial by jury, &c. in criminal prosecutions.

IN all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE 7.

Right of trial by jury in suits at common law, above the value of $20, &c.

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.

ARTICLE 8.

Excessive bail, fines, cruel and unusual punishments, prohibited.

EXCESSIVE bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE 9.

Rights enumerated, not to disparage those retained.

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

ARTICLE 10.

Powers not delegated, &c. are reserved to the states or people.

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 11.

Restriction of judicial powers. (See ante, art. 3, § 2, cl. 1.

THE judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

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January 2nd, 2014

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ARTICLE 12.*

1. The electors shall meet in their respective states, and vote by ballot for president and vice president, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice president, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate; the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for president, shall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest number, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote: a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice president shall act as president, as in the case of the death or other constitutional disability of the president.

2. The person having the greatest number of votes as vice president, shall be the vice president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then, from the two highest numbers on the list, the senate shall choose the vice president; a quorum for the purpose shall consist of two thirds of the whole number of senators; and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice president of the United States.

(* See ante, art. 2, § 1, cl. 3.) Actual qualification of electors, the president and vice president of the United States.

ARTICLE 13.

Citizenship forfeited by the acceptance, from a foreign power, of any title of nobility, office, or emolument of any kind, &c. [See ante, art. 1, § 9, cl. 2.]

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

C. 8.

A Declaration and Bill of Rights made by the Representatives of the good People of Virginia, assembled in full and free Convention; which rights do pertain to them, and their Posterity, as the basis and foundation of Government.

[Unanimously adopted, June 12, 1776.]

1. That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

3. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government that is best which is capable of producing the greatest degree of happiness and safety, and is most secure against the danger of mal-administration; and that, whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right, to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

4. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which not being hereditary, neither ought the offices of Magistrate, Legislator, or Judge, to be hereditary.

5. That the Legislative and Executive powers of the state should be separate and distinct from the Judiciary; and that the members of the two first may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections, in which all or any part of the former members, to be again eligible, or ineligible, as the laws shall direct.

6. That elections of members to serve as representatives of the people, in Assembly, ought to be free, and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for public uses, without their own consent, or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented, for the public good.

7. That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives

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A. D. 1776.
A. R. C. I.

of the people, is injurious to their rights, and ought not to be exercised.

8. That, in all capital or criminal [illegible] a man hath a right to demand the cause and [illegible] to be confronted with the accusers and [illegible] evidence in his favor, and to a speedy [illegible] jury of his vicinage, without whose unanimous [illegible] cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land, or the judgment [illegible].

9. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

10. That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not specially described and supported by evidence, are grievous and oppressive, and ought not to be granted.

11. That, in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other, and ought to be held sacred.

12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

13. That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence of a free state; that standing armies in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power.

14. That [illegible] government; and that [illegible] independent of, and superior to, civil power, ought not to be created or established within this state.

15. That no free government, or the blessings of liberty, can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.

16. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practise Christian forbearance, love, and charity towards each other.

C. 4.

A. [illegible]
A. R. [illegible]

The Constitution or Form of Government, agreed to and resolved upon by the Delegates and Representatives of the several Counties and Corporations of Virginia.

[Unanimously adopted, June 29, 1776.]

1. Whereas *George* the third, King of *Great Britain* and *Ireland*, and Elector of *Hanover*, heretofore entrusted with the exercise of the kingly office in this government, hath endeavoured to pervert the same into a detestable and insupportable tyranny, by putting his negative on laws the most wholesome and necessary for the public good: By denying his Governors permission to pass laws of immediate and pressing importance, unless suspended in their operation for his assent, and, when so suspended, neglecting to attend to them for many years: By refusing to pass certain other laws, unless the persons to be benefited by them would relinquish the inestimable right of representation in the Legislature, a right [illegible] with manifest [illegible] rights of the people: When [illegible] there for a long space of time, [illegible] political system without any Legislative [illegible] to prevent the population of our country, and for that purpose obstructing the laws for the naturalization of foreigners: By keeping among us, in time of peace, standing armies and ships of war: By affecting to render the military independent of, and superior to, the civil power: By combining with others to subject us to a foreign jurisdiction; giving his assent to their pretended acts of Legislation; For [illegible] among us: For cutting off our trade with all parts of the world: For imposing taxes on us without our consent: For depriving us of the benefits of trial by jury: For transporting us beyond seas, to be tried for pretended offences: For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies: For taking our ships, and destroying our towns: For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever: By abdicating government here, withdrawing his governors, and declaring us out of his protection and waging war against us: By plundering our seas, ravaging our coasts, burning our towns, and destroying the lives of our people: By inciting domestic insurrections amongst us, and endeavouring to bring on the inhabitants of our frontiers the merciless savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions: By transporting large armies of foreign mercenaries to compleat the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation: By [illegible] our petitions with a repetition of injuries: And finally, by abdicating the helm of government, and declaring us out of

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Former government dissolved. Another declared.

his allegiance and protection. By which several acts of misrule, the government of this country, as formerly exercised under the crown of *Great Britain*, is totally dissolved:

2. We, therefore, the Delegates and Representatives of the good people of *Virginia*, having maturely considered the premises, and viewing with great concern the deplorable condition to which this once happy country would be reduced, unless some regular adequate mode of civil polity speedily adopted, and in compliance with a recommendation of the General Congress, do ordain and declare the future form of government of *Virginia* to be as followeth:

Legislative, Executive, and Judiciary, separated, with an exception.

3. The Legislative, Executive, and Judiciary departments, shall be separate and distinct, so that neither exercise the powers properly belonging to the other; nor shall any person exercise the powers of more than one of them at the same time, except that the justices of the county courts shall be eligible to either House of Assembly.

Legislature; General Assembly, formed of two houses, to meet once a year.

4. The Legislative shall be formed of two distinct branches, who, together, shall be a complete Legislature. They shall meet once or oftener, every year, and shall be called the General Assembly of *Virginia*.

House of Delegates; its members, how qualified, by whom, and how chosen.

5. One of these shall be called the House of Delegates, and consist of two Representatives to be chosen for each county, and for the district of *West Augusta*, annually, of such men as actually reside in and are freeholders of the same, or duly qualified according to law [illegible] Representatives to be chosen [illegible] Burgesses, and [illegible] one for the borough of [illegible] of [illegible] for each [illegible] be allowed [illegible] which any city having [illegible] of persons [illegible] the space of seven years [illegible] of voters in [illegible] shall make [illegible] thereafter [illegible] to the Assembly.

When a corporation's right to representation shall cease.

Senate: number of members, how qualified, by whom, and how chosen.

6. The other shall be called the Senate, and consist of twenty-four members, of whom thirteen shall constitute a House to proceed on business, for whose election the dominion shall be divided into twenty-four districts; [illegible] freeholder of the respective district, at the time of the [illegible] Delegates, shall vote for one Senator, who is actually [illegible] and freeholder within the district, or duly qualified according to law, and is upwards of twenty-five years of [illegible] each county, within five days after the [illegible] last county election in the district, shall meet at [illegible] convenient place, and from the poll so taken in their [illegible] counties return as a Senator the man who shall have [illegible] greatest number of votes in the whole district. To [illegible] equally by rotation, the districts shall be equally [illegible] four classes, and numbered by lot. At the [illegible] election, the six members elected [illegible] shall be displaced, and the vacancies thereby occasioned supplied from such class or division, by new election, in the manner aforesaid.

Rotation.

The rotation shall be applied to each division, according to its number, and continued in due order annually.

7. That the right of suffrage in the election of members of both Houses shall remain as exercised at present, and each House shall choose its own Speaker, appoint its own officers, settle its own rules of proceeding, and direct writs of election for supplying intermediate vacancies.

8. All laws shall originate in the House of Delegates, to be approved or rejected by the Senate, or to be amended with the consent of the House of Delegates, except money bills, which in no instance shall be altered by the Senate, but wholly approved or rejected.

Laws shall originate in the House of Delegates; but, if not money bills, amendable by the Senate.

9. A Governor, or Chief Magistrate, shall be chosen annually, by joint ballot of both Houses, to be taken in each House respectively, deposited in the conference room, the boxes examined jointly by a Committee of each House, and the numbers severally reported to them, that the appointments may be entered; (which shall be the mode of taking the joint ballot of both Houses in all cases;) who shall not continue in that office longer than three years successively; nor be [illegible] the executive powers of [illegible] shall [illegible] laws of this commonwealth; and [illegible] exercise any power or prerogative by virtue of any law, statute, or custom, of *England*. But he shall, with the advice of the Council of State, have the power of granting reprieves or pardons, except where the prosecution shall have been carried on by the House of Delegates, or the law shall direct the particular direct; in which cases, no reprieve or pardon shall be granted, but by resolve of the House of Delegates.

Governor, how chosen, method of balloting in this and other cases; his salary and powers; restrained from granting reprieves or pardons in certain cases.

[illegible] of the General Assembly [illegible] Privy Council, [illegible] number of, their [illegible] duty, power, and [illegible] term of office.

[illegible] who [illegible] secrecy [illegible] to conceal.

A sum of money appropriated to that purpose shall be divided

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annually among the members, in proportion to their attendance; and they shall be incapable during their continuance in office, of sitting in either House of Assembly. Two members shall be removed by joint ballot of both Houses of Assembly at the end of every three years, and be ineligible for the three next years. These vacancies, as well as those occasioned by death or incapacity, shall be supplied by new elections, in the same manner.

Delegates to Congress, how chosen.

12. The Delegates for Virginia to the Continental Congress shall be chosen annually, or superseded in the mean time by joint ballot of both Houses of Assembly.

Military regulations.

13. The present militia officers shall be continued, and vacancies supplied by appointment of the Governor, with the advice of the Privy Council, on recommendations from the respective County Courts; but the Governor and Council shall have a power of suspending any officer, and ordering a court-martial on complaint of misbehaviour or inability, or to supply vacancies of officers happening where in actual service. The Governor may embody the militia, with the advice of the Privy Council, and when embodied, shall alone have the direction of the militia under the laws of the country.

Courts of Appeals, General, of Chancery, and Admiralty, judges of; Secretary, and Attorney General, how appointed; salaries of; excluded with some others, from the Legislature and Executive.

14. The two Houses of Assembly shall, by joint ballot, appoint judges of the Supreme Court of Appeals, and General Court, Judges in Chancery, Judges of Admiralty, Secretary, and the Attorney General, to be commissioned by the Governor, and continued in office during good behaviour. In case of death, incapacity, or resignation, the Governor, with the advice of the Privy Council, shall [illegible] in office. These officers [illegible] together with all [illegible] of the Gospel [illegible] members [illegible]

Counties, Judges of the respective County Courts, shall appoint their clerks, recommend sheriffs and coroners to be commissioned by Executive; and appoint constables.

15. [illegible] Council, [illegible] and in [illegible] number [illegible] in each county [illegible] County Courts. The present public Secretary in Virginia, and clerks of all the [illegible] Courts, shall continue in office. In case of vacancy by death, incapacity, or resignation, a Secretary [illegible] appointed as before directed; and the clerks of the [illegible] The present and future clerks shall [illegible] good behaviour, to be judged of and [illegible] General Court. The Sheriffs and Governor [illegible] inferior courts, appointed by [illegible] the advice of the Privy Council, and [illegible] The justices shall appoint [illegible] said officers be regulated by [illegible]

Impeachments.

16. The Governor, when [illegible] offending against the state, [illegible] tion, or other means by which [illegible] endangered, shall be impeachable by the House of Delegates. Such impeachment to be prosecuted by the Attorney General, or such other person or persons as the House may appoint, in

the General Court, according to the laws of the land. If found guilty, he or they shall be either for ever disabled to hold any office under government, or removed from office for a term of years, or subjected to such pains or penalties as the law shall direct.

A. D. 1776.
A. R. C. 1.

Impeachments.

17. If any of the Judges of the General Court shall, on good grounds (to be judged of by the House of Delegates) be accused of any of the crimes or offences before mentioned, such House of Delegates may, in the manner, impeach the Judges or Judges so accused, to be prosecuted in the Court of Appeals; and he or they, if found guilty, shall be punished in the same manner as is prescribed in the preceding clause.

Commissions, grants and writs, style, and test of indictments, conclusion of.

18. Commissions and grants shall run in the name of the Commonwealth of Virginia, and be tested by the Governor, with the seal of the Commonwealth annexed. Writs shall run in the same manner, and bear test by the clerks of the several courts. Indictments shall conclude, *Against the peace and dignity of the Commonwealth.*

Treasurer.

19. A Treasurer shall be appointed annually, by joint ballot of both Houses.

[illegible]

Exclusion, penalties, forfeitures.

[illegible]

Territorial limits; counties to co-terminous states; future governments west of Mount Allegheny how to be established.

[illegible] the charters creating the colonies of Maryland, Pennsylvania, North and South Carolina, are hereby ceded, released, and for ever confirmed to the people of those colonies respectively, with all the rights of property, jurisdiction, and government, and all other rights whatsoever, which might at any time heretofore have been claimed by Virginia, except the free navigation and use of the rivers Potomac and Pokomoke, with the property of the Virginia shores or strands bordering on either of the said rivers, and all the territories within have been or shall be made [illegible] The western and northern extent of Virginia shall [illegible] as fixed by the charter of King [illegible] one thousand six hundred and [illegible] between the Commissioners appointed [illegible] by the act of [illegible] to all within 100 miles of both rivers.

No purchase from Indian nations, but for republic.

[illegible] half of the public, by authority of the General Assembly.

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22. In order to introduce this government, the representatives of the people met in Convention, [illegible] choose a Governor and Privy Council, also such other [illegible] directed to be chosen by both Houses as may be [illegible] necessary to be immediately appointed: The Senate [illegible] chosen by the people, to continue until the last [illegible] and the other officers until the end of the [illegible] of Assembly. In case of vacancies, [illegible] either House shall issue writs for new elections.

And the third granted the company, [illegible] of both consts. The extensive territory granted by [illegible] before the revolution, by the charters granted [illegible] of 1763, between France and Great Britain, [illegible] and, since the revolution, by the [illegible] constitution; [illegible] the Ohio to the United States, and the [illegible] a separate state. The boundaries of Virginia have [illegible] *Mary see post*, c. 5. 15. 16. 17. 18. 19. 20. 21.

* As to the form of the [illegible] which this constitution was substituted, see [illegible] *Royal instructions for this government*, [illegible] 12. 13. 14. 15. [illegible] 1. 2. 3. 10. 11. By the 13th section of [illegible] *Ibid. p.* 102, 3.—establishing a form of government [illegible] the power of the council and general court of the [illegible] was vested in [illegible] which, on the 24th July, 1621, ordained a form of government [illegible] whereby the powers of the Colonial government were vested in a governor and council of state, appointed by the company in England and [illegible] house of burgesses, [illegible] to be responsible, and a [illegible] plantations, to be respectively chosen by the [illegible] all house of burgesses formed the [illegible] The Colonial government [illegible] correspondence, [illegible] law or ordinance made by the [illegible] governor [illegible] by the [illegible] Virginia [illegible] the people have [illegible] to the company [illegible] was Lord [illegible] governor [illegible] amended [illegible] of the repealing [illegible] and grievances, [illegible] of as a revolution; see [illegible] of the portant influences on the [illegible] shires were first established in 1634. [illegible] or our ancient records, that at first, in [illegible] from plantations, while they were [illegible] and were elected from them, were [illegible] burgesses. In 1645, the number was [illegible] City, which was allowed five, [illegible] James 1 *Hen. st. at lar. p.* 294. [illegible] were allowed to send [illegible] number of burgesses was [illegible] in James City county, [illegible] Jamestown. acres of land, and people it with 300 [illegible] est 100 The 7th article of the [illegible] 30. 106.— *for members of both houses of Assembly*, [illegible] suffrage By the constitution of July 1621, [illegible] the *inhabitants*; afterwards it [illegible] *p.* 338, 4. then *only householders*; [illegible] 403. 478. then "*freeholders and* [illegible] *levies*;" 2 *Ibid.* 280. then, by Bland's [illegible] 1677, the King instructed the Governor, that the [illegible] elected by *freeholders only*; *Ibid. p.* 448. In 1684, it was [illegible] *ants for life* had an undoubted *right of suffrage*; 3 *Ibid.* 98. In 1699, the right

C. 5.

An act to authorize the Delegates of this State in Congress, to convey to the United States in Congress assembled, all the Right of this Commonwealth to the Territory North Westward of the River Ohio.

[Passed December 20, 1783.]

1. Whereas the Congress of the United States did, by their act of the sixth day of *September*, in the year one thousand seven hundred and eighty, recommend to the several States in the Union, having claims to waste and unappropriated lands in the Western Country, a liberal cession to the United States, of a portion of their respective claims for the common benefit of the Union; Preamble.

[illegible] whereas this Commonwealth did, on the second day of January, in the year one thousand seven hundred and eighty-[illegible] Delegates in the United States, for the benefit [illegible] the said act of [illegible] of the river [illegible] the said act of [illegible]

[illegible] States in Congress assembled, [illegible] sixth of *September* last, stipulate the terms on which they agree to accept the cession of this State, should the Legislature approve thereof, which terms, although they do not come fully up to the propositions of this Commonwealth, are considered, on the whole, to approach so nearly to them, as to induce this state to accept thereof, in full confidence that Congress will, in justice to this State for the liberal cession she hath made, strictly press upon the other States claiming large tracts of waste and uncultivated territory,

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A. R. C. 8.

Delegates empowered to convey.

the propriety of making cessions [illegible] for the common benefit and support of the Union, [illegible] *be enacted by the General Assembly*, that it shall and [illegible] for the Delegates of this State to the Congress [illegible] United States, or such of them as shall be assembled [illegible] said the said Delegates, or such of them so assem[illegible] fully authorised and empowered, for and [illegible] State, by proper deed or instrument in [illegible] hands and seals, to convey, transfer, assign [illegible] into the United States in Congress as[illegible] of the said States, all right, title, and [illegible] as jurisdiction, which this Commonwe[illegible] or tract of country within the limits [illegible] situate, lying, and being to the North [illegible] subject to the terms and conditions [illegible] Act of Congress of the fifteenth [illegible] to wit:

Conditions.

Upon condition that the [illegible] formed into States, [illegible] not less than one hundred, [illegible] miles square, or as near [illegible] and that the States so formed shall be distinct Republican States, and admitted members of the Federal Union, having the same rights of sovereignty, freedom, and independance, as the other States; that the necessary and reasonable expenses incurred by this State in subduing any British posts, or in maintaining forts or garrisons within and for the defence, or in acquiring any part of the territory [illegible] or relinquished, shall be fully discharged [illegible] United States; and that one Commissioner shall be appointed by Congress, one by this Commonwealth, and another [illegible] two Commissioners, who, or a majority of them, shall be authorised and empowered to adjust and liquidate the amount of the necessary and reasonable expenses incurred by this State, which they shall judge to be comprised within the intent and meaning of the Act of Congress of the tenth of October, one thousand seven hundred and eighty, respecting such expenses. That the *French and Canadian* inhabitants, and other settlers of the *Kaskaskies*, *St. Vincents*, and the neighbouring villages, who have [illegible] themselves citizens of *Virginia*, shall have their possessions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties. That a quantity not exceeding one hundred and fifty thousand acres of land promised by this State, shall be allowed and granted to the Illinois Regiment, now General *George Rogers Clarke*, and to the officers and soldiers of his regiment, who marched with him when the posts of *Kaskaskies* and *St. Vincents* were reduced, and to the officers and soldiers that have been since incorporated into the said regiment, to be laid off in one tract, the length of which is not to exceed double the breadth, in such place on the North-west side of the *Ohio* as a majority of the officers shall choose, and to be afterwards divided among the said officers and soldiers in due proportion according to the laws of *Virginia*. That in case the quantity of good lands on the South-east side of the *Ohio*, upon the waters of *Cumberland* river, and between the *Green* river and *Tenissee* river, which have been reserved by

Reservations.

law for the *Virginia* troops upon Continental establishment, [illegible] should, from the *North-Carolina* line bearing to the [illegible] the *Cumberland* lands then was supposed, [illegible] for their legal bounties, the deficiency [illegible] the said troops in good lands, to be laid [illegible] *Scioto* and *Little Miami*, on the North-west side of the river *Ohio*, in such proportions as have been usually allotted by the laws of *Virginia*. That all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the Continental army, shall be considered as a common fund for the use and benefit of such of the United States as have become, or shall become members of the Confederation or Federal Alliance of the said States, *Virginia* inclusive, according to their actual respective proportions in the general charge and expenditure, and shall be faithfully and fairly disposed of for that purpose, and for no other use or purpose whatsoever. *Provided*, that the trust hereby reposed in the Delegates of this State shall not be executed, unless three of them, at least, be present in Congress.

All the lands ceded to be a common fund for the members of the Federal alliance, and for no other use.

Three members at least to execute the trust.

C. 6.

An act concerning the Territory ceded by this Commonwealth to the United States.

A. D. 1788.
A. R. C. 14.

[Passed December 30, 1788.]

1. WHEREAS the United States in Congress assembled, did, on the seventh day of *July*, in the year of our Lord one thousand seven hundred and eighty-six, [illegible] reasons, [illegible] division of the Territory which had been ceded to the United States by this Commonwealth, into States, in conformity to the [illegible] of cessions, which the state to allowed by which [illegible] and [illegible] and [illegible] and [illegible] recommend a revisal of the Act of cession, so far as to empower Congress to make such a division of the said Territory into distinct and republican States, not more than five, nor less than three in number, as the situation of that country and future circumstances might require: And the said United States in Congress assembled, have, in the ordinance for the government of the Territory North-west of the river *Ohio*, passed on the fifteenth of *July*, one thousand seven hundred and eighty-seven, declared the following as one of the articles of compact between the original States and the People and States in the said Territory, viz.

There shall be formed in the said Territory not less than three, nor more than five States; and the boundaries of the States as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The Western State in the said Territory,

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A. D. 1798.
A. R. C. 14.

shall be bounded by the Mississippi, the Ohio, and Wabash rivers, a direct line drawn from the Wabash and Post Vincent's due North to the territorial line between the United States and Canada, and by the said territorial line to the Lake of the Wood and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincent's to the Ohio, by the Ohio, by a direct line drawn due North from the mouth of the Great Miami until it shall intersect the territorial line, and by the said territorial line. The Eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line. Provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said Territory which lies North of an East and West line, drawn through the Southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted by its Delegates into the Congress of the United States, on an equal footing with the original States in all respects whatsoever, and shall be at liberty to form a permanent Constitution and state Government, provided the Constitution and Government so to be formed shall be republican, and in conformity to the principles contained in these articles; and so far as it can be consistent with the general interest of the Confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

And it is expedient that this Commonwealth do assent to the proposed alteration so as to ratify and confirm the said Article of Compact between the original States, and the People and States in the said Territory:

An article of the compact between the United States and the people and states North West of the Ohio, ratified by this Commonwealth.

2. *Be it therefore enacted by the General Assembly*, That the above-recited Article of Compact between the original States, and the People and States in the Territory North-west of *Ohio* river, be, and the same is hereby ratified and confirmed, any thing to the contrary, in the deed of cession of the said Territory by this Commonwealth to the United States, notwithstanding.

C. 7.

An act, authorising the Executive to appoint Commissioners, to unite with Commissioners on the part of the United States, in running a line between the lands reserved, and the lands ceded, by this Commonwealth, to the State of Ohio.

[Passed February 28, 1813.]

Preamble.

WHEREAS it appears to this General Assembly, that the commissioners appointed, to act in conjunction with commissioners appointed on the part of the United States, to ascertain the true boundary line between the lands reserved by this Commonwealth for the benefit of the officers and soldiers of the state of Virginia, did, agreeably to the appointment of the President of the United States, meet, at Xenia, in the state of Ohio, on the twenty-sixth of October last, and commenced the performance of the duties assigned to them, but, differing in opinion as to the true line between the lands ceded to the general government and those reserved by this State, did not accomplish the object of their appointment; And whereas it is important, as well to this State as to the United States, that a line be run, separating the lands reserved by this State from the territory ceded to the United States by the deed of cession, executed the first day of March, seventeen hundred and eighty four;

Correspondence to be commenced by executive, to effect appointment of commissioners.

1. *Be it therefore enacted*, That the Executive of this State commence a correspondence with the Executive of the United States, in order to effect the appointment of other commissioners, or the adoption of some other mode for the completion of the objects of this legislature, in relation to the permanent establishment of a line between the lands reserved by this Commonwealth for the benefit of the officers and soldiers of the Virginia line, and lying between the river Scioto and the Miami, in the state of Ohio, and the other lands ceded by this Commonwealth to the United States by deed bearing date the first of March, seventeen hundred and eighty four; and that, in the event of the consent on the part of the Executive of the United States to the appointment of other commissioners for the purposes aforesaid, that the Governor of this Commonwealth be, and he is hereby empowered, by and with the advice of the council, to appoint an equal number of commissioners on the part of this State, who, or any two of whom, acting in conjunction with an equal number of the commissioners so appointed on the part of the United States, shall ascertain and run the true line, and distinguish, clearly, throughout the whole course of said line, the lands reserved as aforesaid from the other lands ceded as aforesaid, according to the true intent and meaning of the said cession. And the better to enable the commissioners aforesaid to discharge the duties hereby assigned to them, the Governor, by and with the advice of the council, is authorised to appoint a surveyor to aid them in running said line, who shall be entitled to the same compensation, and take the same oaths, as a commissioner.

In what event such appointment is to be made.

Number of commissioners.

Their duty.

Surveyor to be appointed to assist them.

His compensation.

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Notary Public
In and for the State of Ohio
My Commission Expires
January 28, 2012

A. D. 1816.
A. R. C. 37.

When line run by the Commissioners is to be considered as established.

2. *Be it further enacted*, That the line, which may be run by the commissioners, appointed by virtue of this act, and the commissioners acting on the part of the United States, shall be considered hereafter as the true line between the lands reserved as aforesaid, and the lands ceded as aforesaid, unless the legislature of this Commonwealth shall, during its first or second session after the report of the said commissioners shall have been made to the Executive, disapprove the same: *Provided, however*, that nothing in this section contained shall be obligatory, unless the act of congress, under which the commissioners of the United States may be appointed, shall contain a provision to the same effect.

Proviso.

Compensation to commissioners.

3. *Be it further enacted*, That the commissioners who may be appointed by virtue of this act shall be entitled to sixteen cents for every mile they may necessarily travel from their respective places of abode to the point at which the said line shall commence, and the sum of six dollars per diem during the time for which they may be actually engaged in running the said line.

Oath to be taken.

4. *And be it further enacted*, That each commissioner who may be appointed by virtue of this act, shall take and subscribe an oath, before the governor and council or before the court of the county in which he resides, to be certified by the clerk of the court to the governor and council, that he will, honestly, impartially and diligently perform the duty prescribed by this act.

Commencement.

5. This act shall be in force from the passing thereof.

C. 8.

A. D. 1789.
A. R. C. 14.

An act for the cession of ten miles square, or any lesser quantity of territory within this State, to the United States, in Congress assembled, for the permanent seat of the general government.

[Passed December 3, 1789.]

Preamble.

1. Whereas the equal and common benefits resulting from the administration of the general government will be best diffused, and its operations become more prompt and certain, by establishing such a situation for the seat of the said government, as will be most central and convenient to the citizens of the United States at large, having regard as well to population, extent of territory, and a free navigation to the *Atlantic* Ocean, through the *Chesapeake* bay, as to the most direct and ready communication with our fellow-citizens in the western frontier: and whereas it appears to this assembly, that a situation combining all the considerations and advantages before recited, may be had on the banks of the river *Potowmack*, above tide water, in a country rich and fertile in soil, healthy and salubrious in climate, and abounding in all the necessaries

and conveniencies of life, where in a location of ten miles square, if the wisdom of Congress shall so direct, the States of *Pennsylvania*, *Maryland* and *Virginia* may participate in such location:

2. *Be it therefore enacted by the General Assembly*, That a tract of country, not exceeding ten miles square, or any lesser quantity, to be located within the limits of this State, and in any part thereof as Congress may by law direct, shall be, and the same is hereby for ever ceded and relinquished to the Congress and Government of the United States, in full and absolute right, and exclusive jurisdiction as well of soil, as of persons, residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the Constitution of Government of the United States.

Tract of country within this state ceded to the United States for the seat of the general government.

3. *Provided*, That nothing herein contained, shall be construed to vest in the United States, any right of property in the soil, or to affect the rights of individuals therein, otherwise than the same shall or may be transferred by such individuals to the United States.

Reservation of the rights of individuals to the soil.

4. *Be it further enacted also*, That the jurisdiction of the laws of this Commonwealth, over the persons and property of individuals residing within the limits of the district aforesaid, shall continue, until congress, having accepted the said district, shall by law provide for the government thereof, under their jurisdiction, in manner provided by the article of the constitution before recited.

When the jurisdiction of the laws of this Commonwealth over the same shall cease.

C. 9.

A. D. 1794.
A. R. C. 12.

An act to empower the President of the United States to purchase a tract of land within this State, for the purpose of erecting a Public Arsenal thereon.

[Passed November 28, 1794.]

1. *Be it enacted by the General Assembly of the Commonwealth of Virginia*, That it shall and may be lawful for the President of the United States, or any person by him appointed for that purpose, to purchase within the limits of this State a quantity of land, not exceeding six hundred and forty acres, for the use of the United States, for the purpose of erecting a magazine and arsenal thereon.

Site ceded to U. S. for arsenal.

2. This act to commence and be in force from and after the passing thereof.

Commencement.

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EXHIBIT

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OATH OF CERTIFIED COPIES

On this the 3rd day of MARCH, 2014, I, the undersigned Notary Public, have compared the originals and the copies and certify under penalty of perjury under the laws of the Republic for the united States of America that said attached copies are exact duplicates to the originals.

Rosanna L Miller
Notary Public Signature

January 23, 2019
My Commission Expires

NOTARIAL SEAL
STATE OF OHIO

ROSANNA L MILLER
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January 23, 2019

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January 23, 2014

COMPARED

EXHIBIT
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In and for the State of Ohio
My Commission Expires
January 23, 2010

COMPARED

CHAP. 40.—An [illegible]
publishing reports [illegible]
[illegible]

1. *Be it enacted by the general assembly*, That [illegible]
the decisions of the court of appeals, appointed by the [illegible]
[illegible] act of the general assembly, entitled, "an act [illegible]
[illegible]

[illegible]

[illegible] publication the decisions of the [illegible]
[illegible] shall [illegible]
[illegible]

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MUNICIPAL COURT
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My Commission Expires
January 22, 2014

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