

Memorandum and Article Explaining:  
**The Artificial Over-Lay Composing**  
**the Constitutionally-Lawless and De-Facto Government**  
**for the State of Oregon.**

(This work is largely a study of the implications of "Oregon Revised Statute: 131.205";  
and it has application in all other Governments of the Union, including Local, State, and National.  
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**Accurately Defining "Constitutional Government" with-in the "Constitutional State":**

In order for any document which purports to responsibly and honestly address the very serious issues necessarily involved in subjects related to the Legitimacy of current Models of Government (as referenced in the title of this document), that document must First establish a "Reference Point", so that the vast multitude of "Constitutionally Lawless" Modes of Governing can quickly and efficiently be defined, and recognized as being Outside of the specific parameters or boundaries of the then Clearly-Defined "Constitutionally-Lawful" form of Government. Although vast amounts of data is available for assisting in accurately-defining these critically-important parameters/boundaries of legitimate government; probably the most un-questioned source for defining these parameters in Oregon, is through referencing the supreme written text known as the "Oregon State Constitution". By quickly selecting specific passages there-from, passages which are clearly intended to accurately assist in defining these "Constitutional Parameters"; here-under it quickly becomes clear that the specific arrangement of the "Machinery of Government" is a rather secondary concern; and that the "Primary Concern" in establishing an Accurate Definition of "Constitutional Government", as well as for Defining "Constitutionally-Lawless Government"; all comes down to the ability of the various Models of Governing to actually Achieve the "Primary Purpose" or "End Goals" of "Constitutional Government".

In Oregon's Constitution (unlike many others) our "Bill of Rights" is placed right up-front, at "Article 1". This arrangement is in specific recognition of the Higher Priority which the Mandates set forth there-in were Originally Intended to be given. A few especially applicable Quotations from the Originally Intended Version of that supreme governing document, along with the over-riding "Preamble" to that entire document, are set forth here-in, as follows:

**Preamble: We the people of the State of Oregon, to the end that Justice be established, or maintained, and liberty perpetuated, do ordain this Constitution.**

**Article 1, Section 1: Natural rights inherent in people. We declare that all men, when they form a social compact, are equal in rights: that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.**

**Article 1, Section 2: Freedom of worship. All men shall be secure in the Natural right, to worship Almighty God according to the dictates of their own consciences.**

**Article 1, Section 3: Freedom of religious opinion. No law shall in any case whatever control the free exercise, and enjoyment of religious opinions, or interfere with the rights of conscience.**

**Article 1 Section 7: Manner of administering oath or affirmation. The mode of administering an oath, or affirmation shall be such as may be most consistent with, and binding upon the conscience of the person to whom such oath or affirmation may be administered.**

**Article 1 Section 9: Unreasonable searches or seizures. No law shall violate the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search, or seizure; and no warrant shall issue but upon probable cause, supported by oath, or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.**

**Article 1 Section 10: Administration of justice. No court shall be secret, but justice shall be administered openly and without purchase, completely and without delay, and every man shall have remedy by due course of law for injury done him in his person, property, or reputation.**

**Article 1 Section 11: Rights of accused in criminal prosecution. In all criminal prosecutions, the accused shall have the right to public trial by an impartial jury in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.**

These Quotations Establish the Lawfully-Recognizable "Priorities" for All Honest-Efforts at Accurately-Defining "Constitutional Government" with-in the truly law ful "State of Oregon". No attempt will be made at this stage of this document to summarize each of them into a well-ordered list.

### **Divergences from the Constitutional State:**

In seeking to show the contrast between the present form of Oregon's government and that which our State's Constitution actually mandates, it is good to "juxtapose" them in a side-by side comparison. As with all forms of government in the USA the Constitutionally-Lawful-form of government is legally recognizable as a "Republic", with heavy emphasis on the "Public" being directly and meaningfully involved in that governing process. Many dictionaries, including law dictionaries, and including the most popular of these called "Black's Law Dictionary"; all Define "Constitutional Law" as being "Organic Law", for and by the Organic Body-Politic of the People for whom are intended to comprise the community or "State" which is intended there-by to be governed. This "Organic Law" concept is directly related to the "Natural Law" which is referenced in the "Declaration of Independence" document of our entire nation; and both of these are also directly related to the "Natural Rights" which are prioritized repeatedly in the above referenced Quotations from "Oregon's Bill of Rights". The word "Democracy" has a similar positive and common-people oriented focus; but there is a danger here of falling into the trap of "Mob Rule", when that "Democratic Process" has been engineered and provided by the Empirical/Private/Corporate/DeFacto form of Government; all of which is frequently prioritizing a simplistic version of "Majority Rule", and where-by the constitutionally-guaranteed rights of minorities are frequently sacrificed on the alter of expediency, and usually by people who are, at best, mindlessly-impassioned and severely misguided, and at worst are treasonously conspiratorial.

### **Remedies for effecting a Return to the Constitutional State:**

The single most effective mechanism that our Oregon Constitutional System provides for effecting this Return to a Constitutionally-Lawful Form of Governance, would be through some Individual Oregonians Filing in a Court of this State, a Complaint against one or more key Public-Servants, and there-by seeking their Removal from the Public-Offices which they hold. Although most Judges in the Courts do not respect the common people's right to do precisely this, a close reading of the power that the people of this State are entitled to exercise and which is known as "Quo-Warranto" and "State-Ex-Rel", confirms completely that we have the right to do precisely this. Corrupted Appellate

Court case-law notwithstanding, Oregon Revised Statutes 30.510 affirms precisely this; as does the Preamble and Article 1 Sections .

If action such as this were not routinely Aborted by Corrupted Public-Servants in the Judiciary; this would soon "Set a Precedent" which would bring about the bloodless and non-violent Change in Leadership which is Necessary to Effect a Return to the Constitutionally-Lawful; aka: "De-Jure" Form of Governance. A Complaint such as this may be submitted in accompaniment with this document.

But with this clear picture firmly in mind concerning the Fundamental Ideals Required from a "Constitutionally-Lawful Form of Governance", especially regarding the Common Right of Common People to Access the Court-Buildings and Personnel of Oregon; it is good to move now to the main focus of this Memorandum; of Presenting the Evidence and explaining the precise Nature of the "Constitutionally-Lawless Form of Government" under which Oregonians presently live.

To understand our Oregon and American Constitutional System of Governance more Fully; it is good to bring forth some citations in support of these studies; as follows:

**Professor Hart; 54 Columbia Law Review 489-497 (1954).**

**"The law which governs daily living in the United States is a single system of law; it speaks in relation to any particular situation with only one ultimately authoritative voice, however difficult it may be on occasion to discern in advance which of two or more conflicting voices really carries authority. In the long run and in the large, this must be so. People repeatedly subjected, like Pablov's dogs, to two or more inconsistent sets of directions, without means of resolving the inconsistencies, could not fail in the end to react like the dogs did. The society, collectively, would suffer a nervous breakdown." \* \* \***

**"In any system of government, responsibility for doing these things is divided among the governments various branches. In the federal system, it is further divided among the government and the governments of the states and their political subdivisions. \* \* \***

**"Nowhere is the theory and practice of American federalism more significantly revealed than in the constitutions of the states. These constitutions assume responsibility for dealing, and claim authority to deal, with the whole gamut of problems cast up out of the flux of everyday life in the state, save only in the particular respects in which the Federal Constitution or statutes deprive the states of any competence whatever or provide for an overriding or displacing federal law. They announce clearly, in Madison's words, that whereas the powers of the federal government consist of special grants taken from the general mass of power [we the state governments] possess the general mass with special exceptions only."**

This scholarly Law Article from "Professor Hart", as he wrote for the "Columbia Law Review"; clearly Explains the Fundamental "Single System of Law" which "Governs Daily Living in the United States". There are Multitudes of Other Law Articles, Judicial Opinions; Statutes; Constitutional Provisions; and Common-Law Maxims; which all say basically the same thing; from a myriad of interesting different angles. These Multitudes of Sources all confirm that these Fundamentals of American and Oregon Constitutional-Law All Require that All True Constitutionally Legitimate "Law which Governs ... in the United States" Must be presented in such manners so as to "Speak" Harmoniously with our Constitutional-Laws, all so that "Only One Ultimately Authoritative Voice" of Harmonious Law is heard through-out our organic State body-politic. This is just as Professor Hart above so declares. (Other citations can be provided; should a legitimate need arise.)

**Comparing "Constitutional States" with "DeFacto States":**

In order to comprehend the Constitutionally-Lawless Nature of the Present Governing Structure

in this "State of Oregon", first one must "step back", to look at a Larger "Frame of Reference" of what is a "Constitutionally-Lawful State", so that the two can be clearly compared, side-by-side. Here-by, the "Single Voice" which Professor Hart speaks of, may be clearly identified, separated, protected, and empowered. To achieve this end, below is presented a number of quotations. Many of these will fit smoothly for Defining the "Constitutional State" Ideal, while others are designed to Define what a "Constitutionally-Lawless State" would look like; as follows:

**Black's Law Dictionary 5<sup>th</sup> Edition, 1979, West Pub. Co., St Paul Minn.**

**State: A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic, exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. ... The organization of social life which exercises sovereign power on behalf of the people. ... In its largest sense, "state" is a body politic or a society of men. ... The people of a state, in their collective capacity, considered as the party wronged by a criminal deed, the public, as in the title of a cause, "The State vs A.B."**

**De facto: In fact, in deed, actually. This phrase is used to characterize an officer, a government, a past action, or a state of affairs which must be accepted for all practical purposes, but is illegal or illegitimate. Thus an office, position or status existing under a claim or color of right such as a de facto corporation. In this sense, it is the contrary of de jure, which means rightful, legitimate, just or constitutional. Thus an officer, king, or government de facto is one who is in actual possession of the office or supreme power, but by usurpation, or without lawful title; while an officer, king, or government de jure is one who has just claim and rightful title to the office or power; but has never had plenary possession of it, or is not in actual possession. ...**

**De facto government: One that maintains itself by a display of force against the will of the rightful legal government and is successful, at least temporarily, in overturning the institutions of the rightful legal government by setting up its own in lieu thereof.**

**Court: De facto Court: One established, organized, and exercising its judicial functions under authority of a statute apparently valid, though such statute may be in fact unconstitutional and may be afterward so adjudged; or a court acting under the authority of a de facto government.**

**De facto judge: A judge who functions under color of authority but whose authority is defective in some procedural form.**

**Government de facto: A government of fact. A government actually exercising power and control, as opposed to the true and lawful government; a government not established according to the constitution of the nation, or not lawfully entitled to recognition or supremacy, but which has never the less supplanted or displaced the government de jure. A government deemed unlawful or deemed wrongful or unjust, which, nevertheless, receives presently habitual obedience from the bulk of the community. There are several degrees of what is called "de facto government". Such a government, in its highest degree, assumes a character very closely resembling that of a lawful government. This is when the usurping government expels the regular authorities from their customary seats and functions, and establishes itself in their place, and so becomes the actual government of a country. The distinguishing characteristic of such a government is that adherents to it in war against the government de jure do not incur the penalties of treason; and, under certain limitations, obligations assumed by it in behalf of the country or otherwise, in general, be respected by the government de jure when restored.**

Such a government might be more aptly denominated a "government of paramount force", being maintained by active military power against the rightful authority of an established and lawful government; and obeyed in civil matters by private citizens. They are usually administered directly by military authority, but they may be administered, also, by civil authority, supported more or less by military force. *Thorington v. Smith*, 75 U.S. (8. Wall.) 1, 19 L.Ed. 361.

**Public Law:** A general classification of law; consisting generally of constitutional, administrative, criminal, and international law, concerned with the organization of the state, the relation between the state and the people who compose it, the responsibilities of public officers to the state, to each other, and to private persons, and the relations of states to one another. An act which relates to the public as a whole. ... That branch or department of law which is concerned with the state in its political or sovereign capacity, including constitutional and administrative law; and with the definition, regulation, and enforcement of rights in cases where the state is regarded as the subject of the right or object of the duty, - including criminal law and criminal procedure, ...

**General Law:** A law that affects the community at large. A general law as contradistinguished from one that is special or local, is a law that embraces a class of subjects or places, and does not omit any subject or place naturally belonging to such class. A law, framed in general terms, restricted to no locality, and operating equally upon all of a group of objects, which, having regard to the purposes of the legislation, are distinguished by characteristics sufficiently marked and important to make them a class by themselves, is not a special or local law, but a general law. A law that relates to a subject of a general nature, or class, while one relating to particular persons or things of a class is a "special law:"

**Private Law:** As used in contradistinction to "Public Law", the term means all that part of the law which is administered between citizen and citizen, or which is concerned with the definition, regulation, and enforcement of rights in cases where both the person in whom the right inheres and the person in whom the obligation is incident are private individuals. See also: Private bill; Public law; Special law.

**Special Law.** One relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class, rather than upon the public generally. A private law. A law is "special" when it is different from others of the same general kind or designated for a particular purpose, or limited in range or confined to a prescribed field of action or operation. ...

**Special Interest Group.** Groups in society that have a special interest in common. Special interest groups generally attempt to influence government legislation to benefit their own particular interest group.

**Malum in se:** A wrong in itself; an act or case involving illegality from the very nature of the transaction, upon principles of natural, moral, and public law. An act is said to be malum in se when it is inherently and essentially evil, that is, immoral in its nature and injurious in its consequences, without any regard to the fact of its being noticed or punished by the law of the state. Such are most or all of the offences cognizable at common law (without the denouncement of statute); as murder larceny, etc.

**Malum Prohibitum:** A wrong prohibited; a thing which is wrong because prohibited; an

act which is not inherently immoral, but becomes so because its commission is expressly forbidden by positive law; an act involving illegality resulting from positive law. Contrasted with malum in se.

**Mala Prohibita: Prohibited wrongs or offences; acts which are made offences by positive law, and prohibited by such. Acts or omissions which are made criminal by statute: but which, of themselves, are not criminal. Generally, no criminal intent, or mens rea is required and the mere accomplishment of the act or omission is sufficient for criminal liability. Term is used in contrast to mala in se which are acts which are wrongs in themselves such as robbery.**

**Common law. ... "Common law" consists of those principles, usage and rules of action applicable to government and security of persons and property which do not rest for their authority upon any express and positive declaration of the will of the legislature. ... In a broad sense, "common law" may designate all that part of the positive law, juristic theory, and ancient custom of any state or nation which is of general and universal application, thus marking off special or local rules or customs."**

There are multitudes of similar citations more powerful than these, but these are convenient to reproduce here, and I believe that they make the point adequately. To now build on this more broadly-based foundation of concepts and terminology; Professor Hart has declared above that the "Constitutions of the States" are where one must look in order to find "Revealed" the "Theory and Practice of American Federalism". America's "State Constitutions" are not obsolete/archaic documents, as some would infer. Although numerous scholars such as U.S. Supreme Court Judge Thurgood Marshall, and even this author; at least begrudgingly admit that there are numerous flaws in our various written State and Federal Constitutions. Yet from the above citations, it is clear that this does Not under-mine the "Fundamental Principles" of "Natural/Organic Law" up-on which these foundational documents are Based and which they unanimously profess to Seek.

And the "Constitution of the State of Oregon" is one of the very most Advanced Written Constitutions in this entire array of Federal and State Written Constitutions. And this statement is true in part because of a specific provision there-in which even further De-Centralizes the Authority for the Common People of this State to "Responsibly Self-Govern"; as follows:

**Oregon Constitution, Article 4 Section 23: Certain local and special laws prohibited: The Legislative Assembly, shall not pass special or local laws, in any of the following enumerated cases, that is to say:**

- Regulating the jurisdiction, and duties of justices of the peace, and of constables;**
- For the punishment of Crimes, and Misdemeanors;**
- Regulating the practice in Courts of Justice;**
- Providing for changing the venue in civil, and Criminal cases; Granting divorces;**
- Changing the names of persons;**
- For laying, opening, and working on highways, and for the election, or appointment of supervisors;**
- Vacating roads, Town plats, Streets, Alleys, and Public squares;**
- Summoning and empaneling grand, and petit jurors;**
- For the assessment and collection of Taxes, for State, County, Township, or road**

**purposes;**

**Providing for supporting Common schools, and for the preservation of school funds;**

**In relation to interest on money;**

**Providing for opening, and conducting the elections of State, County, and Township officers, and designating the places of voting;**

**Providing for the sale of real estate, belonging to minors, or other persons laboring under legal disabilities, by executors, administrators, guardians, or trustees.**

All reasonable people will immediately recognize that the obvious "Original Intent" of the Framers of this Constitutional Provision, is to De-Centralize the Power of the Government of this State as Much as is Reasonably Possible. Please note that the "Legislators" are the Single Source for defining "Law" with-in the "Civil-Government" of this State. Further; under the above Constitutional "Prohibition", these "Legislators are Prohibited from Passing Legislation which does not concern the "General Welfare" of the Common People who form the Public Body-Politic of this State. Under these strict constitutional-mandates, all above-mentioned "Malum-Prohibitum" forms of legislation are Null & Void. In contemplating the above constitutional provision, it must be kept in mind that "General Law" is the Polar Opposite of the "Special Law" referred to there-in. Both of these terms have been clearly Defined in the "Blacks Law Dictionary" Citations further above. Here-under, these Legislators are Restricted in the forms of Legislation which they can Lawfully Pass, to enacting Only "General Laws" for the Governing of the "General Public". And please remember, "General-Law" = "Public-Law", = "Common-Law" = "Natural-Law". These facts are shown from the same "Black's Law Dictionary" Citations, above.

And because the Judicial and the Executive Departments Can Not "Legislate"; here-under, All "State Civil-Officers" are "Prohibited from Interfering" with these "Local and Special" Powers and Authorities being Exercised Directly by these Smaller "Local and Special" Governmental Jurisdictions and Bodies-Politic. All of these above mentioned concerns are "Constitutionally Required" to be handled at these "Local or Special" Levels of Government.

That provision Limits the Jurisdiction of the State's Legislative Assembly from Passing Statutory-Laws which are "Local" or "Special", and which there-by would Micro-Manage Issues which can be Responsibly Addressed at the Smaller and more Local Levels of Government. The "Local Government" Jurisdictions, would be such as Counties, Precincts, Townships, and perhaps even Households. "Special Government" Jurisdiction would be such entities as Religious Organizations; Fraternal Organizations such as the Masons, Elks, and Lions; and Trade Associations such as the Lawyers "Oregon State Bar Association", and the Doctors "Oregon Medical Association". Each of these entities have the Constitutionally-Lawful Authority to "Responsibly Self-Govern", at least so long as they do not engage in any Crime involving any Common-Law "Breach of the Peace" or "Trespass" against any other Natural/Real Person. "Common-Law" Is "Natural-Law" and "General Law"; and "Common-Law Crimes" are Crimes under Natural-Law & General-Law. All legislation attempting to reflect these natural-law based ideals are referred to as "Malum-In-Se" forms of legislation. And due to the above Constitutional provision, and others similar; the "Legislative Assembly" of the Constitutional "State of Oregon" can Only Lawfully Enact Legislation which seeks to Prohibit these Malum-In-Se based "Common-Law Crimes".

Yet close examination of the current activities among the "Public Servants" of this State reveals a

"Discrepancy" between them and the above mentioned Fundamental Moral-Principles of Our American and Oregon Constitutional-Law. In stark Contrast to these Fundamental Moral-Principles of our Constitutions; "Malum Prohibitum" is now being En-Forced as "Law" Against the Common People of this State. This all Stands in Stark Contrast to the Constitutional "Malum-In-Se" form of "Law", as embodied with-in Traditional Anglo/American "Common-Law". These terms are clearly defined above. Under the "Malum-In-Se" and "Common-Law" form of "Law", a Natural/Organic Person is Required to be found to be a Physical Victim, Before Any Person can be Prosecuted for Any Alleged "Crime".

Here-by; the Number of supposed "Crimes" for which the Public-Servants of the Government may Prosecute Members of the Constitutionally-Protected Body-Politic, are kept to an Absolute Minimum. This is a Great "Protection" for the Common People; because here-by the "Force of the State" can Not be Arbitrarily Applied against them; except for when it is "Justified" by this Higher and Scientifically-Precise Physical-Test of determining whether or not the Physical "Peace" of the State has been "Breached". Here-by; the all-important idea of "Liberty" is preserved, because the People have the Constitutionally-Protected Right to engage in Any Activity What-So-Ever, just so long as they do Not Physically "Disturb the Peace" of any other Member of the Body-Politic.

In contrast; the "Malum Prohibitum" Form of "Law" (which comes from the Roman "Civil-Law", as opposed to English Common-Law) seeks to Prosecute People for what has become known as "Victimless-Crime". This is an Extra-Constitutional "Expansion" of the Ability of the "Public-Servants" of the State to Prosecute Members of the State's Body-Politic for alleged "Crimes". They like to refer to these prosecutions by calling them "Quasi-Crimes". This is known as using "Legal Fiction". Under this "Malum Prohibitum" form of Governance; life is little different than living under the "Monarchy" of an Evil King, who may Prosecute the Common People for any-thing which he whimsically desires. Here-under; "Malum Prohibitum" is considered by Judges and Police who enjoy mis-using their power, as "Wrong", and "Punishable", merely because the alleged "Law-Giving Power" has so "Prohibited" it, through spoken or written declarations. This is all Man-Made Law", having absolutely zero connection even pretended with the Natural-Laws which must govern human societies if peace is to be maintained there-in.

In Contrast; the previously mentioned "Malum-In-Se" of the Common-Law, is concerned only with a "Wrong in its Self", as Defined by the "Unanimous Natural-Conscience" and "Reasoning Ability" of "Juries" of Common People of Honorable Character in their Own Local Communities where the "Crime" is alleged to have been committed.

This Constitutional "Malum-In-Se" and Common-Law" Definition of "Crime", Requires a "Body-Harmed", aka: "Corpus Delicti". It also Requires an "Evil Intent"; aka: "Mens Rea". It also Requires an "Actual Physical Act"; aka: "Actus Reus". Many of these terms are mentioned above. These are ancient and well-settled "Maxims of Law", with Latin Names for them because they are so ancient and well established. This is the essence of Anglo/American "Constitutional-Law", and it Requires a Constitutionally-Lawful Twelve-Man "Jury"; and it Requires them to use their "Conscience" and "Reasoning" Capacity "Unanimously before Convicting anyone.

Each of these are "Elements of a Crime" which are Required to be Observed by All Judges, Police, and Sheriffs in Oregon, by their Oath to Support Oregon's Constitution. These "Fundamental Common-Law Principles" are set forth under Article 1 of Oregon's Constitution, which is commonly known as Oregon's "Bill of Rights". Three of these critically important provisions were quoted at the opening of this article; and are repeated here and now as follows:

**Article 1 Section 9: Unreasonable searches or seizures. No law shall violate the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search, or seizure; and no warrant shall issue but upon probable cause, supported by oath, or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.**

**Article 1 Section 10: Administration of justice. No court shall be secret, but justice shall be administered openly and without purchase, completely and without delay, and every man shall have remedy by due course of law for injury done him in his person, property, or reputation.**

**Article 1 Section 11: Rights of accused in criminal prosecution. In all criminal prosecutions, the accused shall have the right to public trial by an impartial jury in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.**

These Provisions All Affirm "Common-Law" Definitions for the word "Crime" under Oregon's Constitution; and that there-by Enforcing "Malum Prohibitum" based Statutes is "Against the Law". Oregon's Constitution was Written around 1857. At this Time, This Was the "Original Intent" of the Framers of That Constitution. All "Public-Servants" have Taken an "Oath" to Support These Common-Law Elements of Oregon's Constitution. Even under the "Emergency Amendments" (in 1910) These "Essential Elements" of Defining "Crime" Still Apply and Are Obligatory Over All "Public-Servants". "Common-Law" Is Still 'The Definition' of "Public Law" with-in this Constitutional "State of Oregon".

In contrast to Constitutional and Public "Common-Law"; the citations previously quoted from Blacks Law Dictionary, show that "Special-Law" is essentially "Private Law"; and that both of these are based on "Malum Prohibitum". As shown above, under these Private/Special Jurisdictions; anything which the entity possessing the "Legislative Power" Says is a "Crime", Is a "Crime". These Activities are here-under considered to be "Crimes", because they have been "Prohibited" by the Supreme Legislative Authority of a that "Private/Special" Organization.

For example; in times past, the Pope of the "Roman Catholic Church" Routinely Ordered His Blindly-Obedient Catholics to "Burn People at the Stake", simply because He as Papa- "Pope" Claimed to Posses the Ultimate "Legislative Authority" on the planet, and anyone who disagreed with him was Guilty of "the Crime of Heresy". We do not mean to pick on Catholics, as there are many good people with functional-consciences there-in. But the point is that in America and Oregon the Legislators, Judges, and Executive Officers; of this Nation and State are Constitutionally-Prohibited from Supporting or Enforcing Any such Malum-Prohibitum Based "Private-Law Jurisdiction".

Now it is an entirely Separate Matter if a "Member" of any Special/Private Jurisdiction (such as the Roman Catholic Church) "Consents to be Governed" by that Private/Special Jurisdiction. "Consent of the Governed" is a Specific Concept which was Clearly Written In-To Americans "Declaration of Independence"; and All State and Federal Constitutions Support this very "Liberating" idea. Here-under; "Sovereignty" had Descended to "We the People", and We have the Constitutionally-Secured Right to Construct our Own "Special and Local Governments", and to "Consent" to them treating us as Slaves. Here-under, if Any "Special Interest Group" aka: Private-Organization (including the Catholic Church) decided to Institute (or Re-Institute) "Burnings at the Stake"; then Oregon and American

Constitutional-Law would Allow that to Happen to Only those who had "Consented to be Governed" by that Religious Organization.

Yet modern society considers "Burnings at the Stake" to be very Drastic Punishments. And so it is logical to assume that when some form of a "Private/Special-Interest-Group" (as previously mentioned) assembles sufficient Power in a State such as Oregon so-as-to enable them to complete "Hostile Take-Over" and there-by Subversively Establish their own "Constitutionally-Lawless Form of Government" in its place (as this article is devoted to proving has happened); then it needs to be kept clearly in mind that They will likely Proceed in Secret, so as to avoid detection and the possibility of alarming the Common People into Reacting with Out-Rage and Arms to their Subversive Conspiracy. Here-under, they would be strongly motivated to enter into a "Conspiracy" to accomplish that Constitutionally-Lawless End Goal.

Here-under; nothing so drastic as "Burnings at the Stake" will be commonly visible to the general public. Any "Private/Special-Interest-Group" which seeks to complete such a "Hostile Take-Over", and to there-by "Fundamentally Alter" any States "Constitutional Form of Government" for Their Own "Private" and Self-Serving Purposes; will quite likely wait until After Their Total Control is Firmly Established, before they engage in any such nasty/ugly/hostile public-relations tactics. Also; they will quietly seek to take Total Control of the State's Money-Supply, and its Courts; and they will Hire massive numbers of Conscience-Devoid and Blindly-Obedient Mercenaries and Moral-Prostitutes, and place them in positions of Power such as in the Offices of Judges, Police Chiefs, Sheriffs, and Legislators; and in Control of the Major News and Entertainment Media . Here-by; they will likely seek to Impose their "Malum-Prohibitum Codes" on the People of the State; so as to give "Color of Legitimacy" to their "Selective Prosecution" of their Opponents; and there-by summarily to place many of them in prison, and to rob their property and economic resources.

It is logical to assume here-under, that instead of "Burning People at the Stake"; any such modern Agents of any such Conspiratorially Subversive "Private-Law Jurisdiction" would merely seek to get their supporters Elected or Appointed to various Constitutional Government Offices. Here-under; they would be likely to use the Guise of "Public/Constitutional Law" to Usurp the Authority to Advance the "Private-Law Agenda" of their Private "Special Interest Group". Here-under; these people would probably seek to impose Less Drastic Penalties whenever any hapless commoners violate any of the "Malum-Prohibitum Codes" being enforced with-in their Constitutionally-Lawless Jurisdiction.

In efforts to Avoid Drawing Attention to their "Hostile Take-Over" of the States Constitutional Government and Body-Politic, these Usurpers of the Public-Offices would logically seek to Feign total Incompetence about how society could possibly exist with-out such Malum-Prohibitum based Micro-Managerial Meddling in the Lives of "We the People". And further, they would go to similarly great lengths to Feign Ignorance of the fact that they are Acting in a Constitutionally-Lawless and "Criminally Conspiratorial" Manner.

### **Artificial Overlay Shown in Oregon:**

So; to move now to discussing the specific situation confronting "We the People" who actually compose this Constitutional "State of Oregon; one of the most important points to clearly grasp, is that the Present Governments of Both the "United States of America" and of this "State of Oregon", are "Artificial Over-Lays". They are spoken of in hushed-tones as "Legal-Fictions". Higher-level Government Lawyers Fully Recognize these "Artificial Over-lays" to be forms of Non-Constitutional Emergency/Provisional Governments. This idea is accurately embodies with-inthe term "De-Facto"

quoted previously here-in from "Black's Law Dictionary". And actually, almost all "Local Governmental Jurisdictions" are suffering from the very same "Legal Disability". This includes, counties, cities, precincts, and neighborhood-associations.

In its best light, it appears to us that certain Powerful "Private Interest Groups" have Usurped Authority to Bamboozle otherwise Honorable Public-Servants into going along with them by way of various "Declarations of Emergency". In Oregon, these "Declarations of Emergency" have been produced, at least in large-part by the members of Oregon's Legislative-Assembly. These purported "Emergencies" have been used as "Justification" to "Work-Around" the Fundamental Constitutional Safe-Guards which have been Guaranteed to "We the People" of this State.

Here-by, "Color of Legitimacy" has been given to these Multitudes of Constitutionally-Lawless Usurpations of the Rights of the People as Individuals; and as "We" Collectively-Exist as numerous "Political-Subdivisions of this State, with-in our Smaller Self-Governing Jurisdictions. The fact that these "Declarations of Emergency" are So Wide-Spread as-to be Significantly Interfering with the Constitutionally-Secured Rights of the Common People of this State and Nation, is Documented by a 1973 Federal-Level "United States Senate Report", as follows:

**"A majority of the people of the United States have lived all of their lives under emergency rule. For 40 years, freedoms and governmental procedures guaranteed by the Constitution have, in varying degrees, been abridged by laws brought into force by states of national emergency. The problem of how a constitutional democracy reacts to great crisis, however, far antedates the Great Depression. As a philosophical issue, its origins reach back to the Greek city-states and the Roman Republic. And, in the United States, actions taken by the Government in times of great crisis have - from, at least, the Civil War - in important ways shaped the present phenomenon of a permanent state of national emergency.**

The problem of how a constitutional democracy reacts to great crisis, however, far antedates the great depression. As a philosophical issue, its origins reach back to the Greek city-states and the Roman Republic. And, in the United States, actions taken by the Government in times of great crises have - from at least the Civil War - in important ways shaped the present phenomenon of a permanent state of national emergency.

American political theory of emergency government was derived from John Locke, the English-political-philosopher whose thought influenced the authors of the Constitution. Locke argued that the threat of national crisis - unforeseen, sudden, and potentially catastrophic - required the creation of broad executive emergency powers to be exercised by the Chief Executive in situations where the legislative authority had not provided a means or procedure of remedy. Referring to emergency power in the 14th chapter of his Second Treatise on Civil Government as "prerogative", Locke suggested that it: ... should be left to the discretion of him that has the executive power ... since in some governments the lawmaking power is not always in being and is usually too numerous and too slow for the dispatch requisite to executions, and because, also it is impossible to foresee and so by laws to provide for all accidents and necessities that may concern the public, or make such laws as will do no harm, if they are executed with an inflexible rigour on all occasions and upon all persons that may come in their way, therefore there is a latitude left to the executive power to do many things of choice which the laws do not prescribe. ... "

U.S. Senate Report No. 93.549; Emergency Powers Statutes; A Brief Historical Sketch

**of the Origins of Emergency Powers Now in Force; November 19, 1973.**

This United States Senate Document Clearly Shows that "A Permanent State of National Emergency", is effecting the Constitutionally-Guaranteed Liberties of every Patriotic American, and including "We the People" of Oregon. This document clearly references the supposed "Logic" and "Reasoning" behind this supposed "Prerogative", as well as it's Mode of Governing. The Logic and Reasoning behind these Changes is that the "Legislature" is "Too Slow", and contains "Too Numerous" of an Amount of People in order to "Provide for all Accidents and Necessities which may Concern the Public". It also mentions a Problem which exists with Oregon's Legislature, which is that "the Law-Making Power is Not Always in Being".

These are all legitimate and very real concerns. These realities clearly indicate that there are significant "Problems" with the Civil, Lex-Scripta/Written "Constitution" Documents of the USA and of most of the States of this Union, including that of Oregon. While the "Bill of Rights" Provisions in these documents do deserve the admiration and respect of all loyal Americans, the "scheme" of "checks and balances", with a bi-camera/two-house legislature, is grossly in-effective. One particular US Supreme Court Judge Thurgood Marshal has declared in essence that he considers the 1789 Written U.S.-Constitution to be "Not a particularly Profound Document". He stated:

**"... Nor do I find the wisdom, foresight, and sense of justice exhibited by the framers particularly profound. To the contrary, the government they devised was defective from the start ... . Moral principles against slavery, for those who had them, were compromised, with no explanation of the conflicting principles for which the American Revolutionary War had ostensibly been fought: the self-evident truths "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness." It was not the first such compromise. Even these ringing phrases from the Declaration of Independence are filled with irony, for an early draft of what became that Declaration assailed the King of England for suppressing legislative attempts to end the slave trade and for encouraging slave rebellions. The final draft adopted in 1776 did not contain this criticism. And so again at the Constitutional Convention eloquent objections to the institution of slavery went unheeded ..."**

Judge Marshals words on these particular points are undeniably true. "Slave Traders" had a powerful hand in Engineering the civil/written/lex-scripta "Constitutions" of the U.S.A., and of most of the States, including Oregon. But as Judge Marshal also declared, there have always been ( even at the 1789 convention) many voices seeking to include the More Profound Moral-Principles in our American Constitutional System. The Slave-Traders knew this well. They knew that if an Efficient "Legislative Assembly" was allowed to exist, that the "Conscience of the People" would Move that Assembly to Invoke these "More Profound Moral-Principles", and that here-under their continuing ability to Plunder Working-Class People would be Put to an End. (Please note that there was 'White Slavery' common in those times also.)

And so, the Slave-Traders "Conspired" to create the Grossly-Inefficient Legislative Assemblies which our modern state and national written constitution documents are still burdened with. This Excuse of an "Inefficient Legislature" is still being used by the modern abusers of the rights of the common people, as the previously quoted US Senate document clearly shows. Because of this "Purposeful

Sabotage" of the Originally-Engineered Structure and Rules of the Legislative Assemblies of this Nation and State; these Legislatures are Incapable of effectively and fairly "Legislating" for "We the People".

Here-under; the "Powers that Be" have Deceived the many basically-good Members of the Legislative Assemblies in-to Disregarding the Fundamental Issues behind this Under-Lying Constitutional Disaster. Instead the Legislators are directed to merely focus on "Superficial Band-Aid Remedies", concerned only with the "Symptom" of the Ailment of our Organic Body-Politic rather than the under-lying "Cause". This is done by Ignoring the Fundamental and Higher "Moral-Principles" of "De-Centralization of Power" which are embodied with-in these "Constitution" Documents, especially in their "Bills of Rights" . Instead, the Legislative Assemblies have been mis-directed into the simplistic and expedient remedy of merely Declaring "Emergencies", which Centralize Power in the hands of the Chief Executive of the State, all in manners quite similar to that exercised by "King George", just prior to the American Revolution.

The full text of the above-quoted "US Senate" Document is very long, and it has many more details there-in. There are many Other Citations available also which similarly recognize that this "Emergency" process is "Abridging" the Constitutionally Recognizable "Rights" of "We the People" of this Nation and State. .

It is good next to seek specific documentation of similar Circumventions and Abridgments of the Constitution of the State of Oregon. In Oregon, Evidence of this Extra-Constitutional Emergency and Provisional "Form of Government" is Recognized in Statute at ORS 131.205, which reads:

**"As used in ORS 131.205 to 131.235, "this state" means the land and water and the air space above the land and water with respect to which the State of Oregon has legislative jurisdiction."**

All reasonable people will surely admit that this is a Confusing Statement. The Bar/Monopoly Attorneys who Composed it, probably got paid very well for producing that precise Level of Confusion. But if one takes the time to meditate on the there-in used word "Above", he/she will see that the phrase "This State", as used there-in; is a "State Above" the geographical (land and water) of our Constitutional "State of Oregon". For those who don't have a hard-copy of Oregon Revised Statutes, and who desire confirmation of the above and obviously convoluted wording; it may be found on the internet at : <http://landru.leg.state.or.us/ors/131.html>

Further Investigation in-to this Statutory Provision, Reveals that a Constitutionally-Lawless and Artificial/Fictional/DeFacto Governmental "Over-Lay" has been Set In Place. Even further Investigation Reveals that this "Artificial Governmental Over-Lay" is Supported Lavishly by Well-Financed and Powerful Private/Special Interest Groups. Those "Private Interest Groups" are Taking Large Profits from this Fictional Government's Jurisdiction, because here-under They presently Enjoy relatively complete "Immunity from Prosecution" from Criminal Complaints Against Them with-in the Constitutionally Dysfunctional Civil/Municipal/Provisional Judicial System.

In further support of these most inflammatory conclusions, Oregon's Civil Supreme-Court has produced "Case Law" which reads as follows:

**"... Under ss 1 of Art 7, prior to the amendment of 1910, the judicial power of the state was vested in a supreme court, circuit courts, and county courts, but under the 1910 amendment, circuit courts and county courts were not mentioned. Hence, under ss 1 of Art 7,**

as amended in 1910, the Supreme Court is the only court created by the Constitution itself; all other courts are to be created by legislative act. However, it was to prevent a hiatus in the administration of justice pending action by the legislature that the first portion of ss 2 of Art 7, as amended in 1910 was adopted. ...

State Ex Rel Madden V. Crawford; 1956; 207 Or Mar. 56; 295 P.2d 174; Pgs 80-90.

This Citation shows that Oregon's Trail-Level "Circuit-Courts" are Not with-in the "Judicial-Department", as is a Requirement of Our American and Oregon Constitutional "Republican" Forms of Civil-Government. The above text clearly Indicates that such so-called "Courts" derive All of their Authority from with-in the "Legislative" Department. This has Destroyed the "Separation of Powers" Doctrine; as required by the Written Constitution which was Originally Intended to Govern Oregon's Government . The common use of the term "Administrative" has come to more accurately refer to the essential Executive/Summary/ Military/Star-Chamber Nature of these courts.

This Breach of the "Separation of Powers" Doctrine is stated in this Madden case to be prompted through the Fear of a "Hiatus, in the Administration of Justice". This case refers to "Article 7" of Oregon's Constitution, and upon which the State's Judiciary was Re-Organized by purported Amendment, back in 1910. The "Head-Note" between the Amended and Original versions of Article 7 of Oregon's Constitution (which Govern the Judiciary of the State's Civil Government), clearly uses the problematic term "Supplant", as follows:

**"Original Article VII, compiled below, has been supplanted in part by amended Article VII and in part by statutes enacted by the Legislative Assembly."**

The use of this Problematic Term of "Supplant" here, is Defined in reputable Dictionaries as follows:

**Oxford Universal 1937: "3. To supersede (another), esp by force, trickery, or treachery; to usurp the place or possessions of. 4. To uproot... ."**

**Random House Contemporary 1957: "Replace and Supplant both ... convey different senses. ... Supplant implies that which takes the others place has ousted the former holder, and usurped the position or function, especially by art of fraud."**

**Random House College 1968: "1. To take the place of, as through force, scheming, or the like."**

These Definitions reflect most grievous concern. These words reflect that "Trickery" has been perpetrated by a Powerful Private Special-Interest-Group in order to "Usurp" a Constitutionally-Lawless Authority over "We the People" of this Socially-Compacted "State of Oregon". Here-under, it is Reasonably-Construable that these above mentioned and so-called "Declarations of Emergency" are nothing more than "Fabrications", Purposefully and Maliciously Intended to "Deceive" "We the People", and to Undermine the Constitutionally Required Concepts of Responsible-Democratic/Republican "Self-Government". This is what Reasonably Appears to be the reality here pursuant to this Definition. This clearly shows that there Is No Constitutionally-Required "Separation of Powers" with any "Separate Judicial-Department", available to preform any "Checks and Balances" on the Separate Departments of Government. With-out Any Independent "Judicial" "Check and Balance" in place; the "Legislative

Department" quickly Deteriorates towards Chaos and Confusion. Directly here-after, the Chief Officer of the "Executive Department" is free to Grasp the "Helm of the Ship of State"; just like King George. Under the "Emergency" Executive-Orders and Legislative Proclamations then in place; the Civil Government's "Governor" is now essentially Acting as what amounts to a Chief "Military-Officer". He is essentially a "Monarch".

Here-under; the Civil-Government of this "Above State" is "Constitutionally Lawless". It has become nothing more than a "Fiction of Law", Designed Specifically for Deceiving Common People about the fact that Their Government has been subjected to "Hostile Take-Over" by a Foreign Private/Corporate Body-Politic which advocates one or another form of "Slavery" of common working-class people.

Pursuant to this Fraudulent "Supplanting"; the "Governor", as one of the Chief Benefactors of this "Military/Police State"; is enabled to proceed "Secretively" with his True Agenda. Here-under; he may choose to surround him-self with much pomp and ceremony, all about superficial issues; and intended to distract the weak-minded, and to entertain the patriotically and morally compromised. These would be multitudes of well-compensated moral-degenerates, all of whom pretend to be absolutely dazzled by the brilliance of his leadership capabilities. And the Media-Puppets Dutifully Obey the behind-the scenes Power-Brokers. Here-under; all voices of sanity are drowned into oblivion. The multitudes of weak-minded are easily mis-lead in-to the abyss. The numerous people who are morally compromised may combine with the ignorant masses to form what amounts to a huge "Mob"; all motivated to follow the "Governor" of this "Criminal Syndicate" like Lemmings, to Firmly Entrench in Positions of Lawless Power this Artificial Over-Lay.

The cold-hard reality/fact of this situation is that: we Oregonians are now Effectively Governed similarly to this, by a Fictional and Secretive Form of Government, substantially Similar to a "Monarchy". Many of these "Officers" have been confronted about these precise realities. We have informed them of Their "Duty" as "Public-Servants" to respond to these Most Serious Concerns. They have "Remained Silent", in Bold-Faced Defiance of Their "Duties to Respond" to these Most Serious Concerns. This is the Essence of the ORS 131.205 "Above State" mentioned near the beginning of this document.

The above quoted Documents from the US Senate, ORS 131.205, the Head-Note to Amended Article 1 Section 10; and the Madden Case; all of these present "Clear and Convincing Evidence" that Originally- Intended Constitutional "Procedures of Law" which are "Due" to "We the People" for the "Administration of Justice" with-in Oregon, have been Altered by way of these "Emergency" Measures. There are numerous other documents which present similar evidence, but they have not been quoted in efforts to keep this article to a reasonable length.

The Madden Case shows that the Lawful Requirement for our State's Civil Governmental Authority to Maintain the critical "Separation of Powers" Doctrine, has been entirely Destroyed. Further examination of the Madden case, shows that the purported Legitimacy for this Extra-Constitutional Mode of Court-room Procedures has been Claimed by way of a "Hiatus". Good dictionaries define "Hiatus" as similar to an "Emergency". This information has been placed before Oregon's Supreme Court Judges, Governors, Attorney-Generals, the Oregon Law Commission, and the House/Senate Judicial Committee. They have been informed that it is Lawful for Members of Oregon's Body-Politic to Construe "Silence" from our "Public Servants", as an "Admission by Default" from them, because of their "Duty" to Answer these very serious questions. They All have Refused to Address these Most Important Issues. The

Silence is Deafening.

There is much More "Evidence" in support of all of this. We may elaborate on this in a forthcoming document. How-ever; our dis-tasteful experience is that many "Public-Servants" are "Not Interested" in the "Evidence". And so our precious and limited time-energy-resources, are better spent Organizing Support from "We the People" to Confront and Oust these Corrupted Public-Servants from the Offices which they hold. For reference, Many people in this movement are entirely capable of producing much Proof in Support of the essential elements of these accusations. The Public Records which Document these Arguments, are on our Web Page at: ... <http://oregongov.us> .

### **Evidence of Treason:**

Much Evidence has been Assembled above to show that a "Conspiracy" is on Place to Execute "Hostile Take-Over" of the Constitutional form of Government of the "State of Oregon", all by some form of a Private "Special Interest Group" of unspecified name, thus far. Under this above described and evidenced "Conspiracy", a "State of War" may logically be presumed to exist Against the Constitutionally-Lawful "State of Oregon" of "We the People". Just like Thurgood Marshal explained above concerning the "Slave Traders", many Powerful "Private Interest Group" Organizations, are all "Co-Conspirators" in this Purposeful and Blood-Letting "Subversion" of the Fundamental Organic "Moral-Principles" of the Written Constitutions of this Nation and State. These Powerful "Private Interest Groups" are such as (but not limited to): the "Oregon State Bar Association", the "Federal Reserve Banking System", the "American Medical Association"; and the various Corporate "Media Monopolies".

As a Primary Tool for effecting Their Subversive and Treasonous End Goal; various "Declarations of Emergency" are now bring used to Enforce a Private and Constitutionally-Lawless "Malum-Prohibitum" based Jurisdiction over "We the People". This "Malum-Prohibitum" form of "Law", Expands Vastly the Ability of Corrupted Attorney-Generals and County Prosecuting Attorneys, to "Eat-Out the Substance" of Our People.

Yet the Traditionally-Recognizable and Historically Well-Settled Constitutional Requirements for "Stating a Criminal-Complaint", is in precise harmony with the above Requirements of "Malum In Se" Law. Although these precise elements are not there-in mentioned; Oregon Statutes at ORS 133.007 and 133.015, give good Examples of the Seriousness of Properly "Stating a Criminal Complaint" as a Necessary Preliminary Step, Before the "Force of the State" can be used to Coerce Another Member of Oregon's Constitutional Body-Politic in-to Appearing before a Court to Answer Allegations that he has Committed Crime. This is because such Criminal-Complaints are Not to be "Filed Liberally"; other-wise "Frivolous Complaints" would continuously be harassing innocent members of this State's Body-Politic.

Yet in their Criminal Prosecutions against "We the People"; the State and Federal Attorneys-General, and the Local District-Attorneys, and all of their Assistant Prosecuting-Attorneys; all of these people Routinely "Fail to State a Claim up-on which Relief can Constitutionally be Granted". They do this through their Conspiratorial Imposition of this Constitutionally Lawless "Malum-Prohibitum Jurisdiction", over Poor Defenseless Honest Working-Class Oregonians. These people are "Trained in the Law". They Know Precisely What They Are Doing. When these "Public-Servants" are Selected for Offices; the attorneys with Functional Consciences are Given the Clear Message that They are Not Welcome to Apply for Employment in the Mis-Named "Department of Justice" (State or Federal). Such

Conscience-Bound Attorneys will Not Fare Well before the "Corrupted Judges", either. Many an Idealistic Young Lawyer, who has spent his or her entire young adult life studying fervently to pass the so-called "Bar Examination", have gained entry only to find a deserted waste-land in the lack of opportunity for him or her to make a career out of fervently seeking "Social-Justice" through Constitutional Judicial Procedures. Many such heart-broken and dream-shattered law-students, end up in such modest employment as cab drivers, and many destroy the remainder of their lives in alcohol or drug abuse. This is how cold and evil the Corrupted Judicial System really is. Yet Oregon's Constitution provides the Tools for "We the People" to change all of that. The Previously Mentioned Sections of Article 1 of Oregon's Constitution affirm this.

Section 10 is a particularly powerful provision. Few other States have anything so powerful. "Due Course of Law" mentioned above, is the Same as traditionally recognizable American "Due Process of Law", and it is the same as "Common-Law"; as shown by the following:

**Due Course of Law. This phrase is synonymous with "due process of law", or "the law of the land", and the general definition thereof is "law in its regular course of administration through courts of justice".**

**Lex Terra: The law of the land. The common law, or the due course of the common law; the general law of the land. Equivalent to "due process of law". In the strictest sense, trial by oath; the privilege of making oath.**

**Black's Law Dictionary 5<sup>th</sup> Edition, 1979, West Pub. Co., St Paul Minn.**

"Common-Law" is clearly preserved and protected by the Seventh Amendment to the United States Constitution; and numerous other sources such as Oregon's above mentioned provisions. This is All Very "Ancient", reaching back well before "Magna-Charta", in 1215-ad or so. The Stated "Originally-Intended Purpose" of the Framers of our State and National Constitutions was to Secure These Anciently-Recognized "Protections" for "We the People". That is What They Stated to be Their "Original Intent". All "Public-Servants" have Taken an "Oath" to "Support" That "Original Intent". And the above quoted "Article 1 Section 10" of Oregon's Constitution, is perhaps one of the very Best Statements of that "Original Intent" under-lying our general Anglo/American Constitutional "Due Process of Law".

In the clear light of this "Article 1 Section 10" statement; it is Clear that Constitutional "Due Process of Law" is being "Purposefully Obstructed" by the Judicial Officers in Oregon's Courts. "Trial by Jury" is Routinely Obstructed and /or Perverted from its Originally Constitutionally Intended Role within "Due Process of Law". Further, the Proceedings there-in are Not "Open". They are "Secret", as like the Historically Proven Evil Old-English Equity/Chancery "Star-Chamber" Proceedings. And there are multitudes of other similar problems.

As many of us have tried to Pursue "Open Justice" in our local Oregon court-rooms, all in respectful but firm manners, we have been Obstructed there-from by Corrupted Judges "Terrorizing Us" with Lawless "Threat of Violence". We have been Prohibited from non-obtrusively bringing Tape-Recorders or Video-Recorders into Court-Rooms. We are Not Allowed Constitutional "Assistance of Council" who are Not Bar-Monopoly Bar-Association Members. We Are Prohibited by so-called "Rules of Evidence" and Arbitrary/Un-Checked "Discretion" of Judges, from Arguing the Un-Reasonableness or Un-Conscionability of Statutes or Case-Law Precedent. The Jury is Obstructed in its "Constitutional-

Duty" to be a Common-Peoples Conscience-Bound "Source of Law"; as Oregon's Constitution Requires in Multiple Passages. The word "Conscience" is used Three Times in the first Seven Sections of Article 1 of Oregon's Constitution. And "Conscience" is Not Allowed to be Used At All in Oregon's Modern Civil Courts.

When "We the People" form "Our Own Juries", and "Courts of Justice": as is Constitutionally Guaranteed to us through the above quoted "Article 4 Section 23" of Oregon's Constitution, and in Oregon Revised Statutes 1.010; the Verdicts and Judgements of Our Own Common Peoples "Special and Local" "Courts of Justice", are Not Given the "Full Faith and Credit", and "Comity"; which those "Civil Courts" are Constitutionally-Required to give to them. Further Support of this Powerful Constitutional Guarantee of the Peoples Right to Form Our Own "Common-Law Courts" is found in Oregon's Constitution at Article 7 Amended Section 2b, and in the Eleventh Amendment to the US Constitution (among other numerous sources). Article 4 Section 23 of Oregon's Constitution is probably the most powerful source, as above quoted.

With reference to the above quoted "Article 1 Section 10" in Oregon's Constitution, this Refusal to Recognize the Jury's Judgements of our Ordinary People's "Common-Law Courts" is a Direct Violation of the Requirement that "Remedy by Due Course of Law" be Made Available "With-Out Delay" for "Every Man". The Civil Courts of the State are Not Capable of Filling this Constitutional Requirement. They do not have enough money to pay their "Professional" hirelings, and by their Very "Nature" they are Specifically Engineered to "Obstruct" the "Course of the Law" in Securing "Naturally-Conscionable Justice".

Our Constitutional Guarantees for Jury-Trial Process are Very Important. It is Very-Very Difficult to get Twelve People to Unanimously Agree that Justice is being Served by Their Final-Judgement. This author has personally conducted many such proceedings. Once that very difficult task is finally accomplished, then it is very Reasonable to Presume that "Naturally-Conscionable Justice" has there-by been Secured. In fact, "Law" Requires precisely this.

There is No Function of Government which is equally as Important to the Well-Being of the Common People as the "Administration of Justice". And that Critically-Important Judicial Function has been Hi-Jacked to Do the Bidding of "Private Interest Groups" who Infect Oregon's Organic Body-Politic. These are essentially "Robber Barons"; and they have used Money to essentially "Buy" the Oregon's Election Process. They have Dis-Mantled the Original Constitutional "Precinct Voter-Registration" Process, where the "Qualified Electors" are to be Registered and Screened for Lack of "Honorable Character" on a "Neighborhood by Neighborhood" Basis. That was how "Voter Registration" was accomplished in years gone-by, with-in the Legally and Historically Recognizable "Circle of Christian Nations", under the "Common-Law" form of "Local Government". Oregon's Constitution at Article 6 Sections 1, 6, and 8; clearly refers to these "Qualified Electors". Yet Glaringly, a "New Class" of so-called "Legal Voters" is described at a Later Date in "Section 10" of that same Article 6. This "Section 10" was "created through H.J.R. 22 in 1957", way After much Time had Passed for the so-called "Emergency/Supplanting" of our Common People's Constitution in 1910.

The Legislators of this State are routinely Bamboozled by Conspirators with-in the Powerful Special-Interest-Groups previously mentioned, in-to Granting "Color of Legitimacy" for Corrupted and /or Stupid Judges and Executive Personnel, to Coercively-Impose this Constitutionally-Lawless Jurisdiction Over "We the People". Legislators at the State, County, and other Local Levels of

Government, have a Constitutionally Imposed "Duty" to "Cease and Desist" from these Lawless Activities; and Demand is being placed up-on each of them to do precisely that as they read this document. The First Duty of All "Public Servants" is to Protect "We the People" from the very Powerful Treasonous Conspirators referenced here-in. "We" do Not Need to be Protected From Our-Selves. That is Not the Duty of the "Public-Servants" of this State . They have Only a Duty to Protect Us From the Out-Side/Foreign Robber-Baron Class. Those Conspirators are the ones Committing the Truly Constitutionally-Recognizable "Malum-In-Se" Crimes Against Us. This is done through Following traditional Anglo/American "Due Process of Law", so-as-to Secure the Pre-Existing "Higher Laws" of "Naturally-Conscionable Justice". This is a "Science" for Achieving this "Naturally Conscionable Justice". It is Very Difficult to get Twelve Honorable People to Agree on anything, but when that has finally been accomplished, all people can be very certain that "Naturally-Conscionable Justice" Has Been finally Achieved.

Any Other Mode of Disposing of Criminal-Complaints in this State is "Obstruction of Justice". And because of its Disastrous Effect on the Rights of the Common People, and its Routinely-Epidemic and Conspiratorially-Secretive Practice here-in, it effectively amounts to "Treason".

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