

# **EXHIBITED**

**Proposal For Issuance of An  
EXECUTIVE WRIT  
As Deemed  
Necessary, Applicable and Authoritative**

**The Courts and Judges**

**TEST**

**EXPOSE**

**ALSO BEING THE**

**Article III, Section 1 “judicial Power”**

**TEST**

**And Further**

**The Article I, Section 7, Clause 2 TEST**

# **THE COURTS AND JUDGES TEST**

**Also Being**

## **The Article III, Section 1 – “judicial Power” TEST**

**FORWARD NOTE.** This TEST is made to exist in Two parts. The first part involves the inclusion of particular reasonings that relate to historical facts as they pertain to the nation of ancient Israel, and how those facts and the teachings of certain of its most famous religious teachers affect and have power over the courts of the proposed United States today, and each of them, as well as upon other nations throughout the world.

Part One of this TEST is to **not** be deemed applicable where Part Two of this TEST is found to be the more applicable, and accepted, part to the proposed governments of the Several States of the United States, as well as to the United States central government itself.

*However*, IF the government officials of any State or of the United States central government should deny the second part of this TEST, then this Part One below is to take hold of each government official that it relates to, in order that it should, as a matter of the greater law coming from the greater power of God (even if rejected by the same), have direct and accountable Power over them, to the last one of them.

### **PART ONE Courts And Religion**

While this Exhibited TEST will be reviewed as a part of court cases throughout the lands, or Several States, of the proposed United States-nation, courts alone do not channel or direct the course of human history, or the future of the world, even though court-conquering judges make themselves believe that they are all that, as they sit in “courts” as institutions that have their origin *somewhere*, although it has never been made quite clear from whence courts actually source from, or exactly what the “court” in that origin was actually *meant to be*.

**First We Begin With - The Origin of the Court; The Use of the Word “Court” for the Very First Time.**

1. Since it has been by certain courts that the concept of “religion” as a considered component of moral law was first expunged or made a prohibited inclusion thereof, it is both appropriate and applicable that we examine the actual origin of the word “court,” to see where we find it in its most original, implemented form, for the very first time.

2. *Ironically*, we find that the very word “court” to have been used for the first time in written human history as being a part of both the Old Testament of the “Holy Bible” as well as of the corresponding books within the Jewish Torah itself.

3. Already we see that there is a **Judicial Error** in denouncing or excising the subject of “religion” from out of the courts, any of them anywhere in the world, and that **Judicial Error** only **Deepens** as we begin to uncover the reality revealed to us pertaining to those who use, or have ever used, the “Court” concept as a means to bring about what it believed or proposed to be righteous, or moral, government, or way of living, even to the smallest extent imaginable.

4. We find the word “court” for the very first time in any ancient written document, the oldest compiled written document every published, in the “Holy Bible,” in the ancient book named or titled as Exodus, believed to be written by the famous Hebrew “prophet,” Moses.

5. It is in the book of Exodus, 27 chapter, beginning with the 9th Clause, that we are first endowed with its revealed, or told, truth as to what the first “court” actually was, and how, based upon where it was placed structurally within the greater structure in which it was contained, it was to be used.

6. In the 9th Clause, we read:

“And thou shalt make the **court** of the tabernacle: for the south side southward there shall be hangings for the **court** of fine twined linen of an hundred cubits for one side.”

7. From this we get the immediate picture that the “court” was to be a part of the newly to-be-built Holy Tabernacle, a form of Ancient, more Temporal, Temple, to be erected for the special service to the Lord, God, of Israel, in order that the Lord’s people making up the Twelve Tribes of Israel might be forever blessed, based upon their own conduct and devotion to the Great “I AM,” although they were not entirely sure at time what His name actually was at the time.

8. Clauses 10 and 11 provides further description of the structure of the **court** as to its pillars and its north side.

9. *If this sounds “religious,” whether it is liked or agreed to or not, Make No Mistake; bear in mind that in this Part One - it IS, for this is exactly what surrounds the word “court,” up to this point, in ancient scripture, or the ancient written record of an accounting of the doings of an ancient people - of the current nation now called Israel. This last, being a part of a nation’s History, also parallels in applicability as being a Matter of Law the same as we regard the ancient records of Rome (for example), itself a religious based institution, as being a Matter of [Roman] Law.*

9. In chapter 27, verses 12, 13, 16, 17, 18, and 19, we find that the word “court” continues to appear as an effort to detail not simply the structure itself, but to give us the distinct understanding that the purpose of a court is to Serve God, by beginning the course of the one seeking refuge within the overall Tabernacle, or Temple, of God, with steps of righteousness, or worthiness, as the purpose of that first place of entry and abode, or the “court,” is built to serve the purposes of the rest of the Tabernacle itself, whose other known purposes were meant to Serve God in every element, degree, and detail.

10. Consequently, the outer area of the Holy Tabernacle, or the “court,” was provided as a place wherein the person seeking to be exalted beyond ordinary standards of righteousness could be examined as to their personal conduct and relative worthiness in order that they might trek further into the purposes of the Tabernacle itself, or be cast out thereof, and accursed, if deemed to be unwholesome under God’s

law. Realizing this makes the very idea that a “court,” any court, even today, should denounce the very cause of its existence something along the lines of being hypocritical in nature, or else simply UnLawful, based upon the true nature, origin, and purpose of the court. And so we find by these numbered verses in this book of record:

12. And for the breadth of the court on the west side shall be hangings of fifty cubits.
- 13 And for the breadth of the court on the east side eastward shall be fifty cubits.
- 16 And for the gate of the court shall be an hanging of twenty cubits, of blue, and purple, and scarlet, and fine twined linen, wrought with needlework.
- 17 And the pillars round about the court shall be filleted with silver; their hooks shall be of silver, and their sockets of brass.
- 18 The length of the court shall be an hundred cubits, and the breadth fifty every where, and the height five cubits of fine twined linen, and their sockets of brass.
- 19 All the vessels of the tabernacle in all the service thereof, and all the pins thereof, and all the pins of the court, shall be of brass.

11. The Splendor of the court was to be designed as such because it, the court, was not to be considered an ordinary structure for men’s government, but as an ordained part of the House of God, or God’s Tabernacle on earth.

12. Except it be shown undoubtable conclusive proof otherwise, the very existence of Courts, not having their origination in either England or Rome, or Greece or Egypt, or else elsewhere, are Ordained as Holy institutions of God, are supposed to exist for the same purposes as they were to be used for in the Holy Tabernacle of Moses, and were not and are not Ordained for the self-serving usage of men.

13. Consequently, to use any Court structure, is to be required to use such Court for only the inclusion or presentment of the Truth therein,

and to banish all lies, defraudments, and false measures, therefrom, for to knowingly entertain a lie or falsity in any Court, the Court being an holy ordination, from the beginning, by God, is a blasphemy, and yields forth a bitter curse upon its progenitor, even if such punishment or curse is to be delivered only in the due time of the Lord, who created all Courts under God in the beginning, in that first instance when the first Court was established as a part of the Holy Tabernacle of Moses, created in the semblance of the Holy Temple of God, as was built by Solomon, Ruler and Judge of Israel, which was to come thereafter.

14. But know also You this about this matter of the “Court,” or courts, and their construction, wherever they may be built, for the Court created and ordained by God was built by the Will of God, and by His Servants, and God suffered not His people to shed their own blood, or destroy their own flesh, or bear any UnLawful hardship that He might bring about the building of that Holy Habitation within which His own spirit could walk, and cause men, in their seeking of Him and His righteousness, to discern Truth and shun the Lie, or the Wickedness of Evil men and women, in each Case that came before Him in His holy Court – on the Earth – from on high.

15. But ye children of men have built up your own courts by the **blood** of the People, your walls and your floors and your ceilings thereof, and all of the exquisite adornments and the fine woods and craftsmanship of your offices and those places or rooms within the court where you *think* you do justice, are covered with it, and are accursed for the People’s sake because of you who reside, or have their business, therein, for you cared not for the People when you belched out judgments in exchange for bribes and winks, and for the vainglory of the world.

16. Understand that for these things you shall find bitterness and gall as your reward, for you cared not for the law or the People, but made sure that the lawyers and the physicians and the money changers and the liars whose soothe-songs pleased you, were among those you called friend, as you, *in chambers* and in courtrooms, grinded under your feet those very souls whose blood, in filthy lucre, or money, fed your UnHoly court buildings - in their building - brick by brick.

## The Judge TEST.

1. Judge Not [**Don't Be / Become a Governmental Judge; Don't Be/Become an Unordained Governmental Judge –Using the Judicial Power Belonging to Israel**], That Ye Be Not Judged [**As An Unordained Judge By The Same Standard As An Ordained Judge**], For with what judgment ye judge, ye shall be judged [**By the Standard of an Ordained Judge - Ordained BY God**]: and with what measure ye mete [**As An Unordained Judge**], it shall be measured to you again [**For Acting As Though An Ordained Judge in Government, But Being Unordained, And Therefore Ripe To Receive God's Curses According To Your Gross Mis-Judgments**].

2. For to the Extent that you men and you women have elected to seek and hold title to the calling of a “judge” in Government, no matter the Government, but you have not first been ordained under the hand of God to establish yourselves in the Same Capacity as King Solomon, Solomon being also recognized by God as Judge Solomon, who first obtained, from the will of God of Heaven, Wisdom and Certain Knowledge in all of his judgments, then you, O' UnOrdained judges, You judges of the lands, being Not Ordained in Your Judgeship Under the Law of Israel, as Jesus the Christ did Forbade and Command You Not To Engage In or Become - Must Bear the Wrath of God, as promised, that Measure for Measure, or Judgment for Judgment upon You, for those things that you have judged and/or sentenced - to the Ends of the Earth shall the Lord's own Judgments Follow You, and Nowhere Shall You Find Escape because of them – Judgments.

3. For the day shall soon come forth wherein it shall be written, that:

“For *This* Cause did the Universe's Great Force Vis Major (also being God to You) send the governments of the Earth, their legislators, their executives, their dictators, their kings, and their UnOrdained judges, **Strong Deception**, that they might believe a **lie**, that they All might be found Guilty of Contempt of Constitution - (a Crime, and Sin) - who believed Not the Truth, but had pleasure in UnLawfulness.”

4. But You Will Say in Your Hearts and To Each Other, “Did we not expound great judgments before the Earth, and in the name of that which is Good did we not punish and cast aside evil things, and in the name of the Goodness of Man did we not do many Wonderful Works? And Did we not Walk Like Gods, or as Rules, among the Children of Men?”

5. Yet it comes again to you, O’ **UnOrdained** Judges, for it Matters Not what Great and Wonderful Works and Judgments You *Think* You have Done, for You, Each of You, Being **UnOrdained** under the Hand of God, and thereby Breaking the Law Commanded of You By Jesus the Christ, Even He Whose Legal Presence is Seen and Evident in the Proposed Constitution’s Article I, Section 7, Clause 2, - *for You were NOT Authorized by Him to do them.*

**Applicability Of This Part One - extended To Higher UnOrdained Judges or Justices Also, Being Those Likewise Not Subjugating Themselves Under The Will of Impartial Juries Instead, Accordingly:**

6. Yet again, we look to the Lord’s Commandment and Law, that there be no further error according to the discernments of men, and we find and discern not these words in any of them;

“Judge not, [become not an unordained judge of government, *except* if ye be regarded as an ‘appeals judge,’ or a ‘supreme court judge’ or ‘justice’ instead, then know ye that .. ‘that’s okay.’].”

7. For finding not those words, or such like words, among the Word or Law that He has spoken, which words were written down in record for the benefit of those who would think, wisely, to not subject themselves to such brash Sin, or Crime, as these things certainly are, then that which is to be upon the heads of those **UnOrdained** judges of the lower order, or court, must also be invoked upon the heads of the judges or justices of the other courts also, which higher judges or justices, being likewise Not Ordained as was Judge Solomon, who subject themselves not fully to the Case before them that was not first made subject, of itself, under the will, auspices, and full aegis or control,

of an impartial Jury, except there be found, without question, the power and authority of an Ordained Judge – Ordained by God, therein.

8. And so The Law, even the Greater Law under heaven *shall* Find You, and You Shall Be Convicted for Doing That Which You Were Forbade to Do, of Being or Becoming UnOrdained Judges, whose Greater Power came NOT From ancient England, but from Israel, God's own Holy Land, for it is even so to this Day.

9. For You Sought Not Only to Punish the children of men who were brought before you, but also *you thought* to “Correct” them; You Did, and said unto them, in Your **UnOrdained** Judgments,

“Here, let me pull out the beam that is within thine eye, that you might be perfect like unto me,”

10. And regarded not the hundred beams within thine own eye.

11. And the Judgments of the Lord will be sore upon You because of this, neither is or will there be any Escape for You on this matter; the falseness of “Evolution” will not help you, for it is the doctrine of folly, and of the self-deluded, and of idiots and fools.

12. Nor will the Praise of the World, or all of its Vainglory, undo that which is surely to come upon you, for in the Closets and in Unlawful Chambers, and in the darkness of Your own secret hearts, You whispered and did Unlawful things, not ordained or respected by God, and You did them by the **hardness** of Your hearts, and in the vanity of your imaginations, in the face of that which You Knew You were Not Supposed To Do, in Breaking that Simple, but Direct, Commandment, not Suggestion, that You Not Be or Become a Judge – of or for Government – Except You be **Ordained** by God to do it;

13. For the Lord's Commandment under the Law - NOT to Be or Become an **UnOrdained** Judge was not extended to the People of the nation of Israel in its time, for there were *many* judges in the nation of Israel existing under the will and authority of the Lord, for they were

called and recognized as patriarchs, or Ordained Judges each and all, to their own families, tribes, and households;

14. Wherefore the Lord (for such was he called), known also abroad and throughout the world as Jesus Christ, was NOT addressing these common judges of Israel by His words, but directed them toward those who would purport to enter into the capacity of an Ordained Judge in Government, as was **Judge Solomon**, but, when NOT being Ordained as was **Judge Solomon**, would suffer the Wrath of God, Measure for Measure, until all Measures against that Unlawful Practice of being an **UnOrdained Judge** shall be Met Out Unto You O' **UnOrdained Judges** of the World, to the very last.

15. The so called “correctional” system used by any of the Several States is in violation, not only for its Article IV, Section 4 violation of the use of “rulers” over the required use of [impartial] Juries to Try All Things, but exists as a clear violation of the constraints or the very prohibited acts included within the First Amendment, along with the Ninth Amendment's doctrine of the First Generation, in that any such State government, by and through its various involved officials and persons, has stated, in essence, to each and every accused or offender:

“I see something amiss in you. Let me pull out the beam from within thine eye.”

16. Which such State, through its officials, extends to those that it has decided, according to their own personal precepts, to “correct,” not for the thing that served as the offense for which the offender was first charged, but for their whole lives (for this is the Ordained Power of ancient Israel); the use of a Judicial Power that comes, not from the Judicial Power that existed at the time that those words were first written at the Constitution's Article III, Section 1, which Power originated under the laws of England – not under Israel, as evidenced by the 1670 Case of William Penn at Old Bailey Court, but rather from the Judicial Power that came from the nation of Ancient Israel, as was evidenced by the Court of Judge [or King or **Ruler**] Solomon, which particular Power was

that form of Judicial or Court Power that was required, under the Doctrine of Israel, to be Ordained, by God, and none other.

17. For That same Judicial Power that gave Solomon, who was recognized to have been **Ordained** by God, being therefore **Judge Solomon**, Ordained unto Righteousness, Truth, and Wisdom, by the Lord, God of Hosts, the judicial authority and right to adjudicate *any* matter, not merely as to the particular law as it instantly applied to a single event and its circumstances before him, **Judge Solomon**, in his holy **consecrated** court, but over the **utter life** of the person accused, *continuing* from the moment of that person's birth to the end of his days, that "Ruler" Solomon in his Court, might, by Divine Right, "Correct" him or her in all things whatsoever he deemed ought to be "corrected," for his or her – the offender's – whole life;

18. It being considered under the Law of [Ancient] Israel that he, this **Ordained Judge** of and over the Government of Israel, even **Solomon**, Ordained to particularly be a Ruler, and as *such* a Judge, or a Judge and as such a Ruler, had been given Direct Power by **God**, who, under godly ordaining hands coming under the Law of Israel, Ordained him, even **Solomon**, to this calling as **Judge Solomon**, to deem so such a person's whole life, and not just for the moment of the matter before him, as such judges of England were **constrained to**, made evident before all in the 1670 Penn Case, aforestated, **denying** such **UnOrdained Judges** thereof utter control over both the law and the fact, but only to issue an order for enforcement of a **Jury's decision** in the case, and, *except by* way of judicial abuse, **none other**.

19. Which Ordained Judges, having been granted a Power to "Rule" upon any matter before them, in order that they might "correct" any woman or man, does Not Exist within the United States, or in either of them, there being No Such Power found or to be inferred **within** those words at Article III, Section 1, "judicial Power," except it be by a perversion and a corruption of the proposed Constitution for the United States itself, subjecting all judges, whether considered to be "godly" or "ungodly," who have called upon or relied upon that same Judicial Power of Israel (even if not knowing or realizing that they were doing

that same) but were never ordained unto it, to the Curse of the Lord, Jesus the Christ, wherein HE Warned all who would think to become such (not speaking to the common man as was supposed):

Judge Not - [**Don't Be** or **Become** a Governmental Judge, *except* you be Ordained by God to it], - that ye be not judged - [by the Standard of Ordination that God will judge those who were Ordained of Him, measure for measure, **judgment for judgment**, over the entire life of the accused *or* False Judge].

20. Now the Judgment is upon You, O' State of the Several States wherein this subject matter shall arise, where your "Rulers," or Judges, in government are **not Ordained** by God, in spite of any local belief that they are, for they do **NOT** exist as a usage of the "judicial Power" referred to at the proposed Constitution's Article III, Section 1, but is a perverted or bastardized use of the Judicial Power of Ancient Israel itself, for which none of You, judges or rulers, have been Ordained by God - in Government - to be called to.

21. Requiring that those words **by which You were Warned**, "**Judge NOT; Don't be a Judge**," to now become fulfilled against you, for it was your not-light responsibility to know these things, that You not be caught up to a corrupted judiciary as you have been misguided to, for You, none of You, are as was **Solomon**, for Your own power was to be looked to as was those found in the aforementioned 1670 case of England, whereby our Forefathers, the proposed Constitution's own Framers, knew well was the *exclusive* judicial Power to all other forms, when they forged and affirmed those solemn words, "The judicial Power of the United States," knowing *full well* that they, Judicial Power[s], comprehended under a singular Power for them all, were brought here from [Ancient] England, and **NOT** from [Ancient] Israel at all.

22. Which Pure Power was first corrupted in 1803 by an Evil Man, of whom was marked for it, by that 1835 crack which cracked with a Great Crack, for whom a **bell** now tolls against, *eternally*, being that same that wickedly cracked the proposed Constitution – proposed *for* the people –

of the several States of the proposed Union of the United States itself. He that made that wicked crack, who was also marked by Heaven by a *great bell* crack - while tolling his marked death, *and all those who serve or follow him*, is yet to be judged by that JUDGE who Judgeth all.

23. For It cannot be denied that a judge of the proposed State whereunder this exhibited TEST must arise, must recognize his or her legacy, his or her origin of judicial Power, as having arisen from somewhere. While the origin of the judicial Power affirmed at Article III, Section 1's reference thereto does not specify just where that "judicial Power" has its birth and setting, the history of this proposed Nation, in fact, does.

24. NO Trace of a judicial Power has ever been attributed to, as a lawful source, Ancient Israel, to be made such a court as was the Court of **Ruler** ("Judge") Solomon, yet it is a matter of common knowledge that singular judges of each State of the Several States, none of whom have ever been known to be "ordained by God" to that particular authority or calling under the alleged authority of the proposed State under which this discernment of TEST now arises, issue or render "rulings" as though their singular authority entitled them to do so under the certain Constraint against such a "rulership" form of government, prohibited by the Constitution's Article IV, Section 4;

25. The same Article IV, Section 4 indicating or signifying that such UnOrdained judges have taken upon themselves **too much**, that they should ever think that they were given any power whatsoever to determine the very existence of any person's life, in order that they might "pull out the beam that is within their eye," or the eye of any accused person, it being as though that they "see something amiss" in that accused person before him or her, and not before the ever lawful and right – impartial Jury – alone - instead.

26.1 And which UnOrdained judges have also thought, and oftentimes acted so as "Embrace" that Council of and for the People/people, known

as the Jury, from which the term “Jurisdiction” (not “judicial-diction) is derived, in defiance of God’s ancient Law not to desecrate the People/people in doing so;

26.2 For if we were to ask the Question, “What is the source, or origin, of the concept of Embracery itself, or its actual meaning, we would find the following in certain;

26.3 The term “Embrace” comes to us from ancient times, and by careful discernment of those documents commonly called the “ancient scriptures” or the books of the records of the nation Israel, we find that the concept of “Embrace,” or “Embracing,” is an Actual Power of God, taken in conjunction with the ancient, and holy, Remembrance Stones of Abraham, and their gathering or casting away, for the Power of the Embrace process is of such a magnitude of the Power of God over all mankind, that the ancient prophet known as Habakkuk was so named, because as it is said, he so closely clung to God that they were deemed inseparable. That is, the word Habakkuk, in the Hebrew language, means “Embrace/Embraced” [by or unto God].

26.4 Not being a word of common meaning or usage, as people and kings have long supposed, Consequently, to knowingly “Embrace” a thing, not considered to be merely a “hug” or a physical grasp and holding, is to wield a Power of God Himself, that He, that same God, ordained for the limited and particular use of mankind, or the People/people, for their own ends to seek Justice, True and Ordained Justice, and therefore Salvation (salv[e] + ation = healing process) under Him and His ordained Authority alone.

26.5 Originally, it was Adam, and Eve who were ordained unto this Power to Embrace and Covenant with God directly, later to be extended to and ordained by God unto the councils of called men - of Israel, and not by a single man, or judge or Ruler, not ordained over them, by God, except it be, or have been, by an Ordained or Appointed, and so Anointed, Prophet thereof.

26.6 The Crime of Embracery, in addition to its being a Crime against the People/people and their directly representative impartial Jury, Constitutes a Contempt of Celestial Constitution Crime, or Sin, Committed by that UnOrdained Judge, no matter at which level the UnOrdained Judge, acting against the Commandment, or Supreme Deity Order, against the same doing so, purports to act in the capacity of an Embraceror.

26.7 Therefore, to use the Power to Embrace, by an UnOrdained judge's doing so, is to Commit the Contempt of Celestial Constitution Crime against God, and to the People/people also, all of whom He has ordained to be Free under Him.

27. Where the only lawful heritage for a "judicial Power" comes from [ancient] England and NOT from [ancient] Israel, it has at all times been the responsibility of all men and women to not enter into any proclaimed authority wherein they, judges, were **Warned**, Don't Be a Judge, Don't become that which is UnOrdained of God, that You place Your life over the lives of other men and women, in Your singular UnOrdained capacity, that You not be found Wanting when that time should come, which time is to come, soon.

28. IF you should argue back that there exists no place for a "religious argument" in "your' court," then, **Why Did You Not Keep It Out**, by not relying upon, as your source of **supposed authority**, a judicial Power that came **NOT** from England? For it, your judicial Power, can NOT be traced back to England, as evidenced by its practices at the time that this proposed nation was first born, but rather it is traceable back to the judicial practices of Rulership of ancient Israel instead.

29. And Why did you *think* it was your duty to **Rule** Over the very Continuing Lives of any soul, or person, whose rights of citizenship the proposed State under which this exhibited TEST of Article III, Section 1 now arises, ought to have better protected from the very likes of you, and not to Subject yourselves to the true rulership of impartial Juries, as being the more inspired Assizes, instead?

30. For IF you can claim any judicial Power and authority at all, it must needs be that you trace it to those judicial Powers that arose from England instead, by which Example you are now Powerless;

31. Except you be further perverted or corrupted in your ways, for you each and all have, if claiming the UnOrdained use of a judicial Power that is not yours, and never was, have bought into that bitter lie, that your right was as though a divine right, not as a matter of law inuring from its lawful source, from which it was first trace, to the benefit of all, by which you now, all of you, stand condemned – where you cannot show, before him whose law it was, that You were Ordained to it.

32. Which condemnation will start to work, as these keys of knowledge become evident and made penetrable upon You, upon your hearts, upon your minds, and upon your souls, forthwith, except you quickly repent.

33. And cease and desist in your capacity as rulers, or judges, in government, altogether, and where you may be established as any magistrate, coming under the executing branch, or the executive branch, of government and not under the juristic or court branch of government at all, that you put into enforcement those decisions, or verdicts (true words) of impaneled impartial Juries, being those who represent the People of this land directly, as a Republican Form of Government so demands.

**NOTE. This Part One Above, Can In No Wise Apply To Any Judge or Court Reading and Considering the Same Who Willfully and Prudently Discerns, Accepts, *Embraces*, and Applies The Principles Legally Revealed Below.**

## PART TWO

This Part Two of this, The Courts and Judges TEST, exists to TEST the source and nature of the Judicial Power stipulated to at the proposed Constitution's Article III, Section 1 "Judicial Power," as having been duly inherited by the People of the acclaimed Several States, the Union

of them. As such, Part One above does **Not** Apply, *Ever*, **IF** this Part Two Is the Proven Form Under Which the Courts, and Judges, of the Land - wherever the Land may be - now operate under.

1. In thoroughly discerning the conditions that a “court” may be called upon to try any form of offense, we look particularly to the criminal form of offense as the one having the most defining particulars considering the fact that “the trial of all crimes” is in fact the most powerful form of trial procedure that can be grounded for any form of government, for the preservation of justice and for the protection of the Inherent Rights of the People for whom such government is to serve.

2. Recognizing that it was the intent of the proposed Constitution’s Framers and Founders that all judges, whether or not “ordained,” play a very diminished role in all future court proceedings, by denying them the right to at all sit or preside in any court’s trial proceeding, or to be present in the courtroom while a **Trial By Jury** – Not a Trial **With Jury** – was in progress, such reality being exposed by a number of facts, not the least being the assertion of Mr. Founder Gerry’s proposal, September 12, 1787, in the Constitution Planning Meeting of that date, **which brought us Trial BY Jury in the first instance, Mr. Founder Gerry establishing, as recorded by Mr. Founder Madison;**

“[that] **the necessity** [or exigent purpose] **of Juries** [is] to **guard \*agst. corrupt Judges;**” \*against

3. It is impossible for a Jury to know in advance as to the corruptness of a judge at the moment of the appearance of such judge, or to know even during the presence of a judge coming before it (for a Jury would have no training on how to detect and guard against a corrupt judge), as to whether such judge might or might not be “corrupt,” rendering the only way that a jury can guard itself against a “corrupt judge” is if the judge is prohibited or denied from being in the court with the Jury with it, or at the same time, while the Jury proceeds to **Try** (control - the first time through) any particular case before it.

4. This and other TESTS seen within the concept of the mandate (“shall be”) for a Trial **By** Jury and not a Trial *With* Jury, particularly as amended to the requisite for a Trial By impartial Jury, an examination and understanding of the Crime of Embracery, a question, duly and correctly answered, as to what the process would be called prior to a Jury going into a Jury room, if having no ability of absolute control before that time, a discernment of the primary twelve person assize – being the subject of a sheriff’s execution of duty under a ponendis in assisis – excluding any judge, at all, therein, necessitates that we look to a Different Controlling Standard for court and juristic, and judicial, involvement, all, in order to discern and lawfully enforce what should have been the reality in a system calling for justice, from the first date when the courts of England and of Europe began to be to this day and time, and forever hereafter.

5. As to such Crime of Embracery, above referred to, the subject thereof is more fully covered under Part One of this, The Courts and Judges TEST above; wherefore, look to that Part’s applicable breakdown and discernment as to its true scope and meaning, as it, Embracery, applies to any court or court proceeding anywhere upon the face of the civilized Earth, inclusive of the court, or court’s UnOrdained judge(s) reading and considering these words and this TEST, right now.

6. Arraignment. Involving a judge’s “officiating” over the proceeding known as the “arraignment” in order to intercede in the case before, and to be tried exclusively, by the impartial trial Jury, it is to be understood that the Court Filed Charges, filed with the Clerk of Court, Are The “Arraignment;” there exists no dire necessity for a[ny] judge to intercede between an accused and the impartial Trial Jury, unto whom All Power to Try ALL Crimes (**inclusive of the Crime of Contempt of Court**) is Confirmed at the proposed Constitution’s Article III, Section 2, Clause 3, there exists No Authority or Granted Power for any UnOrdained Judge to “preside” over any Trial, either alone or with any Jury, amended to be extended to, and be constrained to, the impartial Jury by the Sixth Article of the Amendments of the proposed Constitution for the proposed United States.

7. The Controlling Standard held for this cause is to be found within the proceedings recorded in the 1670 William Penn versus England case in Old Bailey Court, for the crime of “tumultuous assembly” as being claimed to be his Violation of the Conventicle Act, an official Act of Law established under the Crown of England, to be enforced upon all religious denominations, particularly the Quakers – as researched and exposed to us by Julius Mark, Distinguished Research Professor of Law, St. John's University; Professor of Law Emeritus, New York University (see the annotated - The Case Of Justice For William Penn).

8. The Controlling Standard of this Part Two is to be Established by a number of precise legal points to follow, and is thereafter to be preserved under RULE NISI (“**Becomes The Imperative and Final Rule Unless Just Cause Can Be Shown Against It**”).

9. Point One. A legal conclusion is possible to be drawn when examining the procedures of one court case versus another court case, if the procedures in the case are different but where, holding all other relevant standards the same, the case procedures should have been the same in the one case as with the other case.

10. Point Two. Any person, as any official, can abuse granted power. The abusive exercise, or the exercise of an abuse of power is not a demonstration of the lawful use of that same power merely because such abusive power was officially enacted and recorded for a later review of the proceedings involving the party or parties to whom the power was first granted, in its essential state and for its essential purpose.

11. Point Three. An abuse of power can be discovered when examining any altered procedures in a case where the outcome is not favored by the person(s) to whom the power was granted and comparing it with an examination of the procedures in a case where the outcome is favored by the person(s) to whom the power was granted.

12. Point Four. When an abuse of power is **discovered** and **exposed** in an official manner, inclusive of any duly procedural TEST on the subject matter contained in the discovery thereof, the application of the

proper, true, and majorly lawful conclusion of such Tested Discovery is appropriately grounded, for all future execution of duties and process thereafter, under Rule Nisi, requiring that any person or party claiming an adverse interest or opinion to that Discovery which *has been* duly TESTED and Presented Forth to Show Just Cause As To Why It **Should Be** the Superseding and Prevailing Rule of Procedure, Ever Thereafter, Until or Unless a Greater Discernment of Cause and Right, if any, can be Found To Take Its Place, as the Rule Nisi commands.

13. Point Five. The term Jurisprudence refers to the Science of Law; the Science of Law has long and ever supported the premise upon which Rule Nisi is founded.

14. Point Six. The Law, as The Science of Law, **Denies** That Which Is “Not Law” – No Matter How Long The Condition of Lawlessness Or Else Errant Use of Law Has Been Perpetuated; The Law of Not Law Is Still The Law, And No Claim or Wish or Protest For Public Policy In Its Stead Can Lay Claim Over “The Law of ‘Not Law.’”

15. Point Seven. Records of History of the Law - No Matter How Ancient or Obscure - **Are Continued Enforcement Representations Of Law**, Either In Principle Or In Fact, And **Hold** Their Intrinsic Legal Value The Same As Any Modern Law Ever Has or Can.

16. **THESE FEW FOREGOING THINGS BEING SO, OR, BEING THE TRUTH, We NOW Move Forward To Examine That Controlling Standard Which This Part Two Holds Mandatory Over** The Existence and Usages of “Judges In The Courts” of the Proposed United States, Or of Either of Them.

17. If ANY Person Claiming Judgeship Denies These Truths Herein Held, Then the Same Shall Fall, On The Instant, Under The Conditions Set Forth in Part One Above Instead.

18. When examining the conduct in the Penn Case of 1670, we note that there were both judges and a magistrate in the case, the judges in particular representing the Nobles or Lordships of England, inclusive of

the Lord Mayor of London himself; the Magistrate, also as a recorder, also being present.

19. One of the first things to be noted is that, according to the accounting of Power as researched and presented by Professor Mark, the Judges held a Power, from some source, that gave them an ability to

“force a jury to do as they charged,”

20. And as we see this last word, “charged,” we are reminded of an Executive Power, for the Power to “Charge” is Neither a Sentence, a Judgment, nor a Verdict, and Therefore Eliminating These Three, Leaves Us with Only the Consideration that an Executive Power, Not an Inherent Power of a Court – but More the Power of a Monarchy or Oligarchy, Only – to be able to Force the Minds and Will of Men Contrary to their Own Free Agency;

21. Which Noble-Executive Power to “Charge” To Force and Alter the Minds of the Jury, NOT Being a Cognizable Court-Form Power Of Itself, Consists of an Abusive Power, NOT merely “An Abuse of Power,” For an Abusive Power in the Courtroom is a Crime against Government, the judges not being the sheriffs of the land, and not being entitled, as a matter of the workings of the Common Law, which we find to be a regarded procedure in the Case, to charge either the Accused or the Jury impaneled and assigned over the Case – with anything.

22. An “Abuse of Power” exists as the Crime of Contempt; — an “**Abusive Power**” used is *likewise* the Crime of Contempt, BUT to a Much Higher Degree of Seriousness.

23. In the Case proceeding, we find the legal skill of William Penn to be so prevailing, that as per his baiting and winning over the judges as to the role of the Common law, the judges in turn tired to heckle and bully him, such said Courtroom Conduct by judges not known or recognized for its honor or a lawful abiding or tolerance among the laws of men.

24. The judges in the case, exercising the kind of Power that an Executive Branch's prosecutor would desire to employ, Ordered (as a Jury instruction) the Jury to find William Penn "guilty."

25. The jury, however, found that the meeting had taken place - judging and finding for the fact, but refused to find the law had been violated - thereby judging the effect of the law, and thus the law itself.

26. The particular Jury impaneled in the 1670 Case of William Penn, even in the face of continued use of an **Abusive** Power, refused to submit their Free Agencies to the Will of the Judges wielding such Unlawful Use of Power, refusing continually to find William Penn Guilty of violating any actual Lawful law of the nation, England.

27. At this juncture we find that the Recorder, or Magistrate, angrily responds to the Jury's Verdict (or True Word) as presented to the Court,

"Gentlemen, you shall not be dismissed till you bring in a verdict which the court will accept. You shall be locked up, without meat, drink, fire and tobacco. You shall not think thus to abuse the court. We will have a verdict by the help of God or you shall starve for it."

28. Here we find the one official, the Magistrate, who appears to have direct power in relation to the impaneled Jury, even though the Magistrate's use of Power is still an **Abusive Power** and not an "Abuse of Power" only.

29. In all of this, the foregoing, we find one thing in common throughout the Case in regards to the relationship between the Jury and the Judges and Magistrate; the Judges and Magistrate are not happy, not supportive, of the Jury's use of its own Power to find the Accused – "Not Guilty" of breaking the law.

30. This conflict compels us to examine a different case, same conditions, where the Jury, the Judges, and the Magistrate are in perfect harmony with each other from the first instant that the Jury is impaneled.

Because no such identical case is known to exist, we examine the same case differently as a hypothetical case based upon the precise standards just espoused.

31. The Hypothetical 1670 Trial of William Penn. In the hypothetical case of the 1670 Case of the Trial of William Penn, the judges find no reason at all to order the Jury to do anything, for they are confident that the Jury will follow the law, precisely as written, see the fact as related to the law, and find William Penn, and the Quakers, guilty of tumultuous assembly.

32. The “Jury Trial” *with* Judge(s) proceeds.

33. The Jury has reached its Verdict. William Penn is “guilty” of the fact, and William Penn is “guilty” by that fact of Breaking the Law, the Conventicle Act. The Jury Foreman, Bushell, states the will of the Jury in finding William Penn guilty, that the Court enforce the will of the Jury as it has found in regard to the breaking of the Law. The Jury has now done all it can do, and can do no more.

34. Now it’s the Court’s Magistrate’s turn; the Magistrate is the official who acts, with actual, seen, executive Power, to order the presence of law enforcement to do its duty, to take William Penn into custody, and to go out and further find all of the Quakers and round them up, and arrest and imprison them also.

35. This is not a judicial Power being wielded by the Magistrate, for Penn’s Jury of Common Judges has already done its job within the sanctity of the Court itself. The Power wielded by the Magistrate is clearly an Executionary one, and thus, as disconcerting as this may at first appear, falls under the Executive Branch of England’s government, and not under any Court’s Power itself.

**In Comparison of the Two Cases, Side By Side, We Find That:**

36. Absent the existence of any **Abusive Power**, along with any Abuse of Power as well, the Jury's **Right** to Try Both the Facts AND the Law(s) was **an UnContested Power and Right** of the Jury alone;

37. And, Absent the existence of any **Abusive Power**, along with any Abuse of Power as well, the only Right within the reach of the Court lay in the hands of the Magistrate, whose Only Non-Abusive Power lay as a Power to Enforce, absolutely, the Will and Decisions of Juries – As a Part and Power of the Executive Branch;

38. FOR, Absent the existence of any Abusive Power, along with any Abuse of Power as well, the Power of the Magistrate was and is truly the Power of the Executive Branch, serving as a BRIDGE between the Jury and its Will, or Verdict (True Word), and the certain Executive Branch Law Enforcement Officials waiting to carry out the order(s), if any, that the Magistrate, bearing the Will of the Jury ONLY, might distinguish to put into action in compliance to the Primal, Common Understanding of Law, or the Original Common Law, itself.

FINDING NEW DISCOVERED JURISPRUDENCE IN OLD COURT FACTS AND EXECUTION OF LAW PROCEEDINGS. IN EVERY COURT OF THE PROPOSED UNITED STATES, OR EITHER OF THEM:

[I] Where a Trial **BY** Jury, and not a Trial *with* Jury, is the mandate (under the “shall be” mandate – Article III, Section 2, Clause 3) of any Case coming before any court of any State, or of any Union of States’ government, such Jury, being also required that it be impartial at the time of its impanelment, shall have, and has, the 1670 Equal Right to Try Both the Laws and the Facts before it;

[II] And where that impartial Jury shall, in the Trial of any Accused, Try both the Facts and the Law(s) as they relate to any Accused, in finding the Accused as Guilty as Charged (being not charged by the Court), and finding for a Just and Lawful Sentence of the Accused, according to that equitable and lawful spirit that is

within them, then the Magistrate, or other qualified executive, of the Court shall take the Will and Sentence of the Jury and order and compel its execution unto its fulfillment, transferring such order unto those awaiting members of law enforcement duly ordained by the People to fulfil that very purpose;

[III] Or where that impartial Jury shall, in the Trial of any Accused, Try both the Facts and the Law(s) as they relate to any Accused, in finding the Accused as Not Guilty as Charged (being not Charged by the Court), then the Magistrate *or other qualified executive* of the Court shall take the Will of the Jury, re-securing the liberties of the Accused, allowing the Accused, forthwith, to go free, or freely forth.

[IV] And No Other Power of Court shall or does Exist as a matter of either Right or First Right (denying the Right of being Preserved – or the Jury made Ready for Its use - *at any time*), Other than the Power to Sit on Cases of Twenty Dollars or Less, for a time, shall exist as any lawful claim or entitlement in any Court of the proposed United States, or either of them; – of America.

39. Therefore, wherever there shall be any court in which the office of any judge shall be maintained as a matter of law, the law shall regard the replacement of the same with nothing less than an assize, or jury of twelve persons, and none other with them for trial purposes, by the recognition by such law as coming under the definition of the 1670 William Penn Case in Old Bailey Court, by historic American Founder William Penn’s statement, “My jury, who are my judges” as lawfully sufficient for this purpose, all Juries, being also required to be impartial Juries, being fundamental - to manage the court’s daily docket as was provided for under the Seventh Amendment’s “preserved” (or “*to be made ready for use at any time*” principle of governance of such trials to be held) requisite, and require that all current judges, whether appointed or elected making no difference, vacate their personal office effects from the courthouse, entirely, at that time.

**FAILING *this* Part Two above, then the Power of Part One, and all of its **Consequences** thereof, is to be, without Denial or Mercy, Grace or Equity alone intervening where it may be Eternally applicable, the Recognized Power of Judges in any and Every Land upon the Earth, and to that End, Where Equity, or Grace, Fails, . . .**

**Then JUDGMENT from the COURT above ALL Courts of the Earth be upon You, O' Ye UnOrdained Judges of the Earth, to be Meted out By HIM who is Your Judge that Commanded You, to Your own Just End. "SO BE IT" (or AMEN).**

**DULY SUBMITTED TO THE PEOPLE ABOVE ALL, - AND TO THE JUDGES OF THE NATIONS WHEREVER THEY BE FOUND, BEING ALSO HEREBY DULY INCORPORATED UNDER THE PROPOSED CONSTITUTION FOR THE UNITED STATES – OF AMERICA;**

**This TEST and Exhibit Is SEALED, And INCORPORATED, Against That Which Is Found To Be Untrue In The proposed Constitution For The United States, And For That Which Is True In The Said Same Constitution, Into This Case, Now *ARISING*, Before The Lawful Courts of the Several States of the Union of "them," And Not Lawfully Concurrently Elsewhere.**