Where do you think you are?

Disclaimer: Nothing in this white paper is to be construed as legal advice. The reader should go to a law library and check every fact and citation for themselves, and form your own conclusions. The reader should get assistance of counsel, if you think you need it.
Part 1

Here is the Republican form of government that the Founding Fathers established.
We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of Honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.
Section 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;
To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be,--for the Erection of Forts, Magazines, arsenals, dock-Yards, and other needful Buildings;--And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article II

Section 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the
Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III

Section 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;--between a State and Citizens of another State;--between Citizens of different States;--between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.
The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article IV

Section 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records, and Proceedings shall be proved, and the Effect thereof.

Section 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section 3. New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article VII

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth

In witness whereof We have hereunto subscribed our Names,

George Washington--President and deputy from Virginia
New Hampshire: John Langdon, Nicholas Gilman
We have a government of the United States [national] and a government of each of the States
The fourteenth amendment was adopted to ensure that the guarantees of liberty and justice would be extended to all citizens of the United States. The amendment prohibits state laws that result in the deprivation of any rights, privileges, or immunities secured by the Constitution, and guarantees that the states will not deprive any person of life, liberty, or property without due process of law, nor deny to any person within their jurisdiction the equal protection of the laws. This amendment was significant because it abolished the practice of slavery and protected the rights of all citizens, regardless of race.

The petitioners were African American citizens who were denied the right to vote in South Carolina elections. The state had a literacy test as a prerequisite for voting, and petitioners alleged that this test was intended to discriminate against them based on their race. The Court concluded that the literacy test violated the equal protection clause of the Fourteenth Amendment because it was applied in a discriminatory manner.

The decision set a precedent for future Supreme Court cases involving voting rights and discrimination, emphasizing the importance of equal protection under the law. This case marked a significant milestone in the struggle for civil rights and the expansion of the franchise to include all citizens, regardless of race or color.

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The case of McSweeney v. United States (1903) involved the prosecution of a non-citizen for violation of the immigration laws. The Court had to determine whether the defendant, who had previously been deported for violation of the law, could be re-imprisoned for the same offense under the same circumstances.

The Court ruled that the defendant could not be re-imprisoned unless there was a change in the law or a new factual basis for the prosecution. This decision established the principle of ex post facto laws, which means that a statute cannot deprive a person of life, liberty, or property for a crime for which the statute was not enacted.

The case also highlighted the importance of due process and the prohibition against double jeopardy. The Court emphasized that a person could not be punished twice for the same offense, thus reinforcing the principle of the Rule of Law.
powers which one possesses, the other does not.
They are established for different purposes, and have separate jurisdictions. Together they make one whole, and furnish the people of the United States with a complete government, ample for the protection of all their rights at home and abroad. True, it may occasionally happen that both jurisdictions come into conflict for the same act, but that is no reason why one should be made inoperative in the same act, but that is no reason why one should be made inoperative in the execution of the power best adapted to carry it into effect.
Mr. Chief Justice Waite delivered the opinion of the court:

This case comes here with a certificate from the Court of Chancery for the District of Louisiana that they were divided in opinion upon a question of jurisdiction, and the case was remanded to the circuit court for further consideration upon that question.
It is true that the Constitution of the United States is divided into two parts, one part dealing with the federal government, and the other with the state governments. The Constitution provides for the protection of the rights of individuals, both those who live within the territorial limits of the United States and those who reside without, and therefore, it is necessary that the state and federal governments cooperate in this protection.

Mr. Justice Seiberling, in delivering the opinion of the court, said:
The Constitution is divided into two parts, one part dealing with the federal government, and the other with the state governments. The Constitution provides for the protection of the rights of individuals, both those who live within the territorial limits of the United States and those who reside without, and therefore, it is necessary that the state and federal governments cooperate in this protection.

The first Amendment to the Constitution guarantees the right to assemble and petition the government for a redress of grievances. The right to petition is a fundamental right, and it is protected by the Constitution.

The second and tenth amendments are equally effective. The right to bear arms is a fundamental right, and it is protected by the Constitution.

The right of the people to peaceably assemble for the purpose of petitioning Congress for a redress of grievances, or for the purposes of the duties of the National Government, is an attribute of national citizenship, and is protected by the Constitution, as is the right to keep and bear arms. Thus, by the Constitution, the right to bear arms is a fundamental right, and it is protected by the Constitution.

The Fifth Amendment to the Constitution provides that no person shall be held to answer for a capital offense unless on a presentment or indictment of a grand jury, and that no person shall be compelled in any criminal case to be a witness against himself.

The Seventh Amendment to the Constitution provides that in suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.

The Ninth Amendment to the Constitution provides that the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

The Tenth Amendment to the Constitution provides that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The Constitution provides for the protection of the rights of individuals, both those who live within the territorial limits of the United States and those who reside without, and therefore, it is necessary that the state and federal governments cooperate in this protection.

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The States of The United States of America

50 sovereign States, united
17 national powers delegated in the Constitution, limited and enumerated at Article I, Section 8, affecting the States and the People of the States

The Nation of The United States of America
These States are sovereign.

quoting from The Book of the States,
published by The Council of State Governments

southern nation as Japan, Illinois is as sovereign as Russia, and New Hampshire is as sovereign as Guatemala.

The entire field of government in the United States is divided into two great areas: the first is the area in which the Federal Government has jurisdiction; the second is the area in which the Federal Government does not have jurisdiction, and in which the forty-eight sovereign nations go their forty-eight independent ways. Nobody knows exactly how far the jurisdiction of the Federal Government reaches, but we will all agree that there remains a tremendous area in which the Federal Government does not have jurisdiction.

Federalisation vs. Co-operation between the States

Now here is the crux of our American problem of governmental structure:

In the federal area, we have a fair degree of governmental unity. But in the non-federal area, we have chaos between the state governments—among this multitude of sovereign nations. This chaos is due to no fault of the federal government, because no amount of congressional efficiency could have harmonized those functions over which Congress has no control. In that field of government over which the Federal government does not have jurisdiction, this country is struggling to progress as a centipede—or whatever an animal with forty-eight legs should be called—which has no two of its forty-eight legs operating in rhythm with each other. The curious feature of this situation lies in the fact that we have never tried to develop any nationwide mechanism for the purpose of coordinating these legs, and harmonizing the policies of the states.

Under these circumstances, what lies ahead of us? What will be the solution of this chaotic condition of uncoordinated state governments? One fact is sure: we cannot go on as we now are.

There seem to be only two possibilities: increased federalization or increased cooperation between the states. It is a race between the two. There is no doubt which racer is in the lead. The states are not merely slow in harmonizing their own affairs: they are inert. And meantime federalism is progressing with leaps and bounds. But to quote a phrase, "The states will survive, because they are a tough fact in our system." Nevertheless, it is not at all impossible that the state governments will become relatively insignificant, and that the Federal Government will take over most of their functions.

A Pattern for Federalized Administration

At this point we may pause to smile at the fact that the states have developed a tendency to take over the functions of the counties. In other words, the counties are 3,000 little fishes which are being swallowed by 48 large fishes, and the large fishes are being swallowed by one whale.

If the states continue to be so sluggish that federalism wins the day, how will the National Government administer its swollen powers? There is a serious possibility that we will live to see the Federal Government operating with perhaps ten regional centers, which in turn will operate through district centers. One of these district centers will be located in the capital city of each state, and there will be additional district centers in the larger states.

This suggestion is not fanciful. Of course such a readjustment would meet with great resistance, and of course the present control of the United States Senate could not be altered. The states would continue to exist—just as the counties are continuing to exist in North Carolina, for instance, even after most of their functions have been taken over by the state. Certainly most American citizens would regret such a readjustment, even if they believed that it was necessary. At all events, to repeat, it is safe to guarantee that federalization will increase constantly and rapidly unless the states do succeed in developing some device which will bring about closer cooperation among them.

Compacts between States

According to present indications, we will be subjected to extreme federalization within a short time. If we are not, it can only be because the states are on the verge of cooperating with each other as they have never cooperated before. And if we are on the verge of such cooperation, compacts be-
The State jurisdiction and the national jurisdiction fit together as follows:
like 2 geometric “planes”, overlaid, one on top of the other.

like this
The Nation of the United States of America

the delegated 17 Powers, at Art.I, Sec. 8
The States of The United States of America

Sovereign States
and described by the Supreme Court like this:
made to the basis of its computation, very certainty no objection to its validity would have been thought of. 142 U. S. 239, 243, 245. If the state had imposed an income tax, a part of which would have been derived from the net profits on this interstate business, no valid objection could have been made to it. U. S. Ex. Rel. Co. v. Oak Creek, supra. At most the assessment, so far as it detracts commerce is concerned, is incidental, remote and unimportant and it is therefore constitutional.

The judgment of the Supreme Court of Illinois must be affirmed.

Mr. Justice VAN DENDY dissent.

Mr. Justice McCAIN concur in the result.

(28 U. S. 332)

PACIFIC MAIL S. S. CO. v. LUGAS.

(Submitted March 10, 1922. Decided March 27, 1922.)

No. 160.

Seams <em>et al.</em>-Finding sick seams was not bound by mutual release or discharge sustained.

Where a seamstress, who was left at an intermediate point because of illness, and signed a mutual release, or discharge, by Rev. St. § 4302, (Comp. St. § 8541), and the employer made a false statement, the lower courts found that the employee was only asked to sign for his wages, and that a discharge was not intended, and that the master did not give him the certificate of discharge required by Rev. St. § 4501 (Comp. St. § 8540), a decree allowing the master his wages, subsistence and medical attendance will be affirmed, especially in view of Act March 4, 1915, § 4, (Comp. St. § 8522), allowing a court to good cause shown to set aside such release.

On Writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

Libel by J. Lucas against the Pacific Mail Steamship Company. Decree for libel affirmed by the California Appellate Court (294 Fed. 393), and respondent brings certiorari. Affirmed.

Mr. Charles J. Hickman, of San Francisco, for petitioner.

Mr. Frederick Clayton Peterson, of San Francisco, for respondent.

<fallback>

*Criminal law § 1061-4.-Accused present at trial cannot be convicted of same crime.

If one who had previously been convicted of a crime is accused of another crime, he cannot be convicted a second time for the same crime, but there may be two convictions for two separate crimes of the same description committed by the same person.

Criminal law § 1061-4.-Court first acquiring jurisdiction of person can retain it until remedy is exhausted.

Under the rule of comity prevailing under our system of laws, a court which first acquires jurisdiction must retain the case until the other court has been given an opportunity to act; otherwise the other court will have jurisdiction.

Criminal law § 1061-4.-United States convicted cannot be taken from court's control without consent.

Where a federal district court first took custody of a person and sentenced him to imprisonment, the state court could assume control of him until the end of his term without the consent of the United States.

Criminal law § 1061-4.-States cannot take custody of federal prisoners without consent.

A state, in the absence of the consent of the United States, cannot take custody of federal prisoners without the consent of the Attorney General, or a judge of the United States court in which the prisoner is held.

Criminal law § 1061-4.-Attorney General has authority to give the consent of the United States to the custody of federal prisoners.

The Attorney General has authority to give the consent of the United States to the custody of federal prisoners, and in so doing he acts as the agent of the United States in the matter of the custody of federal prisoners, and no other person can have authority to give the consent of the United States to the custody of federal prisoners.

Convicts § 2.-Statute making federal crimes subject to state prison discipline denounced.

A statute making federal crimes subject to state prison discipline is denounced by the state legislative council of the state, and the state legislative council is not allowed to pass upon the constitutionality of the statute.

Convicts § 2.-Can be tried under imprisonment.

Convicts § 2.-Sentences after trial of imprisonment must be commuted.

Except when special statutes make an exception, the fact that a defendant is in prison for a sentence for another crime gives him no immunity from a second prosecution, either for a crime committed while he was incarcerated or one committed before his first conviction.

Convicts § 2.-Sentence after trial of imprisonment may be commuted.

Where a federal convict is taken into state court for trial during his term, there is no difficulty in the case. The courts of the state are bound by a state constitutional provision to which the federal courts are subject, and which may be commuted in accordance with the terms of the state law.

Convicts § 2.-Custody of federal prisoners cannot be taken from state court without consent.

The fact that a federal convict is taken into a state court for trial during his term, does not deprive the state court of jurisdiction to try him, since he is present in state court and can conduct his defense as effectively as if he were in custody of the federal court.

On Certificates from the Circuit Court of Appeals for the First Circuit.

Petition by Charles Foss for writ of habeas corpus to be directed against Franklin Fussenden and others. The petition is filed, and the parties appealed to the Circuit Court of Appeals, the Judges of which certify the Supreme Court, under Judicial C. § 59, the question whether a federal or state court shall have jurisdiction over the defendant, a federal prisoner, held by the Attorney General, and by the Attorney General, and by a district court of the United States.
directed to the master of the House of Correction, who, as an agent under the written notice of an inferior court in the custody of said master and where all the trial upon the indictment there pending against him?"

September 31, 1920, 22 indictments were returned against him in the superior court for Suffolk county, Mass., charging him with certain larcenies.

October 1, 1920, two indictments charging Williams with violation of the federal Penal Code (Comp. St. § 10385) were returned against him in the United States District Court for the District of Massachusetts. November 29, 1920, he pleaded guilty to the first count of one of them, and was sentenced to imprisonment for five years in the House of Correction at Plymouth, Mass., and committed.

April 21, 1921, the superior court issued a writ of habeas corpus, directing the master of the House of Correction, who, as an agent under the written notice of an inferior court in the custody of him, to have him there from day to day thereafter for trial upon the pending indictments, but to keep him in the house of his own custody as an agent of the United States, subject to the sentence imposed by the federal District Court. Blake, *the master of the House of Correction, made a return that he could not comply with the process of the United States District Court, and prayed that the writ be dismissed.

Thereafter the Associate Attorney General of the United States, by direction of the United States Attorney General, stated in open court that the United States had no objection to the issuance of the writ, to the compliance with the writ, by or to the production of Ponti for trial in the superior court, and that the Attorney General had directed Blake to comply with the writ. Blake then produced the prisoner, who was arraigned on the state indictments and stood mute. A plea of not guilty was entered for him by the court.

May 23, 1921, Ponti filed in the District Court a petition for a writ of habeas corpus directed against the master of the superior court, and against Blake, alleging in substance that he was within the exclusive jurisdiction of the superior court, and that the state court had no jurisdiction to try him while he was in federal custody. His petition for writ of habeas corpus was denied. An appeal was taken to the Circuit Court of Appeals, the judges of which certify the question to this court, as the following facts.

Section 329, (Comp. St. § 12129),

Mr. William H. Lewis, of Boston, Mass., for Ponti.

Mr. J. Weston Person, of Boston, Mass., for Pesenda and others.

The Chief Justice PAF, after stating the case as above, delivered the opinion of the Court.

[1] We live in the jurisdiction of two sovereigns, each with a court of its own, and in whose courts to declare and enforce its laws in common territory. It would be impossible for both courts to exercise jurisdiction over such offenses without embarrassing conflict unless rules were adopted by them to avoid it. The people for whose benefit these two systems of government are established and whose representatives they are must maintain that each system shall be effective and unhampered by the vindication of its laws. The situation requires that the right to maintain their own laws be fixed and it is in the provinces of the courts in cases of jurisdiction over the same persons and things in actual litigation, but also a spirit of reciprocal comity and mutual assistance to promote due and orderly procedure.

One accused of crime has a right to a full and fair trial according to the law of the government whose sovereignty he is alleged to have offended, and he has more than that. He should not be permitted to use the machinery of one sovereignty to obstruct his trial in the courts of the other, unless the necessary operation of such machinery prevents his having a fair trial. He may not completely overcome it, and yet retain his right to an effective and unhampered vindication of its laws in the other, in order that the sovereignty making it and of its representatives with power to grant it.

[2] One accused of crime, of course, cannot be tried in two courts at the same time. As parte Bovey, 74 N. H. 554, 95 Atl. 360; United States v. Maritza, 199 F. 930; United States v. Marita, (D. C.) 227 Fed. 314. Such a waiver is a matter that addresses itself solely to the discretion of the sovereignty making it and of its representatives with power to grant it.

[3] The chief rule which preserves our two systems of courts from actual conflict of jurisdiction is that the court which first takes the subject matter into its control, whether this be person or property, must be permitted to exhaust its remedy, and to attain which it assumed control, before the other court shall attempt to take it for its purpose. The principle is stated by Mr. Justice Matthews in Covelli v. Heyman, 111 U. S. 170, 4 Sup. Ct. 555, 23 L. Ed. 390, as follows:

"The forbearance which courts of ordinary jurisdiction exercise under a single system, exercise towards each other, whereby conflicts are avoided, by adhering unhesitatingly without process or other, is a principle of comity, with perhaps more genuine sanction in the spirit, which comes from concord; but having the same legal effect, and which is derived from the nature of government, the natural law and the public law. It is a principle of right and of law, and therefore, of necessity, a principle of justice; and it is the only means by which the courts, or any other people, can be brought together in one jurisdiction or another, and all jurisdictions be concurrent; and although they exist in the same space, they are independent, and have no knowledge of each other. There is no rule, however, which is to determine when the court of one sovereignty is to interfere with that of the other.

The Heyman Case concerned property, but the same principle applies to jurisdiction over persons as is shown by the great judgment of Chief Justice Taft in Ahlman v. Booth, 21 Haw. 508, 16 L. Ed. 120, quoted from, and relied upon, in Covelli v. Heyman.

[4] It can be said that the federal District Court first took custody of Ponti. He pleaded guilty, was sentenced to imprisonment and was detained under United States authority. The present habeas corpus proceeding imposes no restraint upon him. Until the end of his term and his discharge, no court could assume control of his body within the United States. Under statutes permitting it, he might have been taken under the writ of habeas corpus to give evidence in a federal court in another district, section 1014, Rev. Stat. (section 1743, Comp. St.), without violating the order of commitment made by the sentence of the state court. He may be tried there if in the same district, section 723, Rev. Stat. (section 725, Comp. St.), or be removed by order of a federal court in another district, section 1014, Rev. Stat. (section 1743, Comp. St.), without violating the order of commitment made by the sentence of the state court. The Attorney General has power to remove him to another state, section 575, 99 L. Ed. 554; Ex parte Lamar (C. C. A.) 274 Fed. 190, 194. This is with the authority of the same sovereignty which convicted him.

[5] There is no express authority authorizing the transfer of a federal prisoner to a state court for such purposes. Yet we have no doubt that it exists and is to be exercised with the consent of the Attorney General. In that officer, the power and discretion to practice the comity in such matters between the federal and state courts is vested. The Attorney General is the head of the Department of Justice. Rev. Stat. § 548 (Comp. St. § 1619). As such he is the president of the department, and it is his duty to see that the laws of the United States are carried out, and he is the officer who must be consulted before any change in the existing government and its effective operation or both systems courts require, provided it does not give any effect to the constitutional and federal laws. Courts or districts, or to endanger the prisoner. Logan United States, 144 U. S. 265, 30 Sup. Ct. 319, 54 L. Ed. 429.

[6] Counsel for appellant relies on section 5535, Rev. Stat. (Comp. St. § 1053), which directs that—
The powers of the governments of the States and those national Powers delegated by the States to the federal government work together, to form a nation.

The States are part of that government.
Part 2

Under the Constitution, Congress was also granted Power at Article IV, Section 3, paragraph 2, to operate the territories outside of the States:

“to … make all … Rules and Regulations respecting the Territory … belonging to the United States”
In 1901, the Supreme Court made it clear that under this territorial power:

“the Constitution has **no application** . . . in the territories . . . Congress has a power wholly unrestricted by it.”
Suppose the political state of the country should be such that there was a difference of opinion as to the tariff law, analogous to that which existed when California was acquired from Mexico, where a division of opinion on the subject of the slavery question between the different branches of Congress, it was impossible to determine the power of the territorial government when it came into existence. If the same question were to arise in the United States, it would be the situation (as it is now) if Congress were to pass an act creating a territorial government at the same time that the power to enact such act was conferred by the Constitution.

All these suggestions, however, are, it seems to me, to be considered as weighty evidence that there is an inherent right in the United States to the exercise of the power which is now sought to be given by the act of Congress.

The principle involved in the act of Congress is that it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force, that it is a nullification of the Constitution.

In the first place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the second place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the third place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the fourth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

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In the ninth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the tenth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the eleventh place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the twelfth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

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In the twenty-seventh place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the twenty-eighth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the twenty-ninth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the thirtieth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the thirty-first place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

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In the thirty-ninth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.

In the fortieth place, it is not consistent with the Constitution to delegate to the territorial government the power to declare that the Constitution is not in force.
time to time ordain and establish. The judges both of the Supreme and inferior courts shall hold their offices during good behavior," etc. He held that the court "should take into view the relation in which Florida stands to the United States;" that territory ceded by treaty "becomes a part of the nation to which it is annexed, either on the terms stipulated in the treaty of cession, or on such as its own charter shall impose." That Florida, upon the conclusion of the treaty, became a territory of the United States and subject to the power of Congress under the territorial clause of the Constitution. The acts providing a territorial government for Florida were examined in detail. He held that the judicial clause of the Constitution, above quoted, did not apply to Florida; that the judges of the superior courts of Florida held their office for four years; that "these courts are not, then, constitutional courts in which the judicial power conferred by the Constitution on the general government can be deposited;" that "they are legislative courts, created in virtue of the general right of sovereignty which exists in the government," or in virtue of the territorial clause of the Constitution; that the jurisdiction with which they are invested is not a part of judicial power of the Constitution, but is conferred by Congress in the exercise of those general powers which that body possesses over the territories of the United States; and that in legislating for them Congress exercises the combined powers of the general and of a state government. The act of the territorial legislature creating the court in question was held not to be "inconsistent with the laws and Constitution of the United States," and the decree of the circuit court was affirmed.

As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during good behavior, it necessarily follows that, if Congress authorizes the creation of courts and the appointment of judges for a limited time, it must act independently of the Constitution and upon territory which is not part of the United States within the meaning of the Constitution. In delivering his opinion in this case Mr. Chief Justice Marshall made no reference whatever to the prior case of 

Loughborough v. Blake, 5 Wheat. 317, 5 L. ed. 98, in which he had intimated that the territories were part of the United States. But if they be a part of the United States, it is difficult to see how Congress could create courts in such territories, except under the judicial clause of the Constitution. The power to make needful rules and regulations would certainly not authorize anything inconsistent with the Constitution if it applied to the territories. Certainly no such court could be created within a state, except under the restrictions of the judicial clause. It is said in this case that the court has ever since been accepted as authority for the proposition that the judicial clause of the Constitution has no application to courts created in the territories, and that with respect to them Congress has a power wholly unrestricted by it. We must assume as a logical inference from this case that the other powers vested in Congress by the Constitution have no application to these territories, or that the judicial clause is exceptional in that particular.

This case was followed in 

Benner v. Porter, 9 How. 235, 13 L. ed. 119, in which it was held that the jurisdiction of these territorial courts ceased upon the admission of Florida into the Union, Mr. Justice Nelson remarking of them (p. 242, L. ed. p. 122), that "they are not organized under the Constitution, nor subject to its complex distribution of the powers of government, as the organic law; but are the creations, exclusively, of the legislative department, and subject to its supervision and control. Whether or not there are provisions in that instrument which extend to and act upon these territorial governments, it is not now material to examine. We are speaking here of those provisions that refer particularly to the distinction between Federal and state jurisdiction. . . . (p. 244, L. ed. p. 123), . . . .

Neither were they organized by Congress under the Constitution, as they were invested with powers and jurisdiction which the body were incapable of conferring upon a court within the limits of a state. To the same effect are 


That the power over the territories is vested in Congress without limitation, and that this power has been considered the foundation upon which the territorial governments rest, was also asserted by Chief Justice Marshall in 

Wells v. Gillon v. Maryland, 4 Wheat. 316, 322, 4 L. ed. 579, 605, and in 

United States v. Gratiot, 14 P. 526, 10 L. ed. 573. So, too, in 

Church of Jesus Christ of L. D. S. v. United States, 136 U. S. 34, 98, 36 L. ed. 478, 10 Sup. Ct. Rep. 792, in holding that Congress had power to repeal the charter of the church, Mr. Justice Bradley used the following forceful language: "The power of Congress over the territories of the United States is general and plenary, arising from and incidental to the right to acquire the territory itself, and from the power given by the Constitution to make all needful rules and regulations respecting the territory or other property belonging to the United States. It would be absurd to hold that the United States has power to acquire territory, and no power to govern it when acquired. The power to acquire territory, other than the territory northwest of the Ohio river (which belonged to the United States at the adoption of the Constitution), is derived from the treaty-making power and the power to declare and carry on war. The incidents of these powers are those of national sovereignty and belong to all independent governments. The power to make acquisitions of territory by conquest, by treaty, and by cession is an incident of national sovereignty. The territory of Louisiana, when acquired from France, and the ter-
So, Congress has exclusive legislative jurisdiction in the territories.

These territories are a place where Congress CAN DO ANYTHING, without regard to the Constitution.
And, so it has . . .

On June 25, 1948, Congress simply MADE UP a territorial place, where it has plenary power, and the Constitution does not apply, and audaciously called it United States (see the map to the right)
Source: U.S. Government, CIA web cite

just one problem: Where are the States?
Reader, take NOTICE

and do not be deceived.

This is NOT a map of the sovereign States, united.
(Obviously, there are no States)

This is NOT a map of the nation, where 17 national powers were delegated.
This is a map of a *federal* territorial place, where Congress has *exclusive* territorial Power, under Article IV, Section 3, paragraph 2,

“to … make all … Rules and Regulations respecting the Territory … belonging to the United States”
On June 25, 1948, Congress made such a Rule:

It passed Title 28, Judiciary and Judicial Procedure, creating a new set of federal courts to govern this federal, territorial, place.
[CHAPTER 646]  
AN ACT  
To revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary."  

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 of the United States Code, entitled "Judicial Code and Judiciary" is hereby revised, codified, and enacted into law, and may be cited as "Title 28, United States Code, section —", as follows:

**TITLE 28, JUDICIARY AND JUDICIAL PROCEDURE**

Part Sec.
--- ---
I. Organization of courts 1
II. United States attorneys and marshals 501
III. Court officers and employees 601
IV. Jurisdiction and venue 1251
V. Procedure 1651
VI. Particular proceedings 2201

**PART I.—ORGANIZATION OF COURTS**

Chapter Sec.
--- ---
1. Supreme Court 1
2. Courts of appeals 41
3. District courts 31
4. Court of Claims 171
5. Court of Customs and Patent Appeals 211
6. Customs Court 201
7. Assignment of judges to other courts 201
8. Conferences and councils of judges 331
9. Resignation and retirement of judges 371
10. Distribution of reports and digests 411
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**CHAPTER 1—SUPREME COURT**

Sec.
---
1. Number of justices; quorum.
2. Terms of court.
4. Precedence of associate justices.
5. Salaries of justices.

§ 1. **Number of justices; quorum.**

The Supreme Court of the United States shall consist of a Chief Justice of the United States and eight associate justices, any six of whom shall constitute a quorum.

§ 2. **Terms of court.**

The Supreme Court shall hold at the seat of government a term of court commencing on the first Monday in October of each year and may hold such adjourned or special terms as may be necessary.

§ 3. **Vacancy in office of Chief Justice; disability.**

Whenever the Chief Justice is unable to perform the duties of his office or the office is vacant, his powers and duties shall devolve upon the associate justice next in precedence who is able to act, until such disability is removed or another Chief Justice is appointed and duly qualified.

§ 4. **Precedence of associate justices.**

Associate justices shall have precedence according to the seniority of their commissions. Justices whose commissions bear the same date shall have precedence according to seniority in age.
Within this *federal* territorial place, Congress created *federal* territorial divisions, with names that Congress deceptively spelled the SAME as the names of the sovereign States! . . . along with subdivisions with names spelled the SAME as all the county names within the sovereign States!
see Chapter 5, Sections 81 through 131.

Section 81, “Alabama”, and Section 108, “Nevada” are shown here.

(Notice the Section list includes the District of Columbia and Puerto Rico, which are not States.)
Effective and Applicability Provisions

1987 Acts. Amendment by Pub.L. 100–191 effective on
Dec. 16, 1986, see section 6 of Pub.L. 100–191, set out as a
note under section 591 of this title.

after Oct. 27, 1986, see section 302(a) of Pub.L. 99–554, as
amended, set out as a note under section 591 of this title.

of Pub.L. 95–521, set out as a note under section 591 of this
title.

CHAPTER 5—DISTRICT COURTS

Appointment of Independent Counsel

Division of the court described in this section authorized to
appoint as independent counsel any individual who, on June
30, 1994, is serving as a regulatory independent counsel
under parts 600 and 603 of title 28, Code of Federal Regula-
tions, notwithstanding the restriction in section 599(b)(2) of
this title, see section 70(a) of Pub.L. 103–279, set out as an
Effective Date of 1994 Acts note under section 591 of this
title.

HISTORICAL AND STATUTORY NOTES

Short Title
2, 1978, 92 Stat. 888, as "Federal District Court Organiza-
tion Act of 1978", see note set out under section 1 of this title.

§ 81. Alabama

Alabama is divided into three judicial districts to be
known as the Northern, Middle, and Southern Dis-
tricts of Alabama.

Northern District

(a) The Northern District comprises seven divi-
sions.

(1) The Northwestern Division comprises the coun-
ties of Colbert, Franklin, and Lauderdale.

Court for the Northwestern Division shall be held
at Florence.

(2) The Northeastern Division comprises the coun-
ties of Cullman, Jackson, Lawrence, Limestone,
Madison, and Morgan.

Court for the Northeastern Division shall be held at
Huntsville and Decatur.

(3) The Southern Division comprises the counties of
Blount, Jefferson, and Shelby.

Complete Annotation Materials, see Title 28 U.S.C.A.
HISTORICAL AND STATUTORY NOTES

Effective and Applicability Provisions
1978 Acts. Amendment by Pub.L. 95–408 effective 180 days after Oct. 2, 1978, such amendment not to affect the composition or preclude the service of any grand or petit juror summoned, empaneled, or actually serving in any judicial district on the effective date of this Act, see section 5 of Pub.L. 95–408, set out as a note under section 89 of this title.

§ 105. Missouri

Missouri is divided into two judicial districts to be known as the Eastern and Western Districts of Missouri.

Eastern District

(a) The Eastern District comprises three divisions.


Court for the Eastern Division shall be held at Saint Louis.

(2) The Northern Division comprises the counties of Adair, Audrain, Chariton, Clark, Knox, Lewis, Linn, Macon, Marion, Monroe, Montgomery, Pike, Ralls, Randolph, Schuyler, Scotland, and Shelby.

Court for the Northern Division shall be held at Hannibal.

(3) The Southeastern Division comprises the counties of Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, Scott, Shannon, Stoddard, and Wayne.

Court for the Southeastern Division shall be held at Cape Girardeau.

Western District

(b) The Western District comprises five divisions.


Court for the Western Division shall be held at Kansas City.

(2) The Southwestern Division comprises the counties of Barton, Barry, Jasper, Lawrence, McDonald, Newton, Stone, and Vernon.

Court for the Southwestern Division shall be held at Joplin.

(3) The Saint Joseph Division comprises the counties of Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, De Kalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, Nodaway, Platte, Putnam, Sullivan, and Worth.

Court for the Saint Joseph Division shall be held at Saint Joseph.

(4) The Central Division comprises the counties of Benton, Boone, Callaway, Camden, Cole, Cooper, Hickory, Howard, Miller, Moniteau, Morgan, Osage, and Pettis.

Court for the Central Division shall be held at Jefferson City.

(5) The Southern Division comprises the counties of Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Oregon, Ozark, Folk, Pulaski, Taney, Texas, Webster, and Wright.

Court for the Southern Division shall be held at Springfield.


HISTORICAL AND STATUTORY NOTES

Effective and Applicability Provisions

Section 4(b) of Pub.L. 96–462 provided that: "The amendments made by subsection (a) [amending subsec. (a)(1), (2) of this section] shall not apply to any action commenced before the effective date of such amendments [Oct. 1, 1981] and pending in the United States District Court for the Eastern District of Missouri on such date."

§ 106. Montana

Montana, exclusive of Yellowstone National Park, constitutes one judicial district.

Court shall be held at Billings, Butte, Glasgow, Great Falls, Havre, Helena, Kalispell, Lewistown, Livingston, Miles City, and Missoula.

(June 25, 1948, c. 646, 62 Stat. 884.)

§ 107. Nebraska

Nebraska constitutes one judicial district.

Court shall be held at Lincoln, North Platte, and Omaha.

(June 25, 1948, c. 646, 62 Stat. 884; Aug. 9, 1955, c. 627, § 1, 69 Stat. 546.)

HISTORICAL AND STATUTORY NOTES

Effective and Applicability Provisions
1955 Acts. Section 2 of Act Aug. 9, 1955, provided that "The amendment made by the first section of this Act [amending this section] shall take effect on September 1, 1955."

§ 108. Nevada

Nevada constitutes one judicial district.
Court shall be held at Carson City, Elko, Las Vegas, Reno, Ely, and Lovelock.

§ 109. New Hampshire

New Hampshire constitutes one judicial district.

Court shall be held at Concord and Littleton.
(June 25, 1945, c. 646, 62 Stat. 885.)

§ 110. New Jersey

New Jersey constitutes one judicial district.

Court shall be held at Camden, Newark and Trenton.
(June 25, 1945, c. 646, 62 Stat. 885.)

§ 111. New Mexico

New Mexico constitutes one judicial district.

Court shall be held at Albuquerque, Las Cruces, Las Vegas, Roswell, Santa Fe, and Silver City.
(June 25, 1945, c. 646, 62 Stat. 885.)

§ 112. New York

New York is divided into four judicial districts to be known as the Northern, Southern, Eastern, and Western Districts of New York.

Northern District


Court for the Northern District shall be held at Albany, Auburn, Binghamton, Malone, Syracuse, Utica, and Watertown.

Southern District

(b) The Southern District comprises the counties of Bronx, Dutchess, New York, Orange, Putnam, Rockland, Sullivan, and Westchester and concurrently with the Eastern District, the waters within the Eastern District.

Court for the Southern District shall be held at New York, White Plains, and in the Middletown-Wallkill area of Orange County or such nearby location as may be deemed appropriate.

Eastern District

(c) The Eastern District comprises the counties of Kings, Nassau, Queens, Richmond, and Suffolk and concurrently with the Southern District, the waters within the counties of Bronx and New York.

Court for the Eastern District shall be held at Brooklyn, Hempstead, Hempstead (including the village of Uniondale), and Central Islip.

Western District

(d) The Western District comprises the counties of Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates.

Court for the Western District shall be held at Buffalo, Canandaigua, Elmira, Jamestown, and Rochester.

HISTORICAL AND STATUTORY NOTES

Effective and Applicability Provisions

1984 Act. Amendment by Pub.L. 98–489 to take effect on Jan. 1, 1986, and not to affect the composition, or preclude the service, of any grand or petit jury summoned, empaneled, or actually serving on that date, see section 411 of Pub.L. 98–489, set out as a note under section 85 of this title.

1978 Act. Amendment by Pub.L. 95–573 effective 180 days after Nov. 2, 1978, except as otherwise provided, except that nothing in this Act shall affect the composition or preclude the service of any grand or petit jury summoned, empaneled, or actually serving in any judicial district on such effective date, see section 6 of Pub.L. 95–573, set out as a note under section 93 of this title.

Amendment by Pub.L. 95–408 effective 180 days after Oct. 2, 1978, such amendment not to affect the composition or preclude the service of any grand or petit jury summoned, empaneled, or actually serving in any judicial district on the effective date of this Act, see section 6 of Pub.L. 95–408, set out as a note under section 89 of this title.

Pretermision of Regular Session of Court at Hempstead and Holding of Special Session at Westbury; Procedures Applicable, Appropriate, Etc.

Sections 2 to 5 of Pub.L. 95–271 provided that:

“Sec. 2. The United States District Court for the Eastern District of New York, by order made anywhere within its district, may pretermine the regular session of court at Hempstead until Federal quarters and accommodations are available and ready for occupancy, except that for the entire period and such pretermision, a special session of the court shall be held at Westbury. Pretermision may be ordered without regard to the provisions of section 140(a) of title 28, United States Code [section 140(a) of this title].
This is **HIGHLY DECEPTIVE!**

How many Americans know that there are **TWO STATES**, with the **same name**, for every State in the Union, one being a member of the several States of the United States of America, where the Constitution of
the United States of America always applies, and the other being a federal, 28 USC administrative subdivision, where the Constitution of the United States of America DOES NOT APPLY!
So, where can you see this for yourself?

Let’s look on two U.S. government web sites, shown to the whole world.

Follow these links to see the pages shown here:
First, [www.cia.gov](http://www.cia.gov) click on World Factbook
click on the region of North America
select United States
you will see this page. Click on the map of the United States.
you will see this map
Again, take notice that there are NO STATES on this map.

There are no sovereign States within Congress’ territorial Power, under Article IV, Section 3, paragraph 2 of the Constitution.
go back to the World Factbook page, click on Government :: United States
notice the list of “administrative divisions”

The sovereign States are NOT “administrative divisions” of the United States of America
These “administrative divisions” are 28 USC section names, i.e. *federal* territorial places, with names merely *spelled like* the States’ names, and NOT the sovereign States.
Next, www.usa.gov
This is identified as “The U.S. government’s official web portal”
You get

Click on “T” (for Territories)
You get

Click on “Territories of the United States”
You get

The sovereign States are NOT "territories of the United States" where the Constitution does not apply.

These 28 USC territories look like the sovereign States!
So, do you live in a sovereign State, or do you live in some federal territory 28 USC section name (aka, a “US state”) where the Constitution does not apply.
Look at the address on your Driver’s License. It shows that you live in a place called “NV”, and within the boundaries of a “ZIP” code, both federal territorial places, and not Nevada.

Even if it said Nevada, it would be the 28 USC territorial place spelled “Nevada” and not the sovereign State.
So, do you live in a sovereign State, or do you live in some *federal* “Postal” abbreviation place where the Constitution does not apply.
Do you live in a sovereign State, or do you live in some *federal* territorial “ZIP Code zone”

where the Constitution does not apply.
Look on the television. All you hear is “democracy”, “democracy”, “democracy”.

But, the United States of America is a Republic.


Reader **Caveat**: This definition of “United States of America” in Black’s 8th is, in fact, a **bad definition**. A serious reader needs to research this topic further. The editor has shown THIS definition, here, because it uses the word “republic”. It projects to the reader’s mind a “republican form of government”. But the editor offers to the reader:

1) that our country is a “national constitutional republic” and not a “federal republic”,
2) that, as given by the great Chief Justice John Marshall in Dixon v. United States, 1 Brock 177, 7 F. Cas. 761 (1811), “**The United States of America**’ is the true name of that grand corporation which the American people have formed...”,
3) that “The United States of America” is a body politic of the American people.
4) that the “federal republic” definition of “United States of America” in Black’s 8th is **not** the body politic of the American people.
Look in the Constitution at Article IV, Section 4. It says,

The United States shall guarantee to every State in this Union a Republican Form of Government

So, Nevada, the sovereign State, is a republic, and not a democracy. The place shown in the CIA web site map, and the 28 USC section names, are the places where a democracy can be run!
Look in the Constitution at Article I, Section 10. It says,

No State shall . . . make any Thing but gold and silver Coin a Tender in Payment of Debts

The *place* shown in the CIA web site map, and the 28 USC section names, are the places where gold and silver coin do not have to be used, because they are NOT the sovereign States.
Conclusion

It has three (3) meanings.
BLACK'S
LAW DICTIONARY

Definitions of the Terms and Phrases of
American and English Jurisprudence,
Ancient and Modern

By
HENRY CAMPBELL BLACK, M. A.
Author of Treatises on Judgments, Tax Titles, Intoxicating Liquors,
Bankruptcy, Mortgages, Constitutional Law, Interpretation
of Laws, Rescission and Cancellation of Contracts, Etc.

FOURTH EDITION

By
THE PUBLISHER'S EDITORIAL STAFF

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come or profit in the oil or gas business is accomplished by a system of accounting by which is ascertained, as nearly as science will permit, the total amount of recoverable oil in the property, and to this barrel of oil is assigned its part of the capital investment, and from the sale price of each barrel produced and sold there is deducted the expenses of producing it, and its proportion of the capital investment, leaving the balance as profit, and thus, when the property is exhausted, the operator has received back his capital and expenses and accounts for his net income or loss. Carter v. Phillips, 58 Okt. 205, 212 P. 787, 750.

UNITAS PERSONARUM. Lat. The unity of persons, as that between husband and wife, or ancestor and heir.


UNITED GREEK CATHOLIC CHURCH. All the churches of the Byzantine Rite in communion with the See of Rome. The term is synonymous with "Uniate Catholic Church" or "Uniat Greek Catholic Church," and signifies an ecclesiastical body in union with the Roman Catholic Church and acknowledging the primacy and supremacy of the pope. Morris v. Pettro, 340 Pa. 554, 17 A.2d 403, 405.

UNITED IN INTEREST. A statutory term applied by codefendants only when they are similarly interested in and act in and will be similarly affected by the determination of the issues involved in the action; McCord v. McCord, 104 Ohio St. 274, 155 N.E. 545, 549; a.g., joint obligors upon a guaranty; Columbia Graphophone Co. v. Slawson, 100 Ohio St. 473, 126 N.E. 850, 891.

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND. The official title of the kingdom composed of England, Scotland, Ireland, and Wales, and including the colonies and possessions beyond the seas, under the act of January 1, 1801, effecting the union between Great Britain and Ireland. United Nations. An organization started by the allied powers in World War II for the stated purposes of preventing war, providing justice and promoting welfare and human rights of peoples. It consists of a Security Council and a General Assembly and subordinate agencies.

UNITED STATES. This term has several meanings. It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in family of nations, it may designate territory over which sovereignty of United States extends, or it may be collective name of the states which are united by and under the Constitution. Hoover & Allison Co. v. Ewatt, U.S. Ohio, 65 S.Ct. 800, 880, 324 U.S. 652, 59 L.Ed. 1287.

UNITED STATES BONDS. Obligations for payment of money which have been at various times issued by the government of the United States. 1703

UNITED STATES COMMISSIONER. Whose powers in federal matters, are in most respects the same as those of justices of the peace in felony offenses against laws of state, is not a judge or court, and does not hold court, but is an adjunct of court, possessing independent, though subordinate, judicial powers of his own. U. S. v. Napiels, D.C.N.Y., 25 F.2d 898, 899.

UNITED STATES COURTS. Except in the case of impeachments the judicial power of the United States is vested by the Constitution in a supreme court and such other inferior courts as may be from time to time established by Congress. All the judges are appointed by the president, with the advice and consent of the senate, to hold office during good behavior, and their compensation cannot be diminished during their term of office. The judges, other than those of the supreme court, are circuit judges and district judges. The circuit judges compose the courts of appeals and the district judges hold the district courts, and also at times sit in the circuit courts of appeal. For a detailed statement of the territorial boundaries of the several districts and divisions of districts, see 28 U.S.C.A. § 81 et seq. and various special acts.

It shall be the duty of the district court of each judicial district to appoint such number of persons, to be known as United States commissioners, at such places in the district as may be designated by the district court, Rev.St.U.S. § 267 (28 USCA § 631). Austill v. United States, 28 Ct.Cl. 232; United States v. Maresca, D.C.N.Y., 266 F. 713.

In statutes, the words "court of the district," Fristo v. United States Shipping Board Emergency Fleet Corporation, 117 Doc. 706, 193 N.Y.S. 342, and courts of the United States, are commonly deemed to refer to federal courts and not to state courts. General Inv. Co. v. Lake Shore & M. S.Ry. Co., C.C.A.Ohio, 259 F. 295, 297.

UNITED STATES CURRENCY. Commonly understood to include every form of currency authorized by the United States government, whether issued directly by it or under its authority. Appel v. State, 28 Ariz. 416, 257 P. 190, 191.

UNITED STATES NOTES. Promissory notes, resembling bank-notes, issued by the government of the United States.

UNITED STATES OFFICER. Usually and strictly, in United States statutes, a person appointed in the manner declared under Const. art. 2, § 2, McGrath v. United States, C.C.A.N.Y., 275 F. 294, 300, providing for the appointment of officers, either by the President and the Senate, the President alone, the courts of law, or the heads of departments, Steele v. United States, 45 S.Ct. 417, 418, 627 U.S. 505, 69 L.Ed. 761. Drooga v. United States, C.C.A.Minn., 34 F.2d 15, 17.


UNITY. In the law of estates. The peculiar characteristic of an estate held by several in joint
Definition 3 is: “collective name of the states which are united by and under the Constitution”.

This is the United States of America, under the Constitution, as set up by the founding Fathers, discussed in Part 1 of this handout.
Definition 2 is: “territory over which sovereignty of United States extends”.

This “territory” is **foreign** to the States of the United States of America.

These **foreign** “territories” are governed under the Constitutional Power of Article IV, Section 3, paragraph 2.

This is **United States**, shown in Part 2 of this handout, shown in the CIA web cite map.

Courts to operate this territory were created on June 25, 1948, by Congress in 28 USC.
Virtually all Americans have adopted a political status of “U.S. citizen”, thereby abandoning their native State Citizenship.

They are . . . U.S. citizens. (see handout titled, “Who do you think you are?)

They live in 28 USC territorial places called “U.S. states”, territories of the United States, where the Constitution does not apply.