



"Those who say it cannot be done should not interfere with those of us who are doing it"© - S. Hickman

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The Informer

WAS WASHINGTON, D.C. A STATE THEN? IS WASHINGTON, D.C. A STATE NOW?

Hepburn and Dundas v Ellzey, 2 Cranch 445

Marshall, Ch. J., delivered the opinion of the Court.

The question in this case, is, whether the plaintiffs, as residents of the District of Columbia, can maintain action in the circuit court of the United States for the District of Virginia.

This depends on the act of Congress describing the jurisdiction of that court. That act gives jurisdiction to the circuit courts in cases between a citizen of the state in which the suit is brought, and a citizen of another state. To support the jurisdiction in this case, therefore, it must appear that Columbia is a state.

On the part of the plaintiffs it has been argued that Columbia is a distinct political society; and is, therefore, "a state" according to the definitions of writers on general law.

This is true. But as the act of Congress obviously uses the word "state" in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument. The result of that examination is a conviction that the members of the American Confederacy only are the states contemplated in the Constitution.

The House of Representatives is to be composed of members chosen by the people of the several states; and each state shall have at least one representative.

The Senate of the United States shall be composed of two senators from each state.

Each state shall appoint, for the election of the executive, a number of electors equal to its whole number of senators and representatives. These clauses show that the word state is used in the Constitution as designating a member of the union, and excludes *from the term [*453] the signification attached to it by writers on the law of nations. When the same term which has been used plainly in this limited sense in the articles respecting the legislative and executive departments, is also employed in that which respects the judicial department, it must be understood as retaining the sense originally given to it.

Other passages from the Constitution have been cited by the plaintiffs to show that the term state is sometimes used in its more enlarged sense. But on examining the passages quoted, they do not prove what was to be shown by them.

It is true that as citizens of the United States, and of that particular district which is subject to the Jurisdiction of Congress, it is extraordinary that the courts of the United States, which are open to aliens, and to the citizens of every state in the union, should be closed upon them. But this is a subject for legislative, not for judicial consideration.

The opinion to be certified to the circuit court is, that that court has no jurisdiction in the case.

Now, using this case you can see where the United States officers cannot go into the states and press charges because Congress does not have jurisdiction over people not their subjects, just like California cannot send its officers into Pennsy to apply one of its statutes to a man living in Pennsy. However this is a case that was before the Civil War. The Civil War was a takeover of all states by the federal criminals. Now, based on 12 Stat. 319, the federal government can, by conquest, go into the states with their courts and rule over us. I refer you to the US Supreme Court Rule 47 to see what they say now.

Rule 47. Term "State Court":

"The term "state court" when used in these Rules includes the District of Columbia Court of Appeals and the Supreme Court of the Commonwealth of Puerto Rico. See 28 U.S.C. Sections 1257 and 1258. References to these Rules to the common law and statutes of a State include the common law and statutes of the District of Columbia and the Commonwealth of Puerto Rico."

Now, let's dissect this to see what state they are talking about. Right off the bat there is that word "term". Those of you that read the article I wrote on TERM will understand immediately that this "term" "state court" is specific to the courts mentioned in this Rule.

immediately that this term "state court" is specific to the words employed in this rule. Next, notice that the word "includes" appears, meaning state court is confined, shut in, not to go outside those words District of Columbia Court of Appeals and the Puerto Rico court. It does not mean any state of the union courts or the federal courts in those states. Here is more deceit and lies that entrap you by the use of special definitions Congress or the courts wrote. The example is found in the definitions specifically defined by Congress at 26 U.S.C. 7701 (a) where in every definition is preceded by the word "TERM". Term is a word of art as discussed in the TERMS article as it is not a standard word definition we are all so used to using.

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