

We the People

to

Legislators and Public Servants

You took an Oath under Section 228 of the Kentucky Constitution.

Oath of officers and attorneys:

Members of the General Assembly and all officers, before they enter upon the execution of the duties of their respective offices, and all members of the bar, before they enter upon the practice of their profession, shall take the following oath or affirmation:

“I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of this Commonwealth, and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of ... according to law; and I do further solemnly swear (or affirm) that since the adoption of the present Constitution, I, being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, nor aided or assisted any person thus offending, so help me God.”

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Your Oath of Office is a Contract with We the People

We accept your Oath and the binding Contract to uphold the Constitution. You are Oath-bound to perform your duties which are:

1. Protect the Rights of the People, each individual.
2. Provide for the benefit of the People with their consent. Anything without consent is coercion, and a violation of your Oath.
3. Limit government overreach. You are to prevent entities from infringing on the Rights of the individual People.

You are bound to protect the People and in particular to prevent any infringement upon these.

Sections 2. Absolute and arbitrary power denied.

“Absolute and arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority.”

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 26. General powers subordinate to Bill of Rights – Laws contrary thereto are void.

“To guard against transgression of the high powers which we have delegated, We Declare that every thing in this Bill of Rights is excepted out of the general powers of government, and shall forever remain inviolate; and all laws contrary thereto, or contrary to this Constitution, shall be void.”

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

PREAMBLE

"We, the People of the Commonwealth of Kentucky, grateful to Almighty God for the civil, political and religious liberties we enjoy, and invoking the continuance of these blessings, do ordain and establish this Constitution.

BILL OF RIGHTS

"That the great and essential principles of liberty and free government may be recognized and established, we declare that:

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 1. Rights of life, liberty, worship, pursuit of safety and happiness, free speech, acquiring and protecting property, peaceable assembly, redress of grievances, bearing arms.

All men are, by nature, free and equal, and have certain inherent and inalienable rights, among which may be reckoned:

First: The right of enjoying and defending their lives and liberties.

Second: The right of worshipping Almighty God according to the dictates of their consciences.

Third: The right of seeking and pursuing their safety and happiness.

Fourth: The right of freely communicating their thoughts and opinions.

Fifth: The right of acquiring and protecting property.

Sixth: The right of assembling together in a peaceable manner for their common good, and of applying to those invested with the power of government for redress of grievances or other proper purposes, by petition, address or remonstrance.

Seventh: The right to bear arms in defense of themselves and of the State, subject to the power of the General Assembly to enact laws to prevent persons from carrying concealed weapons.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 2. Absolute and arbitrary power denied.

Absolute and arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 3. Men are equal – No exclusive grant except for public services – Property not to be exempted from taxation – Grants revocable.

All men, when they form a social compact, are equal; and no grant of exclusive, separate public emoluments or privileges shall be made to any man or set of men, except in consideration of public services; but no property shall be exempt from taxation except as provided in this Constitution, and every grant of a franchise, privilege or exemption, shall remain subject to revocation, alteration or amendment.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 4. Power inherent in the People – Right to alter, reform, or abolish government.

All power is inherent in the People, and all free governments are founded on their authority and instituted for their peace, safety, happiness and the protection of property. For the advancement of these ends, they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may deem proper.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 5. Right of religious freedom.

No preference shall ever be given by law to any religious sect, society or denomination; nor to any particular creed, mode of worship or system of ecclesiastical polity; nor shall any person be compelled to attend any place of worship, to contribute to the erection or maintenance of any such place, or to the salary or support of any minister of religion; nor shall any man be compelled to send his child to any school to which he may be conscientiously opposed; and the civil rights, privileges or capacities of no person shall be taken away, or in anywise diminished or enlarged, on account of his belief or disbelief of any religious tenet, dogma or teaching. No human authority shall, in any case whatever, control or interfere with the rights of conscience.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 6. Elections to be free and equal.

All elections shall be free and equal.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 7. Right of trial by jury.

The ancient mode of trial by jury shall be held sacred, and the right thereof remain inviolate, subject to such modifications as may be authorized by this Constitution.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 8. Freedom of speech and of the press.

Printing presses shall be free to every person who undertakes to examine the proceedings of the General Assembly or any branch of government, and no law shall ever be made to restrain the right thereof. Every person may freely and fully speak, write and print on any subject, being responsible for the abuse of that liberty.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 9. Truth may be given in evidence in prosecution for publishing matters proper for public information - Jury to try law and facts in libel prosecutions.

In prosecutions for the publication of papers investigating the official conduct of officers or men in a public capacity, or where the matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libel the jury shall have the right to determine the law and the facts, under the directions of the court, as in other cases.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 10. Security from search and seizure – Conditions of issuance of warrant.

The People shall be secure in their persons, houses, papers and possessions, from unreasonable search and seizure; and no warrant shall issue to search any place, or seize any person or thing, without describing them as nearly as may be, nor without probable cause supported by oath or affirmation.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 11. Rights of accused in criminal prosecution – Change of venue.

In all criminal prosecutions the accused has the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor. He cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty or property, unless by the judgment of his peers or the law of the land; and in prosecutions by indictment or information, he shall have a speedy public trial by an impartial jury of the vicinage; but the General Assembly may provide by a general law for a change of venue in such prosecutions for both the defendant and the Commonwealth, the change to be made to the most convenient county in which a fair trial can be obtained.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 12. Indictable offense not to be prosecuted by information – Exceptions.

No person, for an indictable offense, shall be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger, or by leave of court for oppression or misdemeanor in office.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 13. Double jeopardy – Property not to be taken for public use without compensation.

No person shall, for the same offense, be twice put in jeopardy of his life or limb, nor shall any man's property be taken or applied to public use without the consent of his representatives, and without just compensation being previously made to him.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 14. Right of judicial remedy for injury – Speedy trial.

All courts shall be open, and every person for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 15. Laws to be suspended only by General Assembly.

No power to suspend laws shall be exercised unless by the General Assembly or its authority.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 16. Right to bail – Habeas corpus.

All prisoners shall be bailable by sufficient securities, unless for capital offenses when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 17. Excessive bail or fine, or cruel punishment, prohibited.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishment inflicted.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 18. Imprisonment for debt restricted.

The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up his estate for the benefit of his creditors in such manner as shall be prescribed by law.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 19. Ex post facto law or law impairing contract forbidden – Rules of construction for mineral deeds relating to coal extraction.

(1) No ex post facto law, nor any law impairing the obligation of contracts, shall be enacted.

(2) In any instrument heretofore or hereafter executed purporting to sever the surface and mineral estates or to grant a mineral estate or to grant a right to extract minerals, which fails to state or describe in express and specific terms the method of coal extraction to be employed, or where said instrument contains language subordinating the surface estate to the mineral estate, it shall be held, in the absence of clear and convincing evidence to the contrary, that the intention of the parties to the instrument was that the coal be extracted only by the method or methods of commercial coal extraction commonly known to be in use in Kentucky in the area affected at the time the instrument was executed, and that the mineral estate be dominant to the surface estate for the purposes of coal extraction by only the method or methods of commercial coal extraction commonly known to be in use in Kentucky in the area affected at the time the instrument was executed.

Test as Ratified on : November 8, 1988.

History: 1988 amendment was proposed by 1988 Ky. Acts ch. 117, sec. 1; original version ratified August 3, 1891, and revised September 28, 1891.

Section 20. Attainder, operation of restricted.

No person shall be attainted of treason or felony by the General Assembly, and no attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the Commonwealth

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 21. Descent in case of suicide or casualty

The estate of such persons as shall destroy their own lives shall descend or vest as in cases of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 22. Standing armies restricted - Military subordinate to civil - Quartering soldiers restricted.

No standing army shall, in time of peace, be maintained without the consent of the General Assembly; and the military shall, in all cases and at all times, be in strict subordination to the civil power; nor shall any soldier, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in a manner prescribed by law.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 23. No office of nobility or hereditary distinction, or for longer than a term of years.

The General Assembly shall not grant any title of nobility or hereditary distinction, nor create any office the appointment of which shall be for a longer time than a term of years.

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

Section 24. Emigration to be free.

Emigration from the State shall not be prohibited.

Test as Ratified on : August 3, 1891. and revised September 28, 1891.

History: Not yet amended.

Section 25. Slavery and involuntary servitude forbidden.

Slavery and involuntary servitude in this State are forbidden, except as a punishment for crime, whereof the party shall have been duly convicted.

Test as Ratified on : August 3, 1891. and revised September 28, 1891.

History: Not yet amended.

Section 26. General powers subordinate to Bill of Rights - Laws contrary thereto are void.

To guard against transgression of the high powers which we have delegated, We Declare that every thing in this Bill of Rights is excepted out of the general powers of government, and shall forever remain inviolate; and all laws contrary thereto, or contrary to this Constitution, shall be void.

Test as Ratified on : August 3, 1891. and revised September 28, 1891.

History: Not yet amended.

The Bill of Rights Sections 1 through 26 are inviolate.

Section 195. Corporation property subject to eminent domain; corporations not to infringe upon individuals.

The Commonwealth, in the exercise of the right of eminent domain, shall have and retain the same powers to take the property and franchises of incorporated companies for public use which it has and retains to take the property of individuals, and the exercise of the police powers of this Commonwealth shall never be abridged nor so construed as to permit corporations to conduct their business in such manner as to infringe upon the equal rights of individuals.

Test as Ratified on : August 3, 1891. and revised September 28, 1891.

History: Not yet amended.

Wherefore, You have made an Oath under Section 228 to be bound by that Oath and to perform your duties for the protection of the People, for their benefit with their consent, and to limit government.

If you fail to uphold your Oath, this serves as Notice of Liability that you are hereby placed on Notice that you are personally liable in your individual, personal, and official capacity for all harm that ensues because of your failure in your ministerial duties. You are hereby required to post a bond equivalent to 100x the project cost for any project that you place on We the People. For any bill that is put forth which fails to meet these three criteria, you bear personal liability.

**Landmark Supreme Court Case
Marbury v. Madison 5 US 137 (1803)**

“Any law repugnant to the Constitution is void.”

“Violation of the Oath is a crime.”

“The rule must be discharged.”

The Remedy is found in Section 229

Sections 229. Treason defined - Evidence necessary to convict.

“Treason against the Commonwealth shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or his own confession in open court.”

Test as Ratified on : August 3, 1891, and revised September 28, 1891.

History: Not yet amended.

**“This matter is by the decree of the watchers,
and thee demand by the word of the holy ones:
to the intent that the living may know that the
Most High ruleth in the kingdom of men, and
giveth it to whomsoever He will, and setteth up
over it the basest of men.”**

Daniel 4:17 KJV
Public Law 97-280