Constitution for the United States of America

"The tax which will be paid for education is not more than the thousandth part of what will be paid to kings, priests and nobles who will rise up if we leave the people to ignorance." **– Thomas Jefferson**

"I know no safe depositary of the ultimate powers of the society but the people themselves; and, if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education. This is the true corrective of abuses of constitutional power." **– Thomas Jefferson**

FIRST PRINCIPLES DUE PROCESS

The County Sheriff and the U.S. Marshal are not in office to serve government servants they are there to serve the People by guarding against government abuse. They are to make sure that the accused receive Due Process. If the County Sheriff and the U.S. Marshal do not understand Due Process they are to forthwith learn or resign.

The County Sheriff and the U.S. Marshal are to make sure that no warrant is executed without a sworn affidavit and a wet ink signature of a judge without which it is no warrant and cannot be executed. The County Sheriff and the U.S. Marshal are to receive no prisoners that have not been indicted by a Common Law Grand Jury.

Amendment V "*No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury*"

The County Sheriff and the U.S. Marshal are to make sure that Habeas Corpus is obeyed and if the court and or witnesses fail to respond it is the duty of the County Sheriff and or the U.S. Marshal to release the prisoner(s) immediately.

U.S. Constitution Article I Section 9 Clause 2 "*The privilege of the writ of habeas corpus shall not be suspended*"

"*Due course of law, this phrase is synonymous with due process of law or law of the land and means law in its regular course of administration through courts of justice.*" **- Kansas Pac. Ry. Co. v. Dunmeyer 19 KAN 542**

Amendment V of the Constitution of the United States provides: "*No person shall---be deprived of life, liberty, or property without due process of law. A similar provision exists in all the state constitutions; the phrases due course of law, and the law of the land are sometimes used; but all three of these phrases have the same meaning and that applies conformity with the ancient and customary laws of the English people or laws indicated by parliament.*" **Davidson V. New Orleans 96 U.S. 97, 24, L Ed 616**

"*Law in its regular course of administration through courts of justice is due process.*" **Leeper vs. Texas, 139, U.S. 462, II SUP CT. 577, 35 L ED 225**

"*The Due Process Clause has its origin in Magna Carta. As originally drafted, the Great Charter provided that "[n]o freeman shall be taken, or imprisoned, or be disseised of his freehold, or liberties, or free customs, or be outlawed, or exiled, or any otherwise destroyed; nor will we not pass upon him, nor condemn him, but by lawful judgment of his peers, or by the law of the land." MagnaCarta, ch. 29, in 1 E. Coke, The Second Part of the Institutes of the Laws of England 45 (1797)*" **KERRY v. DIN Decided June 15, 2015**

The Simplicity of Law

Statutes that control men places men under the rule of other men and thereby enslave them. Common Law places men under the rule of the Governor of the Universe, who thereby rules over them. And the Governor of the Universe established His bench which is the Jury who is to judge under his principles.

"*Men must be governed by God or they will be ruled by tyrants.*" **William Penn**

There are two Common Law principles (maxims) which state that (1) for there to be a crime there must be a victim (corpus delecti). In the absence of a victim there can be no crime, and (2) there must be a remedy for every injury.

"*... In the third volume of his Commentaries, page 23, Blackstone states two cases in which a remedy is afforded by mere operation of law. "In all other cases," he says, it is a general and indisputable rule that where there is a legal right, there is also a legal remedy by suit or action at law whenever that right is invaded. And afterwards, page 109 of the same volume, he says, I am next to consider such injuries as are cognizable by the Courts of common law. And herein I shall for the present only remark that all possible injuries whatsoever that did not fall within the exclusive cognizance of either the ecclesiastical, military, or maritime tribunals are, for that very reason, within the cognizance of the common law courts of justice, for it is a settled and invariable principle in the laws of England that every right, when withheld, must have a remedy, and every injury its proper redress...*" **5 U.S. 137, Marbury v. Madison**

"*Corpus delicti. The body of a crime. The body (material substance) upon which a crime has been committed, e. g., the corpse of a murdered man, the charred remains of a house burned down. In a derivative sense, the substance or foundation of a crime; the substantial fact that a crime has been committed.*" **People v. Dick, 37 Cal. 281**

"*For a crime to exist there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights*." **Sherar v. Cullen, 481 F. 945**

COMMON LAW IS THE LAW OF THE LAND

America was built upon God's Law which is called "Natural Law" or "Common Law". **AT LAW, Blacks 4th:** *This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.*

THE LAWS OF NATURE AND OF NATURE'S GOD - "*When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them ...* We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. **Declaration of Independence**

U.S. Constitution Article III Section 2: "*The judicial power shall extend to all cases, in law...*"

"*The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are "not the law*." **Self v. Rhay, 61 Wn (2d) 261**

"*Common law as distinguished from law created by the enactment of legislatures, the common law comprises the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs; and, in this sense, particularly the ancient unwritten law of England.*" 1 Kent, Comm. 492 Western Union Tel. Co. v. Call Pub. Co., 21 S.Ct. 561, 181 U.S. 92, 45 L.Ed. 765; Barry v. Port Jervis, 72 N.Y.S. 104, 64 App. Div. 268; U. S. v. Miller, D.C.Wash., 236 F. 798, 800.

"*As to the construction, with reference to Common Law, an important cannon of construction is that constitutions must be construed to reference to the Common Law." The Common Law, so permitted destruction of the abatement of nuisances by summary proceedings and it was never supposed that a constitutional provision was intended to interfere with this established principle and although there is no common law of the United States in a sense of a national customary law as distinguished from the common law of England, adopted in the several states. In interpreting the Federal Constitution, recourse may still be had to the aid of the Common Law of England. It has been said that without reference to the common law, the language of the Federal Constitution could not be understood*." **16Am Jur 2d., Sec. 114**

U.S. Constitution Article VI Clause 2: "*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, anything in the Constitution or laws of any State to the contrary notwithstanding.*"

THE FOUNDATION OF GOD'S LAW is found in Mathew 22:35-40- "*Then one of them, which was a lawyer, asked him a question, tempting him, and saying, Master, which is the great commandment in the law? Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets.*"

We the People empowered the Legislative Branch to write codes and statutes to control money, commerce, naturalization, bankruptcies, counterfeiting, law of the sea, etc. **U.S. Constitution Article I Section 6 and 9**. We the People did "NOT" give Congress power to write codes and statutes to control the behavior of We the People. We the People are the master Congress are our servants. To legislate We the Peoples' behavior is to rule over the People, servants do not rule over the People.

The BAR teaches lawyers that the Common Law has been abrogated and lawyers advise all elected servants that the Common Law has been abrogated and that is advocating the overthrow the "Law of the Land" which is the overthrow of the United States of America in violation of **18 USC §2385 Advocating overthrow of Government:** "*Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof...*"

THE COUNTY SHERIFF

COUNTY SHERIFF *conservator of the peace* -- The County Sheriff is a Constitutional Officer; elected by the People; and, bound by oath as guardian of the Peoples' unalienable rights secured by the

Constitution. The Constitution for the United States of America and its capstone Bill of Rights is the "Law of the Land"; and, all statutes and state constitutions repugnant to the Constitution for the United States of America are null and void. If the Sheriff lacks a full understanding of the Constitution which is "Common Law", it would stand to reason that he is vulnerable to violation of his oath in that he may not recognize and comprehend when judges and politicians violate the Common Law; thus, making himself technically guilty of treason.

THE DUTIES, RESPONSIBILITIES AND AUTHORITIES OF THE SHERIFF CANNOT BE DIMINISHED by those in the legislature and courts; nor can it be diminished by any state constitution. When it comes to enforcing the Law, which is to say enforcing the Constitution for the United States of America, the Sheriff, being the "Chief Law Enforcement Officer", answers to We the People; no one else, not even the Governor; like any other elected official, the Sheriff cannot be removed from office by another elected official. He can only be removed by the People at the ballot box; or, by recall; or, by indictment by the Grand Jury.

The United States Supreme Court said: *"The Sheriff is the 'Chief Executive and Administrative Officer' of a county, chosen by popular election. His principal duties are in aid of the criminal and civil courts of record* [Common Law Courts] *such as serving process, summoning juries, executing judgments, holding judicial sales and the like. He is also the 'Chief Conservator of the Peace' within his territorial jurisdiction*."

The Sheriff, being the Chief Law Enforcement Officer and the highest Peace Officer of the entire County in which he was elected, is under the obligation to secure the peace; he answers to the People alone – unlike the State Police, who are code enforcement officers, serving the state and answering to the governor; and, unlike city, town or village police, who are also code enforcement officers serving the corporate municipalities, answering to commissioners or mayors. All these officers have a conflict of interest because they have no constitutional authority or concerns; they serve the system of codes and statutes instead of upholding the Constitution and serving the People; whereas, the Sheriff reports directly to the People, not the corporate municipalities; the duties, responsibilities and authorities of the County Sheriff, as a Constitutional Officer, are, at a minimum, the same as they were when the State Constitutions were originally written.

When a Sheriff or a U.S. Marshall consults a BAR judge, a BAR attorney or a bureaucrat to ask whether the judge, attorney or bureaucrat is acting outside of his authority, the Sheriff is doing something no different than consulting the fox as to whether the fox is raiding the hen house. If the Sheriff cannot ascertain whether a judge, or any other government servant, is abusing his powers,

thereby violating the unalienable rights of the People, without asking that servant whether he is doing so, how can the Sheriff perform his duty? If a politician, judge or prosecutor violates the Constitution, it is the duty of the Sheriff and the U.S. Marshall to call the Grand Jury and ask the People for an Indictment. This is the Sheriff's responsibility. Were the Sheriff to seek "permission" of a prosecutor or judge for an arrest of a politician, judge or prosecutor whom the Sheriff finds in violation of the Constitution, the Sheriff would be disempowering his own authority; he would be functioning as a tool to the very ones violating the Constitution; he would, thereby, be violating his own oath. Obviously then, no politician can come between the Sheriff and the People. Regardless of what they have been taught, it is the duty of the Sheriff to seek an indictment, not the prosecutor. Prosecutors call the Grand Jury when the state has an issue; but, the Peoples' business is the Sheriff's business; and, it is the Sheriff's duty to protect the People from those who would encroach upon their rights. Likewise, the courts were designed to exist for the purpose of serving and protecting the People from criminals and tyrants.

What the Sheriff needs to realize is that all states, cities, towns, and villages in America have been moving towards corporatism; that is to say they have corporate charters; and, that the police forces, such as State Police, City Police, Town Police and Village Police work for the corporation, not the People; they are hired by the corporate municipality to uphold codes, not the Constitution; they are code enforcement officers, not law enforcement officers; and, it is the duty of the Sheriff to know when the People within his county are suffering violation of their unalienable rights by code enforcement officers; and, if he fails that duty, then that County is Lawless and the Sheriff is to blame.

The Sheriff works for and answers to the People alone. His sole duty is to protect the unalienable rights of the People within his County and within the courts against police brutality, tyrannical judges and abusive government agencies. Sheriffs rarely perform the duties that they were actually elected to exercise, because they are, unfortunately, constitutionally ignorant.

The Sheriff is to make sure that "**Due Process of Law**" is met before any arrest or seizure by police enforcement within his County; and, before any executions of judgments. Even a U.S. Marshal or other Federal Agent cannot execute a Warrant of any sort within a county without first notifying the Sheriff; and, it is the duty of the Sheriff to make sure "Due Process of Law" is met before allowing a Code Enforcement Officer, a U.S. Marshal or other Federal Agent to proceed. He is also duty bound to prevent SWAT team raids against, innocent under the law, code violators.

DUE PROCESS

> **Amendment V** *No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, ... nor be deprived of life, liberty, or property, without due process of law*;

ALL ARREST WARRANTS MUST:

1.) have a "**wet-ink signature** of a judge"; and,
2.) have a "**Sworn Affidavit**" attached by a "**witness**" or "**injured party**". If there is no injured party, there is no crime. The State can **never** be the injured party.

Few Internal Revenue Service Liens are lawful; and, yet, County Clerks, on a daily basis, file "Notices of Lien" in counties without proof of "Due Process"; and, Sheriffs execute them, becoming complicit in conspiracy under the "**Color of Law**" – a crime. In order for an IRS Lien to be lawful the following documents "must" be served:

1) There must be a warrant with a wet ink signature of a Judge, not a stamp.
2) An Affidavit of Proof of Claim, i.e., an IRS Form 4490;
3) An Affidavit of Proof of Fiduciary Relationship, i.e., an IRS Form 56

All of the above "**must**" accompany the "Notice of Lien" before the Clerk can file the Lien; and, before the Sheriff can act upon such Lien.

All Federal or State Warrants "MUST" have the following:

1) Warrant must have a wet ink signature of a Judge, not a stamp.
2) There must be a sworn Affidavit by an accusing party accompanying the warrant.

Sheriffs "MUST" prevent the execution of any warrants served upon person or property by Federal, State, County, City, Town or Village code enforcement officers that do not meet the two requirements above. If there is no indictment the Sheriff can only hold the person for 48 hours after which they must be released. If the arrest with or without an indictment is challenged with a Habeas Corpus and the Party holding the person does not answer within three days the Sheriff "MUST" release the person. **THIS IS DUE PROCESS.** Rarely should a person be arrested for a crime before receiving an indictment, Sheriffs should use their common sense before permitting Federal and State arrests in his County without an indictment. All code violation arrests must show constitutional authority for the legislation of such codes. Any code violation that violates the unalienable right(s) of a person is null and void.

> **Amendment IV** *The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*
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> "*There can be no sanction or penalty imposed upon one because of his exercise of constitutional rights*." **Sherar v. Cullen, 481 F. 2d 946 (1973)**
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> "*The claim and exercise of a Constitution right cannot be converted into a crime"... "a denial of them would be a denial of due process of law*". **Simmons v. United States, 390 U.S. 377 (1968)**
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> "*If the state does convert your right into a privilege and issue a license and a fee for it, you can ignore the license and a fee and engage the right with impunity*." **Shuttlesworth v. Birmingham AI. 373 US 262:(1962)**

All town, city and village courts are administrative courts; they are not adhering to the "Law of the Land", i.e., the Constitution; and, therefore, they have "no power" to fine or incarcerate; therefore,

every time a County Sheriff receives a prisoner from these courts, the Sheriff becomes complicit in conspiracy under the "Color of Law" – a crime.

When a judge violates the right of a People to Due Process in court; and, the Sheriff does nothing, the Sheriff becomes complicit in conspiracy under the "Color of Law" – a crime.

When the Sheriff seeks the consent of a prosecutor before arresting a judge, the Sheriff transfers his duty to the prosecutor; the Sheriff violates his oath – a crime. When the Sheriff witnesses, or receives a Sworn Affidavit that a judge is violating the unalienable rights of a People, the Sheriff is required by his oath to arrest the judge; and, if a prosecutor tries to commit "**Felony Rescue**" by dismissing the case, the Sheriff is required by his oath to arrest the prosecutor as well. The Sheriff is well served by first calling forth a "**Grand Jury**" to seek an "**Indictment**"; should the Grand Jury then issue an Indictment the Sheriff is required by his oath to arrest the judge. History recalls that the Grand Jury was normally called by the Sheriff or Coroner; rarely by the prosecutor. The Sheriff can call the Grand Jury at will; and, as often as he wills; and, he should in order to secure an indictment upon which to base an arrest. Since legislative provisions were made for the prosecutor to call for the Grand Jury overtime the State monopolized on the calling of the Grand Jury and overtime the State morphed into the "injured party" in the name of the People, resulting today in the absence of restitution to the real "injured party"; and thereby removing the common law maxim "there must be a remedy for every injury".

The Sheriff can arrest any Federal Agent or Police officer whom he finds violating the unalienable rights of a People. The Sheriff can arrest the Governor or any elected or appointed official whom he finds violating the unalienable rights of a People. If the Sheriff feels more comfortable seeking an indictment before an arrest, he should do so.

The Sheriff's "Rule of Thumb" when it comes to knowing the authority of a Judge, should be "American Jurisprudence"; any Judge acting outside of jurisprudence should be arrested for violating the unalienable rights of their victim.

CONSTITUTIONAL OFFICER V. CODE ENFORCEMENT OFFICER: The principal challenge for the Sheriff is embodied in code enforcement officers. Codes and statutes that attempt to control the behavior of People are repugnant to the Constitution; and, are, therefore, null and void. Of course We the People, through our Constitution, vested our Legislatures, at both the Federal and State level, to write statutes; but, not statutes that violate our unalienable rights. Our Constitution never vested County, City, Township or Village Legislatures with statute-writing powers. The Sheriff has a duty to uphold the Constitution. The dilemma of the Sheriff, then, in order to obey the United States Supreme Court rulings, and the United States Constitution to uphold his oath; is that he must first understand the Constitution; and, that is the purpose of this course.

Does the Sheriff have the fortitude to keep his oath to uphold the Common Law? Will he betray his oath; and, therefore, the People who have entrusted him as their Constitutional law enforcer? Will he uphold the Common Law above the will of BAR-driven legislators, judges, prosecutors and their code enforcement officers, i.e. those who truly believe that statutes are above the Constitution? Treasonous

BAR schools have been teaching codes and statutes as law for more than fifty (50) years. If we fail now to correct this error, America will be lost.

WE HAVE A REPUBLICAN FORM OF GOVERNMENT: A form of government guaranteed by The Constitution for the United States of America at Article IV, Section 4; which means we have a government that in mandated by our Constitution to obey the Rule of Law, which, in our case, is Common Law.

> *"The United States shall guarantee to every state in this union a republican form of government; and, shall protect each of them against invasion."* **– U.S. Constitution Article IV Section 4**

When an organization like the BAR advocates the overthrow of the Constitution, that is to say, the overthrow of Common Law, such organization is advocating the overthrow of our Government in violation of 18 USC §2385.

> **ADVOCATING OVERTHROW OF GOVERNMENT:** *"Whoever knowingly or willfully advocates, abets, advises or* ***teaches the duty****, necessity, desirability or propriety of overthrowing or destroying the government of the United States, or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or Whoever, with intent to cause the overthrow or destruction of any such government; prints, publishes, edits, issues, circulates, sells, distributes or publicly displays any written or printed matter advocating, advising or teaching the duty, necessity, desirability or propriety of overthrowing or destroying any government in the United States by force or violence; or attempts to do so..."* **– 18 USC §2385**

WHEN A JUDGE VIOLATES THE CONSTITUTION; were the Sheriff to seek permission from a prosecutor to seek an indictment; were the prosecutor to fail to call forth a Grand Jury to seek such an indictment; and, were the Sheriff to acquiesce to this; the Sheriff would be disempowering his own authority; submitting to the will of the prosecutor; breaking his oath; becoming part of the conspiracy to cover up a crime; guilty of felony rescue – a crime. When a judge breaks the law, it is the duty of the sheriff to arrest the judge; and, go directly to the Grand Jury for an Indictment. It has only been recently, in the last fifty (50) years or so, that the Sheriff has been unlawfully told that he must first filter the crime through the BAR-taught prosecutors who work for the state, not the People; and, who, almost always, refuse to bring a crime before the Grand Jury when a state official is involved. This is "exactly why" America is in a Constitutional crisis. Only by educating the Sheriff can 𝔚e the 𝔓eople, working with the Sheriff, save America.

Another obstacle, a two-fold obstacle, that the Sheriff must recognize is the puppet Grand Jury and the puppet Trial jury. Because these juries are controlled by the foxes; which is to say they are controlled by judges and prosecutors; the jurors are given their guidelines upon which to deliberate by the all-controlling BAR prosecutor. The Jurors are instructed in the statutes; told they must follow these

statutes as law; the BAR prosecutor in this way is trumping Common Law; which, of course, is "jury tampering" – a crime.

The ultimate dilemma for the Sheriff is: "What am I to do?" The solution is simple: take the case to the Common Law Grand Jury. Clearly, the Sheriff cannot take a case involving a judge, a prosecutor or a corporate pay-rolled official to the unlawful puppet jury; a jury controlled by the foxes. Lysander Spooner said:

> "*Any government that is its own judge of; and, determines authoritatively for the people what are its own powers over the people; is an absolute government, of course. It has all the powers that it chooses to exercise. There is no other; or, at least, no more accurate definition of despotism, than this. On the other hand, any people, that judge of, and determine authoritatively for the government, what are their own liberties against the government, of course, retain all the liberties they wish to enjoy. And this is freedom. At least, it is freedom to them; because, although it may be theoretically imperfect, it, nevertheless, corresponds to their highest notions of freedom."* **– Trial by Jury, 1852**

We the People, across America, in every state of the union, are doing exactly that which we should have been doing all along. We were helped to discover these truths through a United States Supreme Court decision in which Justice Antonin Scalia, writing for the majority, made clear the Law of the Land when he said:

> "*Because the Grand Jury is an institution separate from the courts, over whose functioning* ***the courts do not preside****, we think it clear that, as a general matter at least, no such supervisory judicial authority exists; and, that the Disclosure Rule applied here exceeded the Tenth Circuit's authority. [R]ooted in long centuries of Anglo-American history,* ***the Grand Jury is mentioned in the Bill of Rights****; but, not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles.* ***It is a constitutional fixture in its own right****. In fact, the whole theory of its function is that* ***it belongs to no branch of the institutional government****, serving as a kind of* ***buffer or referee between the Government and the people****. Although the Grand Jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the judicial branch has traditionally been, so to speak, at arm's length. Judges' direct involvement in the functioning of the Grand Jury has generally been confined to the constitutive one of calling the grand jurors together and administering their oaths of office."* **– U.S. v. Williams**, 112 S.Ct. 1735 504 U.S. 36 118 L.Ed.2d 352, 1992

This is the authority by which We the People act; and, by which we come with a determination to put that fox back in its cage and save America. Now the Sheriff knows and the question before him is: *"Are you going to continue feeding that fox; thereby participate in his treasonous acts against the People of the United States of America; or, will you develop a constitutional back-bone through*

education; and, join the People to bring law and order back into our courts; and, thereby back into our government; and, save America?"

Clearly it takes fortitude for a People to step up, take control and do that which is right for God, country and posterity. This is the Sheriff's duty. This is the moment in time and history that will define integrity or lack thereof. We the People under the Unified United States Common Law Grand Jury have tolerated the inaction of our Sheriffs because we understand, having once been without understanding of the Constitution ourselves. We have awakened to the hard reality; we have decided to do that which is just for ourselves and for our posterity. Now our Sheriffs know! The choices are: 1.) step up and enforce the law of the land; 2.) resign; or, 3.) prepare to face the Grand Jury for treason. The due time is upon us.

The Constitution for the United States of America is a Common Law document which demands obedience to the Common Law.

> "*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, anything in the Constitution or laws of any State to the contrary notwithstanding*." **– U.S. Constitution Article VI Clause 2**

Therefore, when there is a conflict between the Law of the Land and the statutes of the corporate charters, the Constitution must prevail. Only those statutes, for which We the People have given our consent for legislators to write, are law; law consistent with the Constitution. Our Sheriffs have now embarked upon the Constitutional Course of "Law 101"; yet, it does not get any more difficult than this.

A sheriff well trained in constitutional (law) enforcement can uphold the Constitution. The Sheriff and his deputies have been trained in the law of statute and code enforcement, in technique and self-defense. Now it is the sheriff's responsibility to make sure that he and his deputies are well trained in the Constitution for the United States of America so they can serve the People. Were any of his deputies to violate the Constitution, even unknowingly, the sheriff would bear the guilt and the responsibility complicit with his deputies.

The sheriff is responsible for his entire county, including the court and the jail. Wherever legislators, past or present, have removed the Duties of the Constitutional Sheriff; claiming to have entrusted them to code enforcement officers; the People can be sure that the Common Law of our Constitution is not being applied in our courts, in our jails or in our counties; for the very nature of the system of code enforcement serves the corporate government charters, not the People.

THE DUTY OF THE SHERIFF IN THE COURTS: Bailiffs "**must be deputies of the sheriff**"; trained to understand their duties. They must be approachable by the People in order that the People may report constitutional violations within the court. Bailiffs must have the fortitude to remove a judge from the bench were the judge to violate the unalienable right of a People. Unalienable rights are God-

given; cannot be trumped by legislators. Where there is a conflict between a statute of a legislature and the Common Law, the Constitutional Common Law must prevail. A few of the many United States Supreme Court rulings that follow are offered here for the empowerment of the Sheriff; that the Sheriff may enforce the law; that in thus honoring his oath to the Constitution, the People and the Law of the Land, the Common Law Grand Juries will rise up in full support of him.

> "*Law of the Land", "Due Course of Law" and "Due Process of Law" are synonymous.* **– People v. Skinner, Cal., 110 P.2d 41, 45; State v. Rossi, 71 R.I. 284, 43 A.2d 323, 326; Direct Plumbing Supply Co. v. City of Dayton, 138 Ohio St. 540, 38 N.E.2d 70, 72, 137 A.L.R.1058; Stoner v. Higginson, 316Pa.481, 175A. 527, 531**
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> "*All laws, rules and practices, which are repugnant to the Constitution, are null and void*" **– Marbury v. Madison, 5th U.S. (2 Cranch) 137, 180**
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> "*The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law; but, is wholly void and ineffective for any purpose, since its unconstitutionality dates from the time of its enactment... In legal contemplation, it is as inoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no right, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it... A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing law. Indeed, insofar as a statute runs counter to the fundamental law of the land, (the Constitution), it is superseded thereby. No one is bound to obey an unconstitutional law; and, no courts are bound to enforce it*." **– Bonnett v. Vallier, 116 N.W. 885, 136 Wis. 193 (1908); Norton v. Shelby County, 118 U.S. 425 (1886)**
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> "*…every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent*." **– Cruden v. Neale**, 2 N.C. 338 (1796) 2 S.E.
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> "*Under our system of government, upon the individuality and intelligence of the citizen, the state does not claim to control him/her, except as [to] his/her conduct to[wards] others, leaving him/her the sole judge as to all that affects himself/herself*." **– Mugler v. Kansas 123 U.S. 623, 659-60**
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> "*Statutes that violate the plain and obvious principles of common right and common reason are null and void*." **– Bennett v. Boggs, 1 Baldw 60**
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> "*The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice*." **– Davis v. Wechsler**, 263 US22, at 24.
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> "*A State may not impose a charge for the enjoyment of a right granted by the Federal Constitution*." **– Murdock v. Pennsylvania, 319 U.S. 105, at 113**

JURISDICTION OF THE COURTS: Courts today are de facto, operating contrary to Common Law; under the rules of chancery, not common law. Bailiffs, being deputies of the sheriff, trained to understand their duties, must ensure that courts operate according to law.

There are only two (2) courts that We the People have ordained to operate within America under the Constitution; called law and equity; as we read:

> *"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*; **U.S. Constitution Article III Section 2**

COURTS OF EQUITY: Have Jurisdiction where Judges hear and decide commercial/contract cases and other disputes; where there exists one jurist called the judge who is bound by the **Article VI Law of the Land**. Cases ruled upon in Equity Courts can be appealed to higher courts.

COURTS OF LAW: Have Jurisdiction where juries, i.e., a tribunal, hears and decides "**all**" criminal cases, commercial/contract cases and other disputes; all Criminal Courts are called Courts of Record; they are to proceed under Common Law. In a trial by jury, the judge is to act as administrator and can make "**no Rulings**"; were he to make a ruling, he would be acting under the "Color of Law" – a crime. The Constitution calls this "**bad behavior**" (*not adhering to the Constitution*); such a judge should be immediately removed from the Bench by the Bailiff; and, brought before the Grand Jury for Indictment.

> *"In suits at Common Law, where the value in controversy shall exceed twenty dollars $20.00, the right of trial by jury shall be preserved; and, no fact tried by a jury shall be otherwise reexamined in any Court of the United States than according to the rules of the Common Law."* **– Bill of Rights Amendment VII**

> *"The judges, both of the supreme and inferior courts, shall hold their offices during good behavior"* **– U.S. Constitution Article III Section 1**

The requirements for a criminal case to proceed are as follows:

1) **THERE MUST BE AN INJURED PARTY:** "*Corpus delecti; The body of a crime; The body (material substance) upon which a crime has been committed, e. g., the corpse of a murdered man; the charred remains of a house burned down. In a derivative sense, the substance or foundation of a crime; the substantial fact that a crime has been committed*." **– People v. Dick, 37 Cal. 281**

   > *"For a crime to exist, there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights."* **– Sherar v. Cullen, 481 F. 945**

2) **THERE MUST BE AN INDICTMENT BY AN "UNFETTERED" GRAND JURY:** This means a Grand Jury that is not controlled by a judge or a prosecutor. If there is no indictment, a person cannot be "**held**" to answer:

> *"No person shall be held to answer for a capital, or otherwise infamous crime, [a crime that requires a prison sentence] unless on a presentment or indictment of a Grand Jury.* **– U.S. Constitution Amendment V**

3) **ALL DECISIONS IN A COURT OF RECORD ARE BY THE JURY ALONE:** Called a tribunal, without any interference from a judge. The definition of a court of record is: "*A judicial tribunal having attributes and exercising functions independently of the person of the magistrate [judge] designated generally to hold it; proceeding according to the course of Common Law; its acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony; has power to fine or imprison for contempt; generally possesses a seal."* **– Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689; Black's Law Dictionary, 4th Ed., 425, 426.**

JUDICIAL PROCESS – WARRANTS – THE BILL OF RIGHTS: Amendment V provides that no person shall be deprived of life, liberty or property without due process of law as supported by the following U.S. Supreme Court rulings:

> "*...no man shall be deprived of his property without being heard in his own defense*." **– Kinney V. Beverly, 2 Hen. & M (VA) 381, 336**

> "***Amendment V of the Constitution for the United States*** *provides that no person shall ... be deprived of life, liberty or property without due process of law. A similar provision exists in all the state constitutions; the phrases 'due course of law', and 'the law of the land' are sometimes used; but, all three of these phrases have the same meaning; and, that applies conformity with the ancient and customary laws of the English people or laws indicated by parliament*." **– Davidson V. New Orleans 96 U.S. 97, 24, L Ed 616**

Therefore, no Warrant is to be executed by a Sheriff without a wet-ink signature of a judge; a rubber stamp or a clerk's signature is not sufficient. No legal instrument has executional powers without a signature; and, must be accompanied with a Sworn Affidavit; this includes Federal Liens and IRS Liens. A Notice of Lien or Notice of Levy is not due process according to the Bill of Rights.

> *"The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and,* ***no Warrants shall issue but upon probable cause supported by Oath or affirmation****; and, particularly describing the place to be searched and the persons or things to be seized."* **– Amendment IV**

HABEAS CORPUS – "THE GREAT WRIT OF LIBERTY": In the early days, Habeas Corpus was not connected with the idea of Liberty. It was a useful device in the struggle for control between Common Law and Equity Courts. By the middle of the fifteenth century, the issue of Habeas Corpus, together with privilege, was a well-established way to remove a cause from an inferior court where the defendant could show some special connection with one of the central courts which entitled him to have his case tried there. In the early seventeenth century The Five Knights' Case involved the clash

between the Stuart claims of prerogative and the Common Law; and, was, in the words of one of the judges: *"the greatest cause that I ever knew in this court."* Over the centuries the Writ became a viable bulwark between the powers of government and the rights of the people in both England and the United States.

In the United States Habeas Corpus exists in two forms: Common Law and statutory. The Constitution for the United States of America acknowledges the right of the Peoples to the Common Law of England as it was in 1789. What is that Common Law? It does not consist of absolute, fixed and inflexible rules; but, broad and comprehensive principles based on justice, reason and common sense... The Constitution for the United States of America mandates that *"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..."* Habeas Corpus is a case in law, i.e., proceeding according to the Common Law in a Court of Record; therefore, it is the Grand Jury as arbiter that shall be enforcer of the law; the first Grand Jury of twenty-five (25) free men, summoned itself and wrote the following:

> *"If any of our civil servants shall have transgressed against any of the people in any respect; and, they shall ask us to cause that error to be amended without delay; or, shall have broken some one of the articles of peace or security; and, their transgression shall have been shown to four (4) Jurors of the aforesaid twenty five (25); and, if those four (4) Jurors are unable to settle the transgression, they shall come to the twenty-five (25), showing to the Grand Jury the error which shall be enforced by the law of the land."* **– Magna Charta, June 15, A.D. 1215, 61**

THE CONSTITUTION GUARANTEES A REPUBLICAN FORM OF GOVERNMENT: Protecting such Republic against all violence, foreign and domestic violence. Thus, were a judge to enforce anything outside of his authority under the color of law, "**Judicial Immunity**" would be lost; it would be nothing less than lawless violence. Likewise, legislative jurisdiction not authorized by the United States Constitution is as inoperative as though it had never been passed; and a judge that would proceed without jurisdiction, would be indictable for treason; judges are expected to know the law. – **The Constitution for the United States of America Article IV Section 4:**

> **COLOR OF LAW:** *"The appearance or semblance, without the substance, of legal right."* **Black's Law 4th; State v. Brechler, 185 Wis. 599, 202 N.W. 144, 148**
>
> *"Misuse of power; possessed by virtue of state law; and, made possible only because the wrongdoer is clothed with authority of state; is action taken under the 'color of state law'."* **– Atkins v. Lanning, 415 F. Supp. 186, 188**
>
> *"When a judge knows that he lacks jurisdiction; or, acts in the face of clearly valid statutes expressly depriving him of jurisdiction; judicial immunity is lost."* **–Rankin v. Howard, (1980) 633 F.2d 844, cert. den. Zeller v. Rankin, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326**

> *"No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and, an attempt to enforce it beyond these boundaries, is nothing less than lawless violence."* **– Ableman v. Booth, 21 Howard 506 (1859)**

> *"An unconstitutional act is not law; it confers no right; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation as inoperative as though it had never been passed."* **– Norton v. Shelby County 118 US 425 p. 442**

> *"We (judges) have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution."* **– Cohen v. Virginia, (1821), 6 Wheat. 264**; **U.S. v. Will, 449 U.S. 200**

No State can deprive any person of life, liberty or property without due process of law; nor, deny to any person within its jurisdiction the equal protection of the laws. Any court that ignores due process is not a Common Law Court; such an action proves a court unlawful; and, consequently, has no legal authority over the petitioner without his consent.

> **CONFIRMATIO CARTARUM:** *"Sovereign People shall not be taken or imprisoned or disseised or outlawed or exiled or anywise destroyed ... but by lawful judgment of his peers or by the law of the land."* **– Magna Charta Chapter 39**.

> *"No person shall be… deprived of life, liberty or property without due process of law."*

> **DUE COURSE OF LAW:** *"This phrase is synonymous with 'Due Process of Law' or 'Law of the Land'; and, means law in its regular course of administration through courts of justice."* [Court of Record] **– Kansas Pac. Ry. Co. v. Dunmeyer 19 KAN 542**.

> *"Law in its regular course of administration through courts of justice* [Court of Record] *is due process."* **– Leeper v. Texas, 139, U.S. 462, II SUP CT. 577, 35 L ED 225**

Some have argued that the People have relinquished sovereignty through various contractual devices in which rights were not expressly reserved. However, that cannot hold because rights are unalienable. The People retain all rights of sovereignty at all times. The exercise of sovereignty by the People is further clarified when one considers that the Constitutional government agencies have no genuine sovereign power of their own; but, must rely upon such authority as is granted by the People.

In the 1930s in New York, the Judiciary and the BAR pressed for a Constitutional Convention endeavoring to eliminate the unalienable right of Habeas Corpus, among other issues. The People were so concerned about the attack on their liberties that instead of abolishing Habeas Corpus, the people submitted in writing their overwhelmingly approval.

"The privilege of a Writ or Order of Habeas Corpus shall not be suspended." **§4** Amended by Constitutional Convention of 1938; and, approved by vote of the people November 8, 1938.

When our founders debated the Constitution, they included Habeas Corpus as a remedy against evil: *"The trial by jury in criminal cases, aided by the Habeas-Corpus Act, seems, therefore, to be alone concerned in the question. And, both of these are provided for, in the most ample manner, in the plan of the convention."... The creation of crimes after the commission of the fact, or, in other words, the subjecting of men to punishment for things which, when they were done, were breaches of no law, and, the practice of arbitrary imprisonments, have been, in all ages, the favorite and most formidable instruments of tyranny. The observations of the judicious Blackstone, in reference to the latter, are well worthy of recital: 'To bereave a man of life,' says he, 'or, by violence to confiscate his estate without accusation or trial, would be so gross and notorious an act of despotism as must at once convey the alarm of tyranny throughout the whole nation; but, confinement of the person, by secretly hurrying him to jail, where his sufferings are unknown or forgotten, is a less public, a less striking, and, therefore, a more dangerous engine of arbitrary government.' And, as a remedy for this fatal evil he is everywhere peculiarly emphatical in his encomiums on the Habeas-Corpus Act, which, in one place, he calls 'the bulwark of the British Constitution.'"* **– Federalist Papers Nos. 83, 84, Hamilton to the People of the State of New York**

"The privilege of the Writ of Habeas Corpus shall not be suspended." **– U.S. Constitution Article 1 Section 9 Clause 2**

THE UNITED STATES CODE TITLE 28: acknowledges that it is not the responsibility of the petitioner to know by what claim or authority the state acts; but, that the petitioner may inquire as to the cause of the restraint by Habeas Corpus. *"A court, justice or judge [tribunal] entertaining an application for a Writ of Habeas Corpus shall forthwith award the Writ or issue an Order directing the respondents to Show Cause why the Writ should not be granted."* **– 28 USC §2243**

"Application for a Writ of Habeas Corpus ... shall allege the facts concerning the applicant's commitment or detention; the name of the person who has custody over him; and, by virtue of what claim or authority, if known." **– 28 USC §2242**

When the persons holding the prisoner neglect to answer said Habeas Corpus, the Federal Rules of Civil Procedure activate; and, the prisoner must be released under the entry of Default. *"When a party, against whom a judgment for affirmative relief is sought, has failed to plead or otherwise defend, as provided by these rules; and, that fact is made to appear by Affidavit or otherwise* [under seal]*, the clerk shall enter the party's Default."* **– Federal Rules of Civil Procedure, Rule 55**

> **(a)** *"Whoever willfully and unlawfully removes or conceals a proceeding filed or deposited with any clerk or officer of any court of the United States; or, in any public office; or, with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three (3) years, or both."*
>
> **(b)** *"Whoever, having the custody of any such proceeding, willfully and unlawfully conceals, shall be fined under this title or imprisoned not more than three (3) years, or both; and, shall forfeit his office; and, be disqualified from holding any office under the United States."* **– 18 USC §2071**

Habeas Corpus is a judicial process, not open for debate. If the prisoner were not released, the party that continued to restrain the prisoner would become guilty of false imprisonment and kidnaping. The arrest of said perpetrators would be the appropriate action by the Sheriff; and, the said perpetrators would need to be brought before the Grand Jury for indictment.

COURT FILING: If a clerk were to refuse to file any legal document, the clerk would be committing a crime.

> *"Whoever, being a clerk of a District Court of the United States, willfully refuses or neglects to make or forward any report, certificate, statement or document as required by law, shall be fined under this title or imprisoned not more than one (1) year, or both.* **– 18 USC §2076**

If a clerk, judge or anyone were to conceal, remove or mutilate any document filed within the Court that person would be committing a crime; and, the Sheriff would be duty-bound to arrest him.

CONCEALMENT – REMOVAL – MUTILATION GENERALLY:

> *(a) "Whoever willfully and unlawfully conceals, removes, mutilates, obliterates or destroys; or, attempts to do so; or, with intent to do so, takes and carries away any record, proceeding, map, book, paper, document or other thing; filed or "**deposited**" with any clerk or officer of any court of the United States; or, in any public office; or, with any judicial or public officer of the United States; shall be fined under this title or imprisoned not more than three (3) years, or both."*
>
> *(b) "Whoever, having the custody of any such record, proceeding, map, book, document, paper or other thing; willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies or destroys the same; shall be fined under this title or imprisoned not more than three (3) years, or both; and, shall forfeit his office; and, be disqualified from holding any office under the United States. As used in this subsection, the term 'office' does not include the office held by any person as a retired officer of the Armed Forces of the United States."* **– 18 USC §2071**

RIGHT TO COUNCIL BY NON-BAR MEMBERS: Often, in criminal courts, when people desire to speak for themselves; or, have "**assistance of counsel**" that are not BAR members; judges reject and resist any move in that direction. Judges continue to force BAR lawyers that are taught in their BAR schools to never bring Common Law into the courts. If they were to do so, the BAR judge and/or the BAR prosecutor would report them; and, they would lose their BAR license; and, be barred from the court. If the victim were to continue to resist, the judge might incarcerate the victim for "**contempt**"; or, order a "**Competency Test**"; and, then, the judge might force a BAR attorney on the victim; were the Sheriff and his deputies to fail to realize that the judge was violating the unalienable right of the victim, which right is protected by the 6th Amendment; and, if the Sheriff were then to do nothing; the Sheriff would be complicit to conspiracy – a crime.

> *"Right to have the Assistance of Counsel..."* **– Bill of Rights Amendment VI**

> *"The practice of law cannot be licensed by any state."* **– Schware v. Board of Examiners, United State Reports 353 U.S. pages 238, 239**

> *"The practice of law is an occupation of common right."* **– Sims v. Aherns, 271 SW 720 (1925)**

> *"Litigants can be assisted by unlicensed laymen during judicial proceedings."* **– Brotherhood of Trainmen v. Virginia ex rel. Virginia State Bar, 377; U.S. v. Wainwright, 372 U.S. 335; Argersinger v. Sheriff Hamlin 407 U.S. 425**

AMERICA RUNS ON FICTION OF LAW: All attorneys and judges are BAR taught. Courts today operate under the rules of chancery; not the rules of Common Law. Our founding fathers rejected chancery; did not include it in the Constitution; it is in direct conflict with Common Law.

> *"The judicial power shall extend to all cases, in law and equity, arising under this Constitution."* **– U.S. Constitution Article III Section 2**

Therefore most of our courts are running on fiction; not on law.

> **FICTION OF LAW:** "*Something known to be false is assumed to be true*." **– Ryan v. Motor Credit Co., 130 N.J. Eq. 531, 23 A.2d 607, 621**

> *"…that statutes which would deprive a citizen of the rights of person or property without a regular trial according to the course and usage of common law, would not be the law of the land."* **– Hoke v. Henderson, 15, N.C.15, 25 AM Dec 677**

Our elected servants are out of control. America is operating under fiction of law. It is the duty of the Sheriff, working with the People if necessary, to protect the unalienable rights of the People by simply enforcing the laws as enumerated herein. Only then will America run on the Law again.

> *"If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be."* **– Thomas Jefferson**

The Sheriff took an oath to uphold and defend the Constitution; but, to fulfill his oath; to uphold and defend the Constitution; the Sheriff must **know** the Constitution. The Sheriff needs to learn the Common Law; and, he needs to teach the Common Law to his deputies. Any Sheriff that would fail to do so, would be required to resign his position.

ONLY THE PEOPLE CAN SAVE AMERICA: AND, it is the Sheriff's duty to lawfully protect and serve the People. Were the People to rise up together; were the People to stand against tyrants in our government; only then would the People be able to return to our former state under Common Law. Were the People to accomplish that noble feat, the whole mass of the People would first need to become well informed and well educated in the Law; for, the People have already, nearly lost America to fascism.

"Educate and inform the whole mass of the people... They are the only sure reliance for the preservation of our liberty." **– Thomas Jefferson**

"I know no safe depositary of the ultimate powers of the society but the people themselves; and, if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them; but, to inform their discretion by education. This is the true corrective of abuses of constitutional power." **– Thomas Jefferson**

"An enlightened citizenry is indispensable for the proper functioning of a republic. Self-government is not possible unless the citizens are educated sufficiently to enable them to exercise oversight. It is therefore imperative that the nation see to it that a suitable education be provided for all its citizens." **– Thomas Jefferson**

THE DUTY OF THE SHERIFF IN THE JAIL: The sheriff is responsible for the lawful implementation of the county correctional facility; and is, therefore, liable for any unlawful detention. Simply stated, an unlawful detention would be anyone held without a presentment or indictment by a grand jury; unless he were detained for a violent act; being held for indictment of a grand jury; and, then, brought before a court of law to answer; this is the unalienable right of the Peoples; a right protected by the 5th Amendment.

"Law, in its regular course of administration through courts of justice, is due process." **– Leeper v. Texas, 139, U.S. 462, II SUP CT. 577, 35 L ED 225**

"By the Law of the Land is more clearly intended the general law; a law which hears before it condemns; which proceeds upon inquiry and renders judgment only after trial." **– Dartmouth College Case, 4Wheat, U.S. 518, 4 ED 629**

*"No person shall be held to answer for a ... crime, unless on a presentment or indictment of a Grand Jury… nor be deprived of life, liberty or property without '**Due Process of Law**'."* **– Bill of Rights Amendment V**

'DUE COURSE OF LAW': *"this phrase is synonymous with '**Due Process of Law**' or '**Law of the Land**'; and, means law in its regular course of administration through Courts of Justice."* **– Kansas Pac. Ry. Co. v. Dunmeyer 19 KAN 542**

All Federal and State Courts are to be Courts of Record. When declared by a State Constitution to be a Court of Record, a County Court, as well, would be a Court of Record; and, proceed according to the Common Law. All city, town and village courts are **NOT** courts of record; they proceed according to statutes; not the Constitution; therefore, they violate due process; and, thus they have **NO** power to fine or incarcerate. There are a few exceptions: Whereas New York City courts, under the New York State Constitution, are Courts of Record; they, therefore, are to proceed according to the Common Law.

COURTS OF RECORD AND COURTS NOT OF RECORD: *"The former, being those whose acts and judicial proceedings are enrolled or recorded for a perpetual memory and testimony; and, which have power to fine or imprison for contempt; Error lies to their judgments; and, they generally possess a seal. Courts* **NOT** *of record are those of inferior dignity; which have* **NO** *power to fine or imprison; and, in which the proceedings are not enrolled or recorded."* **– 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231**

"The decisions of a Superior Court may only be challenged in a Court of Appeal. The decisions of an Inferior Court are subject to collateral attack. In other words, in a Superior Court, one may sue an Inferior Court directly, rather than resort to Appeal to an Appellate Court. A Decision of a Court of Record may not be appealed. It is binding on **ALL** *other courts. However, no Statutory or Constitutional Court – whether it be an Appellate or a Supreme Court – can second guess the Judgment of a Court of Record ... The judgment of a Court of Record, whose jurisdiction is final, is as conclusive on all the world as the Judgment of this court would be. It is as conclusive on this court as it is on other courts. It puts an end to inquiry concerning the fact, by deciding it."* **Schneckloth v. Bustamonte, 412 U.S. 218, 255 (1973)**

It is imperative that the Sheriff know the difference between a Court of record and a Court not of Record because a Court not of Record **CANNOT** incarcerate; **THEREFORE**, were a Sheriff to incarcerate someone held or tried in a Court not of Record, that Sheriff would be participating in the violation the unalienable right of that person to the due process of law protected by the 4th and 5th Amendments – a crime.

"The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall **NOT** *be violated; and,* **NO** *Warrants shall issue but upon probable cause supported by Oath or Affirmation; and, particularly describing the place to be searched; and, the persons or things to be seized.* **– Bill of Rights Amendment IV**

"No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a Grand Jury." **– Bill of Rights Amendment V**

We realize this is a major problem, considering that county jails are filled with people tried in Courts **NOT** of Record. Some of these people may be guilty of a crime; which is something We the People will have to ascertain; and, We the People, through grand juries and trial juries, **WILL** endeavor to solve this **HUGE** problem as soon as we are able to access the courts. Nevertheless, the Sheriff **CANNOT** continue to receive prisoners who were tried in Courts **NOT** of Record. Were the Sheriff to hold the belief that one of the accused was in fact guilty of a crime, he would need to bring the issue to

a Grand Jury for indictment; and, then, to be tried in a Court of Record. The U.S. Supreme Court rulings, which we now offer to more thoroughly education the Sheriff, were based on Common Law; and, thereby authenticate and substantiate this most important point.

> **RIGHT TO TRAVEL:** *"The right of the citizen to travel upon the public highways; and, to transport his property thereon; either by carriage or by automobile; is not a mere privilege which a city may prohibit or permit at will; but, [is] a common right which he has under the right to life, liberty and the pursuit of happiness."* **– Thompson v. Smith, 154 SE 579**
>
> *"Undoubtedly the right of locomotion; the right to remove from one place to another according to inclination; is an attribute of personal liberty; and, the right, ordinarily, of free transit from or through the territory of any State is a right secured by the 14th Amendment; and, by other provisions of the Constitution."* **– Schactman v. Dulles, 96 App D.C. 287, 293**
>
> *"The claim and exercise of a constitutional right* **CANNOT** *be converted into a crime."* **– Miller v. U.S. 230 F 486 at 489**
>
> *"There can be* ***NO*** *sanction or penalty imposed upon one because of his exercise of Constitutional rights."* **– Sherar v. Cullen 481 F 2D 946, (1973)**
>
> *"We find it intolerable that one constitutional right should have to be surrendered in order to assert another."* **– Simmons v. U.S. 390, U.S. 389 (1968)**
>
> *"Where rights secured by the Constitution are involved, there can be* **NO** *rule-making or legislation which would abrogate them."* **– Miranda v. Arizona, 384 U.S. 436, 491**
>
> **RIGHT TO KEEP AND BEAR ARMS:** *"The right of the people to keep and bear Arms shall not be infringed*. **– Bill of Rights Amendment II**
>
> *"The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law; but, is wholly void and ineffective for any purpose, since its unconstitutionality dates from the time of its enactment... In legal contemplation, it is as inoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes* **NO** *duties, confers* **NO** *right, creates* **NO** *office, bestows* **NO** *power or authority on anyone, affords* **NO** *protection and justifies* **NO** *acts performed under it... A void act* cannot *be legally consistent with a valid one. An unconstitutional law* cannot *operate to supersede any existing law. Indeed insofar as a statute runs counter to the fundamental law of the land, (the Constitution) it is superseded thereby.* No one is *bound to obey an unconstitutional law; and,* **NO** *courts are bound to enforce it."* **– Bonnett v. Vallier, 116 N.W. 885, 136 Wis. 193 (1908); Norton v. Shelby County, 118 U.S. 425 (1886)**

"...every man is independent of all laws except those prescribed by nature. He is **NOT** *bound by any institutions formed by his fellowman without his consent."* **– Cruden v. Neale, 2 N.C. 338 (1796) 2 S.E.**

"Under our system of government, upon the individuality and intelligence of the citizen, the state does **NOT** *claim to control him/her except as his/her conduct to others; leaving him/her the sole judge as to all that affects himself/herself."* **– Mugler v. Kansas 123 U.S. 623, 659-60**

"Statutes that violate the plain and obvious principles of common right and common reason are null and void." **– Bennett v. Boggs, 1 Baldw 60**

"The assertion of Federal rights, when plainly and reasonably made, is **NOT** *to be defeated under the name of local practice."* **– Davis v. Wechsler, 263 US 22 at 24**

"A State may ***NOT*** *impose a charge for the enjoyment of a right granted by the Federal Constitution."* **– Murdock v. Pennsylvania, 319 U.S. 105, at 113**

"The State **CANNOT** *diminish rights of the people."* **– Hertado v. California, 110 U.S. 516**

"There can be **NO** *sanction or penalty imposed upon one because of his exercise of Constitutional Rights."* **– Sherar v. Cullen, 481 F. 2d 946 (1973)**

"...those things which are considered as inalienable rights, which all citizens possess, cannot be licensed since those acts are **NOT** *held to be a privilege."* **– City of Chicago v. Collins, 51 N.E. 907, 910**

*"Constitutional '****rights****' would be of little value if they could be indirectly denied."* **– Gomillion v. Lightfoot, 364 U.S. 155 (1966),** cited also in **Smith v. Allwright, 321 U.S. 649.644**

"We find it intolerable that one constitutional right should have to be surrendered in order to assert another." **– Simmons v. U.S. 390, U.S. 389 (1968)**

"Where rights secured by the Constitution are involved, there can be **NO** *rule-making or legislation which would abrogate them."* **– Miranda v. Arizona, 384 U.S. 436, 491**

"If the state converts a liberty into a privilege, the citizen can engage in the right with impunity." **– Shuttlesworth v. Birmingham, 373 USs 262**

"Sovereignty itself is, of course, **NOT** *subject to law, for it is the author and source of law; but, in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people by whom and for whom all government exists and acts; and, the law is the definition and limitation of power ...*

For, the very idea that man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails; as being the essence of slavery itself." **– Yick Wo v. Hopkins, 118 US 356, 370**

THE DUTY OF THE SHERIFF IN THE COUNTY: The Sheriff, being Chief Executive and Administrative Officer; the Chief Law Enforcement Officer (CLEO) and Highest Peace Officer of the entire County in which he was elected, has the absolute authority to arrest even the Governor or a Judge; and, then to call the Grand Jury directly for an Indictment; a Sheriff need not get permission from the District Attorney.

The Sheriff also has the authority and duty to secure liberty and peace within his county; and, if necessary, call the Posse Comitatus to assist. The challenge of the Sheriff today is from forces within our federal government that are unlawfully moving toward Martial Law in an effort to disarm the American People; the only motive of Martial Law is control of a captured population. We the People have **NOT** given authority to the three (3) branches of Government to declare Martial Law; for, to have done so, would be self-destruction. Any attempt by Congress or the Executive to use military forces, foreign or domestic, against the People to bring them under Martial Law is an act of treason; war against the People; and, We the People will be dependent upon the Sheriff within each county to secure the peace by any means necessary; seeing that congress has been negligent in providing for the Militia.

Therefore, in times of emergency, the "**only**" Constitutional Authority to keep the peace during an invasion is the Posse Comitatus.

Whereas: the Sheriff is to call upon We the People of the county to secure the peace. Federal Agents and Foreign Troops on State Soil would be repugnant to our Constitution; an act of "**war**". **– II Amendment**

POSSE COMITATUS: *"The power or force of the county; the entire population of a county above the age of fifteen (15); which a Sheriff may summon to his assistance in certain cases; as to aid him in keeping the peace, in pursuing and arresting felons, etc."* **– 1 Bl.Comm. 343; Com. v. Martin, 7 Pa. Dist. R. 224**

"A well-regulated Militia, being necessary to the security of a Free State, shall not be infringed." **– The Bill of Rights Amendment II**

"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." **– U.S. Constitution Section 8 paragraph 16**

UNITED STATES MARSHAL: The power, authority and duty of a U.S. Marshal is similar to that of the County Sheriff in that he is a constitutional officer having the power and authority to arrest any judge who might violate the unalienable rights of the People. One (1) Marshal is appointed by the President for each of the ninety-four (94) Federal Districts. The powers of the Marshal are defined, by constitutional authority, under the Judiciary act of 1789. The Marshal serves for a term of four (4) years; takes an oath of office; has the power to appoint deputies; and, shall produce a bond.

The duties of the U.S. Marshal, similar to those of the Sheriff, are to attend the District and Circuit Courts; execute throughout the District those lawful precepts directed to him; deliver Writs; Summon jurors; secure an impartial Trial; execute Warrants; and fulfill the responsibility of retaining, delivering and transporting prisoners in his custody as directed by the Courts.

Once a Marshal is appointed, he can be removed from office only by the People in Grand Jury by an Indictment for bad behavior.

> *"The power of appointing the person nominated, are [is a] political power[s], to be exercised by the President according to his own discretion. When he has made an appointment, he has exercised his whole power; and, his discretion has been completely applied to the case... the appointment cannot be annihilated; and, consequently, if the officer is by law not removable at the will of the President, the rights he has acquired are protected by the law..."* – **Marbury v. Madison 5 U.S. 137 (1803); 5 U.S. 137 (Cranch) 1803**

Marshals take an oath of office swearing to faithfully execute all "**lawful precepts**"; thereby remaining in "**good behavior**", the Marshal is required to execute all the "**lawful orders**" of the Court. Marshals are Constitutional Judicial Officers; and, therefore, like the Sheriff, are required to execute the "**Law of the Land**"[1] and protect the "**Due Process**" of the People;[2] were the Marshal to fail to do all that is required of him; without acting outside of those powers to which the People consent, he would put himself in bad behavior; and, would then be subject to removal from office by the People by Indictment from the Grand Jury.

When Federal SWAT Teams knock down doors in the middle of the night; terrify families; kill people; execute a violence so grave as to sometimes result even in the death of children and pets; all in the name of enforcing a Federal Lien; or; in retaliation of liberty group members whose noble interest is to restore the Constitution for the United States of America; but, in doing so pose a serious, even extinguishing threat to those Federal agencies and/or their agents that would violate the Law of the Land; it is the duty of the Marshal to prevent tyrannical abuse of power. Were the Marshal to allow this abuse he would be guilty of "**felony rescue**"; and, the Sheriff then would become duty-bound to arrest

[1] **U.S. Constitution Article VI**. 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, anything in the Constitution or laws of any State to the contrary notwithstanding.

[2] "**Law of the Land**", "**Due Course of Law**" and "**Due Process of Law**" are synonymous. People v. Skinner, Cal., 110 P.2d 41, 45; State v. Rossi, 71 R.I. 284, 43 A.2d 323, 326; Direct Plumbing Supply Co. v. City of Dayton, 138 Ohio St. 540, 38 N.E.2d 70, 72, 137 A.L.R. 1058; Stoner v. Higginson, 316 Pa. 481, 175 A. 527, 531.

all parties complicit in the event. The Common Law Grand Jury is on high-alert concerning such abuse; and, will be seeking indictments across the nation.

The Marshal, like the Sheriff, is the guardian of the Constitution, thereby duty bound to protect the due process of anyone standing before the court; as much as duty bound to execute all the lawful orders of the Court. Due process requires a presentment or indictment of an impartial Grand Jury for all criminal cases.

> *"No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a Grand Jury 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; nor, shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor, shall be compelled in any criminal case to be a witness against himself; nor, be deprived of life, liberty or property without due process of law; nor, shall private property be taken for public use without just compensation.* – **Amendment V**

From the Bill of Rights and its Amendments, it is abundantly clear that the right to trial by a jury of one's peers includes the fact that the jury would decide whether the Law upon which a People is brought to trial is itself a just Law and/or whether said Law should be applied in the case at hand; any interference with the prerogative of the jury in this most important aspect of due process would constitute "**tampering with the jury**"; and, would thereby constitute "**denial of due process**". Were a judge or a prosecutor to address a jury in such manner as to persuade in the Law, the jury would no longer stand impartial; that judge and/or that prosecutor would be guilty of jury tampering – a crime.

> *"The constitutions of most of our states assert that all power is inherent in the people; that they may exercise it by themselves in all cases to which they think themselves competent; (as in electing their functionaries, executive and legislative; and, deciding, by a jury of themselves, both fact and law in all judiciary cases in which any fact is involved) or, they [the People] may ask [that the power of the People be exercised] by representatives, freely and equally chosen; that it is their right and duty to be, at all times, armed; [that the People have the right] to freedom of person; freedom of religion; freedom of property; and, freedom of the press."* **– Thomas Jefferson, letter to John Cartwright; June 5, 1824**

NULLIFICATION OF LAW: A series of resolutions prepared by Jefferson and adopted by the legislature of Kentucky in 1799; protested against the "**Alien and Sedition Acts**", declared the laws within those Acts illegal; announced the strict constructionist theory of the Federal government; and, declared "**nullification**" to be "**the rightful remedy**". **– Kentucky Resolutions**

THE LAWFUL PATH: The Sheriff is the last line of defense for the People. American Sheriffs must educate themselves with respect to all the duties enumerated in this course; all those duties enumerated in the Law of the Land; Sheriffs must work with People who are awakening all across America; Sheriffs must receive and ask for Indictments; they must enforce the Law; and, execute arrests. Only then can We save America from the tyrants that would destroy our American way of life; that would

replace our just, honorable and merciful Common Law, natural law, God's law with despotic, tyrannical, abusive fiction. Whenever the Sheriff encounters dilemma or feels unsure with respect to the understanding or enforcement of his duties, We the People stand ready; the Sheriff can call upon the Jury Administrators who are yearning, laboring and praying to soon be seated in the Courts; and, until that glorious, victorious and liberating day, the Sheriff is invited to fax any and all concerns to the Unified United States Common Law Grand Jury at (888) 891-8977; We the People will always endeavor to answer concerns with the necessary and appropriate Constitutional Common Law that will empower both the Sheriff and the People; additionally, the Sheriff may, at any time deemed necessary or prudent, call together twenty five (25) people in his own county to serve as a Grand Jury; should the Sheriff feel adequate to the orientation of the Jury he may certainly accomplish that; should the Sheriff desire assistance, We the People stand ready to provide either the orientation itself or sufficient materials to help the Sheriff accomplish a successful orientation of the jurors. The fate of America literally rests upon the oath of the Sheriff; upon the fulfillment of that oath; and thereby upon the Sheriff doing the just thing, the honorable thing and the merciful thing.

The Sureties of the Peace

In a stunning 6 to 3 decision, Justice Antonin Scalia, writing for the majority in the 1992 case United States v. Williams, confirmed that:

> *"the American grand jury is neither part of the Judicial, Executive nor Legislative branch of government; but, instead belongs to the People; it is, in effect, a fourth branch of government 'governed' and administered to directly by, and on behalf of, the American People; and, its authority emanates from the Bill of Rights*."

Justice Antonin Scalia, drawing from history and many Supreme Court rulings, went on to say:

> *"The grand jury is mentioned in the Bill of Rights but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people. The common law of the Fifth Amendment demands a traditional, functioning grand jury… It is in effect a fourth branch of government governed and administered to directly by, and on behalf of, the American people; and, its authority emanates from the Bill of Rights. The grand jury requires no authorization from its constituting court to initiate an investigation; and, in its day-to-day functioning, the grand jury generally operates without the interference of a presiding judge; and, deliberates in total secrecy. We have insisted that the grand jury remain 'free to pursue its investigations unhindered by external influence or supervision so long as it does not trench upon the*

legitimate rights of any witness called before it.' Recognizing this tradition of independence, we have said that the Fifth Amendment's 'constitutional guarantee presupposes an investigative body acting independently of either prosecuting attorney or judge'." **– United States v. Williams**

The first grand jury of twenty-five (25) free men summoned itself and wrote the following:

"If any of our civil servants shall have transgressed against any of the people in any respect; and, they shall ask us to cause that error to be amended without delay; or, shall have broken some one of the articles of peace or security; and, their transgression shall have been shown to four (4) Jurors of the aforesaid twenty five (25); and, if those four (4) Jurors are unable to settle the transgression they shall come to the twenty-five (25), showing to the Grand Jury the error which shall be enforced by the law of the land." – **Magna Charta, June 15, AD. 1215**

And, it is under our own authority as sovereign People and therefore co-authors of the Magna Charta, connected in spirit and in fact, to remind our tyrannical servants that We the People, being the sureties of the peace, authored the Declaration of Independence, the U.S. Constitution and the Bill of Rights that these tyrants hold in contempt; and, we intend to bring to remembrance the Preamble to the Declaration of Independence that when government becomes destructive, We the People act correctively, whereas we read:

"That whenever any Form of Government becomes destructive of these ends, it is the ***Right of the People to alter it****... laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."* **– Preamble**

The governments of the United States belong to We the People, not these tyrants that fleece us daily in our own courts over which they have seized control. Therefore, We the People have reconstituted the Common Law Grand Juries in all 3,134 Counties of the United States. We have organized all Fifty (50) States of our Union; and, have taken extraordinary steps to unify every State; and, We the People, presently many thousands strong in every State, have come together as the Unified United States Common Law Grand Jury to liberate America from the tyrants that have seized control of the reigns of our government; and, to bring them to justice.

Once we restore Justice in our courts, thereby restoring our union through law enforcement, the blessings of liberty will be secured once again. Meanwhile, we are educating the People through this Constitutional Course and our Civics Course as we form administrations composed of four (4) of the People in each County of the United States in order to provide for the orientation of juries, bring civics and constitutional studies back into our schools, perform as a conduit between the People and sitting Grand Juries; and, to act as the investigative body of the Grand Juries.

"I consider trial by jury as the only anchor yet devised by man, by which a government can be held to the principles of its constitution." **– Thomas Jefferson**

KENNEDY AND THE PRESS

There are factions operating inside our government at every level, subverting the United States of America; many are what the communists call "useful idiots". This becomes clear once our ignorance of the Constitution is extinguished through education empowering us to see how our government should operate in contrast to how it is. If you have not yet taken our free, online Civics Course, you should do so now because this course explains the mechanism of how We as a People arrived at this disastrous moment in history with documented proof that a conspiracy of domestic enemies is within our government.

These factions have been operating within our government for a very long time, dismantling our Constitution, the Law of the Land; and, replacing it with unconstitutional statutes designed to enslave the American People. John F. Kennedy discovered this; and, tried to warn the American People; he plead with the media to reveal the conspiracy; and, it was for this reason he was assassinated. The following is one of his speeches; unedited; addressing the problem.

John F. Kennedy 26th President of the United States from 1961-1963 – "The President and the Press" – Before the American Newspaper Publishers' Association in New York City on April 27, 1961.

Mr. Chairman, ladies and gentlemen:

I appreciate very much your generous invitation to be here tonight.

You bear heavy responsibilities these days; and, an article I read some time ago reminded me of how particularly heavily the burdens of present day events bear upon your profession.

You may remember that in 1851, the New York Herald Tribune, under the sponsorship and publishing of Horace Greeley, employed, as its London correspondent, an obscure journalist by the name of Karl Marx.

We are told that foreign correspondent Marx, stone broke; and, with a family ill and undernourished; constantly appealed to Greeley and Managing Editor Charles Dana for an increase in his munificent salary of $5.00 per installment; a salary which he and Engels ungratefully labeled as the *"lousiest petty Bourgeois cheating"*.

But, when all his financial appeals were refused, Marx looked around for other means of livelihood and fame, eventually terminating his relationship with the Tribune and devoting his talents full time to the cause that would bequeath to the world the seeds of Leninism, Stalinism, revolution and the cold war.

If only this capitalistic New York newspaper had treated him more kindly; if only Marx had remained a foreign correspondent; history might have been different. And, I hope all publishers will bear this

lesson in mind the next time they receive a poverty-stricken appeal for a small increase in the expense account from an obscure newspaper.

I have selected as the title of my remarks tonight "The President and the Press". Some may suggest that this would be more naturally worded "The President Versus the Press". But, those are not my sentiments tonight.

It is true, however, that when a well-known diplomat from another country demanded recently that our State Department repudiate certain newspaper attacks on his colleague, it was unnecessary for us to reply that this Administration was not responsible for the press, for the press had already made it clear that it was not responsible for this Administration.

Nevertheless, my purpose here tonight is not to deliver the usual assault on the so-called one-party press. On the contrary, in recent months I have rarely heard any complaints about political bias in the press except from a few Republicans. Nor is it my purpose tonight to discuss or defend the televising of Presidential press conferences. I think it is highly beneficial to have some 20,000,000 Americans regularly sit in on these conferences to observe, if I may say so, the incisive, the intelligent and the courteous qualities displayed by your Washington correspondents.

Nor, finally, are these remarks intended to examine the proper degree of privacy which the press should allow to any President and his family.

If in the last few months your White House reporters and photographers have been attending church services with regularity, that has surely done them no harm.

On the other hand, I realize that your staff and wire service photographers may be complaining that they do not enjoy the same green privileges at the local golf courses which they once did.

It is true that my predecessor did not object as I do to pictures of one's golfing skill in action. But, neither, on the other hand, had he ever been a Secret Service man. My topic tonight is a more sober one of concern to publishers as well as editors.

I want to talk about our common responsibilities in the face of a common danger. The **events of recent weeks may have helped to illuminate that challenge for some**: *[Bay of Pigs - was a military attack on Cuba, without Administrative knowledge, until a request by CIA operative George Bush to the President for military air support, which JFK refused]* but, **the dimensions of its threat have loomed large on the horizon for many years**. Whatever our hopes may be for the future – for reducing this threat; or, for living with it – **there is no escaping either the gravity or the totality of its challenge to our survival; and, to our security – a challenge that confronts us in unaccustomed ways in every sphere of human activity**.

This deadly challenge imposes upon our society two requirements of direct concern, both to the press and to the President – two requirements that may seem almost contradictory in tone; but, **which must be reconciled and fulfilled if we are to meet this national peril**. I refer, first, to **the need for far greater public information**; and, second, to **the need for far greater official secrecy.**

The very word "secrecy" is repugnant in a free and open society; and, **we are as a people inherently and historically opposed to secret societies**, to **secret oaths** and to **secret proceedings**. We decided

long ago that the dangers of excessive and unwarranted concealment of pertinent facts far outweighed the dangers which are cited to justify it. Even today, there is little value in opposing the threat of a closed society by imitating its arbitrary restrictions. **Even today, there is little value in ensuring the survival of our nation if our traditions do not survive with it**. And, **there is very grave danger that an announced need for increased security will be seized upon by those anxious to expand its meaning to the very limits of official censorship and concealment**. That, I do not intend to permit **to the extent that it is in my control**. And, no official of my Administration, whether his rank is high or low, civilian or military, should interpret my words here tonight as an excuse to censor the news, to stifle dissent, to cover up our mistakes or to withhold from the press and the public the facts they deserve to know.

But, **I do ask every publisher, every editor and every newsman in the nation to reexamine his own standards; and, to recognize the nature of our country's peril**. In time of war, the government and the press have customarily joined in an effort, based largely on self-discipline, to prevent unauthorized disclosures to the enemy. In time of "clear and present danger", the courts have held that even the privileged rights of the First Amendment must yield to the public's need for national security.

Today no war has been declared; and, however fierce the struggle may be, **it may never be declared in the traditional fashion**. **Our way of life is under attack**. Those who make themselves our enemy are advancing around the globe. The survival of our friends is in danger. And, yet, **no war has been declared**, **no borders have been crossed** by marching troops, **no missiles have been fired**.

If the press is awaiting a declaration of war before it imposes the self-discipline of combat conditions, then **I can only say that no war ever posed a greater threat to our security**. If you are awaiting a finding of "clear and present danger", then I can only say that **the danger has never been more clear; and, its presence has never been more imminent**.

It requires a change in outlook, a change in tactics, a change in missions; by the government, by the people, by every businessman or labor leader and by every newspaper. For **we are opposed around the world by a monolithic and ruthless conspiracy that relies primarily on covert means for expanding its sphere of influence;** on **infiltration** instead of invasion; on **subversion** instead of elections; on **intimidation** instead of free choice; on **guerrillas by night** instead of armies by day. **It is a system which has conscripted vast human and material resources into the building of a tightly knit, highly efficient machine that combines military, diplomatic, intelligence, economic, scientific and political operations.**

Its preparations are concealed, not published; **its mistakes are buried**, not headlined; **its dissenters are silenced**, not praised. **No expenditure is questioned**; **no rumor is printed**; **no secret is revealed**. **It conducts the Cold War, in short, with a war-time discipline** no democracy would ever hope or wish to match.

Nevertheless, every democracy recognizes the necessary restraints of national security; and, the question remains whether those restraints need to be more strictly observed **if we are to oppose this kind of attack** as well as **outright invasion**.

For the facts of the matter are that this nation's foes have openly boasted of acquiring, through our newspapers, information they would otherwise hire agents to acquire through theft, bribery or espionage; that details of this nation's covert preparations to counter the enemy's covert operations

have been available to every newspaper reader, friend and foe alike; that the size, the strength, the location and the nature of our forces and weapons; and, our plans and strategy for their use, have all been pinpointed in the press and other news media to a degree sufficient to satisfy any foreign power; and, that, in at least one case, the publication of details concerning a secret mechanism whereby satellites were followed required its alteration at the expense of considerable time and money.

The newspapers which printed these stories were loyal, patriotic, responsible and well-meaning. Had we been engaged in open warfare, they undoubtedly would not have published such items. But, in the absence of open warfare, they recognized only the tests of journalism and not the tests of national security. And, my question tonight is whether additional tests should not now be adopted.

That question is for you alone to answer. No public official should answer it for you. No governmental plan should impose its restraints against your will. But, I would be failing in my duty to the Nation, in considering all of the responsibilities that we now bear; and, all of the means at hand to meet those responsibilities; if I did not commend this problem to your attention; and, urge its thoughtful consideration.

On many earlier occasions, I have said; and, your newspapers have constantly said; that these are times that appeal to every citizen's sense of sacrifice and self-discipline. They call out to every citizen to weigh his rights and comforts against his obligations to the common good. I cannot now believe that those citizens who serve in the newspaper business consider themselves exempt from that appeal.

I have no intention of establishing a new Office of War Information to govern the flow of news. I am not suggesting any new forms of censorship or new types of security classifications. I have no easy answer to the dilemma that I have posed; and, would not seek to impose it if I had one. But, I am asking the members of the newspaper profession; and, the industry in this country; to reexamine their own responsibilities; to consider the degree and the nature of the present danger; and, to heed the duty of self-restraint which that danger imposes upon us all.

Every newspaper now asks itself, with respect to every story: *"Is it news?"* All I suggest is that you add the question: *"Is it in the interest of the national security?"* And, I hope that every group in America – unions and businessmen and public officials at every level – will ask the same question of their endeavors; and, subject their actions to this same exacting test.

And, should the press of America consider and recommend the voluntary assumption of specific new steps or machinery, I can assure you that we will cooperate whole-heartedly with those recommendations.

Perhaps there will be no recommendations. Perhaps there is no answer to the dilemma faced by a free and open society in a cold and secret war. In times of peace, any discussion of this subject, and any action that results, are both painful and without precedent. But, this is a time of peace and peril which knows no precedent in history.

It is the unprecedented nature of this challenge that also gives rise to your second obligation – an obligation which I share. **And, that is our obligation to inform and alert the American people; to make certain that they possess all the facts that they need; and, understand them as well – the perils, the prospects, the purposes of our program; and, the choices that we face**.

No President should fear public scrutiny of his program. For, from that scrutiny, comes understanding; and, from that understanding, comes support or opposition. And, both are necessary. I am not asking your newspapers to support the Administration; but, **I am asking your help in the tremendous task of informing and alerting the American people. For I have complete confidence in the response and dedication of our citizens whenever they are fully informed.**

I not only could not stifle controversy among your readers – I welcome it. This Administration intends to be candid about its errors; for, as a wise man once said: *"An error doesn't become a mistake until you refuse to correct it."* We intend to accept full responsibility for our errors; and, we expect you to point them out when we miss them.

Without debate, without criticism, no Administration and no country can succeed; and, no republic can survive. **That is why the Athenian law-maker Solon decreed it a crime for any citizen to shrink from controversy. And, that is why our press was protected by the First Amendment – the only business in America specifically protected by the Constitution – not primarily to amuse and entertain, not to emphasize the trivial and the sentimental, not to simply *"give the public what it wants"*; but, to inform, to arouse, to reflect, to state our dangers and our opportunities, to indicate our crises and our choices, to lead, mold, educate; and, sometimes, even anger public opinion.**

This means greater coverage and analysis of international news – **for it is no longer far away and foreign; but, close at hand and local**. It means greater attention to improved understanding of the news, as well as improved transmission. And, **it means, finally, that government at all levels, must meet its obligation to provide you with the fullest possible information outside the narrowest limits of national security; and, we intend to do that.**

It was early in the Seventeenth Century that Francis Bacon remarked on three (3) recent inventions already transforming the world: the compass, gunpowder and the printing press. Now the links between the Nations first forged by the compass have made us all citizens of the World; the hopes and threats of one becoming the hopes and threats of us all. In that one World's efforts to live together, the evolution of gunpowder to its ultimate limit has warned mankind of the terrible consequences of failure.

And, so, it is to the printing press – to the recorder of man's deeds, the keeper of his conscience, the courier of his news – that we look for strength and assistance, confident that with your help, man will be what he was born to be – free and independent.

Note: *The President spoke at the annual dinner of the Association's Bureau of Advertising held at the Waldorf-Astoria Hotel in New York City. His opening words "Mr. Chairman" referred to Palmer Hoyt, Editor and Publisher of the Denver Post, who acted as chairman of the dinner.*

Citation: John F. Kennedy: "Address "The President and the Press" Before the American Newspaper Publishers Association, New York City.," April 27, 1961. Online by Gerhard Peters and John T. Woolley,

RETURN TO SELF-GOVERNANCE

WE HAVE LOST OUR WAY - We have forgotten our place in history; that beacon upon the top of a mountain as an ensign on a hill. Our strength has become our shame because we put our trust in the shadow of cunning, ambitious and unprincipled men who have trodden down the Law and shackled us with statutes of men. We have become a land of trouble and anguish; deaf to the Law of the Land; a place of oppression and perverseness; we have become the potters' broken vessel. **[Isaiah 30]**

How did America succumb to such a state of being? Unknown forces covertly altered our course without our consent by seizing the reigns of our government. Questions that beg asking are:

1) Why is our education void of classes on "Civics"; void of classes on "The Constitution"; void of classes on "Common Law"?
2) Why have we been told that we need lawyers to interpret the very subjects that define who we are as a People and our control of our own destiny?
3) Why have we been told that America was "not" founded on Common Law?
4) Why have we been told that People who claim that they are "Sovereign" or demand their "Constitutional Rights" are "Terrorists"?
5) And, the most disturbing question: Why do we believe them?
6) How could we have been so blind to all these things when our Founding Documents have been right there for us to see all along; and, why have we been so late in looking!
7) Just exactly who is it that has been whispering these things into our ears? Has it been the Lawyers? The Politicians? The Political parties? Those who Disdain liberty? The Press? The Schools? Entertainment? Or, could it have been "**all**" of the above?

The answer to the question of "who" is the nefarious "Powers that Be"; Discover the struggle of America against this hidden power in our Free Civics Course right here at www.NationalLibertyAlliance.org. If you have not already taken the course, please add it to your curriculum now; it is critical to understanding and recognizing the "Enemy of Liberty".

LIBERTY RISING - Only the People, working together with our Sheriffs and Marshals, can save America; and, they can do so simply by enforcing the law and re-establishing Justice in our courts. This we can accomplish only with informed Common Law Juries and informed Constitutional Officers.

NATIONAL LIBERTY ALLIANCE IS A FACILITATOR of education, organization, communication and principles with the sole objective of empowering People in the re-founding of America; and, instructing those who respond in how to do so. We are thousands of People poised in every State across America, approaching the intersection of terminal velocity and critical mass which we trust will be met in 2016 by the juncture of the will of God with that of his People.

OUR PLAN, founded in the Magna C[h]arta, Paragraph 61; and, being propelled into fruition, is to build Civil Administrations in every county that will serve as a conduit between the People and the Grand Jury; and, an investigative body for the Grand Jury. This Administrative Body will provide orientation, guidance and administration for the trial and grand juries. Grand Juries are seated for short periods of time; maybe a week; or, maybe five (5) or six (6) days out of a month, depending upon the county court case workload. It would be a wrong-doing to seat a Grand Jury indefinitely.

After filing press releases in every county across America which called for an assemblage of the People to re-constitute the Common Law Grand Jury in each of the 3,143 counties, we established a Unified State Common Law Grand Jury in each of the fifty (50) States; then, we assembled across the Nation to form the Unified United States Common Law Grand Jury; an extraordinary act necessary to secure our Nation.

THE SOLE PURPOSE OF THIS GRAND JURY is to meet head-on those subverts of the United States of America who are warring against the Constitution; and, thereby, warring against We the People. This Unified United States Common Law Grand Jury, as is customary to juries, will remain seated until it achieves its goal of securing Liberty and reinstating self-government at the grass-roots level, i.e., the county level, by reinstating justice in our courts.

SELF-GOVERNMENT requires self-rule and a liberated mind; a mind uncontrolled by Uncle Sam. The political process is one thing; politics is another. Because we desire liberty, we must exercise the former and exorcize the latter. The idea that we can elect lawyers and politicians to solve our woes is absurd. We have been indoctrinated by the powers that be to think in the following opposing terms which are in reality "two sides of the same coin". To think in opposing terms would leave us divided, never able to come to solidarity of truth.

1) As long as We the People are pitted by right verses left, we will never find the center, which is where liberty resides.
2) A liberal mind requires conservative thinking, which is where liberty is found.
3) A republican government requires a democratic selection of our representatives which is where liberty is practiced.

Unalienable rights can only be had by those who have found and live under a Common Law Constitution. George Washington said: "*Government is not reason, it is not eloquence; it is force! Like fire, it is a dangerous servant and a fearful master; never for a moment should it be left to irresponsible action*." And yet, we have been indoctrinated into believing we can control that fire with politics, which is the epitome of irresponsible actions. George Washington, in his farewell address, left us the following warning: "*However [political parties] may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the power of the people; and, to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion*." And, it was Thomas Jefferson who pulled back the curtain, unveiling the power behind that fire when he said: "*If the American people ever allow private banks to control the issue of their currency, first by inflation, then by deflation, the banks and corporations that will grow up around*

them will deprive the people of all property until their children wake up homeless on the continent their Fathers conquered."

Presently the BAR Association, created and controlled by banksters, control our judicial system. They have corporatized our government at every level; from the most menial village to Washington. They control our legislators; they control our financial system; they robbed our gold and silver; they destroyed our manufacturing base; they taxed us into submission; they drove us into a debt from which it is impossible to recover; they keep us in perpetual war; they stole our press; they control our entertainment and media; and, through those means, they have demoralized us; they control our education; they rewrote our history; they spy on us; they track us; they licensed our liberties; they have taken control of our families; they send swarms of "child protective service workers" to interfere with the rearing of our children; they have incorporated our churches; they rob our elderly in probate courts; they steal our children in family court; they send swarms of code enforcement officers to control our every move; they incarcerate anyone who challenges their authority and claims their God-given right as a sovereign; they have bankrupted our nation; and, they are auctioning off our resources to foreign countries. They have done and continue to do all this because they control our courts; and, thereby, our government. This is the work of the veiled "powers that be". By taking back our courts, we will take back everything; we will reset the clock to 1789; and, we will then introduce the corrupt "powers that be" to the righteous power of Justice.

CAMPAIGN FOR JUSTICE 2016 -- Now that you have an understanding of what America was meant to be, which is "FREE" and "INDEPENDENT", you have a duty to yourself and your posterity to act upon this new-found knowledge by sounding the alarm; and, thereby, joining We the People peacefully save America in We the Peoples' Campaign for Justice.

Through this paper Sheriffs and Marshal are being reminded that an oath to defend the Constitution for the United States of America was taken by each; therefore, each has a duty to act. When a Sheriff or Marshal remains silent or inactive he becomes a co-conspirator in the subversion.