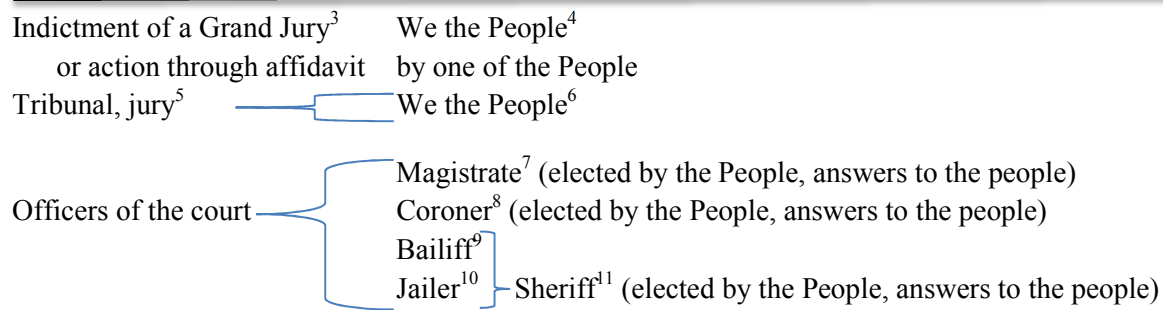


COURT OF (COMMON) LAW¹

The opening of a court of record is by action², indictment or presentment by the People. The conclusion of a court of record is upon a verdict by the People. All the officers needed for a functioning of a court of record answer to the People and can only be removed by the People alone; they are magistrate, coroner and sheriff (bailiff and jailor). All criminal cases are under law; civil cases are under law or equity, according to the common (see US Constitution Article VI) law of the land, as determined by the plaintiff.



Court officers such as magistrates, coroner and sheriffs are elected by and answers directly to the People; The control of these positions by the People are an unalienable right, these elected positions cannot be vacated by any other elected servant or through legislation, to attempt such is an act of war.

¹ **Court of Law** - In a wide sense, any duly constituted tribunal administering the laws of the state or nation; in a narrower sense, a court proceeding according to the course of the common law and governed by its rules and principles, as contrasted with a "court of equity."

² **PLAINTIFF**. A person who brings an action;

³ **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, 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 offence 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.

⁴ **Preamble** - We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

⁵ **Jury** - As understood at common law and as used in constitutional provision, "jury" imports body of twelve men. State v. Dalton, 206 N.C. 507, 174 S.E. 422, 424; People ex rel. Cooley v. Wilder, 255 N.Y.S. 218, 222, 234 App.Div. 256; Hall v. Brown, 129 Kan. 859, 284 P. 396.

⁶ **Tribunal** - A judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it [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]

⁷ **Magistrate** - Person clothed with power as a public civil officer. State ex rel. Miller v. Mc-Leod, 142 Fla. 254, 194 So. 628, 630. an officer having power to issue a warrant for the arrest of a person charged with a public offense. Pen. Code Cal. § 807.

⁸ **Coroner**. The name of an ancient officer of the common law, whose office and functions are continued in modern English and American administration. The coroner is an officer belonging to each county, and is charged with duties both judicial and ministerial, but chiefly the former. It is his special province and duty to make inquiry into the causes and circumstances of any death happening within his territory which occurs through violence or suddenly and with marks of suspicion. This examination (called the "coroner's inquest") is held with a jury of proper persons upon view of the dead body. See Bract. fol. 121; 1 Bl.Comm. 346-348; 3 Steph.Comm. 33.

⁹ **Bailiff** - A sheriff's officer or deputy. 1 Bl.Comm. 344. A court attendant.

¹⁰ **Jailer** - A keeper or warden of a prison or jail. Lefman v. Schuler, 317 Mo. 671, 296 S.W. 808, 814.

¹¹ **Sheriff** - The chief executive and administrative officer of a county, being chosen by popular election. His principal duties are in aid of the criminal courts and civil courts of record; 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. Harston v. Langston, Tex.Civ. App., 292 S.W. 648, 650. When used in statutes, the term may include a deputy sheriff. Lanier v. Town of Greenville, 174 N.C. 311, 93 S.E. 850, 853.

COURT OF RECORD

Court of "Law" means Court of Common Law - a court for the People **CORAM IPSO REGE - BEFORE THE KING HIMSELF (GOD)**. A "court of record" is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial. **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.**

To be a court of record a court must have four characteristics, and may have a fifth, they are:

- 1) "Judicial tribunal (Jury who sit on the King's bench) having attributes and exercising functions independently of the person of the magistrate designated generally to hold it"¹²
- 2) "Proceeding according to the course of common law"¹³
- 3) "Its acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony"¹⁴.
- 4) Has power to fine or imprison for contempt¹⁵.
- 5) Generally possesses a seal¹⁶.

SHERIFF – (Blacks 4th) *"The chief executive and administrative officer of a county, being chosen by popular election. His principal duties are in aid of the criminal courts and civil courts of record; 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."* **Harston v. Langston, Tex.Civ. App., 292 S.W. 648, 650.** *"When used in statutes, the term may include a deputy sheriff."* **Lanier v. Town of Greenville, 174 N.C. 311, 93 S.E. 850, 853.**

POSSE COMITATUS (Latin) – *"The power or force of the county; the entire population of a county above the age of fifteen, 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.**

THEREFORE Control of the Court is to be in the People under God. We the People cannot permit the Court entrusted to us by the Governor of the Universe to remain one day longer than necessary, by the will of God¹⁷, in the hands of tyrants whereas their imminent judgment in this world beckons¹⁸.

¹² 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

¹³ 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 4th Ed., 425, 426

¹⁴ 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

¹⁵ 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. Black's 4th Ed

¹⁶ 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. Black's 4th Ed

¹⁷ John 19:10-11 Then saith Pilate unto him, Speakest thou not unto me? knowest thou not that I have power to crucify thee, and have power to release thee? Jesus answered, Thou couldest have no power at all against me, except it were given thee from above: therefore he that delivered me unto thee hath the greater sin.

¹⁸ Mat 12:36-37 But I say unto you, That every idle word that men shall speak, they shall give account thereof in the day of judgment. For by thy words thou shalt be justified, and by thy words thou shalt be condemned.