National Liberty Alliance

Monday Night Conference Call

August 29, 2016

Opening Song: Hold On

Topic: Jurisdiction

Call-In Number: 605-562-3140 Participant Code: 385698

Questions can be e-mailed to questions@nationallibertyalliance.org

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Scripture Reading: 1 Corinthians 13: 1-13

Papers posted under Grand Jury at the nationallibertyalliance.org website:

* [16-08-22 Memorandum Jurisdiction](http://www.nationallibertyalliance.org/files/usa-a-bundy/16-08-22%20Memorandum%20Jurisdiction.pdf)

The ten page paper begins as follows:

“Jurisdiction: Court of Record, under the Plaintiffs rules of Common Law1 Case no. - Against - Magistrate: MEMORANDUM OF LAW Defendants IN SUPPORT OF JURISDICTION AUTHORITY The unalienable right of the sovereign People to self-governance was ordained by God, established in the Declaration of Independence and ordained by We the People through the Constitution who are the authority of all law. “We hold these truths to be selfevident, 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. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, 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.” Any servant who resists these truths “Wars against the Governor of the Universe and Wars against the People”.”

The ten page paper ends with the following:

“CONCLUSION: All Article III courts are courts of record and are to proceed under the rules of common law. Common law is nature’s law ordained by God. Constitutions are an unalienable right ordained by sovereign People. Legislators are bound by the chains of the Constitution and have no authority to create governments or write laws outside those bonds. Any judge resting in fiction of law proceeds under the color of law and loses all immunity. Decisions of such 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.”

(the reading of the paper ended at 34 min)

You want to be in a court of record. That is trial by jury.

NLA has been watching what they have been doing in Oregon in the choosing of the juries.

John has a paper from New York which is a questionnaire. John may post it at the website.

John is trying to get a copy of the paper with the questions that they are asking in Oregon

He is trying to get transcripts of the four days of hearings.

They are trying to do a psychological profile to pick out a particular jury that is minded in a certain way

They chose about 1500 people and they are trying to break it down to 150 people.

This is a major problem

This is trial by government

They are going to have a government controlled jury

These people can’t win

It is completely set up

(39:47)

Gerard made some comments

The fact that you know somebody should not be a fact that precludes you from the jury.

When they said a jury of your peers years ago, it was people in your community that knew you.

If you have a trial in a small community, the only way you can get a jury that doesn’t know the man would be to move the trial to a different community.

Every week NLA gets questions such as are there any statutes such as Cruden v Neale that say statutes and codes not apply to the common man

Everything John read in that memorandum answers that question

You don’t need a statute to tell you what the right thing to do is.

If it is repugnant to the Constitution, it is null and void

You need to learn the Constitution.

Codes and statutes can’t stand by themselves.

If they violate the unalienable rights of a person then they are null and void

We never gave legislators the power to write law.

We gave them the power to write legislation which would be statutes.

Juries are not there to uphold the law. Juries are there to uphold justice.

QUESTIONS:

Question : By what authority does a judge have the right to put someone in jail for contempt of court?

Brent answered the question:

Brent Winters is author of Excellence of the Common Law

Brent’s website is commonlawyer.com

(50:47)

Somebody asked a question about contempt

And the question was by what authority does a court have to hold a person in contempt?

In common law only courts of record have true authority to hold a person in contempt

The authority to hold a fellow in contempt in a court of record is inherent in the judicial power.

The judge has the responsibility to determine what is his right jurisdiction.

We in our common law tradition respect our courts.

We respect our courts because God said to.

Even if you have to disagree with the court, you do it respectfully

That’s part of our common law tradition

There are two types of contempt

There is civil contempt which is the power of the court to compel a fellow to do something that it says he must do

And then there is criminal contempt and that is where a man makes a personal affront to the judge in his face in the presence of the judge, tells him off

This is just good common sense

It never pays to tell anybody off.

To do so is to be lawless

God says don’t do it

Our common law says don’t do it

The only remedy to lawlessness, if you think a judge is lawless, the only remedy is law.

And it would be wrong for anyone to violate the law to get at the judge.

It’s against the law , in common law, to arrest a judge during court.

A citizen’s arrest can only be for a felony, not a misdemeanor.

You have to catch the guilty party in the act.

True authority comes from God.

Romans chapter 13 verses 1, 2,3, 4, 5, and 6 Read those verses in the Geneva Bible. The King James was tilted by the translators to give King James power

The Magna Carta, written in Latin, not English, written in Latin by a fellow by the name of Stephen Langton Stephen Langton is the man who gave us the chapter divisions of our Bibles.

It is no accident that Jesus Christ chose 12 men off of the street to be witnesses of His Messiahship and testify to it later.

G K Chesterton, an essayist from Australia, wrote an essay after he went to jury duty , he wrote an essay on why do we have juries.

I finally concluded that the reason that we have juries , it isn’t that all police officers are bad men, it isn’t that judges are all bad men, it isn’t that all bailiffs and lawyers are bad men, but it is true that these policemen, bailiffs, and judges, and lawyers, he said that they just get too used to it. They get too used to the whole process. They, these lawyers, and judges, and policemen there is no way that any of them could have felt what I felt sitting in the jury box listening to all of this because they are hard to it. They live with it everyday. (1:10:19)

Chesterton said this: If we want to catalog a massive library, or we want to find another galaxy, or name a new planet or star, he said, we consult the experts. But if we want to decide who lives or dies in a criminal case such as rape or murder we just grab 12 guy standing around in the street and ask them what to do with it. And that is fact. And therein lies the genius of our common law. Because the jury doesn’t exist anywhere else in the world.

We trace the jury back to the mind of God Himself who appointed 12 witnesses to the facts of the case.

The jury in our common law courts is the same job today. The jury sets in the trial and they witness the evidence. They are 12 witnesses. Juror means “sworn one”.

Sworn to do certain things.

Sworn to testify, to witness , to see and hear the tangible evidence and then come to a conclusion.

(1:12:42)

Whoever controls the facts controls everything

Common law juries have the power to judge the law

And the government hates that

A peer is in Latin, written in Latin, Stephen Langton, gave us the Chapter divisions of our Bibles, uses the Latin word Pares and translated peers. It is related to our word pair. As a pair of shoes. A pair of shoes are peers one unto another.

A peer is one who corresponds to you

When the idea of peer arose, peer, as a jury, in common law there were no classes of people.

There is a forgotten principle, it used to be fundamental It is a document that was written to Parliament by the clerics, by the clergy of England. What if a person takes an oath and later discovers is an unlawful oath. The men at Westminster said that if you take an unlawful oath you have a duty that is immediate to disregard it. Because you are taking an oath to do something unlawful, you have a duty , not an option, a duty, to disregard it.

The document is called the Westminster Confession.

If you go in for jury duty and they tell you to take an oath to obey the instructions of the judge , there is nothing wrong with taking that oath. But if you discover that what the judge is telling you to do is wrong then it is your duty, not your option, it’s your duty as a juror to disregard the oath and do what is right. It is always every man’s and every woman’s duty to disregard everything and everybody that he believes is wrong and make his own decisions.

John asked Brent for his opinion about the person on the jury knowing the person. It might be better if he did not know the character as to be biased as to for or against

Brent acknowledged John’s objections to be well thought out and he does not disregard them.

But in common law a peer was somebody that knew you.

He lived right beside you, he was in your neighborhood, he was your neighbor.

You are entitled to be judged by people that knew you.

We’ve gone afield from that.

There is no such thing as a man or woman that is not biased.

Bias is an old French Norman law word that came from the Norman’s and it’s used in our courts and bias in the old French tongue referred to a billiard ball that’s weight was off center. And so when you punched it with the cue it always sliced in one direction or the other. No matter what you did it always rolled that way because that was the way it was made on the inside.

To really know a person is to be able to have mercy upon him.

Peers are those that live in your community.

Brent recommends reading Lysander Spooner’s exposition of Magna Carta Jury of Peers

Lysander’s Exposition is at the National Liberty Alliance Website under Education and then click onto essays and lectures. It can be found in audio and in written word.

It’s a PDF book.

Jan made an announcement about the case in Oregon

There are no jurists from Harney County where the crime took place.

Grant County, the county next door, has zero jurists.

If you go west one county, there are no jurists drawn.

If you go north from Grant there are four more counties that have no jurists drawn.

Federal courts got this down to a science

They know how to get what they want.

The juries are stacked often in federal court.

The militia is mentioned in other parts of the Constitution besides the four militia clauses.

Article 4 Section 4 Clause 1

## Section 4.

The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

John had a question

We have 94 federal district courts that cover all 50 states

We also have the court of appeals which is broken up into twelve sections.

Each one of these 94 districts fall into these courts of appeal.

Above that you have the Supreme Court which is the one court with national jurisdiction.

The one Supreme Court that the Constitution calls for.

All of these courts are in disobedience to the U S Constitution.

The way that they are operating and what they are doing, there are a lot of questionable things.

There seems to be a court in Washington DC

It may have been referred to as a court of appeals in Washington DC.

This court was the original where John Jay sat.

Is Brent familiar with what John is talking about?

The DC circuit is what John is talking about would be Brent’s guess.

It is the court that handles all of the challenges and constitutionality of what goes on in Washington DC.

(1:42:16)

Federal courts are not following the Constitution

(1 hr 53)

John moved on to Gerard

CALLERS

Caller 1: California Jeremiah Donaldson

(2:03:18)

Is there a relationship between the police department that work for the local community and the militia because they have state authority to represent the people in the local communities that that would be considered a modern day militia?

Gerard’s parents wanted to support the local police department because the people have more control over local. Your local police departments are nothing more than statutory regulation bill collectors. Years ago we used to have constables in the neighborhood. They kind of knew everybody and it was kind of like a Barney Fife thing. I don’t see a lot of peace officers today. It is basically statutory regulation

Caller said that so many violations of the Fifth Amendment right of not self incrimination are taken place that if you read the Fifth Amendment it says except in times of public danger when the militia have been called to service. That means that your Fifth Amendment right of nonincrimination can be suspended when the militia is called forth in times of service or in public danger.

If the courts are open they have to give you your constitutional rights.

If there are problems going on and the courts can’t open then now you are under a type of military rule.

If they catch you doing something then they will put you in the stockade and you will not get all the rights afforded under the Constitution because it is impossible for them to get a jury of your peers. It’s a necessity type thing.

Caller 2: Wisconsin Randy

Are you using habeas corpus for foreclosure, challenging jurisdiction?

No we are not. On the foreclosures, we are handling them a little different.

 We have not done any foreclosure problems for awhile.

It is alerting the court and the local sheriff of the fraud that is taking place. And showing them how the fraud is taking place. Both of which is incapable of understanding. If they tried to understand it then they would and could.

It is getting the sheriff to work with the people. The sheriff has to protect you.

Once we get to the other side of things you have every right to go back to get them back.

To get to the other side is to bring common law back into the court system.

We have to hit critical mass

We have to be of one accord.

And we have to finally get into that court room.

And get rid of all of these people that are in bad behavior.

If you want to get your property back then we need to get the courts back first.

Learn what we are doing and work with us.

Caller 3: 6912

His sister is going to a small claims court. She paid money to an agency that said she owed them. The agency changed owners. They are holding her money and put a lien on it

She does not know about the court. Can caller help her out and handle that for her in small claims court?

Small claims only deals with a certain amount. Small claims is up to $5,000 now

His sisters amount is $1,400

Nobody has to go to small claims court

That’s an administrative court.

Sometimes in certain cases you can get a lawyer and clear it up quickly

But if you can handle it yourself then you file your own paperwork

They won’t recognize Next Friend because it is an administrative court system.

They may not recognize the federal rule of Next Friend.

You can help her file paperwork.

If you are nice and polite the judge may let you get away with a lot of stuff that you can’t get away with in a regular court.

She can file a complaint

Make a complaint and file a small claims

Caller 4: Michigan Don

(2:26:11)

The militia is all of us

It is every able bodied person

In OathKeepers we are not a militia

But what we are trying to do is trying to communicate with our sheriffs and police and EMS and Fire and we are letting them know that we are here and we are going to show up as help if things get out of hand. One of the missions of the Oathkeepers is to go and assist.

They militia are training constantly. They are picking up new skills.

They are just waiting for that time to come when they are needed.

We don’t need anyone to call out the militia. They are going to come forth.

Caller said that Stewart Rhodes still thinks that NLA is a bunch of tin foil hat wearers.

Stewart Rhodes has a big impediment. He is a Harvard trained lawyer.

His impediment is his law degree.

They got them so locked down in their thought process.

They have been trained to think a certain way.

(2:42:52)

Caller 5: David

Caller knows a guy that was down in Florida three years ago on vacation with his wife . And they went out and had a few drinks . He got pulled over for 8 miles over the speed limit. They gave him a D U I and put him in jail down there. He bailed out. He and his wife came back to Pennsylvania . At the time he didn’t have much money so he got a court appointed lawyer. The female lawyer would handle the case from out of state. She would present before the judge the case. She went on maternity leave and forgot about him. They put a warrant out because he didn’t show up for court. The put the warrant out not knowing the situation. He borrowed some money and got a lawyer and this lawyer took the $5,000 and did nothing. Remote rip off. He still has a warrant after three and a half years. The D A says that the best thing that you can do is to come down and face the music.

He is going to have to file paperwork.

You could look into statutes of limitations.

If they can’t extradite him then don’t drive in the neighborhood.

If it has been three and a half years I would look into statute of limitation.

Closing Song: Dust in the Wind