



## **JUROR'S HANDBOOK**

The purpose of this booklet is to revive, as Jefferson put it, "*The Ancient Principles*" - the Ten Commandments and the Common Law, which is, in simple terms, just plain common sense and has its roots in the Ten Commandments.

It is designed to bring to your attention the several ways our nation's Founders provided to ensure that YOU, rule this nation. (not the growing army of demagogues -politicians, judges, lawyers, and bureaucrats).

It focuses on the rule of Power you possess as a CITIZEN, a VOTER & a JUROR, how you got it, why you have it, and remind you of the basis on which you must decide not only the facts placed in evidence but also the validity or applicability of every law, rule, regulation, ordinance, or instruction given by any man seated as a judge or attorney when you serve as a JUROR.

It is the duty of jurors, sheriffs, bailiffs and justices to resist all infringements upon the rights of The-People without delay.

**Thomas Jefferson** said: "*Whenever people are well-informed they can be trusted with their own government.*" Clearly the government cannot be in charge of deciding for themselves whether or not they should indict themselves on criminal charges. *This is precisely why we have so much corruption in our government.*"

It is the duty of The-People to stand up as the faithful and wise stewards (Luke 12:42), and bring the *servants* who think themselves *master* back into subjection.

### **COMMON LAW IS COMMON SENSE**

The question each jurist must ask themselves is: "Is there an injured party?" There is a Common Law principle which states that for there to be a crime, there must first be a victim (*corpus delicti*); the state cannot be the injured party. In the absence of a victim, there can be no crime. This the grand jurist must discover.

*"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 may ask by representatives, freely and equally chosen; that it is their right and duty to be at all times armed; to freedom of person; freedom of religion; freedom of property; and freedom of the press."*

(--**Thomas Jefferson**, to John Cartwright; June 5, 1824)

In 1776 we came out of BONDAGE with Understanding, Faith, and Courage. There are few ways out of bondage. Bloodshed and war often result, but our founding fathers found a better way.

Realizing that [a Creator is always above and greater than that which He creates](#), they established a three vote system by which an informed citizenry can control those acting in the name of the government. To be a good master you must always remember the true "pecking order" or chain of command in this nation:

**1. GOD created man**, who was endowed with all the GOD-given

Natural Rights & Powers.

**2. Man created Government, his SERVANT**, to PROTECT his

RIGHTS & Powers: Life, Liberty, Property & the Pursuit of Happiness. [He did NOT give up ANY of his powers](#) - he loaned them - ONLY as long as government does as Man wants & expects of his Servant.

**3. Man created a Constitution** that defines how his Government will work and exactly what Powers he loaned to it.

The base of power was to remain in "*We-The-People*" but unfortunately, [it was largely lost](#) to those leaders acting in the name of the government, - **Demagogues** - such as politicians, judges, bureaucrats, lawyers, etc. As a result, America began to function like a Democracy instead of a REPUBLIC.

## **A Democracy is dangerous**

because it is a one-vote system,

**There are NO Protections for Minorities where Majority Rules.**

Our Republic has a Constitution, which defines the Rights of EVERYBODY, weak or strong, rich or poor, and it has **ONLY the LIMITED Powers necessary** to carry out its work.

Our Republic has **three votes** to check tyranny - not just one.

**HOWEVER, most American citizens have NOT been informed of their other two votes.**

The second & third votes are the most effective means by which the common people, [only of OUR nation](#), have in controlling those appointed to serve us in government.

[Our first vote](#) is [at the polls on election-day](#) when we pick those who are to represent us in the seats of government. But what can be done if those elected officials just don't perform as promised or expected?

[Our second vote](#) comes [when we serve on a Grand Jury](#). Before anyone can be brought to trial for a capital or infamous crime by those acting in the name of the government, permission must be obtained from "*The-People*" - those serving on the Grand Jury!

*"A Grand Jury's purpose is to protect the public from an overzealous prosecutor."*

The Minneapolis Star and Tribune March 27, 1987,

## **The Grand Jury is Separate from the Courts**

which do not preside over its functioning. It may compel the production of documents and compel sworn testimony of witnesses to appear before it. The Grand Jury does not decide innocence or guilt - only if there is sufficient evidence to show probable cause & a trial is warranted.

The Grand Jury was the most admired jewels of the Common Law. But rather than leave it as an entity of the Common Law, subject to whims of judges, our Founders uniquely made it a part of the statutory law in the Constitution.

Not only that, but they made it indispensable to the protection of our Constitutional Liberties by giving it oversight of the check and balance powers of the other three branches.

It is an absolutely independent entity of government, in essence a 4<sup>th</sup> branch of Government. The other three branches are subservient to their inquisitorial power, both civil and criminal.

It is the "DUTY" of the Common Law Grand Jury to expose all fraud and corruption, whether it is in the political or judicial realm, and stop it!

The Authority of the Grand Jury is found only in the Bill-of-Rights, therefore **it comes from God - not government.**

**Our third vote** is the most powerful vote: this is when you are acting as a Jury Member during a courtroom trial. At this point, "the buck stops" with you! It is in this setting that

**each JUROR has MORE POWER than the President, all of Congress, and all of the judges combined!**

Congress can legislate (make law), the President or some other bureaucrat can make an order or issue regulations, and judges may instruct or make a decision, but

**No JUROR can ever be punished for voting "Not Guilty!"**

Any juror can, with impunity, choose to disregard the instructions of any judge or attorney in rendering his vote.

**If only one JUROR should vote "Not Guilty" for any reason, there is no conviction and no punishment at the end of the trial.**

Thus, those acting in the name of government must come before the common man to get permission to enforce law.

**YOU ARE ABOVE THE LAW!**

As a JUROR in a trial setting, when it comes to your individual vote of innocent or guilty, **you are truly answerable only to GOD ALMIGHTY**. The First Amendment to the Constitution was born out of this great concept.

**However, judges of today refuse to inform JURORS of their RIGHTS.** The Minneapolis Star and Tribune Nov 30, 1984

**"What Judges Don't Tell Juries"** stated:

*"At the time of adoption of the Constitution, the jury's role as a defense against political oppression was unquestioned in American jurisprudence. This nation survived until the 1850's, when prosecutions under the Fugitive Slave Act were largely unsuccessful because juries refused to convict."*

*"Then judges began to erode the institution of free juries, leading to the absurd compromise that is the current state of the law. While our courts uniformly state juries have the power to return a verdict of not guilty whatever the facts, They routinely tell jurors the opposite."*

**"The courts do not allow the defendants or their counsel to inform the jurors of their true power. A lawyer saying this would face professional discipline & charges of contempt of court."**

**"By what logic should juries have the power to acquit a defendant but no right to know about that power?"**

The court decisions, that have suppressed the notion of jury nullification, cannot resolve this paradox."

**More than logic has suffered.**

As originally conceived, juries were to be made a safety valve - a way to soften the rigid bureaucracy of the judicial system by introducing **"the common sense of the community"**. If they are to function effectively as the 'conscience of the community', jurors must be told that they have the Power

and the Right to say NO to  
a prosecution in order to achieve a greater good. Not telling jurors this undermines one of our most important institutions."

*"Perhaps the community should educate itself.  
Then citizens called for jury duty could teach  
the judges a needed lesson in civics."*

One JUROR can stop tyranny with a "NOT GUILTY VOTE!"  
He can nullify bad law in any case, by "HANGING THE JURY!"

*"I am only one, but I am one. I cannot do everything,  
but I can do something. What I can do, I should do  
and, with the help of God, I will do!"* -- Everett Hale

### **The only power the judge has over the JURY is their ignorance!**

*"The jury has the right to judge both the law as well as the  
facts in controversy."*

John Jay, 1st Chief Justice U.S. supreme Court, 1789

*"The law itself is on trial quite as much as the cause which is  
to be decided."*

Harlan F. Stone, 12th Chief Justice supreme Court, 1941

*"The pages of history shine on instances of the jury's exercise  
of its prerogative to disregard instructions of the judge..."*

U.S. vs. Dougherty, 473 F 2" 1113, 1139. (1972)

\*Supreme is not capitalized in the Constitution, however Behavior is.

### **ESSAY on the TRIAL by Jury**

In the First JURY Trial before the supreme\* Court, in 1794, the  
Charge to the Jury illustrated the TRUE POWER OF THE JURY:

*"... it is presumed, that the juries are the best judges of facts;  
it is, on the other hand, presumed that the courts are the best  
judges of law. But still both objects are within our power of  
decision. You have a right to take upon yourselves to judge of  
both, and to determine the law as well as the fact in  
controversy."* -

(State of Georgia vs. Brailsford, et al, 3 Dall. 1)

*"The JURY has an unreviewable and irreversible power . . . to  
acquit in disregard of the instructions on the law given by the  
trial judge.." U.S. vs. Dougherty, 473 112" 1113, 1139 (1972)*

Hence, JURY disregard of the limited and generally conviction-  
oriented evidence presented for its consideration, and JURY  
disregard for what the trial judge wants them to believe is the  
controlling law in any particular case (sometimes referred to as  
"JURY lawlessness")\* is not something to be scrupulously avoided,  
but rather encouraged.

**\* Jury lawlessness means willingness to nullify bad law.**

### **The Right of the JURY to be TOLD of Its Power**

Almost every JURY in the land is falsely instructed by the judge  
when it is told it must accept as the law that which is given to  
them by the court, and that the JURY can decide only the facts of  
the case. This is to destroy the purpose of a Common Law Jury,  
and to permit the imposition of tyranny upon a people.

*"There is nothing more terrifying than ignorance in action."*

Goethe (engraved at the Naval War College)

*"It is error alone which needs the support of government.  
truth can stand by itself."*

-- Thomas Jefferson

The JURY'S options are by no means limited to the choices  
presented to it in the courtroom.

*"The jury gets its understanding as to the arrangements in the legal system from more than one voice. There is the formal communication from the 'judge.' There is informal communication from the total culture—literature; current comment, conversation; and, of course, history and tradition." (Dougherty cited above, at 1135)*

## **LAWS, FACTS AND EVIDENCE!**

Without the power to decide what facts, law and evidence are applicable, JURIES cannot be a protection to the accused. Thus, if government can manipulate and control both the law and the evidence, the issue of fact becomes virtually irrelevant. In reality, true JUSTICE would be denied leaving us with a trial by government and not a trial by JURY!

## **HOW DOES TYRANNY BEGIN?**

**Unchecked power is the foundation of tyranny.**

It is the JUROR'S duty to use the JURY ROOM as a vehicle to stem the tide of oppression and tyranny: To peacefully prevent bloodshed, the JURY is the primary vehicle for peaceful restoration of LIBERTY, POWER AND HONOR to "We-The-People!"

### **YOUR VOTE COUNTS!**

Your vote of NOT Guilty must be respected by all members of the JURY— **it is the RIGHT & DUTY of a Juror to Never, Never, Never yield his or her sacred vote**—for you are not there as a fool, merely to agree with the majority, but as an officer of the court and a qualified judge in your own right. Regardless of the pressures or abuse that may be heaped on you by any other members of the JURY with whom you may in good conscience disagree, you can await the reading of the verdict secure in the knowledge you have voted your own conscience and convictions—and not those of someone else.

### **YOU ARE NOT A RUBBER STAMP!**

**By what logic do we send our youth to battle tyranny on foreign soil, while we refuse to do so in our courts?**

*"If we love wealth better than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not your counsels or your arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that ye were our countrymen." Samuel Adams*

Let's not forget what Lysander Spooner said: *Unless the weaker party has a veto, they have **no power whatever** - No Liberties. **The trial by jury is the only institution that gives the weaker party any veto upon the power of the stronger. Consequently, it is the only institution that gives them any effective voice in the government, or any guaranty against oppression.***

## **GIVE ME LIBERTY OR GIVE ME DEATH!**

Young Christian attorney Patrick Henry saw why a JURY of PEERS is so vital to FREEDOM! It was March 1775 when he rode into the small town of Culpeper, Va. He was totally shocked - there, in the middle of the town square was a minister tied to a whipping post, his back laid bare and bloody with the bones of his ribs showing. He had been scourged like JESUS, with whips laced with metal. Patrick Henry is quoted as saying: "I turned to someone and asked what the man had done to deserve a beating such as this."

## FOR NOT BUYING A LICENSE!

The reply was that the man was a minister, one of twelve who were locked in jail, they were being SCOURGED because they refused to buy a license. A license often becomes an arbitrary control by the government that makes a crime out of what ordinarily would not be a crime.

### **It Turns a Right into a Privilege!**

Three days later they scourged him to death. This was the incident, which sparked Christian attorney **Patrick Henry** to write the famous words which later would become the rallying cry of the Revolution:

*"What is it that gentlemen wish? What would they have?  
Is life so dear, or peace so sweet, as to be purchased at the  
price of chains and slavery?  
Forbid it, Almighty God! I know not what course others may  
take, but as for me,  
**GIVE ME LIBERTY OR GIVE ME DEATH!"***

Later he made this part of his famous speech at St. John's Episcopal Church in Williamsburg, Va.

## **JURY OF PEERS**

Our forefathers felt that in order to have JUSTICE, it is obvious that a JURY of "PEERS" must be people who actually know the defendant. How else would they be able to judge motive and intent? "PEERS" of the defendant, like RIGHTS of the JURY have also been severely tarnished. Originally, it meant people of

*"equals in station and rank," (Black's 1910),  
"free-holders of a neighborhood." (Bouvier's 1886),  
"A companion; a fellow; an associate". (Webster's 1828).  
"Those who reside near him, his neighbors, and who are  
well acquainted with his character and situation in life."  
(Patrick Henry)*

Patrick Henry knew: originally the JURY of PEERS was designed as a protection for Neighbors against outside governmental oppression. Henry States the following,

*"Why do we love this trial by jury? Because it prevents that  
hand of oppression from cutting you off. This gives me  
comfort—that, as long as I have existence, my neighbors will  
protect me." (Elliot, 3:545, 546).*

**Mr. Holmes**, from Mass., argued strenuously that

*"for JUSTICE to prevail, the case must be heard in the vicinity  
where the fact was committed by a Jury of Peers, who would,  
from their local situation, have an opportunity to form a  
judgement of the CHARACTER of the person charged with the  
crime, and also to judge of the CREDIBILITY of the witnesses."  
(Elliot, 2:110).*

**MR. WILSON**, a signer of "The Declaration of Independence," stressed the importance of the JURORS knowing personally both the defendant and the witnesses.

*"Where jurors can be acquainted with the characters of the  
parties and the witnesses—where the whole cause can be  
brought within their knowledge and view—I know no mode of  
investigation equal to that by a trial by jury: they hear every  
thing that is alleged; they not only hear the words, but they  
see and mark the features of the countenance; they can judge  
of weight due to such testimony; and moreover, it is a cheap  
and expeditious manner of distributing justice. There is*

*another advantage annexed to the trial by jury; the jurors may indeed return a mistaken or ill-founded verdict' but their errors cannot be systematical."* (Elliot, 2:5 16)

## **FREEDOM for William Penn**

*"Those people who are not governed by GOD will be ruled by tyrants."* -- William Penn

The year was 1670, Edward Bushnell and three fellow JURORS sitting on a trial of William Penn learned this lesson well. Penn was on trial for violation of a "*Conventicle Act.*", an elaborate Act which made the Church of England the only legal church. They refused to bow to the court. They believed in the absolute power of the JURY, though their eight companions cowered to the court. The four JURORS spent nine weeks of torture in prison, often without food and water, soaked with urine, smeared with feces, barely able to stand, yet though he commanded an international shipping enterprise, they would not give in to the judge.

Edward Bushnell said, "*My liberty is not for sale*" These "bumble heads" proved the power of The-People was stronger than any of government - they emerged total victors.

**The Act was struck down by their not guilty vote.**  
**Freedom of Religion was established**  
and became part of the English Bill of Rights

and later it became the First Amendment to the U.S. Constitution. In addition, the Right to peaceful assembly was founded, Freedom of Speech, and also habeas corpus.

The first such writ of habeas corpus ever issued by the Court of Common Pleas was issued to free Edward Bushnell.

Later this trial gave birth to the concept of *Freedom-of-the Press*. Had Bushnell and his colleagues yielded to the guilty verdict sought by the judge and prosecutor, William Penn most likely would have been executed as he clearly broke the law.

**There would have been no Liberty Bell,**  
**no Independence Hall, no city of Philadelphia,**  
**and no State called Pennsylvania,**

for **young William Penn**, founder of Pennsylvania, and leader of the Quakers, **was on trial for his life**. His alleged crime was **preaching and teaching a different view of the Bible than that of the Church of England**. This appears innocent today, but then, one could be executed for such actions. He believed in freedom of religion, freedom of speech and the right to peaceful assembly.

He had broken to government's law, but he had injured no one. The four heroic JURORS knew that only when actual injury to someone's person or property take place is there a real crime.

**No law is broken when no injury can be shown.**

There can be no loss or ending of rights unless actual damage is proven. Many imposter laws were repealed as a result of this.

The trial made such an impact that every colony but one established the jury as The First Liberty to Maintain all other Liberties. It was felt that the liberties of people could never be wholly lost as long as the jury remained strong and independent, and that unjust laws and statutes could not stand when confronted by conscientious JURORS.

**JURORS today face an avalanche of imposter laws.**

JURORS not only still have the power and the RIGHT, but also the DUTY, to nullify bad laws by voting "**not guilty.**"

At first glance it appears almost unfair, **the power JURORS have over government**, but absolutely necessary when considering the historical track record of oppression that governments have wielded over private citizens.

### **LAW OF THE LAND?**

The general misconception is that any statute passed by legislators bearing the appearance of law constitutes the law of the land. The U.S. Constitution is the supreme law of the land, and any statute, to be valid, must be in agreement.

### **It is impossible for a law, which violates the Constitution to be valid.**

This is succinctly stated as follows:

*"All laws which are repugnant to the Constitution are null and void."*

Marbury vs. Madison, 5 US (2 Cranch) 137, 174, 176, (1803)

*"An unconstitutional act is not law; it confers no rights; 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 vs. Shelby County 118 US 425 p. 442

*"unconstitutionality dates from the time of its enactment, not merely from the date of the decision so branding it. No one is bound to obey an unconstitutional law and no courts are bound to enforce it."*

16Am Jur 2"" , Sec 177 late 2d, Sec 256

### **NOW IT'S YOUR TURN!**

You—as a juror—armed merely with the knowledge of what a COMMON LAW JURY really is and what your common law rights, powers and duties really are, can do more to re-establish "**Liberty and Justice for All**" in this State and ultimately throughout all of the United States than all our Senators and Representatives put together. HOW? Even without the concurrence of any of your fellow jurors in a criminal trial, you, with your single vote of "**NOT GUILTY**" can nullify every rule or "law" that is not in accordance with the principles of natural, God-given, Common, or Constitutional Law. It is precisely this power of nullification that makes the trial by JURY one of our most important RIGHTS. It can protect and preserve all of the citizen's other RIGHTS.

*"Woe to those who decree unjust statutes and to those who continually record unjust decisions, to deprive the needy of justice, and to rob the poor of my people of their rights..."*  
Isaiah 10:1,2

*"My people are destroyed for lack of knowledge...! Hosea 4:6*

**Our Constitution is considered a "Miracle", perhaps the greatest document ever written by mere Men.**

*"We must obey GOD rather than men."* Acts 5:29

### **WARNING**

This document may be hazardous to BAD LAWS. Courts may not welcome or approve these truths, neither are they to be construed as legal advice.