The de facto Courts

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De Facto

- **“de facto (di fak-toh also dee or day), adj.[Law Latin “in point of fact”] 1. Actual; existing in fact; having effect even though not formally or legally recognized <a de facto contract> 2. <u>Illegitimate but in effect</u> <a de facto government>. Cf. DE JURE.”** Black’s Law Dictionary 8th Edition, page 1258

De Jure

- **“de jure (di juur-ee also dee or day), adj.[Law Latin “as a matter of law”] <u>Existing by right or according to law</u> …. Cf. DE FACTO; DE GRATIA.”** Black’s Law Dictionary 8th Edition, page 1288

Common Law

- **"Every citizen & freeman is endowed with certain rights & privileges to enjoy which no written law or statute is required. These are the fundamental or natural rights, recognized among all free people.“** U.S. v. Morris, 125 F 322, 325.

Natural Rights

- **"As general rule men have natural right to do anything which their inclinations may suggest, if it be not evil in itself, and in no way impairs the rights of others."** In Re Newman (1858), 9 C. 502.

Common Law Courts

- In order to understand why a Court is de facto, we need to understand the nature of our lawful de jure common law court

Common Law Courts

- **"The judicial power is the power to hear those matters which affect life, liberty or property of the Citizens of the State."** Sapulpa v Land, 101 Okla. 22, 223 Pac. 640, 35 A.L.R. 872

Jury Nullification

- There are lots of cases which talk about jury nullification
- "The common law right of the jury to determine the law as well as the facts remains unimpaired." State v. Croteau, 23 Vt 14, 54 AM DEC 90 (1849)
- There is an organization called the Fully Informed Jury Association (FIJA) that has been trying for many years to educate potential jurors about their rights and duty under the law

Common Law Courts

- **"The very meaning of 'sovereignty' is that the decree of the sovereign makes law."** American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047.
- If the decree of the sovereign makes the law, then who is the sovereign?

“We the People” make the law

- **“STARE DECISIS, n.[Latin “to stand by things decided”] The doctrine of precedent, under which it is necessary for a court to follow earlier judicial decisions when the same points arise again in litigation. “The rule of adherence to judicial precedents finds its expression in the doctrine of stare decisis. This doctrine is simply that, when a point or principle of law has been once officially decided or settled by the ruling of a competent court in a case in which it is directly and necessarily involved, it will no longer be considered as open to examination….” William M. Lile et al., Brief Making and the Use of Law Books 321 (3d ed. 1914).”** Black’s Law Dictionary 8th Edition pg 4403-4404

“We the People” make the law

- res judicata. [Latin “a thing adjudicated”] 1. An issue that has been definitively settled by judicial decision.

What is a Sovereign

- **"Sovereign. A chief ruler with supreme power; a king or other ruler with limited power. An action is not maintainable against a foreign sovereign."** 44 L. T. Rep. N. S. 199.

What is a Sovereign?

- **"Sovereignty is the right to govern, a nation or state sovereign is the person, or persons in whom that resides…."** Chisholm v Georgia 2 Dall. 440

Who are Sovereigns?

- **"The words "people of the United States" and "citizens" are synonymous terms and mean the same thing. They both describe the political body who, according to our republic institutions form the sovereignty, and who hold the power, and conduct the government through their representatives. They are what we familiarly call the sovereign people, and every citizen is one of this people, and a constituent member of the sovereignty."** Dredd Scott v Sandford 60 U.S. 393

Who are Sovereigns?

- **"The sovereign people through their representatives have created the Court and the Board, as well as the municipal council and have defined the rights and duties of each."** Re Casa Loma, (1927) 4 D.L.R. 645

Who are the sovereigns?

- **"The Parliament of Canada and the Legislatures of the several Provinces are sovereign within their spheres defined by the British North America Act, but none of them has the unlimited capacity of the individual."** Chief Judge Renfret, Attorney General of Nova Scotia v Attorney General of Canada, Lord Nelson Hotel Case, 31 Supreme Court Reports [1951]

Who are the Sovereigns?

- **"Translated into constitutional terms, it denotes that the sovereign power which resides in the people is exercised on their behalf by their representatives."**
  Australian Capital Television v Commonwealth, 66 Australian Reports 695

Who are the Sovereigns?

- **"the powers of government in this country are derived from the people who are the ultimate sovereign."** Ridgeway v The Queen, 69 Australian Reports 484

Who are Sovereigns?

- **“…every individual was sovereign over himself…”** House of Lords T.N.L.R. No. 529 [1999] United Kingdom

“We the People” are “Kings and Queens”

- **"People of a state are entitled to all rights, which formerly belong to the King by his prerogative."** Lansing v Smith, (1829) 4 Wendell 9,20 (NY).

- **"It will be admitted on all hands that with the exception of the powers granted to the states and the federal government, through the Constitutions, the people of the several states are unconditionally sovereign within their respective states."** Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997.

Common Law Courts

- **"and because it brings into action, and enforces this great and glorious principle, that the people are the sovereign of this country, and consequently that fellow citizens and joint sovereigns cannot be degraded by appearing with each other in their own courts to have their controversies determined.“** Chisolm v Georgia 2 Dall. 440

“We the People” make the law

- **"A Sovereign is exempt from suit, not because of any formal conception or obsolete theory, but on the logical and practical ground that there can be no legal Right as against the authority that makes the law on which the Right depends." --***Kawananakoa v. Polyblank*, 205 U.S. 349, 353, 27 S. Ct. 526, 527, 51 L. Ed. 834 (1907).

“We the People” make the law

- **“Courts of England will take judicial notice of the status of a foreign sovereign and will not take jurisdiction over him, unless he voluntarily submits to it”** [1894] 1 Q. B. 149.
- **“A foreign sovereign brought suit to restrain the defendants from using a fund in a certain way, and the defendants set up a claim for damages; it was held that the court had no jurisdiction over such claim”** [1898] 1 Ch. 190.

“We the People” make the law

- **"When a foreign sovereign comes into court for the purpose of obtaining a remedy, then, by way of defence to that proceeding (by counter-claim, if necessary), to the extent of defeating the claim, that person sued may file a cross claim . . . for the purpose of enabling complete justice to be done between them."** 29 W. R. 125, per James, L. J.
- **“It is a general rule that the sovereign cannot be sued in his own court without his consent; and hence no direct judgement can be rendered against him therein for costs, except in the manner and on the condition he has prescribed; 40 La. Ann. 856.”** *Bouvier's Law Dictionary, Vol. 1, 1897*

We the People make the law

- **"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, <u>while sovereign powers are delegated to the agencies of government</u>, sovereignty itself remains with the people, by whom and for whom all government exists and acts."** Yick Wo v Hopkins, 118 US 356, at pg 370

Common Law

- **"No action can be taken against a sovereign in the non-constitutional courts of either the United States or the state courts & any such action is considered the crime of Barratry. Barratry is an offense at common law."** State vs. Batson, 17 S.E. 2d 511, 512, 513

Courts

- **COURT. The person and suit of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be.** Black's Law Dictionary, 5th Edition, page 318.

- **COURT. An agency of the sovereign created by it directly or indirectly under its authority, consisting of one or more officers, established and maintained for the purpose of hearing and determining issues of law and fact regarding legal rights and alleged violations thereof, and of applying the sanctions of the law, authorized to exercise its powers in the course of law at times and places previously determined by lawful authority.** Isbill v. Stovall, Tex.Civ.App., 92 S.W.2d 1067, 1070; Black's Law Dictionary, 4th Edition, page 425

Superior Courts

- **"COURTS. A Court, Curia." The king's palace, or mansion; but more especially the place where justice is judicially administered. Co. Lit. 58. The superior courts are those at West minster; and of courts, some are of record, and some not; which are accounted base courts, in respect of the rest. A court of record is that court which hath power to hold plea, according to the course of the common law, of real, personal, and mixed actions, where the debt or damage is 40#. or above ; as the King's Bench, Common Pleas, Sec.** Tomlins 1835 Law Dictionary [emphasis added],

Courts Not of Record

- **A court not of record is where it cannot hold plea of debt or damages amounting to 40s., but of pleas under that sum: or where the proceedings are not according to the course of the common law, nor inrolled, as the county-court, and the court-baron, &c. 1 Inst. 117- 260: 4 Rep. 52 : 2 Rol. Ahr. 574. See Record.** Tomlins 1835 Law Dictionary [emphasis added],

2 types of courts

- **Superior Courts**
  - **General jurisdiction**
- **Inferior Courts**
  - **Limited Jurisdiction**

Jurisdiction

- **"A court of general jurisdiction is <u>presumed</u> to be acting within its jurisdiction till the contrary is shown."** Brown, Jur Section 202; Wright v. Douglas, 10 Barb. (N.Y.) 97; Town of Huntington v. Town of Charlotte, 15 Vt. 46.

Inferior Courts – Superior Courts

- **“Also nothing shall be intended to be within the jurisdiction of an inferior court, but what is expressly so alleged : and if part of the cause arises within the inferior jurisdiction, and part thereof without it, the inferior court ought not to hold plea. 1 Lev. 104: 2 Rep. 16. See tit Abatement, I. 1. An inferior court, not of record, cannot impose a fine, or imprison: but the courts of record at Westminster may fine, imprison, and amerce. 1 1 Rep. 43.; The king, being the supreme magistrate of the kingdom, and intrusted with the executive power of the law, all courts, superior or inferior, ought to derive their authority from the crown ; Staundf. 54; "** 1835 Tomlins Law Dictionary, [emphasis added]

Inferior Court – Superior Court

- **though the king himself cannot now, as anciently, sit in judgment in any court upon civil causes, nor upon indictments, because there he is one of the parties to the suit. 2 Hawk. P. C. c. 1. § 1, 2. The king hath committed all his power judicial to one court or the other. 4 Inst. 71. And by stat. 52 H. 3. c. 1. it is enacted, that all persons shall receive justice in the king's courts, and none take any distress, &c. of his own authority, without award of the king's courts. It is said the customs, precedents, and common judicial proceedings of a court, are a law to that court** 1835 Tomlins Law Dictionary, [emphasis added]

Jurisdictions

- Admiralty
  - –statutory
- Equity
  - –Statutory because of the bankruptcy
- Common Law

Martial Law Statutes

- Alberta Judicature Act Section 15

“In all matters in which there is any conflict or variance between the rules of equity and common law with reference to the same matter, the rules of equity prevail.”

Admiralty Jurisdiction

- **"The admiralty from the highest antiquity has exercised a very extensive criminal jurisdiction."** United States v. Flores, 289 U.S. 137, 139.

- **"Admiralty courts have a jurisdiction over contracts and torts and other special cases."** Waring v. Clark, 5 How. 441, 454-464; Genesse Chief v. Fitzhugh, 12 How. 443, 454. United States v. Flores, 289 U.S. 137, 137, 142. (1933).

Informations

- **“Informations are filed in the court of exchequer for forfeiture, upon seizure of property, for breach of laws of revenue, impost, navigation, and trade.”** (Admiralty, Commerce) Kent's Commentaries, Lecture XVII

Information

- An information is a written accusation if a crime, made by a U.S. Attorney, which permits the government to prosecute an individual without benefit of a grand jury indictment. An indictment is required in any case where a person is being charged with an "infamous crime." The Supreme Court ruled in Makin v. United States, 117 U.S. 348 that any crime for which the punishment is imprisonment is an "infamous crime." In short, prosecutions by Information have long been a means of political suppression and intimidation.

Information

- **"The use of (information) has a long history, For example, in the reign of Henry VII", ..a very oppressive use was made of them for something more than a century, so as to continually harass and shamefully enrich the crown."** Blackstone, 4 BL. Comm 310.

Information

- **"The oppressive use of this mode of prosecution by <u>Information</u> occasioned struggles to procure a declaration of its illegality."** People v. Sponsler, 46 N.W. 450,

Representation

- The right to be represented exists ONLY in a military court room. 10 USC § 838(a)(1)
- **"(1)The accused <u>has the right to be represented</u> in his defense before a <u>general or special court-martial</u> or at an investigation under section 832 of this title (article 32) as provided in this subsection.**"

Admiralty & Civil Law

- **"And the forms and modes of proceedings in causes of <u>equity</u>, and of <u>admiralty</u>, and maritime jurisdiction, shall be according to the civil law."** Wayman and another v. Southard and another, 10 Wall 1, p. 317.

Admiralty

- **"Brown, Vol. 2, 100, lays down the rule in these terms: 'The general rule, however, at present, is, that the admiralty acts only in rem, and that no person can be subject to that jurisdiction but by his consent, expressed by his entering into a stipulation.'"** Ramsey v. Allegrie, 12 Wall 611, p. 409.

Admiralty

- **"In Kreble's Reports, p. 500, quoted by Brown, it is expressly said, that without a stipulation, the admiralty has no jurisdiction at all over the person."** Ramsey v. Allegrie, 12 Wall 611, p. 410. [emphasis added]

Admiralty

- **"It is well known that in civil cases, in courts of <u>equity</u> and <u>admiralty</u>, <u>juries</u> do not intervene, and that courts of equity use the trial by jury only in extraordinary cases to inform the conscience of the court."** Parsons v. Bedford, et al, 3 Pet 433, 479.

Admiralty Law

- **"There must be uniformity in <u>maritime</u> law; the principles of maritime laws are applicable to <u>commercial</u> law, and therefore, there must be uniformity in the commercial law."** Swift v. Tyson, 16 Pet 1, (1842)

Civil Law

- **“"Civil Law," "Roman Law," and "Roman Civil Law" are convertible phrases, meaning the same system of jurisprudence. That rule of action which every particular nation, commonwealth, or city has established peculiarly for itself; more properly called "municipal" law, to distinguish it from the "law of nature," and from international law. See Bowyer, Mod. Civil Law, 19; Sevier v. Riley, 189 Cal. 170, 244 P. 323, 325”** Black's Law Dictionary, Rev. 4th Ed.

Martial Law

- **“Admiralty Law. The terms "admiralty" and "maritime" law are virtually synonymous.”** *Black's Law Dictionary 6th Ed. 1990*

Martial Law

- **“Civil Law, that rule of action which every particular nation, commonwealth or city has established peculiarly for itself, more properly distinguished by the name of municipal law.”** The Dictionary of English Law, Sweet and Maxwell Ltd., London, 1959.

Martial Law Court

- **"The technical niceties of the common law are not regarded. . . .", 1 R.C.L. 31, p. 422. "A jury does not figure, ordinarily, in the trial of an admiralty suit. . . the verdict of the jury merely advisory, and may be disregarded by the court." 1 R.C.L. 40, p. 432. "[The] rules of practice may be altered whenever found to be inconvenient or likely to embarrass the business of the court." 1 R.C.L. 32, p. 423. "A court of admiralty. . . acts upon equitable principles." 1 R.C.L. 17, p. 416. "A libel of information [accusation] does not require all the technical precision of an indictment at common law. If the allegations describe the offense, it is all that is necessary; and if it is founded upon a statute, it is sufficient if it pursues the words of the law."** The Emily v. The Caroline, 9 Wheat. 381

War of Independence

- **"…<u>statutes have been passed for extending the jurisdiction of courts of admiralty and vice-admiralty beyond their ancient limits;</u> for depriving us of the accustomed and inestimable privilege of trial by jury, in cases affecting both life and property;**
- **…and for altering fundamentally the form of government established by charter.**
- **We saw the misery to which such <u>despotism</u> would reduce us."**
- Causes and Necessity of Taking Up Arms 1775 [emphasis added]

What happened?

- **"EQUITY. In the early history of the law, the sense affixed to this word was exceedingly vague and uncertain. This was owing, in part, to the fact, that the chancellors of those days were either statesmen or ecclesiastics, perhaps not very scrupulous in the exercise of power. It was then asserted that equity was bounded by no certain limits or rules, and that it was alone controlled by conscience and natural justice. 3 Bl. Com. 43-3, 440, 441."** Bouvier's Law Dictionary 1856 Edition

What happened?

- **“EQUITY, COURT OF. A court of equity is one which administers justice, where there are no legal rights, or legal rights, but courts of law do not afford a complete, remedy, and where the complainant has also an equitable right.”** Bouvier’s Law Dictionary 1856 Edition

What happened?

- **“Equity, 4. The system of law or body of principles originating in the English Court of Chancery and superseding the common and statute law (together called “law” in the narrow sense) when the two conflict <in appealing to the equity of the court, she was appealing to the “King’s conscience”>.”** Black’s Law Dictionary 7th Edition

What happened?

- **“LACHES laches (lach-iz). [Law French “remissness; slackness”] 1. Unreasonable delay in pursuing a right or claim — almost always an equitable one — in a way that prejudices the party against whom relief is sought. — Also termed sleeping on rights.**
- **2. The equitable doctrine by which a court denies relief to a claimant who has unreasonably delayed in asserting the claim, when that delay has prejudiced the party against whom relief is sought. Cf. LIMITATION(3). [Cases: Equity 67. C.J.S. Equity §§ 128–132.]“The doctrine of laches ... is an instance of the exercise of the reserved power of equity to withhold relief otherwise regularly given where in the particular case the granting of such relief would be unfair or unjust.” William F. Walsh, A Treatise on Equity 472 (1930).”** Black’s Law Dictionary 8th Edition, page 2553-2554

Common Law Courts

- **"It is a rule at common law (the reason applies in equity and other civil law cases) that if a party can plead a fact, material to his defence, and omits to do it at the proper time, he can never avail himself of it afterwards."** Penhallow v Doane's Administrators, 3 U.S. 54 (1795) at p 93

Jurisdiction

- **"Jurisdiction must be raised before making any plea to the merits, if at all, when it arises from formal defects in the process, or when the want of jurisdiction over the person."** Smith v. Curtis, 7 Cal 584; Bohn v. Devllin, 28 Mo. 319; Brown v. Weber, 6 Cush. (Mass) 650; Whyte v. Gibbes, 20 How 541.

Admiralty

- **"If the common law can try the cause, and give full redress, that alone takes away the admiralty jurisdiction."** Ramsey v. Allegrie, 12 Wall 611, p. 411.
- **"In Kreble's Reports, p. 500, quoted by Brown, it is expressly said, that without a stipulation, the admiralty has no jurisdiction at all over the person."** Ramsey v. Allegrie, 12 Wall 611, p. 410.
- **"The common law is the standard by which to ascertain what are proper cases for a prohibition to a court of admiralty, and not the civil law:"** Bains v. The Scooner James and Catherine, 576 Federal Cases p. 56

Admiralty

- **"Let the cases be searched from the remotest period down to the time of Menetone v. Gibbons, 3 T. R. 267, and the ground of prohibition, and of recovery, under the 2d of Henry IV. will uniformly be found to be competency of the common law to enforce the contract. This is the principle by which even their jurisdiction in rem is controlled, and it hence follows, that in no cases in which they are prohibited from proceeding in rem, can they have the action in personam."** Ramsey v. Allegrie, 12 Wall 611, p. 417. [emphasis added]

Administrative Hearings

- **“"When acting to enforce a statute and its subsequent amendments to the present date, the judge of the municipal court is acting as an administrative officer and <u>not in a judicial capacity</u>; courts administrating or enforcing statutes <u>do not act judicially</u>, but merely ministerially….but <u>merely act as an extension as an agent for the involved agency</u> -- but only in a “ministerial” and not a “discretionary capacity...”** Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US 428; F.R.C. v. G.E., 281, U.S. 464.

Roman Civil Law

- **"...judges who become involved in enforcement of mere statutes (civil or criminal in nature and otherwise), act as mere "clerks" of the involved agency..."** K.C. Davis, ADMIN. LAW, Ch. 1 (CTP. West's 1965 Ed.)
- **"It is the accepted rule, not only in state courts, but, of the federal courts as well, that when a judge is enforcing administrative law they are described as mere 'extensions of the administrative agency for superior reviewing purposes' as a ministerial clerk for an agency..."** 30 Cal 596; 167 Cal 762.

US Courts

- **“There are no Judicial courts in America and there has not been since 1789. Judges do not enforce Statutes and Codes. Executive Administrators enforce Statutes and Codes. There have not been any Judges in America since 1789. There have just been Administrators.”** FRC v. GE 281 US 464, Keller v. PE 261 US 428 1Stat. 138-178

Administrative Hearings

- **"Ministerial officers are incompetent to receive grants of judicial power from the legislature, their acts in attempting to exercise such powers are necessarily nullities"** Burns v. Sup., Ct., SF, 140 Cal. 1.

US Courts

- Even the US Supreme Court operates under the authority of the President of the United States
- **"Process; Mandates - <u>All process of this Court issues in the name of the President of the United States.</u>"** Rule 45.1 US Supreme Court Rules of Procedure

Judicial Immunity

- **"There is no common law judicial immunity."** Pulliam v. Allen, 104 S.Ct. 1970; cited in Lezama v. Justice Court, A025829.

Administrative Hearings

- **"When enforcing mere statutes, judges of all courts do not act judicially" (and thus are not protected by "qualified" or "limited immunity," -** SEE: Owen v. City, 445 U.S. 662; Bothke v. Terry, 713 F2d 1404)

Administrative Hearings

- **"...where any state proceeds against a private individual in a judicial forum it is well settled that the state, county, municipality, etc. waives any immunity to counters, cross claims and complaints, by direct or collateral means regarding the matters involved."** Luckenback v. The Thekla, 295 F 1020, 226 Us 328; Lyders v. Lund, 32 F2d 308;

Ignorance of the Law

- **"It is one of the fundamental maxims of the common law that ignorance of the law excuses no one."** Daniels v. Dean (1905), 2 C.A. 421, 84 P. 332.

Administrative Hearings

- **"It is a fundamental right of a party to have a neutral and detached judge preside over the judicial proceedings."** Ward v Village of Monroeville, 409 U.S. 57, 61-62, 93 S.Ct 80, 83, 34 L.Ed. 2d 267 (1972); Tumey v Ohio, 273 U.S. 510, 5209, 47 S. Ct. 437, 440, 71 L.Ed. 749 (1927)

Administrative Hearings

- **Immunity for judges does not extend to acts which are clearly outside of their jurisdiction.** Bauers v. Heisel, C.A. N.J. 1966, 361 F.2d 581, Cert. Den. 87 S.Ct. 1367, 386 U.S. 1021, 18 L.Ed. 2d 457 (see also Muller v. Wachtel, D.C.N.Y. 1972, 345 F.Supp. 160; Rhodes v. Houston, D.C. Nebr. 1962, 202 F.Supp. 624 affirmed 309 F.2d 959, Cert. den 83 St. 724, 372 U.S. 909, 9 L.Ed. 719, Cert. Den 83 S.Ct. 1282, 383 U.S. 971, 16 L.Ed. 2nd 311, Motion denied 285 F.Supp. 546).

Administrative Hearings

- **"Libel, in the Spiritual Court. If upon a Libel for any Ecclesiastical Matter, the Defendant make a Surmise in B. R. to have a Prohibition, and such Surmise be insufficient, the other Party may shew it to the Court, and me Judges will discharge it. 1 Leon 10. 128. This Libel used in Ecclesiastical Proceedings, consists of three Parts. I. The major Proposition, which shews a just Cause of the Petition. 2. The Narration or minor Proposition. 3. The Conclusion, or conclusive Petition, which conjoins both Propositions, &c…."** Jacob A New Law Dictionary, 1750, [emphasis added],

Administrative Hearings

- **“LIBEL, practice. A libel has been defined to be "the plaintiff's petition or allegation, made and exhibited in a judicial process, with some solemnity of law;" it is also, said to be "a short and well ordered writing, setting forth in a clear manner, as well to the judge as to the defendant, the plaintiff's or accuser's intention in judgment." It is a written statement by a plaintiff, of his cause of action, and of the relief he seeks to obtain in a suit. Law's Eccl. Law, 147; Ayl. Par. 346; Shelf. on M. & D. 506; Dunf Adm. Pr. 111; Betts. Pr. 17; Proct. Pr. h. t.; 2 Chit. Pr. 487, 533.”** Bouvier’s Law Dictionary 1856 Edition, page 686 [emphasis added],

Colour

- **"COLOUR. [Lat. *color*, q. v.] In pleading. An apparent or prima *facie* right. "To give colour" is to admit such a right. *Steph. Pl.* 202, 203. Colour is of two kinds, implied and expressed. *Implied colour* is that which is naturally inherent in the structure of all pleas in confession and avoidance. *Id.* 206. That is, they all *admit* a *right* in the opposite party, but at the same time avoid it. See *Confession and avoidance. Express* colour is defined to be, "a feigned matter. pleaded by the defendant in an action of trespass, from which the plaintiff seems to have a good cause or action, whereas he has in truth only an appearance or colour of cause." *Bac. Abr.* Trespass, (T. 4)."** Burril A New Law Dictionary 1871, Volume 1, page 311-312

Colour

- **“Extortion, extortio, from extorqueo, to wrest away. In a large sense, any oppression under colour of right. 2 Rol. 263; 1 Ld. Raym. 149; 4 Mod. 101; 8 Mod. 189; 1 Stra, 73, 74. It is usually applied to that abuse of public justice which consists in the unlawful taking by an officer, etc., by <u>colour of his office</u>, of any money, or valuable thing, from a person where none at all is due, or not so much is due, or before it is due. Co. Lit. 368; 10 Rep. 102. See til. Bribery, Fees.”** Tomlin’s Law Dictionary 1835, Volume 1 [emphasis added]

Colour

- **“Bull, bulla. A brief or mandate of the pope or bishop of Rome….that all bulls, briefs, and dispensations had or obtained from the bishop of Rome should be void. And …if any person shall obtain from Rome any bull or writing, to absolve or reconcile such as forsake their due allegiance, or shall give or receive absolution by <u>colour</u> of such bull, or use or publish such bull, etc., it is high treason…”** Tomlin’s Law Dictionary 1835, Volume 1 [emphasis added]

Color of Law

- **"Fornication, Fornicatio, 1 H. 7. 4. Whoredom, the Aft of incontinency between single persons; for if either Party be married, it is Adultery: The first offense herein was punished with Three Months Imprisonment; the second was made Felony in the late Times of Usurpation, by a pretended Act made 1650. Cap. 10. *Scobells* Collection."** Cowells Law Dictionary, 1708 Edition

Color of Law

- **“Judicial Proceedings. No Judicial Proceedings commenced or prosecuted in the Stile of Oliver Lord Protector, &c. were abateable by his Majesty K, Charles the second'. re-assuming the Government; And a pretended Act of Parliament, for turning the Books of the Law, and Proceedings of Courts of Justice, into English, was declared to be in Force, by Stat. 12 Car. z. c. 3. See process.”** Jacob A New Law Dictionary 1750 Edition

Pretend Legislation

- **"Jesuits &c. Born in the Kings Dominions and ordained by the <u>pretended Jurisdiction of *Rome*</u> remaining in *England* or coming from beyond Sea into this Kingdom, and not submitting to some Bishop or Justice of Peace within three Days, and taking the Oaths, are guilty of High Treason; and Receivers, Aiders and Harbourers of them, are guilty of Felony. *Stat.* 27 *Eliz. c.* 2. Persons knowing Priests, *Jesuits,* &c. and not discovering them co a Justice of Peace, shall be fined and imprisoned. 22 *Car.* 22."** Jacob A New Law Dictionary 1750 Edition

Color of Law

“-He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of <u>pretended Legislation</u>:…” Declaration of Independence 1776 [emphasis added]

Color of Law

"-He has affected to render the Military independent of and superior to the Civil power.

-For <u>imposing Taxes on us without our Consent</u>:

-For depriving us in many cases, of the benefits of Trial by Jury:

-For abolishing the free System of English Laws in a neighbouring Province, establishing therein an <u>Arbitrary government</u>, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same <u>absolute rule</u> into these Colonies:

-He has abdicated Government here, by declaring us out of his Protection and <u>waging War against us</u>.

-For protecting them, by a mock Trial…" Declaration of Independence 1776 [emphasis added]

Administrative Hearings

- **"IMPOSTORS, religious. Those who falsely pretend an extraordinary commission from heaven; or terrify and abuse the people with false denunciations of judgments. The are punishable by the temporal courts with fine, imprisonment, and infamous corporal punishment. 1 *Hawk. P. C. c. 5."*** Tomlin's Law Dictionary, 1835, Volume 1, [emphasis added],

Administrative Hearings

- **"impostor. One who pretends to be someone else to deceive others, <u>esp. to receive the benefits of a negotiable instrument</u>. — Also spelled imposter. [Cases: Banks and Banking 147; Bills and Notes 201, 279. C.J.S. Banks and Banking §§ 415–416; Bills and Notes; Letters of Credit §§ 29, 150–151.]"** Black's Law Dictionary 8th Edition, page 2210 [emphasis added],

Appearance of Justice

- There are 358 court cases at CANLII that say that they have to have the "appearance of justice" and even more cases in the USA at www.Justia.com.
- The appearance of justice is NOT justice, but is a fraud
- **""prima facia" At first sight; on the first appearance; on the face of it; so far as can be judged from the first disclosure; presumably; a fact presumed to be true unless disproved by some evidence to the contrary."** State ex rel. Herbert v. Whims, 68 Ohio App. 39, 38 N.E.2d 596, 599, 22 O.O. 110. Black's Law Dictionary 5th Edition page 1071. [emphasis added]

Color of Law

- **"Colourable- <u>Presenting an appearance that does not correspond with reality</u>, or an appearance intended to conceal or deceive. Etherington v. Wilson (1875), 1 Ch.D 160."** Barron's Canadian Law Dictionary, Sixth Edition, page 51 [emphasis added]
- **"Colour of Law – Mere semblance of a legal right. An action done under colour of law is one done with the apparent authority of law but actually in contravention of law."** Barron's Canadian Law Dictionary, Sixth Edition, page 51

Color of Law

- **"It may still be legislation affecting the classes of subjects enumerated in s. 92, and, if so, would be ultra vires. In other words, <u>Dominion legislation, even though it deals with Dominion property</u>, may yet be so framed as to invade civil rights within the Province; or encroach upon the classes of subjects which are reserved to provincial competence. <u>It is not necessary that it should be a colourable device, or a pretence.</u> If on the true view of the legislation it is found that in reality in pith and substance the legislation invades civil rights within the Province…"** Re Employment and Social Insurance Act, 1937, 1 DLR, page 687

Color of Law

"Color" means "**An appearance, semblance, or simulacrum, as distinguished from that which is real. A prima facia or apparent right. Hence, a deceptive appearance, a plausible, assumed exterior, concealing a lack of reality; a disguise or pretext. See also colorable.**" Black's Law Dictionary, 5th Edition, on page 240.

"Colorable" means "**That which is in appearance only, and not in reality, what it purports to be, hence counterfeit feigned, having the appearance of truth.**" Windle v. Flinn, 196 Or. 654, 251 P.2d 136, 146.

Color of Law

"Color of Law" means "The appearance or semblance, without the substance, of legal right. Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state is action taken under 'color of law.'" Atkins v. Lanning. D.C.Okl., 415 F. Supp. 186, 188.

Colour

- **"Colour, color. Signifies a probable plea, but which is in fact false…"** Tomlin's Law Dictionary 1835, Volume 1
- **"Colour of Office, color officii. Is when an act is evilly done by the countenance of an office; and always taken in the worst sense, being grounded upon corruption, to which the office is as a shadow and colour…"** Tomlin's Law Dictionary 1835, Volume 1

Color of Law

- I have heard of cases that were dismissed because they were not “colorable enough” which means that there was not enough fraud
- Everything these de facto United Nations so-called Courts do is a fraud, and they cannot proceed unless the pleadings are fraudulent enough

Pretend Legislation

- **"Statute, *(Statutum)* Has divers Significations: *First,* It signifies an Act of Parliament made by the King, and the three Estates of the Realm; and *Secondly,* it is a short Writing called a *Statute-Merchant,* or *Statute-Staple,* which are in the Nature of Bonds, *etc.* and called *Statutes,* as they are made according to the Form expressly provided in certain *Statutes.* 5 *H.* 4. c. 12. To *Statutes* enacted in Parliament, there must be the Assent of the King, Lords, and Commons, without which there can be no good Act of Parliament; but there are many Acts in Force, though these three Assents are not mentioned therein,… *Plowd.* 79. 2 *Bulst.* 186.….A *Statute* which concerns the King is a public Act and yet the *Stat.* 23 *Hen.* 8. concerning Sheriffs, etc., is a Private Act. *Plowd.* 38. *Dyer 11*9, 'Tis a Rule *in* Law, that the Courts at *Westminster* ought to take Notice of a General *Statute,* without Pleading it; but they are not bound to take Notice of particular or private *Statutes* unless they are pleaded. 1 *Inst. 98."*** Jacob A New Law Dictionary, 1750 Edition [emphasis added]

Capitus Deminutio

- **"Capitis deminutio is the destruction of the 'caput' or legal personality. Capitis deminutio, so to speak, wipes out the former individual and puts a new one in his place, and between the old and the new individual there is, legally speaking, nothing in common. A juristic personality may be thus destroyed in one of three ways: (1) by loss of the status libertatis. This is the capitis deminutio maxima; (2) by loss of the status civitatis. This is the capitis deminutio media (magna); (3) by severance from the agnatic family. This entails capitis deminutio minima." Rudolph Sohm, The Institutes: A Textbook of the History and System of Roman Private Law 178–79 (James Crawford Ledlie trans., 3d ed. 1907).**
- **capitis deminutio maxima (kap-i-tis dem-i-n[y]oo-shee-oh mak-si-m<<schwa>>). [Latin "maximum reduction of status"] Roman law. The diminution of a person's legal status as a result of being reduced to slavery."** Black's Law Dictionary 8th Edition, page 629 [emphasis added]

Capitus Deminutio

- **“CAPITIS DIMINUTIO. In Roman law. A diminishing or abridgment of personality; a loss or curtailment of a man's *status* or aggregate of legal attributes and qualifications.**
- **CAPITIS DIMINUTIO MAXIMA. The highest or most comprehensive loss of *status.* This occurred <u>when a man's condition was changed from one of freedom to one of bondage, when he became a slave</u>. It swept away with it all rights of citizenship and all family rights.”** Black’s Law Dictionary 4th Edition, page 264 [emphasis added]

Roman Civil Law

- **"LAW OF STATUS - law of status. The category of law dealing with personal or nonproprietary rights, whether in rem or in personam. • <u>It is one of the three departments into which civil law is divided</u>. Cf. LAW OF OBLIGATIONS; LAW OF PROPERTY."** Black's Law Dictionary 8th Edition, page 2591

Jurisdiction

- There are 2 kinds of jurisdiction
  - in rem
  - in personnam
- **"§ 2. In rem.-With regard to their conclusive effect, judgments are of two kinds, *in rem* and *in personam.*"** Rapalje A Dictionary of American & English Law, Volume 1, 1883 Edition, page 694

in rem Jurisdiction

- **"§ 2. In rem.-….A judgment *in Personam* is an adjudication pronounced upon the <u>status</u> of some particular subject-matter by a <u>tribunal</u> having competent authority for that purpose. Such an adjudication being a solemn declaration, from the proper and accredited quarter, <u>that the status of the thing adjudicated upon is as declared</u>, it concludes all persons from saying that the <u>status</u> of the thing or person adjudicated upon was not such as declared by the adjudication."** Rapalje A Dictionary of American & English Law, Volume 1, 1883 Edition, page 694

in personam jurisdiction

- **"§ 3. In personam, or inter partes. A judgment in *personam* is more accurately called a judgment *inter partes*, for an adjudication upon the status of a particular person (as in the cases mentioned above) is as much a judgment *in rem* as an adjudication on the status of a thing. (2 Sm. Lead. Cas. 784 *d seq.)* Judgments in *personam* are those which bind only those who are parties or privies to them; as in an ordinary action of contract or tort, where a judgment given against A, cannot be binding on B, unless he or someone under whom he claims was party to it. *Id.788."*** Rapalje A Dictionary of American & English Law, Volume 1, 1883 Edition, page 694

Divorce Court is Admiralty

- **“IN PERSONAM-IN REM.- § 3. Judgments.-So a judgment or decree is said to be *in rem* when it binds third persons; such is the sentence of a Court of Admiralty on a question of prize, or a decree of nullity or dissolution of marriage, (2 Sm. Lead. Cas. 699 j Castrique fl. Imrie, L. R. 4 H. L. 414; *Bee* JUDGMENT,) or a decree of a court in a foreign country as to the status of a person domiciled there. Doglioni". Crispin, L. R. 1 H. L. 801.”** Rapalje A Dictionary of American & English Law, Volume 1, 1883 Edition, page 639

Canada Courts

- **"No person is eligible to be appointed a judge of a superior court in any province unless, in addition to any other requirements prescribed by law, that person**
- **(*a*) is a barrister or advocate of at least ten years standing at the bar of any province; or**
- **(*b*) has, for an aggregate of at least ten years,**
- **(i) been a barrister or advocate at the bar of any province, and**
- **(ii) after becoming a barrister or advocate at the bar of any province, exercised powers and performed duties and functions of a judicial nature on a full-time basis in respect of a position held pursuant to a law of Canada or a province."** Canada Judges Act, Part 1, Section 3 Eligibility [emphasis added]

Alberta Courts

- Provincial Court
  - Inferior Court
  - Limited Jurisdiction
  - Statutory Court
  - May be “of Record” and may not

Alberta Courts

- Queen's Bench
  - Superior Court
  - General Jurisdiction
  - Potentially Common Law Court if you can get the bought and paid for United Nations whore to honor his oath
  - Court of Record

Kangaroo Court

- **"kangaroo court. 1. A self-appointed tribunal or mock court in which the principles of law and justice are disre-garded, perverted, or parodied. • Kangaroo courts may be assembled by various groups, such as prisoners in a jail (to settle disputes between inmates) and players on a baseball team (to "punish" teammates who commit fielding errors).2. A court or tribunal characterized by unauthorized or irregular procedures, esp. so as to render a fair proceeding impossible. 3. A sham legal proceeding. • The term's origin is uncertain, but it appears to be an Americanism. It has been traced to 1853 in the American West. "Kangaroo" might refer to the illogical leaps between "facts" and conclusions, or to the hapless defendant's quick bounce from court to gallows."**
  Black's Law Dictionary, 8th Edition, pages 1076-1076

Kangaroo Court

- **"Kangaroo court. Term descriptive of a sham legal proceeding in which a person's rights are totally disregarded and in which the result is a foregone conclusion because of the bias of the court or other tribunal."** Black's Law Dictionary, 6th Edition, page 868,

Tribunal

- A Tribunal is any Court that is NOT a jury of our peers
- **"TRIBUNAL. The seat of a judge; the place where he administers justice. The whole body of judges who compose a jurisdiction; a judicial court; the jurisdiction which the judges exercise. See Foster v. Worcester, 16 Pick. (Mass.) 81."** Black's Law Dictionary 4th Edition, page 1677
- Tribunal comes from Canon Law

Tribunal

- Tribunal is Roman Law
- **“TRIBUNAL. The seat of a judge; the place where he administers justice. The whole body of judges who compose a jurisdiction. 155 Ill. App. 405. The jurisdiction which the judges exercise.**
- **<u>The term is Latin, and derives its origin from the elevated seat where the tribunes administered justice</u>.”** Cahill the Encyclopedic Dictionary 1922, page 1026

Tribunal is from Canon Law



Help

Code of Canon Law

IntraText - Text

- BOOK VII PROCESSES
  - Part I. TRIALS IN GENERAL (Cann. 1400 - 1403)
    - TITLE II. DIFFERENT GRADES AND KINDS OF TRIBUNALS (Cann. 1417 - 1445)
      - CHAPTER I. THE TRIBUNAL OF FIRST INSTANCE
        - Art. 3. THE PROMOTER OF JUSTICE, THE DEFENDER OF THE BOND, AND THE NOTARY

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Oaths

- **"All vows, obligations, oaths, anthems, whether called Konan, konas, or by any other name, by which we may be bound, from this day of atonement unto the next... we do repent. May they be deemed absolved, forgiven, annulled and void, and made of no effect. They shall not bind us nor have any power over us. The vows shall not be reckoned vows; the obligations shall not be obligatory, nor the oaths be oaths."** Kol Nidra Jewish Encyclopedia Volume 8, on page 539, also "REVISED FESTIVAL PRAYERS," published in 1919 by the Hebrew Publishing Company, New York

Oaths

- **“Whenever you see any of our signs made by a brother Mason, and especially the grand hailing sign of distress, you must always be sure to obey them, even at the risk of your life. If you're on a jury, and the defendant is a Mason and makes the grand hailing sign, you must obey it; you must disagree with your brother jurors, if necessary, but you must be sure not to bring the Mason guilty, for that would bring disgrace upon our order. You must conceal all crimes of your brother Masons except murder and treason, and these at your own option, and should you be summoned as a witness against a brother Mason, be always sure to shield him. Prevaricate, don't tell the truth in this case, keep his secrets, forget the important points. It may be perjury to do this true, but you are keeping your obligations.“** Page 183 of the Masonic Handbook

Oaths

- **"Perjury – In municipal law perjury is defined by be willful false swearing to a material matter, when an oath has been administered by lawful authority. The violation of vows or promissory oaths taken before one who is not legally authorized to administer then, that is to say, one who is not a magistrate, does not involve the crime of perjury. Such is the technical definition of the law; but the moral sense of mankind does not assent to such a doctrine, and considers perjury, as the root of the word indicates, the doing of that which one has sworn not to do, or the omitting to do that which he has sworn to do. <u>The old Romans seem to have taken a sensible view of the crime of perjury. Among them oaths were not often administered, and, in general, a promise made under oath had no more binding power in a court of justice than it would have had without the oath</u>. False swearing was with them a matter of conscience, and the person who was guilty of it was responsible to the Diety alone…"** An Encyclopedia of Freemasonry, 1916 Edition, Volume II, page 555-556

Oaths

- **"OATH….All oaths must be lawful, allowed by the common law, or some statute; <u>if they are administered by persons in a private capacity, or not duly authorized, they are *coram non judice*, and void</u>; and those administering them are guilty of a high contempt, for doing it without warrant of law, and punishable by fine and imprisonment. 3 *Inst.* 165; 4 *Inst.* 278; 2 *Roll. Abr.* 277."** Tomlin's Law Dictionary, 1835 Edition, Volume 2 [emphasis added],

PIGs in Canada

- Elizabeth Alexandra Mary Battenberg, Queen of Canada has no lawful valid oath
  - She was not coronated on the true Stone of Destiny as required
  - http://www.martinfrost.ws/htmlfiles/gazette/stone_destiny.html

Queen has perjured her fictitious Oath

- John Anthony Hill case
  - http://exopolitics.blogs.com/breaking_news/2011/05/uk-landmark-case.c...
  - http://mtrial.org
  - http://jamesfetzer.blogspot.com
  - http://terrorontheTube.co.uk/2011/05/12/muaddib-acquitted/

BREAKING NEWS

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05/28/2011

U.K.: Landmark Case Could Stymie Legal System - Queen not valid monarch

Landmark Case Could Stymie Legal System

Written by Debra Siddons

Friday, 27 May 2011 07:51

If everyone began using this defence tomorrow, in all of the Commonwealth courts and in the United States, the entire legal system could be brought to its knees in a matter of weeks if not days."

For those of you who have been following the John Anthony Hill (JAH) Case, it is great to be able to share that he was acquitted, on the 12th of May 2011, of the ridiculous and politically-motivated charge of attempting to "pervert the course of justice". For those of you less familiar with this landmark case, John Anthony Hill is the Producer of the documentary film "7/7 Ripple Effect". For more details about this extraordinary case and the trial itself, please visit the following links:-

http://mtrial.org
http://jamesfetzer.blogspot.com
http://terroronthetube.co.uk/2011/05/12/muaddib-acquitted/

7/7/ Ripple effect http://jforjustice.co.uk/77/

There are two very important precedents that were established with this case that need to be studied in detail. There was a preliminary argument presented to the court to challenge both the jurisdiction and the sovereignty of Elizabeth Battenberg/Mountbatten, which was based on two distinct points. The first point being she was knowingly, and with malice aforethought, coronated on a fake stone in 1953 and thus has never been lawfully crowned.

There are those who may wish to argue that this point is irrelevant, as Judge Jeffrey Vincent Pegden did at the trial, wrongly thinking the Coronation is just a ceremony because she has been pretending to be the monarch for over 58 years. In actual fact the Coronation is a binding oath and a contract, requiring the monarch's signature. Which brings us to the second point.

BREAKING NEWS

05/28/2011

U.K.: Landmark Case Could Stymie Legal System - Queen not valid monarch

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UNIDROIT

- All courts in Canada & United States are United Nations Courts under the UNIDROIT treaty, and have been for over 30 years
- All courts are de facto courts
- There is no authority to delegate anything to the United Nations in the Constitution for the United States of America, or the British North America Act

UNIDROIT

- UNIDROIT covers;
  - Negotiable instruments
  - Civil procedure
  - Secured transactions
  - Legal status of women
  - Maintenance obligations
  - Contracts
  - Banking law
  - Much more – (see the website)

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  - Governing Council
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    - Guide
      - First Edition 1998
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UNIDROIT covers

- Covers mandatory insurance for motor vehicles
- Anything related to marriage, divorce, and children

· 1955 Benelux Treaty on Compulsory Insurance against Civil Liability in respect of Motor Vehicles (Council of Europe);

· 1956 Convention on the Contract for the International Carriage of Goods by Road (CMR) (UN/ECE);

· 1958 Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children (Hague Conference on Private International Law);

· 1959 European Convention on Compulsory Insurance against Civil Liability in respect of Motor Vehicles (Council of Europe);

· 1962 European Convention on the Liability of Hotel-keepers concerning the Property of their Guests (Council of Europe);

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· 1962 European Convention on the Liability of Hotel-keepers concerning the Property of their Guests (Council of Europe);

Right to Travel

- **"The term "Motor Vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power <u>and used for commercial purposes</u> on the highways in the transportation of passengers, passengers and property, or property or cargo.**
- **The term "used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.“** 18 USC § 31 [emphasis added]

UNIDROIT

- Canada and United States are signatories to the UNIDROIT Treaty
- As of this date 63 countries have signed onto the UNIDROIT Treaty

MEMBERSHIP

Membership of UNIDROIT is restricted to States acceding to the **UNIDROIT Statute**.

UNIDROIT's member States are drawn from the five continents and represent a variety of different legal, economic and political systems as well as different cultural backgrounds.

To find the date when a particular State became a member of UNIDROIT click on the relevant national flag.

The following 63 States are members of UNIDROIT.

MEMBER STATES	NATIONAL AUTHORITIES RESPONSIBLE FOR MEMBER STATES' RELATIONS WITH UNIDROIT
Argentina	Embassy of Argentina in Italy
Australia	Attorney-General's Department
Austria	Federal Ministry of Justice
Belgium	Federal Public Service Justice
Bolivia	Ministry of Foreign Affairs
Brazil	Embassy of Brazil in Italy
Bulgaria	Ministry of Foreign Affairs
Canada	Justice Canada
Chile	Ministry of Foreign Affairs
China	Ministry of Commerce, Treaty and Law Department

Romania	Ministry of Justice
Russian Federation	Ministry for Trade and Economic Development
San Marino	Secretariat of State
Saudi Arabia	Ministry of Foreign Affairs
Slovakia	Ministry of Foreign Affairs
Slovenia	Ministry of Justice of the Republic of Slovenia
South Africa	South African Department of International Relations and Cooperation (DIRCO)
Spain	Ministry of Foreign Affairs and Cooperation
Sweden	Ministry of Justice
Switzerland	Federal Office of Justice
Tunisia	Ministry of Justice and Human Rights
Turkey	Ministry of Justice General Directorate of International Law and Foreign Relations
United Kingdom of Great Britain and Northern Ireland	Department for Business, Enterprise and Regulatory Reform
United States of America	Department of State
Uruguay	Ministry of Foreign Affairs
Venezuela	Ministry of Foreign Affairs

UNIDROIT Treaty

- Texas is NOT listed
- Arizona is NOT listed
- No American State is listed
- Alberta is NOT listed
- British Columbia is NOT listed
- Ontario is NOT listed
- No Canadian province is listed
- Therefore, anything involving motor vehicles or the courts, is both commercial and federal, and therefore by consent

UNIDROIT Treaty

- Anything in America (Canada or United States) & (federal or state) involving motor vehicles, or the courts, or the banks, or finance, or divorce, or children, falls under UNIDROIT

Constitution is a Trust Indenture with delegated authority

- **"The governments are but <u>trustees</u> acting under derived authority and have no power to delegate what is not delegated to them. But <u>the people</u>, as the original fountain <u>might take away what they have delegated and entrust</u> to whom they please. ... The sovereignty in every state resides in the people of the state and they may alter and change their form of government at their own pleasure."** --Luther v. Borden, 48 US 1, 12 Led 581.

Constitution is a Trust Indenture with delegated authority

- **"There is no such thing as power of inherent Sovereignty in the government of the United States. In this country sovereignty resides in the People, and Congress can exercise no power which they have not, by their Constitution entrusted to it; All else is withheld."** Julliard v Greenman 110 U.S. 421

Delegated Authority

- **"A delegate cannot delegate; <u>an agent cannot delegate his functions to a subagent</u> without the knowledge or consent of the principal; the person to whom an office or duty is delegated cannot lawfully devolve the duty on another, <u>unless he be expressly authorized so to do</u>."** 9 Coke, 77; Broom, Max. 840; 2 Kent, Comm. 633; 2 Steph. Comm. 119 [emphasis added]
- **"A delegated power cannot be again delegated."** 2 Inst. 597; Black's, 2d. 347; 2 Bouv. Inst. n. 1300
- **"A deputy cannot have (or appoint) a deputy."** Story, Ag. s.13; 9 Coke, 77; 2 Bouv. Inst. n. 1936

No Delegated Authority

- There is No Delegated Authority for a corporation called United States, or any agency, department, commission, board or other entity of such a corporation

"As used in this chapter:

(15) "United States" means—

(A) a Federal corporation;

(B) an agency, department, commission, board, or other entity of the United States; or

(C) an instrumentality of the United States." 28 USC § 3002 Definitions [emphasis added]

No Delegated Authority

- **"It is an established fact that the United States Federal Government has been dissolved by the Emergency Banking Act, March 9, 1933, 48 stat. 1, Public Law 89-719; declared by President Roosevelt, being bankrupt and insolvent, H.J.R. 192, 73rd Congress in session June 5, 1933 - Joint Resolution To Suspend The Gold Standard and Abrogate The Gold Clause dissolved the Sovereign Authority of the United States and the official capacities of all United States Governmental Offices, Officers, and Departments and is further evidence that the United States Federal Government exists today in name only.”** United States Congressional Record, March 17, 1993 Vol. 33 [Emphasis added]

No Delegated Authority

- There is no delegated authority for;
  - A corporation called Federal Bureau of Investigation
  - A corporation called National Security Agency
  - A corporation called Central Intelligence Agency
  - A corporation called Department of Homeland Security
  - A corporation called Internal Revenue Service
  - A corporation called Department of the Treasury
  - An Agency called The Office of Attorney General of the United States

No Delegated Authority

- There is no delegated authority for;
  - A municipal corporation called City of Fort Worth
  - A municipal corporation called City of Grand Prairie
  - Any municipal corporation
  - Any prison corporation
  - A corporation called Department of Public Safety in any State
  - A corporation called Texas State Police, or State Police in any State

Canada is Bankrupt

Government of Canada / Gouvernement du Canada

INSTRUCTION SHEET

A - Complete the application form.

B - You must provide an original primary document according to your status in Canada. Refer to leaflet "Documents you need to Insurance Number SC-207-03-06."

C - If the name on your primary document is different from the name you are now using, you must also submit an original suppor to leaflet "Documents you need to obtain a Social Insurance Number SC-207-03-06."

D - **If you are replacing your SIN card, you must pay a $10.00 fee (subject to change).** Make your personal cheque, bank dra payable in Canadian funds to the RECEIVER GENERAL FOR CANADA. You may pay in cash at a Human Resource Centre MAIL CASH.

E - If you are a guardian, you must submit an original document showing proof of legal guardianship in order to sign an applicatio the applicant.

The information contained in the vital statistics registers and the Citizenship and Immigration Canada records can be used to valid that you provide with this application form when presenting a document orginating from these sources.

If you are employed, it is important that the name and Social Insurance Number under which you are working are identic and Social Insurance Number that appear on your card. This will ensure that your Canada Pension Plan and/or Quebec contributions are properly credited to you.

No Delegated Authority

- There is no delegated authority for a corporation called Canada,
  - or a corporation called Royal Canadian Mounted Police,
  - or a corporation called Canada Border Services Agency,
  - or a corporation called Lethbridge Correctional Centre,
  - or a corporation called Calgary Remand Centre,

No Delegated Authority

- There is no authority in Canada, or the United States, to delegate any power to the United Nations, or any United Nations agency

No Delegated Authority

- All so-called courts in Canada and the United States, and in many other countries (63 according to the UNIDROIT website) are;
  - United Nations courts, and are
  - de facto, and are
  - thieves, and are
  - PIGs, and are
  - pirates, and in some cases are
  - murderers

Unconstitutional Delegations

- **"Ultra vires. An act performed without any authority to act on subject. Haslund v. City of Seattle, 86 Wash.2d 607, 547 P.2d 1221, 1230….. <u>The term has a broad application and includes not only acts prohibited by the charter, but acts which are in excess of powers granted</u> and not prohibited, and generally applied either when a corporation has no power whatever to do an act, …. People ex reI. Barrett v. Bank of Peoria, 295 Ill.App. 543, 15 N.E.2d 333, 335. <u>Act is ultra vires when corporation is without authority to perform it under any circumstances or for any purpose</u>. <u>Ultra vires act of municipality is one which is beyond powers conferred upon it by law</u>. Charles v. Town of Jeanerette, Inc., La.App., 234 So.2d 794, 798."** Black's Law Dictionary 6th Edition page 1522, [emphasis added]

De facto Law

- **“Obedience to de facto law – No person shall be convicted of an offense in respect of an act or omission in obedience to the laws for the time being made and enforced by persons in de facto possession of the sovereign power in and over the place where the act or omission occurs.”**, Section 15 of the Criminal Code of Canada

ONLY Accept Bank Notes

- **"Sec. 15. As used in this Act the term "United States" means the Government of the United States…the term "currency of the United States" means currency which is legal tender in the United States, and includes United States notes,…Federal Reserve Notes…"**
- **"Sec. 16. The right to alter, amend or repeal this Act is hereby expressly reserved…"**
- **"Sec. 17. All Acts and parts of Acts inconsistent with any of the provisions of this Act are hereby repealed."** Gold Reserve Act of 1934, 48 Stat. 337

What is Money?

- 12 USC § 411 - Federal reserve notes, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve bank.

Accept ONLY Bank Notes

- When you use Bank Notes, you are saying that you are a government employee

De facto Courts

- No authority – United Nations court – Not Judges, but are Clerks working for Agency
- No lawful money
- No lawful valid current oath
- Tribunal
- No jury (12 living souls) of our peers – who better to judge us than those who know us
- Show jury can be ignored, or gets instructions
- Can be appealed
- The officers of the Court are foreign agents of the Vatican – see BAR Members video

At Common Law

- At Common Law the jury has to be your peers
- At Common Law the jury calls the witnesses, questions the witnesses, determines the law and the facts in the matter, and even pronounces sentence if necessary
- At Common Law the jury can disregard the law, which is called jury nullification
- At Common Law the jury can do literally anything it wants
- At Common Law the decision of the jury is NOT subject to appeal

What is the Answer?

- Complain – tell them they have no authority and they have no immunity and why
- Set up our own common law courts
- International Tribunal of Crimes of Church and State with Kevin Annett is helping people set up common law courts

Fire the Whores Campaign

- The motivation of the de facto so-called judges is NOT for justice, but for the "appearance of justice" which is covered in Corruption in the Courts 4

Fire the Whores Campaign

- Intend to create business for their so-called court to;
  - Justify their existence
  - Create work for their de facto buddies
  - Collect more royalties
  - Get promoted to the Court of Appeals, or the Supreme court
- Create work for their buddies by
  - Making their decisions as cryptic as possible
  - Forcing the issue to another hearing
  - Ignoring the law, thereby forcing an appeal

Servant King

- There is a Youtube profile called Servant King
- Servant King explains how a court case is a satanic religions ceremony
- Servant King explains how a court case is necromancy (witchcraft)

Fire the Whores Campaign

- Do you want to place your future in the hands of a United Nations whore who wants to sit on the bench and play stupid?
- Do you want to put the future of your wife and children in the hands of one of these judicial whores, that have complete immunity no matter what, because if you sue one of them you have to get one of their whore buddies to do it?
- Sure some of them want to really do justice, but are you going to take the chance that you got a good one?

Fire the Whores Campaign

- Do you want to place your future in the hands of a whore that is bought and paid for by these Crown PIGs
- Do you want to place yourself in the hands of a judicial whore who is intent on converting you into a ward of the court (an imbecile)?

Judgment Day

- Do you consider yourself Christian?
- Do you try to follow the golden rule?
- Do you treat others the way you want to be treated?
- Do you think you will get any sympathy from God, on judgment day, when you have not done everything you can to put a stop to these satanic judicial whores, selling their justus

Karma – what goes around comes around

- Karma is the universal principle of "what goes around comes around"
- If we knowingly allow these judicial whores to victimize tens of thousands of people, in the name of their satanic religious ceremonies, don't you think that we will be held accountable
- Don't you think it will come back around at us?

Karma – what goes around comes around

- Don’t you think it is already coming back around at us everyday
  - When they sell their justus in their de facto so-called courts
  - When their revenue officers masquerading as police officers unlawfully arrest us for commercial crimes, like speeding
  - When they deny us due process based on one of their fictitious quazi-contracts
  - When they populate their prisons with victimless crimes

Separation of Church and State

- All judges are foreign agents of the Vatican (see Presentation on Attorneys)
- This idea of separation of church and state was really about taking Christianity out of government and displacing it with the Satanic Roman Civil Law from the Vatican
- All so-called court cases are actually a satanic religious ceremony by Priests of BAAL.

Separation of Church and State

- Under the guise of the separation of church and state they have
  - Taken the Lord's prayer out of the schools
  - Taken the Christian symbols out of the courts
  - Taken Christian symbols out of the schools
- They have converted our Christian government into satanic government
- It has all been done by court rulings from these priests of BAAL masquerading as judges

Prisons

- At common law there are no prisons
  - That is why common law is so severe
- All prisons are commercial
- Most of the people in prison are in there for victimless crimes
- We need to FIRE the Whores and end the tyranny of these de facto United Nations courts and their Vatican judicial whores selling their justus
- Our court is ONLY a jury of our peers, and we are all being denied it, so these judicial whores can populate their prisons and collect royalties

Fire the Whores Campaign

- We all need to work together to bring these whores (tyrants) to justice
- I would like to see some of these whores (tyrants) do that little dance they do at the end of a common law rope
- I am glad that it is up a jury of my peers, and not me

Lifeleadership

- It is really only 3-5% of the people who do anything
- It was 3-5% of the people who precipitated the American revolution
- The bankster thieves and their cronies are 3-5% of the people

Lifeleadership

- Historically, every hundred +/- there is a major change (World Shift) in our freedoms
  - 1778 US Constitution – more freedoms
  - 1915 Federal Reserve – less freedoms
  - Now – yet to be seen

Lifeleadership

- Provides life changing information about what the issues are Provides a way of bringing people together
- Provides a way of generating revenue through network marketing


LIFE
LEADERSHIP

Lifeleadership

- Some of the CDs and DVDs that are available, cover;
  - Rascals - rascal radio
  - Potential constitutional changes
    - Townships
  - Leadership development – corporate leadership
  - Financial Fitness
  - Adversity
  - Success
  - Balance in our life – spiritual, financial, etc

Lifeleadership

- They do NOT just sign you up and leave you on your own
- They even say, that you are in business for yourself, but NOT by yourself
- They need you to be successful, so you can have influence – be a leader
- We need 3-5% of the people, as leaders, so we can work together to effect change towards freedom

Meeting

- Meetings every Tuesday night in DFW at the Omni Hotel on the Luna Road exit from I-635, east of George Bush toll road
- Other meetings
- http://www.lifeleadership.com/61407761/Products/Freedom.aspx

Conclusion

- Judgment day is coming for these Canada Border Services Agency PIGs and their judicial whore PIG handlers, and I am looking forward to it!
- I am looking forward to seeing some of them do that little dance they do at the end of a common law rope!
- There are common law courts springing up all over, and these judicial whores are going to be brought to some real justice!!!!
- I am glad it is NOT up to me!

Upcoming Events

- Corruption in the Courts 4
- Taxes – Do You Consent?
- Pursuit of Happiness (Compensation for Labor)
- Fire the United Nations Judicial Whores in Texas
- Fire the United Nations Judicial Whores in America
- City of Fort Worth PIGs
- City of Grand Prairie PIGs

Summary

- **Copies of these documents can be found at My private group at Yahoo called Administrating-Your-Public-Servants**
- **I have Youtube videos that are videos of Private Information Shares that show these and other court citations**
- **Send me an email for other copies of documents to; engineerwin@gmail.com**

BAR Members

- **All BAR members are foreign agents of the Crown, and the Vatican, as described in the Presentation about BAR Members**
- **The Crown is a corporation that is owned and operated by the Vatican as found in the Presentation on BAR Members**

Summary

- **"When injustice becomes law, then resistance becomes duty."** Thomas Jefferson