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LACKAWANNA COUNTY
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CLERKS OF JUDICIAL
RECORDS CIVIL DIVISION

**COMMONWEALTH COURT OF PENNSYLVANIA
LACKAWANNA COUNTY COURT OF COMMON PLEAS**

Pre-Trial Order

FELL TOWNSHIP - DEBTOR

1Veteran's Drive
Simpson, PA 18407

Plaintiff

vs.

2018-CIV-3716

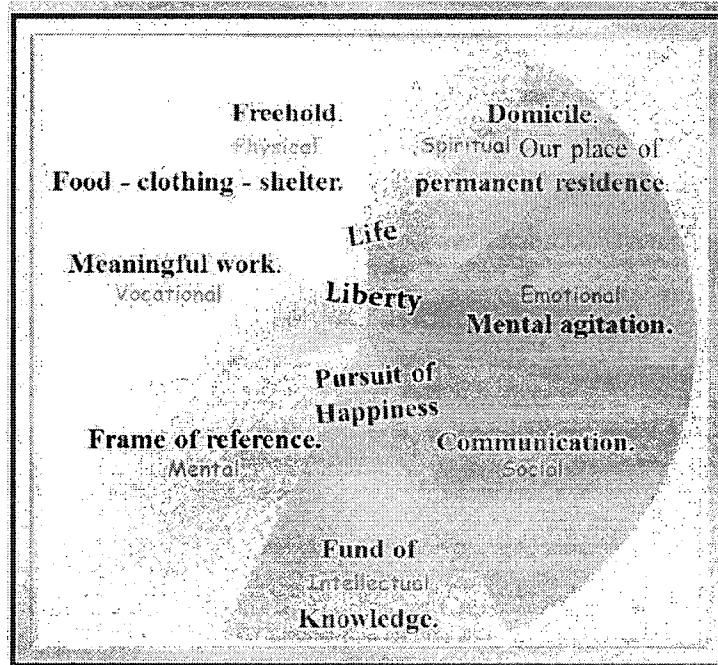
**VERONICA HANNEVIG, et al., Conusant
The Estate of John B. and Johanna (Anna) Drob - CREDITOR
311-319 Main Street
Simpson, Pennsylvania
- 18407 -**

Defendant

Pre-Trial Order - Lacka. Co. R.C.P. 212.1 - FORM 5

This Pre-Trial Order is a *de bene esse*ⁱ addendum to Conusant Hannevig's June 8, 2019 "AFFIDAVIT IN SUPPORT OF PRAECIPE FOR ENTRY OF JUDGMENT NON PROS" docketed to 2018-CIV-3716.

1. **Jurisdiction in this matter is CONCURRENTⁱⁱ** in that it requires the adjudicationⁱⁱⁱ of several different tribunals^{iv} authorized to deal with the same subject-matter at the choice of the suitor. It involves common sense^v adjudication of the many contemporaneous^{vi} aspects of "corporeal and incorporeal" "real estate^{vii}" as those aspects relate to contract law^{viii} and the systemic inalienable and indefeasible underlying truisms provided for in Article 1 §§ 1-3 of the Constitution of the Commonwealth of Pennsylvania. Such truisms relate to mankind's personal property rights, Rights which emanate solely from his or her real estate^{ix}; i.e., mankind's physical "freehold" sometimes referred to as their "earthen vessel"^x, the home of their "resident" spirit, inclusive of its "incorporeal" mental and intellectual property which are inherently endowed with spiritually domiciled "indefeasible rights", inclusive of those which are; "inherent^{xi}" in natural law^{xii}, the provisions of which were penned into both the 1776 "Declaration of Independence"^{xiii}, and the aforementioned Constitution of the Commonwealth. A simplistic view of this contemporaneous exposition is herein provided.

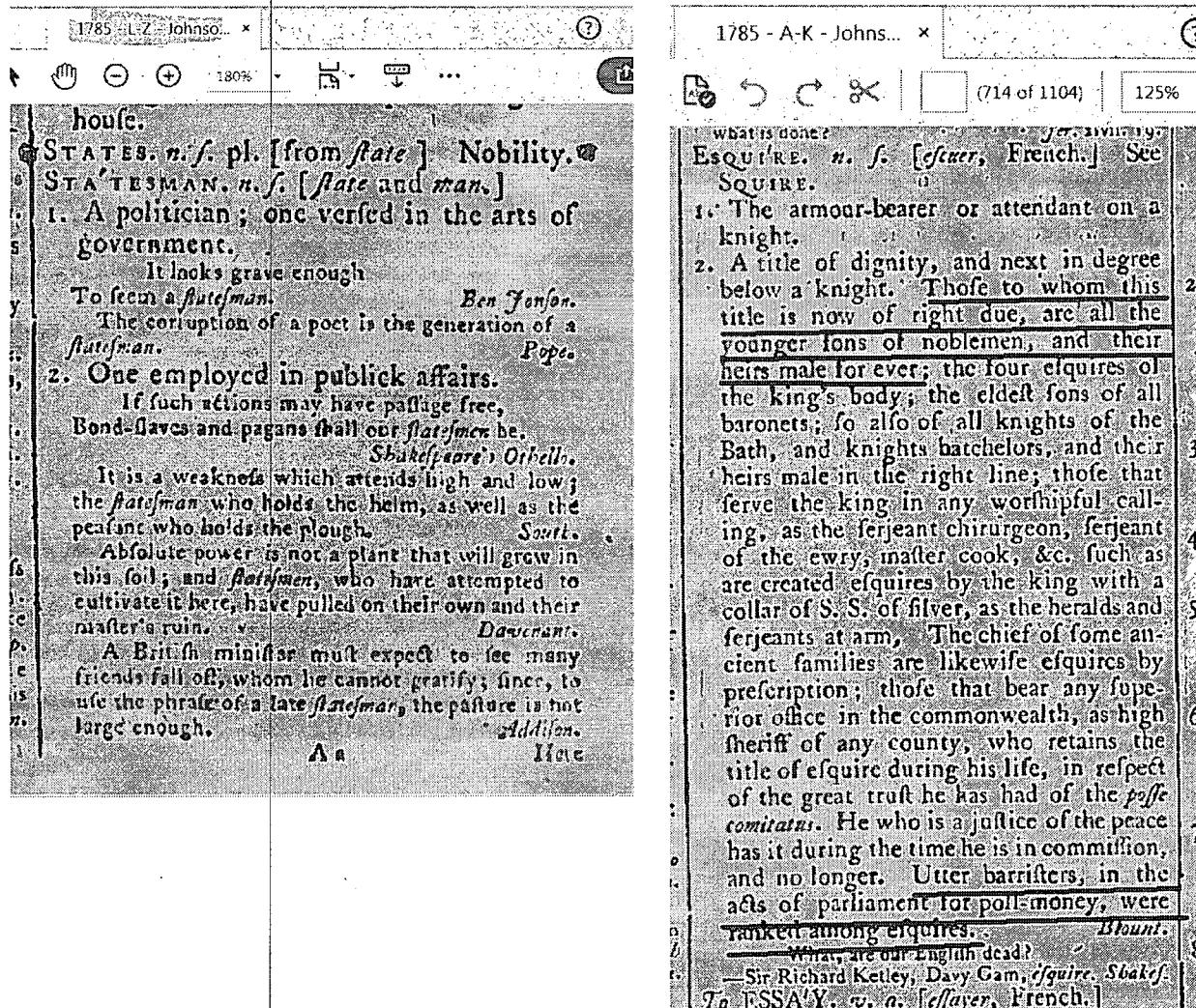


2. Facts: Approximately 260 years ago, one, Sir William Blackstone, predicted^{xiv} that there would someday be "a matter of very public concern." Blackstone warned that "If practice be the whole he (*i.e.*, a student *"in the law"*) is taught, practice must also be the whole he will ever know: if he be uninstructed in the elements and first principles upon which the rule of practice is founded, the least variation from established precedents will totally distract and bewilder him: . . . the consequence may be, to have their interpretation and enforcement of the laws (which include the entire disposal of our properties, liberties, and lives) fall wholly into the hands of obscure or illiterate men".

a) As Blackstone predicted tactical complexities have obstructed immediate resolve of matters pertinent to "contract law^{xv}". Honorable resolution to such matters as the; jurisdiction, title "ownership" and "agency" of corporeal and incorporeal "real estate" seems to have been hindered by exclusive classes of persons who have, by definition, become gatekeepers of a political process with an intent to form "a more perfect union" for governing the legislative and executive affairs of the "United States of America" and its masses. Such liberty was afforded to them by THEIR "Creator" pursuant to colonial Charters and the definitions of the words used at the penning of the 1787 Preamble to their U.S. Constitution. Again, a simplistic view of this contemporaneous exposition is herein provided evidencing the true reading of the 1787 Preamble to the U.S. Constitution in accordance with its defined intent. It reads as follows.

"We the people of the United Nobility, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to OURselves and OUR posterity, do ordain and establish this Constitution for the United Nobility of America.

Johnson's 1785 Dictionary of the English Language provides evidence for interpretation.



house.

STATES. *n. s. pl.* [from *state*.] **Nobility.** ^{1785 - L-Z - Johnson. x}

STATESMAN. *n. s.* [*state* and *man*.] ^{180%}

1. A politician; one versed in the arts of government.

It looks grave enough
To seem a statesman. *Ben Jonson.*

The corruption of a poet is the generation of a statesman. *Pope.*

2. One employ'd in publick affairs.

If such actions may have passage free,
Bond-slaves and pagans shall our statesmen be. *Shakespeare; Othello.*

It is a weakness which attends high and low; the statesman who holds the helm, as well as the peasant who holds the plough. *South.*

Absolute power is not a plant that will grow in this soil; and *statesmen*, who have attempted to cultivate it here, have pulled on their own and their master's ruin. *Diderot.*

A British minister must expect to see many friends fall off, whom he cannot gratify; since, to use the phrase of a late *statesman*, the pasture is not large enough. *Addison.*

A a **I I**

what is done? ^{1785 - A-K - Johnson. x}

ESQUIRE. *n. s.* [*esquier*, French.] See ¹ **SQUIRE.**

1. The armour-bearer or attendant on a knight.

2. A title of dignity, and next in degree below a knight. Those to whom this title is now of right due, are all the younger sons of noblemen, and their heirs male for ever; the four esquires of the king's body; the eldest sons of all baronets; so also of all knights of the Bath, and knights batchelors, and their heirs male in the right line; those that serve the king in any worshipful calling, as the serjeant chirurgeon, serjeant of the ewry, master cook, &c. such as are created esquires by the king with a collar of S.S. of silver, as the heralds and serjeants at arm. The chief of some ancient families are likewise esquires by prescription; those that bear any superior office in the commonwealth, as high sheriff of any county, who retains the title of esquire during his life, in respect of the great trust he has had of the *peace committee*. He who is a justice of the peace has it during the time he is in commission, and no longer. Utter barristers, in the acts of parliament for poll-money, were ranked among esquires. *Brown.*

—What, are our English dead? ²

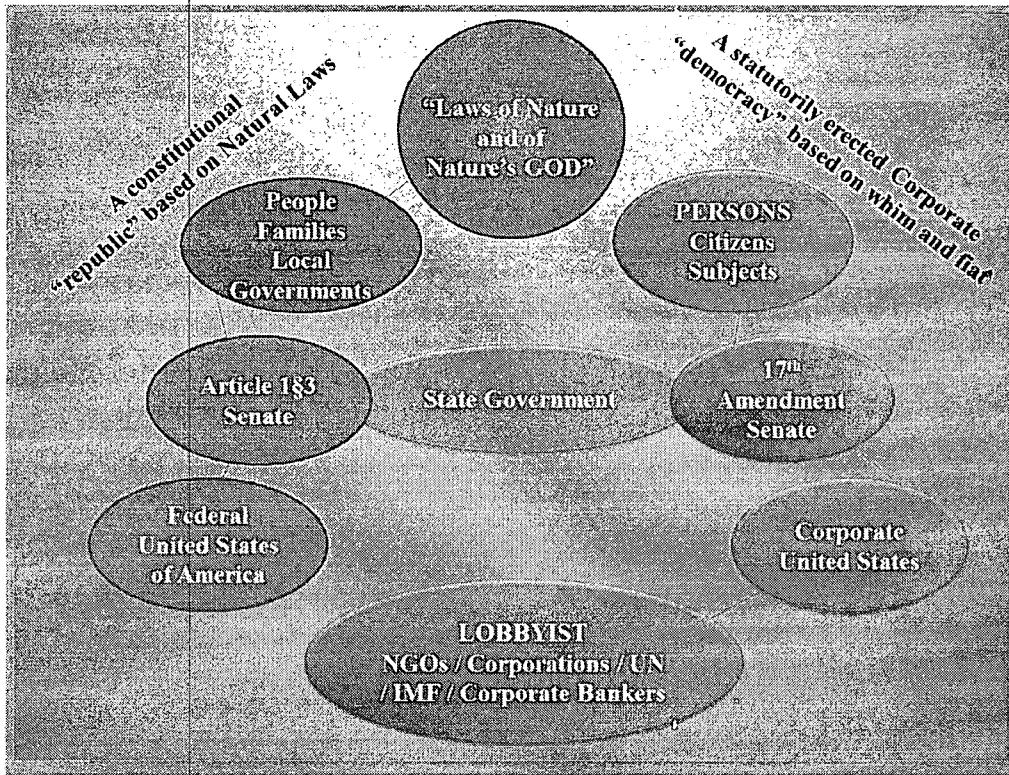
—Sir Richard Ketley, Davy Gom, esquire. *Shakespeare.*

ESSAY. *n. s.* [*effayer*, French.] ³

So, to an Esquire, who is, by definition, the “posterity” of the feudalistic form of governance for which his or her ancestors wanted to “to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty for themselves and their posterity, what, if anything, would be “unconstitutional” under THEIR “Common Law” / “stare decisis^{xvi}” rulings pursuant to the FACTS that evidences that there has been “fraud in fact^{xvii}” since “the establishment” of the 1787 ‘Constitution between the states so ratifying the same’ and its final adoption with a, so called, Bill of Rights in 1791?

b) In the penning of the aforementioned U.S. Constitution, Article 4 § 3 secured “liberty for themselves and their posterity” by providing a manner in which, in Pennsylvania, a 1782 “ACT to prevent the erecting any new and independent state within the limits of this commonwealth” could be circumvented and, by amendment, such has been achieved. This, too, may be viewed in picture form to accurately perceive how, in 1913, when legislators passed the “The Federal

Reserve Act" and the 16th and 17th Amendments (*February 3, 1913 and April 8, 1913 respectively*) they breached both their fiduciary obligations to the enfranchised 13th Amendment persons and their 10th Amendment contractual obligations to their respective States and "the people" therein. Since 1913 neither "the people", nor the "State" have had representation in the Congressional Senate.



3. As a result of the aforementioned breaches, and lack of full disclosure of the implied "performance due under contract" at the time of John B. and Johanna (Anna) Drob's pre May, 1945 purchases of their landed Estate with the lawful coin of the "country of its origin", and, because the tribunal sought by Plaintiff to schedule this contractual matter is being managed by "Esquires" and tendered with a coin which is foreign to that which was used (i.e., gold or silver redeemable notes and coins) at the time of purchase, Defendant, consistent with her fiduciary responsibilities and obligations to her Estate, and the contemporaneous aspects of this matter pursuant to the statutory^{xviii}, regulatory, and decisional authorities relied upon at the time of contract, seeks injunctive¹ relief pursuant to the stipulations stated in her March 27, 2017 NOTICE OF FAULT to Joseph A. O'Brien and in her subsequent PRAECIPE FOR ENTRY OF

¹ **INJUNCTION.** A prohibitive writ issued by a court of equity, at the suit of a party complainant, directed to a party defendant in the action, or to a party made a defendant for that purpose, forbidding the latter to do some act, or to permit his servants or agents to do some act, which he is threatening or attempting to commit, or restraining him in the continuance thereof, such act being unjust and inequitable, injurious to the plaintiff, and not such as can be adequately redressed by an action at law.

An injunction is a writ or order requiring a person to refrain from a particular act. It may be granted by the court in which the action is brought, or by a judge thereof, and when made by a judge it may be enforced as an order of the court. Code Civil Proc. Cal. § 525. – *Black's Law Dictionary, 1st Edition, 1891.*

JUDGMENT OF NON PROS PURSUANT TO RULE 1042.12; docketed on June 10, 2019 to 2018-CIV-3716, this current matter.

4. Legal Issues in this matter are contingent on constitutional, statutory, regulatory and decisional authorities which, when relied upon are jurisdictionally concurrent and consistent with “real statute”; which, per *Bouvier’s Law Dictionary*, 1856, “unlike a personal one, is confined in its operation to **the country of its origin**”. Defendant’s expectations of adjudication are, therefore, consistent with the perpetual authority provided by the mechanical, and contractual, contrivances set forth in the 1778 Articles of Confederation Article 1 “Stile”, the reverse of ‘THE SEAL OF THE STATE OF PENNSYLVANIA”, and, that which is docketed to 2014-CV-473.
5. Legal Issues and Pleadings include, and are not limited to relevant evidence of the aforementioned facts that have been recorded in the following LACKAWANNA COUNTY COURT OF COMMON PLEAS Dockets: 2017-52789, 2018-50339, 2018-51155, 2018-03716, and, sadly, the SUPERIOR COURT OF PENNSYLVANIA 1654 MDA 2006, an adjudication that implies that America has become a conquered nation.
 - a) Additionally, from Bouvier’s Law Dictionary 1856, Petitioner learned that “current” use of the words “real estate”, as those words are used to define the limited powers and authorities of a “CORPORATION” reads in number 14 of 15 of Bouvier’s list: “A sole corporation^{xix} cannot take personal property in succession; its corporate capacity of taking property is confined altogether to real estate”, implies that Legislators may have, whether by misfeasance or malfeasance, re-venued 13th and 14th amendment citizens into a voluntary form of feudalistic servitude (as previously implied) with which, if one chose not to comply, one may be ‘duly convicted of a crime’.
 - b) A deeper look at historical records pertinent to this defense may confirm to a duly convened Natural Law Grand Jury in **the country of their (perceived) origin** the manner by which legislators have become, by Pennsylvania Code definition, “Real Estate Brokers” for the 28 U.S.C. 3002(15) United States Federal corporation’s corporeal and incorporeal “Land Banks”. And, perhaps, determine whether the 20th Amendment provided a gateway for a silent coup d’etat which brought forth a “more perfect” feudalistic form of corporate governance in what was to be a ‘guaranteed republic’. The 20th Amendment confirms that both Congress and the Roosevelt Administration came into office on a day different than previous administrations, which, by definition implies that courts throughout the country may be willingly aiding and abetting sedition as they, since +/- 1965 have been accepting foreign coin as payment for their actions to adjudicate corporate matters for MUNICIPAL AUTHORITIES rather than for the Commonwealth’s Article 1 § 2 “people”.

In consideration of how the business aspects of this corporate form of governance was “sold” to the American people, here, again, is objective evidence from a 1932 – Current Events – article, “Making the magic work”.

CURRENT EVENTS

31

The Magic Scrap of Paper

With It You Can Overthrow Mountains and Slay "Dragons".

In just a few years, you will be helping to run the biggest business in the country.

More than four million persons will be working for you. You will say how billions of dollars are to be spent. Every other business in the United States will depend upon the way you run your business. Every nation in the world will be affected by it.

It does not matter whether you are rich or poor. When you are 21 years old, you will be allowed to sit on the “board of directors” of this business. You would think that you might be required to undergo difficult tests to find out if you were able to direct anything of such importance. But the tests are very simple. You must be an American citizen, either born or naturalized. You must be able to read and write. You must have a place of residence. You must have no criminal record. Sometimes not all those tests are required. Sometimes there are a few more.

When you have passed them, a “scrap of paper” will be put into your hand. With this scrap of paper, you will be able to move mountains, to tunnel under rivers, to set trains of grain and ore streaking across the continent, to start wheels turning in vast factories. With this frail scrap of paper, you may create

candidate cannot become a member. He is blackballed.

The Italians called the little balls that were used for secret voting *ballotta*. From that we get our word “ballot”.

Making the Magic Work.

When you start to run this greatest of our businesses—the Government—you will help to keep the business going. You will invest in the business, and become a shareholder. Naturally you will expect to get returns on your money. Your dividends come to you in the form of good roads, police protection, schools, hospitals, and many public services you could not very well do without.

You are quite willing to make this investment in the form of taxes, as long as you get back full value for every dollar you put in. But sometimes you are asked to put in more and more money. Taxes become a burden. It is almost impossible to pay them. Then you may know that something is wrong with the way you are running your business. It may be that the workers you have “hired” are not efficient, or that they are dishonest. You must change them. Perhaps something is wrong with the machinery. You must remedy that.

Glance at the diagram on this page. It shows you how each dollar you put into the Federal Government is divided up. Do you

Many have not done so in the past. Many have not bothered even to vote. Think of having a magic wand put into your hand, and using it!

In Germany, only about 75 per cent of those who can vote usually go to the polls. In England only 70 per cent of the voters are active. Figures in the United States show that barely 60 per cent vote in presidential elections, but fewer, often less than 50 per cent, vote at other times. Think of it! We no longer have a “Government of the people, by the people, and for the people”. We have a Government of the people, by half the people, for half the people.

A professor at Chicago University made up a list of reasons why people did not vote. He found that the greatest reason by far was general indifference. They just didn’t care! Others

UNCLE SAM’S DOLLAR

MILITARY

34.2 ■ DEFENSE AND PUBLIC WELFARE

34.2 ■ WAR COSTS

34.2 ■ GOVERNMENT

4.2 ■ GOVERNMENT RELATIONS

4.2 ■ GOVERNMENT PURCHASES

4.2 ■ GOVERNMENT EXPENDITURE

4.2 ■ GOVERNMENT EXPENDITURE

1.2 ■ PUBLIC

1.2 ■ VOLUNTARY ASSOCIATION

1.2 ■ LAW ENFORCEMENT

1.2 ■ GOVERNMENT BUILDINGS

1930

6. IN CONCLUSION – Since advising government fiduciaries, in March, 2017, of a resolvable FAULT^{xx} regarding a lack of agreement whereby Fell Township, by any and all of its appellations, and the LRBSA had breaches in their “obligation of contracts” for which Defendant and her ancestors had bargained their “full faith and credit”, additional breaches have become more evident and Defendant brings these matters to the attention of the tribunals, in the interest of all and in support a righting of wrongs since the forming of Lackawanna County circa 1878.

Nevertheless, pursuant to the CURRENT offsets available through the bonding, bundling and monetizing practices of all Municipal Authorities so empowered, inclusive of, and not limited to the LRBSA, Lackawanna County, the Carbondale Area School District, with this pivotal lease agreement matter settled consistent with the aforementioned DEFAULT and Non Pros filings, a Win-Win settlement can be reached that bind “current” MUNICIPAL AUTHORITIES solely for the payment of needed services with the profits they receive when bonds are monetized for the cost of the printing of the notes with which they tender their lessors, suppliers, workers, etc.

The manner by which bonds have been processed through banks (below) is from page 16 of the Scranton Times, April 19, 1937. The article is followed by a recent snip from the Board of Governors of the Federal Reserve System site showing the current cost of printing for each note purchased. It should come as no surprise to the reader that, since the mid 1960’s, Article 1 § 10 of the U.S. Constitution has been breached and it is corporeal and incorporeal real estate, inclusive of infants who are being currently monetized based on their presumed lifelong “full faith and credit”. Without full disclosure, statutory compliance into 13th Amendment VOLUNTARY SERVITUDE is contingent on adhesive and unconscionable contracts which

Further evidence in support of an occupying power "greater than government itself" is provided in this May 13, 1910 Carbondale Leader article, CLEWS OPPOSES CENTRAL BANK.

ward, pairing off, six boys and six girls, the party went for a walk.
Some distance from the school and

How's This?

We offer One Hundred Dollars Reward for
any case of Catarrah that cannot be cured by
Hail's Catarrah Cure.

W. J. CLEWS & CO., Toledo, O.
We, the undersigned, have known F. J. Clews for the last 15 years, and believe him
perfectly honorable in all business transactions,
and financially able to carry out any
obligations made by his firm.

WALDORF, KIRKMAN & MARSHALL,
W. J. CLEWS & CO., Toledo, O.
Hail's Catarrah Cure is taken internally; act-
ing directly upon the blood and mucous sur-
faces of the system. Testimonials sent free.
Price, 75c per bottle. Sold by all Druggists.
Take Hail's Family Pills for constipation.



The
satisfactory
kind of

CLEWS OPPOSES CENTRAL BANK

2013, 1910
May 13, 1910
Carbondale Leader

Says in a Scranton Speech That
It Means a Financial Monopoly.
Money Oligarchy More
Powerful Than the Gov-
ernment Itself.

At a banquet of the local chapter
of the American Institute of Banking
in Scranton last night, Henry Clews
of New York, made an address op-
posing the passage of bills providing
for a central bank and a postal sav-
ings bank, by the national congress.
Mr. Clews urged the local bankers to
lobby "particularly against a central
bank," saying that such an institution
would give stimulus to the money
power of the United States, a power
that has already assumed enormous
proportions.

Mr. Clews said that in the event of
congress passing central bank law
"that law would only serve to add fuel
to the fire that is already destroying
institutions of small magnitude and
building one great institution of hith-
erto unknown and colossal propor-
tions." He said that the amassing of
great wealth in a few hands in this
generation presents a problem hard of
solution and said that a central bank
would naturally be used by the so-
called captains of finance to build up
a money oligarchy more powerful than
the government itself.

Mr. Clews in speaking against the
proposed postal savings bank said that
such an institution would serve only
to increase the paternalism of the gov-
ernment. It would add also, he said,
to the power of the officeholding par-
ty, and in the final analysis would be
a political machine, influencing elec-
tions and promoting socialism by
dwarfing the power of the states and
causing dissent among the masses.
More than 200 bankers attended the
banquet.

An Every-Day Philosophy.
The Cynical philosophy, "the mo-
ment for the moment's sake," is the
current philosophy of the modern man
and woman.

KNIGHTS OF COLUMBUS ARE ON A SOUND

State Treasury Show
Many New Councils
Will Meet in De-

At the closing session
twentieth annual convention
Knights of Columbus of
and Delaware the state
parted a balance of \$1,125.
Reports showed the state
contained 3,675 inscribed
associate members.

During the year 541
and 634 associate mem-
bered, and five new coun-
ties established.

The Knights were pre-
ments to the Catholic
a total of \$170,000 raised
ated or subscribed to
the order. Pennsylvania
payments. Dubois was
next state convention.

WOMEN'S BEAUTY

Imperfect Digestion Causes
Plexion and Dull

The color in your cheeks
the brightness in your eyes
is, if you keep your stomach
condition.

This was the advice of
physician to a woman's
ton and it is good advice.
Belching of gas, bad
taste in mouth, dizziness
and nausea occur simply
stomach is not properly
food.

The blood needs to
carry vigor, vivacity and
part of the body and movements
in the stomach
tissue is not supplied
M. D. stomach tablets
relief to upset stomachs

4. Conclusion and Remedy - I remind the reader that the simplicity of Defendant's March 23, 2017 NOTICE OF FAULT was for JUST COMPENSATION for the forty-six+ (46+) years that, without either an Easement Agreement or Lease Agreement, the commercially zoned, landed Drob Estate, then doing business as JOHNANNA B DROB, Inc., now dissolved (2011 CIV 2362) for waste and abuse, had been Trespassed and EMPLOYED by the LRBSA, a MUNICIPAL AUTHORITY, to provide a service for their end users inclusive of FELL TOWNSHIP and LACKAWANNA COUNTY by any, and all, of their many appellations without providing just compensation to the Drob Estate.

Just compensation continues to accrue with annual interest in accordance with Pa.R.C.P. 238 - Damage for Delay. Current; 2019 calculations show \$943,645.12 to be the amount due to the Drob Estate for services rendered to the LRBSA and their end users since the NOTICE OF FAULT was submitted on March 23. 2017.

March 23, 2017 NOTICE OF FAULT showed	-	SUB TOTAL:	\$824,996.00
Pa.R.C.P. 238 - Damage for Delay 2017 -	3.75%		\$855,933.35
Pa.R.C.P. 238 - Damage for Delay 2018 -	4.50%		\$894,450.35
Pa.R.C.P. 238 - Damage for Delay 2019 -	5.50%	CURRENT TOTAL:	\$943,645.12

Defendant, THEREFORE, seeks judgment pursuant to the contractual and covenanted obligations to which she, our ancestors, and our descendants are "entitled" as recorded in Petitioner's February 20, 2018 VERIFICATION OF SERVICE to DOCKET NO. 2017-52789 and elsewhere in her dockets of record, whereby all taxing MUNICIPAL AUTHORITIES, in, by and for any and all previous, current, and future appellations (such as captioned above), are deemed to be forever contractually offset because of the sewage service provided to the true "current" MUNICIPALITY AUTHORITIES' end users and customers quantum meruit².

In anticipation that you will promptly discharge of your fiduciary^{xxi} duties in this matter with fidelity and remit to this Petitioner, at the address above, appropriate documentation that judgment was found in her favor and others who are likewise situated. To do anything less implies your support of RICO activities within this Commonwealth, specifically, the County of Lackawanna, and Lackawanna County by any and all its appellations.

With mutual respect for each of our fiduciary responsibilities.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities and/or 28 U.S.C.A. Section 1746(1), relating to unsworn declarations under the penalty of perjury.

Date: August 19, 2019

Respectfully Submitted,



Conusant, Veronica A. Hannevig, Executrix,
Administrator for DEFENDANT
The Estate of John B. and Johanna (Anna) Drob

ENDNOTES

² QUANTUM MERUIT. As much as he deserved. In pleading. The common count in an action of *assumpsit* for work and labor, founded on an implied *assumpsit* or promise on the part of the defendant to pay the plaintiff *as much as he reasonably deserved* to have for his labor. 3 Bl. Comm. 161; 1 Tidd, Pr. 2.

ⁱ **DE BENE ESSE** - In equity practice. One which is brought to take the testimony of witnesses to a fact material to the prosecution of a suit at law which is actually commenced, where there is good cause to fear that the testimony may otherwise be lost before the time of trial. 2 Story, Eq. Jur. § 1813, n. *Black's Law Dictionary, 1st Edition, 1891.*

ⁱⁱ **CONCURRENT** - Having the same authority; acting in conjunction; agreeing in the same act; contributing to the same event; contemporaneous. - *Black's Law Dictionary, 1st Edition, 1891.*

ⁱⁱⁱ **RES JUDICATA** - A thing adjudged makes white, black; black, white; the crooked, straight; the straight, crooked. *1 Bouv. Inst. no. 840.*

^{iv} **TRIBUNAL** - The seat of a judge; the place where he administers justice; but by this term is more usually understood the whole body of judges who compose a jurisdiction sometimes it is taken for the jurisdiction which they exercise. 2. This term is Latin, and derives its origin from the elevated seat where the tribunes administered justice. - *Bouvier's Law Dictionary, 1856.*

^v **COMMON SENSE**. - Sound practical judgment; that degree of intelligence and reason, as exercised upon the relations of persons and things and the ordinary affairs of life, which is possessed by the generality of mankind, and which would suffice to direct the conduct and actions of the individual in a manner to agree with the behavior of ordinary persons. - *Black's Law Dictionary, 1st Edition, 1891.*

^{vi} **CONTEMPORANEOUS EXPOSITION**. The construction of a law, made shortly after its enactment, when the reasons for its passage were then fresh in the minds of the judges, is considered as of great weight: contemporanea expositio est optima et fortissima in lege. 1 Cranch, 299. - *Bouvier's Law Dictionary, 1856.*

^{vii} **CHAPTER 35. STATE REAL ESTATE COMMISSION § 35.201. Definitions.** **Real estate**—An interest or estate in land—whether corporeal or incorporeal, whether freehold or nonfreehold, whether the land is situated in this Commonwealth or elsewhere—including leasehold interests and time share and similarly designated interests.

^{viii} **NATURAL EQUITY**. - A term sometimes employed in works on jurisprudence, possessing no very precise meaning, but used as equivalent to justice, honesty, or morality in business relations, or man's innate sense of right dealing and fair play. Inasmuch as equity, as now administered, is a complex system of rules, doctrines, and precedents, and possesses, within the range of its own fixed principles, but little more elasticity than the law, the term "natural equity" may be understood to denote, in a general way, that which strikes the ordinary conscience and sense of justice as being fair, right, and equitable, in advance of the question whether the technical jurisprudence of the chancery courts would so regard it.

^{ix} **NATURAL HEIRS**. - In a statute of distributions, this term may be understood and interpreted as meaning "legitimate heirs," and hence may include an adopted child. 9 Amer. Law Reg. (O. S.) 747.

^x And we have this treasure in earthen vessels, so that the excellence of the power might be of Elohim, and not of us - (2Co 4:7 *The Scriptures* 1998+)

^{xi} **FORUM DOMICILII**. - The forum or court of the domicile; the domicile of a defendant, considered as a place of jurisdiction. 2 Kent, Comm. 463.

DOMICILE OF ORIGIN. - The home of the parents. Phillim. Dom. 25,101. That which arises from a man's birth and connections. 5 Ves. 750. The domicile of the parents at the time of birth, or what is termed the "domicile of origin," constitutes the domicile of an infant, and continues until abandoned, or until the acquisition of a new domicile in a different place. 1 Brock. 389, 393. - *Black's Law Dictionary, 1st Edition, 1891.*

^{xii} **NATURAL LAW**. The rule and dictate of right reason, showing the moral deformity or moral necessity there is in any act, according to its suitableness or unsuitableness to a reasonable nature. Tayl. Civil Law, 99.

This expression, "natural law," or *jus naturale*, was largely used in the philosophical speculations of the Roman jurists of the Antonine age, and was intended to denote a system of rules and principles for the guidance of human conduct which, independently of enacted law or of the systems peculiar to any one people, might be discovered by the rational intelligence of man, and would be found to grow out of and conform to his *nature*, meaning by that word his whole mental, moral, and physical constitution. The point of departure for this conception was the Stoic doctrine of a life ordered "according to nature," which in its turn rested upon the purely supposititious existence, in primitive times, of a "state of nature;" that is, a condition of society in which men universally were governed solely by a rational and consistent obedience to the needs, impulses, and promptings of their true nature, such nature being as yet undefaced by dishonesty, falsehood, or indulgence of the baser passions. See Maine, Anc. Law, 50, et seq..

^{xiii} **In Congress, July 4, 1776. - The unanimous Declaration of the thirteen united States of America *(emphasis added)***, When in the Course of human events, it becomes necessary for one people to (1) dissolve the political bands which have connected them with another, and to (2) assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should (3) declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by **their Creator** (*first paragraph*, #2) with certain **unalienable Rights**, that among these are **Life, Liberty and the pursuit of**

Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. . . .

xiv Commentaries on the Laws of England (1765-1769) Sir William Blackstone Approximately 260 years ago, Sir William Blackstone foretold the type of men who would be "educated to the bar" and warned that it may be "a matter of very public concern."

rious consequence: I mean the custom, by some so very warmly recommended, to drop all liberal education, as of no use to students in the law: but to place them, in its stead, at the desk of some skillful attorney; in order to initiate them early in all the depths of practice, and render them more dexterous in the mechanical part of business. A few instances of particular persons, (men of excellent learning, and unblemished integrity) who, in spite of this method of education, have shone in the foremost ranks of the bar, have afforded some kind of sanction to this illiberal path to the profession, and biased many parents, of short-sighted judgment, in its favour: not considering, that there are some geniuses, formed to overcome all disadvantages, and that from such particular instances no general rules can be formed; nor observing, that those very persons have frequently recommended by the most forcible of all examples, the disposal of their own offspring, a very different foundation of legal studies, a regular academical education. Perhaps too, in return, I could now direct their eyes to our principal seat of justice, and suggest a few hints, in favour of university learning: --but in these all who hear me, I know, have already prevented me.

MAKING therefore due allowance for one or two shining exceptions, experience may teach us to foretell that a lawyer thus educated to the bar, in subservience to attorneys and solicitors, will find he has begun at the wrong end. If practice be the whole he is taught, practice must also be the whole he will ever know: if he be uninstructed in the elements and first principles upon which the rule of practice is founded, the least variation from established precedents will totally distract and bewilder him: *ita lex scripta est* is the utmost his knowledge will arrive at: he must never aspire to form, and seldom expect to comprehend, any arguments drawn *a priori*, from the spirit of the laws and the natural foundations of justice.

* The four highest judicial offices were and the fourth a fellow of Trinity college, at that time filled by gentlemen, two of Cambridge, whom had been fellows of All Souls college; another fellow of Christ Church, * 1749, p. 12.

Now is this all: for (as few persons of birth, or fortune, or even of scholastic education, will submit to the drudgery of feruitude and the manual labour of copying the trash of an office) should this infatuation prevail to any considerable degree, we must rarely expect to see a gentleman of distinction or learning at the bar. And what the consequence may be, to have the interpretation and enforcement of the laws (which include the entire disposal of our properties, liberties, and lives) fall wholly into the hands of obscure or illiterate men, is a matter of very public concern.

THE inconveniences here pointed out can never be effectually prevented, but by making academical education a previous step to the profusion of the common law; and at the same time making the rudiments of the law a part of academical education. For sciences are of a forcible disposition, and flourish best in the neighbourhood of each other: nor is there any branch of learning, but may be helped and improved by auxiliaries drawn from other arts. If therefore the student in our laws hath formed both his sentiments and style, by perusal and imitation of the pure classical writers, among whom the historians and orators will best deserve his regard: if he can reason with precision, and separate argument from fallacy, by the clear simple rules of pure unpoliticized logic; if he can fix his attention, and steadily pursue truth through any the most intricate deduction, by the use of mathematical demonstrations; if he has enlarged his conceptions of nature and art, by a view of the several branches of genuine experimental philosophy; if he has imprest on his mind the sound maxims of the law of nature, the best and most authentic foundation of human laws; --lastly, if he has contemplated those maxims reduced to a practical system in the laws of imperial Rome, if he has done this or any part of it, (though all may be easily done under able instructors, as ever graced any seats of learning), a student thus qualified may enter upon the study of the law with incredible advantage and reputation. And if

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INTRODUCTION, SECTION 1 On The Study of The Law*

"The evident want of some assistance in the rudiments of legal knowledge has given birth to a practice, which, if ever it had grown to be general, must have proved of extremely pernicious consequence. I mean the custom by some so very warmly recommended, of dropping all liberal education, as of no use to students in the law: and placing them, in its stead, at the desk of some skillful attorney; in order to initiate them early in all the depths of practice, and render them more dexterous in the mechanical part of business. A few instances of particular persons, (men of excellent learning, and unblemished integrity,) who, in spite of this method of education, have shone in the foremost ranks of the bar, have afforded some kind of sanction to this illiberal path to the profession, and biased many parents, of short-sighted judgment in its favor: not considering, that there are some geniuses, formed to overcome all disadvantages, and that from such particular instances no general rules can be formed; nor observing, that those very persons have frequently recommended by the most forcible of all examples, the disposal of their own offspring, a very different foundation of legal studies, a

regular academical education. Perhaps too, in return, I could now direct their eyes to our principal seats of justice, and suggest a few hints in favor of university learning.⁶⁰ . . . but in these all who hear me, I know, have already prevented me.

"Making therefore due allowance for one or two shining exceptions, experience may teach us to foretell that a lawyer thus educated to the bar, in subservience to attorneys and solicitors,⁶¹ will find he has begun at the wrong end. If practice be the whole he is taught practice must also be the whole he will ever know: if he be uninstructed in the elements and first principles upon which the rule of practice is founded, the least variation from established precedents will totally distract and bewilder him: *ita lex scripta est*⁶² [so the law is written] is the utmost his knowledge will arrive at; he must never aspire to form, and seldom expect to comprehend, any arguments drawn *a priori* [beforehand], from the spirit of the laws and the natural foundations of justice.

"Nor is this all; for (as few persons of birth, or fortune, or even of scholastic education, will submit to the drudgery of servitude and the manual labor of copying the trash of an office) should this infatuation prevail to any considerable degree, we must rarely expect to see a gentleman of distinction or learning at the bar. And what the consequence may be, to have their interpretation and enforcement of the laws (which include the entire disposal of our properties, liberties, and lives) fall wholly into the hands of obscure or illiterate men, is a matter of very public concern."

FEUDAL LAW is contrary to a state's unalienable right to the jurisdiction, title and ownership under which an estate was contracted. - *Bouvier's Law Dictionary, 1856 Edition*:

FEUDAL LAW. By this phrase is understood a political system which placed men and estates under hierarchical and multiplied distinctions of lords and vassals. The principal features of this system were the following.

4. In the United States the feudal law never was in its full vigor, though some of its principles are still retained. "Those principles are so interwoven with every part of our jurisprudence," says Ch. J. Tilghman, 3 S. & R. 447, "that to attempt to eradicate them would be to destroy the whole. They are massy stones* worked into the foundation of our legal edifice. Most of the inconveniences attending them, have been removed, and the few that remain can be easily removed, by acts of the legislature." See 3 Kent, Com. 509, 4th ed. *See Bible; 1 Peter 2:5 v. Genesis 11:1-3

^{xv} **FRAUDULENT CONVEYANCE.** A conveyance or transfer of property, the object of which is to defraud a creditor, or hinder or delay him, or to put such property beyond

his reach. - Every transfer of property or charge thereon made, every obligation incurred, and every judicial proceeding taken with intent to delay or defraud any creditor or other person of his demands, is void against all creditors of the debtor, and their successors in interest, and against any person upon whom the estate of the debtor devolves in trust for the benefit of others than the debtor. Civil Code Cal. § 3439.

A transfer made by a person indebted or in embarrassed circumstances, which was intended or will necessarily operate to defeat the right of his creditors to have the property applied to the payment of their demands. Abbott

^{xvi} **Stare Decisis** [Latin, Let the decision stand] - The policy of courts to abide by or adhere to principles established by decisions in earlier cases.

^{xvii} **FRAUD IN FACT.** Actual, positive, intentional fraud. Fraud disclosed by matters of fact, as distinguished from constructive fraud or fraud in law. - *Black's Law, 1st Edition, 1891*

^{xviii} **STATUTE.** The written will of the legislature, solemnly expressed according to the forms prescribed in the constitution; an act of the legislature.

2. This word is used in contradistinction to the common law. Statutes acquire their force from the time of their passage unless otherwise provided. 7 Wheat. R. 104; 1 Gall. R. 62.

3. It is a general rule that when the provision of a statute is general, everything which is necessary to make such provision effectual is supplied by the common law; Co. Litt. 235; 2 Inst. 222; Bac. Ab. h. t. B; and when a power is given by statute, everything necessary for making it effectual is given by implication: *quando le aliquid concedit, concedere videtur et id pe quod devenitur ad aliud.* 12 Co. 130, 131 2 Inst. 306.

11. Real statutes are those which have principally for their object, property, and which do not speak of persons, except in relation to property; such are those which concern the disposition, which one may make of his property

either alive or by testament. A real statute, unlike a personal one, is confined in its operation to the country of its origin. — *Bouvier's Law Dictionary, 1856*

STATUTORY EXPOSITION. When the language of a statute is ambiguous, and any subsequent enactment involves a particular interpretation of the former act, it is said to contain a *statutory* exposition of the former act. Wharton. — *Black's Law, 1st Edition, 1891*

STATUTORY OBLIGATION. An obligation—whether to pay money, perform certain acts, or discharge certain duties—which is created by or arises out of a statute, as distinguished from one founded upon acts between parties or jural relationships. — *Black's Law, 1st Edition, 1891*

^{xix} 12. Corporations, considered in another point of view, are either sole or aggregate. 13. A sole corporation, as its name implies, consists of only one person, to whom and his successors belongs that legal perpetuity, the enjoyment of which is denied to all natural persons. 1 Black Com. 469. Those corporations are not common in the United States. In those states, however, where the religious establishment of the church of England was adopted, when they were colonies, together with the common law on that subject, the minister of the parish was seised of the freehold, as persona ecclesiae, in the same manner as in England; and the right of his successors to the freehold being thus established was not destroyed by the abolition of the regal government, nor can it be divested even by an act of the state legislature. 9 Cranch, 828. 14. **A sole corporation cannot take personal property in succession; its corporate capacity of taking property is confined altogether to real estate.** 9 Cranch, 43.

^{xx} **FAULT**, contracts, civil law. An improper act or omission, which arises from ignorance, carelessness, or negligence. The act or omission must not have been meditated, and must have caused some injury to another. Lec. Elcm. §783. See *Dolus, Negligence*. 1 Miles' Rep. 40. . . . 2. - 1. Faults or negligence are usually divided into, gross, ordinary, and slight: 1. Gross fault or neglect, consists in not observing that care towards others, which a man the least attentive, usually takes of his own affairs. Such fault may, in some cases, afford a presumption of fraud, and in very gross cases it approaches so near, as to be almost undistinguishable from it, especially when the facts seem hardly consistent with an honest intention. — *Bouvier's Law Dictionary, 1856*.

^{xxi} **Fiduciary** - A person, such as an investment manager or the executor of an estate, or an organization, such as a bank, entrusted with the property of another party and in whose best interests the fiduciary is expected to act when holding, investing, or otherwise using that party's property. *Wall Street Words: An A to Z Guide to Investment Terms for Today's Investor* by David L. Scott. Copyright © 2003 by Houghton Mifflin Company.