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BDW AFFIDAVIT FULL

House of Ward
145 Slater Street
Warrington
[WA4 1DW]
20th Day of March 2015

Ladies and Gentlemen. It is our Duty and obligation and very great honour to make the following announcement and Decree.

On this Day the 20thDay of March 2015.

It is now confirmed Formally, on and for the Record as of this Day the 20thDay of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and statement of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. That there has never been any such thing as LAW. But only the presumption of law, where a presumption is nothing of material substance and any presumption can be dismissed by a formal challenge.

It is now confirmed Formally, on and for the Record as of this Day the 20thDay of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and statement of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. That Parliament does not reign supreme and that any notion of government has no legitimacy without the Material evidence that the governed have given their consent and that there cannot be any Government For the one cannot exist in isolation without the other. Also that any action taken by way of Act or statute of Parliament is and always has been a criminal offence of FRAUD and Malfeasance in the office at the very least.

It is now confirmed Formally, on and for the Record as of this Day the 20thDay of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and statement of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. That the office of the Judiciary is nothing more than a sub office of a commercial body and the status and standing of any Judge or Magistrate currently on this land has no greater status or standing or authority than the Manageress of McDonalds. Also it is formally recognised on and for the record that the state is a is legal embodiment by an act of registration which is of no material substance and therefore fraud by default and that the interests of the State are the interests of the State alone to the detriment of anybody and anything else including its own officers of the state. That the actions of the State are now recognised as an unconscionable and criminal fraternity capable of highness crimes without measure.

It is now confirmed Formally, on and for the Record as of this Day the 20th Day of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and statement of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. That any and all executable Orders and Documents must carry an affixed common seal which denotes point of origin and that any and all excitable Orders and Documents must be signed by human hand and in wet ink by a named authoritative living being who takes full responsibility for the content of that formal excitable Order or document. Any deviation from this standing process where there is no affixed common seal or signature in wet ink by a living hand with authority to do so, will be recognised in perpetuity as a criminal offence.

It is now confirmed Formally, on and for the Record as of this Day the 20thDay of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and statement of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. That all imposed Taxation and Duty is and always has been not only a criminal offence but is also detrimental to all the people of this planet.

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20th Day of March 2015

That from this day forward and as of the 20th Day of March 2015 and in perpetuity the enforcement of all Taxation and duty is a recognised Act of Terrorism. It is now confirmed Formally, on and for the Record as of this Day the 20thDay of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and stamen of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. That there is no such thing as money or commerce. No body gets paid or has been paid. No Body has the capability to Pay anybody or for any thing or Item without Money. All commercial instruments are nothing more than pieces of paper with marks on them. That there value is only confidence and belief where confidence and Belief is recognised as being of no material substance. The continued use of these commercial instruments is for the feeble of mind who insist on living in a make believe world of their own making. Capitalism will forever be recognised and in perpetuity as the exploitation of another for personal gain. This has always been an unconscionable and detrimental activity to the human race since Babylonian times.

It is now confirmed Formally, on and for the Record as of this Day the 20th Day of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and statement of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. There is no greater Sanctuary than the human home, be this home a castle or a wood hut or a blanket on the ground. From this day forward as of the 20th Day of March 2015 let it be known that any transgression of this sanctuary other than by invitation, that any transgression of this Sanctuary is a recognised Act of War and aggression. We have the right by the very fact that we live to protect our life and the life of our loved ones. Any transgression of this Sanctuary can be met with equal or great force with impunity. This is the long standing law and traditions of this land. So say we all.

It is now confirmed Formally, on and for the Record as of this Day the 20th Day of March 2015 Agreed by the State and the Crown By way of un-rebutted Affidavit and statement of Fact and that there is a lasting tacit and binding agreement through Acquiescence and Royal Assent by Default. That the practice of election by way of secret ballot is and always has been an abomination and deception with no credibility or redeeming qualities. By the very fact that this is a SECRET Ballot by any means of notarisation or recording renders the outcome obsolete by definition that is a secret Ballot. By the very fact that there is no recognised un-elective or reveres process and by the very fact that there is no such word to this effect in the recognised dictionaries. Then this elective process by way of secret ballot is and always has been void ab initio. Have a nice Day. On and for the record.

Bring out the town crier and let the Bell ring. Let it be known across this planet, that from this day the 20thDay of March 2015 that the satanic Roman Empire is no more. Let it be by Decreed that this is the day and will always be the day in perpetuity when the days of austerity and tyranny end for all time to come. Let this day go down in history across this planet as a day of celebration for all time. So say we all.

Let the celebrations begin.

So say we all.

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House of Ward
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13th Day of February 2015

Affidavit of Truth and statement of Fact.

1. I, Baron David of the House of Ward (being the undersigned) do solemnly swear, declare and depose....

2. THAT I am competent to state the matters herein, and do take oath and swear that the matters herein are true, certain and correct as contained within this David of the House of Ward Affidavit of Truth and Fact.

3. I am herein stating the truth, the whole truth & nothing but the truth; and these truths stand as fact until another can provide the material and physical evidence to the contrary.

4. THAT I fully and completely understand, before any charges can be brought, it must be firstly proved, by presenting the material evidence to support the facts that the charges are valid and have substance that can be shown to have material physical substance as a foundation in fact.

5. From Exhibit (A). —Formal challenge to the twelve presumptions of lawl A presumption is something that is presumed to be true and as a presumption then there is only a need for a formal challenge to that presumption to dismiss that presumption until the physical and material evidence can be presented to support that presumption.

6. From Exhibit (B). —Case Authority WI-05257Fl David Ward V Warrington Borough Council, 30thDay of May 2013. Which is a case at court tribunal undertaken by recognised due process It is clear in the case that David Ward did not challenge the PCN or the traffic Management Act 2004 section 82. But what was challenged was the presumption of the consent of the governed. What is a mandatory requirement before the Acts and statutes can be legally acted upon is that the consent of the governed has some validity and that it can be presented as material fact before any charges can be brought. It is clear from this case authority undertaken by due process that: -(1) It is illegal to act upon any of the Acts or statutes without the consent of the governed where the governed have actually given their consent and that consent is presentable as material physical evidence of the fact that the governed have given their consent. (2) Where the Acts and statutes are acted upon then this is illegal and a criminal action by the State. (3) The criminal action is Malfeasance in a public office and fraud. (4) Were there is no consent of the governed on and for the public record then there is not governed and where there is no governed then there is no government. The one cannot exist without the other. (5) As this criminal activity is observed to be standard practice and has been for nearly 800 years, then this is clear observable evidence to the fact that LAW is a presumption and there is no such thing as LAW. See Exhibit (A) the twelve presumptions of law.

   From Exhibit (C). —The Material evidence of the FACTSl It has been confirmed by the Rt. Hon. Lord Chief Justice Sir Jack Beatson FBA, on and for the record that:-(1) Whilst there is no material and physical evidence to the fact that the governed have given their consent. Then the office of the Judiciary has no greater authority than the local manageress of McDonalds. As the office of the Judiciary is a sub office of a legal embodiment by an act of registration. Where this act of registration creates nothing of physical material substance and is also fraud by default. Any objection to this observation of fact should be taken up with the Rt. Hon. Lord |Chief Justice Sir Jack Beatson FBA, Where the Rt. Hon. Lord Chief Justice Sir Jack Beatson FBA would then have to present the material and physical evidence that the governed have given their consent. As the office of the Judiciary is nothing more than a private commercial and fraudulent enterprise built upon fraud and criminal intent. This is by no stretch of the imagination a valid government by the people for the people as it is by default a private company providing a judicial service for profit and gain but where

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there is also and always a conflict of interests where there is a conflict of interests between the needs of the people and the state (Company) Policy which has no obligation to the people or even the needs and wellbeing company staff. This has been confirmed by Chandran Kukathas of the London School of Economics and state office titled the Department of Government. See Exhibit (C) The Material evidence of the FACTS.

7. From Exhibit (D). It is quite clear that there is due process for the execution of legal and commercial documents. Where these processes are not followed then the very presence of a document which does not comply with these processes then the document it's self is physical and material evidence of Malfeasance in a public office and fraud.

8. From Exhibit (E). It is very clear that all instances of Taxation and Duty, VAT is not only not necessary but only serves to deplete and subtract from the populations prosperity. Not only this but as we have shown it is also illegal and criminal to do so without the agreement or the consent of the governed. It is unconscionable and a recognised act of terrorism. The Exhibit speaks for its self.

9. From Exhibit (F). The Facts are the Facts. There is no money. The facts are the Facts. A great number of people live their lives in a world of make believe. Let us consider this. Two barristers or lawyers will and do enter into a court room and one of them will lose. For some reason which is beyond our comprehension it is a professionally accepted practice to have a 50% failure rate. In a world of reality there is some people who service the planes at the local airport between flights. If these people had a 50% failure rate then 50% of the planes would fall out of the sky. THAT IS A FACT. There is no money, just the illusion of money. There is legal tender and fiscal currency and commercial instruments and promissory Bank notes, but there is no money. It is quite clear that a lot of people live in a world of make believe and Alice in wonderland Lar Lar land. There is no money. It is not possible to pay for anything without money. You never paid for anything and you never got paid. That is a fact.

10. There is no valid, legal or lawful government on this land. See Exhibit (H) The Hypocrisy of the Secret Ballet Elective Process.

11. From Exhibit (G). My rights end where your rights begin. Your rights end where my rights begin. Rights are not granted by government or the crown and they cannot be taken away or violated by government or the crown. A Judge does not have the right to trespass on my property so the judge cannot give a Bailiff or a civil enforcement officer or a policeman the right by means of a warrant or an order because the Judge, who is a company servant by default, does not have that authority unless I agree. A public servant is a servant by default with the status of servant and a servant has no authority above the one who grants that authority. Until the Judge can present the agreement or the consent of the governed then the Judge has no authority to grant a warrant or a court order. Exhibit Case Authority WI-05257F. David Ward V Warrington Borough Council. 30thday of May 2013. Also Exhibit (C) The Material evidence of the FACTS. These are the facts. The material evidence of these facts has been provided.

12. This Affidavit of Truth and statement of Fact stands on and for the record as FACT until some other can present the material physical evidence to the contrary which is valid.

Without ill will or vexation.

For and on behalf of the Principal legal embodiment by the title of MR DAVID WARD.
For and on behalf of the attorney General of the House of Ward.
For and on behalf of Baron David of the House of Ward.
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Exhibit (A)

Formal challenge to the twelve presumptions of law

19th Day of January 2015

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Formal challenge to the twelve presumptions of law

Definition of presumption: http://www.oxforddictionaries.com/definition/english/presumption

1. An idea that is taken to be true on the basis of probability:

As a presumption, is a presumption on which must be agreed by the parties, to be true.

THEN and EQUALY

If one party challenges the presumption to be true on the basis of probability. Then this is all that is recognised to be required to remove the presumption is a formal challenge to that presumption. The presumption then has no standing or merit in FACT.

A probability: http://www.oxforddictionaries.com/definition/american_english/probability

1. The extent to which something is probable; the likelihood of something happening or being the case:

By definition then this is not substantive as it is only a probability of what may be and therefore has no substance in material FACT.

A **State Court** does not operate according to any true rule of law, but by presumptions of the law. Therefore, if presumptions presented by the private Bar Guild are not rebutted they become fact and are therefore said to stand true. There are twelve (12) key presumptions asserted by the private Bar Guilds which if unchallenged stand true being *Public Record, Public Service*, *Public Oath*, *Immunity*, *Summons, Custody, Court of Guardians, Court of Trustees*, *Government as Executor/Beneficiary, Agent and Agency, Incompetence*, and *Guilt*:

(i) *The Presumption of* ***Public Record*** is that any matter brought before a state Court is a matter for the public record when in fact it is presumed by the members of the private Bar Guild that the matter is a private Bar Guild business matter. Unless openly rebuked and rejected by stating clearly the matter is to be on the Public Record, the matter remains a private Bar Guild matter completely under private Bar Guild rules;

We, the undersigned formally challenge the *Presumption of Public Record* as it is by definition a presumption by definition and has no standing or merit in presentable or material fact.

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(ii) *The Presumption of* ***Public Service*** is that all the members of the Private Bar Guild who have all sworn a solemn secret absolute oath to their Guild then act as public agents of the Government, or "public officials" by making additional oaths of public office that openly and deliberately contradict their private "superior" oaths to their own Guild. Unless openly rebuked and rejected, the claim stands that these private Bar Guild members are legitimate public servants and therefore trustees under public oath;

We, the undersigned formally challenge the *Presumption of* ***Public Service*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(iii) The *Presumption of* ***Public Oath*** is that all members of the Private Bar Guild acting in the capacity of "public officials" who have sworn a solemn public oath remain bound by that oath and therefore bound to serve honestly, impartiality and fairly as dictated by their oath. Unless openly challenged and demanded, the presumption stands that the Private Bar Guild members have functioned under their public oath in contradiction to their Guild oath. If challenged, such individuals must recues themselves as having a conflict of interest and cannot possibly stand under a public oath;

We, the undersigned formally challenge the *Presumption of* ***Public Oath*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(iv) The *Presumption of* ***Immunity*** is that key members of the Private Bar Guild in the capacity of "public officials" acting as judges, prosecutors and magistrates who have sworn a solemn public oath in good faith are immune from personal claims of injury and liability. Unless openly challenged and their oath demanded, the presumption stands that the members of the Private Bar Guild as public trustees acting as judges, prosecutors and magistrates are immune from any personal accountability for their actions;

We, the undersigned formally challenge the *Presumption of* ***Immunity*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(v) The *Presumption of* ***Summons*** is that by custom a summons unrebutted stands and therefore one who attends Court is presumed to accept a position (defendant, juror, witness) and jurisdiction of the court. Attendance to court is usually invitation by summons. Unless the summons is rejected and returned, with a copy of the rejection filed prior to choosing to visit or attend, jurisdiction and position as the accused and the existence of "guilt" stands;

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We, the undersigned formally challenge the *Presumption of* ***Summons*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(vi) The *Presumption of* ***Custody*** is that by custom a summons or warrant for arrest unrebutted stands and therefore one who attends Court is presumed to be a thing and therefore liable to be detained in custody by "Custodians". Custodians may only lawfully hold custody of property and "things" not flesh and blood soul possessing beings. Unless this presumption is openly challenged by rejection of summons and/or at court, the presumption stands you are a thing and property and therefore lawfully able to be kept in custody by custodians;

We, the undersigned formally challenge the *Presumption of* ***Custody*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(vii) The *Presumption of Court of* ***Guardians*** is the presumption that as you may be listed as a "resident" of a ward of a local government area and have listed on your "passport" the letter P, you are a pauper and therefore under the "Guardian" powers of the government and its agents as a "Court of Guardians". Unless this presumption is openly challenged to demonstrate you are both a general guardian and general executor of the matter (trust) before the court, the presumption stands and you are by default a pauper, and lunatic and therefore must obey the rules of the clerk of guardians (clerk of magistrates court);

We, , the undersigned formally challenge the *Presumption of* ***Guardians*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(viii) The *Presumption of Court of* ***Trustees*** is that members of the Private Bar Guild presume you accept the office of trustee as a "public servant" and "government employee" just by attending a Roman Court, as such Courts are always for public trustees by the rules of the Guild and the Roman System. Unless this presumption is openly challenged to state you are merely visiting by "invitation" to clear up the matter and you are not a government employee or public trustee in this instance, the presumption stands and is assumed as one of the most significant reasons to claim jurisdiction - simply because you "appeared";

We, the undersigned formally challenge the *Presumption of* ***Trustees*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(ix) The *Presumption of* ***Government acting in two roles as Executor and Beneficiary*** is that for the matter at hand, the Private Bar Guild appoints the judge/magistrate in the capacity of Executor while

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the Prosecutor acts in the capacity of Beneficiary of the trust for the current matter. if the accused does seek to assert their right as Executor and Beneficiary over their body, mind and soul they are acting as an Executor De Son Tort or a "false executor" challenging the "rightful" judge as Executor.

Therefore, the judge/magistrate assumes the role of "true" executor and has the right to have you arrested, detained, fined or forced into a psychiatric evaluation. Unless this presumption is openly challenged to demonstrate you are both the true general guardian and general executor of the matter (trust) before the court, questioning and challenging whether the judge or magistrate is seeking to act as Executor De Son Tort, the presumption stands and you are by default the trustee, therefore must obey the rules of the executor (judge/magistrate) or you are an Executor De Son Tort and a judge or magistrate of the private Bar guild may seek to assistance of bailiffs or sheriffs to assert their false claim against you;

We, the undersigned formally challenge the *Presumption of* ***Government acting in two roles as Executor and Beneficiary*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(x) The *Presumption of* ***Agent and Agency*** is the presumption that under contract law you have expressed and granted authority to the Judge and Magistrate through the statement of such words as "recognize, understand" or "comprehend" and therefore agree to be bound to a contract. Therefore, unless all presumptions of agent appointment are rebutted through the use of such formal rejections as "I do not recognize you", to remove all implied or expressed appointment of the judge, prosecutor or clerk as agents, the presumption stands and you agree to be contractually bound to perform at the direction of the judge or magistrate;

We, the undersigned formally challenge the *Presumption of* ***Agent and Agency*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(xi) The *Presumption of* ***Incompetence*** is the presumption that you are at least ignorant of the law, therefore incompetent to present yourself and argue properly. Therefore, the judge/magistrate as executor has the right to have you arrested, detained, fined or forced into a psychiatric evaluation. Unless this presumption is openly challenged to the fact that you know your position as executor and beneficiary and actively rebuke and object to any contrary presumptions, then it stands by the

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time of pleading that you are incompetent then the judge or magistrate can do what they need to keep you obedient;

We, the undersigned formally challenge the *Presumption of* ***Incompetence*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

(xii) The *Presumption of* ***Guilt*** is the presumption that as it is presumed to be a private business meeting of the Bar Guild, you are guilty whether you plead "guilty", do not plead or plead "not guilty". Therefore unless you either have previously prepared an affidavit of truth and motion to dismiss with extreme prejudice onto the public record or call a demurrer, then the presumption is you are guilty and the private Bar Guild can hold you until a bond is prepared to guarantee the amount the guild wants to profit from you.

We, the undersigned formally challenge the *Presumption of* ***Guilt*** as it is by definition a presumption, by definition and has no standing or merit in presentable or material fact.

We formally challenge all presumptions of law and as we have formally challenged all the twelve presumptions of law then the presumption of law formally has no substance in material FACT.
As a scholar of law and recognised R.B.A. (Recognised By Achievement) Parra Legal by the demonstrated knowledge at court tribunal. *(See enclosed case authority exhibit B . David Ward and Warrington Borough council 30th Day of May 2013. Case No WI-05257F)* We will recognise the rule of law, when and only when there is the material evidence of that assumed rule of law has some material evidence of substance in presentable material fact.

Until then the search for the rule of law that has some credibility in material fact: continues.

It is done.

Without ill will or vexation.

For and on behalf of the principal legal embodiment by the title of MR DAVID WARD
For and on behalf of the attorney general of the House of Ward
For and on behalf of Baron David of the House of Ward

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Exhibit (B)

Case Authority

Case No WI 05257F

David Ward

And

Warrington Borough Council

Date: 30th Day of May 2013

Case Overview.

What the Government would like people to believe is that a procedural impropriety is an acceptable mistake which can be overlooked. But what this is, is a deliberate act of fraud and also malfeasance in a public office.

These are very serious crimes with criminal intent.

Fraud is a deliberate action to defraud where the victim of the crime is unaware having no knowledge of a situation or fact. This crime caries a penalty of 7 to 10 years incarceration and there latter, where there is multiple instances of. 63.5 million People are subject to this crime everyday as it is now commonplace and is carried out by the largest and most ruthless criminal company in this country.

This same company is also a public office with the enforcement to execute this crime which is inclusive of but not limited to:- The office of the police, The office of the Judiciary, Local government and central government. Independent Bailiff Companies which are licensed by the same company.

Malfeasance, Misfeasance and Nonfeasance is also a very severe crime with a period of incarceration of Life in prison. Malfeasance is a deliberate act, with criminal intent to defraud. Ignorance is no defense. Malfeasance has been defined by appellate courts in other jurisdictions as a wrongful act which the actor has no legal right to do; as an act for which there is no authority or warrant of law; as an act which a person ought not to do; as an act which is wholly wrongful and unlawful; as that which an officer has no authority to do and is positively wrong or unlawful; and as the unjust performance of some act which the party performing it has no legal right.

Crimes of this nature cannot go unpunished. If crime goes unpunished then the criminal will undertake the action again and again. When the criminal is rewarded for the crime by their peers and superiors it then becomes difficult to know that a crime has been committed in the first place. However, it is everyone's obligation to be fully conversant with there actions, and the consequences of their actions in every situation.

"I was just following orders" Or "I was just doing my Job" Is no excuse.

When the full extent of these crimes is realised, it then becomes blatantly obvious that these crimes are deliberate and in full knowledge if not by the lower subordinates but defiantly by the executive officers of the company.

The cost of these crimes has been estimated to be in the region of £4,037.25 Trillion over the past 35 years. This is the cost to the people of this small country which is far in excess by many times the global GDP.

The simplicity of this case is very often overlooked as it involves a simple PCN. (Penalty Charge Notice)

It is important to note here that the appellant at tribunal did not challenge the PCN, or the Traffic Management Act. But the appellant took out the very foundation to any claim made under any Act or statute of Parliament. All of which have the same legal dependency which has never been fulfilled in 800 years.

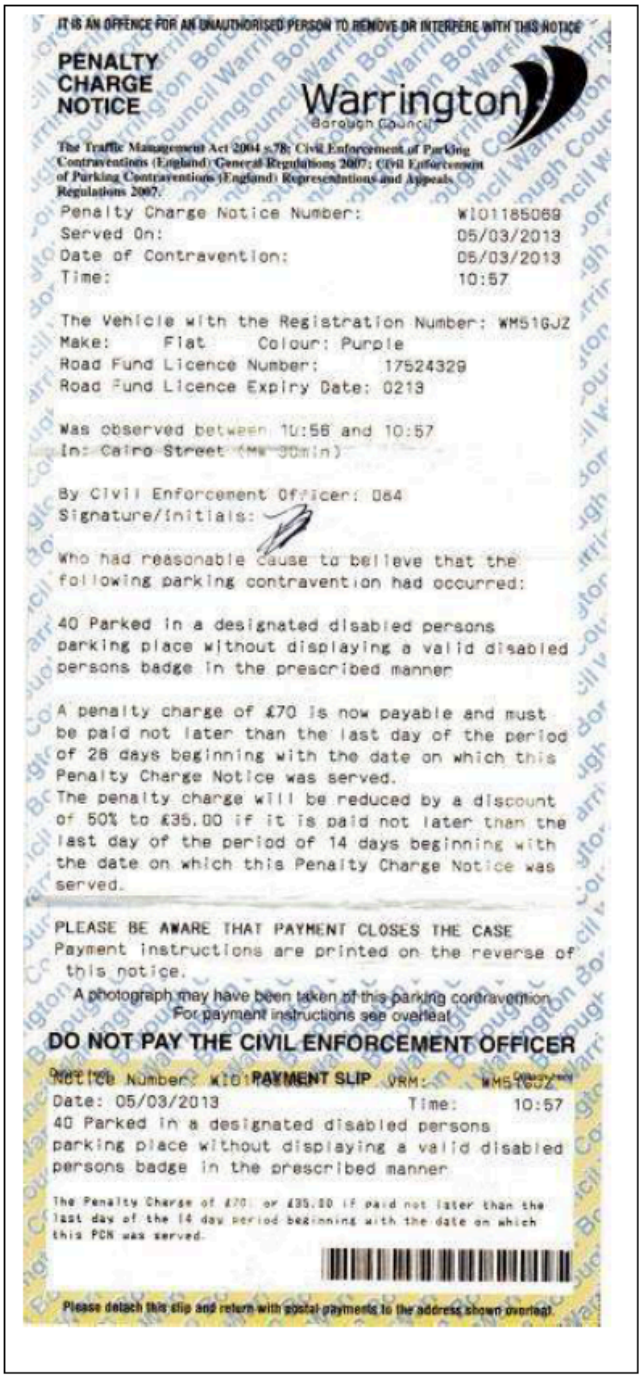
There are in excess of 8 million Act's and statutes. None of which can be acted upon without the legal authority to do so. To act upon these same Act's/Statutes without the legal authority to do so is Malfeasance in a public office and fraud at the very least.

This case which was undertaken at tribunal and there for recognized due process confirms this to be the facts of the matter.

Case details.

This may be a simple PCN (Penalty Charge Notice) but close observation of the details will conclusively show otherwise.

This is the PCN (Penalty Charge Notice) issued by Warrington Borough Council which clearly shows that a claim is being made under the traffic management Act 2004. There is clearly no disclosure to the fact that there is no liability to pay as the outcome will show.



IT IS AN OFFENCE FOR AN UNAUTHORISED PERSON TO REMOVE OR INTERFERE WITH THIS NOTICE

PENALTY CHARGE NOTICE

Warrington Borough Council

The Traffic Management Act 2004 s.78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.

Penalty Charge Notice Number: WI01185069
Served On: 05/03/2013
Date of Contravention: 05/03/2013
Time: 10:57

The Vehicle with the Registration Number: WM51GJZ
Make: Fiat Colour: Purple
Road Fund Licence Number: 17524329
Road Fund Licence Expiry Date: 0213

Was observed between 10:56 and 10:57
In: Cairo Street (MW 30min)

By Civil Enforcement Officer: 084
Signature/Initials:

Who had reasonable cause to believe that the following parking contravention had occurred:

40 Parked in a designated disabled persons parking place without displaying a valid disabled persons badge in the prescribed manner

A penalty charge of £70 is now payable and must be paid not later than the last day of the period of 28 days beginning with the date on which this Penalty Charge Notice was served.
The penalty charge will be reduced by a discount of 50% to £35.00 if it is paid not later than the last day of the period of 14 days beginning with the date on which this Penalty Charge Notice was served.

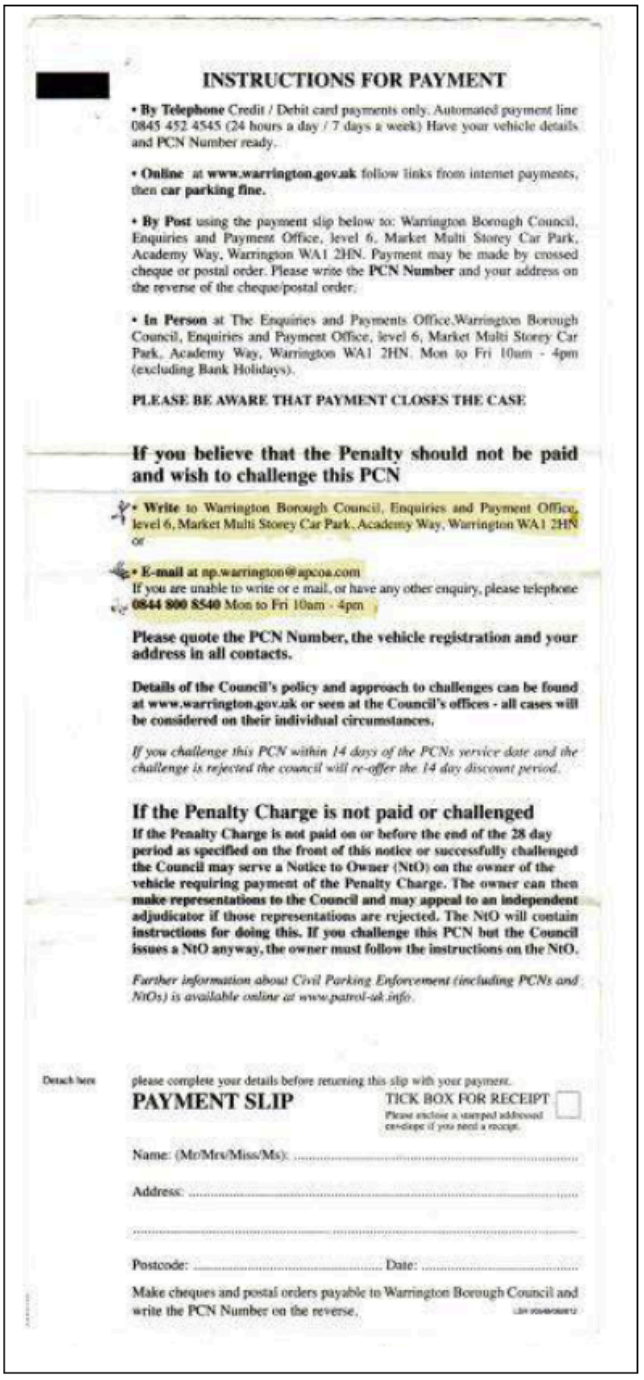
PLEASE BE AWARE THAT PAYMENT CLOSES THE CASE
Payment instructions are printed on the reverse of this notice.
A photograph may have been taken of this parking contravention
For payment instructions see overleaf

DO NOT PAY THE CIVIL ENFORCEMENT OFFICER

Notice Number: WI01185069 **PAYMENT SLIP** VRM: WM51GJZ
Date: 05/03/2013 Time: 10:57
40 Parked in a designated disabled persons parking place without displaying a valid disabled persons badge in the prescribed manner

The Penalty Charge of £70 or £35.00 if paid not later than the last day of the 14 day period beginning with the date on which this PCN was served.

Please detach this slip and return with postal payments to the address shown overleaf



[redacted]

INSTRUCTIONS FOR PAYMENT

• **By Telephone** Credit / Debit card payments only. Automated payment line 0845 452 4545 (24 hours a day / 7 days a week) Have your vehicle details and PCN Number ready.

• **Online** at **www.warrington.gov.uk** follow links from internet payments, then **car parking fine.**

• **By Post** using the payment slip below to: Warrington Borough Council, Enquiries and Payment Office, level 6, Market Multi Storey Car Park, Academy Way, Warrington WA1 2HN. Payment may be made by crossed cheque or postal order. Please write the **PCN Number** and your address on the reverse of the cheque/postal order.

• **In Person** at The Enquiries and Payments Office,Warrington Borough Council, Enquiries and Payment Office, level 6, Market Multi Storey Car Park, Academy Way, Warrington WA1 2HN. Mon to Fri 10am - 4pm (excluding Bank Holidays).

PLEASE BE AWARE THAT PAYMENT CLOSES THE CASE

If you believe that the Penalty should not be paid and wish to challenge this PCN

• **Write** to Warrington Borough Council, Enquiries and Payment Office, level 6, Market Multi Storey Car Park, Academy Way, Warrington WA1 2HN or

• **E-mail** at np.warrington@apcoa.com
If you are unable to write or e mail, or have any other enquiry, please telephone **0844 800 8540** Mon to Fri 10am - 4pm

Please quote the PCN Number, the vehicle registration and your address in all contacts.

Details of the Council's policy and approach to challenges can be found at www.warrington.gov.uk or seen at the Council's offices - all cases will be considered on their individual circumstances.

If you challenge this PCN within 14 days of the PCNs service date and the challenge is rejected the council will re-offer the 14 day discount period.

If the Penalty Charge is not paid or challenged

If the Penalty Charge is not paid on or before the end of the 28 day period as specified on the front of this notice or successfully challenged the Council may serve a Notice to Owner (NtO) on the owner of the vehicle requiring payment of the Penalty Charge. The owner can then make representations to the Council and may appeal to an independent adjudicator if those representations are rejected. The NtO will contain instructions for doing this. If you challenge this PCN but the Council issues a NtO anyway, the owner must follow the instructions on the NtO.

Further information about Civil Parking Enforcement (including PCNs and NtOs) is available online at www.patrol-uk.info.

Detach here

please complete your details before returning this slip with your payment.

PAYMENT SLIP TICK BOX FOR RECEIPT ☐
Please enclose a stamped addressed envelope if you need a receipt.

Name: (Mr/Mrs/Miss/Ms): .....

Address: .....

.....

Postcode: ..... Date: .....

Make cheques and postal orders payable to Warrington Borough Council and write the PCN Number on the reverse.

The Next document and physical evidence is the notice to owner from the same Warrington borough Council which also quite clearly makes the claim that there has been a violation of the traffic Management Act 2004 section 82. On the 08th April 2013.

Notice to Owner

WARRINGTON Borough Council

Traffic Management Act 2004, s82: Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

Mr David Ward
145 Slater Street
Warrington
WA4 1DW

WI01185069

This Notice to Owner has been issued to you by Warrington Borough Council because the Penalty Charge Notice has not been paid in full and you are the registered owner/keeper/hirer on the date on which the Penalty Charge Notice was served to the vehicle.

Date of this Notice to Owner and date of posting	08/04/2013		
To:	Mr David Ward		
This Notice to Owner has been served on you because it appears to Warrington Borough Council that you are the owner of			
Vehicle Registration Number	WM51GJZ	Make	FIAT
Tax Disc	17524329	Expiry	0213
In respect of Penalty Charge Notice (PCN) Number	WI01185069	Served on	05/03/2013
By Civil Enforcement Officer (CEO)	WI084		
who had reason to believe that the following contravention had occurred and that a penalty charge was payable.	40 Parked in a designated disabled persons parking place without displaying a valid disabled persons badge in the prescribed manner		
Location of contravention	Cairo Street (MW 30min)		
Date of Contravention	05/03/2013	Time	10:57:04

Penalty Charge Amount:	**£70**		
Amount Paid to Date:	**£0**	Payment Due Now	**£70**

Note: The person appearing to be in charge of the vehicle was served with a Penalty Charge Notice (PCN) which allowed 14 days for payment of a 50% discounted penalty charge; otherwise the full penalty charge became due. Either no payment has been received or any payment received has been insufficient to clear the penalty charge.

A penalty charge of **£70** is now payable by you as the owner and must be paid no later than the last day of the period of 28 days beginning with the date on which this Notice is served. This Notice will be taken to have been served on the second working day after the day of posting (as shown above) unless you can show that it was not.

YOU THE OWNER/KEEPER/HIRER ARE LIABLE FOR THE PENALTY CHARGE NOTICE – DO NOT IGNORE THIS NOTICE OR PASS IT TO THE DRIVER

You may make representations to Warrington Borough Council as to why this penalty charge should not be paid. These Representations should be made not later than the last day of the period of 28 days beginning on the date on which this Notice is served and any representations made outside that period may be disregarded.

Note: If you do not pay the penalty charge or make Representations before the period specified above, the penalty charge will increase by 50% to **£105** and a Charge Certificate will be served on you. **If you do not pay the full amount shown on the Charge Certificate, Warrington Borough Council may register it as a debt at the County Court and then put the case in the hands of the bailiffs who will add their own costs to the penalty charge.**

Payment Slip WI01185069

For payment options please see overleaf

You must complete this slip in BLOCK CAPITALS and return it to the address below:

Penalty Charge Notice:WI01185069
Vehicle Registration Number:WM51GJZ
Date of Contravention:05/03/2013
Payment Amount Due: £70

Warrington Borough Council, Enquiries & Payments Office, Level 6, Market Multi Storey Car Park, Academy Way, Warrington, WA1 2HN

Along with the opportunity to make representation as to why there is no liability.

Representations

WARRINGTON Borough Council

Traffic Management Act 2004, s82: Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

WI01185069

Penalty Charge Notice: WI01185069
Vehicle Registration Number:WM51GJZ
Date Of Contravention:05/03/2013

If you believe that the penalty charge should not be paid you may make Representations to Warrington Borough Counci Representations must be made in writing and you may use this form.

How to Make Representations

The Traffic Management Act 2004 sets out grounds (see below) on which you may make Representations.
Representations must be made in writing within the period of 28 days beginning with the date of service of this Notice, the date of service will be taken to have been 2 working days after the day of posting. Any Representations made after this date may be disregarded.
If your Representation is successful a Notice of Acceptance will be issued and the penalty charge cancelled.
If your Representation is unsuccessful a Notice of Rejection will be issued to you and you must either pay the penalty charge in full or appeal to an Adjudicator, who will independently consider your Appeal. An Appeal form will be included with the Notice of Rejection, which you should complete and send to the adjudicator at the address shown on the form. Details of the appeals procedure will be sent with the Notice of Rejection.

Section One: Grounds for Representations.

Please tick the grounds on which you are making representations.
I am not liable to pay the penalty charge because:

- ☑ **The alleged contravention did not occur.**
  In Section 3, explain why you believe no contravention took place.
- ☐ **I was never the owner of the vehicle in question/or**
  Please complete section 2.
- ☐ **I had ceased to be its owner before the date on which the alleged contravention occurred/or**
  Please complete section 2
- ☐ **I became its owner after the date on which the alleged contravention occurred.**
  Please complete section 2
- ☐ **The vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner.**
  Supply proof such as a police crime report number, police station address or insurance claim in Section 3.
- ☐ **We are a vehicle hire firm and the vehicle was on hire under a hiring agreement and the hirer had signed a statement acknowledging liability for any PCN issued during the hiring period.**
  Please supply a copy of the signed hire agreement including the name and address of hirer. Please complete Section 4.
- ☐ **The penalty charge exceeded the amount applicable in the circumstances of the case.**
  That is, you have been asked to pay more than you are legally liable to pay. Please complete Section 3.
- ☑ **There has been a procedural impropriety by the enforcement authority.**
  Please complete Section 3 stating why you believe the authority has acted improperly or in breach of regulations.
- ☑ **The Order which is alleged to have been contravened in relation to the vehicle concerned is invalid.**
  You believe the parking restriction in question was invalid or illegal. Please complete Section 3.
- ☐ **This Notice should not have been served because the penalty charge had already been paid.**

If none of the grounds above apply but you believe there are mitigating circumstances please complete Section 3.

We would also point out at this point that this is an unsigned NOTICE and not a legal document. The mitigating circumstances is that there has been a procedural impropriety, which is clearly an option as this is clearly stated on the notice to owner. So it is apparent that there is a procedural impropriety in place and this is known by Warrington Borough Council otherwise this option would not be a part of the Notice to owner. We also took the opportunity to utilise a second option which confirms there is a procedural impropriety and that the order which is alleged to have been contravened in relation to the vehicle is invalid. Why ells would these possibilities be on this notice to owner if there was not a procedural impropriety. We also took the opportunity to complete section 3 of the notice to owner to clarify the procedural impropriety on a separate piece of paper as advocated by Warrington Borough Council as there was not enough space on the notice to owner provided. These presentations were as follows.

Notice to Warrington Borough Council

145 Slater Street
Latchford
Warrington
WA4 1DW
16th of April 2013

Warrington Borough Council,
Enquiries & Payments Office
Level 6
Market Multi Story Car Park
Academy Way
Warrington
WA1 2HN

Notice of opportunity to withdraw

NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO PRINCIPAL IS NOTICE TO AGENT APPLIES

DO NOT IGNORE THIS LETTER. IGNORING THIS LETTER WILL HAVE LEGAL CONCEQUENCES

You're Reference: Wl01185069

Dear Sir's

We do not know who to name as the recipient of this communication as the sender failed in his/her duty of care and did not sign the document sent to Mr David Ward at his address. The action of not signing the document sent to Mr David Ward legally means that no living person has taken legal responsibility for the content of the document on behalf of Warrington Borough Council and the document cannot be legally responded to. That very act of not signing the document renders the document void and therefore none legal and unusable in law under current legislation. **Strike one**. Deliberate Deception.

This Document will now be kept on file as physical presentable evidence, as it represent the criminal activities of the representatives of Warrington Borough Council whether they are aware of this transgression or not. Ignorance of the law is no defence and all of the representatives of Warrington Borough Council are now culpable under the current legislation because one individual failed to sign the document. This is a fact which must be understood. **Strike two**. Ignorance of current legislation.

The second big mistake on the document is that the document is a notice to owner. Under current legislation the owner of any motorised vehicle is the DVLA Swansea SA99 1BA, this means that some imbecile at Warrington Borough Council has sent a notice to owner to the registered keeper and not the official owner. **Strike three**. Document sent to the wrong address. We have not progressed beyond the first line yet and we are falling around on the floor in a state of hysteria at the competence levels demonstrated by the representatives of Warrington Borough Council. Mr David Ward is the official registered keeper not the owner.

The very next line refers to the Traffic Management Act 2004. Now this is where things get really interesting because the Act referred to is an act of HM Parliament and governments PLC, a recognised corporation or an all for profit business. An Act which is not law in the UK, it is not even referred to as law as it is an Act of a corporation or an all for profit business, or policy, but it is not a law. **Strike four**. Displays lack of understanding and competence regarding what is the difference between law and legislation. Act's and statutes of HM Parliament and governments **PLC** can only be given force of law by the consent of the governed which have agreed to those Act's and statutes of HM Parliament and governments PLC. There for there is a mandatory legal requirement under current legislation that the governed must have given their consent legally which can be physically presented as fact before the Act's and statutes of HM Parliament and governments PLC can be given force of law. Not Law, Not enforceable. Sixty three and a half million people in the UK have not legally entered into those agreements in full knowledge and understanding and of their own free will, which must be kept on the public record for the Act's and statutes of HM Parliament and governments PLC to be given an action which involves force. Or force of law. The answers to the questions are in the understanding of the words used to implement acts of force. Or Law.

The next item we come to is a demand for payment. A demand for payment without a signed Bill is a direct contravention of the Bills of Exchange Act 1882. **Strike Five**. The Bills of exchange act of 1882 is based upon a pre existing commercial contract or agreement. See Bills of exchange act of 1882. http://www.legislation.gov.uk/ukpga/Vict/45-46/61.

Profiteering through deception is an act of fraud. **Strike six**. See Fraud Act 2006. http://www.legislation.gov.uk/ukpga/2006/35/contents. Insisting or demanding payment without a pre existing commercial

arrangement which is based on presentable fact in the form of a commercial agreement is an act of deception. Payment is a commercial activity.

You have been served LEGAL NOTICE

Mr David ward has no recognisable legal means to respond to a demand for payment without a signed bill which is based upon a pre existing commercial contract or arrangement or agreement, because there is no standing commercial contract or arrangement or agreement between Mr David Ward and Warrington Borough Council. If Mr David Ward was to willingly comply with the demand for payment without a commercially recognised bill, then Mr David Ward would have knowingly given consent and conspired to a commercially fraudulent action. This in turn would make Mr David Ward culpable under current regulation for that action. Mr David Ward will not knowingly create that liability against himself or create that culpability.

The very presentation of the document that we are responding to from Warrington Borough Council, which is also a document that will be kept on file for future presentation as physical evidence, which is presentable physical evidence and a list of transgressions against the currently held legislation.

This same document supplied by Warrington Borough Council recognises that there may be, or has been a procedural impropriety by the enforcement authority. This is the only saving grace on this document which allows for a honourable withdrawal, of the proceedings implemented illegally by the enforcement authority.

This document is representation as to the procedural impropriety by the enforcement authority and as stated at the outset of the document, gives an opportunity to withdraw due to the procedural impropriety by the enforcement authority. This process is also a matter of complying with current legislation, without which Mr David Ward would be unsuccessful if he were to pursue legal proceeding against the enforcement authority and or the members of Warrington Borough Council.

As the opportunity to withdraw has now been presented to the enforcement authority and the members of Warrington Borough Council under a procedural impropriety by the enforcement authority. Should the above mentioned not take the opportunity to make an honourable withdrawal and confirm such in writing to Mr David Ward, then Mr David Ward will be left with no other option in the future but to start legal proceedings against the enforcement authority and the members of Warrington Borough Council.

The content of this document will be in the public domain in the next few days as there is no agreement in place which is legally binding with which to prevent this.

We don't expect to be hearing from the enforcement authority and or the members of Warrington Borough Council again unless it is in the form of a written confirmation of withdrawal of proceedings.
No further correspondence will be entered into regarding this matter.

WITHOUT PREJUDICE, i.e. all natural and Unalienable Rights Reserved

For and on behalf of David Ward

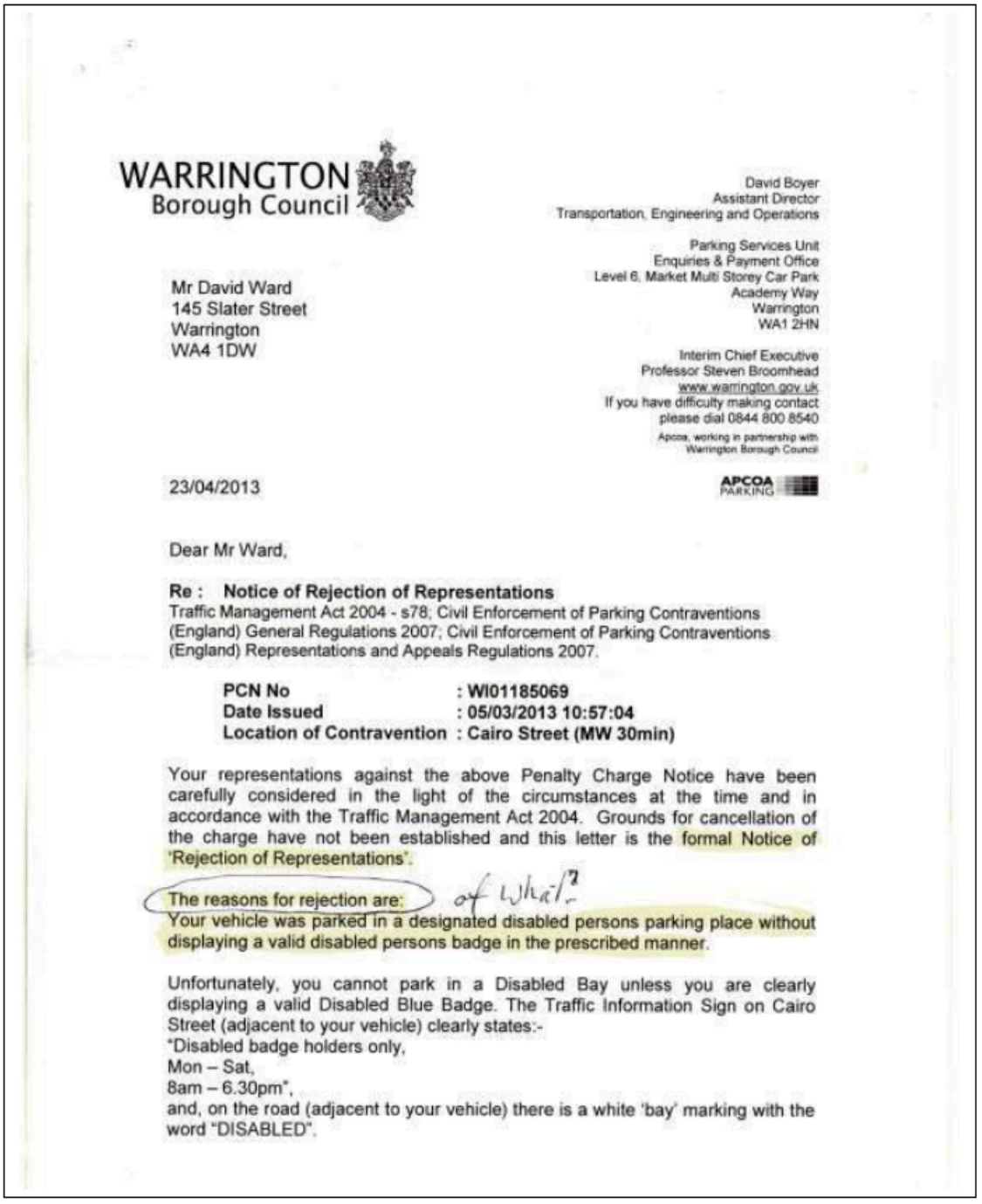
Mr David Ward reserves the right to use force to defend himself, his family and his family home, which he has an unalienable right to do so.

Response to this notice should be forwarded within 10 days of receipt of this notice to the postal address known as,
145 Slater Street, Latchford, Warrington WA4 1DW
No assured value, No liability. No Errors & Omissions Accepted. All Rights Reserved.
WITHOUT RECOURSE – NON-ASSUMPSIT

You have been served LEGAL NOTICE

Warrington Borough council decided at this point not to recognise the representation given or the requirement for Warrington Borough council to present the legal and presentable "Consent of the governed" Which is mandatory for Warrington Borough council to have the correct legal authority before acting under the Act's and statutes of parliament.

It is also important to note that Warrington Borough council did not at this point contest the presentations made.



WARRINGTON
Borough Council

David Boyer
Assistant Director
Transportation, Engineering and Operations

Parking Services Unit
Enquiries & Payment Office
Level 6, Market Multi Storey Car Park
Academy Way
Warrington
WA1 2HN

Interim Chief Executive
Professor Steven Broomhead
www.warrington.gov.uk
If you have difficulty making contact
please dial 0844 800 8540
Apcoa, working in partnership with
Warrington Borough Council

APCOA PARKING

Mr David Ward
145 Slater Street
Warrington
WA4 1DW

23/04/2013

Dear Mr Ward,

Re : Notice of Rejection of Representations
Traffic Management Act 2004 - s78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.

PCN No	**: WI01185069**
Date Issued	**: 05/03/2013 10:57:04**
Location of Contravention	**: Cairo Street (MW 30min)**

Your representations against the above Penalty Charge Notice have been carefully considered in the light of the circumstances at the time and in accordance with the Traffic Management Act 2004. Grounds for cancellation of the charge have not been established and this letter is the formal Notice of 'Rejection of Representations'.

The reasons for rejection are: of which?
Your vehicle was parked in a designated disabled persons parking place without displaying a valid disabled persons badge in the prescribed manner.

Unfortunately, you cannot park in a Disabled Bay unless you are clearly displaying a valid Disabled Blue Badge. The Traffic Information Sign on Cairo Street (adjacent to your vehicle) clearly states:-
"Disabled badge holders only,
Mon – Sat,
8am – 6.30pm",
and, on the road (adjacent to your vehicle) there is a white 'bay' marking with the word "DISABLED".

There is no effective contest to the presentations made. So the presentations made stand as fact.

Also at this point Warrington Borough council invited Mr D Ward to take Warrington Borough council to tribunal and the outcome would be legal and binding on both parties. So we took advantage of this generous offer and we also included

copy of all documents up to this point as physical evidence.. This was the same process as before. Along with same presentations sent to Warrington Borough council. Along with a letter to the adjudicator as follows.

Dear Adjudicator

Please forgive the informality as we have not been made aware of the name of the adjudicator.

This is in response to Warrington Borough Councils decision to reject our challenge against the PCN. Clearly the PCN has been challenged by Mr David Ward, But that challenge has not been rebutted by Warrington Borough Council, as Warrington Borough Council have only repeated the grounds under which the PCN was raised. Copy under same cover which is highlighted.
Also a PCN is a penalty charge Notice and as such a notice of a penalty charge. A recognisable Bill has not been raised and presented to Mr David Ward complete with a wet ink signature.

As the presentations made by Mr David Ward where not addressed. Then the challenge made by Mr David Ward still stands and the PCN is not valid or enforceable.

Warrington Borough Council has made a demand for payment, but has not presented Mr David Ward with a Bill which is recognised under the Bills of exchange act of 1882. *(Which also must have a signature in wet ink?)* Warrington Borough Council cannot raise a Bill because there is no commercial arrangement in place between Warrington Borough Council and Mr David Ward under which to raise a Bill.

For Mr David Ward to respond by paying without a bill signed in wet ink, then that would be a direct violation of the bills of exchange act of 1882. In addition to this as there is no commercial arrangement and Bill presented, then this would also be a contravention of the fraud act of 2006. Mr David Ward is not in the habit of knowingly conspiring to fraud. This action would also create a liability against Mr David Ward.

Warrington Borough has also listed in their "rejection of presentations" the Traffic Management Act 2004 – s78 in support of their claim. The Act's and statutes of HM Parliaments and Governments PLC can only be given force of law by the consent of the governed. What is mandatory in the first instance is the consent of the governed which is also presentable as fact. As the consent of the governed is not presentable as fact, then the Act's and statutes of HM Parliaments and Governments PLC cannot be acted upon in any way which would cause loss to the governed. What is mandatory in this instance is the presentable agreements of sixty three and a half million governed to be in place before an Act or Statute can be acted upon.
We fail to see how this is in support of the PCN presented to Mr David Ward.

We fail to see how listing the Traffic Management Act 2004 – s78 supports the claims made by Warrington Borough Council in any way other than to create obfuscation in attempt to confuse the mind.

There are no agreements in place between the 22000 residents of the Warrington Borough and Warrington Borough Council, which can be presented as fact complete with signatures in wet ink, which can be presented to support the claim of Warrington Borough Council in support of a demand for payment. Without violating the Bill's of exchange Act of 1882 and the fraud act of 2006 section 2 Fraud by false representation see: http://www.legislation.gov.uk/ukpga/2006/35/section/2. And section 4 part 2
A person may be regarded as having abused his position even though his conduct consisted of an omission rather than an act. See: http://www.legislation.gov.uk/ukpga/2006/35/section/4. An omission in the form of an omitted signature would constitute an act of fraud under section 4 section 2 of the fraud act of 2006.

So let us summarise regarding the grounds for appeal with reference to the form provided for appeal.

- **(A) The alleged contravention did not occur.** No contravention has occurred, because there are no agreements between the 220,000 members of the Warrington Borough and Warrington Borough Council, which can be legally presented as fact in support of the alleged contravention.
- **(C) There has been a procedural impropriety by the council.** The council did not respond to the challenge made by Mr David Ward in a manner which would make any sense or would constitute a rebuttal to the challenge. Warrington Borough Council are advocating to Mr David Ward in their demand for payment without a bill presented, a direct contravention of the Bill's of exchange Act 1882 and the Fraud Act 2006.
- **(D)The traffic Order which is alleged to have been contravened in relation to the vehicle concerned is invalid.** The traffic order *(that's a new approach, can't find a listing for that.)* is illegal because there is no agreement between the parties which is legally presentable as fact and signed in wet ink. You have got to love that word legal, legally blind, legal consent.

All presentable as fact complete with a signature in wet ink, and without the signature in wet ink on a legal document in the form of an agreement, then it is not legal or is illegal and therefore not lawful. You have to love the word legal.

Need we continue? It is obvious at this point that there is no body at Warrington Borough Council that is capable of understanding the challenge made by Mr David Ward, or capable of responding, there for an Adjudicator becomes necessary.

There is only one outcome to this tribunal, where the adjudicator is a recognised lawyer and is independent of the council.

- A challenge has been made and has not been effectively rebutted by Warrington Borough Council.
- The action of demanding payment without the presentation of a lawful legal Bill which is subject to The Bill's of exchange Act of 1882 and signed in wet ink cannot be responded to in the manner expected by Warrington Borough Council, without a second transgression against the fraud act of 2006.
- Regardless of the policies or legislation of Warrington Borough Council or HM Parliaments and Governments PLC, any commercial activity would constitute an act of fraud without the commercial agreements in place beforehand.
- The continued activates where demands for payment are made without observing the bills of exchange act 1882 and a recognised bill is presented complete with wet ink signature is a continued procedural impropriety by the council and the members of Warrington Borough Council are culpable in law for their actions.

There can only be one outcome to this tribunal which is acceptable under current legislation and that outcome will be found in favour of the appellant Mr David Ward and not in favour of continued transgressions against current legislation by Warrington Borough Council.

In the document provided outlining procedure to make presentations in this tribunal process, there is a section concerning Costs in favour of the appellant, where a party has behaved wholly unreasonable.

We have taken a considerable amount of time and energy responding to Warrington Borough Council when making representation and in preparation for this tribunal. It is not without reason that a consideration could be expected. This would also serve to enforce the decision made by the adjudicator in this tribunal. If the adjudicator is truly an independent and an honourable individual then a consideration is in order.

Mr David Ward also notes that as this Tribunal is informal then it is also recognised as not legally binding regardless of the findings of the Adjudicator.

We would also like a response in writing from the adjudicator to relay the outcome of this tribunal conveying the reasons for the adjudicator's decisions.

For and on behalf of Mr David Ward

WITHOUT PREJUDICE, i.e. all natural and Unalienable Rights Reserved

Mr David Ward reserves the right to use force to defend himself, his family and his family home, which is his unalienable right to do so.

No assured value, No liability. Errors & Omissions Accepted. All Rights Reserved.
WITHOUT RECOURSE – NON-ASSUMPSIT

There are addition changes in international law that the adjudicator may not be aware of at this time. Please consider the following which also has some bearing on this tribunal.

The results from the tribunal are as follows. Decision Cover Letter (Appellant) 1249270-1.pdf

Traffic Penalty Tribunal England and Wales

Traffic Penalty Tribunal
Springfield House,
Water Lane, Wilmslow,
Cheshire SK9 5BG

appeals@trafficpenaltytribunal.gov.uk
www.trafficpenaltytribunal.gov.uk

Mr David Ward
145 Slater Street
Latchford
Warrington
Cheshire WA4 1DW

Case Number: **WI 05257F**

Vehicle Registration: **WM51GJZ**

Direct Dial: **01625 44 55 84**

30 May 2013

Dear Mr Ward,

David Ward v Warrington Borough Council
WI01185069

Enclosed you will find the Adjudicator's Decision. A copy has been sent to the Council.

The Adjudicator's Decision is final and binding on both you and the Council.

The attached notes explain the consequences of the Decision, but must be read subject to any specific directions given by the Adjudicator.

If payment is required, please send payment to the Council, not to the Traffic Penalty Tribunal.

Yours sincerely

Kerry Conway

Clearly this is a tribunal and as such recognised due process which is legal and binding on both Parties. In addition to this there was the adjudicator's decision.

Adjudicator Decision 1249267.pdf

Case Number **WI 05257F**

Adjudicator's Decision

David Ward
and
Warrington Borough Council

Penalty Charge Notice **WI01185069** **£70.00**

Appeal allowed on the ground that the Council does not contest the appeal.

Reasons

The PCN was issued on 5 March 2013 at 10:57 to vehicle WM51GJZ in Cairo Street for being parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge.

The council has decided not to contest this appeal. The adjudicator has therefore directed that the appeal is allowed without consideration of any evidence or the merits of the case.

The appellant is not liable to pay the outstanding penalty charge.

The Proper Officer on behalf of the Adjudicator **30 May 2013**

Page 1 of 1

"Appeal allowed on the ground that the council does not contest the appeal" "The council has decided not to contest this appeal"

Warrington Borough Council cannot contest the appeal. There is a mandatory requirement for Warrington Borough council to present as physical evidence and factual foundation for the claim, which is the legally signed on and for the public record "Consent of the Governed" This is the legal authority that Warrington Borough council would have to present as physical evidence and foundation for there claim, for the claim to have any legal substance in presentable fact.

He who makes the claim must also provide the foundation and the physical proof of that claim other wise the moon could be made from cream cheese just because Warrington Borough council claim this is so.

Without this physical evidence then the claim is fraudulent. Hence a crime is committed by Warrington Borough council and that crime is fraud not a procedural impropriety or a mistake. Also, there is a second crime. This second crime is Malfeasance in a public office. A clear and intended action to extort funds where there is no legal authority to do so.

"The adjudicator has therefore directed that the appeal is allowed without consideration of any evidence or the merits of the case"

Clearly there are merits of the case which have been presented here.

The appellant is not liable to pay. Case No WI 05257F Dated 30th day of May 2013.

There is also confirmation of this fact from Warrington Borough council and signed in wet ink by an officer of the state Scott Clarke Dated 29th of May 2013.

Notice that Appeal Not Contested by the Enforcement Authority — **No Contest**

Appeal Details	
Name of Enforcement Authority	Warrington Borough Council
Traffic Penalty Tribunal reference	WI05257F
Appellant's name	Mr David Ward
Appellant's address	145 Slater Street Latchford Warrington WA4 1DW
PCN Details	
Penalty Charge Notice number	WI01185069
VRM	WM51GJZ
Contravention date	05/03/2013
Contravention time	10:57:04
Location	Cairo Street (MW 30min)
PCN Issue Date	05/03/2013
Full Penalty Charge	£70.00
Amount Paid	£0.00
Contravention Code	40

PCN Type: Parking ☑ Parking with Removal ☐ Bus Lane ☐

Postal PCN	Yes ☐	No ☑
Reason for Postal PCN	Camera (Bus Lane)	☐
	Camera (Parking)	☐
	Drive away	☐
	Issue prevention	☐
Release and Storage Charge (if vehicle removed)	-----	

The Enforcement Authority does not intend to contest this case further because:

Due to an unanticipated shortage of Parking Services Staff, Warrington Borough Council has no alternative except to exercise our discretion and cancel the above Penalty Charge Notice.

Authorising Signature S Clarke Date 29/5/13

Print Name SCOTT CLARKE

2012 version

"Due to the unanticipated shortage of parking services staff. Warrington Borough Council has no alternative except to exercise our discretion and cancel the above Penalty Charge Notice"

This is a very interesting choice of words which is obfuscator in nature. Warrington Borough Council will never be able to provide staff which can provide the legal consent of the governed because for the past 800 years the governed have never once been so much as asked to provide the legal consent of the governed on and for the public record. Warrington Borough council or it's parking services staff cannot provide something that does not exist and is of no physical substance for the foundation to the claim.

"Warrington Borough Council has no alternative except to exercise our discretion"

As there is no legal consent of the governed then Warrington Borough Council does not have any authority or discretion to exercise. This also applies to HM Parliaments and Government PLC, the parent company.

The ramifications to this case authority are huge and not all apparent at first glance. Consider the following.

A licence is a permission to undertake an action that would otherwise be illegal. HP Parliaments and Governments PLC clearly do not have the legal Authority to issue any form of licence without the legal and physically presentable signed in wet ink consent of the governed. Also. HM. Parliaments and Governments PLC do not have the legal authority to determine that an action is illegal without the legal and signed consent of the governed physically on and for the public record. There is no physical record of the fact. 63.5 million People have not signed the consent of the governed.

63.5 million People have never once been asked and have never once signed the consent of the governed and as the office of Parliament is only a four year office then there must be this signed legal document every four years on and for the public record.

All forms of Tax, VAT, Duty, Council tax etc is illegal and constitutes fraud and malfeasance in a public office without this legal dependency being fulfilled.

The enforcement of these Act's/Statutes, by the Police, the local authority, the Judiciary, and government licensed Bailiffs is also illegal and constitutes malfeasance without this legal authority to do so.

It is a known fact and this has been documented by Chartered accountants that the populace pays all manner of tax to the tune of 85% in the £. Sometimes where fuel is concerned this is a much as 92% in the pound. The argument has been made that it is necessary to pay tax to pay for the cervices that we need such as police, ambulance and so on. Then it can also be argued that these people who provide these services should not pay any form of Tax. They should live a tax free life.

This is not in evidence. In fact the contrary is true.

It would also be accurate to argue that the 15% that the populace gets to keep actually pays for all the services inclusive. People provide services not government. This would be an accurate assessment of the available facts. There is no valid reason to pay tax at all and the cost of living would drop by 85% at a minimum.

Do the math.

All the public officials are also victims of this crime. Including the Police, Ambulance, Paramedic, Teachers and so on. In fact there is not an instance where there is not a victim of this crime.

The ramifications span well beyond the content of this case authority undertaken by recognised due process at tribunal.

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Exhibit (C)

The Material evidence of the FACTS

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It is on and for the public record by way of published records at http://www.judiciary.gov.uk/wp-content/uploads/JCO/Documents/Speeches/beatsonj040608.pdf

That at the NOTTINGHAM TRENT UNIVERSITY 16 APRIL 2008 the HON. SIR JACK BEATSON FBA spoke the following words. (Supplement 1 Provided)

"The 2003 changes and the new responsibilities given to the Lord Chief Justice necessitated a certain amount of re-examination of the relationship between the judiciary and the **two stronger branches of the state** --- the executive and the legislature."

It is clear from the HON. SIR JACK BEATSON FBA spoke words that the office of the Judiciary is a sub office of the state. Therefore there will always be a conflict of interests between any private individual who is not a state company employee, AND there is and will always be a conflict of interests Where a Judge or a magistrate is acting in the office of the judiciary, where the office of the judiciary is a sub office of the state!

What is a State?

See (Supplement 2) from the London School of Economics

"1) The state should not be viewed as a form of association that subsumes or subordinates all others. 2) The state is not an entity whose interests map closely onto the interests of the groups and individuals that fall under its authority, but has interests of its own. 3) The state is, to some extent at least, an alien power; though it is of human construction, it is not within human control. 4) The state is not there to secure peoples deepest interests, and it does not serve to unify them, reconcile them with one another, bring their competing interests into harmony, or realize any important good such as justice, freedom, or peace. While its power might be harnessed from time to time, that will serve the interests of some not the interests of all. 5) The state is thus an institution through which individuals and groups seek to exercise power (though it is not the only such institution); but it is also an institution that exercises power over individuals and groups. 6) The state is, ultimately, an abstraction, for it has no existence as a material object, is not confined to a particular space, and is not embodied in any person or collection of persons."

Also:-

"The question now is: what does it mean to say that a state is a corporate entity? The state is a corporation in the way that a people or a public cannot be. "

A number of things are clear from this definition of state from the London School of Economics.

1. A state is a corporate entity by an act of registration. A legal embodiment by an act of registration.
2. A state has no obligations to anything other than the state and to the exclusion of anything or anybody else.
3. A state is nothing of material substance but only a construct of the mind.

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All that is created by the same process is equal in status and standing to anything else that is created by the same process. There is a peer relationship of equals that are separate legal embodiments.

Consider the graphic representation for those that are feeble of mind.

Legal embodiments by an act of registration are created as equals by default and have a peer relationship by default

(Principal Legal embodiment)		(Principal Legal embodiment)		(Principal Legal embodiment)
Any other legal person created by the same process	=	HM Parliaments & Governments PLC.	=	McDonalds
		Office of the Executive	=	Office of the Executive
		CEO or Chief executive officer	=	CEO or Chief executive officer
		The legislature	=	Company policy
		Office of the Judiciary	=	Company policy enforcement
		Lord Chief Justice	=	Policy Enforcement Officer
		QC Judge	=	Any Company officer
		Circuit Judge		
		District Judge		
		Magistrate		

It is quite clear from the graphical representation shown here and it should be quite obvious to even the most feeble mind that.

When a Judge, any Judge or Magistrate is sat in there subordinate office to a principle legal embodiment then that Judge or Magistrate is not a fit and proper person to sit in Judgement of any other PRINCIPAL Legal embodiment. And has no authority

If there is any disagreement to the above stated FACT. Then they should take this up with the Rt. Hon Lord Chief Justice Sir Jack Beatson FBA.

The Facts Are the Facts. This is the material evidence of the FACTS.

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From the Supplement 2, Definition of State from the London School of economics.

"The question now is: what does it mean to say that a state is a corporate entity? The state is a corporation in the way that a people or a public cannot be. "

A Corporation is a legal embodiment by an act of registration.....
To be legal then there has to be a meeting of the minds and an agreement between two parties. Legal is by agreement.

So by agreement:-

1. *The state should not be viewed as a form of association that subsumes or subordinates all others.*
2. *The state is not an entity whose interests map closely onto the interests of the groups and individuals that fall under its authority, but has interests of its own.*
3. *The state is, to some extent at least, an alien power; though it is of human construction, it is not within human control.*
4. *The state is not there to secure peoples deepest interests, and it does not serve to unify them, reconcile them with one another, bring their competing interests into harmony, or realize any important good such as justice, freedom, or peace. While its power might be harnessed from time to time, that will serve the interests of some not the interests of all.*
5. *The state is thus an institution through which individuals and groups seek to exercise power (though it is not the only such institution); but it is also an institution that exercises power over individuals and groups.*
6. *The state is, ultimately, an abstraction, for it has no existence as a material object, is not confined to a particular space, and is not embodied in any person or collection of persons.*

If a carpenter were to register a chair he had made. There is the act of registration, then the certificate of registration where two parties have agreed that there is a chair...

The point being that there is a chair and this chair is of material substance.

A legal embodiment by an act of registration where there is nothing of material substance created, is nothing more than a figment of the mind that has agreed to create nothing of material substance.

This very legal agreement is an act of fraud by deception.

> *The state is, ultimately, an abstraction, for it has no existence as a material object, is not confined to a particular space, and is not embodied in any person or collection of persons.*

The State which is a legal embodiment is of no material substance.

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How is it possible that:-

- A legal embodiment by an act of registration which is of no material substance by default, or
- A State, which is of no material substance by default, or
- A corporation, which is of no material substance by default

How is it possible that something of no material substance in fact or which is a fiction of the mind can:-

- Have a life of its own, or
- Claimed to have Authority over another, or
- Can be held responsible, or
- Have a liability, or
- holds property , or
- Have any form of powers or
- Be in any way or have any form of legitimacy in existence, or
- Undertake an act of force.

It is quite clear that, Chandran Kukathas, Department of Government and the London School of Economics, have had great difficulty defining what a state is. Why are we not surprised at this? It is not possible to define or give definition to or to legitimise something which is of no material substance and is a figment of the imagination.

Fraud however has been clearly defined as a criminal act with full knowledge and intent to engage in criminal behaviour for the personal gain of oneself or another, to the expense of another party.

To bring about by an act of force, support of this same fraud and criminal intent is also clearly recognised as act of terrorism.

So it is quite clear and has been confirmed by the Rt. Hon Lord Chief Justice Sir Jack Beatson FBA, who has achieved the highest status within the office of the Judiciary as Lord Chief Justice that.

This Land by the name of England and the (United Kingdom (Private corporation)) which extends to the common wealth is run definitively by terrorists who maintain their status by fraud and deception to the expense of others by acts of force where there is no legitimacy and can be no legitimacy to the fact that a state is a legal embodiment by an act of registration of which there is no material substance to support that fact and
By maintaining that parliament reigns supreme, where the legal definition of Statute which is a" legislative rule given force of law by the consent of the governed" Where there has been no consent of the governed and there is no material evidence that the governed have given their consent to legitimise this claim to supremacy and authority

See Case authority and exhibit (B) Case Authority No WI 05257F . David Ward. V. Warrington Borough Council,

Which by all accounts holds executive status within the STATE. Above that of the legislation and cannot be held accountable to that legislation as the status of the officers is superior to the legislation.

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Supplement 1.

Supplement 1.

JUDICIARY OF ENGLAND AND WALES

SPEECH BY THE HON. SIR JACK BEATSON FBA

JUDICIAL INDEPENDENCE AND ACCOUNTABILITY: PRESSURES AND OPPORTUNITIES

NOTTINGHAM TRENT UNIVERSITY

16 APRIL 2008

A quiet constitutional upheaval has been occurring in this country since 1998. That year saw the enactment of the Human Rights Act and the devolution legislation for Scotland, Northern Ireland and to a lesser degree, Wales. These developments have led to new interest in the judiciary. Today, however, I am primarily concerned with events since June 2003 when the government announced the abolition of the office of Lord Chancellor, bringing to an end a position in which a senior member of the Cabinet was also a judge, Head of the Judiciary, and Speaker of the House of Lords. The government also announced the replacement of the Judicial Committee of the House of Lords by a United Kingdom Supreme Court. These events led to the Constitutional Reform Act 2005 (hereafter "CRA") and to the Lord Chief Justice becoming Head of the Judiciary of England and Wales.

The 2003 changes and the new responsibilities given to the Lord Chief Justice necessitated a certain amount of re-examination of the relationship between the judiciary and the two stronger branches of the state --- the executive and the legislature. Moreover, in the atmosphere of reform and change, branded as "modernisation", not all have always remembered the long accepted rules and understandings about what judges can appropriately say and do outside their courts. Others have asked whether the rules and understandings remain justified in modern conditions. The "pressures" to which my title refers arise because of the view of some that judges should be more engaged with the public, the government, and the legislature than they have been in the past. The "Opportunities" arise from

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http://philosophy.wisc.edu/hunt/A%20Definition%20of%20the%20State.htm

Supplement 2

A Definition of the State

Chandran Kukathas

Department of Government

London School of Economics

c.kukathas@lse.ac.uk

Presented at a conference on Dominations and Powers: The Nature of the State, University of Wisconsin, Madison, March 29, 2008

1. The problem of defining the state

A state is a form of political association, and political association is itself only one form of human association. Other associations range from clubs to business enterprises to churches. Human beings relate to one another, however, not only in associations but also in other collective arrangements, such as families, neighbourhoods, cities, religions, cultures, societies, and nations. The state is not the only form of political association. Other examples of political associations include townships, counties, provinces, condominiums, territories, confederations, international organizations (such as the UN) and supranational organizations (such as the EU). To define the state is to account for the kind of political association it is, and to describe its relation to other forms of human association, and other kinds of human collectively more generally. This is no easy matter for a number of reasons. First, the state is a form of association with a history, so the entity that is to be described is one that has evolved or developed and, thus, cannot readily be captured in a snapshot. Second, the concept of the state itself has a history, so any invocation of the term will have to deal with the fact that it has been used in subtly different ways. Third, not all the entities that claim to be, or are recognized as, states are the same kinds of entity, since they vary in size, longevity, power, political organization and legitimacy. Fourth, because the state is a political entity, any account of it must deploy normative concepts such as legitimacy that are themselves as contentious as the notion of the state. Although the state is not uniquely difficult to define, these problems need to be acknowledged.

The aim of this paper is to try to offer a definition of the state that is sensitive to these difficulties. More particularly, it seeks to develop an account of the state that is not subject to the problems that beset alternative explanations that have been prominent in political theory. The main points it defends are these. 1) The state should not be viewed as a form of association that subsumes or subordinates all others. 2) The state is not an entity whose interests map closely onto the interests of the groups and individuals that fall under its authority, but has interests of its own. 3) The state

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is, to some extent at least, an alien power; though it is of human construction, it is not within human control. 4) The state is not there to secure peoples deepest interests, and it does not serve to unify them, reconcile them with one another, bring their competing interests into harmony, or realize any important good such as justice, freedom, or peace. While its power might be harnessed from time to time, that will serve the interests of some not the interests of all. 5) The state is thus an institution through which individuals and groups seek to exercise power (though it is not the only such institution); but it is also an institution that exercises power over individuals and groups. 6) The state is, ultimately, an abstraction, for it has no existence as a material object, is not confined to a particular space, and is not embodied in any person or collection of persons. The state exists because certain relations obtain between people; but the outcome of these relations is an entity that has a life of its own though it would be a mistake to think of it as entirely autonomous and to define the state is to try to account for the entity that exists through these relations.

The concept of the state

A *state* is a form of *political association* or *polity* that is distinguished by the fact that it is not itself incorporated into any other political associations, though it may incorporate other such associations. The state is thus a supreme *corporate* entity because it is not incorporated into any other entity, even though it might be subordinate to other powers (such as another state or an empire). One state is distinguished from another by its having its own independent structure of political authority, and an attachment to separate physical territories. The state is itself a *political community*, though not all political communities are states. A state is not a *nation*, or a *people*, though it may contain a single nation, parts of different nations, or a number of entire nations. A state arises out of *society*, but it does not contain or subsume society. A state will have a *government*, but the state is not simply a government, for there exist many more governments than there are states. The state is a modern political construction that emerged in early modern Europe, but has been replicated in all other parts of the world. The most important aspect of the state that makes it a distinctive and new form of political association is its most abstract quality: it is a *corporate* entity.

To understand this formulation of the idea of a state we need to understand the meaning of the other terms that have been used to identify it, and to distinguish it from other entities. The state is a political *association*. An association is a collectivity of persons joined for the purpose for carrying out some action or actions. An association thus has the capacity for action or agency, and because it is a collectivity it must therefore also have some structure of *authority* through which one course of action or another can be determined. Since authority is a relation that exists only among agents, an association is a collectivity of agents. Other collectivities of persons, such as classes or crowds or neighbourhoods or categories (like bachelors or smokers or amputees) are not associations, for they do not have the capacity for agency and have no structures of authority to make decisions. A mob is not an association: even though it appears to act, it is no more an agent than is a herd.

On this understanding, *society* is not itself an association, for it is not an agent. It may be made up of or contain a multiplicity of associations and individual agents, but it is not an association or agent. Unless, that is, it is constituted as one by an act or process of incorporation. So, for example, Californian society is not an association, but the state of California is: for while a society is not, a *polity* is an association a *political* association. In pre-civil war America, the southern states were a society, since they amounted to a union of groups and communities living under common laws some of which sharply distinguished it from the North but they did not form a single (political) association until they constituted themselves as the Confederacy. A society is a collectivity of people who belong to different communities or associations that are geographically contiguous. The boundaries of a society are not easy to specify,

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since the contiguity of societies makes it hard to say why one society has been left and another entered. One way of drawing the distinction would be to say that, since all societies are governed by law, a move from one legal jurisdiction to another is a move from one society to another. But this has to be qualified because law is not always confined by geography, and people moving from one region to another may still be bound by laws from their places of origin or membership. Furthermore, some law deals with relations between people from different jurisdictions. That being true, however, a society could be said to exist when there is some established set of customs or conventions or legal arrangements specifying how laws apply to persons whether they stay put or move from one jurisdiction to another. (Thus there was not much of a society among the different highland peoples of New guinea when they lived in isolation from one another, though there was a society in Medieval Spain when Jews, Muslims and Christians coexisted under elaborate legal arrangements specifying rights and duties individuals had within their own communities and as outsiders when in others.)

A society is different, however, from a community, which is in turn different from an association. A community is a collectivity of people who share some common interest and who therefore are united by bonds of commitment to that interest. Those bonds may be relatively weak, but they are enough to distinguish communities from mere aggregates or classes of person. However, communities are not agents and thus are not associations: they are marked by shared understandings but not by shared structures of authority. At the core of that shared understanding is an understanding of what issues or matters are of *public* concern to the collectivity and what matters are *private*. Though other theories of community have held that a community depends for its existence on a common locality (Robert McIver) or ties of blood kinship (Ferdinand Tonnies), this account of community allows for the possibility of communities that cross geographical boundaries. Thus, while it makes perfect sense to talk of a village or a neighbourhood as a community, it makes no less sense to talk about, say, the university community, or the scholarly community, or the religious community. One of the important features of a community is the fact that its members draw from it elements that make up their identities though the fact that individuals usually belong to a number of communities means that it is highly unlikely (if not impossible) that an identity would be constituted entirely by membership of one community. For this reason, almost all communities are partial communities rather than all-encompassing or constitutive communities.

An important question, then, is whether there can be such a thing as a political community, and whether the state is such a community. On this account of community, there can be a political community, which is defined as a collectivity of individuals who share an understanding of what is public and what is private within that polity. Whether or not a state is a political community will depend, however, on the nature of the state in question. States that are divided societies are not political communities. Iraq after the second Gulf War, and Sri Lanka since the civil war (and arguably earlier), are not political communities because there is serious disagreement over what comprises the public. Arguably, Belgium is no longer a political community, thought it remains a state.

Now, there is one philosopher who has denied that a political society or a state or at least, a well-ordered democratic society can be a community. According to John Rawls, such a society is neither an association nor a community. A community, he argues, is a society governed by a shared comprehensive, religious, philosophical, or moral doctrine. 1[1] Once we recognize the fact of pluralism, Rawls maintains, we must abandon hope of political community unless

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1[1] Rawls, *Political Liberalism* (New York: Columbia University Press, second ed.1996), 42.

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we are prepared to countenance the oppressive use of state power to secure it.2[2] However, this view rests on a very narrow understanding of community as a collectivity united in affirming the same comprehensive doctrine. It would make it impossible to recognize as communities a range of collectivities commonly regarded as communities, including neighbourhoods and townships. While some common understanding is undoubtedly necessary, it is too much to ask that communities share as much as a comprehensive doctrine. On a broader understanding of community, a state can be a political community. However, it should be noted that on this account political community is a much less substantial thing than many might argue. It is no more than a partial community, being only one of many possible communities to which individuals might belong.

Though a state may be a political community, it need not be. Yet it must always be an association: a collectivity with a structure of authority and a capacity for agency. What usually gives expression to that capacity is the states *government*. Government and the state are not however, the same thing. States can exist without governments and frequently exist with many governments. Not all governments have states. Australia, for example, has one federal government, six state governments, two territorial governments, and numerous local governments. The United States, Canada, Germany, Malaysia and India are just a few of the many countries with many governments. States that have, for at least a time, operated without governments (or at least a central government) include Somalia from 1991 to 2000 (de facto, 2002), Iraq from 2003 to 2004, and Japan from 1945 to 1952 (when the post war Allied occupation came to an end). Many governments are clearly governments of units within federal states. But there can also be governments where there are no states: the Palestinian Authority is one example.

Government is an institution whose existence precedes that of the state. A government is a person or group of persons who rule or administer (or govern) a political community or a state. For government to come into being there must exist a public. Ruling within a household is not government. Government exists when people accept (willingly or not) the authority of some person or persons to address matters of public concern: the provision of non-excludable good, the administration of justice, and defence against external enemies being typical examples of such matters. Until the emergence of the state, however, government did not attend to the interests of a corporate entity but administered the affairs of less clearly defined or demarcated publics. With the advent of the state, however, government became the established administrative element of a corporate entity.

The question now is: what does it mean to say that a state is a corporate entity? The state is a corporation in the way that a people or a public cannot be. It is a corporation because it is, in effect and in fact, a legal person. As a legal person a corporation not only has the capacity to act but also a liability to be held responsible. Furthermore, a corporation is able to hold property. This is true for incorporated commercial enterprises, for institutions like universities and churches, and for the state. A corporation cannot exist without the natural persons who comprise it and there must be more than one, for a single individual cannot be a corporation. But the corporation is also a person separate from the persons who comprise it. Thus a public company has an existence because of its shareholders, its agents and their employees, but its rights and duties, powers and liabilities, are not reducible to, or definable in terms of, those of such natural persons. A church or a university has an existence because of the officers who run them and the members who give them their point, but the property of such an entity does not belong to any of these individuals. The state is a corporation in the same way that these other entities are: it is a legal person with rights and

2[2] Ibid., 146n.

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duties, powers and liabilities, and holds property that accrues to no other agents than itself. The question in political theory has always been not whether such an entity can come into existence (since it plainly has) but how it does so. This is, in a part, a question of whether its existence is legitimate.

The state is not, however, the only possible political corporation. Provinces, counties, townships, and districts, as well as condominiums (such as Andorra), some international organizations, and supranational organizations are also political corporations but not states. A state is a supreme form of political corporation because it is able to incorporate within its structure of authority other political corporations (such as provinces and townships) but is not subject to incorporation by others (such as supranational organizations). Political corporations the state is unable to incorporate are themselves therefore states. Any state incorporated by any other political corporation thereby ceases to be a state. By this account, prior to the American Civil War, the various states of the Union were not provinces of the United States but fully independent states. After the war, to the extent that the war established that no state could properly secede or cease to be incorporated into the one national state, the United States became a fully independent state and not a supranational organization.

The significance of the capacity for political corporations to hold property ought to be noted. Of critical importance is the fact that this property does not accrue to individual persons. Revenues raised by such corporations by the levying of taxes, or the imposition of tariffs or licensing fees, or by any other means, become the property of the corporation not of particular governments, or officials, or monarchs, or any other natural person who is able to exercise authority in the name of the corporation. The political corporation, being an abstract entity, cannot enjoy the use of its property only redistribute it among the agents through whom it exercises power and among others whom those agents are able, or obliged, to favour. The state is not the only political corporation capable of raising revenue and acquiring property, though it will generally be the most voracious in its appetite.

One question that arises is whether the best way to describe the state is as a *sovereign* power. The answer depends on how one understands sovereignty. If sovereignty means supreme authority within a territory (Philpott SEP 2003), it is not clear that sovereignty captures the nature of all states. In the United States, the American state incorporates the 50 states of the union, so those states are not at liberty to withdraw from the union. However, authority of the various states and state governments does limit the authority of the American state, which is unable to act unilaterally on a range of issues. To take just one example, it cannot amend the Constitution without the agreement of two-thirds of the states. Indeed many national states find themselves constrained not just because they exist as federated polities but because their membership of other organizations and associations, as well as their treaty commitments, limit what they can legally do within their own territorial boundaries. Sovereignty could, on the other hand, be taken to be a matter of degree; but this would suggest that it is of limited use in capturing the nature of states and distinguishing them from other political corporations.

One aspect of being a state that is sometimes considered best identified by the concept of sovereignty is its *territoriality*. People belong to a state by virtue of their residence within borders, and states, it is argued, exercise authority over those within its geographical bounds. While it is important to recognize that states must possess territory in order to exist, they are not unique in having geographical extension. Provinces, townships, and supranational entities such as the EU, are also defined by their territories. Moreover, residence within certain borders does not make people members of that state any more than it removes them from the authority of another under whose passport they might travel. Nor is the states capacity to control the movement of people within or across its territory essential to its being

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a state, for many states have relinquished that right to some degree by membership of other associations. Citizens of the EU have the right to travel to and reside in other member states. To exist, states must have territory; but not entire control over such territory. Webers well-known definition of the state as a body having a monopoly on the legitimate use of physical force in a given territory is also inadequate. The extent of a states control, including its control of the means of using violence, varies considerably with the state, not only legally but also in fact.

Though they are supreme corporate entities, states do not always exist in isolation, and usually stand in some relation to other forms of political association beyond their territorial borders. States may belong to *international organizations* such as the United Nations or alliances such as NATO. They may be a part of *supranational associations* that are loosely integrated defence and trading blocs (such as ASEAN) or more substantially integrated governmental associations (such as the EU). They might be members of *international regimes*, such as the International Refugee Convention, as a result of agreements they have entered into. States might also be parts of *empires*, or operate under the *sphere of influence* of another more powerful state. States might exist as *associated states* as was the case with the Philippines, which was from 1935-46 the first associated state of the United States. The Filipino state was responsible for domestic affairs, but the US handled foreign and military matters. Even today, though in different circumstances, the foreign relations of a number of states are handled by other states Spain and France are responsible for Andorra, the Switzerland for Liechtenstein, France for Monaco, and India for Bhutan. States can also bear responsibility for territories with the right to become states but which have not yet (and may never) become states. Puerto Rico, for example, is an *unincorporated territory* of the United States, whose residents are un-enfranchised American citizens, enjoying limited social security benefits, but not subject to Federal income tax; it is unlikely to become an independent state.

The state is, in the end, only one form of political association. Indeed, the range of different forms of political association and government even in recent history is astonishing. The reason for paying the state as much attention as it is given is that it is, in spite of the variety of other political forms, the most significant type of human collectively at work in the world today.

A theory of the state

According to Martin Van Creveld, the state emerged because of the limitations of the innumerable forms of political organization that existed before it.3[3] The crucial innovation that made for development of the state was the idea of the corporation as a legal person, and thus of the state as a legal person. In enabled the emergence of a political entity whose existence was not tied to the existence of particular persons such as chiefs, lords and kings or particular groups such as clans, tribes, and dynasties. The state was an entity that was more durable. Whether or not this advantage was what caused the state to emerge, it seems clear enough that such an entity did come into being. The modern state represents a different form of governance than was found under European feudalism, or in the Roman Empire, or in the Greek city-states.

3[3] Van Creveld, *The Rise and Decline of the State* (Cambridge: Cambridge University Press, 1999), 52-8.

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Having accounted for the concept of the state, however, we now need to consider what kind of theory of the state might best account for the nature of this entity. Ever since the state came into existence, political philosophers have been preoccupied with the problem of giving an account of its moral standing. To be sure, philosophers had always asked why individuals should obey the law, or what, if anything, could justify rebellion against a king or prince. But the emergence of the state gave rise to a host of new theories that have tried to explain what relationship people could have, not to particular persons or groups of persons with power or authority over them, but to a different kind of entity.

To explain the emergence of the state in Europe from the 13th to the 19th centuries would require an account of many things, from the decline of the power of the church against kingdoms and principalities to the development of new political power structures with the transformation and eventual disappearance of the Holy Roman Empire; from the disappearance of towns and city-states, and extended associations like the Hanseatic League, to the rise of movements of national unification. Attempts by theorists to describe the state that was emerging are as much a part of the history of the state as are the political changes and legal innovations. Bodin, Hobbes, Spinoza, Locke, Montequieu, Hume, Rousseau, Madison, Kant, Bentham, Mill, Hegel, Tocqueville, and Marx were among the most insightful thinkers to offer theories of the state during the course of its emergence, though theorizing went on well into the 20th century in the thought of Max Weber, the English pluralists, various American democratic theorists, and Michael Oakeshott. They offered theories of the state in the sense that they tried to explain what it was that gave the state its point: how it was that the existence of the state made sense. To some, this meant also justifying the state, though for the most part this was not the central philosophical concern. (Normative theory, so called, is probably a relatively recent invention.)

The question, however, remains: what theory best accounts for the state? Since there is time and space only for some suggestions rather than for a full-scale defence of a new theory of the state, I shall come to the point. The theorist who gives us the best theory of the state we have so far is Hume, and any advance we might make should build on Humans insights. To appreciate what Hume has to offer, we should consider briefly what the main alternatives are, before turning again to Hume.

We might usefully do this by posing the question in a way that Hume would have appreciated: what interest does the state serve? Among the first answers to be offered was that presented, with different reasoning, by Bodin and Hobbes: the interest of everyone in peace or stability or *order*. Each developed this answer in politically similar circumstances: religious wars that reflected the declining power of a church trying to hold on to political influence. Both thinkers defended conceptions of the state as absolutist (or at least highly authoritarian) to make clear that the point of the state was to preserve order in the face of challenges to the peace posed by the Church or by proponents of group rights such as the Monarchomachs. The state was best understood as the realm of order, to be contrasted with the state of war signified by its absence and threatened by its dereliction. Crucially, for both thinkers, the state had to be conceived as a single sovereign entity, whose powers were not divided or to be shared either by different branches of government or by different elements in a mixed constitution. Among the problems with this view is that it is not clear that the state is needed to secure order, nor plausible to think that divided government is impossible. The conception of the state as condition in which order is possible looks unlikely not only because the state may sometimes act in ways that are destructive of order (and even self-destructive) but also because order has existed without states. Indeed, one of the problems for Hobbess social theory in particular is explaining how the state could come into being if it really is the result of agreement voluntarily to transfer power to a corporate agent since the state of war is not conducive to

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making or keeping agreements. It does not look as if the point of the state is to serve our interest in order even if that were our sole or primary interest.

Another view of the point of the state is that it serves our interest in freedom. Two theories of this kind were offered by Rousseau and Kant. In Rousseau's account, the emerges of society brings with it the loss of a kind of freedom as natural man is transformed into a social being ruled directly and indirectly by others. The recovery of this freedom is not entirely possible, but freedom of a kind is possible in the state, which is the embodiment of the general will. Living in such a state we can be free as beings who are, ultimately, subject not to others but to laws we give ourselves. Drawing inspiration from Rousseau's conception of freedom, Kant presents a slightly different contractarian story, but one with a similarly happy ending. The antithesis of the state is the state of nature, which is a state of lawless freedom. In that condition, all are morally obliged to contract with one another to leave that state to enter a juridical realm in which freedom is regulated by justice so that the freedom each can be compatible with the freedom of all. The state serves our interest in freedom by first serving our interest in justice. If Hobbes thought that whatever the state decreed was, eo ipso, just; Kant held that justice presupposed the existence of the state. What's difficult to see in Kant's account is why there is any obligation for everyone in the state of nature to enter a single juridical realm, rather than simply to agree to abide by the requirements of morality or form different ethical communities. Why should freedom require the creation of a single juridical order? It is no less difficult to see why the state might solve the problem of freedom in Rousseau's account . If, in reality, there is a conflict between different interests, and some can prevail only at the expense of others, it seems no better than a cover-up to suggest that all interests are served equally well since all are free when governed by laws that reflect the general will. If this is the case, the state serves our interest in freedom only by feeding us the illusion that we are free when in fact we are subordinated to others.

Hegel also thinks that our deepest interest is in freedom, but for him it can only be fully enjoyed when we live in a community in which the exercise of that freedom reflects not simply the capacity of particular wills to secure their particular interest but the existence of an ethical life in which conflicts of interest are properly mediated and reconciled. The institution that achieves this is the state, which takes us out of the realm of particularity into the realm of concrete universality: a realm in which freedom is given full expression because, for the first time, people are able to relate to one another as individuals. This is possible because the state brings into existence something that eluded people in society before the state came into being: a form of ethical life in which, at last, people can feel at home in the world.

The most serious challenge to Hegel's view is that offered by Marx. The state might appear to be the structure within which conflicts of interest were overcome as government by the universal class Hegel's state bureaucracy acted to serve only the universal interest, but in reality the state did no more than masquerade as the defender of the universal interest. The very existence of the state, Marx argued, was evidence that particularity had not been eliminated, and discrete interests remained in destructive competition with one another. More specifically, this conflict remained manifest in the class divisions in society, and the state could never amount to more than a vehicle for the interests of the ruling class. Freedom would be achieved not when the state was fulfilled but when it was superseded.

What is present in Marx but missing in the previously criticized theories is a keen sense that the state might not so much serve human interests in general as serve particular interests that have managed to capture it for their own purposes. This is why, for Marx, social transformation requires, first, the capture by the working class of the apparatus of the state. The cause of human freedom would be served, however, only when the conditions that made the state

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inevitable were overcome: scarcity and the division of labour, which brought with them alienation, competition and class conflict.

What is most persuasive in Marx's analysis is his account of the state as an institution that embodies the conflict of interest found in the world rather than as one that reconciles competing interests. What is less convincing, however, is the expectation that particular interests will one day be eradicated. What is missing is any sense that the state itself has its own interests, as well as being the site through which a diverse range of interests compete to secure their own advantage. To gain an appreciation of these dimensions of the state, we need to turn, at least initially, to Hume.

Hume's theory of the state does not appear conveniently in any one part of his political writings, which address a variety of issues but not this one directly. His analysis is to be found in part in his *Treatise*, in an even smaller part of his second *Enquiry*, in his *Essays*, and in his multi-volume *History of England*. What can be gleaned from these writings is Hume's view of the state as an entity that emerged in history, in part because the logic of the human condition demanded it, in part because the nature of strategic interactions between individuals made it probable, and finally because accidents of history pushed the process in one way or another.

The first step in Hume's analysis is to explain how society is possible, given that the facts of human moral psychology suggest cooperation is unprofitable. The answer is that repeated interactions reveal to individuals the advantage of cooperating with potential future cooperators and out of this understanding conventions are born. The emergence of society means the simultaneous emergence therefore of two other institutions without which the idea of society is meaningless: justice and property. Society, justice and property co-exist, for no one of them can have any meaning without the other two. What these institutions serve are human interests' in prospering in a world of moderate scarcity. Interest accounts for the emergence of other institutions, such as law, and government, though in these cases there is an element of contingency. Government arises because war as eminent soldiers come to command authority among their men and then extent that authority to their groups more broadly. Law develops in part as custom becomes entrenched and is then further established when authorities in power formalize it, and judges and magistrates regularize it by setting the power of precedent. In the course of time, people become attached to the laws, and even more attached to particular authorities, both of which come to acquire lives of their own. A sense of allegiance is born.

Of crucial importance in Hume's social theory is his understanding of human institutions as capable of having lives of their own. They come into the world without human design, and they develop not at the whim of any individual or by the wish of any collective. Law, once in place, is a hardy plant that will survive even if abused or neglected. Government, once in place, will evolve as it responds to the interests than shape and try to control it. The entire edifice of society will reflect not any collective purpose or intention but the interplay of interests that contend for pre-eminence. The state, in this analysis, is not the construction of human reason rooted in individual consent to a political settlement; nor a product of the decrees of divine providence, even if the construction appears ever so perfect. It is simply the residue of what might (anachronistically) be called a Darwinian struggle. What survives is what is most fit to do so.

The state in this story is the product of chance: it is nothing more than the way political interests have settled for now the question of how power should be allocated and exercised. It would be a mistake to think that they could do this simply as they pleased, as if on a whim. The facts of human psychology and the logic of strategic relations will

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constrain action, just as will the prevailing balance of power. But chance events can bring about dramatic and unexpected changes.

The important thing, however, is that for Hume the state cannot be accounted for by referring to any deeper moral interest that humans have be that in justice, or freedom, or reconciliation with their fellows. The state, like all institutions, is a evolutionary product. Evolution has no purpose, no end, and no prospect of being controlled.

Hume's theory of the state is, in the end, born of a deeply pluralistic outlook. Hume was very much alive to the fact of human diversity of customs, laws, and political systems. He was also very much aware of the extent to which human society was marked by conflicts among contending interests. The human condition was always going to be one of interest conflict, and this condition was capable of palliation but resistant to cure. All human institutions had to be understood as the outcome of conflict and efforts at palliation, but not as resolutions of anything. If there are two general tendencies we might observe, Hume suggests, they are the tendency to authority and the tendency to liberty. Both elements are there at the heart of the human predicament: authority is needed to make society possible, and liberty to make it perfect. But there is no particular balance to be struck, for every point on the scale is a possible equilibrium point, each with its own advantages and disadvantages. To understand the state is to recognize that we are in this predicament and that there is no final resolution.

Hume's theory of the state, as I have presented, in some ways recalls the theory offered by Michael Oakeshott, which presents the modern European state as shifting uneasily between two competing tendencies. One tendency is towards what he called society as an enterprise association: a conception of the role of the state as having a purposive character, its purpose being to achieve some particular goal or goals such as producing more economic growth and raising levels of happiness. The other tendency is towards the idea of society as a civil association: a conception of the state as having not particular purpose beyond making possible its members pursuit of their own separate ends. The states historical character is of an institution that has oscillated between these two tendencies, never at any time being of either one kind or the other. Hume's theory of the state shares with Oakeshott's account this unwillingness to set down in definitive or snapshot form a picture or description of something that embodies important contradictions. Even if it seems not particularly satisfying, I suspect it s about as satisfying a portrait of the state as we can hope to get.

http://philosophy.wisc.edu/hunt/A%20Definition%20of%20the%20State.htm

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Exhibit (D)

The Companies Act 2006

"44 Execution of documents.

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The Companies Act 2006

"44 Execution of documents.

(1) Under the law of England and Wales or Northern Ireland a document is executed by a company—(a) by the affixing of its common seal, or (b) by signature in accordance with the following provisions. (2) A document is validly executed by a company if it is signed on behalf of the company— (a) by two authorised signatories, or (b) by a director of the company in the presence of a witness who attests the signature. (4) A document signed in accordance with subsection (2) and expressed in whatever words, to be executed by the company, has the same effect as if executed under the common seal of the company."

The legal effect of the statute is that documents and deeds must be signed on behalf of the company by a director in the presence of a witness, or by two authorised signatories. Without adherence to these provisions no mortgage contracts can be considered duly executed by a company and their terms are therefore legally unenforceable, as was clearly implied when the Court of Appeal endorsed the view of Lewison J in the case of Williams v Redcard Ltd [2011]:

"For a document to be executed by a company, it must either bear the company's seal, or it must comply with s.44 (4) in order to take effect as if it had been executed under seal. Subsection (4) requires that the document must not only be made on behalf of the company by complying with one of the two alternative requirements for signature in s.44 (2): it must also be "expressed, in whatever words, to be executed by the company. That means that the document must purport to have been signed by persons held out as authorised signatories and held out to be signing on the company's behalf. It must be apparent from the face of the document that the people signing it are doing something more than signing it on the company's behalf. It must be apparent that they are signing it on the company's behalf in such a way that the document is to be treated as having been executed "by" the company for the purposes of subsection (4), and not merely by an agent "for" the company."

In addition to this. A company which is by default of no material substance cannot commit a crime. However. The Directors and the secretary of a company are liable for any fraudulent or criminal activities of that company.

Without ill will or vexation.

For and on behalf of the Principal legal embodiment by the title of MR DAVID WARD.
For and on behalf of the attorney General of the House of Ward
For and on behalf of Baron David of the House of Ward.

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Exhibit (E)

The Insanity of Tax

On and for the record

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There is a loaf of bread on Morrison's Shelf.

There is a loaf of bread on Morrison's shelf. But it didn't just appear there by magic, the loaf of bread started its journey on John the farmers' farm.
Whoops, hang on a minute,
John the farmer pays council tax on his hard standing and that council tax is added to the cost of the loaf of bread.

So John the farmer rises early in the morning to plough the field and plant some grain.
Just hold it right there.
In the tractor there is red diesel fuel and that fuel carries a fuel duty of 36% plus the vat on the duty, plus the vat on the diesel and all that tax goes to the cost of the loaf of bread.

So now john has ploughed the field to plant the grain but the grain is not in the ground yet, the grain has to be sawed.
So john the farmer fires up the tractor again to saw the grain.
Just hang on.
In the tractor there is red diesel fuel and that fuel carries a fuel duty of 36% plus the vat on the duty plus the vat on the diesel and all that tax goes to the cost of the loaf of bread.

Now the grain is sawed and is in the ground and John the farmer has to wait three of six months whilst the grain grows and is ready for harvesting.
Wight a minute,
John the farmer pays council tax on his hard standing and that council tax is added to the cost of the loaf of bread.

So now it is time for harvesting, John the farmer fires up the big, monster combine harvester and harvests the field.
Woes stop. In the combine harvester there is red diesel fuel and that fuel carries a fuel duty of 36% plus the vat on the duty plus the vat on the diesel and all that tax goes to the cost of the loaf of bread.

Now John the farmer has a big pile of hay and a whole pile of grain, so john the farmer calls up Bob the haulage truck driver to carry the grain to the grain storage silo.
Stop the bus right there.
Bob haulage truck driver drives a truck on the road, now this has white diesel fuel in the tank and whit diesel fuel carries a duty of 80% plus the vat on the duty plus the vat on the diesel and all that tax goes to the cost of the loaf of bread. Also Bob haulage truck driver pays road tax to drive on the road, also Bob haulage truck driver lives in a house and pays council tax and all that tax goes to the cost of the loaf of bread.

It gets better the grain has now been delivered to the grain storage silo. Stop. The grain storage silo company pays commercial council tax and all the employees of that company live in houses and they all pay domestic council tax and all that tax is added to the cost of the loaf of bread.

Are we beginning to see a trend here? So the grain sits in the storage silo until it is called upon by the flower mill.
Just hang on. That's even more commercial council tax and all that tax is added to the cost of the loaf of bread.

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That's absolutely correct the tax man just loves the tax.

So the flour mill calls up Bob the haulage truck driver to carry the grain to the flower mill.
Stop, my ears are bleeding and my brain hurts.
No Pain no gain knowing the truth is a painful experience and if you can't stand the pain go back to sleep and keep paying the tax.
Are you insane?
Aren't we all, we have been doing this insanity for donkey's years, now shut up and take it.
Nooooo.
Bob the haulage truck driver drives a truck on the road, now this has white diesel fuel in the tank and whit diesel fuel carries a duty of 80% plus the vat on the duty plus the vat on the diesel and all that tax goes to the cost of the loaf of bread. Also Bob haulage truck driver pays road tax to drive on the road, also Bob haulage truck driver pays lives in a house and pays council tax and all that tax goes to the cost of the loaf of bread. Why, why, Why.
Shut up and take it.
OMG No.

Now the grain is at the flower mill.
Stop plies no, I can't take any more.
Shut up and take it, take it,
take it,
take the pain what doesn't kill you will only make you stronger.
The flower mill company pays commercial council tax and all the employees of that company live in houses and they all pay domestic council tax and all that tax is added to the cost of the loaf of bread. Whimper!
Somebody has to pay the tax man now take it.

Having made the grain into flower now the flower is ready to go to another storage depot. St-- Suck it up!! The flower mill calls Bob the haulage truck driver to carry the flower to the storage depot.
Bob the haulage truck driver drives a truck on the road, now this has white diesel fuel in the tank and whit diesel fuel carries a duty of 80% plus the vat on the duty plus the vat on the diesel and all that tax goes to the cost of the loaf of bread. Also Bob haulage truck driver pays road tax to drive on the road, also Bob haulage truck driver lives in a house and pays council tax and all that tax goes to the cost of the loaf of bread.

The storage depot company pays commercial council tax and all the employees of that company live in houses and they all pay domestic council tax and all that tax is added to the cost of the loaf of bread. Do you have a gun?
Somewhere:

Now the bakery has an order for some bread so they call Bob to collect the flower from the storage depot and take it to the bakery.
Not saying anything anymore. Bob the haulage truck driver drives a truck on the road, now this has white diesel fuel in the tank and whit diesel fuel carries a duty of 80% plus the vat on the duty plus the vat on the diesel and all that tax goes to the cost of the loaf of bread. Also Bob haulage truck driver pays road tax to drive on the road, also Bob haulage truck driver pays lives in a house and pays council tax and all that tax goes to the cost of the loaf of bread.

The bakery company pays commercial council tax and all the employees of that company live in houses and they all pay domestic council tax and all that tax is added to the cost of the loaf of bread.

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Can I find that gun?
No, you're not allowed a gun it's against legislation, besides you might just use it to shoot the tax man, and we can't have that now: can we?
Silence:-

So the bakery calls up Bob to take the bread to Morrison's.
Silence:
Bob the haulage truck driver drives a truck on the road, now this has white diesel fuel in the tank and whit diesel fuel carries a duty of 80% plus the vat on the duty plus the vat on the diesel and all that tax goes to the cost of the loaf of bread. Also Bob haulage truck driver pays road tax to drive on the road, also Bob haulage truck driver lives in a house and pays council tax and all that tax goes to the cost of the loaf of bread.

Morrison's is a that company pays commercial council tax and all the employees of that company live in houses and they all pay domestic council tax and all that tax is added to the cost of the loaf of bread.
What you looking for in that draw?
Nothing:-

Where you going?
There's a peaceful occupy Downing Street on today I thought I would keep them company:
What's that in your pocket?
Nothing:
Well don't be too long, you have work to do so you can keep paying the tax man: And when you get old you're going to need plenty of money to spend on the grandkids, things like mobile phones and Xbox's and computer games: The door closes.

Now the first question is how much is the tax on a loaf of bread when it is still on the shelf? The tax man has already had more than he should. He does not care if it is sold or it goes stale. It does not matter who pays for the bread weather the purchaser is employed or unemployed it's all the same to the tax man. So how much is the tax value on a loaf of bread on Morison's shelf?

If all the tax was removed from the loaf of bread just leaving the cost of each loaf inclusive of all the growing, manufacture and transport costs, even allowing for some profit for all the processes involved how much would it cost? The answer to that question will astonish you. These calculations have been made by two chartered accountants burning the midnight oil and plenty of coffee. Coffee, cool: Here's the answer.

85% of the cost of the loaf of bread is nothing but TAX: This means that if a loaf of bread costs £1 then the price on the shelf should be 15p. Ouch! Isn't that amazing? Now take this example and apply it across the board. From a lollypop to a colour TV, to the tarmac on the road, to the cost of a house or a car.

A £20K car would now be say £3K. Doesn't that sound good, a £100K house would cost £15K. This is an economically valid example. Let it sink in for a while. ----------

There's more. We pay 24% of our income out of our gross earning to the NHS. I know if you are employed you only pay 8% but you boss pays 16% and who do you think earns that 16%? You do, you pay your part of your bosses 24% as well. Now the NHS pays for a lot of things such as Hospitals and staff and medication and ambulances and unemployment from the department of works and pensions. And I hear the words "so what" well all that money is spent and the taxman rakes back in 85% of it: That's

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85% that will never return to the NHS. Now you can also say that our tax is necessary because it pays for the police and the schools and the bin men and the park keeper and fire brigade: Well this is also true but as that money is spent the taxman rakes back in 85%. Now the question is when do you get the value of that money? And the answer is never:
Never, ever, ever and if you can find it then let me know.

There's more. This means that the only money you get to keep is the 15%. Oh s---t yes. That 15% pays for everything ells, your home and furnishings, the car, the holiday, the food, on and on. Yes you live your life on 15% and that is a fact, oh yes and some credit cards. Now that is a very sobering thought. This is exactly the reason why we are all broke. So what is it that the tax man does that makes him worth so much of your life energy???? Anybody please let me know.

There's more. The opposite side of the coin! The cost of a £100K house is £15K you could save up for that in say 5 years on minimum wage and buy the house cash with no mortgage. Having a mortgage means you pay for three houses and only get to keep one. So you would save the cost of two houses, that's money back in your pocket that the bank will never see. Minimum wage would be equal to current day without paying tax say £50 per hour. You could buy your car cash, no loan. We would be a cash rich nation in no time at all and the banks would just be a service to move our cash around as usual. There would be no national debt. We would have roads that do not wreck our cars. Let the mind wonder. And don't forget that all tax is illegal, it contravenes the bills of exchange act and is an act of fraud without the consent of the governed, and the consent of the governed is not a presentable fact.

So the last observation is this. We pay all this tax for the Fireman and the policeman and everybody else who gets paid from the public purse. But all those paid from the public purse also pay tax to the tune of 85%. **How insane is that?....**

It is no wonder that this country is commercially ruined and cannot compete in the world market place. That is just bad business management. I blame Parliament. This country is not economically viable. Fubar'ed beyond all recognition.

What's wrong with the world?

What is wrong with the world and what can we do about it?

Lots and lots

Without ill will or vexation.

For and on behalf of the Principal legal embodiment by the title of MR DAVID WARD.
For and on behalf of the attorney General of the House of Ward
For and on behalf of Baron David of the House of Ward.

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Exhibit (F)

No Body Gets Paid

On and for the record

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No Body gets paid and nobody pays for anything ever.

The Facts

What does this mean? What happened and when did this happen and what is the outcome?

This is becoming more and more difficult to validate from reputable sauce as much of that which was available has been removed from the public record. It is however a well known fact that the victors rewrite the public record to suit their needs. It has also been noted that where there is something to hide then hidden it will be. There is however still a great deal of information still available. One such resource is this. http://mises.org/library/gold-standard-and-its-future Published by, E. P. DUTTON & CO., INC. By All accounts this is the work of a young London University economist.

A commentary on the book made by T.E. Gregory

"Between 1919 and 1925 a co-operative and successful effort was made to replace the monetary systems of the world upon a:firm foundation, and the international gold standard was thereby restored. In the last few years a variety of circumstances have combined to imperil this work of restoration. The collapse of the gold standard in a number of raw material producing countries in the course of 1930 was followed by the suspension of the gold standard in a number of European countries in· 1931. The most important country to be driven off was Great Britain, which had reverted to gold after the War by the Gold Standard Act of April 1925. The Gold Standard (Amendment) Act, passed on September 25th 1931, by suspending the gold standard in this country, led not only to suspension by the Scandinavian countries and by Finland, but also to suspension in Ireland and India. Other countries followed, including Japan and the U.S.A"

Followed by the usual disclaimer:-
*"**Note:** The views expressed on Mises.org are not necessarily those of the Mises Institute."*

We find it very strange how these days that there is always a disclaimer and nobody stands by their words.

It is very strange that there is no record of this The Gold Standard Amendment Act 1931 at the .legislation.gov.uk website. I wonder why?

Google brings up 36,600 results but nothing on the .legislation.gov.uk web..... Very strange that?

So was the gold standard Act abolished and is there other evidence to support this?

Well for the older ones of us there is the living memory. People used to get paid with gold sovereigns and silver coins. Imagine that!!! People used to get paid with real money!!! How absurd. Back in the day and for thousands of years merchants used to use real gold and silver coins to trade. Back in the day the Merchants would make use of the gold smith's safe to keep their money safe in exchange for a cashier note to the value of what was deposited in the gold smiths safe.

So what happened?

Fractional lending happened were it was legalised by the government by agreement that the Banks could lend more money in the form of Bank notes than the Bank had sufficient gold or money to support. A bank note is not money. A Bank note has never been money but a note supported by the money on deposit in the Bank (The gold and the silver) This is also licence fraud legalised by

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agreement. Fraud is still fraud legalised or not. Fraud by agreement is still fraud. The Banks do not have enough money on deposit to support the notes in circulation.

At some point in the 1800's the Banks claimed the gold/silver as there would never be enough money to pay back all the debt that the Banks had created by licensed agreement with the government.

The facts are this. A Bank note is not money and never has been but only a note or a record of something of value. As long as there was a gold standard Act then the Bank note would be something of perceived value as it would have a relationship with something of value on deposit in the form of gold or silver.

What if there was no gold or silver to give the Bank note some value? What then? What then is the value of a Bank note? If there is no Gold standard Act and there is no money that the Bank note represents then what is the value of the Bank note?

If there is no money to support the Bank note then the Bank note is nothing more than a piece of paper with marks on it of no value. It would be Monopoly Money. How can we show this to be factual? Simple...

Take some Bank notes to the Bank of England, walk up to the cashier and demand the money that the Bank of England promises to pay on demand. How easy is that?? Don't be too surprised when the cashier looks at you strange and if you become insistent then the Bank security will be summoned to remove you from the premises for disturbing the peace. How much proof do you need?

What else do we have as evidence? Well there is the Bills of Exchange Act of 1882. Why was there no Bills of exchange Act before 1882? Did we not need any Bills of exchange Act before 1882?? Why is this date significant??

Could this be because the government went into the 11th chapter of insolvency prior to 1882 due to the fractional lending fraud?

How about you take out a loan and then ask the Bank to provide the sauce of the funds dating back by three accounts and be compliant with The Money Laundering Regulations 2007. Don't hold your breath waiting for a response. The Bank cannot provide the historic record of the sauce of the funds.

What really happens when you enter a retail outlet and purchase some goods with Bank of England Promissory notes? You then approach the **cashier** and make an **offer** of payment, which is a piece of paper from the bank of England where there is a promise to pay but no actual payment takes place. It is not possible to pay for anything without money. A Bank Note is not money.

The cashier then gives you a receipt for the offer of payment. So in effect pieces of paper have changed hands both with words and numbers on them. This complies with the Bills of Exchange act 1882 as two pieces of paper to the same perceived value has changed hands. But when did you ever return to the retail outlet and PAY for the Goods with money??

When did you ever pay for anything with real money?? A Bank Note has never been money. There is no monetary system. The economics is based upon confidence and belief in a monetary system where there is no money. Can somebody let me know where I can buy 20 pounds of confidence or 20 pounds of belief?

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Confidence and belief is of no material substance. Confidence and belief is a figment of the imagination.

We continue to use these words Money and Pay, without ever thinking of the actual meaning of the words. How can there be economics without money? Commerce is a scam. How is it possible for there to be Debt when there is no money? Every contractual obligation you have ever entered into is void by default because there has never been full disclosure by the parties.

You work for pay but you never get paid. There is no money to pay you with, just Bank notes that make promises that can never be kept. Even when there was real money in the form of gold and silver coins the weight of the silver coins adding up to 1 pound never ever weighed 1 pound (lb) Back in the day when there was 10s coins, two of them never weighed 1lb (1 pound) it never happened. Stop living in dream land and face the facts.

What is £100.00 BPS? British sterling silver weighed in troy ounces? Well 100 pounds is 100lb is 45kg. This is more than 25kg it is greater than the deemed safe carrying weight under the Health and Safety at Work etc Act 1974 where more than 25kg is a two man lift. It never happened. Ever. When are people going to wake up and smell the coffee Beans? Face the Facts!!

To be in a capitalistic society is to exploit another for personal gain. But there has never been any gain because you never get paid. The Bankers and the politicians are going to be really pissed when they find out they got conned as well!! £100,000,000 is still nothing of value because there is no money. 100,000,000 times 0 = 0. Zero. These are the facts.

It could be said that I am making this all up as I go along. That may be true, but only maybe? It's a two way street. The politicians and the Bankers and the governments have been making it up as they go along for years and nobody ever noticed. Somebody made it all up. So the real question is this!!!

It is also true that where there is no physical material evidence to the contrary then the obvious stands as fact. Were the statement or the document containing the details of the obvious is then the documented fact that cannot be challenged as there is no material physical evidence to the contrary of the obvious.

Sherlock Holmes is a fictional character created by Scottish author and physician Sir Arthur Conan Doyle, a graduate of the University of Edinburgh Medical School. It is clear that Sir Arthur Conan Doyle was a learned man who was very skilled in analytical and deductive reasoning. From these writings by Sir Arthur Conan Doyle there is the following.

A Study in Scarlet (1886) Part 2, chap. 7, p. 83
"In solving a problem of this sort, the grand thing is to be able to reason backward. *That is a very useful accomplishment, and a very easy one, but people do not practise it much. In the everyday affairs of life it is more useful to reason forward, and so the other comes to be neglected.* ***There are fifty who can reason synthetically for one who can reason analytically."***

The Sign of the Four (1890), Is the second novel featuring Sherlock Holmes written by Sir Arthur Conan Doyle.
"When you have eliminated the impossible, whatever remains, however improbable, must be the truth?"

Where there is the lack of material evidence to support the claim then is the claim being made not an act of fraud by the very fact that there is no material evidence to support the claim. The very lack of material physical evidence to support the claim is the evidence that is the material evidence that proves that the claim is fraud.

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Consider the following:-

There are some fundamentals to be give consideration before an agreement or a contract is valid and enforceable.

- **Full disclosure by the parties**. If there is no full disclosure by the parties then the agreement is void from the outset. There would not be any material physical evidence to any missing disclosure but the absence of this material physical evidence is the evidence of the fraud.

- **Agreed Consideration by both parties**. There must be a consideration by both parties! There must be material evidence of this consideration. Where Banks are concerned then this would be the record as to the source of the funds lent to the Borrower. If the Bank has not provided this material evidence of the source of the funds then the bank have not given any consideration and cannot suffer any loss.

- **There should be a signed agreement by both parties**. Without the signature from both parties then there is no material evidence to the agreement or contract.

- To be compliant with The Companies Act 2006 (1) Under the law of England and Wales or Northern Ireland a document is executed by a company—(a) by the affixing of its common seal, or (b) by signature in accordance with the following provisions. (2) A document is validly executed by a company if it is signed on behalf of the company—(a) by two authorised signatories, or (b) by a director of the company in the presence of a witness who attests the signature.

The very absence of the company (Bank) seal or signatures from the company is the material evidence of the fact that their activities are fraudulent from the start.

(Account Holder) Signs the Bank's Loan Contract or Mortgage or credit card agreement (The Bank officer does not so there is no agreement or contract).
(Account Holder) Signature transforms the Loan Contract into a Financial Instrument worth the Value of the agreed amount.
Bank Fails to Disclose to (Account Holder) that the (Account Holder) Created an Asset.
(Financial Instrument) Asset Deposited with the Bank by the (Account Holder).
Financial Instrument remains property of (Account Holder) since the (Account Holder) created Financial Instrument with the signature.
Bank Fails to Disclose the Bank's Liability to the (Account Holder) for the Value of the Asset of the commercial instrument.
Bank Fails to Give (Account Holder) a Receipt for Deposit of the (Account Holders) Asset or commercial instrument.
New Credit is created on the Bank Books credited against the (Account Holder) Financial Instrument
Bank Fails to Disclose to the (Account Holder) that the (Account Holder) Signature Created New credit that is claimed by the Bank as a Loan to the Borrower
Loan Amount Credited to an Account for Borrower's Use as a credit.
Bank Deceives Borrower by Calling Credit a "Loan" when it is a Deposited Asset created by the (Account Holder)
Bank Deceives Public at large by calling this process Mortgage Lending, Loan and similar
Bank Deceives Borrower by Charging Interest and Fees when there is no consideration provided to the (Account Holder) by the Bank

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Bank Provides None of own Money or commercial instruments so the Bank has No Consideration in the transaction and so **no True Contract exists.**

Bank Deceives (Account Holder) that the (Account Holder's) self-created Credit is a "Loan" from the Bank, thus there is No Full Disclosure so no True Contract exists.
(Account Holder) is the True Creditor in the Transaction. (Account Holder) Created the new credit as a commercial instrument.
Bank provided no value or consideration.
Bank Deceives (Account Holder) that (Account Holder) is Debtor not Creditor
Bank Hides its Liability by off balance-sheet accounting and only shows its Debtor ledger in order to Deceive the Borrower and the Court. The Bank is licensed by the government to commit actions that would otherwise be illegal (Banking Fraud) The court is a sub office of the same company. See Exhibit (C) The material evidence of the fact. The Court has an obligation to support actions licensed by the state. **There is a clear conflict of interests here.**
Bank Demands (Account Holder) payments without Just Cause, which is **Deception, Theft and Fraud**
Bank Sells (Account Holder) **Financial Instrument** to a third party for profit
Sale of the Financial Instrument confirms it has intrinsic value as an Asset yet that value is not credited to the (Account Holder) as Creator and Depositor of the Instrument.
Bank Hides truth from the (Account Holder), not admitting Theft, nor sharing proceeds of the sale of the (Account Holder's) Financial Instrument with the (Account Holder) and creator of the financial instrument.
The (Account Holder's) Financial Instrument is converted into a Security through a Trust or similar arrangement in order to defeat restrictions on transactions of Loan Contracts.
The Security including the Loan Contract is sold to investors, despite the fact that such **Securitization is Illegal**
Bank is not the Holder in Due Course of the Loan Contract.
Only the Holder in Due Course can claim on the Loan Contract.
Bank Deceives the (Account Holder) that the Bank is Holder in Due Course of the Loan Contract
Bank makes Fraudulent Charges to (Account Holder) for Loan payments which the Bank has no lawful right to since it is not the Holder in Due Course of the Loan Contract.
Bank advanced none of own money to (Account Holder) but only monetized (Account Holder) signature.
Bank Interest is Usurious based on there being No Money Provided to the (Account Holder) by the Bank so that any interest charged at all would be Usurious
Thus **BANK "LOAN" TRANSACTIONS ARE UNCONSCIONABLE!**
Bank Has No True Need for a Mortgage over the Borrower's Property, since the Bank has No Consideration, No Risk and No Need for Security.
Bank Exploits (Account Holder) by demanding a Redundant and Unjust Mortgage.
Bank Deceives (Account Holder) that the Mortgage is needed as Security
Mortgage Contract is a second Financial Instrument Created by the (Account Holder)
Deposit of the Mortgage Contract is not credited to the (Account Holder)
Bank sells the (Account Holder) Mortgage Contract for profit without disclosure or share of proceeds to (Account Holder)
Sale of the Mortgage Contract confirms it has intrinsic value as an Asset yet that value is not credited to the (Account Holder) as Creator and Depositor of the Mortgage Contract
Bank Deceives (Account Holder) that Bank is the Holder in Due Course of the Mortgage
Bank Extorts Unjust Payments from the (Account Holder) under Duress with threat of Foreclosure
Bank Steals (Account Holder) **Wealth** by intimidating (Account Holder) to make Unjust and fraudulent Loan Payments
Bank Harasses (Account Holder) if (Account Holder) fails to make payments, threatening Legal Recourse

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Bank Enlists Lawyers willing to **Deceive** (Account Holder) and Court and **Exploit** (Account Holder)
Bank Deceives Court that Bank is Holder in Due Course of Loan Contract and Mortgage.
Bank's Lawyers Deceive and Exploit Court to **Defraud** (Account Holder)

The government license the Bank were a license is permission to partake in an activity which would otherwise be illegal. The court (Judiciary) is a sub office of the company which grants the license and has an obligation to find in favour of the holder of that license as the Judiciary is a sub office of the company (STATE) that grants the license.

See Exhibit (C) The material evidence of the Fact.

The Judiciary is a sub office of the (STATE) Company and this is confirmed by the Rt. Hon. Lord chief Justice Sir Jack Beatson FBA. This is a fact on and for the record.

The State (Company) has no legal authority to grant the license.

See Exhibit (B) Case authority No WI-05257F as definitive material evidence of this fact that the governed have not given their consent or the legal authority for the (STATE) (Government) company to create legislation or grant license. This is a fact on and for the record.

Bank Steals (Account Holder) **Mortgaged Property** with Legal Impunity.
Bank Holds (Account Holder) **Liable** for any outstanding balance of original Loan plus costs
Bank Profits from Loan Contract and Mortgage by Sale of the Loan Contract, Sale of the Mortgage, Principal and Interest Charges, Fees Charged, Increase of its Lending Capacity due to (Account Holder) Mortgaged Asset and by Acquisition of (Account Holder) Mortgaged Property in Foreclosure. Bank retains the amount of increase to the Money Supply Created by the (Account Holder) Signature once the Loan Account has been closed.
(Account Holder) is Damaged by the Bank's Loan Contract and Mortgage by Theft of his Financial Instrument Asset, Theft of his Mortgage Asset, Being Deceived into the unjust Status of a Debt Slave, Paying Lifetime Wealth to the Bank, Paying Unjust Fees and Charges, Living in Fear of Foreclosure, and ultimately having his Family Home Stolen by the Bank.
Thus the BANK MORTGAGE LOAN BUSINESS IS UNCONSCIONABLE.

So what is the material evidence that is missing?

- First there is the contract or agreement which bears no signature from the bank or the company seal.
- The true accounting from the Bank (Company) that shows the source of the funds that the Bank lent to the borrower.
- Full disclosure from the Bank (Company) to the fact that it is the (Account Holder's) signature that created the commercial instrument and the asset which is the true sauce of the funds.
- The consent of the governed (Exhibit (B))
- The recorded legal authority on and for the record. (Exhibit (B))

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Facts are facts because they are the facts. Facts have material substance. The material evidence of the facts is something of material substance. When there is no material substance to the facts then there is Bill and Ben making things up as they go along.

These are the FACTS. This is the documented evidence of the facts. It is the very lack of the material evidence to the contrary to these documented facts which is the very evidence itself.

Where there can be no physical evidence presented as material evidence that the opposite is true, IS By Default the Fact. And Fraud.

We are all victims of this same criminal and intentional and UNCONSCIONABLE crime. This is inclusive but not limited to:-

- The lawyers,
- The Barristers,
- The Judges,
- The Members of Parliament (MP's)
- The Banking Staff,
- The Police,
- The people of this land.

Who is not a victim of this UNCONSCIONABLE crime?

These are the Facts and the documented Facts on and for the record. These facts stand as facts until somebody presents the material evidence which stands as fact to the contrary to these stated, documented on and for the record facts.

Who is the Fool? The Fool, Or the Fool that follows the Fool.

Without ill will or vexation.

For and on behalf of the Principal legal embodiment by the title of MR DAVID WARD.
For and on behalf of the attorney General of the House of Ward
For and on behalf of Baron David of the House of Ward

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Exhibit (G)

An Englishman's Home is his castle

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An Englishman's Home is his castle

Queen Elizabeth the second took a verbal oath when she entered into service (Status Servant) of her own free will. This oath was to uphold the Laws and "TRADITIONS" of this land.

An Englishman's home is his Castle and an assault on the Castle is a recognised Act of WAR. In a time of War then the casualties of War, are just that, the casualties of war. He that knowingly enters into an act of war knowingly or unknowingly has still entered into an act of war of his own volition. The occupants defending the Castle cannot be held culpable for any casualties of war even though these casualties of war should end up dead. This is recognised from the historic "traditions" of this land.

http://en.wikipedia.org/wiki/Castle_doctrine

A **castle doctrine** (also known as a **castle law** or a **defence of habitation law**) is a legal doctrine that designates a person's abode (or any legally-occupied place [e.g., a vehicle or workplace]) as a place in which that person has certain protections and immunities permitting him or her, in certain circumstances, to use force (up to and including deadly force) to defend themselves against an intruder, free from legal responsibility/prosecution for the consequences of the force used.[1] Typically deadly force is considered justified, and a defence of justifiable homicide applicable, in cases "when the actor reasonably fears imminent peril of death or serious bodily harm to him or herself or another".[1] The doctrine is not a defined law that can be invoked, but a set of principles which is incorporated in some form in the law of many states.

The legal concept of the inviolability of the home has been known in Western Civilization since the age of the Roman Republic.[2] The term derives from the historic English common law dictum that "an Englishman's home is his castle". This concept was established as English law by 17th century jurist Sir Edward Coke, in his *The Institutes of the Laws of England*, 1628.[3] The dictum was carried by colonists to the New World, who later removed "English" from the phrase, making it "a man's home is his castle", which thereby became simply the castle doctrine.[3] The term has been used in England to imply a person's absolute right to exclude anyone from his home, although this has always had restrictions, and since the late twentieth century bailiffs have also had increasing powers of entry.[4]

There is a claim here that since the late twentieth century bailiffs have also had increasing powers of entry. This is incorrect because a Bailiff in the twentieth century is a crown corporation servant and the crown authority has no authority without a legal agreement that the crown has an authority. There is no material evidence to the fact that there is any legal agreement. This fact has now been confirmed. Case Authority No WI 05257F David Ward and Warrington Borough Council 30th Day of May 2013 at court tribunal.

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The crown has no power of entry. The crown Bailiffs do not have power of entry. It is done.

Any Crown Authority stops at the boundary of the property. To proceed beyond this point is a recognised Act of War.

Where no such legal agreement exists then the Bailiff who is only a Bailiff by title only has no powers of entry. Unless that authority can be presented in the form of a legal agreement: which must contain upon it two wet ink signatures, one of which must be yours.

So a Bailiff has no power of entry without your consent to do so and an assault upon the castle is a recognised Act of war.

We have case law to support this fact where for example, the Bailiff was smashed over the head with a milk Bottle.

A debtor is where there is proof of Debt. Where there is no proof of debt then you are not a debtor.

Case Law in the UK Queens Bench. http://www.dealingwithbailiffs.co.uk

Vaughan v McKenzie [1969] 1 QB 557 if the debtor strikes the bailiff over the head with a full milk bottle after making a forced entry, the debtor is not guilty of assault because the bailiff was there illegally, likewise R. v Tucker at Hove Trial Centre Crown Court, December 2012 if the debtor gives the bailiff a good slap.

If a person strikes a trespasser who has refused to leave is not guilty of an offence: Davis v Lisle [1936] 2 KB 434

License to enter must be refused BEFORE the process of levy starts, Kay v Hibbert [1977] Crim LR 226 or Matthews v Dwan [1949] NZLR 1037 ..... *Aha send a denial of implied right of access before the Bailiff comes in advance.*

A bailiff rendered a trespasser is liable for penalties in tort and the entry may be in breach of Article 8 of the European Convention on Human Rights if entry is not made in accordance with the law, Jokinen v Finland [2009] 37233/07 http://www.dealingwithbailiffs.co.uk

A debtor can remove right of implied access by displaying a notice at the entrance. This was endorsed by **Lord Justice Donaldson** in the case of Lambert v Roberts [1981] 72 Cr App R 223 - and placing such a notice is akin to a closed door but it also prevents a bailiff entering the garden or driveway, Knox v Anderton [1983] Crim LR 115 or R. v Leroy Roberts [2003] EWCA Crim 2753

Debtors can also remove implied right of access to property by telling him to leave: Davis v Lisle [1936] 2 KB 434 similarly, McArdle v Wallace [1964] 108 Sol Jo 483

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A person having been told to leave is now under a duty to withdraw from the property with all due reasonable speed and failure to do so he is not thereafter acting in the execution of his duty and becomes a trespasser with any subsequent levy made being invalid and attracts a liability under a claim for damages, Morris v Beardmore [1980] 71 Cr App 256.

Bailiffs cannot force their way into a private dwelling, Grove v Eastern Gas [1952] 1 KB 77

Excessive force must be avoided, Gregory v Hall [1799] 8 TR 299 or Oakes v Wood [1837] 2 M&W 791

A debtor can use an equal amount of force to resist a bailiff from gaining entry, Weaver v Bush [1795] 8TR, Simpson v Morris [1813] 4 Taunt 821, Polkinhorne v Wright [1845] 8QB 197. Another occupier of the premises or an employee may also take these steps: Hall v Davis [1825] 2 C&P 33.

Also wrongful would be an attempt at forcible entry despite resistance, Ingle v Bell [1836] 1 M&W 516

Bailiffs cannot apply force to a door to gain entry, and if he does so he is not in the execution of his duty, Broughton v Wilkerson [1880] 44 JP 781

A Bailiff may not encourage a third party to allow the bailiff access to a property (ie workmen inside a house), access by this means renders the entry unlawful, Nash v Lucas [1867] 2 QB 590

The debtor's home and all buildings within the boundary of the premises are protected against forced entry, Munroe & Munroe v Woodspring District Council [1979] Weston-Super-Mare County Court

A Bailiff may not encourage a third party to allow the bailiff access to a property (ie workmen inside a house), access by this means renders the entry unlawful, Nash v Lucas [1867] 2 QB 590

Contrast: A bailiff may climb over a wall or a fence or walk across a garden or yard provided that no damage occurs, Long v Clarke & another [1894] 1 QB 119

It is not contempt to assault a bailiff trying to climb over a locked gate after being refused entry, Lewis v Owen [1893] The Times November 6 p.36b (QBD)

If a bailiff enters by force he is there unlawfully and you can treat him as a trespasser. Curlewis v Laurie [1848] or Vaughan v McKenzie [1969] 1 QB 557

A debtor cannot be sued if a person enters a property uninvited and injures himself because he had no legal right to enter, Great Central Railway Co v Bates [1921] 3 KB 578

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If a bailiff jams his boot into a debtors door to stop him closing, any levy that is subsequently made is not valid: Rai & Rai v Birmingham City Council [1993] or Vaughan v McKenzie [1969] 1 QB 557 or Broughton v Wilkerson [1880] 44 JP 781

If a bailiff refuses to leave the property after being requested to do so or starts trying to force entry then he is causing a disturbance, Howell v Jackson [1834] 6 C&P 723 - but it is unreasonable for a police officer to arrest the bailiff unless he makes a threat, Bibby v Constable of Essex [2000] Court of Appeal April 2000.

The very presence of the Bailiff or third part company who is engaged in a recognised Act of war is an assault on the castle and it is reasonable for the police officer to arrest the bailiff where there is a recognised Act of War. If the police officer does not arrest the Bailiff on request then the police officer is guilty by default of an offence against legislation which is the offence of Malfeasance in a public office. The police officer is also guilty by default of an act of fraud as he is on duty and being paid for his inaction. The penalty under legislation for these offences are as follows. 25 years' incarceration for the offence of Malfeasance in a public office and 7 to 10 years' incarceration for the offence of fraud under current legislation for which the police officer is culpable.

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For and on behalf of the attorney General of the House of Ward
For and on behalf of: Baron David of the House of Ward
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LEGAL NOTICE TO BAILIFF/ or third Party Company.

NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO PRINCIPAL IS NOTICE TO AGENT APPLIES

DO NOT IGNORE THIS NOTICE IGNORING THIS NOTICE WILL HAVE CONCEQUENCES.

NOTICE OF REMOVAL OF IMPLIED RIGHT OF ACCESS
FROM THIS TIME FORWARD AND IN PERPETUITY

Baron David of the House of WARD hereby gives notice that the implied right of access to the property known as 145 Slater Street. Latchford Warrington. [WA4 1DW]. And surrounding areas: Along with all associated property including, but not limited to, any private conveyance, in respect of the following:

Please also take notice that the land known as England has recognised historic traditions and any transgression of this notice will be dealt with according to the traditions of this land where it is recognised that an Englishman's House is his Castle and any transgressions upon that property is also a recognised Act of War. It is recognised that a state of war has been declared by you, let battle commence.

i, a man who has a recognised status by natural descent according to the traditions of this land being Baron David of the House of Ward claim indefeasible Right to self-defence, and to protect the House of Ward family Castle and the contents therein but not limited to, and surrounding areas.

Any transgressions will be dealt with using any force deemed necessary at the discretion of the HOUSE of Ward. You have been given legal warning. Your personal safety and the safety of any agents may be compromised if you ignore this legal warning. No quarter given.

Nothing will prevent us from defending our life, our family home (Castle) and all that is held within.
All natural and Inalienable Rights Reserved as recognised by the historic traditions of this land.

You have been served LEGAL NOTICE

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Exhibit (H)

The Hypocrisy of the Secret Ballot Elective Process.

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Do we really have a valid election process? Is Government truly government by the people for the people? Are we all members of the public? What are the known observable Facts?

What is an election?

An election is where the people elect into office the representatives they wish to represent them into local government and then Parliament. Everybody knows that, we have been doing this for decades. The concept is that we elect of ourselves and that is self government by the people for the people, it is obvious any fool can see that. The people elect of themselves and then the people tell the local government what they want and the local government pass this forward to the central government and therefore we have government by the people for the people and all is well. Is this really what happens?

Secret Ballot

Is this a valid process? Well we do have a choice of all the elected councillors. Is this a real choice? The first question would be as to where be the box to place the "X" in that states "None of the above?" Strange how this option is not present on the Ballot sheet! Where does this collection of candidates come from in the first place? 95% of the people would not be able to answer this question. Then there is the process it's self. The people place an "X" in a box to signify a choice. So there is only a Mr or Ms "X" who has voted in a secret Ballot.

Where is the accountability? Who was it that voted in this secret Ballot? Well that would be Mr or Mrs "X". What happens to all these Ballot sheets after an secret Ballot? Should they not be kept on and for the public record? But what would be the point? This is after all a SECRET Ballot.

So the first question is this. Where is the material evidence that there has been somebody elected into office? If an elected was asked to present the material evidence of the fact that they have been elected. Then. Where is this material evidence and accountability? How can the elected prove by presenting physical evidence that they have been elected? Where is the public record on and for the public record? In which public office can this evidence be seen?

Can our current Prime Minister present the material evidence of the fact that he has been elected? No He Cannot.

The un-election Process.

What is this? 63.5 million People on this land can tell and know what the elective process is. But not one of the 63.5 million People can tell or know what the un-election process is! How is this representative of the people's choice? The fact is there is no process to remove some one from office once they have been elected into office. How is this government by the people for the people where there is no known process to un-elect an officer of the state?

The Public and the Private.

It is a general consensus of opinion that the people of this land are the public. Is this correct? No, it is not. Only those in public office and who are paid from the public purse are members of the public. So the general consensus of opinion is incorrect. An opinion is not fact. A belief is not fact. So is a general consensus of opinion a fact? No, it is an opinion. We have searched all the Ordnance Survey Maps for a public road. We did not find one. So where is the material evidence that there is such a thing as

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a public road or a public highway? There is however designated public foot paths for pedestrians to pas and re-pas as long as the pedestrians do not obstruct the public foot path.

We have also had great difficulty finding the queens highway. It is a common held belief that we have the right to free travel down the queen's highway but for the life of us we cannot find the queen's highway on any Ordnance Survey Maps. We were hoping to locate this queen's highway; as if it has the right to free travel then we could travel this queen's highway without any speed restrictions. Additionally we could also have charged the queen for travelling expenses as we are travelling on the queen's highway for free as there is always an expense when travelling. But after consulting all of the Ordnance Survey Maps alas, there was no queen's highway to be found. So there is no material evidence to support the people's general consensus of opinion that there is such a thing as the queen's highway. Therefore the general consensus of opinion is incorrect.

So is there such a thing as a public road? This public road would be a public road if it was a designated public road only for the members of the public on the public payroll to drive upon. So which of the roads on this land is a designated public road purely and specifically for the purpose of the public use? The majority of the people are private individuals who are not paid from the public purse. If you are not on the public pay role then you are not a member of the public.

Is there such a thing as "The public"? It is quite clear from the Rt. Hon. Sir Jack Beatson speech at the Nottingham and Trent law university and the definition of a state by the London School of Economics that a state is a private company. See Exhibit (C) The Material evidence of the FACTS which is the material evidence that there is no such thing as public and that the general consensus of opinion is once again incorrect and there is no such thing as public. This is once again a belief and not a fact.

So do we have a valid election process and does this have any valid credibility.

Quite simply the answer is No. Let us sum up the facts.

- There is no un-election process.
- Only Mr and Mrs "X" have voted (No accountability)
- There is no material evidence to present on and for the public record that there has been an election. (No accountability).
- No elected official in public office can present any material evidence to the fact that they have been elected.
- There is no public office as the office is the office of a private company. See Exhibit (C).
- The private policy of the private government company caries no authority or legal obligation under the private company government legal definition of statute where there is a requirement for the legal consent of the governed. See Exhibit (B).
- There is no legal obligation for the elected to act upon the wishes of the people. (No accountability).
- The office of the Judiciary is a sub office to a private company. See Exhibit (C).

Do we have an elected government by the people for the people where this government has responsibility and accountability to the people?

The answer is. **No we do not.**

These are the facts on and for the record.

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