

So they say you've Broken the Law – Challenging Legal Authority – the lioness –

# So, they say you've broken the Law ....

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## Challenging Legal Authority

BY THE LIONESSE

**THIS IS A SUMMARY OF HER BOOK WHICH CAN BE OBTAINED FROM**

<http://www.thelioness.co.uk/>

**THIS** little book will give you the information required to challenge the authority of any person or entity that claims you have broken the law. From a parking ticket to the most 'serious' legislative claim, there must be PROOF of claim.

Understand this simple concept and you (or your lawyer/barrister) will be able to defend your case appropriately.

*"To be governed is to be watched, inspected, spied upon, directed, law-driven, numbered, regulated, enrolled, indoctrinated, preached at, controlled, checked, estimated, valued, censured, commanded by creatures who have neither the right nor the wisdom nor the virtue to do so. To be governed is to be at every operation, at every transaction noted, registered, counted, taxed, stamped, measured, numbered, assessed, licensed, authorized, admonished, prevented, forbidden, reformed, corrected, punished. It is under pretext of public utility; and in the name of the general interest, to be placed under contribution, drilled, fleeced, exploited, monopolized, extorted from, squeezed, hoaxed, robbed; then, at the slightest resistance, the first word of complaint, to be repressed, fined, vilified, harassed, hunted down, abused, clubbed, disarmed, bound, choked, imprisoned, judged, condemned, shot, deported, sacrificed, sold, betrayed; and to crown all, mocked, ridiculed, derided, outraged, dishonoured. That is government; that is its justice; that is its morality". – Pierre-Joseph Proudhon*

Driving laws, Tax laws, Parking tickets are all CLAIMS made. Are they founded in Law or in Force?

### **I AM A FREEBORN, JUST LIKE YOU**

Do you have PROOF of CLAIM?

Do you have PROOF of AUTHORITY?

If you take any action against me from this moment on, you must be certain you can answer "yes" to the above two questions. You will be required to in court.

If the answer is anything other than yes you are operating outside your professional capacity and your actions are those of a man or woman acting upon your OWN liability. Your actions will be ULTRA VIRES and you may not rely on your bond, insurance or employer to cover you for professional malpractice.

If an act requires legal authority and it is done with such authority, it is known in law as Intra Vires (the standard legal transaction is WITHIN POWER). If an act requires legal authority and it is done without such authority, it is known in law as Ultra Vires (the standard legal translation legal translation is BEYOND POWER).

DO NOT PROCEED unless you are certain you possess the FOUNDATION EVIDENCE for your claim, because I shall summons it in court.

You will be committing the CIVIL CRIME (human against human) of TORT, including but not limited to the breach of a duty of care, a wrongful trespass against me or my property, assault, battery, false imprisonment, invasion of privacy, tortuous interference, fraud, tort conversion, intentional infliction of emotional distress (IIED), invasion of privacy, abuse of

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process, MALICIOUS PROSECUTION and ultimately aggravated damages of malfeasance/misfeasance in public office.

*“An avidity to punish is always dangerous to liberty. It leads men to stretch, to misinterpret, and to misapply even the best of laws. He that would make his own liberty secure must guard even his enemy from oppression: for if he violates his duty, he establishes a precedent that will reach to himself”. – Thomas Paine*

I have not had sight of proof of claim nor proof of authority. I believe no such proof exists. Make no mistake, in this CIVIL matter I will sue YOU PERSONALLY, not the employee/uniform status you may imagine will protect you.

## **PROOF OF CLAIM**

You have made a CLAIM upon me that I must do as you say. You allege I have broken the law. My actions indeed may contravene some legislation but do you have irrefutable EVIDENCE that your law applies to me?

Can you show me now, or in the future, any evidence whatsoever which demonstrates that this law applies to me?

Who created this law against me?

Who pays you to take action against me to enFORCE this law?

WHO ever your employer may be, arguably the ultimate alleged authority in this matter is ELIZABETH, the constitutional monarch. Elizabeth is effectively the CEO of the government without whom legislation cannot be passed. All legislation in Australia requires consent by the Governor General the representative of the Monarch, “Queen of Australia”.

You have probably heard her say “my government...” on many occasions. It is undoubtedly HER government, but is it MY government?

You have seen the proof that the Australian COMMONWEALTH OF AUSTRALIA is an American corporation

<http://www.sec.gov/cgi-bin/browse-edgar?company=commonwealth+of+australia&owner=exclude&action=getcompany>

COMMONWEALTH OF AUSTRALIA CIK#: [0000805157](#)

Business Address 1601 MASSACHUSETTS AVE NW C/O AUSTRALIAN EMBASSY WASHINGTON DC 20036

Do you have PROOF it is “my government”? Do you have EVIDENCE that she, or someone – anyone – anywhere – has a higher claim upon me than me?

You will be required to supply this FOUNDATIONAL EVIDENCE in court.

Who owns me?

Who has a higher claim upon me than me?

Will Elizabeth bear witness to the fact that she allegedly owns me? If not Elizabeth herself, will a representative of the Crown Prosecution Service (CPS) or the Department of Justice, the police or government bear witness that I am ‘owned’?

If they were to do so, we would have a lot more to discuss, regarding SLAVERY.

*An example: You have given your employer a right to make a professional CLAIM upon you in many ways: You have allowed them to give you orders; access your bank account; regulate your professional behavior. Those rules/laws apply to you because you have consented. You have entered into contract.*

I HAVE NOT had sight of any proof of claim upon me. I believe no such proof exists.

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## **PROOF OF AUTHORITY**

Elizabeth demonstrates, through her actions, that she will pay you to enFORCE her rules and codes against me. WHO authorized her to do that? Not I... Elizabeth was born as free, as naked and as simply human as you and me. At some point that freeborn woman decided she would use FORCE against me if I did not comply with her rules and codes.

Monarch, King, Queen, Prince, Princess, Government, President, Prime Minister are all legal fiction titles. The real people behind those titles have no more intrinsic authority over me than the postman or a cat. Regardless of these laws being written in the form of legislation or acts of parliament, the only thing that gives those documents authority is the consent of those who would be governed. Simply because your employer says you may act with authority over me, does not in itself provide EVIDENCE that they or you have such authority. What they or you have is FORCE, not authority.

I did not, do not and will not authorize your use of FORCE against me.

I HAVE NOT had sight of any proof of your authority over me. I believe no such proof exists.

## **HOW CONSENT IS GAINED**

Agreement: Simply agreeing is enough. If I allow someone power over me, I consent to his or her actions.

Voting: Australia is allegedly a democracy. By voting for any candidate to govern me, I consent to being governed. It is as easy as that. It is equally true for my own council or parish church. If I give my power to someone else, I consent to the resulting behavior.

The fraud, war crimes, abuse and coercion perpetrated by those in parliament means that my conscience would not allow me to sanction or be seen to condone such unlawfulness.

I will not vote for a system of government that oppresses others and me. I have no requirement for a governor.

I HAVE NOT voted for anyone.

I have attained the age of Majority, can manage my own affairs and provided that I cause no loss or harm to any other man or woman, I have committed no CRIME.

Legislation claims I have committed a crime or offence: Who is offended by me driving a few km's over the legal arbitrary limit set by unlawful monopolistic corporate entities? Would it offend you? While you watched TV at home? Why does it offend Elizabeth the so called sovereign monarch? Is she in the car with me?

I may have an accident but I may not, to penalize someone for what may happen is a tort conversion. A tort is a wrong. Conversion is the intentional exercise of dominion and control of another's property without their consent or privilege.

My body is my property.

Affirmation or Acknowledgement: This comes in many guises. Every time someone sings those infamous words *long to reign over us*, they are giving away their power to Elizabeth and her agents.

I do not agree that Elizabeth has any claim to reign over me.

Obeying: By complying without claiming duress I am consenting to someone ruling over me – no matter who that person or legal fiction entity is; and no matter what the order.

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### Contract:

Have I ever signed a contract, made agreement, shaken hands or made a promise? These actions are evidence that I have consented.

The law allows for all manner of corruptions on an alleged contract.

I can and will be held liable for an implied contract, or a secret contract, or trust, or agreement, or any manner of fraudulent permutations. I am construed as being in agreement if I do not express my wishes to the contrary – even when I didn't know about it.

When I do express my wishes to the contrary, I will invariably be ignored or assaulted.

There is a perfectly good reason why Elizabeth and her agents do this and get away with it. It is called FORCE.

The reigning monarch authorizes statutes that control government, police force, armed forces, justice department, courts, judges, lawyers, barristers, parliament, wars. She pays you to use FORCE against me and it is called law.

People pay taxes as a form of consent to all the above.

I HAVE NOT had sight of any contract that evidences I have consented to be governed or policed. I believe no such proof exists.

### **WHO HAS GENUINE AUTHORITY**

The monarch? The government? Legislation? You? Your employer? An MP? Many CLAIM authority over me, but where is the proof of that authority? Could you produce PROOF to a court? You will be required to.

Can you supply the FOUNDATION EVIDENCE for a court case, that someone somewhere has a higher claim upon me than me? You will be required to. Will you be able to supply a copy of an alleged contract, wherein I have granted anyone authority over me? You will be required to. Will you be able to present a witness who will proclaim that someone has a higher claim upon me than me? You will be required to.

Will you be able to present witness evidence in any form to demonstrate that someone has a legitimately higher claim upon me than me? You will be required to.

Without my consent no one else can have authority over me.

Just because you act as if you have authority over me is not EVIDENCE that you do have such authority. You are relying on FORCE not authority.

The only one able to lawfully grant you authority over me is me.

I DO NOT CONSENT to be governed, ruled, forced or policed.

I HAVE NOT had sight of any proof of someone having authority over me. I believe no such proof exists.

However if I commit a crime that causes LOSS or HARM against any other man or woman or child, they do have lawful claim and authority to prosecute me. There is proof of CLAIM, that is the harm I have caused. There is proof of AUTHORITY their right to JUSTICE, and I have a moral and lawful obligation to make restitution.

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I shall always be held to account for a CORPUS DELICTI (body of crime) CRIME; meaning a crime must have been proven to occur before I can be convicted of committing that crime. It must also be proven that I had malice aforethought that is that I intended to commit a crime that I knew full well was a crime.

But ... I shall always be innocent (which is not the same as 'not guilty'), for any alleged offences/crimes that do not have PROOF of CLAIM or AUTHORITY (or loss).

## **THE SOCIAL CONTRACT**

You allege I am bound by a social contract?  
Please show me that contract. I should like to see my signature.  
Perhaps you will present it in court??

An alleged social contract cannot be used as evidence of LAW to justify legislated government rules, because government will initiate FORCE against anyone who does not wish to enter into such a contract.

*"Distrust everyone in whom the impulse to punish is powerful". – Friedrich Nietzsche*

By now you should be starting to understand.

I DO NOT CONSENT to be governed.  
I DO NOT CONSENT to be policed.  
YOU have NO AUTHORITY over me.

DO NOT PROCEED AGAINST ME unless you are certain you have the FOUNDATION EVIDENCE of your claim, because I shall summons it in court.  
I HAVE NOT had sight of any Social Contract. I believe no such contract exists.

## **THE VITAL DIFFERENCE**

In court the defendant should insist that the prosecution present the FOUNDATIONAL EVIDENCE of their claim against the legal fiction.

Example 1. A man stops me in the street and demands I pay him \$100 that he claims I owe. I agree to pay on condition he PROVES his claim by providing EVIDENCE that I owe him. He may have an IOU but does it refer to me the man/woman? Maybe it refers to someone with a similar birth certificate name to mine, or maybe he is just chancing his luck hoping I'll cough up. Maybe he forged the document? Maybe he has a witness who saw me lend him \$100? In CIVIL court if there is no PROOF of claim, there is no claim.

Example 2. I receive a letter saying the vehicle registered in the birth certificate name has been speeding. I agree to pay the fine on condition that they provide PROOF of claim i.e. two reliable unbiased witnesses (not police) who saw me controlling the vehicle and who have actual evidence the speed the vehicle was travelling, that is distance travelled over time travelled, was greater than the speed allowed for that stretch of road travelled. Does the evidence prove the original speed limit on that stretch of road was less than the speed of the vehicle in question. Can they prove I was controlling the car at the time of the alleged offense? Was it my car and not a clone etc...

The EVIDENCE related to the claim is argued in court; prosecution argues for the evidence defence argues against it. The prosecution argues the facts of the claim but they never dispute the lack of EVIDENCE that they have authority to claim against me in the first place.

*"There's no way to rule innocent men. The only power government has is the power to crack down on criminals. Well, when there aren't enough criminals, one makes them. One declares so many things to be a crime that it becomes impossible for men to live without breaking laws (statutes)". – Ayn Rand*

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The may claim that -

- The law applies to me because legislation says so??? That's not proof??
- The government says law applies to me??? That's not proof!!
- A judge says law applies to me?? His opinion that doesn't constitute proof!
- Everyone has to obey the law...
- You say I am crazy...
- It's written in the Road Traffic Act 2009
- The Governor General or Queen of Australia says Road Rules apply to me!!!
- I am a member of SOCIETY??
- Society says law or road rules apply to me??
- The social contract binds me to obey the law?
- If I don't like it I can do something about it like complain to my MP?

All the above statements are CLAIMS. They are not PROOF of a right to make a claim upon me.

The FOUNDATIONAL EVIDENCE of all these claims is missing. There is NO PROOF of AUTHORITY.

There never can be...

In Australia all laws are corporate statutes these can only apply to corporation members. They can only be applied to legal fictions.

### **EXAMPLES OF LETTERS TO USE:**

*Letter to Claimant*

[your name address]

[claimants name address]

[date]

Dear [insert claimant/court name here],

Further to your [letter/notice/summons etc] dated [date] ref [their reference] I bring to your attention that the following FOUNDATION EVIDENCE for your claim is missing:

PROOF of CLAIM.

PROOF OF AUTHORITY.

If you decline to furnish me with the above information within the statutory [x] days, please be aware that I shall OBJECT in court to the complete lack of real evidence, illustrative evidence, demonstrative evidence, witness evidence or documentary evidence and will summons it accordingly.

I have not given my consent to be governed or policed.

This appears to be a tort conversion.

Please note: Legislation, Acts of Parliament, FORCE used and common practice are all claims made upon me, however they are neither PROOF of CLAIM not PROOF of authority. The only proof they provide is proof of FORCE.

If you choose to progress this matter, you should be aware that I shall summons witness evidence in court, demanding Proof of Claim and Proof of Authority that you (or someone, somewhere – anyone, anywhere) have a higher claim upon me than me – without my consent. I shall also file a Statutory Declaration to that effect.

Yours sincerely,

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### *Reason for appeal*

It has come to my attention that the following FOUNDATION EVIDENCE was missing:

PROOF OF CLAIM.

PROOF OF AUTHORITY.

The prosecution presented no real evidence, illustrative evidence, demonstrative evidence, witness evidence or documentary evidence to the court.

I have not given my consent to be governed or policed. I also wish to file a Statutory Declaration to that effect.

The [judgement/sentence] appears to be the result of a tort conversion.

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### *“Do you plead Guilty or Not Guilty?”*

“I have not seen any FOUNDATION EVIDENCE for this claim, despite requesting it, so with the availability of neither PROOF OF CLAIM nor PROOF OF AUTHORITY I cannot *honestly* know whether I am guilty or not guilty of committing a crime when I have seen no EVIDENCE that [insert relevant legislative claim here] applies to me.

“I have not been presented with ANY preliminary material evidence in the form of exhibits or testimony of witnesses.

“This appears to be a tort conversion.

“I wish to file a Statutory Declaration to that effect, because for the court to progress this matter having been made aware that the FOUNDATION EVIDENCE is missing, would be an abuse of process”.

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### *“Do you swear to tell the truth, the whole truth and nothing but the truth?”*

“Your honour(s), I am an Oathkeeper. I have sworn an oath that says I can never be compelled to swear another. It satisfies the requirements for telling the truth in court, so may I swear my oath instead?

*“I, [state the name you go by], upon my honour, do solemnly, freely and sincerely swear that in all my deeds and actions I will bear true allegiance to an protect and defend the people of this land against all enemies domestic and foreign, with fairness, integrity, diligence, honesty and impartiality, and according equal respect to all people; and that even under threat I will uphold inalienable natural rights and endeavor to prevent all crimes of loss, harm or breach of the peace against all people; and that I will to the best of my ability eliminate all forms of coercion, force, fraud and domination and discharge all these obligations thereof faithfully; and that as long as I shall live I will never under any circumstances, swear another oath”.*

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**Chief Justice Latham in the Uniform Tax Case in the High Court of Australia – HCA 1942 (65 CLR 373 at 408)** – in this regard - “Common expressions such as: “The Courts have declared a statute invalid’,” says Chief Justice Latham, “sometime lead to misunderstanding. A pretend law made in excess of power is not and never has been a law at all. Anybody in the country is entitled to disregard it. Naturally, he will feel safer if he has a decision of a court in his favour, but such a decision is not an element that produces invalidity in any law. The law is not valid until a court pronounces against it – and

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thereafter invalid. If it is beyond power it is void ab initio” - Uniform Tax Case HCA (High Court of Australia) 1942 (65 CLR 373 at 408).

It is an ancient principle of the common law that a person not under arrest has no obligation to stop for police or answer their questions. And there is no statute that removes that right. The conferring of such a power on a police officer would be a substantial detraction from the fundamental freedoms which have been guaranteed to the citizen by the Common Law for centuries. (**Judge Stephen Kaye Melbourne Supreme Court 25 November 2011**).

The **Magna Carta** is Common Law and is part of the Australian Constitution today. It declares that :- Section 39 “No freeman shall be taken indeed imprisoned either dispossessed or outlawed or exiled or in any manner destroyed except by means of the legal judgement of his own equals indeed the Law of the Land”.

### **Imperial Acts Applications Act 1980 states:-**

**Section 8 Sub Section 12** - That all grants and promises of fines and forfeitures of particular persons before conviction, are illegal and void.

#### **Division 3—Justice and liberty**

[1297] 25 Edward I (Magna Carta) c. XXIX

No freeman shall be taken or imprisoned, or be disseised of his freehold, or liberties or free customs, or be outlawed or exiled, or any other wise destroyed; nor will we pass upon him, nor condemn him, but by lawful judgement of his peers, or by the law of the land. We will sell to no man, we will not deny or defer to any man either justice or right.

[1351-2] 25 Edward III St. V c. IV

Item, whereas it is contained in the great charter of the franchises of England that one shall be imprisoned nor put out of his freehold, nor of his franchises nor free custom, unless it be by the law of the land; it is accorded assented, and stablished, that from henceforth none shall be taken by petition or suggestion made to our Lord the King, or to his council, unless it be by indictment or presentment of good and lawful people of the same neighbourhood where such deeds be done, in due manner, or by process made by writ original at the common law; nor that none be out of his franchises, nor of his freeholds, unless he be duly brought into answer, and forejudged of the same by the course of the law; and if any thing be done against the same, it shall be redressed and holden for none.

**Australian Constitution Section 80 states** – 80: Trial by jury The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes.

Chapter 3 says a Court consists of a Judge/s and jury and only a jury can award a penalty **see Forge v Asic**.

You have a right of trial by jury no man can judge another man.

### **STATE OF VICTORIA CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 SECTION 27**

<http://www.humanrightscommission.vic.gov.au/index.php/the-charter>

#### 25. Rights in criminal proceedings

(1) A person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

#### 27. Retrospective criminal laws

(1) A person must not be found guilty of a criminal offence because of conduct that was not a criminal offence when it was engaged in.



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(2) A penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed.

### **Human Rights and Equal Opportunity Commission Act 1986**

<http://www.comlaw.gov.au/Details/C2013C00274>

Article 15

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.

### **SUMMARY OF BILL TURNER'S COURT PROCEDURE**

I will be myself.

Prosecutor comes in on behalf of crown he wants us to take on his role.

"With all due respect are you offering us a contract? If so may we have full disclosure of that contract", .... If the Bailiffs move threateningly towards you

"Do not take another step forward",

To the Judge "May I ask the prosecution a question?"

If the Judge refuses, "Is he not the one bringing the charges? Are you trying to deny my justice?"

Questions to ask the Prosecution

1. Would the prosecution please identify the defendant?
2. Who are you?
3. Mr. Prosecutor may I have full disclosure?
4. Mr. Prosecutor could you please identify the injured party?
5. Mr. Prosecutor are you acting as trustee or administrator of my estate and trying to make me the trustee and you the beneficiary?
6. Mr. Prosecutor are you trying to gain entry to my estate by deception and fraud?

If you get silence or no response for any of these questions ask for the matter to be discharged.

Will you please identify who YOU is on the Charge Sheet and Summons?

### **A POSSIBLE COURT PROCEDURE**

JUDGE calls your strawman name

You respond (MR), "Are you saying that the trust you are administering is the [*strawman name*] trust Sir?",

Judge – "May you please step into court?",

MR – "I reserve my right to stay in the public gallery",

Judge – "You are required to come into court.",

MR – "Who is 'YOU'?",

Judge – "We'll proceed",

Prosecutor – starts talking

MR – interject – [*strawman name*] is in the court [*point at the Judge*] it is you as trustee administrator. You are [*strawman name*] today aren't you? Before we continue I need to know who you all are?" [*point to the clerk*], "Are you the Cest Que Vie owner/trustee who has appointed the Judge as administrator and trustee off the constructive trust number [*quote the case number*]. Did you appoint the prosecutor as executor of the constructive trust? [*point to the judge*], So you are the trustee. I am the beneficiary. I authorize you dissolve this constructive trust.

## DEFINITIONS

*From OED and Wikipedia*

ACT – A written law passed by Parliament, Congress, etc.

AUTHORITY – The power or right to give orders, make decisions, and enforce obedience. The right to act in a specified way, delegated from one person or organization to another. Official permission; sanction. A person or organization having political or administrative power and control.

CERTAIN – Able to be firmly relied on to happen or be the case. Having or showing complete conviction about something.

CLAIM – State or assert that something is the case, typically without providing evidence or proof. An assertion that something is true. A demand or request for something considered ones due. A right or title to something.

COERCION – The practice of forcing another party to behave in an involuntary manner (whether through action or inaction) by use of threats, rewards, intimidation or some other form of pressure or force. In law, coercion is codified as the duress crime. Such actions are used as leverage, to force the victim to act in the desired way. Coercion can involve the actual infliction of physical pain/injury or psychological harm in order to enhance the credibility of a threat. The threat of further harm may lead to the cooperation or obedience of the person being coerced.

CONSENT – The provision of approval or assent, particularly and especially after thoughtful consideration. A) Implied consent is a controversial form of consent, which is not expressly granted by a person, but rather inferred from a person's actions and the facts and circumstances of a particular situation (or in some cases, by a person's silence or inaction). B) Expressed consent may be in verbal, nonverbal or written form and is clearly and unmistakably stated. C) verbal consent is used by verbal communication. D) Nonverbal consent is given by using nonverbal communication. E) unanimous consent, or general consent, is a parliamentary procedure. F) Overt consent, to be valid, would require voluntariness, a specific act on the part of the consenters, a particular act consented to, and specific agents who perform this action. G) Hypothetical consent of the governed holds that one's obligation to obey government depends on whether the government is such that one ought to consent to it, or whether the people, if placed in a state of nature without government, would agree to said government. H) Tacit consent is the theory of an implicit social contract whereby remaining in the territory controlled by some society, which usually has a government, people give consent to join that society and be governed by its government, if any. This consent is what gives legitimacy to such government.

CONTRACT – A legally enforceable agreement between two or more parties with mutual obligations, which may or may not have elements in writing. Contracts can also be formed orally. A) A party must have capacity to contract; and B) the purpose of the contract must be lawful; and C) the form of the contract must be legal; and D) the parties must intend to create a legal relationship; and E) the parties must consent; and F) if a contract is in written form, and somebody signs it, then the signatory is typically bound by its terms regardless of whether he or she has read it, provided the document is contractual in nature. A contract must contain these four elements:-

1. **Mutual Consent** – Typically this is reached through offer and acceptance, that is, when an offer is met with an acceptance that is unqualified and that does not vary the offer's terms. The latter requirement is known as the mirror image rule. If a purported acceptance does vary the terms of an offer, it is not an acceptance but a counter offer and, therefore simultaneously a rejection of the original offer.
2. **Offer and Acceptance** – The most important feature of a contract is that one party makes an offer for an arrangement that another accepts. This can be called a concurrence of wills or consensus ad idem (meeting of the minds) of two or more parties. The concept is somewhat contested. The obvious objection is that a court cannot read minds and the existence or otherwise of agreement is judged objectively, with only limited room for questioning subjective intention.
3. **Consideration** – Something of value given by a promisor to a promisee in exchange for something of value given by a promisee to a promisor.
4. **Sufficiency** – Consideration must be sufficient, but courts will not weight the adequacy of consideration. For instance agreeing to sell a car for a penny may

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constitute a binding contract. All that must be shown is that the seller wanted the penny. This is known as the peppercorn rule. Otherwise the penny would constitute nominal consideration, which is insufficient.

**Oral** contracts are ordinarily valid and therefore legally binding. However, in most jurisdictions, certain types of contracts must be reduced to writing to be enforceable. This is to prevent frauds and perjuries.

An **implied**, unwritten, unspoken contract also known as “a contract implied by the acts of the parties,” which can be either implied in fact or implied in law, may also be legally binding.

A **bilateral** contract is an agreement in which each of the parties to the contract makes a promise or set of promises to the other party or parties – there are duties on both sides, rights on both sides, and consideration on both sides. Each side has promised to do something, and each side will get something in return for what they have done.

In a **unilateral** contract, only one party to the contract makes a promise. The requirement that acceptance be communicated to the offeror is waived unless otherwise stated in the offer. The offeree accepts by performing the condition, and the offeree's performance is also treated as the price, or consideration, for the offeror's promise. The offeror is master of the offer; it is he or she who decides whether the contract will be unilateral or bilateral. In unilateral contracts, the offer is made to the public at large.

**CONVERSION** – The crime of exerting unauthorized use or control of someone else's property. The intentional exercise of dominion and control of another's property without their consent or privilege.

**DURESS** – A situation whereby a person performs an act as a result of violence, threat, intimidation or other pressure against the person. An unlawful threat or coercion used to induce another to act [or not act] in a manner [they] otherwise would or would not. Pressure exerted on a person to coerce that person to perform an act that he or she ordinarily would not perform.

**EVIDENCE** - The available body of facts or information indicating whether a belief or proposition is true or valid. Information drawn from personal testimony, a document, or a material object, used to establish facts in a legal investigation or admissible as testimony in a law court. Give information and answer questions formally and in person in a law court or at an inquiry.

**FICTION** – Something that is invented or untrue. A belief or statement that is false, but is often held to be true because it is expedient to do so.

**FORCE** – Strength or energy as an attribute of physical action or movement.

**FOUNDATION EVIDENCE** – Sufficient preliminary evidence of the authenticity and relevance for the admission of material evidence in the form of exhibits or testimony of witnesses. Material evidence is important evidence that may serve to determine the outcome of a case. Exhibits include real evidence, illustrative evidence, demonstrative evidence, and documentary evidence. The type of preliminary evidence necessary to lay the proper foundation depends on the form and type of material evidence offered. The lack of foundation is a valid objection that an adverse party may raise during trial.

**FREEBORN** – Not born in slavery.

**GOVERNMENT** – The group of people with the authority to govern a country or state; a particular ministry in office. The system by which a state or community is governed. The action or manner of controlling or regulating a state, organization or people.

**LAW** – The system of rules which a particular country or community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties.

**LEGAL** – Relating to the law. Appointed or required by the law. Recognized by common or statute law, as distinct from equity. Permitted by law.

**LEGISLATION** – Laws, considered collectively. The process of making or enacting laws.

**LIABILITY** – The state of being legally responsible for something. A thing for which someone is responsible, especially an amount of money owed. A person or thing whose presence or behavior is likely to put one at a disadvantage.

**POWER** – The ability or capacity to do something or act in a particular way. Political or social authority or control, especially that exercised by a government. Authority that is given or delegated to a person or body. A person or organization that is strong or influential within a particular context.

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PROTEST – An expression of objection, by words or by actions, to particular events, policies or situations.

PROOF – Evidence or argument establishing a fact or truth of a statement. Law the spoken or written evidence in a trial. The action of establishing the truth of a statement.

SLAVE – A person who is the legal property of another and is forced to obey them. A person who is excessively dependent upon or controlled by something. A device, or part of one, directly controlled by another.

SOCIAL CONTRACT – An intellectual device intended to explain the appropriate relationship between individuals and their governments. Social contract arguments assert that individuals unite into political societies by a process of mutual consent, agreeing to abide by common rules and accept corresponding duties to protect themselves and one another from violence and other kinds of harm.