Ucadia Trusts & Estates
Education Series

Will & Testament of an Estate
Information Notes

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(1) The Ucadia Blog and in particular the articles and audios concerning Trusts and Estates from March 2013 (See: http://blog.ucadia.com); and

(2) The Canons of Positive Law (See: http://one-heaven.org/canons/positive_law/); and

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Contents

1. Will and Testament

What is a Will and Testament?

A Will and Testament is a formal *declaration*, *memoralization*, *deed* and *trust agreement* by which a person testifies before witnesses as to their true intention and volition regarding the management of his or her accumulative estate, the disposition of rights and property and the disposal of such rights and property upon their physical death.

By definition a Will and Testament are at least two key concepts combined into one instrument:

(i) The concept of a valid Testament (from Latin testamentum) has an ancient provenance in civilized cultures. Testaments were an accepted part of culture as far back as Babylon and Sumeria civilizations more than 4,000 years ago where people spoke their intentions before witnesses; and

(ii) More recently, since the invention of "persons" in the 16th Century (falsely claimed to the much older provenance of 6th Century CE), the concept of paper based fictions and even such fictions having a "mind" or "Will" have made the instrument and rules associated with a Will and Testament far more complex.

As a result, there is a great deal of confusion, disinformation and contradiction associated with the creation of a valid Will and Testament. The key thing to remember (1) first came *Testaments* more than 4,000 years ago then (2) came *Wills* less than 500 years ago.

Another way of viewing a Will and Testament is its four key operating functions of being a formal *declaration*, *memorial*, *deed* and *trust agreement:*

(i) As a *declaration*, a valid Will and Testament is a written statement asserting one or more Rights and making one or more Claims, then duly signed and executed by the one writing the declaration and witnessed by witnesses applying their signature – The **Will** part; and

(ii) As a *memorial*, a valid Will and Testament is a recording of its auricular expression – that is – its speaking and witnessing by others as having heard the spoken expression of the testament- The **Testament** part; and

(iii) As a *deed*, a valid Will and Testament is a written instrument granting, donating, assigning or delegating one or more Rights to

others, duly signed, executed, witnessed and sealed as proof of authority to grant such Rights- The Deed part; and

(iv) As a *trust agreement*, a valid Will and Testament is a written trust agreement giving clear instructions and terms to any fiduciary appointments once the trust is in effect (usually when the trustee(s) have been appointed).

Let's look then at the history of the Will and Testament first before reviewing the elements of the Ucadia Will and Testament model known as *Voluntatem et Testamentum*:

The Ancient History of Testaments

The right to make a valid Testament is one of the oldest legal principles of civilization. Archeologists and linguists have discovered ancient clay testaments in some of the oldest cities of history, proving the practice and procedures of making a valid Testament originates back thousands of years – well before the concept of "Will" was added.

While the use of writing has overtaken much of the emphasis of law, as form has supplanted knowledge and competence of substance, in matters of the most serious, sacred and solemn ceremony, the law has always remained vocal (auricular) until recently with the total collapse of any pretence to law, due process and justice due to large scale "privatization" of legal apparatus such as courts, prisons and even fines.

Consistent with the traditions and customs of the most ancient sacred law that considered writing an "abomination before the gods", the Romans, the ancient Greeks, Anglo-Saxon law and indeed most systems of law recognized solemn ceremonies surrounding the vocal expression of one's will before several witness, within the bounds of some sacred space through sacred ceremony whilst the man or woman was still alive.

Three key concepts appear to have always been present regarding a valid testament:

(i) It was spoken to be valid (hence why it was called a testament); and

(ii) It was spoken before witnesses; and

(iii) The writing or recording of it was merely a memorial of the event and secondary, not primary.

The ancient Greeks called it διαθήκη (*diathēkē*) which means literally "last testament". A diathēkē was usually pronounced before several ephetai (judges) and members of the dikastea (jurors) by the senior member of society and a record of their pronouncement was transcribed as a memorium.

The Roman system of testaments were called (not surprisingly) *testamentum* meaning literally "last testament". Similar to all sophisticated ancient cultures, a valid Roman will was auricular and had to be pronounced before no less than seven (7) witnesses, the nominated beneficiaries and a priest of an official temple.

Under the Carolingians in the 8th Century CE, it appears the formal system of testamentum was revived along with the necessity of a valid memorialization of the event in the form of some deed.

King Henry VIII, Venetians and enclosure of "free will"

The most dramatic change in the form and procedure of testaments and inheritance came with the promulgation of the Statute of Wills (32 Hen. 8, c.1) in 1540 by King Henry VIII of England on the instructions of the Venetian scribes and their agents.

Contrary to the ancient tradition that the intention and “will” of one who makes a testament is only valid when vocalized before witnesses through proper ritual prior to death, the validity in law shifted from the speaking to the writing of a document – in other words a shift of ancient law from “substance to style”.

Now under Henry VIII and his Venetian and Pisan banking advisers, the notion of “testament” was depreciated for the lower classes and inheritance was only valid when a document was registered with the Lord of the Manor as to the intention of the testator called a “will”. Neither King Henry nor the bankers could completely eliminate the concept of testamentum – as the right of a man to express his will remains fundamental to all civilized thought and religions. But they did a wonderful job hiding the concept in plain sight.

Meanwhile, the primary argument for these changes has long been the absurd and untenable claim that Henry VIII introduced the *Statute of Wills* to deprive nobles the opportunity to bequest property to the church (falsely called "mortmain") and thereby avoid taxes to the Crown:

(i) In the first instance, there is no evidence the Statute of Wills was ever devised for the noble classes, who continued to bequest their estates through the ancient Roman principle of Testamentum orally before their death.

(ii) In the second instance, Henry VIII already confiscated thousands of church properties, executed many thousands more Catholic Clergy who resisted without ever showing any sensitivity to any church rights. Therefore to claim the introduction of Wills was for these reasons is patently untenable as an argument.

Instead, the real power of introducing the concept that a will in writing is the only form of valid will and intent (free will), not executed until death, was a necessary legal fiction in order to make the concept of administering estates on behalf of others (cestui que use) function.

A man or woman, missing, presumed dead (after seven years) without an operating will means their estate is therefore "intestate" and may be lawfully administered by the crown. This key perverse form of deprivation of liberties and property is an essential control mechanism for most western countries beginning with King Henry VIII from 1540.

The “enclosure” of Testamentum

The legal fiction and concept that a written document takes precedence over a spoken intention of how one's estate is to be administered upon death was first introduced by Henry VIII and his Venetian advisers through the Statute of Wills (1540) and later amended to incorporate the presumptions of Cestui Que Vie through Statute of Wills (1542).

While the concept of wills was further amended through the Wills Act of 1751, the concept of a Will, therefore depriving those so named as being true "heirs" was restricted to the lesser classes and not the noble classes until 1837. Until 1837, the nobles continued the ancient custom of Testamentum whereby succession was perfected through the formal ritual of at least seven (7) witnesses, the presence of the named heirs, a religious representative and scribe to witness the testator "speak" their will.

The Statute of Frauds (1676) and Writing

While King Henry VIII raised the proof of writing and documents above sworn and witnessed testimony and a “testamentum”, it was the “Act for the prevention of frauds and perjuries” (29 Car. II c.3 [1676]) that took it even further.

Under this act, more commonly known as the “Statute of Frauds” the law mandated that contracts, wills, grants and assignments, surrender of leases or interest in real property must be in writing and signed to “avoid fraud”. It also required that documents of the courts be signed and dated.

The Statute of Frauds effectively ended the argument of the strength of auricular testimony alone in the merchant dominated laws of England. Now paper reigned supreme and if one was unable to prove in writing an argument, then the system could technically argue no valid right existed.

Of course, such argument in the face of the history of law and the Rule of Law is an absurdity and it could be argued that the Statute of Frauds was itself a terrible injury and fraud to the law. However, the fact it was

passed and the fact that paper became the dominant form of proof of law is irrefutable.

To some degree, it is the existence of this Act and the fact that the merchants and pirates that took control of the law demanded paper as primary proof that the Ucadia model so extensively presents documentation.

Further, anyone who argues that auricular testimony alone is sufficient to defeat an argument based on the laws of Westminster is in gross error.

The final “enclosure” of Testamentum

Since the Crown was bankrupted by 1816, under the new administration, the noble classes were no longer immune from duties and charges and therefore the Wills Act 1837 is significant as the birth of the modern "will and testament" form we see today in operation throughout most Roman Corporate Slave Plantations.

The Wills Act (1837) is significant in several introductions:

(i) It is the first time that the "Personal Estate" is so explicity defined along with "Real Estate" thereby seeking to "enclose" the Personal Estate for accounting and taxation purposes; see (I); and

(ii) It introduced the requirement that duties and charges to the Government and legitimate parties must be paid first before the benefits and property of the will are disposed second, thereby introducing the legal framework of "probate"; see (IV); and

(iii) It introduced the concept that a Will is not a valid deed unless entered into the "Court Rolls" of a particular manor (later council or county), thereby introducing the recording of the will as an essential procedure to its validity; see (V); and

(iv) It introduced explicitly for the first time that specifically a will is invalid unless in writing; see (IX); and

(v) It introduced the requirement for a will to be perfected notice (ie two witnesses, notary public witnessing testator signature, formalizing wills to the highest standard of deed; see (IX); and

(vi) It further qualified the legal fiction of "dying without issue" evolving to the concept of intestate whereby the state could then claim administration of gifts through "want or failure of issue" were not properly defined by will; see (XXIX); and

(vii) It introduced the extraordinary legal fiction that a Will does not necessarily have to apply to take effect "immediately before the

Death of the Testator" and therefore can conceivably apply prior to death for those knowledgeable of Roman Corporate law; see (XXIV); and

(viii) It introduced the concept that the registration of a Will on the "Court Rolls" does not necessarily means its publication, thus permitting the content of Wills to remain private, yet still valid if it complies to the elements defined by the statute; see (XXXIII).

The combination of these changes introduced a system of unprecedented evil, criminality and corruption whereby the private bar guilds, while encouraging men to perfect their will and testament in accord with the statute, also knew that such a document then remained invalid until "proven" in a probate court and that ALL PEOPLE SINCE 1837 DIE INTESTATE – in order for the courts as departments of the banks to steal property and make money through the criminal probate system.

A will and testament under such laws simply became nothing more than a first right of claim, which a crafty judge, clerk and attorneys could twist and turn to their advantage if enough money was at stake.

The Requirements of a Will and Testament under Western-Roman Law

As the legal concept of a Will and Testament is a Roman legal fiction, its form, contents and validity are ultimately determined according to Roman legal statute, not by ancient custom, tradition or sacred right. The most notable Roman legal statute inventing the valid form for Will and Testament today is the Wills Act 1837 of United Kingdom.

Contrary to the deliberate misinformation of Private Bar Guild members who constantly claim the essential requirements of a valid Will and Testament are derived from common law use, the requirements of form and contents of a valid will is wholly determined by the policies of the various Roman Corporations operating the "State" Plantations of paupers defined by their birth (settlement) certificates.

If the executive of a Roman Corporation chose to change the policies of that particular office, then what determines a valid Will and Testament through form and procedure could be completely changed compared to other precincts.

This being explained, generally the shareholders and executives of Roman Corporate Nations have continued to honor the basic elements of what constitutes a valid Will and Testament in accordance with the Wills Act of 1837.

#1- Testator is of Legal Age (Age of Majority) A Sovereign
Each Roman Plantation may define what is considered “legal age”, also known as “age of majority” as the minimum age to make a will. Originally under the Wills Act 1837 it was twenty one (21). In most plantations it is eighteen (18) years of age and in some jurisdictions it is earlier.

#2-Testator makes their will in writing
By all ancient custom until these recent centuries of Roman law, a will (called testamentum) was always auricular (spoken) with any paper merely a record of the event. However, under Henry VIII and subsequent Venetian agents, the spoken will of people was gradually “enclosed” until the absurdity was accomplished whereby our will and intent is not valid unless somehow represented and recorded in paper consistent with the corporate policies of the Roman plantation that claims us and their own.

#3 – Testator is the creator, it is their words and their will
It is considered a fundamental requirement under Roman statute that the Testator is the creator of their own will, in their own words and that the instrument is intended to be their valid will and testament. This principle is called “Animus Testandi” meaning “an intention to make a valid will. If there was no animus testandi, there can be no will. In contesting the validity of a will for example, an “idiot” under Roman law cannot make a will, because they are said to have no “intention”.

The most common wording to make clear it is one’s will and testament is something equivalent to:

"I, John B. Sample, of the Town of <<town>>, County of <<county>>, and State of <<state>>, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament . . . ."

#4-Testator appoints one or more executors within their will
The first and most purpose within a Roman will is to nominate one or more executors granted the power and authority by the testator to administer their estate upon the death of the testator. This is considered one of the most vital of all clauses within a will. A will that fails to properly appoint an effective executor means that under probate – the proving of a will after death, a surrogate court of the Roman plantation may appoint someone else as executor. The most common standard words for appointing an Executor are:

"The word "Executor" means the same as "Executrix", or "Fiduciary" and refers to the person who is to direct the administration of my estate and carry out the terms of this Will And Testament. I hereby appoint <<full name>> as my Executor and that he shall serve without bond. Should <<full name>> die before me, then I hereby appoint <<full name2>> as Successor or Substitute..."

#5- Testator identifies the rules of administration of the Estate
The second most important purpose of the Will is to identify the rules of administration by which the Executor and Trustees shall administer the estate. While a will and testament remains defined by Roman statute, the Testator has a relatively wide scope to define the rules of administration providing they do not require the performance of an illegal or immoral activity.

In the absence of clear rules of administration, the rules of administration are presumed to be the same as those of the Roman Corporate plantation.

#6- Testator claims their estate
The third key purpose of a Roman will is for the Testator to express clearly their claimed estate. As a claim, it does not require the will to make specific reference to registrations or identifications but only to identify the property sufficiently that it is clear the property may be distinguished from other property. While it is usually presumed to be part of defining one or more beneficiaries, the absence of a claim means by the policies of Roman plantation, such property may be claimed by the "state". An unsubstantiated claim of property, weakens the will or defects the clauses to which it references.

#7- Testator identifies one or more beneficiaries
A key purpose of a Roman will is for the Testator to identify one or more beneficiaries of their estate. However, in subsequent policies of various Roman plantations, a will may be considered valid if it merely (a) revokes a prior will; or (b) revokes a gift made under a prior will; or (c) names the executor who will then determine the beneficiaries' use of the estate.

#8-Testator signs will and time in presence of two witnesses and notary public or justice of the peace
As a will is the form of a deed, it requires "perfected notice" through the testator signing it at the end in the presence of two witnesses and a notary public.

#9- Witnesses signature notarized by self-proving affirmation
Many Roman states require in addition to the notary public notarizing the Testator and witness signatures that a self-proving affirmation or affadavit be signed and sealed by the notary public testifying that they saw the witnesses sign the will in their presence, rendering it therefore unnecessary for them to be required to attend any Probate hearing.

Please note, an affirmation is not the same as an affadavit as sworn affadavit is the ceding of certain rights, position and authority, while an affirmation does not imply such removal of rights.

#10-Testator is sound of mind, not a prisoner or ward
Finally, most Roman plantations make clear that a person making a will as a Testator must be of sound mind and is not currently a ward of a Guardian.

The reason that a person cannot be a legitimate testator when under the guardianship of another is that by Roman definition it is the guardian who therefore has the power of attorney and not the ward.

Under the way modern Roman slave plantations function, this "technically" means no will and testament is legitimate as no Roman slave has the right to claim to be a testator. However, this fact is overlooked in the interest of appearances and only when the state seeks to overrule a will through Surrogate Court and Probate does it become apparent that the state reserves superior claimed powers to determine the validity of the will upon the death of the individual.

2. Key Concepts

There are number of key concepts that many people reading these notes may feel not 100% certain. For this reason, the most common concepts and themes raised regarding the Ucadia Will and Testament model (apart from the points already mentioned) are listed.

Competence

The issue and question of “competence” is one that is raised throughout the Ucadia Will and Testament Model and package. It is also a term that is repeated throughout the discussions of Ucadia education material concerning how one approaches the learning and use of knowledge concerning law and the world in general.

But for some, the word “competence” appears highly subjective – possibly even insulting and judgmental. For this reason, we need to briefly look at the context and reason the term is used so frequently? and what exactly is meant by its use?

The term competence comes from the Latin *competentia* meaning “agreement, symmetry, conjunction and expertise”. In terms of Western Roman Law, it means literally “the legal authority to deal with a particular matter”. It also means more generally, “having the sufficient skills, knowledge, ability or qualifications to manage a particular matter”.

Now, it can be rightly argued that in the determination of whether someone has sufficient “skills, knowledge, ability or qualifications” to properly use certain documents and information presented through

Ucadia is subjective, it is also possible to be defined, measured and reasonably argued as a matter of complete common sense and logic.

If you do not have the knowledge or skill to use something, then such unskilled use – particularly may be very dangerous. On the one hand, no rational or reasonable being should ever consider giving a loaded gun to someone unless they are highly skilled, qualified and authorized to receive such a weapon. Nor should a child be left unattended to play with knives or any other kind of dangerous implements. So why should the use of important instruments within the context of law, courts and systems be any different?

The reference to the concept of "competence" therefore is not as a matter of elitism, or pre-judgment or bias, or arrogance but simply common sense and logic – do not use tools or items until you know what they mean, have the skill to use them properly and the sense when to use them or not use them. That it all.

Latin

A frequent question asked throughout the material associated with Latin is why the use of Latin? (or for experienced scholars of Latin, why the use of sometimes bad Latin?) The answer in both cases is the relation, significance and importance of Latin in association with Western-Roman law since the Carolingians in the 8th Century CE and the maxim "A concept not named has no existence" when referring to the naming using Latin.

Whether we like it or not, every system has a point of origin, a source and at that source, certain assumptions and rituals. In the case of the restoration of the Rule of Law within Western Europe under the Carolingians such as Charles Martel and his most respected scribe named Venerable Bede, it is the revival of Latin in contrast to the use of Ancient Greek by the Byzantine (Holly Roman) Empire. In his battle with Constantinople (Antioch), Charles Martel made the declaration through Sacred Law (Sacré Loi (Anglaise (Old French) for "Sacred Law") that Latin was the highest language for ecclesiastical and legal edicts.

Today, such standards are rarely considered by the modern private bar guilds and their members and the use of Latin has become almost extinct in most forums. However, the significance and basis and truth of such maxims within the foundations of Western-Roman Law and in particular the Catholic Church in the 8th Century over the Imperial Christian Church (formed in the 3rd Century CE) still stands.

So that is why key concepts and key instruments of law within the Ucadia Model are named in the present carnation by forms of Latin names. If the Ucadia Model was designed to completely ignore the origins of Western-Roman Law, then this would not matter and objects could be named in

any language. Yet, given the Ucadia model honors not only the fundamentals of law of all civilized societies and particular the foundations upon which the present global systems are constructed, the use of Latin is significant.

So when the present members of the private bar guilds, when the present members of banks and merchant corporations dishonor, attack, defile and disregard such names and maxims, they injure not only the law form of Ucadia, they in particular dishonor and attack the foundations of their own laws.

Persons

No other concept in Western-Roman Law is arguably more important than "person"- as all statutes, ordinances, case citations, writs, summons, benefits and punishments are founded on the presumed existence of "persons".

No other concept in Western-Roman Law is more hated and despised than "person" by those who sympathize with the views of people variously described as the "freedom movement" or the "truth movement" or the "patriot movement". The catch cry for many groups throughout the world in repudiation of the central tenet of "person" is to proclaim "I am not the person" also known as the "strawman argument".

Despite the protests of countless defendants who continue to be brought into the courts of various nations and provinces around the world that say "I am not the person", the members of the Private Bar Guilds that now control most courts as private "for profit" businesses seem to have no problem defeating the "strawman argument" by responding with absolute confidence that "you are the person".

In many respects it may be because the concept of "person" is so fundamental, so ubiquitous throughout the system of Western-Roman Law that those who seek legitimate remedy regard the notion of "person" as abhorant. Some simply dismiss it as a fictional abomination. Other commentators within the freedom movement have successfully erected the mental equivalent to giant "beware of the dog" signs around it.

Yet what is person? What does it actually mean? How is it constructed?

Where did it come from? And why?

The word "person" comes from the ancient pagan Latin word persona meaning "part or character (of play), appearance or countenance, theatrical mask or death mask". The Latin word persona in turn is derived from the Ancient Greek term *prosopon* (πρόσωπον) possessing exactly the same meaning as persona; and

It was the Ancient Greeks, not Shakespeare that struck upon the notion "all the world is a stage" in the perfection of drama (δρᾶμα) meaning "to act, to take action or to achieve" and nomos (νόμος) meaning "customary law, statutory law, oration of law, or song". Before television, the radio or the internet, the Ancient Greek philosophers considered the idea of "recreating the events" of an alleged controversy as a means of witnessing the arguments and identifying flaws between the various parties. Thus, the actions of theatre and the dispensation of the law were seen as being intimately linked; and

The earliest Greek philosophers considered there to be primarily two (2) prosopon (πρόσωπον) being the mask of life, or comedy and the mask of death, or tragedy. Similar to the popularity of television crime and court shows today, the attendance to watch a trial performed by actors at the local amphiteatron (ἀμφιθέατρον) was popular entertainment for the people. Unfortunately, even in ancient Greece the "entertainment value" of witnessing actors play out the parts of a trial to determine the fate of an accused often overshadowed the substance of the case; and

It was Aristotle in the 4th Century BCE that instituted major reforms within the practice of nomos (νόμος) with a professional class of judges known as ephetai that formed a new professional class of judges to replace the arkhons (or arkhai as singular) of the "the Eleven" and the dikastea being a semi-permanent body of part-time jurors to replace to popular "hordes" that previously would vote on whether someone was to be executed or live if they liked the drama; and

The Pagan Roman Empire continued the same notion as Ancient Greece of theatre and law sharing a natural symbiosis and form. Under the ancient Pagan Roman Empire, the Chief civil and military magistrates invested with imperium were called Consuls and periodically held called 'consulatio' – hence where we get the modern English words and concepts of consult and consultation; and

Below the Consuls were the Praetors and the Tribunes. However, when the Tribunes met in number of three or greater, they had the power to veto laws, decrees and acts of all other magistrates except dictators (consuls granted extraordinary powers under emergency); and

Similar to other ancient law, Roman law considered oral testimony as primary evidence. Contrary to deliberate manipulation and corruption of history, there was no "professional class" of jurists within Rome. Instead, a citizen would on occasion, if unable to speak clearly, hire an actor to speak in their place as a "persona". In such circumstances, the actor was sworn to recite the truth as told to them by the accuser or defendant on their testicles (being removed if they lied) – hence the origin of testimony; and

By the 8th Century CE and the emergence of the Sacré Loi (Sacred Law) of the Carolingian Empire and the first formation of the Catholic Church and Canon Law (in direct opposition to the Holly Roman Empire of Antioch, also known as the Byzantine Empire), the concept of actors or "persona" performing in place of the actual accused or accuser was abolished and considered an abomination against Anglo-Saxon Law; and

Under the Instatutum, ("Institutions") of Sacré Loi (Sacred Law) first introduced by Charles Martel in 738 CE, all disputes between smaller estates known under Carolingian law as "peto sessionis" (petty sessions) were to be heard in "Placitum", while all serious property disputes and crimes carrying the death penalty called "quatio sessionis" were to be heard in "Manorum" being at the Manor Hall of the Baron to whom the accused served.; and

In accordance with the Sacré Loi (Sacred Law) defined by the Carolingians in the 8th Century, a Placitum was presided over by one (1) to three (3) justices of the peto (petit sessionis) known as Iustitia Petit sworn under solemn oath to uphold and protect the law. The most senior of the Iustitia Peto (Petit) was known as a Praesideo, or if only one Iustitia Peto (Petit) was hearing the matter, he was known as the Praesideo. The term "praesideo" comes from Latin meaning "a guardian, defender, director or ruler of (sacred) law" and is the origin of the word "president"; and

Significantly, in opposition to the original concept of "persona" by the Romans and prosopon (πρόσωπον) by the Ancient Greeks, the Ango-Saxons considered the oath or vow of a living flesh man or woman as of paramount importance being their "bond" – bringing a return to a principle that was fundamental to Celtic Law including the fact that a man could not be convicted on testimony gained through torture – in other words, our word must be given freely and without duress if it is to be regarded as true and reliable; and

Contrary to deliberate corruption, the word "person" first appeared in Western-Roman Law as late as the 16th Century through two bodies of work with mysterious origin – the first being the folio of Shakespearian Plays and secondly the production of a suspect work known as Corpus Iuris Civilis in 1583 by Jesuit trained and educated Denis Godefroy. However, unlike its limited use in the times of Ancient Greece and Rome, the creation of "person" was now based on the premise that "all the world is a stage" and that "everyone possesses a person". Most notably, the treatise of Godefroy attempted to claim these concepts existing as far back as the 6th Century CE by Emperor Justinian of the Holly Roman Empire (Byzantine Empire); and

One of the most notable philosophers contributing to the spread of "person" was Thomas Hobbes (b. 1588 – d.1679), also beneficiary of Jesuit education and assistance in Paris, who in 1651 published his famous work Leviathan. Hobbes states numerous key arguments

concerning the nature and function of person, the most notable for the purpose of this article being: "A person, is he, whose words or actions are considered, either as his own, or as representing the words or actions of another man, or of any other thing to whom they are attributed, whether Truly or by Fiction."; and "[...] a Person, is the same that an Actor is, both on the Stage and in common Conversation; and to Personate, is to Act, or Represent himself, or another; and he that acteth another, is said to bear his Person, or act in his name; "; and " Of Persons Artificial, some have their words and actions Owned by those whom they represent. And then the Person is the Actor ; and he that owneth his words and actions is the Author: In which case the Actor acteth by Authority. "; and

The full emergence of “person” in the modern sense did not take full hold in English Law until the Bill of Rights of the openly treasonous Parliament and Judiciary of 1689. Again, to hide its provenance, numerous former statutes were altered or simply re-written to claim the provenance of “person” a from as early as the 13th Century under Edward Ist. The fraud is easily exposed when one compares verified original writings of the 13th Century, 14th Century and even 16th Century; and

A notable English philosopher of the 17th Century that immensely aided in the synthesis of the fraudulent “canon law” of the Roman Cult, also known as the Vatican to English Law was Sir William Blackstone (b.1723 – d. 1780) who in 1765/1766 published the first volume of his Commentaries on the Laws of England, stating: "Rights are however liable to another subdivision, being either, first, those which concern and are annexed to the persons of men, and are then called jura personarum or the rights of persons; or they are, secondly, such as a man may acquire over external objects, or things unconnected with his person, which are styled jura rerum or the rights of things."; and " Persons are also divided by the law into either natural persons, or artificial. Natural persons are such as God of nature formed us: artificial are such as created and devised by human laws for the purpose of society and government. "; and

The emergence of “person” in Europe beyond England was in the late 18th Century and the start of the 19th Century with the Civil Code of Napoleon being a central statute heralding the emergence of legal persons and statutory persons underpinning future laws; and

Today, the concept of person is fully integrated into every statute, every ordinance, every instrument and every right of society. The definition of person has also devolved according to Blacks 9th Edition (pg 1257) as “1. A human being – also termed natural person. 2. The living body of a human being. 3. An entity”. Is this an accurate definition based on the foundation of law that is supposed to underpin Western-Roman Law, or is this definition of “person” a deliberate corruption?

The purpose and function of "person"

So far we have defined the origin of "person" and its historic and intimate connection to viewing the world as a stage or a film or some kind of holographic "Matrix". However, to best define what is "person"? let us refer to Article 17 – Person of Canonum De Ius Positivum (Canons of Positive Law) one of the twenty-two (22) books of Canon Law known Astrum Iuris Divini Canonum:

Canon 1498
A Person is a 16th Century CE created word (but falsely claimed from the 6th Century CE) defining a fictional Form of Property enclosing certain characteristics and appearances as the Identity of one or more Level 6 Higher Order Life Forms to which further Rights of Use are then annexed.

Canon 1499
The word Person comes from the Latin word persona in Latin meaning "mask, character or part of a play" and originates as a key element of the fraudulent treatise known as Corpus Iuris Civilis at the end of the 16th Century whereby all "persons" by their nature were falsely claimed to be subject to the jurisdiction of the Roman Cult, also known as the Vatican. The invention of Person from the 16th Century enabled the "enclosure" of the bodies of living flesh beings and the "alienation" of traditional and natural rights associated to them with "person" being viewed as a type of "property" which could be purchased, sold, seized or surrendered.

Canon 1502
All Persons may be categorized according to the three (3) possible types of Relation being the Author (Principal) to Actor (Agent) being: 1st Person (Self), 2nd Person (Another) and 3rd Person (Not Known):

(i) 1st Person, also known as a Natural Person and in propria persona is when the competent mind of a carnate Level 6 Higher Order Life Form as Author (Principal) appoints, records and publishes themselves by Special (Private) appointment as Actor (Agent) by some solemn binding agreement. Therefore, a 1st Person or Natural Person possesses "natural title" to right of beneficial use associated with the 1st Person synonymous with such pronouns as "I, thou, me, my, mine, myself, we, us, our, ours and ourselves"; and

(ii) 2nd Person, also known as an Artificial Person is when a carnate Level 6 Higher Order Life Form as Author (Principal) appoints another carnate Level 6 Higher Order Life Form by Special (Private) appointment as Actor (Agent) by some solemn binding agreement. Thus, a 2nd Person or Artificial Person is synonymous with such pronouns as "you, yours, yourself and yourselves"; and

(iii) 3rd Person, also known as a Legal Person, or Statutory Person or Surrogate Person is when the Author (Principal) is hidden or not known and the Level 6 Higher Order Life Form fails to properly express any competent in propria persona (1st Person) or 2nd Person Author (Principal) to Actor(Agent) Relation prior to the commencement of any interpersonal intercourse. In the 3rd Person, the flesh and body of a Living Level 6 Higher Order Life Form is mis-taken, and presumed to be, by default, the "person" and the Statutes of Law, or Rules of the Court as Script (Deed) and the Judge or Magistrate as the Author (Principal). Thus, a 3rd Person or Legal Person is synonymous with such pronouns as "he, she, it, they, them, their, theirs and themselves".

Canon 1504
All Persons may be categorized and ranked according to four (4) possible levels of authority, powers and rights from the greatest and highest powers and authority to the lowest and least powers and authority being (in order of rank): Divine, True, Superior and Inferior:

(i) A Divine Person is the purely Divine Spirit Person associated with a Divine Trust formed in accord with the sacred Covenant Pactum de Singularis Caelum by the Divine Creator into which the form of Divine Spirit, Energy and Rights are conveyed; and

(ii) A True Person is the Form attributed to a True Trust formed when an associated Divine Trust already exists and there is a lawful conveyance of Divine Rights of Use and Purpose, known as "Divinity" to a True Trust associated with then the birth and existence of a living Level 6 Higher Order Life Form. A True Person can never be claimed or argued as higher than the Divine Person from which it derives its authority; and

(iii) A Superior Person is the Form attributed to a Superior Trust when an associated True Trust already exists and there is a lawful conveyance of First Right of Use and Purpose, known as "Realty" to a Superior Trust associated with the birth of a service or agreement associated with the Membership of a living Level 6 Higher Order Life Form to a valid Ucadia society. A Superior Person can never be claimed or argued as higher than the True Person from which it derives its authority; and

(iv) an Inferior Person or "Roman Person" is the Form attributed to any Western-Roman Trust and is the lowest standing and weakest of all valid forms of Persons. An Inferior Person can never be validly, legitimately, logically, legally, lawfully or morally claimed or argued as superior to a Superior Person.

Far from contradicting the historic definitions, meanings and applications of the use of Person, the Canons of Positive Law as listed above are perfectly consistent with both the contemporary definition of person and its definition as first introduced in the 16th Century; and

If we take the most recent updated version of the meaning of "person" from Blacks 9th Edition (pg 1257) , then we can see from Canon 1502 of Positive Law of Astrum Iuris Divini Canonum that definition 1. is equivalent to the 1st person also known as "natural person", while definition 2. is entirely consistent with the 2nd person, also known as an "artificial person" and definition 3. is the 3rd person or "legal person"; and

Therefore, no reasonable person (no pun intended) demonstrating sound mind and competence could argue that the Canons as expressed within this article derived from Astrum Iuris Divini Canonum (Canons of Divine Law) are contradictory, or inconsistent with the foundations of Western-Roman Law. Rather, the canons "illuminate" and expose the inner workings of person for all to see such form and function; and

As a result, it is hoped that those who take the time to carefully read and review with article, especially the total code of law of Ucadia and the Society of One Heaven will come to better appreciate not only the form, function and nature of law, but the form, function and nature of modern court procedure and where its deliberate corruption, obstruction and misuse may be revealed.

Personal Jurisdiction and the need for the Legal Person

All administrative law, all public statute law and all court rules and procedures depend and rest upon the presence of a legal person (also known as a statutory person or surrogate person) or the effect "control of the person. If the Person present for the matter of controversy is not a legal person, but a "superior form" of person that does not agree to surrender its authority to the court, then the court has a problem – as it has to serve the best interests of resolving the controversy concerning the person associated with the matter; and

Names such as employee, citizen, taxpayer, driver, employer, recipient are some of the many hundreds of terms used within public statutes to describe "legal persons". As modern Western-Roman courts operate within the first form of law (without recess or deliberate change of form) as administrative law courts, the application of personal jurisdiction of the court pertains to an alleged controversy associated with a public statute concerning a type of legal person and the presence of the legal person in question; and

If however, the person who is present is not a legal person, but a Level 6 Higher Order Life form who has chosen to represent themselves in propria

persona as a Natural Person then the court must effectively convince the natural person to surrender their position to the absolute authority of the court. This is most frequently done by a combination of force, trickery and intimidation through such corruptions as:

(i) forcing the Natural Person to stand "pro se" and therefore automatically agree to the personal jurisdiction; or

(ii) asking if the Natural Person is willing to "understand the charges against (the person)" therefore stand under the absolute authority of the court; or

(iii) demand the Natural Person take an oath "under the court" thereby creating a legal person and automatically surrendering their Natural Person; or

(iv) if all else fails, simply intimidate, trick, falsify and unsettle the Natural Person by ignoring due process until through inaction by the Natural Person against breach of due process they "surrender" to the power of the judge or magistrate; and

If the person is a 2nd person, also known as an "artificial person" as in a classic agent-principal relation, then courts frequently obtain personal jurisdiction by:

(i) Demanding only members of the Private Bar Guild may be agents or attorneys and therefore by their oaths, automatically submitted to the absolute authority of the court; or

(ii) Demanding the agents have suitable insurance (bond) and swear an oath to "uphold due process" and by default to stand under the absolute authority of the court; or

(iii) Demanding the paperwork of agents are originals with wet ink signatures when submitted to the court clerk, therefore transferring original "title" of the agent-principal relation to the control of court; or

(iv) Removing the right, or mention or forms available for proper recording of an agent or power of attorney to represent the principal in court; or

The questions on how to address such obvious perversions and obstructions of justice when they occur within the modern courts deserves a separate article in itself. However, for the moment, the illumination and proper interpretation of the form, function and nature of Person that the Canons of Divine Law of *Astrum Iuris Divini Canonum* at least afford some remedy through knowledge as to what constitutes a proper person and a person of higher standing and authority than merely a "legal person".

Logical fallacies and absurdities used by Private Bar Guild Members concerning Person and the Law

Plato stated: "the world is divided into two realms, the visible (which we grasp with our senses) and the intelligible (which we only grasp with our mind). The visible world is the universe we see around us. The intelligible world is comprised of the Forms—abstract, changeless absolutes". Thus, the Ucadia Model as well as the complete and total law of the Society of One Heaven is consistent with the foundations of Western thought; and

This being said, the mental illness of "legal realism" has infected the minds of many of the best and brightest members of the Private Bar Guilds that they demonstrate neither logic nor reason within their arguments – often with fatal consequences to the validity, legitimacy and efficacy of such presumptions; and

For example, a cornerstone of all authority throughout the world is the logical and absolute immutable arguments that (a) all lesser offices obtain their authority from higher offices possessing greater authority and (b) a lesser office therefore cannot have greater authority than the one that created it; and

In practical and as simple terms as possible, it means a "legal person" cannot have more authority than an "artificial person" of the same name and that neither a "legal person" or "artificial person" can have more authority than a "natural person" of the same name; and

As is repeatedly recognized by the Roman Cult, upon which all Western and English Law is now based and aligned, this concept of "succession of authority" is absolutely recognized and considered fundamental to asserting the authority claimed by the Vatican – that is any ordinary who were to contradict such a fundamental point of logic and reason by way of direct contradiction would automatically render themselves excommunicated from any rightful judicial office and unfit to interpret any verdict; and

Clearly, as Plato intimates, the divine form trumps any temporal form and the whole history of Western Logic and Reason agrees, excluding those crippled by the mental illness of "legal realism" as demonstrated above. Thus, the True Person as demonstrated by your Live Borne Record from membership of the Society of One Heaven trumps any and all legal persons and other inferior persons. Yet, as we have shown, this will not stop the deliberate corruptions, obfuscations and lunacy of a legal system on the verge of complete and total collapse.

As has been stated repeatedly on discussions and previous postings, the only genuine remedy rests with knowledge and its competent use. As you

hopefully have seen through this article, there is significant potential remedy in finally recognizing the form, function and nature of person.

Naming and appointing Fiduciaries

When you get the chance to read and review the updated Will and Testament Model, or Voluntatem et Testamentum, you will see under the Thirty-First Degree that when nominating Fiduciaries you only nominate a hand full of offices (never the men or women that hold them) as Fiduciaries to your Will and Testament. The obvious question then is why? for what purpose? And why should there not be more or less?

A Fiduciary is a person holding the character of a valid Trustee and the scrupulous good faith and honesty required for such Office. Thus, the term Fiduciary is equivalent to Trustee.

The word Fiduciary is derived from the Latin *fiducia* meaning “trust, confidence, oath, vow or assurance”. By ancient custom of civilized law, no one was permitted to act for the rights, interests and powers of another unless by proper oath or vow taken upon some sacred object to some divinity.

While the term Trustee typically denotes the position and powers established in Trust, the term Fiduciary by tradition emphasizes the three essential criteria necessary in the capacity and character of a proper Fiduciary being good faith (bona fides), good character (bona virtutes) and good conscience (bona conscientia) :

(i) ***Good Faith***, also known as *bona fides* is the ancient custom that a man cannot be a Fiduciary except under proper Oath or Vow to a recognized Divinity upon some object or text representing a firm belief in the efficacy of some sacred and ethical standards of law existing in the same name as the Divinity; and

(ii) ***Good Character***, also known as *bona virtutes* is the ancient custom that a man cannot act as a Fiduciary except in accord with the highest virtues of honesty, impartiality, frugality and prudence, also sometimes known as “clean hands doctrine”; and

(iii) ***Good Conscience***, also known as *bona conscientia* is the ancient custom that a man cannot act in the best interests of another, or fairly under the Rule of Law if seeks a contrary or negative outcome.

Identification of fiduciaries

"Fiduciary capacity" is when one receives money or contracts a debt or when the business which he transacts, or the money or property which he handles, is not his own or for his own benefit, but for the benefit of another person, as to whom he stands in a relation implying and

necessitating the presence of good faith (bona fides), good character (bona virtutes) and good conscience (bona conscientia).

A Fiduciary Relation is a relation existing between two persons in regard to any implied or actual agreement concerning certain rights, or title or property associated with or derived from an estate whereby each party must therefore act in confidence and trust with the other in accord with good faith (bona fides), good character (bona virtutes) and good conscience (bona conscientia).

Specifically, neither party may exert influence or pressure upon the other, take selfish advantage of his trust, or deal with the subject-matter of the trust in such a way as to benefit himself or prejudice to other except in the exercise of the utmost good faith arid with the full knowledge and consent of that other; nor engage in sharp business practices, false or misleading information, withholding of information, unfair advantage or profit taking, forgetfulness or negligence against the other persons standing in such a relation.

Examples of Fiduciary Relations are those existing between attorney and client, guardian and ward, principal and agent, executor and heir, executor and beneficiary, trustee and beneficiary and landlord and tenant.

Why then these offices as fiduciaries and not more or less?

So hopefully you see by the nature and meaning of what is fiduciary capacity and duties, that to nominate an office as fiduciary is to identify the most significant and exemplary behaviour that is required in honor of the principles of Rule of Law, Justice and Due Process.

The fact that the head of state of an alleged democracy is normally required to take some public form of oath of office means the office already is recognized as having to function to the highest standards of law. It is a natural fit. Furthermore, given the departments of government are normally supposed to be subject to the jurisdiction of the highest official of the government and the state, it also means that such positions have responsibilities to give notice and oversight to any officials below them named as beneficiaries.

The danger of thinking that more people should be named as fiduciaries rather than beneficiaries is to actually confuse responsibility and overstep any reasonable argument. The reason you have the right to nominate such positions as fiduciaries in the first place is that they belong to organizations that clearly are in possession of certain property belonging to your estate and therefore are liable.

By nominating the highest office as fiduciary you are actually showing respect and non controversy in recognizing the role they should already

be performing. The only difference is that from this point onwards (under your perfected will and testament) it is in accord with your will and testament and not on any false presumptions you are dead, abandoned, a lunatic, ward, pauper or "thing".

Naming certain entities as Beneficiaries

Similar to the naming of fiduciaries, there may be some confusion as to why certain entities are named as beneficiaries in accord with your Will and Testament.

The term "Beneficiary" applies to two different types of relationships. One who holds a Benefice of a Trust, or one who holds a Benefit of an Estate.

A *Benefice* is a gift granted by Trust under Deed and Title including both Rights and Obligations to certain Property.

A *Benefit* is a gift offered and elected to be accepted by Estate under the terms of the Deed and Will including both Rights and Obligations to certain Property. A Beneficiary under Estate may be a beneficiary or a Cestui Que Trust for whose benefit the Property is held by the Trustees of an Executor.

Unlike a Benefice, a Benefit requires the consent of the Beneficiary. Therefore, a Benefit cannot be conferred on one who is unwilling to receive it, unless the person is already in use of the property or right and therefore acceptance cannot be rejected unless the property or right is formally surrendered.

One who accepts the benefit, accepts the obligations

The way most Western-Roman laws have been designed is with the concept of beneficiaries in mind, namely "One who elects to accept a Benefit is bound to give effect to all the provisions of the Deed and Will of Estate by which it is granted and perform any burdens imposed therein, including the renunciation of any inconsistent rights or claims". Or simply, "one who accepts the benefit, accepts the obligations it entails".

As a matter of belonging to a society, is the respect of equal law, the respect of others and the avoidance of deliberately doing harm, the positive contribution to society as well as coming to its aid and defense as needed. So who is the ultimate beneficiary of the contribution of your energy and existence to that society?

As a matter of course and good governance, the operation of a motor vehicle using the roads of a certain society requires the motor vehicle is

safe to operate, is operated by a competent driver and that the safety of others is respected. But who is the ultimate beneficiary?

Thus, the recognition that certain government departments are the ultimate beneficiaries of the existence of our estate is simply an expression of truth in law, when your Will and Testament is clear. It also means, the obligations rests with these same departments that claim use of your name and use of your property.

3. Elements of Voluntatem et Testamentum

Voluntatem et Testamentumand Western Roman Law

The Ucadia model of a valid Will and Testament is known as *Voluntatem et Testamentum*. The valid Ucadia Will and Testament model is to the personality (person) of the estate, the physical mind and the will of the person and the will of any and all legal persons. In other words, it is factual that a valid Will and Testament reflects the mind and the will of the estate and the mind of any person derived from that estate. Thus when you perfect your Will and Testament you are recording the mind of that person (or persons) and the intention of such persons.

Furthermore, as the accumulative estate of a man or woman may include one or more copyhold estates borne from one or more *cestui que vie* trusts also known as a *fide commissary* or *foreign situs* trusts, the management of such an accumulative estate does not simply come into effect at the time of physical death, but may already be in operation during one's lifetime. Thus the Ucadia model of a valid Will and Testament reflects this fact, which is entirely consistent with the points outlined concerning Western-Roman Law and the Wills Act 1837.

A valid Will and Testament perfected indicates the direction of the grantor in the forming or administration of such trusts, not just the administration of the estate. When a Will and Testament is formed in honor it reflects the very foundation of Carolingian Law or the original law of the Catholic Church, and the foundation of Western Roman Law restored. When it reflects the base principles of the statutes concerning Will and Testament and it makes clear the rules and the administration of both the estate and the underlying trust and it is perfected by witness.

Yet your Will and Testament is not only the perfected deed for the underlying presumed secret *cestui que vie* (CQV) trusts, formed in your name and estate; and when it is also the perfected will and mind of the persons derived from an estate no matter what they are, what circumstance they are called to be; and when it gives clear direction to the testament and will of the grantor and testator; and when your Will and Testament bears witness to the Covenant of One Heaven and the

canons of law of One Heaven, then **you have the most solemn, most sacred covenant and unbreakable covenant in history**.

Such a perfected Will and Testament is an unbreakable bond between heaven and earth and there is not a power on this planet that can break that bond. There is not a power in heaven or on earth that can break that bond. You give credence to the covenant of One Heaven, and then you give credence to the Divine Creator. Your will and the covenant of One Heaven are two parts, the lock and key, that when formed cannot be broken.

That is the power of the Voluntatem et Testamentum Ucadia model of a valid Will and Testament as described herein.

There is and there will always be a lot of contrary devices, a lot of doubt that people have on this document. Some will say that legal phraseology is redundant. Others will look to the confusing and contradictory words written by nihilists and legal minds over the centuries as to what constitutes a valid or invalid Will and Testament. In every case no matter how confusing the definitions are in law or the treatments of jurists in their opinions of what constitutes the valid or invalid Will and Testament, the template presented and described herein for you is for better or worse, a perfected instrument.

It is an instrument perfected to a sufficient standard that if you use this template you should be in no doubt that your Will and Testament and the forming of a sacred and solemn covenant is perfected.

Incipit and Preamble

The Incipit is a tradition of all valid charters since the 9th Century under Western Law whereby a valid legal document must possess an Incipit. It is the Latin words in majuscule (upper case) at the beginning of the document, namely:

IN NOMINE UNIUS VERUM DIVINI CREATORIS, DOMINUS OMNIA, OMNES LEX, OMNES VITA, ET OMNES PECUNIA IURIBUS:

Translates to:

IN THE NAME OF ONE TRUE DIVINE CREATOR, LORD OF ALL, ALL LAW, ALL LIFE AND ALL PROPERTY AND RIGHTS:

The Preamble is the first paragraph after the Incipit beginning with the phrase “WE do hereby make, ordain, publish and pronounce…” whereby the nature and purpose of the instrument is made clear.

Ten Commandments

The "Ten Commandments" or "Ten Intentions" are the ten (10) paragraphs beginning with the words FIRST, SECOND, THIRD etc following the Preamble.

These ten paragraphs form part of the greater Preamble and clearly outline the intentions of the Will and Testament, sources of authority, recognition and operation of the Instrument.

FIRST Commandment
The FIRST commandment clearly expresses the intention to "do no harm", the respect of others as "equals", the honor of the "Rule of Law" and "Justice" and the desire to live peacefully, friendly and amicable with other societies that share the same values. The FIRST Commandment is equivalent to the Old Testament Commandment of "Thou shalt not kill"(Ex 20.13).

SECOND Commandment
The SECOND commandment equates to the ancient commandment of the Old Testament "Thou shalt not bear false witness" (Ex 20.16) and recognizes several mandatory features required of a valid Will and Testament such as the Testator to be "sound of mind" and "competent" and that it is explicitly the intention for the instrument to be a Will and Testament (called Animus Testandi) and that it was completed without duress.

THIRD Commandment
The THIRD commandment equates to the ancient commandment of the Old Testament "Thou shalt not commit adultery" (Ex 20.14) and recognizes the unity as like "matrimony" between the Covenant of One Heaven representing "collective awareness" and the Will and Testament representing "unique awareness" bound together to form "Unique Collective Awareness". Furthermore, the THIRD Commandment expresses the connection between our "Divinity" as immortal spiritual beings then expressed "in Trust" to our bodies as "living flesh".

FOURTH Commandment
The FOURTH commandment equates to the ancient commandment of the Old Testament- "Remember the Sabbath day by keeping it holy" (Ex 20.8) and recognizes our "Holy Commission" as defined through our Will and Testament validating the Charter of the Globe Union and Ucadia Societies.

FIFTH Commandment
The FIFTH commandment equates to the ancient commandment of the Old Testament "Thou shalt not steal" (Ex 20.15) and recognizes that we have been granted certain Divine Rights, Natural Rights and Positive Rights that are entitled to us and that the testator and trustor seeks

nothing other than the return and recognition of what was duly granted to them.

SIXTH Commandment
The SIXTH commandment equates to the ancient commandment of the Old Testament "You shall not make for yourself a false image" (Ex 20.4) in relation to the creation of the Sacred Office of General Executor and Guardian, in distinction from any claimed surrogate or executor de son tort (false claimant).

SEVENTH Commandment
The SEVENTH commandment equates to the ancient commandment of the Old Testament "Honor your father and your mother" (Ex 20.12) in respecting one's heirs and descendents as well as one's community and fraternity.

EIGHTH Commandment
The EIGHTH commandment equates to the ancient commandment of the Old Testament "Thou shalt not misuse the name" (Ex 20.7)

NINTH Commandment
The NINTH commandment equates to the ancient commandment of the Old Testament "Thou shalt not covet thy neighbors house…wife…servant" (Ex 20.17)

TENTH Commandment
The TENTH commandment equates to the ancient commandment of the Old Testament "You shall have no others before me" (Ex 20.3)

Thirty Three (33°) Degrees

The Thirty-Three Degrees or "Ten Intentions" are the thirty-three steps and procedures and key elements of operation of the Voluntatem et Testamentum.

The term "degree" was chosen for a range of reasons, not simply its association through history to powerful knowledge and even by association to those groups who sought to withhold knowledge to others:

(i) Degree comes from the Latin de- gradus meaning "of, from" and "step, stair, pace, stage, position, station, status, rank, ground, standing, or ladder"; and

(ii) Degree is rich in literal meaning of emancipation, journey and achievement from the "level of property (rights) possessed by an entity", to "level of competence and knowledge"; and

The term “degree” was primarily chosen because of what it truly represents when one chooses to be competent and adopt the use of the Voluntatem et Testamentum model as your valid Will and Testament.

Simply- the world in which we live was designed so that “no one escapes” and “no one gets out” in terms of control. Thus, a model which emancipates those who demonstrate competence, courage, humility and wisdom is truly a “stepping stone” to higher being and deserving of being called degrees.

First (1°) Degree- Our Rights and Obligations
We begin by demonstrating a knowledge and competence of historic documents within the Western-Roman System of Law concerning Rights and then make clear the 99 Universal Positive Rights we assert are our possession. As the only Real Property is in essence Rights, the First Degree therefore makes crystal clear the real property of the estate and its provenance.

If you think about it, whenever people are pushed into writing a will and testament the way the private bar guilds teach, then they only list titles and personal property possession, rarely true real property. Without rights, even titles to land, cars and other valuables can be questions and even alienated (as sometimes happens in probate courts).

Second (2°) Degree - Status of Right
Once our Rights as true real property have been expressed, here as the second degree we make clear our knowledge of the status between rights – that some rights are higher or lower than others.

Third (3°) Degree - Transfer of Right
Transfer is the “catch all” legal term which describes all modes of conveyance of property. When left undefined, it is a very dangerous area as the present systems of law throughout the world have taken huge “license” in the realm of transfer to grant themselves extraordinary powers in the absence of objection, definition and limits imposed by an owner or possessor on transfer.

Fourth (4°) Degree - Assertion of Right
It is not simply the definition of a right but how rights are asserted that is also critical. Here, we make clear the modes and limits of assertion and recognize that “force” and “piracy” and “theft and seizure” can never be considered legitimate forms of asserting a right under rule of law, due process and justice.

Fifth (5°) Degree – Reservation of Right
Reservation of right is an added protection and standard that enables us to make clear the limits imposed on any presumptions of transfer or surrender or contract or agreement when engaging with other parties. It clarifies precisely what is meant.

Sixth (6°) Degree – Claim of Right
Claim of right provides us with a clear step by step process and criteria for the acceptance and process of any claim you might receive. It demonstrates honor towards such claims and places the obligation on the claimant to produce the necessary evidence. It also eliminates the gray area between a "shake down" by pirates, criminals, thieves and thugs and what constitutes a lawful claim.

Seventh (7°) Degree – Dispute of Right
Again, to emphasize the peaceful, law abiding nature of any discussion or dispute of rights, the seventh degree makes clear the limits of any valid dispute under rule of law, due process and justice – which again excludes such behavior as threat, intimidation, vexation, fear or force as any kind of legitimate action in any dispute of right.

Eighth (8°) Degree – Invalid and Prohibited Right
As has been discussed at length, the present private bar guilds have been busy over the past two centuries cooking up all kinds of extraordinary rights for themselves and the bankers they serve, to the exclusion of the knowledge of the public and elected leaders. Here, any such alleged right that falls into the category of absurd, contradictory and "over reach" is clearly defined as an invalid and prohibited right.

Ninth (9°) Degree – Creation and Name
Once all the key aspects of rights have been addressed, the ninth degree addresses the creation and use of name – specifically that it is originally created, owned, possessed and held by the estate and no one else. This is vital, because there is a long history of disinformation, confusion concerning others possession and "owning" our name and some need to reclaim the name back.

Tenth (10°) Degree – Location, Place and Time
The tenth degree makes clear that you exist outside of any claimed "box" or commercial "warehouse" as a "thing" of Western Roman law. To some, this particular section may appear "over the top" – yet territorial jurisdiction is a fundamental presumption of all courts of the private bar guild. This makes clear you are not living in "their warehouse".

Eleventh (11°) Degree – Actions, Effort and Energy
Of all the most wicked presumptions of the commercial world, it is the presumption that one's energy may be seized and claimed by some other entity. This is more than just slavery, it is the image in the Matrix movie where Neo rebels against the notion that people are being bred purely as "batteries to a consumer world". People are still rebelling and rejecting the notion, yet the notion exists as one of their presumptions. Here, such presumptions are nullified.

Twelfth (12°) Degree – Manor Rolls
This degree makes clear the elements and steps in properly managing the manor rolls and components of it.

Thirteenth (13°) Degree – Ucadia Currencies and System
This degree makes the connection between the representation of the value and energy of an estate as "true Money" and such units of value being the underpinning of the Ucadia Financial System with the use of University Moneta and Union Moneta as a means by which different estates may work together.

Fourteenth (14°) Degree – Coat of Arms
The assertion of the right to form the coat of arms of the estate.

Fifteenth (15°) Degree – Great Seal and Lesser Seals
The assertion of the right to form the Great Seal and lesser seals of the estate.

Sixteenth (16°) Degree – General Executor and Guardian
The conditions of appointment of the General Executor and Guardian.

Seventeenth (17°) Degree – Funerary Rites and Memorium
The formal arrangements of the funerary rights and memorium for the testator upon the physical death.

Eighteenth (18°) Degree - Fiduciaries
The conditions of appointment of Fiduciaries.

Nineteenth (19°) Degree - Agents
The conditions of appointment of Agents.

Twentieth (20°) Degree – Beneficiaries
The definition, rights and obligations of Beneficiaries.

Twenty-First (21°) Degree – Wards
The definition, rights and obligations of Wards.

Twenty-Second (22°) Degree – Public Record and Public Notice
Definition of public record and public notice for the estate.

Twenty-Third (23°) Degree – Jurisdiction and Law of Foreign Powers
Clear definition of jurisdiction and law of foreign powers.

Twenty-Fourth (24°) Degree – Agreements with Foreign Powers
Clear definition of agreements with foreign powers.

Twenty-Five (25°) Degree – Property Held by Foreign Powers
Clear definition of property held by foreign powers.

Twenty-Six (26°) Degree – Financial Instruments, Drafts and Securities
Definition of Financial Instruments, Drafts and Securities

Twenty-Seven (27°) Degree – Compensation and Schedule of Fees
Definition of Compensation and Schedule of Fees

Twenty-Eight (28°) Degree – (First Last Name) Charitable Foundation
The formation of a Charitable Foundation as a Corporation Sole is an essential step in securing a formal interface and peaceful and amicable relationship with foreign powers.

The Rights of the Corporation Sole (33 rights) are also listed so they are clear and so their point of origin is also clear in the constitution for the Charitable Foundation.

There are several important points to make concerning the Corporation Sole company:

(i) It remains in effect a foreign entity, even though its incorporation is recognized within the Western-Roman System;

(ii) The company rests upon the good character, behavior and honor of the occupant of the officer of Minister-General as Principal of the Corporation Sole. Thus, any fraud, deception, trickery, deliberate injury and attempt to use such knowledge for the purpose of corruption and theft immediately renders such an entity suspended and any such man or woman in dire jeopardy. Simply, one must act in an exemplary manner to proceed with this solution; and

(iii) No one is immune from the laws of the society in which they relate, live and engage. In fact, the Corporate Sole is designed to peacefully embrace a recognition of obeying the commonly accepted laws of the host nation. But unlike a truce, the Charitable Foundation formally recognizes a new relation, a new start, a new found respect. It is then up to the Minister-General of the Estate to live up to such high standards.

Twenty-Ninth (29°) Degree – Peaceful Resolution of Disputes
The key intentions and desire for peaceful resolution of disputes, providing the forum is not one that openly seeks to repudiate rule of law, due process and justice.

Thirtieth (30°) Degree – Nomination of Candidate for Office of General Executor
The naming of candidates for General Executor

Thirty-First (31°) Degree - Nomination of Fiduciaries
The naming of Fiduciaries

Thirty-Second (32°) Degree – Nomination of Beneficiaries
The naming of Beneficiaries

Thirty-Third (33°) Degree – Probate and Proof of Will
The definitive steps for probate of the will and testament by the General Executor possessing sole jurisdiction.

4. Template Examples

Completion instructions

Writing in red needs to be replaced with correct information in black
Any writing in the template, needs to be replaced with the correct information in the correct case as indicated.

Each page (including attachments) needs to be sealed by trustor with thumbprint
The seal of the trustor is their thumbprint in red ink. Each and every page needs to be sealed by the trustor using their thumbprint in red ink.

Each page (including attachments) needs to be signed by testator with signature
Each and every page needs to be signed by the testator in red or blue ink.

Each page (including attachments) needs to be signed by witnesses with signature
Each and every page needs to be signed by witnesses in blue ink.

The Will and Testament needs to be spoken and recorded as audio or video to be a true Testament
Unless the Will and Testament is spoken and recorded, then it is not a true Testament. Once spoken, then the testimony of witnesses can be modified to include the fact that they heard you speak your will and testament as well as sign the memorium.

Notifications

DO NOT SEND FULL COPIES OF WILL AND TESTAMENT TO OFFICIALS
Do not under any circumstance send full copies of your will and testament to officials – no matter how smart you think the idea. Instead, you can always have a copy available, or get it loaded electronically somewhere if you wish to make mention.

Packages to fiduciaries (to be addressed in separate documents in this series and not in this document) should always be minimal and the letter accompanying the few pages usually handwritten on letterhead for the estate in blue or black ink.

Sending large packages are not only expensive, they create the negative impression of "over the top" kind of communication. As far as uploading a linkable file, there are a million ways to get your document up – the choice is yours and if it is on the internet then that is now the no#1 form of public notice.

5. False and Invalid Arguments

Will and Testament and Death

A Will and Testament only applies to when you physically die.

Answer: Wholly and completely false and contradicts the law

See Section 1-301 Territorial Application of the Uniform Probate Code of the United States (as amended to 2010). It states the following:

"Except as otherwise provided in this code, this code applies to:
(1) The affairs and estates of decedents, missing persons, and persons to be protected, domiciled in this state,
(2) The property of nonresidents located in this state or property coming into the control of a fiduciary who is subject to the laws of this state,
(3) Incapacitated persons and minors in this state,"

In other words, you don't have to be physically dead for probate laws concerning will and testaments to be in operation and assuming you are "without a will" or "intestate".

Furthermore, the Wills Act 1837 makes no restriction of the operation of a will and testament before physical death. Therefore, such claims that a will and testament only operates when you are physically dead – no matter how credible the source of such claims – are wholly false, misleading and contradictory to the laws presently in place.

Sovereign, Testamentary Powers and Law

American Jurisprudence second edition volume 23 Section 12- Wills...a sovereign has no testamentary powers at common law.

Answer: Misleading
The SIXTH commandment of the Exordium (Introduction) to the Will and Testament makes clear the separation of the man/woman and Divine Immortal Spirit pronouncing and writing their Will and Testament and the appointment of a General Executor and Guardian who is Sovereign.

Therefore, to imply the Will and Testament infers one claiming to be sovereign is in error with what is clearly stated.

As to the maxim listed throughout legal dictionaries concerning the testamentary powers of a sovereign and common law, a sovereign is ruled by Sovereign Law (see: http://one-heaven.org/canons/sovereign_law/) which the canons of Sovereign Law make clear is considered by Western Roman tradition to be superior to common law, which itself is equivalent to modified feudal law. Eg

Canon 5459
A Sovereign is an 8th Century CE word first defined by Sacré Loi ("Sacred Law") to describe one anointed by God as having supreme, independent authority to rule a political region known as a Realm.

Canon 5462
To hide the origin of the word Sovereign as coming from the Franks and Sacré Loi (Anglaise (Old French) for "Sacred Law"), the Latin word sover meaning "one who rescues or protects another from harm" was corrupted to "soter".

The artful writers of legal dictionaries have constructed a maxim which is true, but hides these obvious facts in plain sight by expressing the rule in the negative and referring to the inferior form of law when describing sovereign power.

Privacy vs Publicity of Will and Testament

A Will and Testament is private, privileged and is to be kept sealed until the physical death of the testator.

Answer: False, Deliberately Misleading

Are the Confederation of Articles for Perpetual Union of the United States not a will and testament of its founders? Is our Ucadia Template of Will and Testament not also able to be public?

The artful custom of jurists to claim that somehow the integrity or sanctity of a will must be kept hidden, private and or secret is brilliant in promoting the mass creation of delinquency in custom by law of testaments – that is their legitimacy is both in form, in witness and in absolutely being public.

As it is and has been the goal of the Roman Cult and English System of Law from the 17C (claims of earlier are possibly terrible fraud) to make everything subject to probate, except nobility, it makes sense to promote the superstition and unfounded notion that wills and testament must be kept private.

By making it public, by clearly stating it- it is a powerful beacon that denies their ability to wriggle away. All they can do is continue to break the foundations of their own law- to remove any legitimacy they have under rule of law.

Unfortunately, such superstitions in direct contradiction to the traditions of Greek, Roman, Sacred Law do not stack up and are clearly contradictory. The image training, however remains strong.

Divine, Natural Positive Rights

American Jurisprudence second edition Section 55- Wills- Property does not pass under a will by any natural right.

Answer: Misleading
This is once again an example of the artful trickery of legal jurists in hiding a maxim in occulted language. This is a reference that demonstrates the enclosure of not only the concept of heir, but the tradition of conveyance by testament – that no longer does the most ancient of customs, that the property of an estate flows to the next of kin by natural law. It is an example of the awful corruption of these people.

The Will and Testament addresses such enclosure techniques by recognizing the will component (of a will and testament) is in fact the written "mind of the person" which is why the legal jurist maxim is strictly correct in one interpretation as being unnatural. However, one might argue that legal jurists contradict themselves with this 18C maxim when considering person being "natural person" – and Blackstone would agree that the American legal jurists are writing rubbish on some of these areas which contradict Hobbes, Coke, Blackstone and others.

Receiving from will not an Inheritance

American Jurisprudence second edition ... one who takes under a will does not "inherit."

Answer: Misleading
See Positive Law on One-Heaven.org:

The Canon 1835
When a person takes as heir at law they do so by descent, but when he acquires title by his own act of agreement he is a purchaser.

The comment of Blackstone as referenced in American Jurisprudence only applies to nobility, having received estate and title (attached to the estate) by enfranchisement (licensing) from the Sovereign. Has no bearing in common law and has absolutely no legal relevance to the will and testament. It is an attempt by Blackstone to argue the Roman Cult

doctrine (for which Commentaries is a long apology) that all power and right is successfully derived through a great chain of being – that men are not equal and if a denizen has enough money, they can purchase a title – precisely what industrialists and pirates did in the 18th Century and 19th Century to the present day under English law.

Estate cannot be perpetual but only Life Estate

Law of Real Property Freehold Estates Chapter 2 Freehold Estates. Pg 28--- section 1 The theory of estates. The maximum allowable interest, the estate in fee simple, is of potentially infinite duration; a Life estate or estate for years is of finite duration.---Chapter 2-- An estate in fee simple was and still is, the largest estate shown to law: it denotes the maximum of legal ownership the greatest possible aggregate of rights, powers, privileges and immunities which a person may have in law. ... "Tenant in fee simple is he which hath lands or tenements to hold to him and his heirs forever; This definition is still valid. ==naming Heirs diminishes Fee Simple to life estate.

Answer: Misleading

We make very clear in the ten commandments representing the Exordium (introduction) of the Will and Testament that our Estate encompasses all present rights as well as testamentary (after we physically die). Nor does the Will and Testament bequest, give or convey its entire self to another.

Therefore, there is no contradiction in stating the estate existing in perpetuity. There would only be an error if the Will and Testament stated that it was bestowing a right in perpetuity, which would then contradict the arguments of Western-Roman Law.

As an aide, the granting of perpetual rights through testamentary trusts is something the Western-Roman System has done numerous times.

Probate

Probate (Estate and Wills) Law is a set of deliberately occult regulations and procedures borne primarily out of the changes to wills through the Wills Act 1837 which granted the private Roman Corporate Governments and their Courts complete claimed control over the oversight of the disposal of property through a valid will, including the demand that certain fees, charges and duties be paid first, before any other property may be disposed.

The Birth of Probate

Prior to 1837, the Government did not claim complete control over the physical process of disposing of an estate of a will, except for those poor

souls considered under their direct guardianship, most notably the poor and incompetent. However, under the revised commercial structure of Roman Slave Plantations now under the aggressive control of the private banking families known historically as the servi camerae ("serfs of the treasury"), the disposition of wills for everyone including lesser nobles (but excluding the monarch) from 1837 onwards were claimed as under the complete control and jurisdiction of the Roman Courts through a process called “Probate”.

In particular, under the revisions of law now under Corporate Banking control, the government could claim charges and duties against an estate that must be paid prior to the release of the estate to the intended beneficiaries. Thus, the legalization of “highway robbery” whereby the private Roman Corporation could “seize property” to which it was not lawfully entitled and hold it to ransom until some duty was paid.

The word Probate was presumably chosen to describe this unprecedented corruption of law because of its meaning as the Latin word probare meaning “to try, test or prove”. Hence Probate is defined as to prove the validity of the will and intent of the legally deceased person to enable the administration of their estate as intended.

Procedures of Probate

The procedures of Probate may vary slightly from Roman plantation to plantation. However, generally speaking, the procedures involve the following:

Upon proof of death, the will of the decedent is presented to the court presumed as having jurisdiction over the estate of the decedent. The court usually considered to have jurisdiction by Roman law is the city, or county/council in which the decedent was registered as a resident at the time of their death.

Following presentation of the will to the court, the standard practice is for an interested party in the estate to petition the court for admission of the will for probate. The court will then schedule a hearing to determine whether or not the will should be admitted to probate and will then usually send notification of the hearing to all parties of interest, including those individuals and entities specifically named in the will as well as the publication of some form of public notice in a gazette (newspaper).

In some jurisdictions, if all parties in interest sign a statement indicating no objection to the admission of a will to probate and upon publication of public notice and no written objections, the court will normally admit the will to probate without a hearing.

If a hearing is required to decide whether a will is to be admitted to probate, then any party that has an interest in the particular will is referred to as having "standing" and is entitled to object to its admission to probate. Furthermore, the Roman Court grants itself the power to determine the fitness of any party you named as executor and may choose to appoint their own.

If a formal objection is made to the admission of your will, then normally the court will conclude the hearing and schedule a trial to consider the merits of the objection. At the trial the proponents and the opponents of the will are able to present their cases in accordance with the proscribed rules of evidence and procedure with the proponents usually presenting their case first.

The conclusion of the trial may see the whole will, or part of the will deemed invalid or legitimate. If the will is ruled invalid and no prior valid will is rendered, then the testator is deemed to have died intestate and the court will appoint an administrator to settle the estate and any remaining property after the payment of all debts, costs and taxes.

Once a will is admitted to probate, the estate is then required to pay all taxes, charges, duties and legitimate debts. Then, after a certain number of days, the Executor may then release the remaining property to the beneficiaries in accordance to the rules of administration of the will.