

# SOVEREIGNTY: Premises of Identity, Jurisdiction, Law and Contract

## Basic Premises:

1. Your Identity or "Position" Determines Jurisdiction – Executor and/or Beneficiary or Trustee!
2. The Court must Prove Jurisdiction When Challenged to have Any Authority!
3. Jurisdiction Determines the Law Used – Constitutional Common Law or Admiralty Statutes and Codes!
  - a. The Constitution for the United States and of Each State is the Supreme Law of the Land!
  - b. Codes, Statutes, Regulations and Acts are NOT Law! They are the "Color of Law" or Interpretation of Law!
4. Jurisdiction Can Only Be Changed By Contract!

## Evidence of Basic Premises:

### 1. Your Identity or "Position" Determines Jurisdiction – Executor / Beneficiary / Trustee!

- a. There are only 3 positions in Common Law or the Law of Commerce (Re: Trust):
  - i. Trustor / Share Holder/ Beneficiary (Owner of the Property)
  - ii. Executor / Director / Authorized representative (Manages the Trust for the Owner)
  - iii. Trustee / Employee / Servant (Has a duty and liability to the Trustor / Owner)
- b. A Trust: In Common Law legal systems, a trust is a relationship whereby property (real or personal, tangible or intangible) is held by one party for the benefit of another. A trust conventionally arises when property is transferred by one party to be held by another party for the benefit of a third party, although it is also possible for a legal owner to create a trust of property without transferring it to anyone else, simply by declaring that the property will henceforth be held for the benefit of the beneficiary.

The trustee has "legal title" (Legal Owner through contract) to the trust property, but the beneficiaries have "equitable title" (Lawful owner) to the trust property (separation of control and ownership). The trustee owes a fiduciary duty to the beneficiaries, who are the "beneficial" owners of the trust property. The trustee is obliged to administer the trust in accordance with both the terms of the trust and the governing law. (Note: A trustee may be either a natural person, or an artificial person, such as a company or a public body.)

Where a trust is absent any trustees, a court may appoint a trustee. A trustee may be held personally liable for certain problems which arise with the trust. By default, being a trustee is an unpaid job.

- c. The "Presumption of Law" is that You are the Trustee or Servant of your Corporate Name Trust / Estate created by the transfer of the Live Birth Record for the Birth Certificate created Bond.
  - i. The Trustee / Servant must do what they are instructed under Penalty for nonperformance.
  - ii. In your absence the Government is acting for you having assumed the Executor / Beneficiary Position.

### 2. The Court must Prove Jurisdiction when Challenged to Exercise Any Authority!

- a. Jurisdiction (Black's Law Dictionary 4<sup>th</sup> Edition): It is defined as: "The legal right by which judges exercise their authority. It is the authority, capacity, power or right to act.
- b. The issue of Jurisdiction. You will learn that when jurisdiction is not squarely challenged it is presumed to exist...In the courts there is no meaningful opportunity to challenge jurisdiction, as the court merely proceeds summarily. However once jurisdiction has been challenged in the courts, it becomes the responsibility of the plaintiff to assert and prove said jurisdiction.. Burks v. Lasker, 441 US 471 & U.S v. Grimaud 220 US 506, Hagans v. Lavine, 415 US 533 as mere good faith assertions of power have been abolished. Owens v. City of Independence, 100 S Ct, 1398, 1980.

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- c. In regard to courts of inferior jurisdiction, "if the record does not show upon its face the facts necessary to give jurisdiction, they will be presumed not to have existed." Norman v. Zieber, 3 Or at 202-03
- d. "When a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason." US v Will, 449 US 200,216, 101 S Ct, 471, 66 LEd2nd 392, 406 (1980) Cohens V Virginia, 19 US (6 Wheat) 264, 404, 5LEd 257 (1821)
- e. "The law provides that once State and Federal jurisdiction has been challenged, it must be proven." Main v. Thiboutot, 100 S. Ct. 2502 (1980).
- f. "Once jurisdiction is challenged, it must be proven." Hagens v. Lavine, 415 U.S. 533.

These rulings indicate that when a 'Constructive Notice' is used to challenge the jurisdictional authority of a bureaucrat, then the bureaucrat must prove jurisdiction before being able to proceed legally.

- g. Fraud in its elementary common law sense of deceit... includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public,... and if he deliberately conceals material information from them he is guilty of fraud. McNally v. U.S., 483 U.S. 350, 371-372, Quoting U.S. v Holzer, 816 F.2d. 304, 307
- h. "Where there is absence of jurisdiction, all administrative and judicial proceedings are a nullity and confer no right, offer no protection, and afford no justification, and may be rejected upon direct collateral attack." Thompson v. Tolmie, 2 Pet. 157, 7 L.Ed. 381; Griffith v. Frazier, 8 Cr. 9, 3L. Ed. 471.

Put into plain language, this is what it means: Upon a Jurisdictional Challenge by the defendant, a judicial action must cease immediately. Before such action can proceed, the court's jurisdictional authority needs to be proven.

- i. "No sanctions can be imposed absent proof of jurisdiction." Standard v. Olsen, 74 S. Ct. 768; Title 5 U.S.C., Sec. 556 and 558 (b).

This means that there can be no penalty or punishment, if there is no proof of the plaintiff's jurisdiction in the class of case involved.

- j. "The proponent of the rule has the burden of proof." Title 5 U.S.C., Sec. 556 (d).

The proponent of the rule refers to the one who is trying to establish compliance to the statute. It is the attacking party, the plaintiff, that has the burden of proving that he has jurisdiction over the class of case involved.

- k. "Jurisdiction can be challenged at any time, even on final determination." Basso v. Utah Power & Light Co., 495 2nd 906 at 910.

Jurisdictional Challenge can be initiated at any time, even after judgment has been rendered. This is important! The words, "Jurisdiction can be challenged at any time, even on final determination," can stop anyone who seeks litigation outside the court's jurisdictional authority.

- l. If you have relied on prior decisions of the supreme Court, you have the perfect defense for willfulness. U.S. v. Bishop, 412 US 346

### 3. The Constitution for the United States and of Each State is the Supreme Law of the Land!

- a. **The 1787 Constitution for the United States is the Supreme Law of the Land.**
  - i. "This constitution, shall be the Supreme Law of the Land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding." U.S. Constitution, Article VI, Paragraph 2.
  - ii. "We are bound to interpret the Constitution in the light of the law as it existed at the time it was adopted." Mattox v. U.S., 156 US 237, 243. (See Federalist Papers)

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- iii. The Constitution is a written instrument. As such, its meaning does not alter. That which it meant when it was adopted, it means now. -- South Carolina v. United States, 199 U.S. 437, 448 (1905).
- iv. The Lawful 1787 Constitution is a Contract with the People which Guarantees our GOD-Given Rights!
- v. The Lawful 1787 Constitution for the United States was unlawfully replaced by the Unlawful Corporate 1871 Constitution of the United States without a vote of the people.
  1. The Lawful 1787 Constitution was never voted out or invalidated by a vote of the people.
  2. The Unlawful 1871 constitution was never voted in by a vote of the people.
- b. **The Courts of the United States consistently acknowledge that the Constitution is to be interpreted according to Common Law Rules.**
  - i. "The Constitution is to be interpreted according to Common Law Rules." -- Schick vs. U.S., 195 US 65, 24 Sup. Ct. 826 (1905)
  - ii. "...a Statute will not be construed so as to overrule a principle of established Common Law, unless it is made plain by the act that such a change in the established law is intended." -- Starkey Construction Inc. vs. Elcon, Inc., 248 Ark 958, 978A, 457 SW 2nd 509, 7 U.C.C.RS 923
  - iii. "A statute should be construed in harmony with the Common Law unless there is a clear legislative intent to abrogate the Common Law." --United Bank vs. Mesa Nelson Co., 121 Ariz 438, 590 P2d 1384, 25 U.C.C.RS 1113
  - iv. "It [U.S. Constitution] must be interpreted in the light of Common Law, the principles and history of which were familiarly known to the framers of the Constitution. The language of the Constitution could not be understood without reference to the Common Law." -- U.S. vs. Wong Kim, Ark, 169 US 649, 18 S. Ct. 456
  - v. "The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. To mankind in their natural state. There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent." CRUDEN v. NEALE, 2 N.C. 338 (1796) 2 S.E. 70.
- c. **The 1878 Washington State Constitution is the Lawful Constitution of the State.**
  - i. The Congressional Records clearly show that the Lawful 1878 Walla Walla Constitution was approved by the 50<sup>th</sup> Congress 2d Session. – Senate – Misc. Doc. No. 55. on January 28, 1889.
  - ii. The Constitution is the Law and remains valid until Lawfully Amended! Gerberding v. Munro. 949 P.2d 1366 (1998). 134 Wash.2d 188.
- d. **Any law against the Constitution is Invalid!**
  - i. "A law **repugnant** to the Constitution is void." Marbury v. Madison, 5 U.S. 137 (1803).
  - ii. "An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." Norton v. Shelby County, 118 U.S. 425
- e. **The Courts and Their Official's Duty is To Protect The Constitution and Our Rights.**
  - iii. "The court is to protect against any encroachment of Constitutionally secured liberties." Boyd v. U.S., 116 U.S. 616
  - iv. "Officers of the court have no immunity, when violating a Constitutional right, from liability. For they are deemed to know the law." Owen v. Independence, 100 S.C.T. 1398, 445 US 622. Scheuer v. Rhodes, 416 U.S. 232, 1974 Expounds upon Owen.
  - v. "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it." Cooper v. Aaron, 358 U.S. 1, 78 S.Ct. 1401 (1958).
  - vi. "Nor shall any State deprive any person of life, liberty, or property without due process of law." Hertado v. California, 110 U.S. 516,

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- vii. "The claim and exercise of a Constitutional right cannot be converted into a crime." Miller v. U.S., 230 F.2d. 486, 489
- viii. **Add Constitutional point – All officials elected or appointed have sworn a Blood Oath**
  - 1. All law makers, court officials, and enforcement officers are bound by oath to the U.S. Constitution. Art. 6 Section 1 Clause 3 "...and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation,..."
- ix. The courts are bound by all of decisions of the Supreme Court of the United States.
  - 1. "it is this Court's prerogative alone to overrule one of its precedents." Agostini v. Felton, 521 U.S. 203, 237-238 (1997); State Oil Co. v. Khan, 522 U.S. 3, 20 (1997)

### 4. Codes, Regulations, Statutes and Acts are NOT Law!

- a. Codes, Statutes and Regulations are not Law! Parosa v. City Of Tacoma 57 Wn.2d 409 (1960) 357 P.2d 873 Upheld by Johnson v. Spokane 19 Wn. App. 722 (1978) 577 P.2d 164
- b. The Constitution is the Law and remains valid until Lawfully Amended! Gerberding v. Munro. 949 P.2d 1366 (1998). 134 Wash. 2d 188.
- c. Men of common intelligence cannot be required to guess at the meaning of penal enactment." Winters v. People of State of New York, 333 U.S. 507; 68 S. Ct. 665 (1948)]
- d. "An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." Norton v. Shelby County, 118 U.S. 425

### Application of Basic Premises:

"Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness." Brady v. U.S., 397 U.S. 742, 748

*"If men, through fear, fraud, or mistake, should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of ALMIGHTY GOD, it is not in the power of man to alienate this gift and voluntarily become a slave." - Samuel Adams, 1772*

**INALIENABLE: (IN-A-LIEN-ABLE)** Not subject to alienation; the characteristic of those things which cannot be bought or sold or transferred from one person to another, such as rivers and public highways, and certain personal rights; e.g., liberty. Black's Law 4<sup>th</sup> Edition.

**Inalienable rights:** Rights which are not capable of being surrendered or transferred without the consent of the one possessing such rights. Morrison v. State, Mo. App., 252 S.W.2d 97, 101.

**UNALIENABLE: (UN-A-LIEN-ABLE)** Inalienable; incapable of being aliened, that is sold and transferred. Black's Law 4<sup>th</sup> Edition.

**UNALIENABLE RIGHTS:** The state of a thing or right which cannot be sold. Things which are not in commerce, as public roads, are in their nature unalienable. Some things are unalienable, in consequence of particular provisions in the law forbidding their sale or transfer, as pensions granted by the government. **The natural rights of life and liberty are UNALIENABLE.** Bouviere's Law Dictionary 1856 Edition.

You can not surrender, sell or transfer unalienable rights, they are a gift from the creator to the individual and can not under any circumstances be surrendered or taken. All individual's have unalienable rights.

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You can surrender, sell or transfer inalienable rights if you consent either actually or constructively (i.e. Through Contract). Inalienable rights are not inherent in man and can be alienated by government. Persons have inalienable rights. Most state constitutions recognize only inalienable rights.

*"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain **unalienable rights**, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."* **DECLARATION OF INDEPENDENCE** (emphasis added)

### 1. We can NOT be Fined or Liened for Using Our Rights!

- a. United States Constitution – Declaration of Independence: Un-a-lien-able Rights
- b. State Constitutions cannot be any stricter than US Constitution.
  - i. U.S. court ruling in mind before issuing citations: "The claim and exercise of a Constitutional right cannot be converted into a crime." Miller v. U.S., F.2d 486, 489.
- c. "An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." Norton v. Shelby County, 118 U.S. 425

### 2. We have the Protected Right to Own Property!

- a. **U.S. Bill of Rights 5<sup>th</sup> Amendment:** No person shall... be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
- b. We have the right to whatever we want with our property...(Black's Law 4<sup>th</sup> Edition)
  - i. **Property:** "...the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it to use it and to exclude every one else from interfering with it."
- c. "Freedom in enjoyment and use of all of one's powers, faculties and property." Grosjean v. American Press Co., 56 S.Ct. 444, 446, 297 U.S. 233, 80 LEd 660

### 3. We have the Protected Right to Travel!

- a. **Motor vehicle (Definition).**— The term "motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power **and used for commercial purposes** on the highways in the transportation of passengers, passengers and property, or property or cargo. Title 18, Part I, Chapter 2, Section 31 (6) [www.law.cornell.edu/uscode/text/18/31]
  - i. Commercial Purposes or Commerce "The exchange of goods, productions, or property of any kind. Jeu Jo Wan v. Nagel, C.C.A.Cal 9 F.2d 309, 310. (Black's Law 4<sup>th</sup> Edition)
- b. Both the US Constitution and The Washington State Constitution guarantees our Right to Travel unencumbered. US Constitution: 5<sup>th</sup> and 14<sup>th</sup> Amendments of the Constitution for and of the United States.
  - i. Although the Fourteenth Amendment does not interfere with the proper exercise of the police power, in accordance with the general principle that the power must be exercised so as not to invade unreasonably the rights guaranteed by the United States Constitution, it is established beyond question that every state power, including the police power, is limited by the Fourteenth Amendment (and others) and by the inhibitions there imposed. Moreover, the ultimate test of the propriety of police power regulations must be found in the Fourteenth Amendment, since it operates to limit the field of the police power to the extent of

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- preventing the enforcement of statutes in denial of Rights that the Amendment protects. (See Parks vs. State, 64 NE 682.)
- ii. "With regard particularly to the U.S. Constitution, it is elementary that a Right secured or protected by that document cannot be overthrown or impaired by any state police authority." Connolly vs. Union Sewer Pipe Co., 184 US 540; Lafarier vs. Grand Trunk R.R. Co., 24 A. 848; O'Neil vs. Providence Amusement Co., 108 A. 887
  - iii. "The police power of the state must be exercised in subordination to the provisions of the U.S. Constitution." Bacahanan vs. Wanley, 245 US 60; Panhandle Eastern Pipeline Co. vs. State Highway Commission, 294 US 613
  - iv. "It is well settled that the Constitutional Rights protected from invasion by the police power, include Rights safeguarded both by express and implied prohibitions in the Constitutions." Tiche vs. Osborne, 131 A. 60
  - v. "As a rule, fundamental limitations of regulations under the police power are found in the spirit of the Constitutions, not in the letter, although they are just as efficient as if expressed in the clearest language." Mehlos vs. Milwaukee, 146 NW 882
  - vi. As it applies in the instant case, the language of the Fifth Amendment is clear: "No person shall be ... deprived of Life, Liberty, or Property without due process of law."
  - vii. As has been shown, the courts at all levels have firmly established an absolute Right to travel. In the instant case, the state, by applying commercial statutes to all entities, natural and artificial persons alike, has deprived this free and natural person of the Right of Liberty, without cause and without due process of law.
- c. **Washington State Constitution:**
- i. Art. 13 Sec. 3 of the 1889 Washington State Constitution guarantees the Right to Travel (Note: This is the established but unlawful Constitution (See Section 3. c. i. Of this document)
- d. Officers take an oath of honor in which they swear to uphold the Constitution, which is the Supreme Law of the Land. But then they are instructed to violate the Citizens "Right to Travel," unfettered. They assume the role of corporate revenue agent by citing people with violations of the commercial traffic laws. There are ample case laws, to support this maxim of law:
- i. "The right to travel is a part of the liberty of which the citizen cannot be deprived without due process of law under the 5th Amendment. Kent v. Dulles, 357 U.S. 116, 125, Reaffirmed in Zemel v. Rusk, 33 US 1.
  - ii. "The use of the highway for the purpose of travel and transportation is not a mere privilege but a common and fundamental right of which the public and individuals cannot rightfully be deprived." Chicago Motor Coach v. Chicago, 337 Ill. 200, 169 Ne 22, 66 ALR JUR (1st) Highways, Sec 163 in para materia.
  - iii. "The right to make use of an automobile as a vehicle of travel along the highways of the state, is no longer an open question. The owners thereof have the same rights in the roads and streets as the drivers of horses or those riding a bicycle or traveling in some other vehicle." House v. Cramer, 112 N.W. 3; 134 Iowa 374; Farnsworth v. Tampa Electric Co., 57 So. 233, 237, 62 Fla. 166.
  - iv. "The right of a citizen to travel upon the public highways and to transport his property thereon in the ordinary course of life and business is a common right which he has under his right to enjoy life and liberty, to acquire and possess property, and to pursue happiness and safety." It includes the right in doing so to use the ordinary and usual conveyances of the day; and under the existing modes of travel includes the right to drive a horse-drawn carriage or wagon thereon, or to operate an automobile, thereon, for the usual and ordinary purpose of life and business. It is not a mere privilege..."Thompson v. Smith, 154 S.E 579, 11 in para materia. American Jurisprudence, Constitutional Law, section 329, page 1135

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- v. "The right of a citizen to travel upon the public highways and to transport his property thereon in the ordinary course of life and business is a common right which he has under his right to enjoy life and liberty, to acquire and possess property, and to pursue happiness and safety.... The rights aforesaid, being fundamental, are constitutional rights, and while the exercise thereof may be reasonably regulated by legislative act in pursuance of the police power of the State, and although those powers are broad, they do not rise above those privileges which are imbedded in the constitutional structure"); Teche Lines, Inc. v. Danforth, 195 Miss. 226, 12 So.2d 784, 787 (1943)
- vi. "The right to operate a motor vehicle [an automobile] upon the public streets and highways is not a mere privilege. It is a right of liberty, the enjoyment of which is protected by the guarantees of the federal and state constitutions." Adams v. City of Pocatello, 416 P.2d 46, 48; 91 Idaho 99 (1966).
- vii. "A traveler has an equal right to employ an automobile as a means of transportation and to occupy the public highways with other vehicles in common use." Campbell v. Walker, 78 Atl. 601, 603, 2 Boyce (Del.) 41.
- viii. "The individual may stand upon his constitutional rights as a [state] Citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the state or his neighbors to divulge his business, or to open his door to investigation, so far as it may incriminate him. He owes no such duty to the state, since he receives nothing there from, beyond the protection of his life and property. He owes nothing to public so long as he does not trespass on their rights" Hale v. Henkel, 201 U.S. 43 (1905) in para materia.
- ix. "The use of the automobile as a necessary adjunct to the earning of a livelihood in modern life requires us in the interest of realism to conclude that the RIGHT to use an automobile on the public highways partakes of the nature of a liberty within the meaning of the Constitutional guarantees. . ." Berberian v. Lussier, (1958) 139 A2d 869, 872, See also: Schechter v. Killingsworth, 380 P.2d 136, 140; 93 Ariz. 273 (1963).
- x. "...For while a citizen has the right to travel upon the public highways and to transport his property thereon, that right does not extend to the use of the highways...as a place for "private gain." For the latter purpose, \*\*as a place for "private gain." or in other words to act in commerce\*\*\* no person has a vested right to use the highways of this state, but it is a privilege...which the (state) may grant or withhold at its discretion..." State v. Johnson, 245 P 1073.
- xi. "Nor shall any State deprive any person of life, liberty, or property without due process of law." Hertado v. California, 110 U.S. 516,
- xii. "The claim and exercise of a Constitutional right cannot be converted into a crime." Miller v. U.S., 230 F.2d. 486, 489

The police are not intentionally violating the Citizens rights, as they are duped into believing that they are enforcing the law, and doing their jobs. But their superiors know this and will not inform the policeman of this felonious act or it will sever their cash cow in the jugular. Other U.S. court cases that confirm and point out the difference between the "right" of the citizen to travel and a government "privilege" are:

- xiii. 'Whoever, by virtue of public position under a state government, deprives another of property, life, or liberty, without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition; and as he acts in the name and for the state, and is clothed with the state's power, his act is that of the state.' Ex parte Virginia, 100 U.S. 339, 347;

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### Also Research:

1. **Barney v Board of Railroad Commissioners**, 193 U.S. 430 (24 S.Ct. 502, 48 L.Ed. 737);
2. **Willis vs. Buck**, 263 P.1 982
3. **State v. City of Spokane**, 186 P. 864;
4. **Ex Parte Dickey (Dickey v Davis)**, 85 S.E. 781;

### 4. Jurisdiction Can Only Be Changed By Contract!

#### a. All Contracts are Commercial because they facilitate some Exchange of Value.

- i. Time, Labor, Property, Expertise, Knowhow, Etc. are a few examples of value.

#### b. Types of Contract

##### i. Good Faith

1. All parties are well informed and freely agree to be personally bound by the terms and conditions.

##### ii. Bad Faith

1. All Parties are not well informed and may have agreed to by Assent (Silence or not replying to a notice. Government agencies and courts use the Presumption of Law and the axiom that "Ignorance of the law is no defense.")

#### c. A Valid and Lawful Contract is Comprised of Four (4) Main Parts:

- i. **Multiple Parties:** (Two or More - A contract with yourself is only enforceable by you.)
- ii. **An Offer or Consideration:** Something of Value (Not Necessarily Money) by Each Party for Exchange.
- iii. **Full Disclosure:** All parties fully understand All the terms and conditions of the Agreement / Contract.
- iv. **An Agreement:** A Verbal and/or Signed "Free Will" (Free of Duress and Protest) Acknowledgement of the above, by all parties, preferably in front of at least two witnesses.

**Note:** Proof of any Fraud, and/or Duress is sufficient to invalidate an Agreement / Contract.