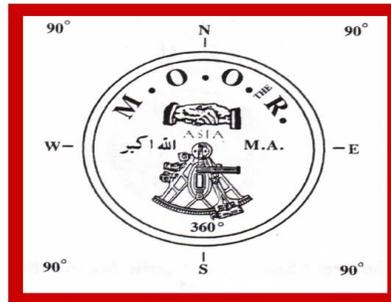


Student: \_\_\_\_\_

# Class 2

## Addressing Misunderstandings Of The Moorish Divine and National Movement of The World AND Noble Drew Ali

w/**Taj Tarik Bey** of the



### Moor's Order of The Roundtable

1. **Status:** Standing, state or condition, social position. The legal relation of individual to rest of the community. The rights, duties, capacities and incapacities which determine a person to a given class. A legal personal relationship, not temporary in its nature nor terminable at the mere will of the parties, with which third persons and the state are concerned. While term implies relation it is not a mere relation.
2. **Jurisdiction:** The word is a term of large and comprehensive import, and embraces every kind of judicial action. It is the authority by which courts and judicial officers take cognizance of and decide cases. **The legal right by which judges exercise their authority.** It exists when court has cognizance of class of cases involved, proper parties are present, and point to be decided is within issues.

It is the authority, capacity, power or right to act; carry into execution or enforce sentence, judgment or decree; deal with general abstract question; deal with subject matter, decide; including questions of law as well as of fact; declare, expound, administer or apply the law; determine action, controversy, or question; do justice; enter on inquiry;



**Second Class:**  
9th day of  
June, 201



Classes every Wednesday  
Doors Open 6 p.m. til 10 p.m.  
National "Black" Theatre  
125th and 5th Harlem, New York

**The Moorish Divine and National Movement Of The World**

enter order, judgment, or decree; entertain a suit or controversy; **examine whether court has power to hear and determine controversy**; exercise judicial authority or power; inquire into facts; make laws, litigate controversy between parties; pronounce sentence or law or award remedies provided by law; put wheels of justice in motion and to proceed to determination of cause; declare or make judgment; order or decree; try dispute as to right to possession of property in replevin. **It is the power of him who has the right of judging.**

3. **Identity:** Evidence, Sameness; the fact that a subject, person, or thing before a court is the same as it is represented, claimed, or charged to be.
4. **Civiler Mortuus:** Civilly dead; dead in the view of the law. The condition of one who has lost his civil rights and capacities, and is accounted dead in law.
5. **In Full Life:** Continuing in both physical and civil existence; that is, neither actually dead or civiler mortuus.

## JURISDICTION

**Jurisdiction covers, encompasses, assimilates and incorporates** every type and kind of ‘Judicial Action’. Judicial actions pertain to authoritative actions and issues involving ‘Justice’ and the administration of ‘Justice’ in matters of “Rights of Parties”, “Rights of Property”, and Judicial Proceedings, etc. Thus, Judicial Acts involve the exercising of judicial powers to render decisions of discretion or of judgment. In organized government, ‘Judicial Powers’ are delegated by Constitution Law to specified and oath—bound Judicial Officers only. The ‘Title’ that attends such judicial powers is called, ‘Judge’. There are three types or kinds of Jurisdiction, (authority / power / control) and they are Personum Jurisdiction, Subject Matter Jurisdiction, and Territorial Jurisdiction.

### PERSONUM JURISDICTION

In Personum Jurisdiction is the jurisdiction of the ‘**person**’ and involves the power to subject a person or (parties) in a particular class of cases, and that power to render decisions or judgments in such cases. ‘In Personam Jurisdiction’ simply means, “jurisdiction over a person”. Being a Moorish American citizen of the Land, the Federal Administrative Courts lack natural jurisdiction to adjudicate any matters involving you. You are a Sovereign, and the legislative statutes used by the Federal and State governments to persecute ignorant individuals do not apply to you, nor were they ever intended to apply to you, the natural person.

### SUBJECT MATTER JURISDICTION

**Jurisdiction of Subject Matter means** or refers to, the jurisdiction or power delegated to a Magistrate, or Judge, or Court, to rule or to render decisions in a particular ‘class’ of cases. Thus, consideration is given to the limited jurisdictional powers of the Judge, the court, etc., or whether or not the Judge or court has the required authority to render a judgment. And so, ‘Subject Matter’ defines or refines the abstract questions surrounding the affirmations as to whether or not the Court has the power to ‘adjudge’ or to ‘adjudicate’ in a controversy or case placed before it, based on the facts of the case. ‘Subject Matter Jurisdiction’ a more critical type of jurisdiction, and goes directly to the question of whether a court has the authority to even hear a matter or issue. In Personam Jurisdiction, ‘Subject Matter Jurisdiction’ cannot be waived by any party involved in the matter. If a court lacks subject matter jurisdiction (is in want of jurisdiction) then the court has no authority to proceed with the case at hand.

**All Moorish Americans must be aware of the fact that** Subject Matter Jurisdiction may be challenged at any time. It can be challenged before a trial, during a trial, or after a trial. And it can be challenged even if the accused party has already pled guilty and has been duly convicted and sentenced to jail or prison. This rule of right stands even if the accused is currently serving time due to a conviction. A jurisdictional challenge of this type is never limited, since it goes to the foundation of whether the court had the authority to incarcerate the person, or to even try the person in the first place. Administrative court systems lack Subject Matter Jurisdiction on all criminal charges, as practiced in these days. Anyone sentenced to jail time under an Administrative court has a standing right to challenge the jurisdiction of that court. Remember these following Seven (7) Rights and Rules:

1. **The accused person** must be properly identified, and identified in such a fashion and manner that there is no possibility for mistaken identity.
2. **The ‘Statute of Offense’** must be identified by its proper legal or common name. A number applied to represent the offence is insufficient.
3. **The acts of the alleged offense** must be described in non-prejudicial language and detail so as to enable a person of average intelligence to understand the nature of the charge (and to enable the accused a preparation of defense)
4. **The accuser must be specifically named.** He or she may be an officer of the court or a third party; but some positively identifiable person (a human being) must accuse; some certain, natural person must take responsibility for the making of the accusation, and not an agency or an institution (corporation / artificial person).
5. **The accusation made** against the accused must be made under “penalty of perjury”. If perjury cannot reach the accuser, there is no accusation. Otherwise, anyone may accuse another falsely and without risk or liability of punishment.
6. **In order for the court or the accusers** to comply with the five lawful elements as stated above, and as a condition for the accusation to be valid, the accused must be accorded ‘due process’ according to the law. And the accuser must have complied with law, proper procedure and form, in bringing the allegation or charge.
7. **The court must be one of competent jurisdiction;** having actual judicial authorization (a Delegation of Authority Order). To have valid process, the tribunal / court must be a creature of its constitution, and be in accord with the law of its creation, i.e., an Article III judge.

**Remember the importance of the rule of Identity** and the significance of your “In Propria Persona Status”. Remember that if you hire a lawyer or an attorney to represent you, then you have given him or her your birthrights, and have given jurisdiction to the court. Lawyers are officers of the court, and their obligations are first to the court and not to you. This relationship constitutes a ‘conflict of interests’.

**See, Corpus Juris Secundum** (C.J.S.), Volume 7, Section 4, Attorney & Client: The attorney's first duty is to the courts and the public, not to the client, and wherever the duties to his client conflict with those he owes as an officer of the court in the administration of justice, the former must yield to the latter. Clients are also called "wards" of the court in regard to their relationship with their attorneys.

**Corpus Juris Secundum** assumes courts will operate in a lawful manner. If the accused makes this assumption, he may learn, to his detriment, through experience, that certain questions of law, including the question of personal jurisdiction, may never be raised and addressed, especially when the accused is

represented by the bar. (Sometimes licensed counsel appears to take on the characteristics of a fox guarding the hen house.)

**Jurisdiction, once challenged**, is to be proven, not by the court, but by the party attempting to assert jurisdiction. The burden of proof of jurisdiction lies with the asserter. The court is only to rule on the sufficiency of the proof tendered. See, *McNutt v. General Motors Acceptance Corp.*, 298 U.S. 178 (1936). The origins of this doctrine of law may be found in *MAXFIELD v. LEVY*, 4 U.S. 330 (1797), 4 U.S. 330 (Dall.) 2 Dall. 381 2 U.S. 381 1 L.Ed. 424.

## TERRITORIAL JURISDICTION

**Territorial Jurisdiction** involves the very power, control, and authority itself, to render a judgment or a decision. This involves matters of what is termed, 'proof of jurisdiction'. Of course, remember the inherent right of the nationals or citizens to challenge the jurisdiction of the courts at any juncture of a proceeding. An 'Averment of Jurisdiction' is the writ and argument that would be placed into evidence or firmly asserted in such an instance.

The '**Supreme Standard**' for establishing jurisdiction powers, and the guideline for their binding limitations, would be, and is, the Constitution for the United States Republic, North America. The lawful standard for all 'Delegated Judicial Authority' is specified, stated and prescribed by Constitution Law, as per The United States Republic Constitution, Article III.

## ARTICLE III OF THE CONSTITUTION

### The United States Republic, North America:

**Article III, Section 1:** *The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time establish. The judges, of both the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.*

**Section 2.** *The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;- to all cases affecting ambassadors, other public ministers and consuls;- to all cases of admiralty and maritime jurisdiction;- to controversies to which the United States shall be a party;- to controversies between two or more states;- between a state and citizens of another state;- between citizens of different states;- between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens and subjects.*

*In all cases affecting Ambassadors, other ministers and consuls, and those in which a state shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.*

*The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.*

\* \* \* \* \*

**Also, for further affirmations, consider Article VI of the Constitution** for The United States Republic of North America. This is a prerequisite when evaluating or considering the subject matters of Jurisdiction in any cases or circumstances. Examine the facts, and be absolutely clear about the limited powers of all public officials. Be forever cognizant and diligent about the Oath—bound fiduciary duties and responsibilities of all Judges, and of the Judicial Branch of Government. Limitations also include the Executive Branch of Government; the Legislators; the Judicial Officers, the Senators; and the Representatives, etc. Take further note that the Constitutions and laws of any State cannot lawfully contradict nor stand against Article VI - The Supreme Law of the Land.

### **The Act Of Abandonment In Law**

6. **Abandonment:** The surrender, relinquishment, disclaimer, or cession of property or of rights. Voluntary relinquishment of all right, title, claim and possession, with the intention of not reclaiming it. The giving up of a thing absolutely, without reference to any particular person or purpose, as vacating property with the intention of not returning, so that it may be appropriated by the next comer or finder. Intention to forsake or relinquish the thing is an essential element, to be proved by visible acts. The voluntary relinquishment of possession of a thing by owner with intention of terminating his ownership, but without vesting it in any other person. The relinquishing of all title, possession, or claim, or a virtual, intentional throwing away of property. Abandonment includes both intention to abandon and the external act by which the intentions carried into effect. In determining whether one has abandoned his property or rights, the intention is the first and paramount object of inquiry, for there can be no abandonment without the intention to abandon. Generally, “abandonment” can arise from a single act or from a series of acts. Time is not an essential element of “abandonment”, although the lapse of time may be evidence of an intention to abandon, and where it is accompanied by acts manifesting such an intention, it may be considered in determining whether there has been an abandonment. “Abandonment” differs from surrender in that surrender requires an agreement, and from forfeiture, in that forfeiture may be against the intention of the party alleged to have forfeited. Abandonment includes both the intentions to abandon and the external act by which the intention is carried into effect. In determining whether one has abandoned his property or rights, the intention is the first and paramount object of inquiry, for there can be no abandonment without the intention to abandon.

### **Peace and Love,**

See Your Next Week for Class #3 of  
“**Addressing The Misunderstandings of The Moorish Divine and National Movement Of  
The World, and Noble Drew Ali.**”