

First Last
First Last
C/O
Cornwall
[xxxx xxx]

PRIVATE & CONFIDENTIAL

Section 151 Officer
Cornwall Council
County Hall
3rd Floor
TRURO
Cornwall
TR1 3AY
Dun & Bradstreet D-U-N-S® Number: 232455758

Postal Document Ref Number 01: xxxxxxxxxxxx

28th September 2021

Council Tax Account Reference:

Reference Summons No: xxxxx, dated 14.09.2021, received 20.09.2021.

NOTICE FOR CONDITIONAL ACCEPTANCE FOR SUMMONS

NOTICE TO AGENT IS NOTICE TO PRINCIPAL, NOTICE TO PRINCIPAL IS NOTICE TO AGENT.

Equity will not allow a statute to be used as a cloak for fraud.

To: Section 151 Officer.

We are in receipt of a letter/ summons which purports to have come from Cornwall Council and also Cornwall Magistrates Court in respect of the above A/C number & Addressed to MR FIRST LAST and MRS FIRST LAST.

The summons is unsigned which negates its legality (Companies Act 2006 Section 44 & 45) and is accompanied by a notice headed with the Logo of HM Courts And Tribunals Service which is Fraudulent under the Fraud Act 2006, Sections 2 (1) False Representation & Section 11, obtaining services dishonestly. The Notice states that I must inform the council if I wish to make representation at the hearing. I therefore add this notice to you and the HM Courts and Tribunals service.

Cornwall Council have failed to respond to three Notices and one Affidavit (Exhibits A, B, C & D). The un rebutted affidavit now stands as truth in commerce. S151 Officer and Cornwall Council are now in Default. The Terms & Conditions in the Affidavit (Royal Mail Signed For Reference: xxxxxx) are now in effect.

We do not give our consent to hearings being conducted in a court de facto and insist that this matter be dealt with in a court de jure under common law jurisdiction & that judgement be by way of a jury of our peers.

In reference to the summons, we conditionally accept to attend by 'Special Appearance' only to the offer of summons so long as the below points are honoured and answered in substance, point for point, and are provided a minimum of seven (7) days before the summons hearing.

1. Proof of claim. Provide evidence of a valid contract between Cornwall Council or its members and First-Middle: Last and First-Middle: Last, not MR FIRST LAST or MRS FIRST LAST showing offer, acceptance, consideration with wet signatures between all parties.
2. Provide evidence Cornwall Council have given full disclosure (as required by common law) in relation to the services being offered and that these have been accepted by us for the value stated.
3. Demonstrate manifestation of intent by way of our seal and/or autograph on a contract between us.
4. Provide evidence that the terms and conditions of any contract are lawful in common law, not statute law.
5. Provide evidence that Council Tax is lawful.
6. To date Cornwall Council has not complied with the Bills of Exchange Act 1882 which detail how a bill for a charge should be formulated. Provide evidence Cornwall Council does not have to adhere to Bills of Exchange Act 1882.

7. Provide evidence that a liability order is being sought against the legal fictions, persons (corporation) **MR FIRST LAST** and **MRS FIRST LAST**, by **CORNWALL COUNCIL** (a corporation) being of equal status as required by law & NOT against **First**: of the family **Last** (a man), **First**: of the family **Last** (a woman), of greater value, thus superior status to a corporation which would render the proceedings unequal in law and thus invalid.
8. The summons has been made to the legal fictions of MR FIRST LAST AND MRS FIRST LAST, as noted in our initial correspondence (Exhibit A), we do not agree to be the nom de guerre, the legal fiction, we retain our inalienable right to stand as the man and woman.
9. We attend by 'Special Limited Appearance' only.
10. Our Inalienable God Given Rights will not be subjugated and specifically upheld by written documents from the County Court Clerk and Magistrate.
11. We hereby rebut all 12 Presumptions Of The BAR Association (Exhibit G).
12. Provide evidence that the correct due process of law has been followed in the issuing of this summons (Exhibit F).
13. It is our understanding that according to Observance of due Process of Law 1368 section 3: "None shall be put to answer without due Process of Law. Provide evidence Cornwall Council and Bodmin Magistrates Court are not bound by this.

Observance of due Process of Law (1368)

<https://www.legislation.gov.uk/aep/Edw3/42/3/section/III>

|| None shall be put to answer without due Process of Law.

ITEM, At the Request of the Commons by their Petitions put forth in this Parliament, to eschew the Mischiefs and Damages done to divers of his Commons by false Accusers, which oftentimes have made their Accusations more for Revenge and singular Benefit, than for the Profit of the King, or of his People, which accused Persons, some have been taken, and [X1sometime]caused to come before the King's Council by Writ, and otherwise upon grievous Pain against the Law: It is assented and accorded, for the good Governance of the Commons, that no Man be put to answer without Presentment before Justices, or Matter of Record, or by due Process and Writ original, according to the old Law of the Land: And if any Thing from henceforth be done to the contrary, it shall be void in the Law, and holden for Error

14. Provide evidence the summons complies with The Council Tax Regulations 1992 s34.(2).

<https://www.legislation.gov.uk/uksi/1992/613/regulation/34/made>)

Application for liability order

34. - (1) If an amount which has fallen due under regulation 23(3) or (4) is wholly or partly unpaid, or (in a case where a final notice is required under regulation 33) the amount stated in the final notice is wholly or partly unpaid at the expiry of the period of 7 days beginning with the day on which the notice was issued, the billing authority may, in accordance with paragraph (2), apply to a magistrates' court for an order against the person by whom it is payable.

(2) The application is to be instituted by making complaint to a justice of the peace, and requesting the issue of a summons directed to that person to appear before the court to show why he has not paid the sum which is outstanding.

15. The court we attend is a Common Law court de jure, with a jury of our peers, a court of record with a full transcript of everything discussed in the summons provided in either written transcript form or via audio recording within 7 days of the summons date. We would not attend a fraudulent administrative court as we would then be party to fraud.
16. We will be allowed to make our own video and audio recording.
17. Evidence will only be allowed to be submitted by all parties with first-hand knowledge of the matter under oath and with penalty of perjury as per Perjury Act 1911.
18. Evidence that s.78 of The Local Government Act 1888 does not apply to Cornwall Council.

The Local Government Act 1888

<https://www.legislation.gov.uk/ukpga/Vict/51-52/41/section/78>

78 Construction of Acts referring to business transferred.

(2) Provided that the transfer of powers and duties enacted by this Act shall not authorise any county council or any committee or member thereof—

- (a) to exercise any of the powers of a court of record; or
- (b) to administer an oath; or
- (c) to exercise any jurisdiction under the Summary Jurisdiction Acts, or perform any judicial business, or otherwise act as justices or a justice of the peace,

19. Evidence that s.79[2] of the Local Government Act 1888 does not apply to Cornwall Council.

The Local Government Act 1888

<https://www.legislation.gov.uk/ukpga/Vict/51-52/41/section/79>

79 Incorporation of county council.

(1). **F1**

(2) All duties and liabilities of the inhabitants of a county shall become and be duties and liabilities of the council of such county.

20. Provide the name and insurance details of the Clerk of The Court who authorised this summons and personally considered the claimant.
21. Provide the name and insurance details of the Justice of the Peace who authorised this summons and personally considered the claimant.
22. Provide the full Name, Insurance details and BAR number of the Magistrate who authorised this summons and personally considered the claimant.
23. The name of the man or woman who has created the summons if it has not been created by the Clerk of the Court, Justice of the Peace or Magistrate.
24. Provide evidence of that s.135 of the County Courts Act 1984 would not apply to any man, woman or corporation acting in contravention by falsely pretending to act under authority of court.

The County Courts Act 1984

<https://www.legislation.gov.uk/ukpga/1984/28/section/135>

135 Penalty for falsely pretending to act under authority of court.

Any person who—

- (a) delivers or causes to be delivered to any other person any paper falsely purporting to be a copy of any summons or other process of [F1the county court] , knowing it to be false; or
 - (b) acts or professes to act under any false colour or pretence of the process or authority of [F1the county court] ;
- shall be guilty of an offence and shall for each offence be liable on conviction on indictment to imprisonment for a term not exceeding 7 years.

25. Provide the Case Number authorised by the Court, Magistrate, Clerk of the Court or Justice of the Peace.
26. Provide the official Summons Document with the official Court Seal and Wet Ink Signature of the Magistrate, Clerk of the Court or Justice of the Peace who signed it.
27. Provide evidence that Rule 18.2 of The Criminal Procedural Rules 2010 does not apply to the summons.
The Criminal Procedural Rules 2010
<https://www.legislation.gov.uk/uksi/2010/60/article/18.2/made>
Warrants must be signed
18.2. Every warrant under the Magistrates' Courts Act 1980(1) must be signed by the justice issuing it, unless rule 5.3 permits the justices' clerk to sign it.

28. Provide evidence that Rule 7.4 (3)(c) of The Criminal Procedural Rules 2010 does not apply to the summons.
The Criminal Procedural Rules 2010

<https://www.legislation.gov.uk/uksi/2010/60/article/7.4/made>

Summons, warrant and requisition

7.4. - (1) The court may issue or withdraw a summons or warrant -

(3) A summons or requisition must -

- (a) contain notice of when and where the defendant is required to attend the court;
- (b) specify each offence in respect of which it is issued; and
- (c) identify the person under whose authority it is issued.

29. Provide evidence that recent Case Law does not apply to the issued summons:
Regina v. Brentford Justices, Ex parte Catlin [1975]

“... It must however be remembered that before a summons or warrant is issued the information must be laid before a magistrate and he must go through the judicial exercise of deciding whether a summons or warrant ought to be issued or not. If a magistrate authorises the issue of a summons without having applied his mind to the information, then he is guilty of dereliction of duty and if in any particular justices' clerk's office goes on a practice of summonses being issued without information being laid before the magistrate at all, then a very serious instance of maladministration arises which should have the attention of the authorities without delay...”

Lord Widgery C.J.

30. Provide evidence of Jurisdiction to deal with the matter.
31. Provide evidence of which Jurisdiction the Summons will be dealt with, Civil, Criminal, other?
32. Provide information of which rules will apply, CPR Civil Procedure Rules, Criminal Procedure Rules, other?

33. Be it known, any attempt to hear our NAME(S) in an administrative court setting that does not have royal assent would be an act of treason, according to the law, and we shall require the names of every entity involved for the levelling of charges.
34. We will not allow a plea in our absence, in any administration hearing, or allow a matter to be dealt with by any bulk handling center, or any other place of business, operating without a true judge under an oath, presiding over a court de jure with a trial by jury of 12 of our living peers, in a court of record. Anyone entering a plea without written permission will be considered the defendant and will be responsible for all costs.
35. If an account should ever be brought before any form of court, we shall require it to be evidenced that due process of law has been followed, for "None shall be put to answer without due process of law" [Due Process of Law Act 1368 42 Edw 3 c 3].
36. If it should be evidenced that due process has not been followed, charges of Misfeasance in a public office shall be filed, amongst charges of fraud and fraud upon the court on all parties involved in such.
37. If any liability order is made against ourselves, the man and the woman, your actions will trigger a notification to you that the fee schedule enclosed will have commenced. The fees for servicing said order will be non-negotiable.
38. Any further attempts to contract must be made in writing and delivered by recorded delivery in a non-windowed envelope with a clearly marked physical return address, signed, and identified by living flesh and blood wo/man for liability purposes. Contractual documents cannot be signed by a corporation or legal fiction and must be signed by a real party of interest, not an authorised third party.
39. Please note, we only accept legitimate communication through a recognised official service processor such as the postal service. Any official communication must be sent through the postal service in accordance with the Universal Postal Union Convention 1929. No other forms of communication will be accepted. This includes: any authorised or unauthorised bailiffs, any private corporations, any delivery services, private individuals, hand delivered, electronic mail, sms, WhatsApp, police service, court bailiffs, any private or public individuals or corporations hired by the court, any councils, or any other forms of unwanted service.

Please note, Exhibit E shows a transcript of an audio recording between First Last and Fist Last, Administrator at The Magistrates Court on the date 22.09.2021, 09.23am (Bodmin Magistrates Court, The Law Courts, Launceston Road, Bodmin, Cornwall, PL31 2AL, 01208262700). This transcript clearly shows that Cornwall Council are acting outside of their Jurisdiction, among other fraud, in the issuing of Summons, contradictory to s.78 of The Local Government Act 1888. Please contact me if you require a digital copy of the Audio Recording.

As stated in the Affidavit to Cornwall Council dated 09.08.2021 (Exhibit D) we will not allow a plea in our absence in this matter in any administration hearing, in a court de facto, nor allow this matter to be dealt with by any bulk handling centre, or any other place of business, operating without a judge under oath, presiding over a court de jure with a trial by a jury of 12 of our living peers, in an official court of record. Anyone entering a plea without our written permission will be considered the defendant and will be responsible for all costs.

I trust that you as Section 151 Officer, of Cornwall Council, after reading this notice will change your previous decision and remove the unlawful charge that you have placed against us on our property registered with the Land Registry. The evidence of the Council's fraudulent activity to achieve the charge notice will be provided in the future should this be necessary.

Should you not be able to verify, confirm or deny providing evidence in substance to each and every of the above points, then we move the Court and Cornwall Council to Cease & Desist from administering our property without right, including any unverified future claims against us

Yours sincerely,

Autographed By:

First-Middle. Last.

First-Middle. Last.

Authorised Representative for: FIRST MIDDLE LAST & FIRST MIDDLE LAST
Without Prejudice, All Rights Reserved, None Waived Ever.

Signed this **Twenty Eighth Day of September** in the Year Two Thousand and Twenty-One, A.D.

Witnessed by [in the presence of] Father, Son and the Holy Spirit.
Without Malice, Vexation, Argument, or Merriment.