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The Reclamation and Restoration of Lenapehoking

Notice to Principals — Declaration of Full Restoration of Lenapehoking

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NOTICE TO PRINCIPALS Applicable to all successors and or assigns

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DECLARATION OF FULL RESTORATION OF LENAPEHOKING

The United Cherokee Nation (UCN) – d.b.a.: the CPAIN organization, Cherokee Nation Business, LLC, d.b.a.: The LLC or "Cherokee Nation of New York – New York County" in Indian Country, i.e., United States or Oklahoma.

THE reclamation and restoration of Lenapehoking

Status	Fully Restored / Reclaimed

The territory known as Lenapehoking encompassed all of what is known as present-day New Jersey, most of eastern Pennsylvania, and southern New York. It stretches along the left bank Delaware valley, extending to all of present-day New Jersey, and the southern counties of the territorial New York State, including Rockland, Orange, Westchester, Dutchess and Putnam Counties, Nassau County, and the five boroughs of New York City.

Formerly unrecognized, i.e., a government-in-exile / former country or historical sovereign state, its current status is: RECLAIMED via land acknowledgement, also known as, a territorial acknowledgement. It is a formal statement that acknowledges the indigenous peoples of the land. It may be in written form or merely be spoken at the beginning of public events. The custom of land or territorial acknowledgement is practiced in Canada, Australia, and New Zealand, as well as in the United States, where the practice of land or territorial acknowledgments has been gaining momentum circa 2019.

FYI: A historical sovereign state is a sovereign state that once existed, but has since been dissolved due to conflict, war, rebellion, annexation, or uprising. This may include sovereign states, countries, nations, or empires that ceased to exist as political entities sometime after 1453.

The name of the Lenape country, Lënapehòkink, is derived from the name of the nation itself, i.e., Lënape, which means "real person" or "original person", along with hòki, which originated from the Proto-Algonquian word *axskiy, meaning "land", and the last element, -nk, is the locative case suffix. In grammar, the locative case customarily abbreviated LOC, is a grammatical case which indicates a location. In languages using it, the locative case may perform a function which in English would be expressed with such prepositions as "in", "on", "at", and "by". Lënapehòkink thus translates into "in the land of the Lenape". This term has since gained widespread acceptance and is found widely in recent literature on the Lenape and in New York institutions today as part of land acknowledgement or territorial acknowledgement processes. Another frequently used Lenape term that is often cited when referring specifically to New Jersey for much of the same region is Scheyischbi or Scheyichbi.

Non-judicial punishment of W-2 WARRANT OFFICER

Non-judicial punishment is not to be confused with Extrajudicial punishment. In the United States Armed Forces, non-judicial punishment or NJP is a disciplinary measure that may be applied to individual military personnel, without a need for a court-martial or similar proceedings, such as for a W-2 WARRANT OFFICER.

In the United States Armed Forces, non-judicial punishment is a form of military justice that is authorized by Article 15 of the Uniform Code of Military Justice or UCMJ. Its rules are further elaborated on in various branch policies, as well as the Manual for Courts-Martial. NJP permits commanders to administratively discipline troops without a court-martial. Punishment can range from reprimand to reduction in rank, correctional custody, loss of

pay, extra duty, or restrictions depending on rank of the imposing officer and receiving officer. The receipt of NJP does not constitute a criminal conviction. Rather, it is equivalent to a civil action, but is often placed in the service record of the individual. The process for it is governed by Part V of the Manual for Courts-Martial and by each service branch's regulations.

Non-judicial punishment proceedings are known by different terms among the services. In the Army and the Air Force, NJP is referred to as Article 15; in the Marine Corps it is called being "NJP'd", being sent to "Office Hours", or satirically among the junior ranks, "Ninja Punched". The Navy and the Coast Guard call NJP captain's mast or admiral's mast, depending on the rank of the commanding officer.

Hearing

Prior to imposition of NJP, the commander notifies the accused of the commander's intention to impose punishment, the nature of the misconduct alleged, supporting evidence, and a statement of the accused's rights under the UCMJ. All service members, except those embarked or attached to a vessel currently away from its homeport, have a right to refuse NJP and request a court martial. If the accused does not accept the NJP, the NJP hearing is terminated, and the commander must make the decision of whether to process the service member for court martial. If the accused accepts NJP, the accused can choose to have a hearing or waive said right. If a hearing proceeds, the accused may choose to be accompanied by a spokesperson, i.e., an advocate. The accused may present evidence and witnesses to the commander. The commander must consider any information offered during the hearing and must be personally convinced that the service member committed misconduct before imposing punishment.

Extrajudicial punishment

Extrajudicial punishment is a punishment for an alleged crime or offense which is carried out without legal process or supervision by a court or tribunal through a legal proceeding. In short, it is an extralegal process. Extrajudicial punishment is often politically motivated, and self-proclaimed or internationally recognized democracies have been known to use extrajudicial punishment under certain circumstances.

Although the legal use of capital punishment is generally decreasing around the world, individuals or groups deemed threatening—or even simply "undesirable"—to a government may nevertheless be targeted for punishment by a regime or its representatives. Such actions typically happen quickly, with security forces acting on a covert basis, performed in such a way as to avoid a massive public outcry and/or international criticism that would reflect badly on the state. Sometimes, the killers are agents outside the government, that are aligned with quasi-diplomatic and or quasi-military forces. Criminal organizations, such as La Cosa Nostra, have reportedly been employed for such a purpose. Another possibility is for uniformed security forces to punish a victim, but under circumstances that make it appear as self-defense or suicide.

The former can be accomplished by planting recently fired weapons near the body, the latter by fabricating evidence suggesting suicide. In such cases, it can be difficult to prove that the perpetrators acted wrongly. Because of the dangers inherent in armed confrontation, even police or soldiers who might strongly prefer to take an enemy alive may still kill to protect themselves or civilians and potentially cross the line into extrajudicial murder.

A forced disappearance or enforced disappearance occurs when a person is secretly abducted or imprisoned by a state acting as a polity, a political organization or by a third party with the authorization, support, or acquiescence of a state or political organization, followed by a refusal to acknowledge the person's fate and whereabouts, with the intent of placing the victim outside the protection of the law.

Extrajudicial punishment may be planned and carried out by a particular branch of a state, without informing other branches, or even without having been ordered to commit such acts. Other branches sometimes tacitly

approve of the punishment after the fact. They can also genuinely disagree with it, depending on the circumstances, especially when complex societal intragovernmental or internal policy struggles also exist within a state's policymaking apparatus.

A complex society is a term that is mostly used as shorthand to indicate a society with intricate political organization and using technology to expand economic production. It is characterized by the following modern features: 1) Organizational society wherein its economy is structured according to specialization and a division of labor. These economic features spawn a bureaucratic class and often lead to inequality. Leading to the rise of a ruling elite. 2) Archaeologically, features such as big architectural projects such as temples, palaces, public works etc and prescribed burial rites. 3) Large scale agricultural development, leads to surplus food, which allows members of the society the time for developing and practicing specialized skill sets, other than farming in the traditional sense as opposed to tax farming or financing. 4) Organized political structure and state institutions.

In times of war, natural disaster, societal collapse, or in the absence of an established system of criminal justice, there may be increased incidences of extrajudicial punishment. In such circumstances, police or military personnel may be unofficially authorized to severely punish individuals involved in looting, rioting and other violent acts, especially if caught in flagrante delicto, i.e., is caught red handed. This position is sometimes itself corrupted, resulting in the death of merely inconvenient persons, that is, relative innocents who are just in the wrong place at the wrong time.

UNDERSTANDING THE FICTIVE UNITED STATES GENEALOGY

Imperial genealogists invented early House of Luxembourg forefathers for Charles IV, extending back to Noah via Jupiter and Saturn.

Charles IV allegedly had one illegitimate son named William, born in 1362 to an unknown woman. He was raised in Brabant and seems to have joined his father at the time of the latter's trip to France in 1377. He was acknowledged by his father, who sought a papal dispensation for him to marry within the fourth degree. It is unknown if he ever married. He served his Bohemian relatives as a diplomat, but his ultimate fate remains unknown. His name was Wenceslaus IV. He became King of Bohemia and was known for his tumultuous reign that was marked by political challenges and conflicts.

Wenceslaus IV was born on February 26, 1361, in Nuremberg, as the eldest son of Charles IV, Holy Roman Emperor, and his third wife, Anne of Schweidnitz. He was crowned King of Bohemia in 1363 and later became King of the Romans in 1376. His early life was marked by a privileged upbringing, receiving a comprehensive education that prepared him for leadership. His reign which began after his father's death in 1378, was characterized by significant difficulties. He struggled to maintain control over his territories, facing opposition from the nobility and various factions within the kingdom. His inability to effectively manage these conflicts led to a state of virtual anarchy in Bohemia and Germany. Despite his initial promise, Wenceslaus was often criticized for his indecisiveness and indulgent lifestyle, which included a penchant for hunting and drinking. This reputation for incompetence ultimately resulted in his deposition by the nobility in 1400, after which he was replaced by Rupert of the Palatinate as King of the Romans. His reign is often viewed as a period of decline for the German monarchy, setting the stage for further conflicts, including the Hussite Wars. He died on August 16, 1419, leaving behind an unresolved complex legacy that included both cultural contributions and political turmoil.

The Privilegium maius originated from German: Großer Freiheitsbrief meaning 'greater privilege', is a medieval document that was forged circa 1358 or 1359 at the behest of Duke Rudolf IV of Austria (1358–1365) of the House of Habsburg. The forged document was essentially an altered and expanded version of the Privilegium minus that was previously issued by Emperor Frederick I Barbarossa in 1156, which served to elevate the former March of Austria, i.e., the Territory of Austria, into the status of Duchy of Austria.

The Privilegium Minus was a deed issued by Holy Roman Emperor Frederick Barbarossa on 17 September 1156. It included the elevation of the Bavarian frontier march of Austria (Ostarrîchi) to a duchy or territory, which was given as an inheritable fief to the House of Babenberg.

A deed is a legal document that is signed and delivered, especially concerning the ownership of property or legal rights. Specifically, in common law, a deed is any legal instrument in writing which passes, affirms or confirms an interest, right, or property and that is signed, attested, delivered, and in some jurisdictions, sealed. It is commonly associated with transferring or conveyancing title or legal ownership to property. The deed has a greater presumption of validity and is less rebuttable than an instrument signed by the party to the deed. A deed can be unilateral or bilateral. Deeds include conveyances, commissions, licenses, patents, diplomas, and conditionally powers of attorney if executed as deeds. The deed is the modern descendant of the medieval charter, and delivery is thought to symbolically replace the ancient ceremony of livery of seisin. Livery of seisin is an archaic legal conveyancing ceremony, formerly practiced in feudal England and in other countries following English common law. It was used to convey holdings in real property. The traditional phrase signed, sealed and delivered refers to the practice of using seals; however, attesting witnesses have replaced seals to some extent. An agreement under seal may also be called a contract by deed or a specialty; in the United States, a specialty is enforceable without consideration. In some jurisdictions, specialties have a legal liability limitation period of double that of a simple contract and allow for a third party beneficiary to enforce an undertaking in the deed.

The Margraviate of Austria from the Latin: Marcha Austriae; and German: Markgrafschaft Österreich was a medieval frontier march or territory, was centered along the river Danube, between the river Enns and the Vienna Woods or Wienerwald, within the territory of the modern Austrian provinces of Upper Austria and Lower Austria. The territory was initially created for the defense of eastern Bavarian borders against the Avars, who were defeated and conquered during the reign of Charlemagne (d. 814). Throughout the Frankish period, the region was under jurisdiction of Eastern Frankish rulers, who held Bavaria and appointed frontier commanders or counts in eastern regions. Since 976, it was governed by margraves from the Franconian noble House of Babenberg. The margraviate protected the eastern borders of the Holy Roman Empire, towards neighboring Hungary. It became an Imperial State in its own right when the Austrian margraves were elevated to Dukes of Austria in 1156. The territory existed from c. 970 to 1156.

The Privilegium maius claimed various rights and privileges for the Dukes of Austria. It was the main document from a set of five forged charters, that were devised as a response to the Golden Bull of 1356, issued by Holy Roman Emperor Charles IV who did not include the Duke of Austria among the seven prince-electors of the Holy Roman Empire. Charles IV was elected King of Germany and King of the Romans in 1346, before becoming King of Bohemia as Charles I that same year.

He was a member of the House of Luxembourg from his father's side and the Bohemian House of Přemysl from his mother's side; he emphasized the latter due to his lifelong affinity for the Bohemian side of his inheritance, and also because his direct ancestors in the Přemyslid line included two saints.

The Golden Bull of 1356, was a decree issued by the Imperial Diet, The Holy Roman Empire at Nuremberg and Metz via the Diet of Metz, 1356/57 that was headed by the Emperor Charles IV, also known as Charles of Luxembourg, which established, for a period of more than four hundred years, important aspects of the constitutional structure of the Holy Roman Empire. It was named the Golden Bull for the golden seal it carried. the deliberative body of the Holy Roman Empire.

The Imperial Diet was the deliberative body of the Holy Roman Empire. It was not a legislative body in the contemporary sense; its members envisioned it more like a central forum where it was more important to negotiate than to decide. Its members were the Imperial Estates, that were divided into three colleges. The diet or assembly as a permanent, regularized institution evolved from the Hoftage or court assemblies of the Middle Ages. From 1663 until the end of the empire in 1806, it was in permanent session as the Perpetual Diel of

Regensburg.

An Imperial Estate in Latin: Status Imperii; German: Reichsstand, plural: Reichsstände, was an entity or an individual of the Holy Roman Empire with representation and the right to vote in the Imperial Diet (Reichstag). Rulers of these Estates were able to exercise significant rights and privileges and were "immediate", meaning the only authority above them was that of the Holy Roman Emperor. They were thus able to rule their territories with a considerable degree of autonomy.

The system of imperial states replaced the more regular division of Germany into stem duchies in the early medieval period. A stem duchy in German: Stammesherzogtum, from Stamm, meaning "tribe", in reference to the Franks, Saxons, Bavarians and Swabians, was a constituent or representative duchy or territory of the Kingdom of Germany at the time of the extinction of the Carolingian dynasty with the death of Louis the Child in 911, and through the transitional period leading to the formation of the Ottonian Empire. The medieval German stem duchies in German: Stammesherzogtum, literally "tribal duchy," the official title of its ruler being Herzog or "duke" were associated with the Frankish Kingdom and corresponded with the areas of settlement of the major Germanic tribes. They formed the nuclei of the major feudal states that comprised the early era of the Holy Roman Empire of the German nation circa 961–1806; in German: Heiliges Römisches Reich Deutscher Nation. These were Schwaben or Swabia, mainly the present-day German state of Baden-Württemberg, Bayern (Bavaria), and Sachsen (Saxony) in pre-Carolingian times, to which Franken (Franconia, at present the northern part of the German state of Bavaria) and Lothringen / Lorraine, nowadays mostly part of France were added in post-Carolingian times. As mentioned above, such a duke was styled Herzog literal meaning "the one who is leading [the troops".

A duchy, also called a dukedom, is a country, territory, fief, or domain ruled by a duke or duchess. In Western European tradition, the title of duke ranked among the highest nobility, generally just below the monarch and above counts or earls. Historically, there was a significant distinction between sovereign dukes, who ruled independent states, and dukes who were simply noblemen within larger kingdoms. Some duchies functioned as sovereign states in regions that only later became unified nation-states, such as Germany (once the Holy Roman Empire, a federal empire) and Italy (later a unified kingdom). By contrast, other duchies were subordinate territories within kingdoms that had already consolidated, either partially or fully, during the medieval era: examples include France, Spain, Sicily, Naples, and the Papal States.

A country is a political entity or its territory in the world. They function as sovereign states, unrecognized states, constituent countries, or dependent territories. A country may consist of multiple nations, a structure known as a multinational state. Countries are often distinguished as developing countries or developed countries. There is no universal agreement on the number of "countries" in the world. This ambiguity is a result of several countries not being recognized as sovereign states by the UN system, but are recognized by at least one UN member, known as "diplomatic recognition". These countries often have disputed territories and have only partial recognition. A number of entities without recognition are also commonly considered a country.

Areas other than a political entity may be referred to as a "country," such as the West Country in England, "big sky country", used in various contexts of the American West, "coal country", used to describe coal-mining regions, cottage country or simply "the country", used to describe a rural area. When referring to a specific polity, the term "country" can refer to a sovereign state, state with limited recognition, constituent country and dependent territory. A sovereign state is a political entity that has supreme legitimate authority over a part of the world. There is no universal agreement on the number of "countries" in the world since several states have disputed sovereignty status, and a number of non-sovereign entities are commonly called countries.

The Carolingians had dissolved the original tribal duchies in the 8th century, but as the Carolingian Empire declined during the 9th century, the old tribal areas assumed new identities. The five stem duchies, sometimes also called "younger stem duchies" in contrast to the pre-Carolingian tribal duchies were, Bavaria, Franconia,

Lotharingia, Saxony and Swabia / Alamannia, The Salian emperors reigned from 1027–1125 and retained the stem duchies as the major divisions of Germany, but already during the reign of Hohenstaufen emperors who reigned 1138–1254, until the process of their dissolution was formalized, leading to divisions of traditional stem duchies into smaller and more numerous territorial duchies.

> The term Stammesherzogtum as used in German historiography dates to the mid-19th century, and from the beginning was closely related to the question of national unification. The term's applicability, and the nature of the stem duchies in medieval Germany, consequently have a long history of controversy.

The overly literal or etymologizing English translation "stem duchy" was coined in the early 20th century. While later authors tend to clarify the term by using the alternative translation "tribal", use of the term "stem duchies" has become conventional. The old Carolingian stem duchies were retained as the major divisions of Germany under the Salian dynasty, but they became increasingly obsolete during the early high medieval period under the Hohenstaufen, and they were finally abolished in 1180 by Frederick Barbarossa in favor of more numerous territorial divisions. From 1489, the Imperial Estates represented in the Diet were divided into three chambers, the college of prince-electors (Kurfürstenkollegium/den Kurfürstenrat), the college of imperial princes (Reichsfürstenrat) and the college of imperial cities. Counts and nobles were not directly represented in the Diet in spite of their immediate status, but were grouped into "benches" (Grafenbänke) with a single vote each. Imperial Knights and imperial villages had immediate status but were not represented in the Diet.

The Free Imperial Knights in German: Reichsritter, and in Latin: Eques imperii, were free nobles of the Holy Roman Empire, whose direct overlord was the Emperor. They were the remnants of the medieval free nobility (edelfrei) and the ministeriales. What distinguished them from other knights, who were vassals of a higher lord, was that they had been granted imperial immediacy, and as such were the equals in most respects to the other individuals or entities, such as the secular and ecclesiastical territorial rulers of the Empire, such as margraves, dukes, princes, counts, archbishops, bishops, abbots, etc., and the free imperial cities, that also enjoyed Imperial immediacy. However, unlike all of those, the Imperial knights did not possess the status of Estates (Stände) of the Empire, and therefore were not represented, individually or collectively, in the Imperial Diet. They tended to define their responsibilities to the Empire in terms of feudalized obligations to the Emperor, including personal service and strictly voluntary financial offerings paid to the Emperor himself. To protect their rights and avoid vassalage to more powerful nobles, they organized themselves into three unions termed Partheien, in the late 15th century and into a single body in 1577 and fought to win recognition. This status, beholden only to the Emperor himself rather than through a more powerful noble, meant the Imperial Knights were "immediate subjects", their fealty was unmediated by another lord. As such, the Imperial Knights exercised a limited form of sovereignty within their territories.

The Imperial Knighthood was a regional phenomenon limited to southwestern and south-central Germany—Swabia, Franconia and the Middle Rhine area—zones which were highly fragmented politically and where no powerful states were able to develop. In northern and northeastern Germany, as well as in Bavaria and the Archduchy of Austria, the local nobles, facing larger states and stronger rulers, were incapable of developing and maintaining their independence. They formed the territorial nobility. The immediate status of the Imperial Knights was recognized at the Peace of Westphalia. They never gained access to the Imperial Diet, the parliament of lords, and were not considered Hochadel, the high nobility, belonging to the Lower Nobility. From 1489 onwards, the Imperial Diet or Assembly, was divided into three collegia: the Council of Electors, the Council of Princes, and the Council of Cities. Electoral states belonged to the Council of Electors; other states, whether ecclesiastical or secular, belonged to the Council of Princes.

> Electors: The Electoral College (Kurfürstenrat) was led by the prince-archbishop of Mainz in his capacity as archchancellor of Germany.

Princes: The college of Imperial princes (Reichsfürstenrat or Fürstenbank) incorporated the Imperial counts as well as immediate lords, prince-bishops and Imperial abbots. Strong in members, though often discordant, the second college tried to preserve its interests against the dominance of the Prince-electors. he House of Princes was again subdivided into an ecclesiastical and a secular bench. Remarkably, the ecclesiastical bench was headed by the—secular—Archduke of Austria and the Burgundian duke of the Habsburg Netherlands, held by Habsburg Spain from 1556. As the Austrian House of Habsburg had failed to assume the leadership of the secular bench, they received the guidance over the ecclesiastical princes. The first ecclesiastical prince was the archbishop of Salzburg as Primas Germaniae; the prince-archbishop of Besançon, though officially a member until the 1678 Treaty of Nijmegen, did not attend the Diet's meetings.

Cities: The college of Imperial Cities (Reichsstädtekollegium) evolved from 1489 onwards. It contributed greatly to the development of the Imperial Diets as a political institution. Nevertheless, the collective vote of the cities was of inferior importance until a 1582 Recess of the Augsburg Diet. Until 1582 the votes of the Free and Imperial Cities were only advisory. None of the rulers below the Holy Roman Emperor ranked as kings, with the exception of the Kings of Bohemia. The college was led by the city council of the actual venue until the Perpetual Diet in 1663, when the chair passed to Regensburg. The Imperial cities also divided into a Swabian and Rhenish bench. The Swabian cities were led by Nuremberg, Augsburg and Regensburg, the Rhenish cities by Cologne, Aachen and Frankfurt.

In June 2013, the Golden Bull was included in the UNESCO's Memory of the World Register.

Votes were held in right of the states, rather than personally. Consequently, an individual ruling several states held multiple votes; similarly, multiple individuals ruling parts of the same state shared a single vote. These rules were not formalized until 1582; before then, when multiple individuals inherited parts of the same state, they sometimes received a vote each. Votes were either individual or collective. Princes and senior clerics generally held individual votes but such votes, as noted above, were sometimes shared. Prelates, abbots and priors, without individual votes were classified into two benches: the Bench of the Rhine and the Bench of Swabia. Each of these had a collective vote. Similarly, Counts were grouped into four comital benches with one collective vote each: the Upper Rhenish Bench of Wetterau, the Swabian Bench, the Franconian Bench and the Westphalian Bench.

No elector ever held multiple electorates; nor were electorates ever divided between multiple heirs. Hence, in the Council of Electors, each individual held exactly one vote. An example of this was when Charles Theodore, Elector Palatine, inherited the Electorate of Bavaria in 1777, the vote of the Palatinate was nullified. However, Electors who ruled states in addition to their electorates also voted in the Council of Princes; similarly, princes who also ruled comital territories voted both individually and in the comital benches. In the Reichstag in 1792, for instance, the Elector of Brandenburg held eight individual votes in the Council of Princes and one vote in the Bench of Westphalia. Similarly, among ecclesiastics, the Grand Master of the Teutonic Order held one individual vote in the Council of Princes and two in the Bench of the Rhine.

Apart from the highest tiers of the emperor, kings, prince-bishops and the prince electors, the estates are represented in groups of four. The number of quaternions was usually ten, in descending order of precedence Dukes (Duces), Margraves (Marchiones), Landgraves (Comites Provinciales), Burggraves (Comites Castrenses), Counts (Comites), Knights (Milites), Noblemen (Liberi), Cities (Metropoles), Villages (Villae) and Peasants (Rustici). By the mid-16th century to as many as 45.

As has been noted from an early time, this representation of the "imperial constitution" does not in fact represent the actual constitution of the Holy Roman Empire, as some imperial cities appear as "villages" or even "peasants". E.g. the four "peasants" are Cologne, Constance, Regensburg and Salzburg. The Burggrave of Stramberg or Stromberg, Straburg, Strandeck, and variants, was an unknown entity even at the time. The representation of imperial subjects is also far from complete. The "imperial quaternions" are, rather, a more or

less random selection intended to represent pars pro toto the structure of the imperial constitution.

In order to strengthen various Habsburg claims and aspirations, a set of five documents was produced, main among them being the Privilegium maius that was elevating the Dukes of Austria among the Palatine Archdukes, a newly coined term used only once in the document, as an honorary designation, ranking with prince-electors. That formulation thus became the very basis for the title Archduke of Austria, and the consequent elevation of the Duchy of Austria to the Archduchy of Austria. Emperor Charles IV refused to accept and approve claims from the document, and only in 1453 the Privilegium maius was finally confirmed and enacted by Emperor Frederick III, himself a Habsburg. The rights and privileges contained within that document, and also within other four forgeries from the same set, had great influence on the Austrian political landscape, particularly after the 1453 confirmation, and thus created a unique connection between Austria and the ruling House of Habsburg, and the same connection was later continued by the succeeding House of Habsburg-Lorraine.

The Imperial villages were the smallest component entities of the Holy Roman Empire. They possessed imperial immediacy, having no lord but the Holy Roman Emperor, but were not Imperial estates. They were unencircled and did not have representation in the Imperial Diet or assembly. In all these respects they were similar to the Imperial Knights; the inhabitants of imperial villages were free men who are not serfs or similar feudal status. The imperial villages—relics of the royal demesne during the era of the Hohenstaufen—were all located in southern and western Kingdom of Germany and in Alsace. Originally there were 120 villages, but this number was greatly reduced during the early modern period. At the Peace of Westphalia in 1648, forty imperial villages in Alsace passed to the Kingdom of France. In this Alsatian group were several even smaller entities known as imperial hamlets (Reichsweiler).

At the time of the Reichsdeputationshauptschluss or "Principal Conclusion of the Extraordinary Imperial Delegation", the final Imperial reform in 1803, only five imperial villages remained: Gochsheim, Sennfeld, Holzhausen, Bad Soden and Sulzbach, Hesse. Holzhausen was a condominium village, two thirds of which was immediate to the Holy Roman Emperor and the remaining third subject to various landlords.

Condominium is an invented Latin word formed by adding the prefix con- 'together' to the word dominium 'dominion, ownership'. Its meaning is, therefore, 'joint dominion' or 'co-ownership'.

Condominia (the Latin plural of condominium) originally referred to territories over which two or more sovereign powers shared joint sovereignty. This technique was frequently used to settle border disputes when multiple claimants could not agree on how to partition the disputed territory. For example, from 1818 to 1846, Oregon Country was a condominium over which both the United States and Great Britain shared joint sovereignty until the Oregon Treaty resolved the issue by splitting the territory along the 49th parallel and each country gaining sole sovereignty of one side

In addition, the Free Men of the Leutkircher Heath in the Allgäu constituted a free peasant republic often counted among the imperial villages. Although constitutionally the smallest entities of the Empire, the size of an imperial village varied. Territory of the Free Men of the Leutkircher Heath surrounded the Imperial City of Leutkirch on three sides and its area was nearly four times as large.

These villages had preserved their rights of justice and their free status for centuries without force of arms, a "testimony to the progressive 'juridification' of the Reich.

The Reichsdeputationshauptschluss formally the Hauptschluss der außerordentlichen Reichsdeputation, or "Principal Conclusion of the Extraordinary Imperial Delegation", sometimes referred to in English as the Final Recess or the Imperial Recess of 1803, was a resolution passed by the Reichstag, i.e., Imperial Diet of the Holy Roman Empire on 24 February 1803. It was ratified by the Emperor Francis II and became law on 27 April.

All Imperial Estates enjoyed Imperial Immediacy and, therefore, they had no authority above them besides the Holy Roman Emperor himself. While all the estates were entitled to a seat and vote, only the higher temporal and spiritual princes of the College of Princes enjoyed an individual vote (Virilstimme), while lesser estates such as imperial counts and imperial abbots, were merely entitled to a collective vote (Kuriatstimme) within their particular bench (Curia), as did the free imperial cities belonging to the College of Towns. The right to vote rested essentially on a territorial entitlement, with the result that when a given prince acquired new territories through inheritance or otherwise, he also acquired their voting rights in the diet. In general, members did not attend the permanent diet at Regensbur but sent representatives instead. The late imperial diet was in effect a permanent meeting of ambassadors between the estates. The right to vote rested essentially on a territorial entitlement, with the result that when a given prince acquired new territories through inheritance or otherwise, he also acquired their voting rights in the diet. In general, members did not attend the permanent diet at Regensburg, but sent representatives instead. The late imperial diet was in effect a permanent meeting of ambassadors between the estates. Until the late 15th century the Diet was not formalized as an institution. Instead, the dukes and other princes would irregularly convene at the court of the emperor. These assemblies were usually referred to as Hoftage from German Hof "court". Only beginning in 1489 was the Diet called the Reichstag, and it was formally divided into collegia or "colleges". Initially, the two colleges were of the prince-electors and of the remaining dukes and princes.

Later, the imperial cities with Imperial immediacy became oligarchic republics independent of a local ruler, subject only to the emperor himself, and managed to be accepted as third parties. Motions passed if two of the colleges approved. Generally, the princely and electoral colleges would agree with each other, rather than rely on the cities to make a decision, but the cities still had influence. Several attempts to reform the Empire and end its slow disintegration, starting with the Diet of 1495 or Assembly of 1495, did not have much effect. In contrast, this process was hastened with the Peace of Westphalia of 1648, which formally bound the emperor to accept all decisions made by the Diet, in effect depriving him of his few remaining powers. Nonetheless, the emperor still had substantial influence in the Diet. The Habsburg emperors possessed a large number of votes, and even held command over the Imperial Army of the Holy Roman Empire, if the Diet decided to raise it. Probably the most famous Diets were those held in Worms in 1495, where the Imperial Reform was enacted, and 1521, where Martin Luther was banned, see Edict of Worms, the Diets of Speyer 1526 and 1529, see Protestation at Speyer, and several in Nuremberg, see Diet of Nuremberg. Only with the introduction of the Perpetual Diet of Regensburg in 1663 did the Diet permanently convene at a fixed location. The Imperial Diet of Constance opened on 27 April 1507; it recognized the unity of the Holy Roman Empire and founded the Imperial Chamber, or Reichskammergericht, the empire's supreme court.

The Reichskammergericht, German for 'Imperial Chamber Court'; German: Latin: Iudicium imperii, was one of the two highest judicial institutions in the Holy Roman Empire, the other one being the Aulic Council in Vienna. It was founded in 1495 by the Imperial Diet in Worms. All legal proceedings in the Holy Roman Empire could be brought to the Imperial Chamber Court, except if the ruler of the territory had a so-called privilegium de non appellando, in which case the highest judicial institution was found by the ruler of that territory, though the privilege could be bypassed if a litigant could claim they had been denied due process. Another exception was criminal law in which the Imperial Chamber Court could intervene only if basic procedural rules had been violated.

The "province of the Imperial Chamber", as it came to be gradually defined by statute and use, extended to breaches of the public peace, cases of arbitrary distraint, i.e., property seizure / evictions / ejectments or imprisonment, pleas which concerned the treasury, violations of the Emperor's decrees or the laws passed by the Imperial Diet, disputes about property between immediate tenants of the Empire or the subjects of different rulers, and finally suits against immediate tenants of the Empire, with the exception of criminal charges and matters relating to imperial fiefs, which went to the Aulic Council. In all of its business, it suffered

from the competition of the Aulic Council. The competition between the Aulic Council and the Imperial Chamber was finally regulated by the Peace of Westphalia in 1648, which laid down that the court which first dealt with a case should alone have competence to pursue it.

Unlike the Reichskammergericht, which was tied to the Imperial estates, the Aulic Council was tied directly to the Holy Roman Emperor. It had not only concurrent jurisdiction with the Reichskammergericht, but in many cases exclusive jurisdiction: the Aulic Council had exclusive jurisdiction in all "feudal" processes, and in criminal affairs, over the immediate subjects of the Emperor and in affairs which concerned the Holy Roman Empire, and more. It did not have a single set seat, rather, it was bound with the Emperor's residences. Prague, Wels, and Frankfurt, were all sites of the court but the most important seat of the Aulic Council was at the Hofburg residence of the Habsburg emperors in Vienna.

The Aulic Council handled both judicial and political matters, and the distinction between both is not always easy to make. The Aulic Council did not try to make a distinction between the two, calling all of its cases causae. It often emphasized mediation over formal verdicts and frequently employed "commissions" to facilitate compromises between parties, and sometimes the act of filing a complaint with the Council was sufficient to encourage settlement. Both the Aulic Council and the Reichskammergericht demonstrated their moderating influence in witch trials: both courts tried to (and with some success managed to) prevent excessive cruelty in the proceedings. When required, the Aulic Council had a formalized method of issuing verdicts, mainly through use of military force, and enlisted help from "commissions" consisting of princes in Imperial Circles. Such enforcement was legitimized by the Emperor. The Aulic Council could enforce many of its verdicts, even against stronger members of the Empire (ex. Prussia), without using force, to the extent that Frederick William I of Prussia, the famous "Soldier King", partook in bribing members of the Aulic Council in hopes of securing more favorable verdicts, to avoid being contumacious. These enforcement and arbitration mechanisms all helped establish the principle of juridification in the Empire.

Like the Reichskammergericht, the Aulic Council was an appeals court, in which matters that could not be settled at a lower level were brought to the it for deliberation.

The Aulic Council commonly dealt with feudal disputes. These included "imperial overlordship, protecting imperial fiefs, all issues relating to investitures, inheritance, pawning, or purchase of fiefs, and all sorts of lawsuits related to these matters." The Aulic Council also dealt with constitutional disputes, especially in Imperial cities and imperial knightly territories. It also proved to be a major court when it came to succession disputes within the Empire. For example, the Aulic Council was charged with dealing with cases such as the Jülich Succession and the succession in the Ernestine duchies. Internal conflicts between rulers and their subjects were also commonly brought to the Aulic Council. See the Examples of Cases Studied section below for more information. Uniquely, the Aulic Council also had exclusive rights over judicial matters in the Kingdom of Italy.

The Aulic Council was also often concerned with private law, and often heard economic disputes, disputes over sovereign rights, disputes between princes and provincial diets, and disputes between landowners and subjects.

The court processed also imperial privileges, issuing letters of safe conduct, passage, and protection, granted legitimation of bastard children, and confirmed various contracts and wills.

The Aulic Council was meant to serve as a supreme court for the Habsburg crownlands, but by the end of the 17th century, this was no longer the case, so most cases came from elsewhere in the Empire. An exception to this were Jewish litigations, who were protected by the Holy Roman Emperor and as such could petition their complaints to the council, even if in the Habsburg crownlands. Oftentimes, Jewish businessmen would use the Aulic Council to sue princes for nonpayment of debts

The Aulic Council also possessed the right to watch over finances of princes and deal with maladministration through the Debit Commission (Debitkommissionen). The court had the right to prevent princes or free cities from taking too much debt, by holding the power to authorize large loans, although this was often bypassed. If a prince defaulted, the council could appoint a commission that would take over the governing of the land until the debt was repaid. In this time, the prince would be granted a pension. This was probably tolerated by the imperial princes since it enhanced their credit amongst lenders. Through its management of princely finances, the court saved many noble houses from financial ruin, such as the Dukes of Saxe-Hildburghausen.

The Aulic Council frequently intervened in the constitutions of Imperial Cities. Before and during the 30 Years' War, Emperors used the Aulic Council to achieve religious peace in the cities. This meant compromising municipal governments. The Peace of Westphalia changed this, by making the compromises unnecessary by establishing religious status-quo, and this led to city citizens addressing many complaints to the Aulic Council. During Charles VI's reign, with guidance from Vice-Chancellor Schönborn, Imperial policy was attempting to make the administration in the Imperial Cities more uniform, and to tie them closer to the Emperor. Examples of such include Aulic Council verdicts pertaining to constitutional conflict in Frankfurt and Augsburg, which restricted the power of city governments in favor of the citizens. Leopold Auer states that this caused the Aulic Council to function almost like a "constitutional high court.

The Aulic Council, i.e., the appeals court, and the Reichskammergericht both protected the rights of the people against local governments. The court's power could even bypass the Privilegium de non appellando, if the litigants could credibly show that they had been denied due process. Within the Holy Roman Empire, the privilegium de non appellando meaning privilege of not appealing, was a privilege that could be granted by the Holy Roman Emperor to an imperial estate. It limited the right of an estate's subjects to appeal cases from territorial courts to either of the imperial supreme courts, the Imperial Chamber Court (Reichskammergericht) or the Imperial Aulic Council (Reichshofrat). The privilege itself could be limited (limitatum) or unlimited (illimitatum). When unlimited, it effectively turned the highest territorial court into a court of last resort.

The privilege was highly prized by imperial estates, both because it lent prestige and because it furthered the integration of their administration by cutting off their judiciary from the rest of the Empire. Between the 16th and 18th century, virtually all the larger estates received the privilege. Almost all the Habsburg lands also had the privilege. Even the unlimited privilege was not in fact absolute. It did not apply when a subject was given no recourse to territorial courts causing refusal of justice termed Rechtsverweigerung or when a ruler refused to implement a court decision causing delay of justice, Rechtsverzögerung). In such cases the subject could go to an imperial court.

Low funds and low social status did not hamper one from appealing to the court, as the Aulic Council was required to provide counsel free of charge. The Reichskammergericht had a similar establishment. Peasants often sought audiences with the Emperor, with some travelling from distant parts of the Empire. The Emperor would generally give a formulaic response: "You shall have justice" (Euch wird Recht werden), before turning over the case to the Aulic Council. The Aulic Council was not an unconditional defender of the rights of subjects. There were occasions where it sided with an overlord.

In addition to the aforementioned responsibilities, the Aulic Council also dealt with house pacts and family disputes. An example of this is the Nassau Family Pact, which was submitted to review by the Aulic Council.

The Nassau Family Pact was a mutual pact of inheritance and succession made in 1783 by princes of the House of Nassau. It confirmed that Salic Law was to operate in favor of all the agnatic lines of the family, specifically the two senior surviving lines which had originated in the Middle Ages, the Walramian and the Ottonian. The pact chiefly provided that in case of one of these lines becoming extinct, the other would succeed in its hereditary Nassau lands. In short, "the main concept of the pact was that if either the Ottonian or Walramian male line would become extinct the other line would succeed".

The pact was agreed to be applied to "Imperial fiefs" which meant those territories owned or acquired in the then Holy Roman Empire. The pact thus in 1890 determined the succession of the Grand Duchy of Luxembourg, a territory acquired into the dynasty only after the pact was sealed, but in exchange for the handing of some of the Nassau-lands of the Ottonian branch to Prussia and that at the time became a member of the German Confederation, a body that was regarded as the successor to the Holy Roman Empire. The pact did not apply to the succession in the Kingdom of the Netherlands, a state not regarded as formerly German. Luxembourg was thus inherited by the Weilburg branch, the only extant branch from that date onward.

In 1907, the Grand Duke of Luxembourg, William IV, head of the House of Nassau, determined that the branch of the Count of Merenberg was, as morganatic, incapable to succeed to the sovereignty of the House of Nassau. This effectively meant that the Grand Duke himself was then the only surviving agnate of the House. Having himself only daughters, he felt the need to organize the succession further and remedy some of the undefined points. In April 1907 the Grand Duke decreed, which was approved in July 1907 by legislature of Luxembourg and thereafter enacted amendments to the house law of Nassau.

The succession law thus amended governs the current succession in Luxembourg, and apparently the succession specifically provided by the pact itself is fulfilled and its impact is exhausted. Marie-Adélaïde succeeded according to the 1907 law, an outcome that was identical with the stipulations of the pact. In the event that any successions of the House of Nassau outside Luxembourg to need to be adjudicated afterwards, it is unclear what the pact would provide — whether a line identical with that of modern Luxembourg's, or different.

House laws in German: Hausgesetze are rules that govern a royal family or dynasty in matters of eligibility for succession to a throne, membership in a dynasty, exercise of a regency, or entitlement to dynastic rank, titles and styles. Prevalent in European monarchies during the nineteenth century, few countries have house laws any longer, so that they are, as a category of law, of more historical than current significance. If applied today, house laws are mostly upheld by members of royal and princely families as a matter of tradition. Some dynasties have codified house laws, which then form a distinct section of the laws of the realm, e.g., Monaco, Japan, Liechtenstein and, formerly, most of Germany's principalities, as well as Austria and Russia. Other monarchies had few laws regulating royal life. In still others, whatever laws existed were not gathered in any particular section of the nation's laws. In Germany, where many dynasties reigned as more or less independent sovereigns, laws governing dynastic rights constituted a distinct branch of jurisprudence called private princely law (Privatfürstenrecht). The house laws of the German ruling families had a direct influence on Scandinavian kingdoms including Denmark and Sweden.

Where they have existed, dynastic house laws have often been extraordinary compared to other national laws. The house laws of the families of the Austrian and German emperors were not made public until after the fall of the monarchy in 1918. Luxembourg's grand duke has made modifications to his country's dynastic law that remain unknown to the public at present. Russia's house laws were applied—or not—at the tsar's discretion. Even today, the house laws of the dynasty that has exclusive right to succeed to the throne of Liechtenstein may not be amended by either the parliament or populace of the principality, and until the late 1990s the reigning Prince could not be dethroned except according to the house law—which stipulated that ouster was only possible by a vote of his own family members. Such house laws and the dynastic rules which deny parliaments or other democratic bodies any role in determining them, are obviously problematic for constitutional monarchies like those now found in many modern European nations.

European dynasties dethroned at the end of World War I continue to enforce their house laws even though they had no legal authority to do so. Some continued doing so through the 20th century in Bourbon-Sicily, Braganza, Prussia, Württemberg. Governments in extant monarchies, without calling the legal mechanisms house laws, have generally strengthened their control over the marriages of members of their royal families since the second half of

the 20th century. Previously a prince could often morganatically marry a woman not deemed acceptable as a royal consort, relegating her and their children to a sub-royal status. That is rarely an option anymore. In most Western European monarchies of today, a prince must renounce or forfeit membership in the royal house if his chosen spouse is not deemed suitable, e.g., Prince Friso of Orange-Nassau.

In some cases, house laws are rules or traditions that are treated as if they have the force of law. In the United Kingdom an example of this might be considered the custom whereby a wife shares in her husband's hereditary titles and rank. While this is settled common law with respect to the wives of peers and commoners, it is less clear when it comes to consorts of the king and princes. When, in 1923, Prince Albert, Duke of York became the first male member of the British royal family to marry a non-princess in more than 300 years with the sovereign's approval, an announcement was apparently issued by Buckingham Palace and carried in the London Gazette and The Times, "It is officially announced that, in accordance with the settled general rule that a wife takes the status of her husband, Lady Elizabeth Bowes-Lyon on her marriage has become Her Royal Highness the Duchess of York, with the status of a Princess".

This issue was revisited by the British government in both 1937 and 2005, when the marriages of former and future kings to divorcées cast into doubt what titulature was appropriate for women who were to become, essentially, the private wives of royal princes. As can be gleaned from discussions at the time, popular certainty that "a woman is entitled to share her husband's status", has by no means been seen as absolutely clear by government experts and lawyers upon examining the matter. In the case of the marriage of Prince Charles to Camilla Parker Bowles, in 2005, the matter was settled by the decision that Camilla, whilst legally the Princess of Wales, would only use her secondary title of Duchess of Cornwall, out of respect to public sensibilities and to her predecessor, Diana, Princess of Wales.

Allod – Historic type of land estate

Assarting – Clearing of forested lands for use in agriculture or other purposes

Frälse – Socially privileged class in Sweden

Land tenure – Legal regime in which area owned by an individual is held by another person

Lord paramount – Feudal overlord: a lord with no obligations to a higher lord

Manorialism – Economic, political, and judicial institution during the Middle Ages in Europe

Mark system

Microstate – Sovereign state having a very small population or very small land area

Nulle terre sans seigneur – Principle of feudal systems

Numa Denis Fustel de Coulanges – French historian and religious scholar (1830–1889)

Odellsrett – Scandinavian family land laws

Property tax in the United States

Quia Emptores – English statute of 1290

Serfdom – Status of peasants under feudalism

Slander of title

Torrens title – Land registration and land transfer system

The status of an Estate was normally attached to a particular territory within the Empire, but there were some reichsständische Personalisten, or "persons with Imperial statehood". Originally, the Emperor alone could grant that status, but in 1653, several restrictions on the Emperor's power were introduced. The creation of a

new Estate required the assent of the College of Electors and of the College of Princes, i.e., Reichstag. The ruler was required to agree to accept Imperial taxation and military obligations. Furthermore, the Estate was required to obtain admittance into one of the Imperial Circles. Theoretically, personalist Estates were forbidden after 1653, but exceptions were often made. Once a territory attained the status of an Estate, it could only lose that status under very few circumstances. A territory ceded to a foreign power ceased to be an Estate.

From 1648 onwards, inheritance of the Estate was limited to one family; a territory inherited by a different family ceased to be an Estate unless the Emperor explicitly allowed otherwise. Finally, a territory could cease to be an Imperial Estate by being subjected to the Imperial ban, the most notable example involved Frederick V, Elector Palatine, who was banned in 1621 for his participation in the Bohemian Revolt, i.e., an uprising of the Bohemian estates against the rule of the Habsburg dynasty that began the Thirty Years' War. In the German mediatization between 1803 and 1806, the vast majority of the Estates of the Holy Roman Empire were mediatized. They lost their Imperial immediacy and became part of other Estates. The number of Estates was reduced from about three hundred to about thirty. Mediatization went along with secularization: the abolition of most of the ecclesiastical Estates. This dissolution of the constitution of the structure of the empire was soon followed by the dissolution of the empire itself, in 1806.

Rights and privileges: Rulers of Imperial States enjoyed precedence over other subjects in the Empire. Electors were originally styled Durchlaucht (Serene Highness), princes Hochgeboren (high-born) and counts Hoch- und Wohlgeboren (high and well-born). In the eighteenth century, the electors were upgraded to Durchläuchtigste (Most Serene Highness), princes to Durchlaucht (Serene Highness) and counts to Erlaucht (Illustrious Highness).

Imperial States enjoyed several rights and privileges. Rulers had autonomy inasmuch as their families were concerned; in particular, they were permitted to make rules regarding the inheritance of their states without imperial interference. They were permitted to make treaties and enter into alliances with other Imperial States as well as with foreign nations. The electors, but not the other rulers, were permitted to exercise certain regalian powers, including the power to mint money, the power to collect tolls and a monopoly over gold and silver mines.

Count or Countess is a historical title of nobility in certain European countries, varying in relative status, generally of middling rank in the hierarchy of nobility. Especially in earlier medieval periods the term often implied not only a certain status, but also that the count had specific responsibilities or offices. The etymologically related English term "county" denoted the territories associated with some countships, but not all. The title of count is typically not used in England or English-speaking countries, with the equivalent title earl used instead. As a feminine form of earl never developed, the female equivalent countess is retained. The word count came into English from the French comte, itself from Latin comes—in its accusative form comitem. In Latin, which continued to be used throughout the Middle Ages, the word literally meant "companion" or "attendant", and as a title it indicated that someone was delegated to represent the ruler. In the late Roman Empire, the Latin title comes denoted the high rank of various courtiers and provincial officials, either military or administrative.

In the Western Roman Empire, "count" came to indicate generically a military commander but was not a specific rank. In the Eastern Roman Empire, from about the seventh century, "count" was a specific rank indicating the commander of two centuriae, i.e., 200 men. The medieval title of comes was, as in the Roman empire, originally not hereditary. It was regarded as an administrative official dependent on the king, until the process of allodialization via allodial title during the 9th century in which such titles came to be private possessions of noble families. By virtue of their large estates, many counts could pass the title to their heirs—but not always. For instance, in Piast Poland, the position of komes was not hereditary, resembling the early Merovingian institution. The title had disappeared by the era of the Polish–Lithuanian Commonwealth,

and the office had been replaced by others. Only after the Partitions of Poland did the title of "count" resurface in the title hrabia, derived from the German Graf. In the Frankish kingdoms in the early Middle Ages, a count might also be a count palatine, whose authority derived directly over a royal household, a palace in its original sense of the seat of power and administration. This other kind of count had vague antecedents in Late Antiquity too: the father of Cassiodorus held positions of trust with Theodoric, as comes rerum privatarum, in charge of the imperial lands, then as comes sacrarum largitionum ("count of the sacred doles"), concerned with the finances of the realm.

Land attached to title: It is only after some time that the continental medieval title came to be strongly associated with the ownership of and jurisdiction over specific lands, which led to evolution of the term county to refer to specific regions. The English term county, used as an equivalent to the English term shire or county seat, is derived from the Old French conté or cunté which denoted the jurisdiction of a French count or viscount. The modern French is comté, and its equivalents in other languages are contea, contado, comtat, condado, Grafschaft, graafschap, etc., cf. conte, comte, conde, Graf. The title of Count also continued to exist in cases which are not connected to any specific to a geographical "county".

In the United Kingdom, the equivalent "Earl" can also be used as a courtesy title for the eldest son of a duke or marquess. In the Italian states, by contrast, all the sons of certain counts were little counts (contini). In Sweden there is a distinction between counts (Swedish: greve) created before and after 1809. All children in comital families elevated before 1809 were called count/countess. In families elevated after 1809, only the head of the family was called count, the rest have a status similar to barons and were called by the equivalent of "Mr/Ms/Mrs", before the recognition of titles of nobility was abolished.

Allodial title constitutes ownership of real property, i.e., land, buildings, and fixtures that is independent of any superior landlord. Allodial title is related to the concept of land held "in allodium", or land ownership by occupancy and defense of the land. Property owned under allodial title is referred to as allodial land, allodium, or an allod.

In the Domesday Book of 1086 it is called alod. Historically, allodial title was sometimes used to distinguish ownership of land without feudal duties from ownership by feudal tenure which restricted alienation and burdened land with the tenurial rights of a landholder's overlord or sovereign.

Most property ownership in common law jurisdictions is fee simple. In the United States, the land is subject to eminent domain or condemnation by federal, state and local government, and subject to the imposition of taxes by state and/or local governments, and there is thus no true allodial land. Some U.S. states within the United States notably, Nevada and Texas have provisions for considering land allodial under state law, and the term may be used in other circumstances. Land is "held of the Crown" in England and Wales and other jurisdictions in the Commonwealth realms. Some land in the Orkney and Shetland Islands, known as udal land, is held in a manner akin to allodial land in that these titles are not subject to the ultimate ownership of the Crown.

In France, while allodial title existed before the French Revolution, it was rare and limited to ecclesiastical properties and property that had fallen out of feudal ownership. After the French Revolution, allodial title became the norm in France and other civil law countries that were under Napoleonic legal influences. In October 1854, the seigneurial system of Lower Canada, which had been ceded from France to Britain in 1763 at the conclusion of the Seven Years' War, was extinguished by the Seigneurial Tenures Abolition Act of October 1854, and a form similar to socage replaced it.

In legal systems, allodial lands are the absolute property of their owner and not subject to any rent, service, or acknowledgment to a superior. Allodial title is therefore an alternative to feudal land tenure. However, historian J. C. Holt states that "In Normandy the word alodium, whatever its sense in other parts of the Continent, meant not land held free of seigneurial services, but land held by hereditary right", and that "alodium and feodum should

be given the same meaning in England".

Allodium, meaning "land exempt from feudal duties", is first attested in English-language texts in the 11th-century Domesday Book was written in Latin but was borrowed from Old Low Franconian *allōd, meaning "full property", and attested in Latin as e.g., alodis, alaudes, in the Salic law at c. A.D. 507–596, and other Germanic laws. The word is a compound of *all "whole, full" and *ōd "estate, property", see cf. Old Saxon ōd, Old English ead, Old Norse auðr.

Allodial tenure appears to have been common throughout northern Europe, but is now unknown in common law jurisdictions apart from the United States, Scotland and the Isle of Man. An allod could be converted into a fief, by the owner surrendering it to a lord and receiving it back as a fief. Allodial land title is common in the Isle of Man which has laws with Nordic origins. A version called udal tenure exists in the Orkney and Shetland Islands, also of Nordic origin. These are the only parts of the United Kingdom where allodial title exists, with the few exceptions. One such exception is the Scottish Barony of the Bachuil, which is not of feudal origin like other baronies but is allodial in that it predates (A.D. 562) Scotland itself and the feudal system, dating from the Gaelic Kingdom of Dál Riata. In recognition as allodial Barons par le Grâce de Dieu not barons by a feudal crown grant, the Baron of the Bachuil has the only coat of arms in Scotland granted a cap of maintenance with a "vair", i.e., squirrel fur lining as opposed to ermine, by the Lord Lyon Court. Another exception is Somerset House which was vested in His Majesty explicitly not in fee simple, and is held to be allodial.

Evolution of Equitable Title

As late as the Tudor period, in order to avoid estate taxes, a legal loophole was exploited where land was willed to a trustee for the use of the beneficiary. However, trustees often abused this privilege, and heirs found that the courts of common law would refuse to recognize the "use" clause, and would instead grant title in law to the trustee. However, the courts of equity, which were developed by the sovereign to deal with obvious injustices in the common law courts, ruled that the heirs were entitled to the use of the property, and gave them title in equity. As rulings of equity courts ranked above those of common law courts, this gave heirs the use of the land, but not title to it in the common law. However, this distinction between common law and equity title helped develop forms of security based on the distinction, now known as the mortgage. Enjoyment of the property during the period where the mortgage was in good standing could be assured through the equity courts, while the right to foreclose on the property to merge the common law and equity title were guaranteed in the common law courts.

Proof of ownership

Until the 18th century, almost all common law property ownership depended on proving a link of possession from a royal grant of title to the property owner. Although the feudal system had ceased from England in 1660, and is now fee simple taxation, in theory the feudal chain of title still exists, although it is a formality. However, proving ownership in the absence of the documents was an impossibility, and forgeries of crown grants were common and difficult to detect. Moreover, it was nearly impossible to determine if land was subject to common law encumbrances, i.e. mortgages. This led to the establishment in the 18th century of land registry systems, where a central office in each county was responsible for the filing of land deeds, mortgages, liens and other evidence of ownership, transfer or encumbrance. Under land registry, deeds and charges were not recognized unless they were filed, and persons who filed were given priority over previous transactions that had not been filed. Moreover, under statutes of limitation, in certain jurisdictions only documents that had been filed in the past 40 years had to be consulted to determine the chain of ownership.

Allodialization in the United States

Before 1774, all land in the American colonies could also be traced to royal grants, either a single enormous grant creating each proprietary colony, e.g., Pennsylvania and Maryland), or smaller direct grants within crown

colonies, e.g. Virginia. The original grantee, i.e., the recipient of the land, then sold or granted parcels of land within his grant to private citizens and other legal entities. The Treaty of Paris (1783), which ended formal hostilities and recognized American independence, also had the effect of ending any residual rights held by the original grantees or the Crown. This recognized that no person holding land in the new United States owed any allegiance or duty to the Crown. Apart from land that was formally owned at the time of the Revolutionary War, most American landholders can trace their title back to grants by the federal or state governments of land obtained by purchase, i.e., Louisiana Purchase, Florida, Alaska, treaty, i.e., the Ohio Valley, New Mexico, Arizona, and California, or annexation, such as, Texas, Hawaii. However, in reality, grants made prior to those territories becoming U.S. possessions were recognized; ownership under French and Spanish crown grants in the Louisiana Purchase and Guadalupe-Hidalgo/Gadsden territories remained valid. Although in Dartmouth College v. Woodward the United States Supreme Court rebuffed New Hampshire's attempt to convert Dartmouth College from a private college into a public university, the Court decided this was based on the Constitution prohibiting states from impairing the obligations of the contract which created the private corporation that owned the land, and not based on any principle that the land was somehow immune from state control.

Many U.S. state constitutions of Arkansas, Wisconsin, Minnesota, New York, refer to allodial title, but only to clearly distinguish it from feudal title. The conditions under which the government can compel the sale of privately owned real property for public necessity are established by eminent domain or condemnation laws of either the federal or state governments, respectively. The Fifth Amendment to the United States Constitution requires just compensation for eminent domain compelled sale. In addition, the government powers of police power and escheat have been retained in the American legal system.

Limited allodial title

Other institutional property ownership can also be called allodial, in that property granted for certain uses is held absolutely and cannot be alienated in most circumstances. For example, universities and colleges that hold property for educational purposes can be described as having allodial title. In most states, property held by churches or other Faith-based organizations / FBOs for the purpose of worship also has status similar to allodial title. Native American reservations also share some similarity with allodial title. However, in all these cases, it is also clear that if the title ceases to be used for the purposes for which it was granted, it reverts to the state or the federal government.

Nevada: In 1997, the Nevada Legislature created a new section of statutes within the property tax statutory scheme. Nevada Revised Statutes (NRS) 361.900 to 361.920. These statutes, which are entitled "Allodial Title", became effective on 1 July 1998, and were intended to protect property owners from the burden of the high increases in property taxes that often occur when unincorporated land becomes part of a town or city. Nevada allowed persons who owned and lived in single family residences to obtain allodial title if the property was not mortgaged and had no tax liens. Allodial titles were subject to exemptions from seizure in debt or bankruptcy under homestead laws; however, a property could be seized if used in a criminal enterprise. In 2005, the Nevada Legislature prohibited applications by property owner for an allodial title after June 13 of that year.

The classes of persons who can apply for allodial title and of property for which those persons may obtain allodial title are limited: A person who owns and occupies a single-family dwelling, its appurtenances and the land on which it is located, free and clear of all encumbrances, except any unpaid assessment for a public improvement, may apply to the county assessor to establish allodial title to the dwellings, appurtenances and the land on which it is located. One or more persons who own such a home in any form of joint ownership may apply for the allodial title, jointly if the dwelling is occupied by each person included in the application. After the county assessor receives the application, he transfers it to the state treasurer.

The state treasurer then determines the amount which is required to be paid by the property owner to establish allodial title. This is done by using "a tax rate of $5 for each $100 of assessed valuation on the date of the application". The treasurer must calculate, separately, the amount that must be paid in a lump sum, and for the payment in instalments over a period of not more than 10 years. These "amounts must be calculated to the best ability of the state treasurer so that the money paid plus the interest or other income earned on that money will be adequate to pay all future tax liability of the property for a period equal to the life expectancy of the youngest titleholder of the property".

If the property owner pays the lump sum amount calculated by the state treasurer and submits proof that the home is a single-family dwelling occupied by the homeowner, and that the property is free and clear of all encumbrances except any unpaid assessment for a public improvement, "the state treasurer shall issue a certificate of allodial title". If the property owner enters into an agreement with the state to make instalment payments in lieu of a lump sum payment, the issue of a certificate of allodial title occurs upon the receipt by the treasurer of the last payment.

Once a property owner receives a certificate of allodial title, he is relieved from the payment of all further property taxes, "unless the allodial title is relinquished by the homeowner or his heirs". Instead, the state treasurer is responsible for the payment of the taxes due.

Once allodial title is established, it "is valid for as long as the homeowner continues to own the residence unless he chooses to relinquish the allodial title". Upon the death of an allodial title holder, the heir or heirs can reestablish allodial title by using the same procedure that the original property owner used.

The holder of an allodial title can voluntarily relinquish it at any time. The title shall be relinquished if the property is sold, leased or transferred by the allodial title holder; the allodial title holder no longer occupies the dwelling for 150 days; or the home is converted to anything other than a single-family dwelling occupied by the owner. If allodial title is relinquished, either voluntarily or otherwise, the property owner receives a refund of the unused portion of the payments made to originally establish the allodial title. Once the allodial title is relinquished, the property owner is once again responsible for all future property taxes.

The importance and benefit of establishing allodial title extends beyond the non-payment of property taxes. It also has significance in the area of homestead law. Pursuant to NRS 115.010, the available homestead exemption in Nevada is $605,000. However, if allodial title has been established and not relinquished, the homestead exemption "extends to all equity in the dwelling, its appurtenances and the land on which it is located". Furthermore, although the regular homestead exemption provides no protection against legal process to enforce the payment of obligations contracted for the purchase of the property, or for improvements made thereon, including any mechanic's lien lawfully obtained, or for legal taxes, or for any mortgage or deed of trust executed upon the property, the holder of an allodial title is fully exempt from all of these under the homestead laws. The only area within the homestead laws wherein allodial title fails to provide an extra benefit is in the realm of civil and criminal forfeiture of property. Similar to all property in Nevada, property held by allodial title is subject to forfeiture for criminal conduct.

Adverse Abandonment

Adverse abandonment is a legal process where a third party who is often a trustee in bankruptcy attempts to terminate trackage rights or easements held by a non-debtor over rail lines owned by a debtor. Unlike standard abandonment, where a rail carrier seeks permission to discontinue its own operations, adverse abandonment involves affecting the rights of a third party rather than the carrier’s own property or service rights. In short, adverse abandonment seeks to abandon or discontinue rail lines or services over another party’s property, even if the owner objects. It is customarily utilized in bankruptcy proceedings.

Adverse abandonment is significant in bankruptcy and rail regulation because it balances the interests of non-debtor carriers, shippers, and public convenience. It ensures that third-party rights are not terminated without regulatory oversight, preventing unilateral disruption of rail service and protecting commerce and community interests (eCFR, 49 CFR Part 1152.

Under the U.S. Bankruptcy Code, Section 1170, bankruptcy courts have authority to approve abandonment of rail lines owned by a debtor causing discontinuance of service. However, courts generally do not have the power to grant adverse abandonments affecting non-debtor rail carriers' rights; such actions are typically under the jurisdiction of the Surface Transportation Board (STB). The STB, successor to the Interstate Commerce Commission, regulates rail line abandonments and discontinuances under 49 U.S.C. § 10903, ensuring that public convenience and necessity are considered. See eCFR, 49 CFR Part 1152. For a standard abandonment, a rail carrier must file an application with the STB, providing details such as traffic data, financial considerations, and notice to affected parties, including states and significant shippers. The STB evaluates whether the abandonment or discontinuance would have a serious adverse impact on communities or commerce before granting approval (49 U.S.C. § 10903). In contrast, an adverse abandonment petition allows a third party to request the STB to discontinue service or rights over another carrier's line, even if the line owner objects, but the STB retains ultimate authority to approve or deny the request.

Adverse abandonment has three key distinctions: 1) Standard Abandonment: Carrier seeks to abandon its own line; STB approval required. 2) Adverse Abandonment: Third party seeks to terminate rights over another's line; STB may grant approval despite owner objection. 3) Bankruptcy Context: Section 1170 allows abandonment of debtor-owned lines, but not adverse abandonment of non-debtor rights.

Non-judicial punishment

Non-judicial punishment is not to be confused with Extrajudicial punishment. In the United States Armed Forces, non-judicial punishment or NJP is a disciplinary measure that may be applied to individual military personnel, without a need for a court-martial or similar proceedings, such as for a W-2 WARRANT OFFICER.

In the United States Armed Forces, non-judicial punishment is a form of military justice that is authorized by Article 15 of the Uniform Code of Military Justice or UCMJ. Its rules are further elaborated on in various branch policies, as well as the Manual for Courts-Martial. NJP permits commanders to administratively discipline troops without a court-martial. Punishment can range from reprimand to reduction in rank, correctional custody, loss of pay, extra duty, or restrictions depending on rank of the imposing officer and receiving officer. The receipt of NJP does not constitute a criminal conviction. Rather, it is equivalent to a civil action, but is often placed in the service record of the individual. The process for it is governed by Part V of the Manual for Courts-Martial and by each service branch's regulations.

Non-judicial punishment proceedings are known by different terms among the services. In the Army and the Air Force, NJP is referred to as Article 15; in the Marine Corps it is called being "NJP'd", being sent to "Office Hours", or satirically among the junior ranks, "Ninja Punched". The Navy and the Coast Guard call NJP captain's mast or admiral's mast, depending on the rank of the commanding officer.

Hearing

Prior to imposition of NJP, the commander notifies the accused of the commander's intention to impose punishment, the nature of the misconduct alleged, supporting evidence, and a statement of the accused's rights under the UCMJ. All service members, except those embarked or attached to a vessel currently away from its homeport, have a right to refuse NJP and request a court-martial. If the accused does not accept the NJP, the NJP hearing is terminated, and the commander must make the decision of whether to process the service member for court-martial. If the accused accepts NJP, the accused can choose to have a hearing or waive said right. If a hearing proceeds, the accused may choose to be accompanied by a spokesperson. The accused may

present evidence and witnesses to the commander. The commander must consider any information offered during the hearing and must be personally convinced that the service member committed misconduct before imposing punishment.

Extrajudicial punishment

Extrajudicial punishment is a punishment for an alleged crime or offense which is carried out without legal process or supervision by a court or tribunal through a legal proceeding. Extrajudicial punishment is often politically motivated, but even self-proclaimed or internationally recognized democracies have been known to use extrajudicial punishment under certain circumstances. Although the legal use of capital punishment is generally decreasing around the world, individuals or groups deemed threatening—or even simply "undesirable"—to a government may nevertheless be targeted for punishment by a regime or its representatives. Such actions typically happen quickly, with security forces acting on a covert basis, performed in such a way as to avoid a massive public outcry and/or international criticism that would reflect badly on the state. Sometimes, the killers are agents outside the government. Criminal organizations, such as La Cosa Nostra, have reportedly been employed for such a purpose. Another possibility is for uniformed security forces to punish a victim, but under circumstances that make it appear as self-defense or suicide.

The former can be accomplished by planting recently fired weapons near the body, the latter by fabricating evidence suggesting suicide. In such cases, it can be difficult to prove that the perpetrators acted wrongly. Because of the dangers inherent in armed confrontation, even police or soldiers who might strongly prefer to take an enemy alive may still kill to protect themselves or civilians, and potentially cross the line into extrajudicial murder.

A forced disappearance or enforced disappearance occurs when a person is secretly abducted or imprisoned by a state acting as a polity, a political organization or by a third party with the authorization, support, or acquiescence of a state or political organization, followed by a refusal to acknowledge the person's fate and whereabouts, with the intent of placing the victim outside the protection of the law.

Extrajudicial punishment may be planned and carried out by a particular branch of a state, without informing other branches, or even without having been ordered to commit such acts. Other branches sometimes tacitly approve of the punishment after the fact. They can also genuinely disagree with it, depending on the circumstances, especially when complex intragovernmental or internal policy struggles also exist within a state's policymaking apparatus.

In times of war, natural disaster, societal collapse, or in the absence of an established system of criminal justice, there may be increased incidences of extrajudicial punishment. In such circumstances, police or military personnel may be unofficially authorized to severely punish individuals involved in looting, rioting and other violent acts, especially if caught in flagrante delicto, i.e., is caught red handed. This position is sometimes itself corrupted, resulting in the death of merely inconvenient persons, that is, relative innocents who are just in the wrong place at the wrong time.

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