

Ontario Landowners Association
International Conference
4th October 2014.



Overview:

- Present Situation
- Remedy
- Warrant

Welcome to the First International Landowners Convention.

Introduction;

Purpose; To establish an International Land
Owners Association.

Who are we; Concerned Landowners
Worldwide

Where are we; We are where the most
militant Landowners live, to learn from them!

Why!

To help people to know their rights;

How? By spreading information.

Outcome, People standing firm, knowing
their **right** to abide on **their** land in peace and
harmony.

With Rights come Responsibilities'.

Personal Introduction

Background:

Interested in politics.

Background in construction industry.

Small business operator.

Commonwealth Senator.

Currently operating Gold Mine Creek.

Present Situation.

- **Removal of Rights by Laws and Regulations.**
- **Courts being Compromised.**
- **Media not willing to “Bite the hand that Feeds Them”.**
- **Our Ignorance.**

Big Brother in the Passenger Seat.



Big Brother in the Passenger Seat.



Big Brother in the Passenger Seat.

7



Former Senator Len Harris

Big Brother in the Passenger Seat.



Agenda 21

UN's International Building Codes are a necessary tool for Implementing Agenda 21

Posted on September 17, 2014 Written by BradleyCountyNews.wordpress.com

Here is an excerpt from the preamble of the document Agenda 21:

“Land cannot be treated as an ordinary asset, controlled by individuals” and subject to the pressures and inefficiencies of the market. Private land ownership is also a principal instrument of accumulation and concentration of wealth and therefore contributes to social injustice, if unchecked, it may become a major obstacle in the planning and implementation of the United Nations development schemes.

“Public Control of land is therefore indispensable to the protection and control of land and to the United Nations long-term objectives of human settlement policies and strategies.”

“Anyone who reads Chapter 7 of Agenda 21, and then reads their local comprehensive land use plan will immediately recognize that most of the provisions of the local land use plan come directly from Agenda 21. More often than not, the elected officials who adopt these plans have never read Agenda 21, and many have never even heard of the U.N. document.

The bureaucrats and professional planners knowingly, intentionally and willingly implement Agenda 21 knowing full well that their actions will dispossess people of their homes but claim that their has nothing to do with the U.N. or Agenda 21.

Don't believe it for one minute.

U N International Codes

Implementing Agenda 21 requires locking the people into a cleverly structured meetings with the outcomes pre-determined. These public meetings are said to be “**The Visioning Process.**” The procedures vary slightly from community to community, depending upon the facilitator.

Remarkably, however, the “vision” in every community contains essentially the same elements: restricted auto traffic; bike trails; walkable neighbourhoods; integrated housing; high density urban boundary zones; conservation areas; green belts; and much more — directly from Agenda 21.

Once “**The Vision Document**” is complete, the next step is to convert it into a Comprehensive land use plan, adopted by local elected officials in the form of an ordinance that is enforceable with fines and other penalties.

The plans are necessarily so long and complex that few people ever read them, other than the professional planners and enforcement officials.

Many, if not most, of these comprehensive plans incorporate many, if all, of the codes developed by the International Codes Council. Here are some of the codes:

UN International Codes

International Code Council

International Residential Code

International Fire Code

International Energy Conservation Code

International Private Sewage Disposal Code

International Mechanical Code

International Fuel Gas Code

International Wildland-Urban Interface Code

ICC Performance Code (for Buildings and Facilities)

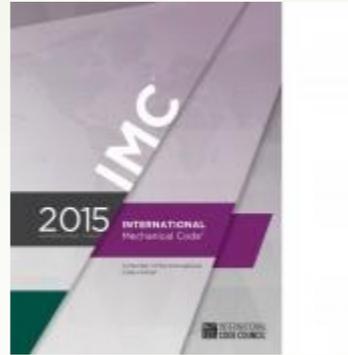
International Existing Building Code

International Property Maintenance Code

International Zoning Code

International Green Construction Code

U N Codes



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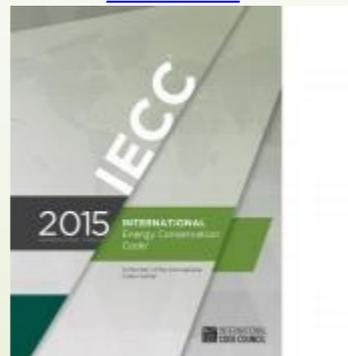


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[2015 International Energy Conservation Code and ANSI/ASHRAE/IES Standard 90.1-2013](#)

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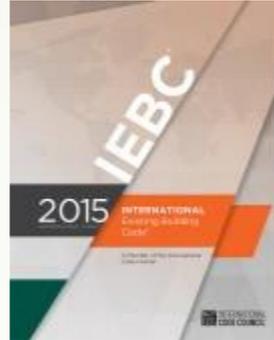
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Remedy

- Inform the public of their rights.
- Lobby Municipal and Provincial Members on the subversive impacts of Agenda 21.
- Become involved in the decision making process in your Local Area.
- Do not leave it for someone else to do! It is too important.
- Take positive action on the following.
 - 1. Put a trespass sign at the entry to your property.
 - 2. Serve notice on your Municipal Council and Local Police.

Rights and Privileges = Responsibilities

PART I

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law:

Guarantee of Rights and Freedoms

Rights and freedoms in Canada

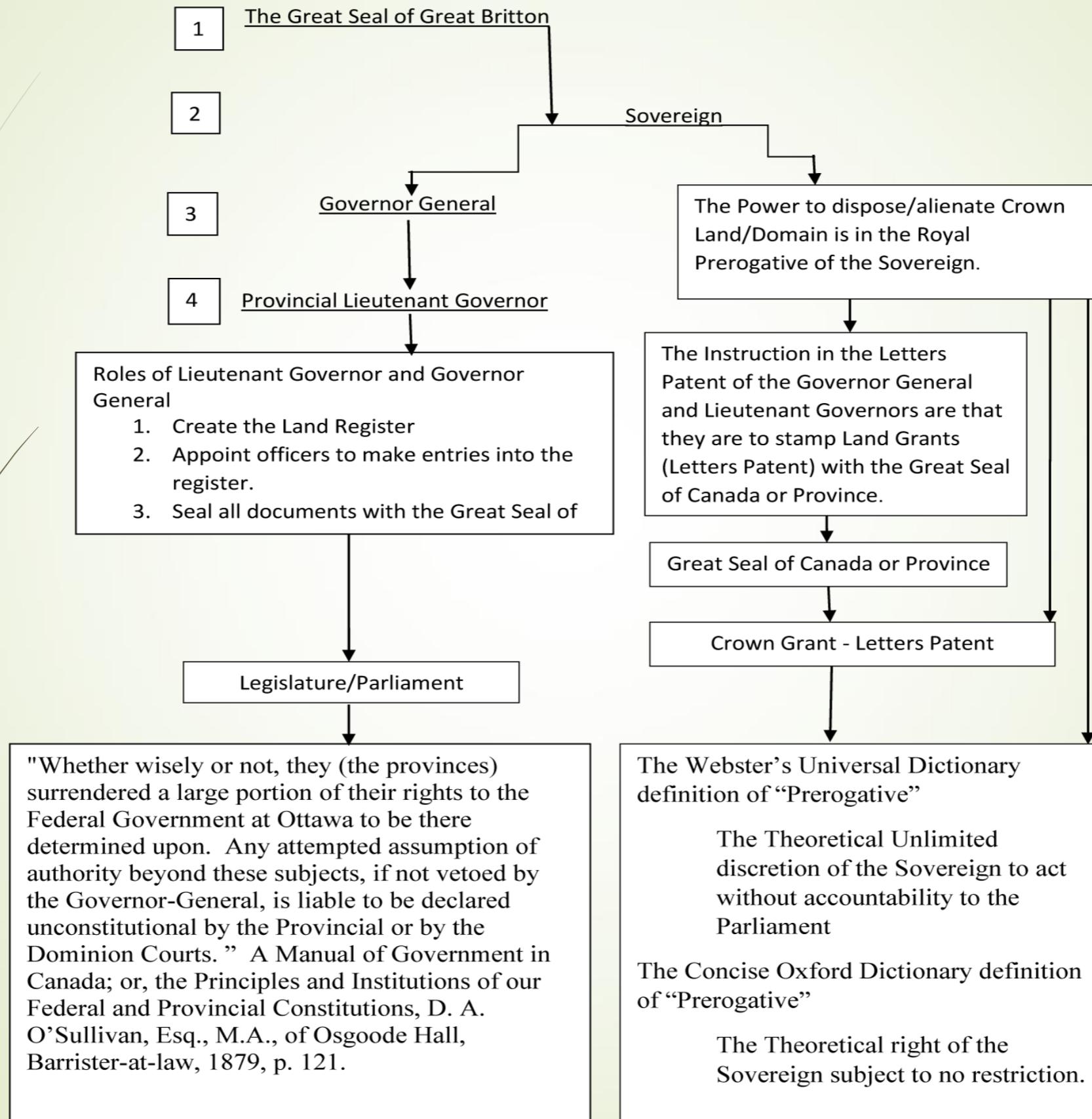
1. The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Fundamental Freedoms

Fundamental freedoms

2. Everyone has the following fundamental freedoms:
 - (a) freedom of conscience and religion;
 - (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
 - (c) freedom of peaceful assembly; and
 - (d) freedom of association.

Property Rights and Fee Simple



"Whether wisely or not, they (the provinces) surrendered a large portion of their rights to the Federal Government at Ottawa to be there determined upon. Any attempted assumption of authority beyond these subjects, if not vetoed by the Governor-General, is liable to be declared unconstitutional by the Provincial or by the Dominion Courts." A Manual of Government in Canada; or, the Principles and Institutions of our Federal and Provincial Constitutions, D. A. O'Sullivan, Esq., M.A., of Osgoode Hall, Barrister-at-law, 1879, p. 121.

The Webster's Universal Dictionary definition of "Prerogative"

The Theoretical Unlimited discretion of the Sovereign to act without accountability to the Parliament

The Concise Oxford Dictionary definition of "Prerogative"

The Theoretical right of the Sovereign subject to no restriction.

Understanding Legislation.

How do we know our rights are if we don't understand the Legislation?

The answer to that question clearly is we can't!

To understand legislation we need to know the following;

1. The Powers created by the legislation.
2. The Jurisdiction set out in the Legislation.
3. And finally we need to know what the terms used in the Act mean (Definition).

Powers, Jurisdiction and Definitions.

Powers:

The important's of Powers in an Act of Parliament cannot be understated. Without the power to do something being clearly defined the Act would be a nonsense. However if empowerment is not clearly defined as in so many Acts it is open to interpretation and abuse.

This is where even the structure of the section, the manner in which the section is phrased governs how it can be implemented. For example!

Municipal Act, 2001, S.O. 2001, CHAPTER 25

PART II

GENERAL MUNICIPAL POWERS

Scope of powers

8. (1) The powers of a municipality under this or any other Act **shall be interpreted broadly so as to confer broad authority on the municipality** to enable the municipality to govern **its affairs** as it considers appropriate and to enhance the municipality's ability to respond to municipal issues. 2006, c. 32, Sched. A, s. 8.

Services or things provided by others

(4) The power of a municipality to pass a by-law respecting the matter set out in paragraph 7 of subsection (2) does not include the power to pass a by-law respecting services or things provided by a person other than the municipality or a municipal service board of the municipality. 2006, c. 32, Sched. A, s. 8.

Exception

(5) Nothing in subsection (4) prevents a municipality from passing a by-law with respect to services or things provided by any person to the extent necessary,

(a) to ensure the physical operation of a system of the municipality or of a municipal service board of the municipality is not impaired; or

(b) to ensure the municipality, a municipal service board of the municipality or a system of the municipality or municipal service board meet any provincial standards or regulations that apply to them. 2006, c. 32, Sched. A, s. 8.

Powers, Jurisdiction and Definitions.

Jurisdiction:

Definition:

The territory or sphere of activity over which the legal authority of a court or other institution extends:

For example; there were *several different tax jurisdictions*.

So we need to look at the same piece of Legislation to see where the Jurisdiction lies.

Municipal Act, 2001

Spheres of Jurisdiction;

By-laws

[\(2\)](#) A single-tier municipality may pass by-laws respecting the following matters:

1. Governance structure of the municipality and its local boards.
2. Accountability and transparency of the municipality and its operations and of its local boards and their operations.
3. Financial management of the municipality and its local boards.
4. Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act.
5. Economic, social and environmental well-being of the municipality.
6. Health, safety and well-being of persons.
7. Services and things that the municipality is authorized to provide under subsection (1).
8. Protection of persons and property, including consumer protection.
9. Animals.
10. Structures, including fences and signs.
11. Business licensing. 2006, c. 32, Sched. A, s. 8.

Powers, Jurisdiction and Definitions.

Dictionary

This is an example of why it is important to look at the definitions of an Act:

Municipal Act, 2001

S.O. 2001, CHAPTER 25

Definitions:

Broad authority, single-tier municipalities

10. (1) A single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public. 2006, c. 32, Sched. A, s. 8.

By-laws

(2) A single-tier municipality may pass by-laws respecting the following matters:

1. Governance structure of the municipality and its local boards.
2. Accountability and transparency of the municipality and its operations and of its local boards and their operations.
3. Financial management of the municipality and its local boards.
4. Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act.
5. Economic, social and environmental well-being of the municipality.
6. Health, safety and well-being of persons.
7. Services and things that the municipality is authorized to provide under subsection (1).
8. Protection of persons and property, including consumer protection.
9. Animals.
10. Structures, including fences and signs.
11. Business licensing. 2006, c. 32, Sched. A, s. 8.

One power not affecting another

(3) The power to pass a by-law respecting a matter set out in a paragraph of subsection (2) is not limited or restricted by the power to pass a by-law respecting a matter set out in another paragraph of subsection (2). 2006, c. 32, Sched. A, s. 8.

Services or things provided by others

(4) The power of a municipality to pass a by-law respecting the matter set out in paragraph 7 of subsection (2) does not include the power to pass a by-law respecting services or things provided by a person other than the municipality or a municipal service board of the municipality. 2006, c. 32, Sched. A, s. 8.

Exception

(5) Nothing in subsection (4) prevents a municipality from passing a by-law with respect to services or things provided by any person to the extent necessary,

- (a) to ensure the physical operation of a system of the municipality or of a municipal service board of the municipality is not impaired; or
- (b) to ensure the municipality, a municipal service board of the municipality or a system of the municipality or municipal service board meet any provincial standards or regulations that apply to them. 2006, c. 32, Sched. A, s. 8.

Sign For Entry to Your Property

ADMITTANCE IS BY INVITATION

ONLY TO ALL

PERSONS AND ENTITIES

OTHERWISE TRESSPASS APPLIES

FEE SIMPLE: REF; COMM.v. NSW HCA 34 CLR 1 (09-08-1923)

PROPERTY RIGHTS: REF; PLENTY.v. DILLON HCA 34 CLR 635 F.C.91/004

WARRANTS: REF; GEORGE.v. ROCKETT HCA (1990) 170 CLR 10

TRESSPASS: REF; KURU. v. NSW HCA 26 (2008)

WITHDRALL OF LICENCE TO ENTER: REF; Robson v Hallett [1967] 2 QB 939

Notice to Council

NOTICE

WITHOUT PREJUDICE NOT NEGOTIABLE NON-TRANSFERRABLE WITHOUT RECOURSE ALL RIGHTS RESERVED

The Entity.

To;
(insert name and address of entity and officer involved, delete text when completed.)

The Writer
(insert your name and address and property description and date here, delete text when completed)

TAKE NOTICE

Any express or implied permission for any Principal or Agent of from **The Entity (so described above)** to enter my/our property as described above by **The Writer above** is hereby withdrawn and cancelled.

TAKE FURTHER NOTICE that any Principal or Agent **MUST** obtain my/our written permission signed by me/us and be strictly in accordance with the 'Entry to Land' Publication of Queensland Department of Communication and Information, Local Government and Planning Acts. **WITHOUT** such written, signed permission, illegal entry will be treated as **TRESPASS**.

The principles associated with **TRESPASS** have been reaffirmed by the **HIGH COURT** in Australia in **GEORGE vs ROCKETT (1991) 170 CLR 104 F.C. 90/026**
PLENTY vs DILLON (1991) 171 CLR 635 F.C. 91/004
HALLIDAY vs NEVILL (1984) 155 CLR 1
THE COMMONWEALTH vs NEW SOUTH WALES 33CLR 1T

The **HIGH COURT** has held that without the consent of the person in possession, the Common Law **DOES NOT ENTITLE ANYONE** to go onto another person's land. A Local Law is **NOT SUPERIOR** to a **GAZETTED LEGISLATED LAW**; moreover, if it cannot be Legislatively supported then it is **INVALID IN LAW**

Notwithstanding, Section 1070 of the Local Government Act 1993, which in regard to a person's peaceable possession, anyone is **NOT ENTITLED to TRESPASS** on another person's land without a **VALID SEARCH WARRANT**, however should forcible entry be attempted this will be treated as a **HOME INVASION**, the Police will be called and you will be charged with a breach of s70 (forcible entry), s75 (threatening violence) and s92 (abuse of office) of the Criminal Code Act of Queensland 1899.

The Police Client Service Charter states the following in part :

"Our mission is to serve the people of Queensland by protecting life and property, preserving peace and safety, preventing crime and **UPHOLDING THE LAW** in a manner which has regard for the **PUBLIC GOOD** and the **RIGHTS OF THE INDIVIDUAL**". Further, there is nothing in that Client Service Charter which allows any Police to be used for intimidatory purposes.

I/we require that all Principals and Agents for the Entity so described above respect my/our privacy and rights.

Signed Date.....

.....J.P. Witnessed Date.....



High Court of Australia

**Commonwealth v New South Wales [1923] HCA 34;
(1923) 33 CLR 1 (9 August 1923)**

HIGH COURT OF AUSTRALIA

The Commonwealth of Australia Plaintiff; against The State of New South Wales and Another Defendants.

Extract: Page 14-15

Isaacs J. **The English law, the word fee signifies an estate of inheritance as distinguished from a less estate; not, as in the language of the feudists, a subject of tenure as distinguished from an allodium. Allodium being wholly unknown to English law, the latter distinction would in fact have no meaning. A fee simple is the most extensive in quantum, and the most absolute in respect to the rights which it confers, of all estates known to the law. It confers, and since the beginning of legal history it always has conferred, the lawful right to exercise over, upon, and in respect to the land, every act of ownership which can enter into the imagination**

NSW v Ibbett

HIGH COURT OF AUSTRALIA

12 December 2006

STATE OF NEW SOUTH WALES v DOROTHY ISABEL IBBETT

The High Court of Australia today upheld awards of aggravated and exemplary damages against the State of New South Wales for trespass and assault by police officers.

Mrs Ibbett, 75, brought action in the NSW District Court for damages for trespass and assault after two police officers pursued her son Warren into the garage of her home at Forster on the NSW central coast. About 2am on 23 January 2001, while Mrs Ibbett was asleep, Mr Ibbett arrived home in his van, pursued by an unmarked police car for speeding. He drove into the garage and closed the roller door with a remote control.

As the door was closing, Senior Constable Darren Pickavance slid under it and with his service pistol drawn sought to arrest Mr Ibbett. Senior Constable Pickavance had no basis for making such an arrest or entering the property. Neither officer was in uniform but wore casual clothing.

Mrs Ibbett was woken by the commotion. When she went into the garage Senior Constable Pickavance swung his gun towards her. He ordered Mrs Ibbett to open the garage door to let in Senior Constable Peter Harman.

The officers handcuffed Mr Ibbett and pushed him down on to the driveway. His van was moved on to the driveway and searched. He was taken back into the garage and strip-searched. Criminal proceedings were commenced against Mr Ibbett but the charges were later dropped.

(Continued on 26)

Judge Colin Phegan found that the entry on to the property by Senior Constables Pickavance and Harman was without lawful justification and amounted to trespass.

He held that Senior Constable Pickavance caused such an apprehension of harm on Mrs Ibbett's part it amounted to assault.

Judge Phegan awarded Mrs Ibbett \$50,000 for trespass, made up of \$10,000 in general damages, \$20,000 in aggravated damages and \$20,000 in exemplary damages, and \$25,000 for assault, made up of \$15,000 in general damages and \$10,000 in exemplary damages.

The Court of Appeal dismissed the State's appeal and allowed Mrs Ibbett's cross-appeal. It increased the total damages to \$100,000 by awarding another \$15,000 in exemplary damages and \$10,000 in aggravated damages for the assault. The State appealed to the High Court. The Court unanimously dismissed the appeal. The State complained that by awarding general, aggravated and exemplary damages for trespass the State was punished twice for the same wrong.

The High Court held that the Court of Appeal's upholding of the award of aggravated damages was consistent with basic principle. It held that the Court of Appeal was mindful of the conceptual distinction between the compensatory nature of aggravated damages and the punitive and deterrent nature of exemplary damages. The Court of Appeal was also aware of the dangers of an excessive overall award where factors supporting one head of damages could also support the other.

COMMERCIAL LIENS: A MOST POTENT WEAPON

Today, those who are availing themselves of the Commercial Affidavit Process (CAP) system are equipping themselves with a very powerful equalizer. Make no mistake! The CAP is a very lethal weapon in the war against injustice. It is capable of righting wrongs while eliminating the "cost factor" that deprives thousands of people from getting justice.

There are basically three classes of laws: The Laws of God, which encompass the Laws of Nature; The Law of the Land, also referred to as the Common Law; and lastly there is Private Law, or man-made law, also referred to as Contract or Statute Law.

In Australia all Statute Law is predicated by God! This may be almost an unbelievable statement but let me explain. In the Senate and the House of Representatives, which is the equivalent of the Senate here and Commons, the USA has the same Senate. Each sitting day at the appointed time the President rises in his/Her chair and Prays;

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament. Direct and prosper our deliberations to the advancement of Thy glory, and the true welfare of the people of Australia. Then repeats the Lords Prayer.

Clearly all Statute Law in Australia is predicated with Gods Guidance and is subservient to Gods Law.

THE COMMERCIAL AFFIDAVIT PROCESS

A Powerful Weapon

Today, those who are availing themselves of the Commercial Affidavit Process (CAP) system are equipping themselves with a very powerful equalizer. Make no mistake! The CAP is a very lethal weapon in the war against injustice. It is capable of righting wrongs while eliminating the "cost factor" that deprives thousands of people from getting justice. The expression "equal under the law" again has real meaning, thanks to CAP. When the CAP methodology is properly loaded and sighted on a wrongdoer, success is "as good as in the bag." The Process is powerful and dangerous to those who are in the line of fire. There is no escape: either acquiesce and justly recompense or suffer the awful consequences.

Person to Person

The Commercial Lien is Non Judicial and Non Legislative the process is totally Common Law and only involves the person who has been harmed and the person who has carried out the injury. The entire process is based on truth, therefor the person instigating the Lien must have firsthand knowledge of the circumstances. Only statements of fact backed up with documentary proof prevail. An un rebutted Affidavit of truth stands as the judgment. This raises the importance of diarising and documenting time of day, location of incidents, names of persons involved and recording the incident at the least or better videoing even if on a mobile phone.

The Foundation Of Law

There are basically three classes of laws: The Laws of God, which encompass the Laws of Nature; The Law of the Land, also referred to as the Common Law; and lastly there is Private Law, or man-made law, also referred to as Contract Law.

The people of Australia authorized three legal systems in the Constitution, first Common Law, secondly Equity Law, and thirdly Admiralty Law, which is the law of the sea. Gradually Common Law has been displaced by Equity Law until today the Common Law is rarely heard of or understood because it has been covered up and hidden away by the legal profession. Such people are pursuing their own private agenda.

Private Law

Private Law is that law which comes into being when people enter into agreements creating the rules and terms by which they agree to be bound together. State and Federal Constitutions are examples of private law. They come under the heading of contract law because they are contracts that establish governments and are designed to protect the People from the government. To keep the government under control, the People were very precise in the language they used to make it perfectly clear exactly what powers were being delegated AND that any powers not specifically delegated were reserved (by the People) to the States or the People of that State.

People are the sovereigns of State governments the States are the sovereigns of the Federal Government. Thus the People directly are the sovereigns over both governments. The States (Provinces's) have been given specific and limited power granted to the Commonwealth They also made sure there were provisions that safeguarded the People's right to abolish or change that government and to vote in a different one if they chose. Constitution are documents of LIMITATION to reign in wayward Governments.

Exemplary Damages

Punitive damages are designed to punish a defendant and deter bad conduct. Unlike most compensatory damages for civil suits, the purpose of punitive damages is not to make the plaintiff whole, but to punish the defendant. Punitive damages are not awarded in every civil case and most states have strict rules and limitations on when punitive damages will be allowed. There may also be caps in place that limit punitive damage awards to no more than 2 or 3 times the amount of actual damages.

Examples of Punitive Damage Awards

If a drug company willingly lied to a plaintiff about the safety of a drug and the plaintiff only suffered \$1,000 in damages, paying the \$1,000 in actual damages to the plaintiff would likely be a very small hit to the drug company. However, if the judge or jury wanted to make sure the drug company didn't lie to customers again about the safety of a drug, they might order \$1,000,000 in punitive damages. This amount would encourage the drug company to take disclosures about drug safety more seriously.

LORD NICHOLLS OF BIRKENHEAD

My Lords,

51. Exemplary damages or punitive damages, the terms are synonymous, stand apart from awards of compensatory damages. They are additional to an award which is intended to compensate a plaintiff fully for the loss he has suffered, both pecuniary and non-pecuniary. They are intended to punish and deter.

Public Policy

Public Policy is the rules and procedures (policy) of a sovereign over its subjects.

It holds that no subject can lawfully do that which has a tendency to be injurious to the public or against the public good as defined by the sovereign. Public policy is set by legislative acts and, pursuant thereto, by judicial and administrative promulgating of rules and regulations.

This Administrative Law is much like Roman Law which is also called Civil Law. Conceptually, Roman or Civil Law, which is practiced in most of Europe, is diametrically opposite to the Common Law.

Under Roman or Civil Law you are guilty until proven innocent and have only those rights your master the government chooses to grant you; and what your master give's, he can take away. Under the Common Law as practiced in Australia, Canada and America, you are innocent until proven guilty and retain all rights not delegated to government.

"The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void and ineffective for any purpose since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed.

"Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it ... No one is bound to obey an unconstitutional law and no courts are bound to enforce it." Ref : Clause 5 Australian Constitution.

In order for a law to be proper, it must be just. It must protect equally the rights of all without violating the rights of any. There is nothing mysterious about proper law; it is based on reasonableness and common sense, and is harmonious with the Laws of God.

Understanding Unalienable Rights

By Michael Shaw –

Why do we use the term un-alien-able instead of in-alien-able? Inalienable rights are subject to changes in the law such as when property rights are given a back seat to emerging environmental law or free speech rights give way to political correctness. To clarify under the original doctrine of unalienable rights, these rights cannot be abridged, whereas Inalienable rights are subject to changes in the law

Webster's 1828 dictionary defines unalienable as "not alienable; that cannot be alienated; that may not be transferred; as in unalienable rights" and inalienable as "cannot be legally or justly alienated or transferred to another." The Declaration of Independence reads:

"That all men are created equal, that they are endowed by their Creator with certain unalienable rights..."

This means that human beings are imbued with unalienable rights which cannot be altered by law whereas inalienable rights are subject to remaking or revocation in accordance with man-made law. Inalienable rights are subject to changes in the law such as when property rights are given a back seat to emerging environmental law or free speech rights give way to political correctness. In these situations no violation has occurred by way of the application of inalienable rights – a mere change in the law changes the nature of the right.

Under the correct original doctrine of unalienable rights the right to the use and enjoyment of private property cannot be abridged (other than under the doctrine of "nuisance" including pollution of the public water or air or property of another).

The policies behind the United Nations Sustainable Development work to obliterate the recognition of unalienable rights. For instance, Article 29 subsection 3 of the United Nations Declaration of Human Rights applies the "inalienable rights" concept of human rights:

"Rights and freedoms may in no case be exercised contrary to purposes and principles of the United Nations."

Modern dictionaries blur the difference, as does modern intellectual thought. The modern definition of unalienable claim that it is the same as the historical definition of inalienable.

We, that is you and I now know that is false and it is encumbering upon each one of us to return to our communities and rectify this social engineering.

The contemporary blurring of the meaning of unalienable and inalienable is evidence of the process of dictionary evolution that Orwell forecasted in "1984."

Finally, Help Your Country and Yourself...

By Joining the Ontario
Landowners Association



You'll Be Helping **Both.**

www.OntarioLandowners.ca