

AFFIDAVIT OF LIFE

I, sovereign :sharna-kim: of the house butcher, Affiant, being over the age of eighteen years, competent to witness does state for the public record the following:

1. That the birth record file with THE DEPARTMENT OF INTERNAL AFFAIR Registrar of Births Deaths and Marriages, 109 Featherston Street, Wellington 6011, New Zealand; shows that the entity known as Sharna Kim Butcher took her first breath of life on the twenty-seventh day of April in the year of our Lord, one thousand seven hundred and seventy seven (27st of April 1977), and
2. That as of the day of this Affidavit of Life, the entity known as Sharna Kim Butcher is still alive and breathing and is in fact the sovereign :sharna-kim of the house butcher: and
3. Since the twenty seventh day of July in the year of our Lord, one thousand nine hundred and ninety five (27th of April 1995) the sovereign :sharna-kim: of the house butcher has not surrendered nor abandoned any claims of life nor of any and all claims of estate to include but not limited to SHARNA KIM BUTCHER, and
4. That the attachments (Corpus Juris Secundum page 2, and Cestui Que Vie Act 1666 page 3-4) to this affidavit are considered Points and Authorities of Law, and
5. Further Affiant Saith naught,

I, sovereign :sharna-kim: of the house butcher, do affirm that I have read the above affidavit and do know the contents to be truth, correct, complete, not misleading and to be the pure truth and nothing but the truth, so help me God and by his Grace.



sharna-kim

XXXXXXXX Certified true likeness and thumb print from the clean right hand of

XXXXXXXXXX
XXXXXXXXXX
XXXXXXXXXX
XXXXXXXXXX

sovereign :sharna-kim: of the house butcher:

Corpus Juris Secundum

Section 16, Page 892:

FACT OF DEATH: Death of the person on whose estate administration is sought is a jurisdiction requisite; and while the presumption of death arising from absence may present a prima facie case sufficient to warrant a grant of administration, yet if it subsequently develops that such person was in fact alive, the administration is void.

While it is true that the presumption of death arising from a person's absence, unheard from, for a considerable length of time, see "Death Section 6", may present a prima facie case sufficient to warrant a grant of administration on his estate, the arising of such presumption does not take the case out of the operation of the general rule on the subject, and if it is made to appear that the person was in fact alive at the time such administration was granted, the administration is absolutely void. Although, that payment to an administrator of an absentee who is not in fact dead is no defense against the absentee or his legal representative, nor are costs and disbursement incurred by such administrator a legal charge against the absentee or his property; but where the administrator has paid debts of the absentee, he is subrogated to the rights of the creditors whom he has paid. It has been considered, however, that the invalidity of the administration does not relate back, but that it is invalid only the time when the presumption of death is rebutted.



Cestui Que Vie Act 1666

1666 CHAPTER II 18 and 19 Cha 2

An Act for Redresse of Inconveniencies by want of Proove of the Deceases of Persons beyond the Seas or absenting themselves, upon whose Lives Estates doe depend.

XI Recital that Cestui que vies have gone beyond Sea, and that Reversioners cannot find out whether they are alive or dead.

Whereas diverse Lords of Mannours and others have granted Estates by Lease for one or more life or lives, or else for yeares determinable upon one or more life or lives And it hath often happened that such person or persons for whose life or lives such Estates have beene granted have gone beyond the Seas or soe absented themselves for many yeares that the Lessors and Reversioners cannot finde out whether such person or persons be alive or dead by reason whereof such Lessors and Reversioners have beene held out of possession of their Tenements for many yeares after all the lives upon which such Estates depend are dead in regard that the Lessors and Reversioners when they have brought Actions for the recovery of their Tenements have beene putt upon it to prove the death of their Tennants when it is almost impossible for them to discover the same. For remedy of which mischeife soe frequently happening to such Lessors or Reversioners.

Annotations:

Editorial Information

XI Abbreviations or contractions in the original form of this Act have been expanded into modern lettering in the text set out above and below.

Modifications etc. (not altering text)

C1 Short title "The Cestui que Vie Act 1666" given by Statute Law Revision Act 1948 (c. 62), Sch. 2

C2 Preamble omitted in part under authority of Statute Law Revision Act 1948 (c. 62), Sch. 1

C3 Certain words of enactment repealed by Statute Law Revision Act 1888 (c. 3) and remainder omitted under authority of Statute Law Revision Act 1948 (c. 62), s. 3

Cestui que vie remaining beyond Sea for Seven Years together and no Proof of their Lives, Judge in Action to direct a Verdict as though Cestui que vie were dead.

1. If such person or persons for whose life or lives such Estates have beene or shall be granted as aforesaid shall remaine beyond the Seas or elsewhere absent themselves in this Realme by the space of seaven yeares together and noe sufficient and evident proove be made of the lives of such person or persons respectively in any Action commenced for recovery of such Tenements by the Lessors or

II F1

Annotations:

Amendments (Textual)

F.1 S. II repealed by Statute Law Revision Act 1948 (c. 62), Sch. 1

III F2

Annotations:

Amendments (Textual) S. III repealed by Statute Law Revision Act 1863 (c. 125)

IV. If the supposed dead Man prove to be alive, then the Title is revested. Action formeane Profits with Interest.

~~[x] Provided always That if any person or [x] person or] persons shall be evicted out of any Lands or Tenements by vertue of this Act, and afterwards if such person or persons upon whose life or lives such Estate or Estates depend shall returne againe from beyond the Seas, or shall on prooffe in any Action to be brought for recovery of the same [to] be made appeare to be liveing; or to have beene liveing at the time of the Eviction That then and from thenceforth the Tennant or Lessee who was outed of the same his or their Executors Administrators or Assignes shall or may reenter repossesse have hold and enjoy the said Lands or Tenements in his or their former Estate for and dureing the Life or Lives or soe long terme as the said person or persons upon whose Life or Lives the said Estate or Estates depend shall be liveing, and alsoe shall upon Action or Actions to be brought by him or them against the Lessors Reversioners or Tennants in possession or other persons respectively which since the time of the said Eviction received the Proffitts of the said Lands or Tenements recover for damages the full Proffitts of the said Lands or Tenements respectively with lawfull Interest for and from the time that he or they were outed of the said Lands or Tenements, and kepte or held out of the same by the said Lessors Reversioners Tennants or other persons who after the said Eviction received the Proffitts of the said Lands or Tenements or any of them respectively as well in the case when the said person or persons upon whose Life or Lives such Estate or Estates did depend are or shall be dead at the time of bringing of the said Action or Actions as if the said person or persons where then liveing.~~

Annotations: Editorial Information

X2. annexed to the Original Act in a separate Schedule

X3. Variant reading of the text noted in *The Statutes of the Realm* as follows: O omits [O. refers to collection in the library of Trinity College, Cambridge]