

July 20-21, 2002

Adrian Empire Imperial Estates Meeting

July 20-21, 2002

Appendix C

Chancellor's Report

Unto Their Imperial Majesties, and the Estates of the Adrian Empire,

Since my last report, I have tried to assist Your Majesties and Your subjects to the best of my ability. I wish that Your Majesties be aware of the enormous contribution of my Lady wife, Dame Rose of Aberlone, whose clerical skill and patience have compensated for my lack thereof; and, the ongoing efforts of Sir Pavo Rosalia to cultivate a forum in which the Chancellors, Crowns and their advisors throughout the Empire may develop our collective understanding of Adrian Law. The Chancery remains a strange organism combining administration, judiciary, and legislature. Our goals continue to be the eventual delegation of these duties among different officers; to continue to clarify and, if possible, to simplify the body of law and procedure; to reduce unnecessary litigation while protecting Your subjects; and, increase the knowledge and effectiveness of the Estates.

One issue that still must be addressed is the need for better reporting by the subdivision officers to their Imperial Counterparts. While York, Esperance, Umbria, Andorra and Cambridge have been in regular contact; we still need to work together for improvement in this area. Particularly disappointing is that the current Imperial voting member lists of the subdivisions remain incomplete.

As usual this report cannot reflect the absurd number hours of communication and correspondence that have gone into discussion of issues and policy, research, the revision of the bylaws, and the informal advice Your subjects require on a host of issues, nor is it appropriate here to address local justice court proceedings. What follows are current advisories and rulings of law from this office.

Your Servant,

Sir William Baine, Chancellor, Adria

7/13/2002

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July 20-21, 2002

INTERIM RULINGS

1. Interim Ruling re: Conduct of Umbrian Crown War

1. On 3/4, Sir Pavo Rosalia of Umbria wrote:

"Conduct of Umbrian Crown War/Civil War: Any person who wants to participate in an Umbrian crown/civil war will present themselves at the pre-arranged war site in Arizona on the morning of the war. This does not affect the writ already in place concerning archery.

This writ was passed this last weekend by the estates of Umbria.

Sir Waldham, of the estates did request of me, to ask for a ruling on whether this "writ" conflicts or is in violation of the Imperial By-Laws?

I do humbly ask for your guidance in this matter, as it effects this up-coming Crown War, for Umbria.

I, thank you, for your time and consideration."

2. On 3/4, Sir Pavo Rosalia of Umbria wrote:

"16. Umbrian Civil/Crown Wars: All Umbria Civil/Crown Wars shall only have the participation of Umbrian in combat, archery and arts. Outsiders may participate in the following capacities: marshal/arts judge or scribe/water bearer, archer/artisan (archery/arts entry points earned by outsiders shall not go toward any contenders total war points accumulated). All outsiders allowed to marshal/judge or scribe shall have been given the approval of the current Crown/Lord and/or Lady Protector and the contenders of the throne. All outsiders will be given their War Participation point if they sign-in on the Minister of Rolls participation sheet.

Conduct of Umbrian Crown War/Civil War: Any person who wants to participate in an Umbrian crown/civil war will present themselves at the pre-arranged war site in Arizona on the morning of the war. This does not affect the writ already in place concerning archery.

Do these 2 writs conflict, with each other. The top one was already in place, and the 2nd one was just voted in as of this Saturday. I guess, my question is, does this new writ cancel the old one already in place or can both exist together as was intended by HRM Sir Philippe?"

3. On 3/28, Sir Pavo Rosalia of Umbria wrote:

"Umbrian Civil/Crown Wars:

All Umbria Civil/Crown Wars shall only have the participation of Umbrian in combat, archery and arts. Outsiders may participate in the following capacities: marshal/arts judge or scribe/water bearer, archer/artisan (archery/arts entry points earned by outsiders shall not go toward any contenders total war points accumulated). All outsiders allowed to marshal/judge or scribe shall have been given the approval of the current Crown/Lord and/or Lady Protector and the contenders of the throne. All outsiders will be given their War Participation point if they sign-in on the Minister of Rolls participation sheet.

I find that this bylaw goes against what we are suppose to teach. In true Period times, a good contender would make allegiances with neighboring Kingdoms to help him gain the Throne. Mercenaries were to be had. This Writ goes against all that. Not to mention the Fealties shared and can never be experienced the true idealism expressed.

Secondly, a major problem Umbria suffers from in my opinion, is that they think they are so sovereign that they can do anything by their selves. Thus this causes the in-fighting, and eventually will cause more harm then good.

Lastly, at the last 2 Umbrian Crown Wars, Outsiders from other kingdoms had been present and told they only may be in the Ministries. No, extra scenarios were offered. Thus denying them the Chance to gain points. But, yet the Umbrians take advantage of other Kingdoms Crown Wars to gain those points.

I do humbly ask for your guidance and ruling."

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Chancery Rulings:

1. After reviewing the law, the new writ appears to be in no conflict with nor violation of the Imperial By-Laws. The writ is consistent with the letter and spirit of Articles XV and XVI, which address civil and Crown wars, and appears consistent with practice in all other Chartered Subdivisions. The Imperial laws establishing multi-site Imperial Crown and civil wars, XVI D 1 a and XVI C 6, do not indicate that they are to be applied to Chartered Subdivisions, nor do they prohibit it. Likewise, the reference in XVI A 3 to a single site need not be read restrictively, it could apply to any "appointed" sites. Where Imperial Law does not preclude the Chartered Subdivisions from addressing the issue, they may do so. Therefore, if a Chartered Subdivision were so large or might otherwise benefit from multi-site Crown and civil wars, it could adopt law establishing them. But, past Chancellors have held that unless such law was in place in advance, multi-site Crown and civil wars were unauthorized. The new Umbrian writ simply makes the default situation the written law.
2. The Chancery sees no conflict between the two writs. The first, is a restriction on outlander participation. The second, restricts participation to one war site, and on its face "does not affect the writ already in place concerning archery." The writs may be read entirely independently, the second does not repeal the first, though it may be said to amend it because both laws would be applied.
3. Finally, we have reached the real controversy. Is the original writ in conflict with or in violation of the Imperial By-Laws? Yes, the Imperial Estates has had several opportunities to enact similar restrictions in recent years and rejected them soundly. The debates included strong appeals to Adrian tradition; the "right" of Adrians to participate anywhere they travel in the Empire; the benefit of increased event participation; and, that the existing outlander law is sufficient to protect the integrity of the process. Turning to the Law, Article III D states ". . . Participation in Adrian Empire events does not require membership." Article V D states ". . . At all Crown events, members shall be afforded the opportunity to earn their requirements for advancement in their area of endeavor." Article V Estates ". . . The member shall decide which participation shall be recorded when attending multiple events." Article XVI A 3 states ". . . At this time, the visiting members and participants shall be chosen by the contenders for their force. The distribution of all visiting members and participants shall be in proportion to the size of the armies as set by the choice of the membership of the chartered subdivision." The rule is nearly identical in D 3 (Imperial Crown War recruiting). Imperial Law makes every effort to include members and even nonmembers in even our most critical events. There is no ambiguity or implied choice. Prohibiting or even restricting outlander participation by the Chartered Subdivisions is precluded by Imperial Law. Sir Pavo's issue of fairness need not be raised here. Reciprocity and fairness itself are reasons for the Estates to change a law, but not requirements for sustaining or rejecting one. Likewise, failure to follow their own law isn't why the law is defective. Finally, Historical practices and their interpretation is also more suited to Estates debate than to a ruling of whether a writ is in conflict with law.

*In Service,
Sir William Baine,
Chancellor, Adria*

2. Interim Ruling re: 30 Days Effect on Interim Rulings

Friday, May 3, 2002

Unto Their Imperial Majesties,

Your servant, Sir William, sends greetings and offers this Interim Ruling in answer to Your subject, Dame Serene:

". . . if you would find out if the standardized practice of 30 days comes into effect in the matter of the Interim Ruling regarding the Outlander Law of the Kingdom of Umbria. (April 18, 02)"

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Interim Ruling:

No, Article VI.C. Publication of Changes, applies to changing the law--not interpreting it. Article VI.F.5.a.ii. authorizes the Imperial Crown to interpret Imperial Law. Likewise, VI.F.5.b.i. authorizes Royal Crowns to interpret "local codicil or writ." This authority is extended to local application of Imperial Law--unless it conflicts with

Imperial Interpretation. Neither section postpones enforcement--both require action within 30 days. The practice of having the Chancery review the law and draft the rulings is simply delegation of Crown authority and the rulings stand unless the Crown amends or overrules them. "The decision of the Imperial Crown is final and binding." (See a.ii., cited above). Similarly, the actions of Emergency Civil Courts must be immediate or they would be useless.

*In Service,
Sir William Baine,
Chancellor, Adria
5/3/02*

3. Interim Ruling re: Distribution of War Scenarios for a Crown War

Friday, May 3, 2002

Unto Their Imperial Majesties,

Your servant, Sir William, sends greetings and offers this Interim Ruling in answer to Your subject, HIM Justina of Umbria:

"A question has arisen concerning the war scenarios being turned over to the Chancellor and the crown contenders. The autocrat of the war (HRM Sir Phillippe) has informed the chancellor of the date, time and location of the upcoming crown war. The scenarios have been completed, but the autocrat will release them the day of the war." and, "It has been usual and customary for the war scenarios to be handed out the day of the war."

Interim Ruling:

No, custom and practice guide us in the absence of law, Article XVI. Crown War A. Conduct of the War 1. Notice provides that, "The Minister of War shall devise the scenario and advise the Chancellor of the date, time and place set for the war at least sixty (60) days prior to the actual date of the war." B. War, states that, "The Minister of War will then provide a copy of the first day's battles to each contender. On the following morning, after Opening Court, the battles will begin."

While the first part of 1. "devise the scenario" may be read as a grant of authority and distinct from "and advise the Chancellor of the date, time and place set for the war at least sixty (60) days prior to the actual date of the war." The Chancellor is to be notified of the "date, time and place"--not the scenario.

B. may require us to read the sentences in reverse order but it is quite clear. The first day's battles shall be provided to the contenders the evening/night before the morning the battles begin. We interpret it as the evening or night before, only because of the use of the word "morning." A simpler interpretation is anytime the day before the war begins.

Just to put another issue away before it is raised, if any parties "suffered injury" because any of this did not occur 60 days in advance--they are 30 days past the statute of limitations.

*In Service,
Sir William Baine,
Chancellor, Adria
5/3/02*

July 20-21, 2002

4. Interim Ruling re: Field Coronations

Friday, May 3, 2002

Unto Their Imperial Majesties,

Your servant, Sir William, sends greetings and offers this Interim Ruling in answer to Your subject, Dame Aislyne de Chartier:

". . . based on Aragonian precedence, Field Coronations are not permissible." and, "Per the bylaws, the Heirs Apparent have the right to determine the time and

location of their Coronation. Umbrian precedence shows Field Coronations for the last two reigns, the most recent of which was our current Crowns TRM Phillippe and Justina, two weeks before the required end of the Reign of James the Red. There are no laws in Umbria that dictate a timeframe for Coronation, nor that preclude Field Coronations."

Interim Ruling:

No, the Aragon precedent is that, 1. in compliance with Article VI.F.b.i., Royal Crowns are authorized to interpret law locally unless it conflicts with Imperial Interpretation; and, 2. the interpretation of Aragon's Crown was that his reign could not be terminated early without His consent. HRM Gwyllum, after consulting with his Chancellor, the Imperial Chancery, and the Imperial Crowns, determined that while the reign may not exceed one year (Article XIV.B.) nor could it be shorter without His consent unless He was removed by the Estates (Article VI.F.4.c.ii.) or Civil War (Article XV.B.). His decision was to compromise with His successors stepping aside a month early but giving Himself and His officers time to finish their business.

Interestingly, since Aragon had no precedent, HRM Philippe of Umbria was consulted in reaching the decision in Aragon. Last year, HRM James' reign ended at about the time of the War and He notified the contenders that they had to be ready to take the throne then. It was HRM Philippe understanding that Field Coronation required Crown permission.

The Imperial Chancery also notes the following: Article V.B., Crown sanction required for official event; Article V.A.and B., only Crown may waive notice requirement (exception, see Article XV.A.and B.1. Civil War no notice requirement for populace); Article IX.D.3.b.and c. titles of Prince and Princess for Heirs Apparent; in Article XIV.E.4., Imperial practice of Crown War in September and Coronation in November, also in E. Coronation timetables are to be set by the Imperial Estates, Kingdoms and other chartered subdivisions and be made known throughout the subdivision and the Empire.

From discussion with past Chancellors, one explanation of why Article XVI.C. states that the Heirs Apparent proclaim the date and location, is that it serves to remind all involved that it is the successors' day--their celebration not that of the outgoing sovereigns. But that proclamation is not made in a vacuum--other law indicates that it is a joint decision. The Crown and successors may agree to "anything." But the Crown cannot be forced out early except as provided in law.

Field coronations are not prohibited--they require Crown consent. Each chartered subdivision is required to set its coronation timetable in law, not doing so has created this controversy. If the Kingdom Estates fail to establish their own law, the Crown right to interpret local law is likely to produce decisions consistent with Crown preference. Perhaps, the Imperial Estates needs to address this issue to adopt consistent law throughout the Empire..

*In Service,
Sir William Baine,
Chancellor, Adria
5/3/02*

July 20-21, 2002

IMPERIAL JUDICIAL PROCEEDINGS

5. Regarding Sir Jamie the Red

Allegations were received from Sir Patrick on behalf of Dame Katherine McGuire against Lord Protector of Esperance Sir Jamie the Red.

On March 8, 2002 the Chancery requested presentation of a prima facie case. On March 24, 2002 an extension was requested by Sir Patrick. The extension was granted on April 4, 2002. On May 3, 2002 Sir Patrick was advised that the extension was exhausted, and having failed to present a prima facie case, the allegations against Sir Jamie the Red were rejected. On May 3, 2002 Sir Patrick requested another extension; this was not granted.

6. Regarding Sir Gwyllum ap DuDrane

Allegations were received from Dame Charicce against HRM Sir Gwyllum ap DuDrane, Aragon.

On March 12, 2002 the allegations were sent to the Imperial Justicar Sir Magus and HIM Dame Maedb. On March 13, 2002 they were forwarded to the Chancery. On April 3, 2002 the Justicar notified Dame Charicce the matter had been sent to the Chancery; the Chancery requested presentation of a prima facie case and made specific comments regarding each allegation. On April 18, 2002 an extension was requested by Dame Marcella on behalf of Dame Charicce; the extension was granted. On April 28, 2002 Dame Marcella submitted revised allegations and evidence, including a recorded excerpt. On May 3, 2002 the Chancery requested the complete recording. On June 21, 2002 the Chancery notified Dame Marcella, citing IEW 12, that the allegations were not found legitimate nor warranting trial. After extensive review and upon direct consultation with TIMs the burden of providing a prima facie case was not met. The evidence offered did not address the original charges that were timely filed. The revised filing introduced a new allegation well beyond the statute of limitations and failed to substantiate the original allegations.

7. Regarding Allora McDonnon

Allegations were received against Allora McDonnon of Terre Nueve.

On April 20, 2002 allegations and evidence were forwarded to the Chancery from Dame Marcella. On April 25, 2002 allegations and evidence were forwarded to the Chancery from Archduke Arion Hirsch, Archduchess Juliana Hirsch, Prince James of the March de Coirnoir, Prince Eric the Awful, Sir Friedrich von Metz, Sir William de Gardiner, and Baron Nigel Seymour of Huntington (chattel goods charge only) of Brandenburg. After extensive evaluation of the allegations and evidence, in consultation with TIMs, jurisdiction in this matter is taken by the Imperial Government. As per IEW 12, the allegations are legitimate as they state chargeable acts and present sufficient evidence to warrant trial. The charges were timely filed and the matter is being forwarded to the Justicar Sir Magus for trial.

8. Regarding Sir Trakx Greenwood and Squire Wot

Regarding Cases in York versus Sir Trakx and Squire Wot.

Charges were filed in York on April 30, 2002. Procedural appeals were made to the Imperial Chancery also on April 30, 2002. Relief was unavailable. Rulings from the trial were received June 10, 2002. Appeals of the rulings were also received June 10, 2002. Complete records were requested. Files and videos were received and will be evaluated. The Imperial Crown will review sentences.

ADDITIONAL

Other matters and additional progress may be appended to this report at the Imperial Estates Meeting.

In Service
Sir William Baine
Chancellor, Adria

END OF CHANCELLOR'S REPORT
