

HALE VERSUS HENKLE

"There is a clear distinction in this particular case between an individual and a corporation, and that the latter has no right to refuse to submit its books and papers for an examination at the suit of the State. The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no such duty to the State, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the law of the land, long antecedent to the organization of the State, and can only be taken from him by due process of law in accordance with the Constitution. Among his rights is a refusal to incriminate himself, and immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights."

Hale v. Henkle 201 U.S. 43. (1905)

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Cited Since 1905:

In the Supreme Court

144 Times.

In the Lower Federal & State Courts

1,600 Times.

The above Supreme Court decision
Hale vs. Henkle has NEVER been overturned.

Dartmouth College vs. Woodard

New Hampshire attempted to bring Dartmouth College, which is established as a Pure Trust organization, under the controls of its state legislation.

The Supreme Court concluded that:

The opinion of the court, after serious deliberation, is that this is a contract, The obligation of which after the revolution, the constitution of the United States imposed this additional limitation, that the legislature of a state "shall pass no law impairing the obligation of contract."

It results from this opinion, that the acts of the legislature of New Hampshire are repugnant (conflicting) to the Constitution of the United States.

Dartmouth College v. Woodard 17 U.S. 518 (1819)

Dartmouth College Case

Cited Since 1819:

In the Supreme Court

105 Times.

In the Lower Federal & State Courts

2,365 Times.

The above Supreme Court decision
has also NEVER been overturned.

The Complex Trust enjoys as much, if not
more, constitutional protection as Dartmouth
College did in 1819.
