



Res Judicata

A matter adjudged; a thing judicially acted upon or decided; a thing or matter settled by judgment. A phrase of the civil law, constantly quoted in the books. Rules that final judgment or decree on merits by court of competent jurisdiction is conclusive of rights of parties or their privies in all later suits on points and matters determined in former suit. And to be applicable, requires identity in thing sued for as well as identity of cause of action, of persons and parties to action, and of quality in person for or against whom claim is made. The sum substance of the whole rule is that a matter once judicially decided is finally decided.

Supreme Court Case Laws

“Officers of the court have no immunity, when violating a Constitutional right, from liability. For they are deemed to know the law.” *Owen v. Independence*, 100 S.C.T. 1398, 445 US 622.

TRAVELING

Christy v. Elliot, 216 I 131, 74 HE 1035, LRA NS 1905 – 1910: **California v. Farley** 98 CED Rpt. 89, 20 CA 3d 1032 (1971):

Traveling in an automobile on the public roads was not a threat to the public safety or health and constituted no hazard to the public, and such a traveler **owed nothing more than “due care”** (as regards to tort for negligence) to the public and the owner owed no other duty to the public (eg. State), he / she and his / her auto, having equal rights to and on the roadways / highways as horses and wagons, etc.; this same right is still substantive rule, in that speeding, running stop signs, traveling without license plates, or registration are not threats to the public safety, and thus, are not arrestable offenses.