



# Liberty Tree

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## A COMPULSORY JAB OF CROWN POISON\* vs. your inherent right to control your body.

### Part III: INFORMED CONSENT

In the last August and September issues of the *Liberty Tree*, we examined the assertions of “constitutional scholars” that the Supreme Court decision in *Jacobson v. Massachusetts*, 197 US 11

(1905) justifies mandatory vaccination, particularly during the ‘pandemic’ called COVID-19.

Jacobson refused to be vaccinated when the Cambridge Board of Health required smallpox vaccinations or a fine of \$5. At his trial, the judge excluded any evidence in his defense relating to “alleged injurious or dangerous effects of vaccination,” and refused to instruct the jury that the law deprived persons of rights secured by the U.S. Constitution.

When Jacobson appealed those errors, insisting that mandatory vaccination was a violation of the inherent right of every freeman to care for his own body and health in such way as to him seems best in accordance with his religious beliefs, Supreme Court Justice Harlan decided that the *general comfort, health, and prosperity of the State* was more important than the State’s violations of individual’s liberty and bodily integrity. His rationale: “in-

herent” police powers of the State can violate the security of persons guaranteed by the Constitution.

In the same year, however, the Minnesota Supreme Court decided one of the first patient “consent” cases in *Mohr v. Williams*, 95 Minn. 261 (1905). During the course of the 20<sup>th</sup> century, the judicial doctrine recognizing the requirement of consent for medical treatment developed to include recognition that consent must be obtained from patients or research subjects who have been *fully informed* of the benefits, risks, and alternatives of any procedure or experiment.

The ‘informed consent’ doctrine is *not* reconcilable with forced or mandatory vaccination, but comports instead with the Fourth Amendment’s guarantee that “[t]he right of the people to be secure in their persons ... against unreasonable ... seizures, shall not be violated.”

“Over himself, over his own body and mind, the individual is sovereign.” – John Stuart Mill

“God who gave us life gave us liberty.” – Thomas Jefferson

The Creator has given us our bodies, minds, and souls, and as we live, they are ours, individually and irrevocably, and do not belong to other men. The absolute right to exert one’s independence or autonomy in making choices about one’s own body, mind, and soul is the very essence of individual liberty. If one is compelled to action not of his own choosing, he is not free.

Tyrants generally assert control over individuals by claiming they exercise a power of collective self-defense, asserted by the group (which they allegedly represent) against the individual. “Public health” – e.g., the threat of communicable diseases to individuals in the group – is a prime example of such tyranny. It has violated individual liberty by forced vaccination and quarantines in the past, and recently by imposing masks and lockdowns. Of all of these, however, vaccination, which actually inserts foreign material into a person’s body, constitutes one of the gravest invasions of liberty.

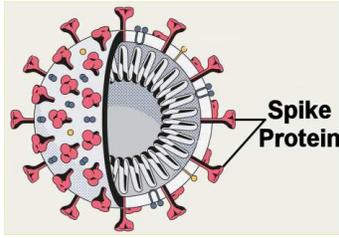
Mandated COVID ‘vaccination,’ without warrant, is unquestionably a bodily trespass forbidden by the Fourth Amendment. (No court appears to have considered the guarantees of that Amendment – or the States’ similar constitutional guarantees – with respect to public health

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\* “Crown” is derived from the Anglo-French *corone*, *coroune*, going back to Latin *corōna* “wreath, garland worn on the head as a mark of honor or emblem of majesty.” “Virus” is derived from Latin *vīrus* meaning “venom, poisonous fluid.” Thus coronavirus literally means crown poison.

# ABOUT THOSE POISONED SPIKE PROTEIN SHOTS ...

There are three CoV injections which have received EUA (Emergency Use Authorization) by the FDA. All three claim to induce the body to make antibodies to the “spike protein” of the coronavirus — the protein which forms the spikes of the ‘crown’ (pictured right). The Moderna and Pfizer/BioNTech injections are said to contain synthetic mRNA encapsulated in a lipid nanoparticle (tiny fat bubble). Once injected, the mRNA is said to be able to enter human cells and hijack the cell ribosomes to produce the spike protein. The body then attacks that protein by producing antibodies to it; antibodies allegedly remain in the body to attack future natural coronaviruses. The Johnson & Johnson shot is said to contain a human adenovirus modified to contain the gene for making spike protein, which replicates in human cells and similarly causes the body to produce antibodies.



tabase of adverse reactions readily available is the VAERS database, maintained by the CDC. VAERS — the Vaccine Adverse Event Reporting System — accepts reports from healthcare providers, vaccine manufacturers, patients, parents, and anyone else wanting to report adverse side effect events from the administration of a vaccine.

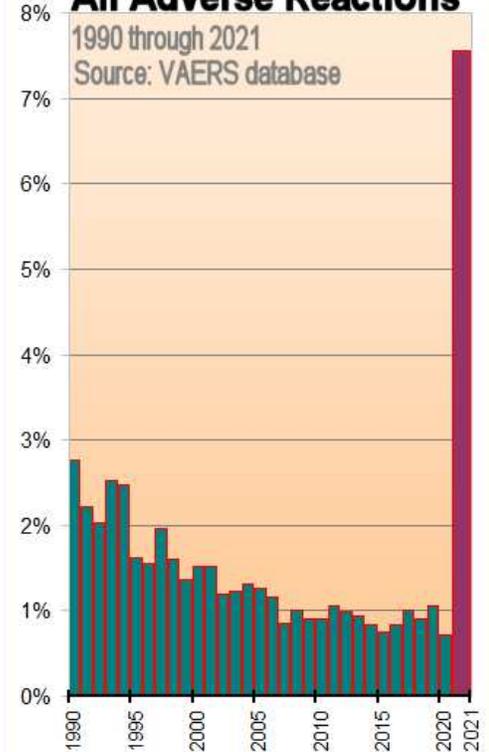
Assuming the injections work as described, research strongly suggests that causing the body to produce antibodies to CoV spike protein is dangerous to body integrity and health. A research article published in *Frontiers in Immunology* (1/19/2021), for example, investigated the potential for cross-reaction of human antibodies to SARS CoV spike proteins, and found that the antibodies also attack numerous human tissues (28 out of 55 tested), including those of the nervous system, mitochondria, and blood vessels. The article concluded that antibodies to spike proteins, whether induced by COVID infection or by vaccination, could cause *autoimmune disease* against a host of body tissues. In autoimmune disease, the body appears to attack itself, leading to organ failure.<sup>1</sup>

Another research article, published in *JCI Insight* (2/21/2019) found that antibodies produced from vaccinations containing SARS spike protein caused serious injury to the lungs. The more antibodies, the more injury occurred.<sup>2</sup>

These ‘vaccines’ are all experimental, and potential long-term harms to health are unknown. The only da-

It is known that the more severe the adverse event, the higher likelihood there is of it being reported. Accordingly, the figures being reported to VAERS for serious side effects for the COVID injections should be worrisome. In just *two months* of 2021, more deaths from vaccines have been reported than in *any* previous year (see chart below), and around 97 percent of those deaths were attributed to COVID ‘vaccines.’ If this trend is projected just until June of 2021, the numbers of reported deaths from vaccines will already be 16 times greater than any other year — due to the COVID shots. These figures do not include the life-threatening shock, paralysis, and permanent disability resulting from COVID ‘vaccines’ so far.

## Deaths as Percentage of All Adverse Reactions



## Number of Vaccination Deaths Reported by Year

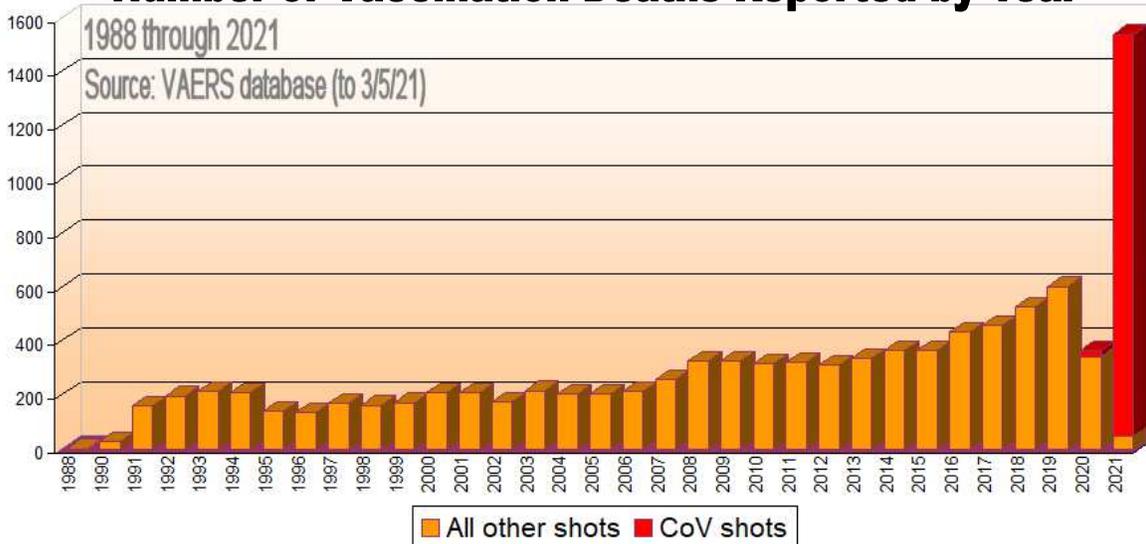


Chart above: In just the first two months of 2021, deaths represent a higher percentage of overall reported adverse reactions to vaccines than ever before.

Chart to left: Since the advent of COVID shots, deaths following vaccination reported to the VAERS system have skyrocketed compared to all other years, and this in just the first two months of the year.

- <https://www.frontiersin.org/articles/10.3389/fimmu.2020.617089/full>
- <https://insight.jci.org/articles/view/123158>; <https://vaxxter.com/covid-vaccines-part-2/>

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measures to date, however.) Nevertheless, at the present time, all CoV injections<sup>1</sup> are *unapproved* by the FDA and cannot be mandated, by federal law.

Rolled out for the first time in December 2020, CoV injections are being relentlessly pushed on Americans with vague promises that they are “effective” against COVID and that mass inoculation will somehow restore Americans’ former social and economic lives. At the same time, official talking heads are making it clear that even if persons are ‘vaccinated,’ masking, distancing, and lockdowns will continue. What is conspicuously missing from all mainstream discussion, however, is the fact that CoV inoculations are experimental, and represent unknown risks to individuals’ health. No public official tells Americans that should their health be destroyed by a CoV shot, they will be unable to sue manufacturers for damages. Moderna, Pfizer, and Johnson & Johnson are all entirely free from liability.<sup>2</sup>

### No mandate to date

No CoV injection is FDA-approved; instead, the FDA has authorized the use of the injections under a temporary EUA (Emergency Use Authorization) as experimental agents. Emergency use for unapproved products appears to include a prohibition by 21 U.S.C § 360bbb-3(e)(1) from being made mandatory:

With respect to the emergency use of an unapproved product, the Secretary ... shall ... establish such conditions on an authorization ... as the Secretary finds necessary or appropriate to protect the public health, including the following:

(ii) Appropriate conditions designed to ensure that individuals to whom the product is administered are informed- (I) that the Secretary has authorized the emergency use of the product; (II) of the significant known and potential benefits and risks of such use, and of the extent to which such benefits and risks are unknown; and (III) of the option to accept or refuse administration of the product, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.<sup>3</sup>

The language of this federal law requires that individuals getting EUA products such as the CoV shots be informed as to the known potential benefits and risks,

**INFORMED CONSENT:** 1. a person’s agreement to allow something to happen, made with full knowledge of the risks involved and the alternatives. 2. A patient’s knowing choice about treatment or a procedure, made after a physician or other health care provider discloses whatever information a reasonably prudent provider in the medical community would provide to a patient regarding the risks involved in the proposed treatment.

*Black’s law Dictionary, 7<sup>th</sup> edition.*

and any alternatives to the CoV shot in question, as well as those alternatives’ potential risks and benefits. This language reflects the doctrine of informed consent, which has been developing steadily since the *Jacobson* vaccination case in 1905.

### Informed consent recognizes individual liberty

The legal doctrine of informed consent developed through court decisions beginning in the early 20<sup>th</sup> century. Four main cases held that operating on a patient without the patient’s explicit consent was a type of battery, and the operators could be liable for injuries sustained: *Mohr v. Williams*, *Pratt v. Davis*, *Rolater v. Strain*, and *Schloendorff v. Society of New York Hospitals*. In the first case, Mrs. Mohr consented to have surgery done on her right ear, but the surgeon removed portions of her left ear instead when she was anesthetized. The Minn. Supreme Court found that a person’s greatest right is to herself, that is, her body:

Under a free government, at least, the free citizen’s first and greatest right, which underlies all others — ***the right to the inviolability of his person; in other words, the right to himself*** — is the subject of universal acquiescence, and this right necessarily forbids a physician or surgeon, however skillful or eminent ... to violate, without permission, the bodily integrity of his patient by a major or capital operation, placing him under an anaesthetic for that purpose, and operating upon him without his consent or knowledge. *Mohr*, 104 N.W. at 13.

Following the recognition of the need for consent to medical intervention, the courts decided that such consent must also be reasonably *informed* in order to preserve patients’ rights. In *Salgo v. Leland Stanford Jr. University Board of Trustees*, 317 P.2d 170 (1957), the court found the doctor had never explained to Mr. Salgo the various possible complications of his operation, including the risk of paralysis, and was therefore liable. The court stated that “a physician violates his duty to his patient and subjects himself to liability if he withholds any facts which are necessary to form the basis of an *intelligent* consent by the patient to the proposed treatment.” *Id.*, at 181.

In *Natanson v. Kline*, 186 Kan. 393 (1960), the Kansas Supreme Court eloquently stated the reason for a

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1. Since all injections involve a gene therapy which hijacks the body’s processes to make the spike protein involved in coronavirus, rather than vaccination as previously understood, we will refer to these as CoV (coronavirus) *injections*, and to the alleged disease these injections ‘prevent’ as COVID.
2. The 2005 Public Readiness and Emergency Preparedness Act (PREP) relieves pharmaceutical companies that make or distribute vaccines from liability unless there is “willful misconduct” by the company. The PREP Act also created the Countermeasures Injury Compensation Program, which provides benefits to people who claim injuries from vaccines under **emergency authorizations (EUAs)**. The CICP is the only recourse available to persons injured by CoV injections, and all claims must be filed within just ONE YEAR of receiving an injection!
3. All emphases added, unless otherwise noted.

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doctor's duty to explain to a patient in simple language the nature of the patient's ailment, the proposed treatment and its benefits, the probability of success, the availability of alternatives, and the potential risks as being grounded in that fundamental liberty of owning oneself:

Anglo-American law starts with the premise of thorough-going self-determination. It follows that **each man is considered to be master of his own body**, and he may, if he be of sound mind, expressly prohibit the performance of life-saving surgery, or other medical treatment. A doctor might well believe that an operation or form of treatment is desirable or necessary but the law does not permit him to substitute his own judgment for that of the patient by any form of artifice or deception. *Id.*, 406-407.

Note that defrauding or deceiving the patient to induce him to take the treatment desired by the physician is a violation of that person's inherent right to his own body and his freedom to make his own choices.

In 1972, the case *Canterbury v. Spence*, 464 F.2d 772 (D.C. Cir. 1972) stated: "True consent to what happens to one's self is the informed exercise of a choice, and that entails an opportunity to evaluate knowledgably the options available and the risks attendant upon each."

**FDA fact sheets NOT informed consent**

The CoV shots are worldwide human experiments. Only a few thousand people were included in previous human trials, and those trials were exceedingly short, the median length about two months. No long-term effects of these novel gene-therapy shots are known.

Injectees must sign "informed consent" forms, however, which include FDA "fact sheets" which allegedly inform them of injection risks and benefits. As an example, a Florida Health consent form states: "I understand that it is not possible to predict all possible side effects or complications



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associated with receiving vaccine(s). I understand the risks and benefits associated with the above vaccine and have received, read and/or had explained to me the Emergency Use Authorization Fact Sheet on the COVID-19 vaccine I have elected to receive."

Do EUA fact sheets adequately explain risks and benefits? The Moderna sheet, *e.g.*, states the benefit as "[it] **may** prevent COVID-19." That's it. As to risks, the sheet advises of injection site pain, tenderness, and lymph node swelling, along with "fatigue, headache, muscle pain, joint pain, chills, nausea and vomiting, and fever." Also "a remote chance [it] could cause a severe allergic reaction." No mention is made of Guillain-Barre syndrome or Bell's Palsy — possible side effects of vaccination in general — or the possibility of permanent disability or death. Despite two months worth of VAERS data (see article, page 2) showing many reports of death, anaphylaxis, and permanent disability so far, the fact sheet has not been updated to inform injectees of the substantial risks to their life and health.

The American people have been deceived by fraud and propaganda into lining up for these dubious poison shots. On an enormous scale, the people's right to informed consent, so necessary to appropriately exercise their right to self-government over their own bodies, has been violated.

It's your body, it's your God-given choice. Be informed, or you cannot stand for liberty!!



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