

Word Study ^{G915} *barbaros* barbarous and its connection to Cestui Qui Trust

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Introduction

ToDo:

- Finish this introduction.
- Add an etymology of barbarous

cestui qui trust

A **barbarous** phrase, to signify the beneficiary of an estate held in trust. He for whose benefit another person is enfeoffed or seised of land or tenements, or is possessed of personal property. The **cestui que trust** is entitled to receive the rents and profits of the land; **he** (The artificial entity person e.g. JOHN MARSING) may direct such conveyances, consistent with the trust, deed or will, as **he** shall choose, and the trustee (q. v.) (John Marsing, holds the title of Trustee for JOHN MARSING) is bound to execute them: he may defend his title in the name of the trustee.

G915 *barbaros* ^{KJC:6} barbar(ian)(ians)(out)⁶

βάρβαρος

Of uncertain derivation; a **foreigner** (that is, *non Greek*): - barbarian (-rous).

KJV 6 barbarian, 3 [1Co 14:11](#) (2), [Col 3:11](#), barbarians, 2 [Act 28:4](#), [Rom 1:14](#), barbarous, 1 [Act 28:2](#)

Verses with *Barbaros*

ToDo Maybe adds some commentary as to what Paul is talking about

1Co 14:11 KJV Therefore if I know not the meaning of the voice, I shall be unto him that speaketh a barbarian, and he that speaketh *shall be* a barbarian unto me.

Col 3:11 KJV Where there is neither Greek nor Jew, circumcision nor uncircumcision, **Barbarian**, Scythian, bond *nor* free: but Christ *is* all, and in all.

Col 3:11 RSTNE ¹

¹¹ Where there is neither Greek (*Helen* ^{G1672}), or Yahudi, brit milah, or uncircumcision, **foreigner**, or Scythian, ^{6226 6227}, bond, or free: but Moshiach is all, and in kol Yisrael. ⁶²²⁸

RSTNE Footnotes

6226: The Scythians were Efrayimites according to Talmud Kiddushin 71A, stating that Scythians will return to Yisrael, when the prophet Elijah comes. Also, the first century Greeks were not pure heathen, but lost Yisraelites, as explained in the video The Greeks of The Brit Chadasha available at:

<http://restorationscriptures.org/link28.htm> or see the article at: <http://restorationscriptures.org/52.htm>

6227: The Greek word Strong's Greek ^{G915} for "**barbarian**" is actually "**foreigner**," and here Paul compares a foreigner to a non-foreigner, or a Scythian, showing that many Scythians were biological Yisraelites in the believing congregation.

6228: In other words, all believers are part of Yisrael, regardless of how, or what part of the nation they came from. Who is who in biblical understanding, is determined by what is what.

Act 28:1-4 KJV And when they were escaped, then they knew that the island was called Melita. ² And the **barbarous** people shewed us no little kindness: for they kindled a fire, and received us every one, because of the present rain, and because of the cold. ³ And when Paul had gathered a bundle of sticks, and laid *them* on the fire, there came a viper out of the heat, and fastened on his hand. ⁴ And when the **barbarians** saw the *venomous* beast hang on his hand, they said among themselves, No doubt this man is a murderer, whom, though he hath escaped the sea, yet vengeance suffereth not to live.

Rom 1:14-17 KJV I am debtor both to the Greeks, and to the **Barbarians**; both to the wise, and to the unwise. ¹⁵ So, as much as in me is, I am ready to preach the gospel to you that are at Rome also. ¹⁶ For I am not ashamed of the gospel of Christ: for it is the power of God unto salvation to every one that believeth; to the Jew first, and also to the Greek. ¹⁷ For therein is the righteousness of God revealed from faith to faith: as it is written, The just shall live by faith.

¹ **RSTNE:** Restored Scripture True Name Edition.

DROIT D'AUBAINE

jus² albinatus³.

1. This was a rule by which all the property of a deceased foreigner, whether movable or immovable, was confiscated to the use of the state, to the exclusion of his heirs, whether claiming ab intestato⁴, or under a will of the deceased. The word *aubain* signifies *hospes loci, peregrinus advena*, a stranger. It is derived, according to some, from *alibi*, elsewhere, *natus*⁵, born, from which the word *albinus* is said to be formed. Others, as *Cujas*, derive the word directly from *advena*, by which word, *aubains*, or **strangers**, are designated in the capitularies of **Charlemagne**. See Du Cange and Dictionnaire de Trevoux.

2. As the darkness of the middle ages wore away, and the light of civilization appeared, thing barbarous and inhospitable usage was by degrees discontinued, and is now nearly abolished in the civilized world. It subsisted in France, however, in full force until 1791, and afterwards, in a modified form, until 1819, when it was formally abolished by law. For the gross abuses of this feudal exaction, see Dictionnaire de l'Ancien Regime et des abus feodaux.
Aubain. See Albinatus jus.

² **jus** Law or right. This term is applied in many modern phrases. It is also used to signify equity. Story, Eq. Jur. 1; Bract, lib. 1, c. 4, p. 3; Tayl. Civ. Law, 147; Dig. 1, 1, 1. 2. The English law, like the Roman, has its jus antiquum and jus novum and jus novissimum. The jus novum may be supposed to have taken its origin about the end of the reign of Henry VII. A. D. 1509. It assumed a regular form towards the end of the reign of Charles II. A. D. 1685, and from that period the jus novissimum may be dated. Lord Coke, who was born 40 years after the death of Henry VII. is most advantageously considered as the connecting link of the jus antiquum and jus novissimum of English law. Butler's Remin.

³ **aubaine** French law. When a foreigner died in France, the crown by virtue of a right called droit d'aubaine, formerly claimed all the personal property such foreigner had in France at the time of his death. **This barbarous law was swept away by the French revolution of 1789.** Vide Albinatus Jus. 1 Malleville's Analyse de la Discussion du Code Civil, pp. 26, 28 1 Toullier, 236, n. 265.

⁴ **AB INTESTAT** An heir, ab intestat, is one on whom the law **casts** † the inheritance or estate of a person who dies **intestate** ††.

† see definition for **operation of law**, .. “applied to those rights which are **cast** upon a party by the law, without any act of his own; as, the right to an estate of one who dies intestate. The first use of this word **cast**, both in English and Hebrew (*shalak* H7993) in the bible is **Gen 21:15** KJV “And the water was spent in the bottle, and she (Hagar =The Ger) **cast** (*shalak* H7993) the child (Ishmael) under one of the shrubs.” It’s like her inheritance, who is her son, is about to die and is de-facto **castrated**.

†† **INTESTATE** 1. One who, having lawful power to make a will, has made none, or one which is defective in form. In that case, he is said to die intestate, and his estate descends to his heir at law. See Testate. 2. This term comes from the Latin intestatus. Formerly, it was used in France indiscriminately with de-confess; that is, without confession. It was regarded as a crime, on account of the omission of the deceased person to give something to the church, and was punished by privation of burial in consecrated ground. This omission, according to Fournel, Hist. des Avocats, vol. 1, p. 116, could be repaired by making an ampliative testament in the name of the deceased. See Vely, tom. 6, page 145; Henrion De Pansey, Autorite Judiciare, 129 and note. Also, 3 Mod. Rep. 59, 60, for the Law of Intestacy in England.

⁵ **POST NATUS** Literally after born; it is used by the old law writers to designate the second son. See Puisne; Post-nati.

DROIT

A French word, which, in that language, signifies the whole collection of laws, written and unwritten, and is synonymous to our word law. It also signifies a right, *il n'existe point de droits sans devoirs*, et vice versa. ¹ Toull. n. 96; Poth. h. t. With us it means right, ^{jus. Co. Litt. 158.} A person was said to have *droit droit*, *plurimum juris*, and *plurimum possessionis*, when he had the **freehold**, the **fee**, and the **property** in him. ^{Id. 266; Crabb's H. Eng. L. 400.}

Barbarous, Webster's 1828

B'ARBAROUS, a. Uncivilized; savage; unlettered; untutored; ignorant; unacquainted with arts; stranger to civility of manners.

Thou are a roman; be not barbarous.

2. Cruel; ferocious; inhuman; as barbarous.

ALIBI

in evidence. This is a Latin word which signifies, elsewhere.

2. When a person, charged with a crime, proves (*se eadem die fuisse alibi*,) that he was, at the time alleged, in a different place from that in which it was committed, he is said to prove an alibi, the effect of which is to lay a foundation for the necessary inference, that he could not have committed it. ^{See Bract. fo. 140, lib. 3, cap. 20, De Corona.}

3. This proof is usually made out by the testimony of witnesses, but it is presumed it might be made out by writings; as if the party could prove by a record properly authenticated, that on the day or at the time in question, he was in another place.

4. It must be admitted that mere alibi evidence lies under a great and general prejudice, and ought to be heard with un-common caution; but if it appear, to be founded in truth, it is the best negative evidence that can be offered; it is really positive evidence, which in the nature of things necessarily implies a negative; and in many cases it is the only evidence which an innocent man can offer.