

In Elliott v. Peirsol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828), the court stated that "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers. This distinction runs through all the cases on the subject; and it proves, that the jurisdiction of ANY COURT exercising authority over a subject, may be inquired into IN EVERY COURT, when the proceedings of the former are relied on and brought before the latter, by the party claiming the benefit of such proceedings." [Emphasis added].

Elliott v. Lessee of Peirsol, 26 U.S. 328, 1 Pet. 328 (1828)

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