



\* **Source used: Black's Law (5th ed) unless noted otherwise**

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**Act** - Legislative act. An alternative name for statutory law. When introduced into the first house of the legislature, a piece of proposed legislation is known as a bill. When passed to the next house, it may then be referred to as an act. After enactment the terms "law" and "act" may be used interchangeably. An act has the same legislative force as a joint resolution but is technically distinguishable, being of a different form and introduced with the words "Be it enacted" instead of "Be it resolved."

Acts are either public or private. Public acts (also called general acts, or general statutes, or statutes at large) are those which relate to the community generally, or establish a universal rule for the governance of the whole body politic. Private acts (formerly called special), are those which relate either to particular persons (personal acts) or to particular places (local acts), or which operate only upon specified individuals or their private concerns. *Unity v. Burrage*, 103 U.S. 447, 454, 26 L.Ed. 465. Public acts are those which concern the whole community and of which courts of law are bound to take judicial notice.

**Agency:** Agency is the fiduciary relation which results from the manifestation of consent by one person to another so that the other shall act on his behalf and subject to his control, and consent by the other so to act.

**ALL CAPS NAME / Legal Name: Course Definition** – The name written in uppercase letters (e.g., JOHN DOE) often referred to as FIRST MIDDLE LAST representing legal fiction. Can be presented as Strawman / Birth Certificate Name (LAST, FIRST MIDDLE) or FIRST MIDDLE LAST (as in US). Usually how it appears on the Driver's License.

**Autograph** – A living man or woman's signature, distinct from a legal signature. Often used across stamps to bond a document.

**Black's Definition: Legal name:** Under common law consists of one Christian name and one surname, and the insertion, omission, or mistake in middle name or initial is immaterial. The "legal name" of an individual consists of a given or baptismal name, usually assumed at birth, and a surname deriving from the common name of the parents. *Application of Green*, 54 Misc.2d 606, 283 N.Y.S.2d 242, 245.

**Beneficiary:** – One who benefits from the act of another.

**Beneficial Interest:** Profit, benefit, or advantage resulting from a contract, or the ownership of an estate as distinct from the legal ownership or control. When considered as designation of character of an estate, is such an interest as a devisee, legatee, or donee takes solely for his own use or benefit, and not as holder of title for use and benefit of another.

**Birth Certificate – Course Definition:** A state-issued certificate acknowledging the live birth of a child, illustrated in the course as a source document for creating a trust or legal person.



**Birth Certificate - Black's:** A formal document which certifies as to the date and place of one's birth and a recitation of his or her parentage, as issued by an official in charge of such records. Furnishing of such is often required to prove one's age. See Birth record.

**Certificate:** A written assurance, or official representation, that some act has or has not been done, or some event occurred, or some legal formality has been complied with. A written assurance made or issued from some court, and designed as a notice of things done therein, or as a warrant or authority, to some other court, judge, or officer. A statement of some fact in a writing signed by the party certifying. A declaration in writing. A "certificate" by a public officer is a statement written and signed, but not necessarily sworn to, which is by law made evidence of the truth of the facts stated for all or for certain purposes. A document certifying that one has fulfilled the requirements of and may practice in a field. See also Affidavit; Birth certificate; License; Permit

**Certificate of Live Birth (COLB) / aka Registration of Live Birth (ROLB) – Course Definition:** A legal estate created upon registration of a live birth, enabling governments to create securities or bonds backed by the individual's life energy.

MEMBERS ONLY



### Certificated Security: Black's Law 11th Edition:

A security represented by a physical certificate, such as a stock certificate, which embodies the right to ownership and must be delivered and endorsed to affect a transfer.

#### Black's notes that:

- It is a form of investment security.
- Rights are transferred through possession and endorsement.
- Governed by UCC Article 8 in the U.S.

Certificated Security (Definition from UCC (uniform commercial code): UCC § 8-102(a)(4): "Certificated security" means a security that is represented by a certificate.

## Comparison Chart of "Certificated Security"

Aspect	UCC America	PPSA Canada	CORPORATIONS ACT Australia
<b>Governing Law</b>	UCC Article 8 Investment Securities	Securities Transfer Act (STA)	Corporations Act 2001 & Personal Property Security Act 2009
<b>Defn: Certificated Security</b>	Physical Certificate Paper instrument) evidencing ownership	Physical Certificate Paper instrument) evidencing ownership	A certificated Security is evidenced by a security certificate
<b>Form</b>	Delivery & Endorsement UCC 9-301	Delivery & Endorsement STA SS25	Delivery & Endorsement Corporations
<b>Transfer for Perfection (secured interest)</b>	Secured Party gains control by possession + endorsement	Control under PPSA via of the certificate + endorsement	PPSA SS37 Possession + Endorsement gives control for perfection
<b>Contrast to Uncertificated Security</b>	Exists only in electronic registration (no paper)	Exists as an entry in the issuers records (no paper)	Dematerialised form in CHES system (ASX) or company share registry
<b>Examples</b>	Stock Certificate Bond Certificate	Share Certificate Bond issued by corporations or municipalities	Chess-sponsored paper share certificate (less common today)
<b>Legal Effect</b>	Treated as a Negotiable Instrument	Legal Title presumed from Possession & Endorsement	Ownership proven by holding the paper, perfection

**Cestui Que Trust** – Black's: He who has a right to a beneficial interest in and out of an estate the legal title to which is vested in another. The person who possesses the equitable right to property and receives the rents, issues, and profits thereof; the legal estate of which is vested in a trustee. Beneficiary of trust



**Constructive Trust** – Black's: Not created intentionally. A trust raised by operation of law whenever justice and good conscience require it.

**Consideration:** Something of value exchanged between parties in a contract.

**Corporation:** Corporation. An artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals. Such entity subsists as a body politic under a special denomination, which is regarded in law as having a personality and existence distinct from that of its several members, and which is, by the same authority, vested with the capacity of continuous succession, irrespective of changes in its membership, either in perpetuity or for a limited term of years, and of acting as a unit or single individual in matters relating to the common purpose of the association, within the scope of the powers and authorities conferred upon such bodies by law. *Dartmouth College v. Woodward*, 17 U.S. (4 Wheat.) 518, 636, 657, 4 L.Ed. 629; *U. S. v. Trinidad Coal Co.*, 137 U.S. 160, 11 S.Ct. 57, 34 L.Ed. 640. As defined in the Bankruptcy Act, "corporation" includes association having a power or privilege that a private corporation, but not an individual or a partnership, possesses; partnership association organized under a law that makes only the capital subscribed responsible for the debts of such association; joint-stock company; unincorporated company or association; or business trust; but does not include limited partnerships. Bankruptcy Act, § 101(8).

- Public and private. A public corporation is one created by the state for political purposes and to act as an agency in the administration of civil government, generally within a particular territory or subdivision of the state, and usually invested, for that purpose, with subordinate and local powers of legislation; such as a county, city, town, or school district. These are also sometimes called "political corporations." See Municipal corporation.

**Document of title.** Includes bill of lading, dock warrant, dock receipt, warehouse receipt or order for the delivery of goods, and also any other document which in the regular course of business or financing is treated as adequately evidencing that the person in possession of it is entitled to receive, hold and dispose of the document and the goods it covers. To be a document of title a document must purport to be issued by or addressed to a bailee and purport to cover goods in the bailee's possession which are either identified or are fungible portions of an identified mass. V.C.C. § 1-201(15). See also Negotiable document of title.

**Entity** – A real being; existence. An organization or being that possesses separate existence for tax purposes. Examples would be corporations, partnerships, estates and trusts. The accounting entity for which accounting statements are prepared may not be the same as the entity defined by law. An existence apart, such as a corporation in relation to its stockholders. Entity includes person, estate, trust, governmental unit. Bankruptcy Act, § 101(14). See also Legal entity.



**Estate** – The total property, real and personal, owned by an individual prior to distribution through a trust or will. In the PTRM, it becomes a tradable stock.

**Equity** - Justice administered according to fairness as contrasted with the strictly formulated rules of common law. It is based on a system of rules and principles which originated in England as an alternative to the harsh rules of common law and which were based on what was fair in a particular situation. One sought relief under this system in courts of equity rather than in courts of law. The term "equi-ty" denotes the spirit and habit of fairness, justness, and right dealing which would regulate the inter- course of men with men. *Gilles v. Department of Human Resources Development*, 11 Cal.3d 313, 113 Cal.Rptr. 374, 380, 521 P.2d 110. Equity is a body of jurisprudence, or field of jurisdiction, differing in its origin, theory, and methods from the common law; though procedurally, in the federal courts and most state courts, equitable and legal rights and remedies are administered in the same court.

A system of jurisprudence collateral to, and in some respects independent of, "law"; the object of which is to render the administration of justice more complete, by affording relief where the courts of law are incompetent to give it, or to give it with effect, or by exercising certain branches of jurisdiction independently of them.

**Form:** The antithesis of substance; the appearance or superficial aspect rather than the substance or the essence. (Ballentine's Legal Dictionary 3rd Edition).

**Grantor** –The person by whom a grant is made. A transferor of property. The creator of a trust is usually designated as the grantor of the trust.

**Human:** Of the form and characteristics of Man. (From Ballentine's Legal Dictionary 3rd Edition)

**Indigenous Sovereignty – Course Description:** Recognition of self-governing capacity under international law and inherent natural rights, often distinct from legal citizenship.

**Instrument** – A written document; a formal or legal document in writing, such as a contract, deed, will, bond, or lease. **A negotiable instrument** (defined in U.C.C. § 3-104), **or a security** (defined in U.C.C. § 8-102) or any other writing which evidences a right to the payment of money and is not itself a security agreement or lease and is of a type which is in ordinary course of business transferred by delivery with any necessary indorsement or assignment. U.C.C. § 9-105(1).

Anything reduced to writing, a document of a formal or solemn character, a writing given as a means of affording evidence. A document or writing which gives formal expression to a legal act or agreement, for the purpose of creating, securing, modifying, or terminating a right. A writing executed and delivered as the evidence of an act or agreement. *Moore v. Diamond Dry Goods Co.*, 47 Ariz. 128, 54 P.2d 553, 554. Anything which may be presented as evidence to the senses of the adjudicating tribunal.

See also Bearer instrument; Bill; Commercial paper; Negotiable instruments; Note.



**Intermediary:** An arbitrator or mediator. A broker; one who is employed to negotiate a matter between two parties, and who for that purpose may be agent of both; e.g. insurance broker. See also Finder.

**Jurisdiction:** Areas of authority; the geographic area in which a court has power or types of cases it has power to hear.

**Lawful** – Legal; warranted or authorized by the law; having the qualifications prescribed by law; not contrary to nor forbidden by the law. The principal distinction between the terms "lawful" and "legal" is that the former contemplates the substance of law, the latter the form of law

**Law Merchant:** See Commercial law; Mercantile law: Uniform Commercial Code.

**Legal** – Conforming to the law; according to law; required or permitted by law; not forbidden or discounted by law; good and effectual in law. Freeman v. Fowler Packing Co., 135 Kan. 378, 11 P.2d 276, 277. See Lawful; Valid. 2. Proper or sufficient to be recognized by the law; cognizable in the courts; competent or adequate to fulfill the requirements of the law. 3. Cognizable in courts of law, as distinguished from courts of equity; construed or governed by the rules and principles of law, in contradistinction to rules of equity.

**Legal Fiction / Strawman: Course Description** (see Strawman for Black's Def) – A presumption or assumption made by the law, such as treating a corporate legal name (e.g., JOHN DOE) as distinct from the living man.

**Legal Person** – An entity such as a corporation or government-created trust that has legal rights and responsibilities but is not a natural person.

**Legal Tender** – (Black's) Money that must be accepted if offered in payment of a debt.

**Legal Title** -. One cognizable or enforceable in a court of law, or one which is complete and perfect so far as regards the apparent right of ownership and possession, but which carries no beneficial interest in the property, another person being equitably entitled.

**Legislative Body** – The law-making branch of government, e.g., Parliament.

\*\*\*\*This branch of Government makes the laws. Then the Executive Branch enforces the laws. Once this branch makes the laws, this justifies putting a budget in place to enforce the laws through fines, court, etc. The government contracts with your "tax identification that looks like you"...to issue fines to enforce the laws. This is how they fund the government...being a service contractor to create and enforce laws on your behalf.



## Legislative Bodies – Comparative Table with Equity Insights and Real-Life Examples

Black’s Law Dictionary Definition: “The law-making branch of government, e.g., Parliament.” [1]

Country	Legislative Body	Structure	Equity Lens Insight	Simple Real-Life Example
Canada	Parliament of Canada	House of Commons (elected) - Senate (appointed) - Governor General (Crown)[2]	Laws apply to legal persons. A private man/woman may stay outside commercial law if no injury or contract.[3]	A teen gets fined for skateboarding downtown. That fine is under city bylaw (public law). But a private man could write to the city, rebut the presumption of “person,” and resolve it privately without paying.
United States	Congress	- House of Representatives - Senate[4]	Makes laws for federal “persons.” One may reserve rights and not be bound unless joined.[5]	A student gets a speeding ticket. Instead of going to court, a private person might send a bond or use administrative remedy to settle it honorably.
Australia	Parliament of Australia	House of Representatives - Senate - Governor-General (Crown rep)[6]	Commonwealth laws bind “persons.” Equity and trust can help individuals stay private and not automatically liable.[7]	A young adult applies for Centrelink benefits. That’s entering contract with the public. If private, one might instead use private trusts or alternative care support with no state oversight.

### Footnotes

[1] Black’s Law Dictionary, 6th Ed., 'Legislative Body'.

[2] Constitution Act, 1867, Sections 17–20.

[3] See Re Eurig Estate, [1998] 2 S.C.R. 565; Meads v. Meads, 2012 ABQB 571.

[4] U.S. Constitution, Article I, Sections 1–7.

[5] UCC §1-308; Hale v. Henkel, 201 U.S. 43 (1906).

[6] Commonwealth of Australia Constitution Act 1900, Section 1.

[7] See Meads v. Meads, 2012 ABQB 571; Equity: Doctrines and Remedies, Meagher, Gummow & Lehane.

**Municipality** – A legally incorporated or duly authorized association of inhabitants of limited area for local governmental or other public purposes. A body politic created by the incorporation of the people of a prescribed locality invested with subordinate powers of legislation to assist in the civil government of the state and to regulate and administer local and internal affairs of the community. State ex re. McIntire v. City Council of City of Libby, 1 07 Mont. 2 1 6, 82 P.2d 587, 588. A city,



borough, town, township or village. Also, the body of officers taken collectively, belonging to a city, who are appointed to manage its affairs and defend its interests.

Political subdivision or public agency or instrumentality of a State. Bankruptcy Act, § 101(29).

**Natural Person:** Any human being who as such is a legal entity ..... (Amon v. Moreschi, 296 N.Y. 395, 73 N.E.2d 716." Max Radin, Radin's Law Dictionary (1955), p. 216).

**Nom de Guerre** – (Oxford Dictionary) an assumed name under which a person engages in combat or some other activity or enterprise.

**Ownership:** Collection of rights to use and enjoy property, including the right to transmit it to others. Trustees of Phillips Exeter Academy v. Exeter, 92 N.H. 473, 33 A.2d 665, 673. The complete dominion, title, or proprietary right in a thing or claim. The entirety of the powers of use and disposal allowed by law.

- Equitable ownership. The ownership interest of one who has equitable as contrasted with legal ownership of property as in the case of a trust beneficiary. Ownership rights which are protected in equity. Also, Equitable distribution.

**Person:** In general usage, a human being (i.e. natural person), though by statute term may include a firm, labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers. National Labor Relations Act, § 2(1).

Bankruptcy Act. "Person" includes individual, partnership, and corporation, but not governmental units. Sec. 101(30).

Corporation. A corporation is a "person" within the meaning of equal protection and due process provisions of the United States Constitution. Allen v. Pavach, Ind., 335 N.E.2d 219, 221; Borreca v. Fasi, D.C. Hawaii, 369 F.Supp. 906, 911.

Illegitimate child. Illegitimate children are "persons" within meaning of the Equal Protection Clause of the Fourteenth Amendment, Levy v. Louisiana, 391 U.S. 68, 88 S.Ct. 1509, 1511, 20 L.Ed.2d 436; and scope of wrongful death statute, Jordan v. Delta Drilling Co., Wyo., 541 P.2d 39, 48.

Municipalities. Municipalities and other government units are "persons" within the meaning of 42 U.S.C.A. § 1983. Local government officials sued in their official capacities are "persons" for purposes of Section 1983 in those cases in which a local government would be suitable in its own name. Monell v. N. Y. City Department of Social Services, 436 U.S. 658, 98 S.Ct. 2018, 56 L.Ed.2d 611. See Color of law.

**Personal Property Security Act (PPSA) Course Definition** – Legislation governing security interests in personal property across Canadian provinces.



**Performance Bond** – A bond issued to guarantee satisfactory completion of a contract or obligation. (Black's Law 6th Ed.)

**Pledge** – A bailment or delivery of goods to a creditor as security for some debt or engagement.

**Possession:** The detention and control, or the manual or ideal custody, of anything which may be the subject of property, for one's use and enjoyment, either as owner or as the proprietor of a qualified right in it, and either held personally or by another who exercised it in one's place and name. Act or state of possessing. That condition of facts under which one can exercise his power over a corporeal thing at his pleasure to the exclusion of all other persons.

The law, in general, recognizes two kinds of possession: actual possession and constructive possession. A person who knowingly has direct physical control over a thing, at a given time, is then in actual possession of it. A person who, although not in actual possession, knowingly has both the power and the intention at a given time to exercise dominion or control over a thing, either directly or through another person or persons, is then in constructive possession of it. The law recognizes also that possession may be sole or joint. If one person alone has actual or constructive possession of a thing, possession is sole. If two or more persons share actual or constructive possession of a thing, possession is joint

**Private** – Acting or belonging to private individuals, as distinct from the public generally. Not official; not clothed with office. People v. Powell, 280 Mich. 699, 274 N.W. 372, 373. As to private Act; Agent; Bill; Boundary; Business; Carrier; Chapel; Corporation; Detective; Dwelling; Easement; Examination; Ferry; Nuisance; Pond; Property; Prosecutor; Rights; Road; Sale; School; Seal; Statute; Stream; Trust; Water; War; Way; Wharf; and Wrongs, see those titles.

**Private Trust – Course Description:** A trust created for the benefit of private parties, allowing individuals to reclaim or manage their estate and operate outside of public jurisdiction.

**Private Foundation:** A charitable or scientific organization which is operated privately for the advance-ment of charitable or educational projects.

**Property:** That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict legal sense, an aggregate of rights which are guaranteed and protected by the government.

**Public** – The whole body politic, or the aggregate of the citizens of a state, nation, or municipality.

**Public Trust Revenue Model (PTRM) Course Description** – A conceptual framework explaining how governments monetize legal persons and trust estates for revenue.

**Register:** Register, n. An officer authorized by law to keep a record called a "register" or "registry." A book of public facts such as births, deaths and marriages (also called a registry), or the public official who keeps such a book. Other examples of public record books are the register of patents (a list of all patents granted) and the register of ships (kept by customs). Other examples of public record keeping officials are the register of copyrights, register of deeds (land records) and the register of wills (clerk of probate court). They are often called "Recorder" or "Registrar."



**Real Property:** Land, and generally whatever is erected or growing upon or affixed to land. Also, rights issuing out of, annexed to, and exercisable within or about land. A general term for lands, tenements, and hereditaments; property which, on the death of the owner intestate, passes to his heir. Real or immovable property consists of: Land; that which is affixed to land; that which is incidental or appurtenant to land; that which is immovable by law; except that for the purposes of sale, emblements, industrial growing crops and things attached to or forming part of the land, which are agreed to be severed before sale or under the contract of sale, shall be treated as goods and be governed by the regulating the sales of goods. Calif. Civil Code, § 658.

**Security:** means any bond, debenture, note or certificate or other evidence of indebtedness, issued by a corporation or a government or political subdivision thereof, with interest coupons or in registered form, share of stock, voting trust certificate, or any certificate of interest or participation in, certificate of deposit or receipt for, temporary or interim certificate for, or warrant or right to subscribe to or purchase, any of the foregoing; negotiable instrument; or money. I.R.C. § 6323(h).

**Security Agreement:** An agreement which creates or provides for a security interest. U.C.C. § 9-105(h); Bankruptcy Act § 101(36). An agreement granting a creditor a security interest in personal property, which security interest is normally perfected either by the creditor taking possession of the collateral or by filing financing statements in the proper public records.

**Signature** – Course Description: A person's name or mark written by that person as a pledge of consent. (Contextual: A pledge of future security.)

**Signature (Black's):** The act of putting one's name at the end of an instrument to attest its validity; the name thus written. A signature may be written by hand, printed, stamped, typewritten, engraved, photographed, or cut from one instrument and attached to another, and a signature lithographed on an instrument by a party is sufficient for the purpose of signing it; it being immaterial with what kind of instrument a signature is made. *Maricopa County v. Osborn*, 60 Ariz. 290, 136 P.2d 270, 274. And whatever mark, symbol, or device one may choose to employ as representative of himself is sufficient.

A signature is made by use of any name, including any trade or assumed name, upon an instrument, or by any word or mark used in lieu of a written signature. U.C.C. § 3-401.

The signature to a deed may be made either by the grantor affixing his own signature, or by adopting one written for him, or by making his mark, or impressing some other sign or symbol on the paper by which the signature, though written by another for him, may be identified.

**State** – A defined territorial body governed under a unified legal structure; may refer to a nation or internal division (e.g., U.S. states).

**Statutory Law** – Law enacted by a legislative body.

**Status:** Standing; state or condition; social position. The legal relation of individuals to the rest of the community. The rights, duties, capacities and incapacities which determine a person to a given class. A



legal personal relationship, not temporary in its nature nor terminable at the mere will of the parties, with which third persons and the state are concerned. *Holzer v. Deutsche Reichsbahn Gesellschaft*, 159 Misc. 830, 290 N.Y.S. 181, 191. While the term implies relation it is not a mere relation.

**Status Correction – Course Description:** A legal or administrative process where one reclaims the role of beneficiary or executor, often involving affidavits, trust creation, and UCC/PPSA filings.

**Strawman – Course Description:** The legal fiction created by the State in the name of the person; used to interact with statutory systems and incur debt or liability.

**Strawman:** Stramineus homo / L. Lat. A man of straw, one of no substance, put forward as bail or surety.

**Substance:** What is legal is of “form”, what is lawful is of “substance” (Blacks Law 1st Edition).

**Surety:** One who undertakes to pay money or to do any other act in event that his principal fails therein. One bound with his principal for the payment of a sum of money or for the performance of some duty or promise and who is entitled to be indemnified by someone who ought to have paid or performed if payment or performance be enforced against him. Everyone who incurs a liability in person or estate, for the benefit of another, without sharing in the consideration, stands in the position of a "surety," whatever may be the form of his obligation. *Howell v. War Finance Corp., c.c.A. Ariz.*, 71 F.2d 237, 243. Term includes a guarantor. V.C.C. § 1-201(40). See also Suretyship, contract of.

**Trust / Trusts** – A fiduciary relationship where one party holds legal title to property for the benefit of another.

**Trustee** – One who holds legal title to property in a trust for the benefit of another.

**UCC:** Uniform Commercial Code. One of the Uniform Laws drafted by the National Conference of Commissioners on Uniform State Laws governing commercial transactions (sales of goods, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, investment securities, and secured transactions). The U.C.C. has been adopted by all states, except Louisiana.

**UPU (Universal Postal Union)** – An international organization that governs mail systems and postal jurisdiction.

**Vital Statistics** – The government agency responsible for maintaining birth, death, and marriage records, acting as custodian of the original bond (ROLB).

**Vital Statistics Office** – The government body that maintains records of birth, death, and marriage.