

A legal person = a legal fiction

One of the terms used predominantly by the present civil governments and courts in America is "legal person." Just what is a legal person? Some definitions are:

[A] legal person: a body of persons or an entity (as a corporation) considered as having many of the rights and responsibilities of a natural person and especially the capacity to sue and be sued. [Merriam-Webster's Dictionary of Law (1996)]

Person.

- 1. A human being (a "natural" person).**
- 2. A corporation (an "artificial" person). Corporations are treated as persons in many legal situations. Also, the word "person" includes corporations in most definitions in this dictionary.**
- 3. Any other "being" entitled to sue as a legal entity (a government, an association, a group of Trustees, etc.).**
- 4. The plural of person is persons, not people (see that word). [Oran's "Dictionary of the Law," West Group (1999)]**

Person. An entity with legal rights and existence including the ability to sue and be sued, to sign contracts, to receive gifts, to appear in court either by themselves or by lawyer and, generally, other powers incidental to the full expression of the entity in law. Individuals are "persons" in law unless they are minors or under some kind of other incapacity such as a court finding of mental incapacity. Many laws give certain powers to "persons" which, in almost all instances, includes business organizations that have been formally registered such as partnerships, corporations or associations. [Duhaime's Law Dictionary.]

PERSON, noun. per'sn. [Latin persona; said to be compounded of per, through or by, and sonus, sound; a Latin word signifying primarily a **mask used by actors** on the stage.] 8. In law, **an artificial person**, is a corporation or body politic. -Blackstone. [Webster's 1828 Dictionary]

"...a Sovereign is not a "person" [United Mine Workers vs. United States, 330 U.S. 258 (1947)]

"A name is word or words used to distinguish and identify a person." [Name, 65 C.J.S. ' 1, pg. 1]

"Person. It may include [limited to] artificial beings, as corporations ...territorial corporations ... foreign corporations ... relating to taxation and revenue laws ... XIV Amendment "persons" ... **A county ... a slave ... estate of a decedent ... a judge holding court ... an infant [Ward of the Court] ... officers, partnerships, and women ...participants in the forbidden acts ["defendants" & "plaintiffs"] ... agents, officers, and members of the board of directors or trustees, or their controlling bodies, of corporations ... the legal subject [subject-matter] or substance [rem; res] ..."** [Bouvier's Law Dictionary, 8th ed., pg. 2574]

A **corporation incorporated under de jure law**, i.e. by bona fide express contract between real beings capable of contracting, is a legal fact. Using the juristic artifice of "presumption," or "assumption" (a device known as a "legal fiction"), implied contract, constructive trusts, another entirely separate entity can be created using the name of the bona fide corporate legal fact (the name of the corporation) by altering the name of the corporation into some other corrupted format, such as ALL-CAPITAL LETTERS or abbreviated words in the name.

The corporation exists in law, but has arbitrarily been assigned another NAME. No such corporation (legal fact), nor any valid law, nor even a valid legal fiction, can be created under the "law of necessity," i.e. under "no law." Likewise, the arbitrary use

of the legal-fiction artifice of "right of presumption" (over unwary, uninformed, and usually blindly trusting people) can be legitimately exercised under "no law." Anything whatsoever done under alleged authority of naked criminal aggression, i.e. law of necessity, can be rendered legitimate. Maxims of law describing "necessity" include:

- "Necessity has no law." [Plowd. 18, and 15 Vin. Abr. 534; 22 id. 540]
- "In time of war, laws are silent." [Cicero]

Non-existent law, the legal condition that universally prevails in the official systems of the world today, means that no lawful basis exists upon which anything can be created, or be made to transpire, upon which basis allegiance and obedience can be legitimately demanded. **Acting under the law of necessity,** i.e. lawlessness, allows complete and total right of everyone to disregard any and all alleged assertions of any lawful, verifiable, and legitimate jurisdiction over anything or anyone. Anyone acting against anyone under such non-law is self-confessing to be a naked criminal aggressor, and con man who has forfeited all credibility and right to demand allegiance, obedience, or compliance with any jurisdiction he might assert. If you, as a real being, are in real law and it is impossible for an attorney or judge to recognize or access it, you are not (and cannot be made subject to by them) in their jurisdiction. The crucial issue is then how to notice them of your position and standing.

A person created under de jure law, with the person's identifying name appearing as prescribed by law and according to the rules of English grammar, is a legal fact. A corrupted "alter ego" version of that name, manufactured under the legal fiction of "right of presumption" will have "credibility" only so long as the presumption remains unchallenged. The rule of the world is that anything and everything skates unless you bust it.

Legal or Lawful?

It is crucial to define the difference between "legal" and "lawful." The generic Constitution references genuine law. The present civil authorities and their courts use the word "legal." Is there a difference in the meanings? The following is quoted from A Dictionary of Law (1893):

Lawful. In accordance with the law of the land; according to the law; permitted, sanctioned, or justified by law. "Lawful" properly implies a thing conformable to or enjoined by law; "Legal," a thing in the form or after the manner of law or binding by law. A writ or warrant issuing from any court, under color of law, is a "legal" process however defective. See "legal."

Legal. Latin legalis. Pertaining to the understanding, the exposition, the administration, the science and the practice of law: as, the legal profession, legal advice; legal blanks, newspaper. Implied or imputed in law. Opposed to actual "Legal" looks more to the letter [form/appearance], and "Lawful" to the spirit [substance/content], of the law. "Legal" is more appropriate for conformity to positive rules of law; "Lawful" for accord with ethical principle. "Legal" imports rather that the forms [appearances] of law are observed, that the proceeding is correct in method, that rules prescribed have been obeyed; "Lawful" that the right is act full in substance, that moral quality is secured. "Legal" is the antithesis of equitable, and the equivalent of constructive. [2 Abbott's Law Dictionary 24]

Legal matters administrate, conform to, and follow rules. They are equitable in nature and are implied (presumed) rather than actual (express). A legal process can be defective in law. This accords with the previous discussions of legal fictions and color of law. **To be legal, a matter does not have to follow the law. Instead, it conforms to and follows the rules or form of law.** This is why the Federal and State Rules of Civil and Criminal Procedure are cited in every court Petition so as to conform to legal requirements of the specific juristic persons named, e.g., "STATE OF GEORGIA" or the "U.S. FEDERAL GOVERNMENT" that rule the courts.

Lawful matters are ethically enjoined in the law of the land - the law of the people - and are actual in nature, not implied. This is why whatever true law was upheld by the organic Constitution has no bearing or authority in the present day legal courts. It is impossible for anyone in "authority" today to access, or even take cognizance of, true law since "authority" is the "law of necessity," 12 U.S.C. 95.

Therefore, it would appear that the meaning of the word "legal" is "color of law," a

term which Black's Law Dictionary, Fifth Edition, defines as:

Color of law.

"The appearance or semblance, without the substance, of legal right."

"Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state,

is action taken under "color of law." [Black's Law Dictionary, 5th ed., Pg. 241]