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# A LAW DICTIONARY

OF

WORDS, TERMS, ABBREVIATIONS AND PHRASES WHICH ARE PECULIAR TO THE LAW AND OF THOSE WHICH HAVE A PECULIAR MEANING IN THE LAW

ALSO

LATIN PHRASES AND MAXIMS WITH THEIR TRANSLATIONS

INCLUDING

AN APPENDIX

CONTAINING

A LIST OF ABBREVIATIONS OF LAW BOOKS WITH THEIR MEANING, AN EXPLANATION OF WORDS AND SYMBOLS USED IN LAW PUBLICATIONS, AND A TABLE SHOWING HOW TO ASCERTAIN THE DATE OF AN ENGLISH DECISION

BY

JAMES A. BALLENTINE, A. M., LL. B.

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# PREFACE.

Of the law dictionaries in current use, some are combinations of the dictionary and of the encyclopedia. That is, they contain much historical and explanatory matter which is outside of the proper sphere of a dictionary and at the same time they are too brief in respect to their historical and explanatory data to be relied upon as exhaustive. Others of these dictionaries, while confined within proper dictionary limits, do not define a sufficient number of terms to be of practical use, the result being that one must often consult two or more of them in order to find any definition for an ordinary word or term.

The main effort in this work has been directed at the omission of whatever belongs exclusively in an encyclopedia and the inclusion of as many words, terms and phrases as possible which are peculiar to the law or which have meanings which are peculiar to the law.

It is the hope of the writer that the profession will find in the book an accessible, convenient and helpful desk companion.

JAMES A. BALLENTINE.

TO AN HONORED FRIEND,

DR. EDWARD ROBESON TAYLOR,

WHOSE ENCOURAGEMENT HAS BEEN A CONSTANT INCENTIVE,

THIS WORK IS AFFECTIONATELY DEDICATED.

# BALLENTINE'S LAW DICTIONARY.

## A

**A aver et tener.** To have and to hold.

**A coelo usque ad centrum.** From the sky to the center of the earth.

**A communi observantia non est recedendum.** From common observance there should be no departure.

**A consiliis.** Of counsel.

**A datu.** From the date.

**A digniori fieri debet denominatio** A designation should be made from the more fitting.

**A digniori fieri debet denominatio et resolutio.** The designation and explanation ought to be made from the more fitting.

**A fortiori.** By the stronger reason; all the more.

**A gratia.** By gratuity.

**A latere.** Collateral.

**A l'impossible nul n'est tenu.** No one is bound to do the impossible.

**A luy et a ses heires a touts jours.** To him and to his heirs forever.

**A mensa et thoro.** From bed and board.

**A nativitate.** From birth.

**A non posse ad non esse sequitur argumentum necessarie negative.** The negative inference necessarily follows from impossibility to nonexistence. What cannot be is not.

**A piratis et latronibus capta dominium non mutant.** Title to the booty of pirates and robbers does not change. See 1 Kent's Comm. 108, 184.

**A posteriori.** From a subsequent viewpoint.

**A prendre.** To take.

**A priori.** From a prospective viewpoint.

**A quo.** From which.

**A rendre.** To render.

**A rescriptio valet argumentum.** An argument based upon original writs in the record will prevail.

**A retro.** In arrears.

**A rubro ad nigrum.** From the red title of a statute to the black body thereof.

**A. S. R.** American State Reports.

**A summo remedio ad inferiorem actionem non habetur regressus, neque auxilium.** One cannot resort to an inferior remedy after having pursued the highest one. See 3 Bl. Comm. 193, 194.

**A tempore cujus contrarii memoria non existet.** From the time when no memory to the contrary exists.

**A verbis legis non est recedendum.** From the words of the law there should be no departure.

**A vinculo matrimonii.** From the bonds of matrimony.

**Ab abusu ad usum non valet consequentia.** Conclusions as to use cannot be drawn from abuse.

**Ab agendo.** Incapacitated.

**Ab ante.** In advance.

**Ab antecedente.** In advance.

**Ab antiquo.** From ancient time.

**Ab assuetis non fit injuria.** The violation of a legal right is not effected by acquiescence.

**Ab extra.** From without. See 14 Mass. 151.

**Ab inconvenienti.** From inconvenience.

**Ab initio.** From the beginning. See 1 Bl. Comm. 440.

**Ab initio mundi.** From the beginning of the world.

**Ab intestato.** From one who has died leaving no will. See 2 Bl. Comm. 490, 516.

**Ab invito.** Against one's will.

**Ab irato.** In anger.

**Abactor.** A cattle thief.

**Abalienate.** To transfer interest or title.

**Abandon.** To relinquish title or interest; to surrender or give up. See 44 Mass. 257.

**Abandonee.** One to whom property or rights are relinquished or abandoned.

**Abandonment.** Relinquishment of right, title or claim. See 24 Tex. 417. Desertion of relative one is bound to support. Relinquishment of ship and cargo to settle ship's liability.

**Abandonment for torts or wrongs.** The relinquishment of an animal or a slave in settlement of liability.

**Abatement.** Plea in abatement. A plea interposed for delay, or a plea to the jurisdiction or to the persons. Suspension or determination of an action by death, insanity or other disability of a party to the action. A proportionate reduction of the debt or legacy due where the fund or the estate is insufficient to meet full payment. See 79 Va. 648.

**Abatement of freehold.** Wrongful entry and taking possession of real property by a stranger, before the heir or devisee has entered. See 25 Ohio St. 260.

**Abatement of nuisance.** The extinction or removal of a nuisance by physical means or by suit. See 50 Ga. 130.

**Abator.** A stranger who enters and takes possession in the abatement of a freehold.

**Abbacy.** The rights and privileges of an abbot.

**Abettor.** One who abets.

**Abettator.** Abettor.

**Abbrevatio placitorum.** An abstract of ancient judicial records prior to the Year-books.

**Abbreviate of adjudication.** Abstract of judgment.

**Abbreviationum, ille numerus et sensus accipiendus est, ut concessio non sit inanis.** In abbreviations, that number and sense should be taken which will not avoid the grant.

**Abbroachment.** See Abbrochment.

**Abbrochment.** Forestalling. See Forestalling.

**Abduction.** Unlawful taking away or detaining of a female. See 7 Am. St. Rep. 391.

**Abearance.** Behavior. See 4 Bl. Comm. 251, 256.

**Aberemurder.** Murder in the first degree.

**Abet.** To aid, counsel, assist, procure, or facilitate in the commission of an act. See 25 S. W. (Tex.) 994.

**Abeyance.** Suspension. See Bl. Comm. 107.

**Abigeatore.** Cattle thief.

**Abigeatus.** Cattle-stealing.

**Abigei.** Cattle-stealers. See 4 Bl. Comm. 239.

**Abigeus.** Cattle-stealer.

**Abitrement.** See Arbitrium.

**Abjuration of the realm.** Voluntary banishment. See 4 Bl. Comm. 332.

**Abjure.** To renounce by oath.

**Ablocatio.** A lending of money.

**Abortion.** An unlawful premature delivery of a child.

**About.** Approximation to exactness; March 27th held not to be "about April 1st." See 17 Ann. Cas. 741.

**About to.** In the act of; on the point of; signifying present action. See Ann. Cas. 1913A, 386.

**Abridgment of damages.** The reduction of damages by order of court.

**Abrogate.** To make void; to annul.

**Absence.** An officer's absence to entitle his substitute to act for him is absence on an occasion demanding immediate exercise of his powers. See Ann. Cas. 1912C, 350.

**Absentem accipere debemus eum qui non est eo loci in quo petitur.** We ought to consider him absent who is not in the place where he is sought.

**Absentia ejus qui reipublicae causa abest, neque ei neque alii damnosa esse debet.** One's absence on affairs of the state is not to operate to his disadvantage.

**Absoluta sententia expositore non indiget.** Clear sense requires no explanation.

**Absolute acceptance.** Unqualified assent of drawee to liability on a bill of exchange.

**Absolute conveyance.** A conveyance free from conditions.

**Absolute covenant.** An unconditional covenant.

**Absolute estate.** An estate without condition.

**Absolute rule, or rule absolute.** A rule or order of court commanding something to be done, without conditions.

**Absolute owner.** Two persons owning shares in severalty are each an absolute owner. See 18 L. R. A. 481.

**Absque.** Without.

**Absque aliquo inde redendo.** Without reservation of rent.

**Absque consideratione curiae.** With out the consideration of the court.

**Absque hoc.** Without this. An introductory term used at the beginning of the negative part of a plea. See 8 Pa. 270.

**Absque impetitione vasti.** Without impeachment of waste. Signifying the tenant's nonliability for waste.

**Absque tali cause.** Without such cause.

**Abstract of a fine.** An abstract of the writ of covenant and the concord, naming the parties, the parcels of land, and the agreement. Black. See 2 Bl. Comm. 351.

**Abstract of judgment.** A brief transcript of the essentials of a recorded judgment.

**Abstract of title.** A synopsis or brief showing the claim of title to a parcel of land as it appears of record. See 3 Minn. 94.

**Abundans cautela non nocet.** Abundance of caution does not harm.

**Abuse of process.** Wrongful use of the process of a court. See 58 Am. St. Rep. 434.

**Ac etiam.** And also.

**Ac si.** As if.

**Accedas ad curiam.** A chancery writ directing the removal of a replevin suit to the superior court.

**Accedas ad vice comitem.** A writ directed to the coroners to compel a sheriff to make return of a writ.

**Acceleration.** Shortening of the time within which a future estate is to vest.

**Acceptance.** The actual or implied receipt and retention of that which is tendered or offered. The acknowledgment of or assent to liability on a bill of exchange by the drawee. See 138 Am. St. Rep. 1102.

**Acceptare.** To accept.

**Acceptor supra protest.** The acceptor of a bill of exchange which has been protested.

**Access.** Right of way from one's land to highway.

**Accessary.** Same as Accessory.

**Accession.** The addition of a lesser thing to a greater, either by nature or by man. See 24 Ky. 454, 19 Am. Dec. 104. A nation's acceding to a treaty.

**Accessorius sequitur naturam sui principalis.** An accessory follows the nature of his principal.

**Accessorium non ducit, sed sequitur suum principale.** That which is accessory does not lead, but follows the principal.

**Accessory.** One who aids or abets the commission of a crime and is absent at the time. See 5 Am. St. Rep. 512.

**Accessory after the fact.** One who knowing that another has committed a felony, relieves, comforts or assists him. See 26 Fed. Cas. (U. S.) 196.

**Accessory before the fact.** An accessory who acts prior to the commission of the crime. See 26 Fed. Cas. (U. S.) 196.

**Accessory contract.** A contract subordinate to the main or principal one.

**Accident.** Held to include the result of human actionable fault or negligence and not synonymous with "purely accidental" or "mere accident." See 59 Am. St. Rep. 644, 56 L. R. A. 246.

**Accidental.** Happening by chance, unexpectedly taking place, not according to usual course, not as expected. See 9 L. R. A. 685, note.

**Accidental means.** Injury from assault and battery not by accidental means. See 5 L. R. A. (N. S.) 657.

**Accipere quid ut justitiam facias, non est tam accipere quam extorquere.** The acceptance of something for doing justice is not so much an acceptance as an extortion.

**Accola.** A farmer; a tenant.

**Accomenda.** A contract by which a shipmaster agrees to sell goods of the shipper for their joint account.

**Accommodation.** An obligation assumed gratis.

**Accommodation paper.** Negotiable paper upon which a maker or indorser assumes liability gratis.

**Accommodation road.** A road for access to private property; a spur-track.

**Accomplice.** One so connected with the crime that at common law he might himself have been convicted either as principal or as an accessory before the fact. See Ann. Cas. 1913A, 771; also 20 Am. St. Rep. 163 and 39 L. R. A. (N. S.) 704, and note.

**Accommodation lands.** Land bought by a builder or speculator, who erects houses thereon, and then leases portions thereof upon an improved ground-rent.—Black.

**Accord and satisfaction.** The adjustment of a disagreement as to what is due from one to another, and the payment of the agreed amount. See 62 L. R. A. 760.

**Accord executory.** Defined and distinguished from a novation in 32 L. R. A. (N. S.) 1134, and note.

**Account.** A written statement showing the items of debit and credit between one party, and another with whom he has had dealings. See 1 Met. (Mass.) 216. A common-law writ or action which a creditor could enforce against his debtor under a duty to render him an account.

**Account-current.** An open or running account.

**Account stated.** An account submitted by a creditor to his debtor and by the latter acknowledged to be correct. See 54 Am. St. Rep. 93.

**Accountant.** One who has rendered an account.

**Accounting.** The rendition of an account.

**Accouple.** Married.

**Accredulitare.** To clear one of an accusation by means of an oath.

**Accrescere.** To grow.

**Accretion.** To increase a quantity of land by means of alluvion or dereliction. See 22 Am. St. Rep. 195.

**Accroach.** To assume royal powers without right. See 4 Bl. Comm. 76.

**Accrue.** To accumulate and become a part of something, as accrued interest on a principal sum; to ripen or spring into existence, as a right of action. See 10 Watts (Pa.), 363.

**Accrued water rights.** Meaning within U. S. Rev. Stats., §§ 2339, 2340, U. S. Comp. Stats. 1901, p. 1437, 7 Fed. Stat. Ann., pp. 1090, 1096, defined where jurisdiction had not recognized doctrine of prior appropriation. See 70 L. R. A. 971.

**Accumulative legacy.** One which is given in addition to a prior bequest.

**Accusare nemo se debet, nisi coram Deo.** No one is bound to accuse himself, unless before God.

**Accusation.** A charge of the commission of a criminal offense.

**Accusator post rationabile tempus non est audiendus, nisi se bene de omissione excusaverit.** After lapse of a reasonable time, an accuser should not be heard unless he shall well have explained his delay.

**Accused.** One charged with having commited a criminal offense.

**Achat or Achate.** A purchase.

**Acherset.** An old English corn measure, probably equivalent to about eight bushels.

**Acknowledge.** To make an acknowledgment.

**Acknowledgment.** A statement made before, and certified by, a notary or other officer that a deed or other instrument was executed by the person making such statement; or a statement by a subscribing witness thus made and certified. See 15 Am. St. Rep. 866.

**Acknowledgment money.** Money paid to the new lord by a copyhold tenant on the death of the old lord.

**Acquest.** Newly acquired property.

**Acquets.** That portion of one's property which he has not inherited.

**Acquiescence.** Implied assent.

**Acquietandis plegiis.** A writ under which a surety could compel a creditor to release him when the debt had been paid.

**Acquietantia.** Acquittance; discharge.

**Acquietare.** To acquit.

**Acquietatus.** Acquitted.

**Acquired allegiance.** The allegiance of a naturalized citizen.

**Acquittal.** Discharge; release; exoneration.

**Acquittance.** A written discharge of an obligation. See 31 Am. Rep. 679.

**Act.** A thing done or established. A statute.

**Act of bankruptcy.** An act by the doing of which a debtor may be declared a bankrupt.

**Act of commission.** An act of positive motion as distinguished from an omission.

**Act of God.** An unusual force of nature, as an earthquake or a tornado. See 22 Am. St. Rep. 403; also 4 Ann. Cas. 128.

**Act of insolvency.** An act by the doing of which a debtor may be declared insolvent. See 5 Biss. 504; Fed. Cas. No. 9051.

**Act of law.** Operation of law.

**Act of omission.** The failure to perform an act.

**Act of settlement.** An English statute affecting the royal succession.

**Act of supremacy.** An English statute establishing the supremacy of the king over the church.

**Act of uniformity.** A statute establishing uniform services in the Church of England.

**Act on petition.** An English summary proceeding in admiralty cases.

**Acta diurna.** Done on this day. Daily records of transactions.

**Acta exteriora indicant interiora secreta.** One's outward acts show his intent.

**Acta in uno judicio non probant in alio nisi inter easdem personas.** The proceedings in one action are not evidence in another unless it is between the same parties.

**Acta publica.** Matters of public concern.

**Actio.** An action at law; a right to sue.

**Actio ad exhibendum.** A Roman law action to compel the production of goods in the defendant's control.

**Actio bonae fidei.** An action in good faith.

**Actio commodati contraria.** A Roman law action by a borrower against a lender to enforce their contract.

**Actio communi dividundo.** A Roman law action seeking the division of common property.

**Actio condictio indebitati.** A Roman law action to recover a payment made by mistake.

**Actio depositi contraria.** A Roman law action by a depositary against a depositor to enforce their contract.

**Actio depositi directa.** An action by the depositor against the depositary to recover the goods deposited.

**Actio ex conducto.** A Roman law action by a bailor against a bailee to recover goods hired.

**Actio ex contractu.** An action founded upon a contract.

**Actio ex delictu.** An action founded upon a tort.

**Actio familiae erciscundae.** A Roman law action seeking partition of an inheritance.

**Actio in factum.** A Roman law action similar to an action on the case at common law.

**Actio in rem.** An action against a thing; for the recovery of a thing or the establishment of a right independent of contract.

**Actio judicati.** A Roman law action to enforce the payment of a judgment.

**Actio mandati.** A Roman law action founded upon a mandate.

**Actio mixta.** An action against both a person and his property.

**Actio nihil aliud est, quam persequendi, quod sibi debetur.** An action is one's right to seek that which is due him.

**Actio nominata.** An action with a name as distinguished from an action on the case.

**Actio non.** A statement in a special plea that the plaintiff has no action.

**Actio non accrevit infra sex annos.** The action has not accrued within six years.

**Actio non datur non damnificato.** No action is given to one not injured.

**Actio non ulterius.** The plaintiff should not be allowed further to pursue his action.

**Actio personalis.** A personal action. See Personal Action.

**Actio personalis moritur cum persona.** A personal action dies with the person. See VII Eng. Ruling Cases, 543; also 9 L. R. A. (N. S.) 1078.

**Actio praescriptis verbis.** A Roman law action founded upon usage or precedent.

**Actio pro socio.** A Roman law action by one partner against the others to enforce their partnership agreement.

**Actio redhibitoria.** A Roman law action by the vendee to rescind a sale.

**Actio rescissoria.** A Roman law action to recover property lost by prescription.

**Actio stricti juris.** An action in which the court followed the letter of the law.

**Actio utilis.** An action brought by the holder of the legal title in behalf of the beneficiary thereof.

**Actio venditi.** A Roman law action by the buyer of goods against the seller to enforce the contract of sale.

**Actio vulgaris.** A Roman law term for a common action.

**Action.** A proceeding before a court of law to establish one party's right against another. See 37 N. H. 457.

**Action in personam.** A personal action.

**Action in rem.** An action for the recovery of a thing or to establish a right or title independent of contract. See 44 Ohio St. 613, 10 N. E. 160.

**Action of assize.** A real action for the recovery of land of which the plaintiff's ancestor had been disseised.

**Action of book debt.** An action based upon a book account.

**Action on the case.** A common-law remedy for injury consequentially

resulting to the person, property or reputation, from the commission of a tort, in cases where trespass will not lie. Same as "Trespass on the Case," and "Case." See 18 Johns. (N. Y.) 257, 9 Am. Dec. 210.

**Actionable.** That for which an action lies.

**Actionable per se.** Actionable without proof of special damage.

**Actionum genera maxime sunt servanda.** The kinds of actions should be particularly preserved.

**Active trust.** One in which active duties are to be performed by the trustee with reference to the conveyance, evidencing an intention that the primary use of the property shall be in the trustee. See 62 L. R. A. 380.

**Acton Burnell.** An old English statute named from the place where it was passed and provided a procedure for the collection of debts.

**Actor.** A Roman law term denoting a pleader or advocate; the plaintiff in an action.

**Actor qui contra regulam quid adduxit non est audiendus.** An advocate should not be heard who argues contrary to law.

**Actor sequitur forum rei.** The plaintiff follows the forum of the thing in controversy. See 32 L. R. A. 236.

**Actore non probante reus absolvitur.** A defendant is exonerated by the failure of the prosecution to prove its case. See 31 L. R. A. (N. S.) 1166.

**Actrix.** A female plaintiff.

**Acts of sederunt.** Certain rules of court made by judges of the Scotch court of session.

**Actual compulsion.** Unlawfully and forcibly compelling one to do an act.

**Actual damages.** Amount of loss or injury, as distinguished from punitive or exemplary damages.

**Actuarius.** The author of a statute.

**Actuary.** The manager of a company.

**Actum.** A deed.

**Actum legitimi non recipiunt modum.** Lawful acts admit of no qualification.

**Actus.** A right of way.

**Actus curiae neminem gravabit.** The act of the court shall oppress no one.

**Actus Dei nemini facit injuriam.** An act of God does not violate anyone's legal right. See 2 L. R. A. 544.

**Actus inceptus cujus perfectio pendet ex voluntate partium, revocari potest; si autem pendet ex voluntate tertiae personae, vel ex contingenti, revocari non potest.** An act the completion of which depends upon the will of the parties may be revoked, but if it depends upon the will of third parties or upon a contingency, it cannot be revoked.

**Actus judicarius coram non judice irritus habetur; de ministeriali autem a quocunque provenit ratum esto.** A judicial act by one not a judge is void; a ministerial act from whomsoever it proceed is valid.

**Actus legis nemini est damnosus.** An act of the law shall not harm anyone.

**Actus legitimi non recipiunt modum.** Acts required by law do not admit of qualification.

**Actus me invito factus, non est meus actus.** An act done by me against my will is not mine.

**Actus non facit reum, nisi mens sit rea.** No act is a crime unless there be criminal intent. See 25 L. R. A. (N. S.) 661.

**Actus repugnus non potest in esse produci.** A repugnant act is of no effect.

**Actus servi in iis quibus opera ejus communiter adhibita est, actus domini habetur.** The act of a servant in the sort of work in which he is generally employed is that of the master.

**Acya.** Hate; malice.

**Ad.** At; to; before; near; for; of; until; within.

**Ad abundantiorem cautelam.** For greater caution.

**Ad admittendum clericum.** A writ by which a bishop was required to admit and institute the clerk of the party who has been successful in a contest for an office. See 3 Bl. Comm. 250.

**Ad aliud examen.** To another tribunal.

**Ad aluim diem.** At another day.

**Ad assisas capiendas.** At the summoning of the assizes. See 3 Bl. Comm. 185.

**Ad audiendum et terminandum.** To hear and determine.

**Ad barram.** At the bar.

**Ad captum vulgi.** By common understanding.

**Ad colligendum bona defuncti.** For the collection of the goods of the decedent.

**Ad communem legem.** An old writ by which a reversioner could secure land from the alienee of the deceased life tenant.

**Ad comparendum.** To appear.

**Ad compotum reddendum.** To render an account.

**Ad curiam.** Before or to the court.

**Ad custagia.** At the costs.

**Ad custum.** At the cost.

**Ad damnum.** To the damage.

**Ad damnum clause.** That part of a declaration which sets forth the amount of the plaintiff's damage. See 75 Conn. 650, 55 Atl. 177.

**Ad defendendum.** To defend.

**Ad diem.** At a day.

**Ad ea quae frequentius accidunt jura adaptantur.** Laws are adapted to those cases which more commonly occur.

**Ad effectum sequentem.** To the following effect.

**Ad exhaereditationem.** To disinheritance.

**Ad exitum.** At the end; at issue.

**Ad factum praestandum.** A Scotch law obligation of a very binding nature.

**Ad fidem.** An allegiance.

**Ad filum aquae.** To the thread or center of the stream.

**Ad filum viae.** To the thread or center of the way.

**Ad finem.** To the end.

**Ad finem litis.** To the end of the litigation.

**Ad firmam.** To farm.

**Ad gaolas deliberandas.** To make a jail delivery.

**Ad gravamen.** To the damage.

**Ad hominem.** To the man; personal.

**Ad hunc diem.** At this day.

**Ad idem.** To the same effect.

**Ad inde requisitus.** From thence required.

**Ad infinitum.** Without end.

**Ad inquirendum.** A writ commanding an inquiry or investigation.

**Ad instantiam.** At the instance.

**Ad interim.** In the meantime.

**Ad judicum.** To judgment.

**Ad jungendum auxilium.** To join in aid.

**Ad jura regis.** A writ by one holding a living from the king directed against those seeking to deprive him of it.

**Ad largum.** At large.

**Ad litem.** During the pendency of the action.

**Ad lucrandum vel perdendum.** For profit or loss.

**Ad majoram cautelam.** For greater caution.

**Ad manum.** At hand.

**Ad medium filum aquae.** To the center or thread of the stream.

**Ad medium filum viae.** To the center or thread of the way.

**Ad melius inquirendum.** A writ ordering a further inquest.

**Ad mordendum assuetus.** Accustomed to bite.

**Ad nocumentum.** To the nuisance.

**Ad officium justiciariorium spectat, unicuique coram eis placitanti justitiam exhibere.** Judges are expected to show justice to everyone who pleads before them.

**Ad ostium ecclesiae.** At the church door.

**Ad proximum antecedens fiat relatio, nisi impediatur sententia.** Refer-

ence should be made to the matter next preceding unless the meaning is thereby destroyed.

**Ad quaestionem facti non respondent judices.** Judges do not pass upon questions of fact. See 26 L. R. A. 289.

**Ad quaestiones juris respondent judices; ad quaestiones facti respondent juratores.** Judges answer questions of law; jurors answer questions of fact. See XX Eng. Ruling Cases, 630.

**Ad quaestiones facti non respondent judices; ad quaestiones legis non respondent juratores.** Judges do not answer questions of fact; jurors do not answer questions of law. See XX Eng. Ruling Cases, 630.

**Ad quem.** To which.

**Ad quod curia concordavit.** To which the court agreed.

**Ad quod damnum.** A writ under which a license from the king was obtained. See 2 Bl. Comm. 271.

**Ad quod non fuit responsum.** To which there was no answer.

**Ad rationem ponere.** To cite to appear.

**Ad recte docendum oportet, primum inquirere nomina, quia rerum cognitio a nominibus rerum dependet.** For the proper understanding of a thing, it is well first to inquire into the names, because a knowledge of things depends upon their names.

**Ad rem.** Against the thing.

**Ad reparationem et sustentationem.** For repair and keeping in order.

**Ad respondendum.** To answer.

**Ad satisfaciendum.** To satisfy.

**Ad sectam.** At the suit of. Abbreviated "ads."

**Ad terminum annorum.** For a term of years.

**Ad terminum qui praeterlit.** A writ which the lessor could use to secure possession when refused by the lessee after the expiration of his lease.

**Ad tristem partem strenua est suspicio.** Suspicion rests heavily on the unfortunate side.

**Ad tunc et ibidem.** Then and there.

**Ad ultimam vim terminorum.** To the extreme limit of the terms.

**Ad unguem.** Perfectly.

**Ad usum et commodum.** For use and benefit.

**Ad valorem.** According to value.

**Ad ventrem inspiciendum.** A writ for the examination of a woman to determine the question of her pregnancy.

**Ad vitam aut culpam.** For or during good behavior.

**Ad voluntatem domini.** At the will of the master.

**Addicere.** To condemn.

**Additio probat minoritatem.** Exaggeration indicates inferiority.

**Addition.** Some title or description written after a man's name for certainty of identification. See 1 Met. (Mass.) 151.

**Additional.** Added, supplemental, coming by way of addition. See Ann. Cas. 1912C, 1007.

**Additions.** A separate building connected to a main one by a passageway held to be an addition thereto. See 3 L. R. A. (N. S.) 156.

**Address.** The designation of the court in a bill in equity.

**Adeem.** To effect an ademption.

**Ademption.** The avoidance of a legacy by an act of the testator. See 95 Am. St. Rep. 343.

**Adeprimes.** First.

**Adequate provocation.** Conduct which so excites a man's passion as practically to enthrall his reason. See 71 Am. St. Rep. 553.

**Aderere.** In arrears.

**Adesouth.** Underneath.

**Adherence.** A Scotch action to restore marital rights.

**Adiratus.** Lost; strayed.

**Aditus.** A right of entrance.

**Adjacent.** Land separated by a distance of fifty-five feet is not adjacent. See Ann. Cas. 1913B, 167.

**Adjective law.** Law regulating procedure.

**Adjoining.** Contiguous.
**Adjournare.** To adjourn.
**Adjourner.** To adjourn.
**Adjudicataire.** A purchaser at a sheriff's sale.
**Adjudication.** Judgment.
**Adjunction.** The uniting of one article or material with another by which the lesser becomes a part of the greater.
**Adjunctum.** An adjunct.
**Adjustment.** The settlement of an insurance loss.
**Adjuvari quippe nos, non decipi, beneficio oportet.** We should be aided and not injured by that which is intended for our benefit.
**Adlegiare.** Purgation by means of an oath.
**Admeasurement of dower.** A writ which an heir had against the widow who has received more than she is entitled to. See 1 Pick. (Mass.) 314.
**Admeasurement of pasture.** A writ for the proper division of rights of common.
**Adminicular.** Auxiliary.
**Administered.** Voluntarily and intentionally although mistakenly administered. See 31 L. R. A. 686.
**Administrare.** To administer; to take charge of.
**Administration.** Management; care and control.
**Administration ad colligendum.** Administration for temporary preservation of an estate.
**Administration suit.** An action by a creditor to subject a decedent's estate to the payment of his claim.
**Administrator.** One who by court appointment administers an estate of a decedent.
**Administrator cum testamento annexo.** An administrator with the will annexed.
**Administrator de bonis non.** An administrator who succeeds to one who has not completed his administration. See 65 Ala. 442.
**Administrator with the will annexed.** One who administers an estate of a testator who named no executor or whose named executor cannot or will not act. See 109 Fed. 847, 54 L. R. A. 680, 48 C. C. A. 692.
**Admiralty.** Courts having jurisdiction in maritime cases.
**Admittance.** A method of transferfering a copyhold estate. See 2 Bl. Comm. 370.
**Admittendo in socium.** A writ associating certain persons to justices of assize.
**Admixture.** The mingling of goods by accession or confusion.
**Admonitio trina.** A warning which was given to a prisoner standing mute.
**Adnepos.** The son of a great-great-grandson.
**Adneptio.** The daughter of a great-great-granddaughter.
**Adnihilare.** To annul.
**Adoption.** A proceeding whereby one assumes the legal relation of parent toward a minor.
**Adpromisor.** A surety.
**Adrectare.** To correct; to make amends.
**Adrogation.** A Roman law adoption of one who has not reached the age of puberty.
**Ads.** Ad sectam.
**Adscripti glebae.** Running with the land.
**Adscriptitii.** Slaves.
**Adsessores.** Special judges appointed to sit with or for the regular judges.
**Adulter.** The traducer of a married woman.
**Adultera.** A female adulterer.
**Adulterer.** One who commits adultery.
**Adulterine.** A child born of adulterous intercourse.
**Adulterium.** A fine imposed for adultery.
**Adultery.** Sexual intercourse of a married man with a woman not his wife, whether married or single. See 18 L. R. A. (N. S.) 580; also 26 Am. Rep. 21.
**Advancement.** Whatever is given by a parent to a child as a por-

tion of the child's inheritance. See 40 Am. St. Rep. 532.

**Advances.** Payments made before they are due.

**Advena.** An unnaturalized alien.

**Advent.** The period from the Sunday nearest November 30th until Christmas.

**Adventitius.** Adventitious; unusual.

**Adventure.** The shipment of goods in charge of an agent to be sold by him for the shipper at the best price obtainable; marine insurance risk. See 14 Fed. 233.

**Adverse enjoyment.** The use of an easement under claim of right.

**Adverse party.** Every party who has an interest in conflict with the reversal of a judgment or whose rights might be adversely or injuriously affected by a reversal, irrespective of whether such party is a plaintiff, a defendant, or an intervenor. See 21 Ann. Cas. 1273.

**Adverse possession.** Open and notorious possession and occupation of real property under an evident claim or color of right. See 35 L. R. A. (N. S.) 755, note.

**Advisory opinion.** An opinion of a higher court upon a point before a lower one.

**Advocate.** A barrister; one who may plead causes in a court.

**Advocati.** In Roman law, patrons, pleaders.

**Advocatio.** An advowson.

**Advocation.** A Scotch method of appeal.

**Advocatus est, ad quem pertinet jus advocationis alicujus ecclesiae, ut ad ecclesiam, nomine proprio, non alieno, possit praesentare.** A patron is one who has the right of presentation to a church and who can present to the church in his own name and not that of another.

**Advocatus fisci.** A fiscal advocate.

**Advowee.** The holder of an advowson.

**Advowson.** A right of presentation to a church or benefice. See 2 Bl. Comm. 21.

**Advowson appendant.** An advowson annexed to the possession of a manor.

**Advowson collative.** An advowson wherein the patron is the bishop.

**Advowson donative.** An advowson whereby the patron may give a church or a chapel without presentation, institution or induction.

**Advowson in gross.** An advowson annexed to the person of the owner and not to his manor or lands.

**Advowson presentative.** An advowson whereby the patron has a right of presentation to the bishop or ordinary.

**Advoutry.** Adultery.

**Advowtry.** Same as advoutry.

**Aedes.** A dwelling-house.

**Aedes alienas combussit.** He burned the dwelling of another.

**Aedificare.** To build a house.

**Aedificare in tuo proprio solo non licet quod alteri noceat.** One may not build on his own land what may injure another.

**Aedificatum solo, solo cedit.** A building goes with the land on which it stands.

**Aedificia solo cedunt.** Buildings pass with the land.

**Aedile.** A Roman officer who superintended the care of public buildings, streets, weights and measures, funerals, games and the prices of provisions.

**Aedilitum edictum.** A Roman law which provided the purchaser a remedy for the unsoundness of a slave or animal sold with knowledge of the defect.

**Ael.** A grandfather.

**Aequior est dispositio legis quam hominis.** The law's disposition of a matter is more just than that of a man.

**Aequitas.** Equity.

**Aequitas agit in personam.** Equity acts against the person. See 59 L. R. A. 907.

**Aequitas casibus medetur.** Equity relieves against accidents.

**Aequitas curiae cancellariae, quasi filia conscientiae, obtemperat se-**

**cundum regulas curiae.** Equity as the daughter of conscience complies with rules of court.

**Aequitas defectus supplet.** Equity supplies defects.

**Aequitas erroribus medetur.** Equity corrects errors.

**Aequitas est aequalitas.** Equity is equality.

**Aequitas est correctio legis generaliter latae, qua parte deficit.** Equity corrects a law which is too broad in that particular in which it is defective. See 5 L. R. A. 340.

**Aequitas est correctio quaedam legi adhibita, quia ab ea abest aliquid propter generalem sine exceptione comprehensionem.** Equity is a certain correction applied to the law, because on account of the law's general comprehension, without any exception, something is lacking.

**Aequitas est perfecta quaedam ratio quae jus scriptum interpretatur et emendat; nulla scriptura comprehensa, sed solum in vera ratione consistens.** Equity is a certain perfect reasoning, which interprets and amends the written law not embraced in any writing but consisting simply in true reason.

**Aequitas est quasi aequalitas.** Equity is a sort of equality.

**Aequitas est verborum legis sufficiens directo, quae una res sollummodo, cavetur verbis, ut omnis alia in aequali genere, iisdem cavetur verbis.** Equity is the plain interpretation of words of law in such manner as that where one thing only is guarded against by the words, all other things of the same kind are also guarded against by these words.

**Aequitas est virtus voluntatis, correctrix ejus in quo lex propter universalitatem deficit.** Equity is the virtue of the will, the corrector of that in which the law on account of its universality is deficient.

**Aequitas ex lege generaliter lata aliquid excipit.** Equity generally makes some exception from a broad legal principle.

**Aequitas ignorantiae opitulatur, oscitantiae non item.** Equity assists ignorance, but not carelessness.

**Aequitas in eum qui vult summo jure agere summum jus intendit.** Equity gives the power of the law to him who wishes to observe it.

**Aequitas in paribus causis paria jura.** Equity requires like laws for like cases.

**Aequitas jurisdictiones non confundit.** Equity does not confuse jurisdiction.

**Aequitas liberationi et seizinae favet.** Equity favors livery and seisin.

**Aequitas naturam rei non mutat.** Equity does not change the nature of a thing.

**Aequitas neminem juvat cum injuria alterius.** Equity aids no man to the injury of another.

**Aequitas non facit jus, sed juri auxiliatur.** Equity does not make the law but assists the law.

**Aequitas non medetur defectu eorum quae jure positivo requisita alium.** Equity does not cure defects in positive requirements of the law.

**Aequitas non sinit eum qui jus verum tenuit, extremum jus persequi.** Equity does not suffer him who holds a true right to prosecute it to extremes.

**Aequitas non sinit ut eandem rem duplici via simul quis persequatur.** Equity does not permit one to get double satisfaction for the same grievance.

**Aequitas non supplet ea quae in manu orantis esse possunt.** Equity does not supply those things which may be in the hands of the petitioner.

**Aequitas non vaga atque incert est, sed terminos habet atque limites praefinitas.** Equity is not vague and certain but has fixed boundaries and limits.

**Aequitas nunquam contravenit legis.** Equity never contravenes the law.

**Aequitas nunquam liti ancillatur ubi remedium potest dare.** Equity never aids contention where it can give a remedy.

**Aequitas rei oppignoratae redemptionibus favet.** Equity favors the redemption of a pledge.

**Aequitas rem ipsam intuetur de forma et circumstantiis minus anxia.** Equity regards form and circumstance as of less consequence than the subject matter itself.

**Aequitas sequitur legem.** Equity follows the law.

**Aequitas supervacua odit.** Equity dislikes superfluity.

**Aequitas uxoribus, liberis, creditoribus maxime favet.** Equity favors wives, children and creditors most.

**Aequitas vult omnibus modis, ad veritatem pervenire.** Equity wishes by all means to arrive at truth.

**Aequitas vult spoliatos, vel deceptos, vel lapsos ante omnia restituti.** Equity wishes the despoiled, the deceived and the ruined before all things to have restitution.

**Aequivocum.** Doubtful meaning.

**Aequumet bonum, est lex legum.** That which is just and good is the law of laws.

**Aequus.** Equal; just.

**Aererer.** To plough.

**Aes.** Money.

**Aes alienum.** A debt.

**Aes suum.** His own money.

**Aestimatio capitis.** Value of the head; the fine for committing a murder.

**Aestimatio praeteriti delicti ex postremo facto nunquam crescit.** The gravity of a crime is never enhanced by subsequent occurrences.

**Affaire.** To do; to make.

**Affectio tua nomen imponit operi tuo.** Your disposition gives character to your work.

**Affectus punitur, licet non sequatur effectus.** The attempt is punishable although the result does not follow.

**Affeer.** To appraise; to assess.

**Affeere.** Same as Afeer.

**Affeeror.** One appointed to tax an amercement. See 4 Bl. Comm. 380.

**Affer.** Cattle; horses.

**Affere.** To appraise; to assess.

**Afferer.** To appraise.

**Affiant.** The maker of an affidavit or deposition.

**Affidare.** To swear.

**Affidatio.** A pledge of fealty.

**Affidatus.** An ally under the feudal system.

**Affidavit.** A signed statement sworn to before an authorized officer. Sec 50 Am. St. Rep. 162.

**Affidavit of defense.** See Affidavit of Merits.

**Affidavit of merits** An affidavit stating that the defendant has stated his case and all of the facts of his case to his attorney and is by him informed and verily believes that he has a good defense to the merits of the action. See 20 Pa. 387, 59 Am. Dec. 728.

**Affidavit to hold to bail.** An affidavit prerequisite to a civil arrest.

**Affilare.** To file.

**Affiliation.** Ascertainment of paternity of a bastard child.

**Affines.** Relatives by marriage.

**Affinis.** Relative by marriage.

**Affinis mei affinis non est mihi affinis.** A relative of my relative by marriage is not my relative.

**Affinitas.** Related by marriage.

**Affinity.** Tie between a husband and the blood relations of the wife, and between a wife and the blood relations of the husband but not between the blood relations of either and those of the other. See 6 L. R. A. 713; also 79 Am. St. Rep. 195.

**Affirm.** To confirm a former judgment or order of court. See, also, Affirmation.

**Affirmance.** Confirmation of a judgment or order of court, as on an appeal.

**Affirmance-Day-General.** A day appointed for the general affirmance or reversal of judgments in the court of exchequer.

**Affirmant.** One who affirms in lieu of swearing.

**Affirmanti, non neganti, incumbit probatis.** The burden of proof is upon the party affirming, not on him who denies.

**Affirmantis est probatio.** The burden of proof is upon him who asserts.

**Affirmare.** To affirm; to assert.

**Affirmation.** A statement having the same effect and consequences as an oath, but not sworn to. See 16 Pick. (Mass.) 153.

**Affirmative.** That which states as a fact, affirmatively.

**Affirmative pregnant.** An affirmative allegation implying a negative in favor of the adverse party. See 134 Ind. 46, 32 N. E. 780.

**Affixus.** Affixed; annexed.

**Afforare.** To appraise; to assess; to estimate.

**Afforce the assize.** To compel jurors to agree by starving them or by adding jurors until twelve agreed.

**Afforciare.** To increase or strengthen.

**Afforest.** To make into a forest.

**Afforestare.** To afforest.

**Affra.** See affer.

**Affranchise.** To set free.

**Affray.** A public fight.

**Affrectamentum.** Affreightment.

**Affreightment.** A contract for the hiring of a vessel.

**Affri.** See Affer.

**Aforethought.** Premeditated.

**After.** In connection with time, the word may have an inclusive or exclusive meaning, according to subject matter, context and purpose. See Ann. Cas. 1912A, 796; also 49 L. R. A. 200.

**Aftermath.** A crop subsequent to the first; the right to such a crop.

**Age.** See Full age.

**Age of consent.** The age below which the law presumes a girl incapable of consenting to the sexual act. See 115 Cal. 132, 46 Pac. 915.

**Age prayer.** A request of an infant party to a real action for a stay of proceedings until his majority.

**Aged.** More than fifty years old. See 65 Am. St. Rep. 306; also 39 L. R. A. 710.

**Agency.** The relation existing between a principal and his agent. See 46 L. R. A. 334.

**Agens.** A manager; a plaintiff.

**Agent.** One who is authorized to bind his principal contractually or by representations. See 3 Am. St. Rep. 693; also Ann. Cas. 1913B, 84, and 2 L. R. A. 808, note.

**Agent and patient.** One who does a thing and who suffers it to be done to him.

**Agent by estoppel.** One whose authority to bind a principal, the latter is by his conduct estopped to deny. See 12 Wall. (U. S.) 681, 20 L. Ed. 436.

**Agentes et consentientes pari poena plectentur.** Those doing and those consenting are liable to the same punishment.

**Ager.** A field.

**Agger.** A dam; a dike; a bank.

**Aggravation.** That which enhances the gravity of a criminal or tortious act; allegations in a declaration which tend to enhance damages. See 19 Vt. 107.

**Aggregatio mentium.** A meeting of the minds of parties contracting. See 95 N. Y. 428, 47 Am. Rep. 64.

**Aggrieved.** Subjected to loss or injury. See 25 L. R. A. (N. S.) 155, note; also 62 L. R. A. 700.

**Agillarius.** A cowherd.

**Agistamentum.** Agistment.

**Agister.** The bailee of cattle pastured on his land.

**Agistment.** The pasturing of the cattle of another on one's land.

**Agnati.** Romans who traced their name and lineage through the male line to a common deceased ancestor.

**Agnatio.** Agnation.

**Agnation.** Relationship through males.

**Agnomen.** A popular appellation often appended to one's true name.

**Agrarian.** Pertaining to land.

**Agrarian laws.** Laws regulating the disposition of public lands.

**Agreamentum.** Agreement.

**Agreare.** To agree.

**Agreement.** The mutual assent of two or more parties to something done or to be done. See 20 Tex. App. 375.

**Agreement for insurance.** An agreement covering the insured pending the delivery of the formal policy. See 19 N. Y. 305.

**Aid and comfort.** Help; assistance; encouragement; counsel.

**Aid bonds.** Municipal bonds issued in aid of a private enterprise in the interest of the public. See 104 Ill. 285.

**Aid prayer.** A request for assistance of another to help a party to a real action to plead because of the feebleness of his own estate. See 3 Bl. Comm. 300.

**Aid pur faire l'eigne fitz chivaler.** Service or money from a tenant in chivalry to make the lord's eldest son a knight.

**Aid pur l'eigne file marier.** Service or money from a tenant in chivalry to marry the lord's daughter.

**Aider by verdict.** The curing by legal presumption of defects in pleading to which after verdict it is too late to object. See 16 Pick. (Mass.) 541.

**Aiding and abetting.** Assisting in the perpetration of a crime by being present to give aid or assistance. See 65 Mo. 29.

**Aids.** Services or payments to the lord by a tenant in chivalry on certain occasions and as aid pur faire l'eigne, etc.

**Aiel.** A grandfather; a writ under which a grandchild could oust a stranger who dispossessed him on the day of the death of his grandfather, who was seised. See 3 Bl. Comm. 186.

**Aielesse.** A grandmother.

**Aieul.** A grandfather.

**Airer.** To plough.

**Aisiamentum.** An easement.

**Al.** Abbreviation for Alius or Alii.

**Alabama claims.** Claims arising from damage done to United States shipping by English privateers in the Civil War.

**Alba firma.** Rent payable in silver.

**Alcalde.** A Spanish officer having judicial powers similar to those of a justice of the peace. See 67 U. S. 17, 17 L. Ed. 360.

**Alderman.** An associate of the chief civil magistrate of an English city or town. A member of the governing board of a city. See 4 Hill (N. Y.), 384.

**Ale conner.** Ale taster; an officer whose duty it was to see to the quality of the ale used within the leet.

**Aleator.** A gambler

**Aleatory.** Uncertain; involving risk or hazard as a contract of insurance. See 8 La. Ann. 488.

**Alfet.** A container for hot water used in the ordeal by water.

**Alfred's Code.** A code formed under Alfred the Great, about 887 A. D.

**Alia enormia.** Other wrongs; a formal allegation ending a declaration in trespass under which many acts may be proved. See 3 Mass. 222.

**Alias.** Otherwise; also known as; at another time.

**Alias dictus.** Otherwise called or known as.

**Alias summons.** A new summons issued to serve the same purpose as one previously issued. See 9 Idaho, 718, 76 Pac. 323.

**Alias writ.** A writ issued usually to replace one which has been lost or has become functus officio. See 17 Conn. 145.

**Alibi.** At a place other than one designated.

**Alien.** An unnaturalized person of foreign birth; to alienate or transfer title.

**Alien amy.** An alien whose nation is at peace with ours.

**Alien enemy.** An alien whose nation is at war with ours.

**Aliena negotia exacto officio geruntur.** The business of another should be carried out with particular care.

**Alienare.** To alienate.

**Alienate.** To transfer title.

**Alienatio.** Alienation.

**Alienatio licet prohibeatur, consensu tamen omnium in quorum favorem prohibita est, potest fieri, et quilibet potest renunciare juri pro se introducto.** While alienation may be restrained, yet it may be made with the consent of all those in whose favor it was restrained, and indeed anyone may waive a right introduced for his benefit. See 9 N. Y. 291.

**Alientio rei praefertur juri accrescendi.** The law prefers alienation of property to accumulation thereof.

**Alienation.** The transfer of title. See 47 Am. St. Rep. 741.

**Alienee.** The transferee in a conveyance.

**Alieni appetens, sui profusus.** Avaricious of the possessions of others, wasteful of his own.

**Alieni generis.** Of another kind.

**Alieni juris.** Under another's control as distinguished from sui juris.

**Alienigena.** An alien.

**Alieno solo.** On the land of another.

**Alienor.** One who alienates or transfers.

**Alimenta.** Necessaries.

**Alimony.** A sum ordered by the court to be paid to a wife by the husband for her support during the time she lives separate from him, or paid by him after divorce for her maintenance. See 34 L. R. A. 110; also 25 Am. St. Rep. 392.

**Alimony pendente lite.** Alimony to be paid during the pendency of a divorce suit. See 18 App. Div. 316, 46 N. Y. Supp. 9.

**Alio intuitu.** From another point of view.

**Aliqualiter.** In any way.

**Aliquid.** Something; somewhat.

**Aliquid conceditur ne injuria remaneat impunita, quod alias non concederetur.** Something is conceded which would not otherwise be conceded, lest an injury should go unpunished.

**Aliquid possessionis et nihil juris.** Somewhat of possession, but nothing of right.

**Aliquis.** Anyone.

**Aliquis non debet esse judex in propria causa, quia non potest esse judex et pars.** One ought not to be a judge in his own cause, because one cannot be both a judge and a party to the action.

**Aliquis non potest esse judex in propria causa.** One cannot sit as a judge in his own case.

**Aliter.** Otherwise.

**Aliud est celare, aliud tacere.** To conceal is one thing, to be silent another.

**Aliud est distinctio, aliud separatio.** Distinction is one thing, separation another.

**Aliud est possidere, aliud esse in possessione.** To possess is one thing, to be in possession another.

**Aliud est tacere, aliud celare.** It is one thing to be silent, another to conceal. See 32 L. Ed. (U. S.) 41.

**Aliud est vendere, aliud vendenti consentire.** To sell is one thing, to consent to one's selling is another.

**Aliunde.** From another place.

**Alius.** Another; different.

**Allegans contraria non est audiendus.** Contradictory statements will not be listened to. See 28 L. R. A. 129.

**Allegans suam turpitudinem non est audiendus.** One alleging his own baseness is not to be heard. See 3 British Ruling Cases, 629.

**Allegare.** To allege; to assert.

**Allegari non debuit quod probatum non relevat.** Matters which are not relevant if proved ought not to be alleged.

**Allegata et probata.** Matters alleged and matters proved; pleadings and proof.

**Allegatio contra factum non est admittenda.** An allegation contrary to a deed is not admissible.

**Allegation.** An assertion; a pleading.

**Allegation of faculties.** A wife's statement concerning her husband's property as a basis for an award of alimony. See 11 Ala. 763.

**Allegiare.** To defend one's own cause.

**Alleging diminution.** Designating on appeal an error occurring in a minor part of the record of the trial court. See 1 Munf. (Va.) 119.

**Alleviare.** To pay a fine.

**Allision.** The running of a vessel into another vessel, collision.

**Allocare.** To allow.

**Allocatio.** An allocation.

**Allocation.** An allowance upon an account in the English exchequer.

**Allocatione facienda.** A writ by which an accountant secured an allowance due him from the exchequer.

**Allocato comitatu.** An old writ used in outlawry proceedings.

**Allocatur exigent.** A writ issued in the process of outlawry.

**Allocution.** Same as Allocutus.

**Allocutus.** The court's question of a prisoner after verdict of guilty as to any statement he may desire to make before sentence is passed. See 27 Mo. 324.

**Allodial.** Free; not held subordinately; opposed to feudal.

**Allodium.** An allodial estate; one not held under a superior.

**Allonge.** A paper attached to a negotiable instrument to provide space for further indorsements. See 141 Ill. 461, 31 N. E. 17.

**Allotment.** Division; distribution.

**Allotment note.** A seaman's assignment of future wages.

**Alluvis maris.** Alluvion from the sea.

**Alluvio.** Alluvion.

**Alluvion.** Gradual washing up of sand and earth so as to increase the quantity of land owned by a riparian proprietor. See 22 Am. St. Rep. 195.

**Alms.** Donations to relieve the poor.

**Alnage.** Ell-measure; a duty on woolen cloth.

**Alnager.** An officer who measured woolen cloth and collected the duties thereon.

**Alnetum.** An alder grove.

**Aloarius.** The holder of an allodium.

**Alodium.** See Allodium.

**Alodum.** See Allodium.

**Als.** Abbreviation of Alios; others.

**Alta proditio.** High treason.

**Alta via.** Highway.

**Altarage.** The profits of a priest.

**Alteration.** A change in a document by which its legal effect is altered. See 148 Ill. 349, 35 N. E. 1120.

**Alterius circumventio alii non proebet actionem.** A deception of one person does not furnish a cause of action to another.

**Alternatim.** Interchangeably.

**Alternativa petitio non est audienda.** A petition in the alternative will not be heard.

**Alternative.** Permitting a choice between one course of action and another.

**Alternative writ.** One commanding a party to do or cease doing something or show cause why he has not. See 71 Conn. 381, 42 Atl. 82.

**Alternis vicibus.** Alternately.

**Alterum non laedere.** Not to injure another.

**Alteruter.** One of two.

**Altius non tollendi.** An easement restraining the height of one's buildings.

**Altius tollendi.** An easement by which the height of one's buildings was unlimited.

**Alto et basso.** High and low.

**Altum mare.** The high seas.

**Altus.** High.

**Alveus.** The ordinary bed of a stream.

**Am. Dec.** American Decisions.

**Am. Rep.** American Reports.

**Am. St. Rep.** American State Reports.

**Amalgamation.** Consolidation of corporations is a merger, a union, or amalgamation, by which the stock of the two is made one, their property and franchises combined into one, their powers become the powers of one, their names merged into one and the identity of the two practically, if not actually, runs into one. See 45 L. R. A. 271.

**Amalphitan Code.** A compilation of marine laws of countries surrounding the Mediterranean, made in the 11th century.

**Ambactus.** A vassal; a client.

**Ambidexter.** An attorney who received pay from both sides; a bribed juror.

**Ambigua responsio contra proferentem est accipienda.** An ambiguous plea should be resolved against the pleader of it.

**Ambiguis casibus semper praesumitur pro rege.** In doubtful cases it is always presumed in favor of the crown.

**Ambiguitas.** Ambiguity.

**Ambiguitas contra stipulatorem est.** An ambiguity is resolved against the stipulator.

**Ambiguitas latens.** Latent ambiguity.

**Ambiguitas patens.** Patent ambiguity.

**Ambiguitas verborum latens verificatione suppletur, nam quod ex facto oritur ambiguum verificatione facti tollitur.** A latent ambiguity of words may be supplied by proof, because ambiguity arising from a fact may be removed by proof of the fact. See 100 Mass. 60.

**Ambiguitas verborum patens nulla verificatione suppletur.** No proof will remove a patent ambiguity of words. See 21 Wend. (N. Y.) 651.

**Ambiguity.** Double meaning; uncertainty.

**Ambiguum pactum contra venditorem interpretandum est.** An ambiguous contract should be interpreted against the vendor.

**Ambiguum placitum interpretari debet contra proferentem.** An ambiguous plea ought to be interpreted against the pleader of it.

**Ambit.** A boundary line.

**Ambulatoria est voluntas defuncti usque ad vitae supremum exitum.** A will is revocable until the last moment of life.

**Ameliorations.** Betterments.

**Amenable.** Liable to punishment; subject to jurisdiction.

**Amende honorable.** A humiliating disgrace imposed as a penalty to make amends.

**Amendment.** A change in an existing statute made by a legislative body. See 46 Ala. 340. Correction of a mistake or error occurring in a judicial proceeding. See 3 Bl. Comm. 406–410.

**Amends.** Satisfaction for an injury.

**Amens.** A person with no mind.

**Amercement.** A punishment imposed by the court upon an unsuccessful plaintiff for making a false claim. See 3 Bl. Comm. 376.

**Amerciament.** See Amercement.

**Amicable action.** One brought by mutual consent of the parties, usually on agreed facts, for the court's decision on the law. See 49 U. S. 251, 12 L. Ed. 1067.

**Amicable compounder.** (Louisiana) An arbitrator whose decision is binding.

**Amicus.** A friend.

**Amicus curiae.** A friend of the court; one who volunteers assistance to the court on a matter of law. See 46 Am. St. Rep. 45.

**Amistad Case.** A United States case in 1839 wherein negroes who had been kidnaped and enslaved in Africa, mutinied and were held free and not pirates. See 2 L. Ed. (U. S.) 826.

**Amita.** A paternal aunt.

**Amita magna.** A paternal great-aunt.

**Amita major.** A paternal great-great-aunt.

**Amita maxima.** A great-great-great-aunt.

**Amitinus.** A cousin.

**Amittere curae.** To be deprived of the right of coming into court.

**Amittere liberam legem, or amittere legem terrae.** To lose the privilege of a court; to lose the right to testify; to become outlawed.

**Amnesty.** Governmental condonation.

**Amortize.** To alien lands in mortmain.

**Amortization.** The alienation of lands in mortmain.

**Amotion.** Removal; expulsion.

**Amount of value.** Of property for which stock is issued under statute authorizing issue for property to the amount of the value thereof, is the actual or fairly estimated value. See 42 L. R. A. 621.

**Amoveas manus.** That you remove your hands; an order made for the restoration of lands seized by the crown.

**Amparo.** A sort of temporary patent to protect a claimant of land pending issue of title papers. See 1 Tex. 790.

**Ampliare.** To defer.

**Ampliation.** A deferring of judgment pending further consideration.

**Amtrustio.** A confidential vassal.

**Amy.** Friend.

**An.** Year.

**An, jour, et waste.** Year, day and waste.

**Anarchy.** The absence of government.

**Anathema.** An ecclesiastical punishment by which a person is shut out from all relation with the church.

**Anatocism.** Compound interest.

**Anatocismus.** Compound interest.

**Ancestor.** One from whom an inheritance is claimed. See 29 L. R. A. 542, note.

**Anchor.** A measure equivalent to ten gallons.

**Anchor watch.** The lookout maintained while a vessel is at anchor.

**Anchorage.** A toll paid for casting ship's anchor in port.

**Ancient deeds.** Those more than thirty years old.

**Ancient demesne.** A manor recorded in the Domesday Book as being in the hands of the crown during the reign of William the Conqueror.

**Ancient house.** One which has by lapse of time acquired an easement of support.

**Ancient lights.** Windows which by lapse of time have acquired an easement for unobstructed light. See 12 Mass. 157, 7 Am. Dec. 46.

**Ancient readings.** Essays on ancient English statutes.

**Ancient rent.** The rent reserved when a lease is made of a building not then under lease.

**Ancient serjeant.** The eldest of the queen's serjeants.

**Ancient writings.** Documents over thirty years old.

**Ancients.** Those who have attained peculiar seniority at the Inns of Court.

**Ancienty.** Seniority.

**Ancillary.** Auxiliary.

**Ancipitis usus.** Of uncertain use.

**And.** Held to mean "or." See Ann. Cas. 1912B, 1356; also 22 L. R. A. 817.

**Androchia.** A dairy woman.

**Androgyne.** An hermaphrodite.

**Androgynous.** Partaking of both sexes.

**Androgynus.** An hermaphrodite.

**Androlepsy.** Holding aliens as hostages to compel their nation to do justice.

**Anecius.** The first-born; the eldest.

**Angaria.** A Roman punishment of service to the government.

**Angel.** An English coin of the value of ten shillings.

**Angild.** The legal estimated value of a man or a chattel.

**Angleterre.** England.

**Angliae jura in omnia casu libertati dant favorem.** In every case English laws are favorable to liberty.

**Anglice.** English.

**Anguish.** Extreme mental or physical pain.

**Anient.** Void.

**Anientisement.** Waste.

**Animal.** Any animate thing not human endowed with power of voluntary motion.—Bouv.

**Animalia fera, si facta sint mansueta et ex consuetudine eunt et redeunt volant et revolant, ut cervi, cygni, etc., eo usque nostra sunt et ita intelliguntur quamdiu habuerunt animum revertendi.** Wild animals, if they are tamed and are accustomed to go forth and to return, to fly out and fly back, such as deer, swans, etc., we understand to be ours as long as they have the intention to return. See 7 Coke, 16.

**Animo.** With intent.

**Animo cancellandi.** With intent to repudiate or cancel.

**Animo custodiendi.** With intent to take care of.

**Animo defamandi.** With intent to defame.

**Animo differendi.** With intent to delay.

**Animo donandi.** With the intention of making a gift.

**Animo et corpore.** With intent and act.

**Animo felonico.** With felonious intent.

**Animo furandi** With intent to steal.

**Animo lucrandi.** With the intent to profit.

**Animo manendi.** With intent to remain.

**Animo morandi.** With intent to delay.

**Animo possidendi.** With intent to possess.

**Animo recipiendi.** With intent to receive.

**Animo remanendi.** With intent to stay away.

**Animo republicandi.** With the intention of republishing.

**Animo revertendi.** With a disposition to come back.

**Animo testandi.** With the intention of making a will. See 28 Am. St. Rep. 495.

**Animus.** Mind; intent.

**Animus ad se omne jus dicit.** Every law is addressed to the spirit of the thing.

**Animus hominis est anima scripti** The intention of a man is the spirit of his writing.

**Ann.** The amount of a minister's stipend due his heir upon his death; year.

**Ann. Cas.** American Annotated Cases.

**Annals.** The Year-books.

**Annates.** The first year's profits paid to the pope by the holder of a benefice.

**Anne.** Queen of England from 1702 to 1714; year.

**Annexation.** The affixing of chattels to land in such manner that they become in law a part of it. See 14 Cal. 64.

**Anni et Tempora.** An old name for the Year-books.

**Anni nubiles.** Marriageable age of a girl.

**Anniculus.** A one year old child.

**Anniculus trecentesimo sexagesimo quinto die dicitur, incipiente plane non exacto die, quia annum civiliter non ad momenta temporum sed ad dies numeramur.** A child is said to be a year old on the 365th day, after the beginning of the day, not at the end of it, because we reckon the civil year not by moments, but by days.

**Anniented.** Abrogated; set at naught.

**Anno Domini.** In the year of our Lord; since the birth of Christ.

**Annona.** Yearly contributions of food for one's support.

**Annonae civiles.** Annual rents paid to monasteries.

**Annoyance.** A nuisance.

**Annua nec deditem judex non separat ipse.** A judge himself does not sever either a debt or an annuity.

**Annuities of tiends.** Annuities of titles.

**Annuity.** A personal obligation to make a certain annual payment. See 24 N. J. Eq. 358.

**Annuity tax.** An annual tax levied in Scotland for the support of ministers of the gospel.

**Annul.** To nullify; to set at naught; to make void. See 22 Mo. 24.

**Annulus et baculus.** The ring and the staff, symbols used in the investiture of a bishop.

**Annus.** A year.

**Annus deliberandi.** The year which the Scotch law gives the heir to determine whether he will take an inheritance.

**Annus est mora motus quo suum planeta pervolat circulum.** A year is the time of motion in which a planet revolves in its orbit.

**Annus et dies.** A year and a day.

**Annus inceptus pro completo habetur.** The beginning of a year is considered to be the completion of it.

**Annus luctus.** The year of mourning immediately succeeding a husband's death and during which his widow could not remarry. See 1 Bl. Comm. 456.

**Annuus reditus.** An annuity; an annual rent.

**Annus utilis.** A year of advantage.

**Anoyer.** To annoy.

**Answer.** A pleading by way of defense raising an issue of fact.

**Antapocha.** A signed acknowledgment of a debt by which the debtor is bound.

**Ante.** Before.

**Ante exhibitionem billae.** Before suit is filed.

**Ante factum.** A former act.

**Ante gestum.** A former act.

**Ante litem motam.** Before the filing of the suit.

**Ante occasum solis.** Before sunset.

**Ante omnia.** Before all other things.

**Ante-date.** To date back.

**Ante-nuptial.** Before marriage.

**Ante-nuptial contract.** One made before marriage.

**Antecessor.** An ancestor.

**Antejuramentum.** An oath required of the plaintiff that he would prosecute and of the defendant that he was innocent.

**Antenati.** Those born prior to a great political event; those born here before the Declaration of Independence.

**Antichrisis.** A Roman pledge under which the lender took the use of the property in lieu of interest.

**Anticipation.** The premature doing of an act.

**Antigraph.** A copy.

**Antigraphus.** A Roman officer who supervised the control of public moneys.

**Antinomia.** A real or apparent contradiction in a law.

**Antiqua custuma.** Certain statutory duties on wool and leather.

**Antiqua Statuta.** English statutes from 1189 to 1327.

**Antiquare.** To preserve the old law, a Roman law term.

**Antiquum dominicum.** Ancient demesne.

**Antithetarius.** One seeking to escape punishment for a crime by charging his accuser therewith.

**Antrustio.** A confidential vassal.

**Apartment.** A part of a house occupied by one person while the rest is occupied by another or others. See 10 Pick. (Mass.) 293.

**Apatisatio.** A contract.

**Aperta brevia.** Unsealed writs.

**Apertum factum.** An overt act.

**Apertus.** Open.

**Apex juris.** A subtlety of the law.

**Aphasia.** A mental affliction whereby one loses comprehension of the sense of words and of familiar objects.

**Apices juris non sunt jus.** The extremes of the law are not the law. See 6 L. R. A. (N. S.) 494.

**Apices litigandi.** Extremes of the law.

**Apiscimur possessionem animo et corpore, neque per se animo aut per se corpore.** We obtain possession of a thing with both the mind and the body, not with the mind alone nor with the body alone.

**Apocae.** A receipt for payment.

**Apochae oneratoriae.** Bills of lading.

**Apocrisarius.** A messenger; an ambassador.

**Apostata capiendo.** A writ under which an apostate was seized by the sheriff and brought before the abbott.

**Apostles.** Letters granted to an appellant in admiralty stating that the record will be transmitted.

**Apostoli.** See Apostles.

**Apothecary.** One who makes a business of compounding and selling drugs. See 72 Ky. 569.

**Apparator.** A process server of the ecclesiastical courts.

**Apparent heir.** One who will inherit if he survive the ancestor.

**Apparent maturity.** The time when a negotiable paper on its face appears to be due.

**Apparere.** To appear.

**Apparitio.** An appearance.

**Apparitor.** See Apparator.

**Apparura.** Furniture; implements.

**Appeal.** The transfer of a cause to a higher court for review or for a new trial, used also to denote "Appeal of felony."

**Appeal of felony.** An old English proceeding in the nature of a private prosecution wherein a relative of the injured or deceased person was usually the plaintiff or appellant.

**Appear.** Under statute requiring firm name to appear conspicuously on place of business, word means obvious and manifest. See Ann. Cas. 1913B, 913.

**Appearance.** A notification that a party to an action or his attorney for him is before the court. See 83 Ky. 529.

**Appearance day.** The day on which or before which one must appear. See 26 S. W. (Tex.) 282.

**Appearned heir.** See Apparent Heir.

**Appellant.** One who files an appeal; the complaining party in an appeal of felony.

**Appellate.** Pertaining to appeals.

**Appellate jurisdiction.** Jurisdiction to hear and determine an appeal from a lower court. See 65 Mo. App. 543.

**Appellatio.** An appeal.

**Appellee.** One against whom a cause is appealed; the defendant in an appeal of felony.

**Appello.** I appeal; the Roman law form of making an appeal.

**Appellor.** One who prosecutes an appeal; one who accuses his confederates in crime.

**Appellour.** An appealing party.

**Appendant.** Affixed or belonging to something more important.

**Appenditia.** Appurtenances.

**Appensura.** Payment in money by weight.

**Appertinances.** An old form of appurtenances.

**Appliances of transportation.** Roadbed, tracks, cars, engines, and all other machinery and equipment furnished by the carrier and used in connection with the conduct and management of its business, but not including property of passenger brought by him into a car. See Ann. Cas. 1913B, 811.

**Applicare.** To fasten, to moor a ship.

**Applicatio est vita regulae.** The application is the life of a rule.

**Application.** A petition or request.

**Application of payments.** The credit by the creditor of payments made on account of a particular indebtedness or part thereof. See 94 N. Y. 467.

**Appointee.** One who has been appointed to an office or trust.

**Appointment.** The selection of a person to some office or trust.

**Appointor.** The person appointed by a donor under the Statute of Uses to execute a power.

**Apportionment.** Partition into shares.

**Apportum.** The revenue derived from a right such as a corody or a pension.

**Apposal of sheriffs.** The charging them with money received on account of the exchequer.

**Apposer.** An officer who supervised the accounts rendered to the exchequer by the sheriffs.

**Appraise.** To value.

**Appraiser.** An officer appointed by a court to appraise property. See 19 R. I. 499; 34 Atl. 1112.

**Appreciare.** To appraise.

**Apprehension.** Arrest.

**Apprentice.** One bound by contract to the service of another and who receives instruction in a trade therefor. See 3 N. J. L. 422.

**Apprentice en la ley.** Barristers.

**Apprenticii ad legem.** Barristers.

**Apprenticius ad legem.** A law student.

**Approach.** The right to visiting a ship to ascertain her nationality. See, also, 32 L. R. A. 588.

**Approbare.** To approve.

**Approbate and reprobate.** To accept one part and reject another.

**Appropriated.** Under constitutional provision, water held not appropriated until applied to beneficial use. See 4 L. R. A. 767.

**Appropriation.** The annexation of a benefice to the use of a church corporation.

**Appropriation of payments.** See Application of payments.

**Approval.** By a committee means exercise of discretion by committee as a whole and cannot be affected by delegation. See Ann. Cas. 1912B, 495.

**Approve.** To cultivate; to reclaim waste land.

**Approved indorsed notes.** Notes indorsed by one other than the maker by way of added security. See 20 Wend. (N. Y.) 431.

**Approvement.** Confessing a capital offense after indictment and before pleading and accusing another of it. See 26 Ill. 344.

**Approver.** One indicted for a capital offense who confessed before plea and accused another person of it. See 26 Ill. 173.

**Appruare.** See Approbare.

**Appulsus.** A driving toward.

**Appurtenances.** Things which are appurtenant. See 64 Am. St. Rep. 107.

**Appurtenant.** Belonging to; incident to; accessory to.

**Aprés.** After.

**Aprés midi.** Afternoon.

**Aprés que.** After that.

**Apt.** Fit; suitable; proper.

**Apta viro.** A girl of marriageable age.

**Apud.** With; at the house of; at; among.

**Apud acta.** Among the recorded acts.

**Aqua.** Water.

**Aqua aestiva.** Water used only in summer.

**Aqua cedit solo.** The water goes with the land. See 30 L. R. A. 820.

**Aqua currens.** Running water.

**Aqua currit debet currere ut currere solebat ex jure naturae.** Water runs and should run as it is wont to run by natural right. See 30 L. R. A. 820.

**Aqua ductus.** The right to run water through the land of another.

**Aqua dulcis.** Fresh water.

**Aqua fontanea.** Spring water.

**Aqua frisca.** Fresh water.

**Aqua profluens.** Flowing water.

**Aqua quotidiana.** Water available at all times.

**Aqua salsa.** Salt water.

**Aquae haustus.** The right to draw water from the land of another.

**Aquae immittendae.** The easement of dripping water.

**Aquage.** Toll charged for carrying water.

**Aquagium.** A waterway.

**Aquatic rights.** Rights of fishing and navigation and in the soil under the sea and rivers.

**Arabant.** They ploughed.

**Aralia.** Arable land.

**Arare.** To plough.

**Aratia.** See Aralia.

**Aratrum terrae.** Land ploughable with one plough.

**Arbiter.** An arbitrator; formerly one who was governed by law and equity in his decisions rather than by his own judgment.

**Arbitration and award.** A plea raising the defense that the matter has been settled by an arbitration.

**Arbitramentum aequum tribuit cuique suum.** A just arbitration renders to each what is his.

**Arbitrary.** That which is decided by the judge on his own judgment and not under a statute.

**Arbitration.** The submission of a cause to an arbitrator. See 42 Am. St. Rep. 200.

**Arbitration of exchange.** Payment in one country by a bill of exchange drawn upon another.

**Arbitrator.** One chosen to decide a controversy out of court by mutual consent. See 57 Am. St. Rep. 312.

**Arbitrium.** An arbitration award.

**Arbitrium est judicium.** An award is a judgment.

**Arbitrium est judicium boni viri, secundum aequum et bonum.** An award is the judgment of a good man according to equity and goodness.

**Arbor.** A tree.

**Arbor civilis consanguinitatis.** A family-tree.

**Arbor dum crescit, lignum dum crescere nescit.** It is a tree while growing, wood when not growing. See 12 Johns. (N. Y.) 239.

**Arbor finalis.** A boundary line tree.

**Arca.** A money chest.

**Arcana imperii.** State secrets.

**Arcarius.** A treasurer.

**Archaionomia.** A compilation of Saxon law published about 1600.

**Archbishop.** The head of the ecclesiastical power in his province.

**Archdeacon.** An ecclesiastical officer subordinate to a bishop.

**Archdeacon's court.** An English ecclesiastical court with jurisdiction in probate, administration and ecclesiastical matters within the archdeaconry. See 3 Bl. Comm. 64.

**Archery.** A feudal service of maintaining a bow for the defense of the castle.

**Arches court.** An ecclesiastical court of appeal and of original jurisdiction.

**Archetype.** An original document.

**Archiepiscopus.** An archbishop.

**Arcta et salva custodia.** In safe custody.

**Ardour.** An incendiary.

**Area.** An open space within a house or an adjoining inclosure.

**Arenales.** Sandy beaches.

**Arenifodina.** In Roman law, a sandpit.

**Arentare.** To rent.

**Arer et semer.** To plough and sow.

**Aretro.** In arrears.

**Arg.** Abbreviation for arguendo.

**Argentarii.** Money lenders.

**Argentarius.** A money lender; a banker.

**Argentarius miles.** A porter who carried money in the exchequer.

**Argentum.** Silver.

**Argentum album.** Uncoined silver; silver coin.

**Argentum dei.** An earnest given to bind a bargain.

**Arguendo.** In argument; by way of argument.

**Argumentative.** Inferential.

**Argumentum.** Argument.

**Argumentum a communiter accidentibus in jure frequens est.** An argument from common occurrences is frequent in law.

**Argumentum a divisione est fortissimum in lege.** An argument from a division of the matter is very strong in law.

**Argumentum a majori ad minus negative non valet; valet e converso.** An argument from the greater to the less is of no force; conversely it is good.

**Argumentum a similis valet in lege.** Argument from analogy has force in law.

**Argumentum ab auctoritate est fortissimum in lege.** An argument based upon authority is very strong in law.

**Argumentum ab impossibili plurimum valet in lege.** An argument drawn from an impossibility is of very great force in law.

**Argumentum ab inconvenienti est validum in lege; quia lex non permittit aliquod inconveniens.** An argument drawn from the inconvenience of a thing is proper in law, because the law will not permit anything inconvenient.

**Argumentum ab inconvenienti plurimum valet in lege.** An argument drawn from the inconvenience of a thing is very forcible in law.

**Argumentum ad crumenam.** An argument addressed to the purse.

**Argumentum ad hominem.** A personal argument.

**Argumentum ad ignorantiam.** An argument based upon the ignorance of the audience.

**Argumentum ad verecundiam.** An argument addressed to the sense of decency.

**Aribannum.** A feudal penalty imposed for disobedience of the king's order to take up arms.

**Aristocracy.** A government ruled by a class.

**Arm of the sea.** A bay or river where the tide of the sea ebbs and flows.

**Arma.** Arms; weapons.

**Arma dare.** To knight.

**Arma in armatos jura sinunt.** The laws permit the use of arms against those armed.

**Arma libera.** Free arms; the sword and lance given to a servant upon his manumission.

**Arma moluta.** Cutting weapons.

**Arma reversata.** Reversed arms; a punishment for felony.

**Armata vis.** Armed force.

**Armig.** See Armiger.

**Armiger.** A squire; one entitled to bear arms.

**Armistice.** An agreed interruption of hostilities between belligerent nations.

**Armorum appellatione, non solum scuta et gladii et fustes et lapides continentur.** Under the term "arms" are included not only shields and swords but also clubs and stones.

**Arms.** Weapons.

**Aromatarius.** A grocer.

**Arpen.** Same as Arpent.

**Arpennus.** A land measure.

**Arpent.** A land measure; an acre.

**Arpentator.** A land surveyor.

**Arra.** An earnest given to bind a bargain.

**Arrae.** See Arra.

**Arraign.** In a criminal prosecution, to bring the defendant into court, inform him of the charge against him and enter his plea. See 162 U. S. 625, 40 L. Ed. 1097, 16 Sup. Ct. Rep. 952.

**Arraigns, clerk of.** A deputy of the clerk of assize.

**Arrameur.** A port officer who directed the proper loading and stowing of cargoes.

**Arras.** A gift which a Spanish husband makes to his bride.

**Array.** All those summoned to court for jury duty and arranged in the panel and from whose number a jury is selected. See 44 Miss. 789.

**Arrearages.** Same as Arrears.

**Arrears.** Moneys which are past due.

**Arrendamiento.** (Spanish) A lease of realty.

**Arrentatio.** A renting.

**Arrer.** To plough.

**Arrere.** To plough.

**Arrest.** To take one into custody, to confine him or to restrain his liberty by physical force or threats thereof; to take one into the cus-

tody of the law. See 107 Am. St. Rep. 745.

**Arrest of inquest.** Pleading in arrest of taking the inquest upon a former issue, and showing cause why an inquest should not be taken.—Black.

**Arrest of judgment.** An order made after verdict refusing to enter judgment by reason of an error on the face of the record. See 142 Mo. 322, 44 S. W. 224.

**Arrestandis bonis ne dissipentur.** A writ which pending litigation prevented an irresponsible party to the action from making away with chattels involved.

**Arrestando ipsum qui pecuniam recepit.** A writ to arrest one who had received money for enlistment in the army and had then disappeared.

**Arrestare.** To effect an arrest.

**Arrestee.** A garnishee in Scotch law.

**Arrestment.** Arrest; a Scotch process of attachment of the debtor's person.

**Arrestment jurisdictionis fundandae causa.** A Scotch writ by which a defendant was brought within the jurisdiction by attachment of his goods.

**Arresto facto super bonis mercatorum alienigenorum.** A writ against the goods of aliens found in England, in recompense of goods taken from a denizen in a foreign country, after denial of restitution.—Black.

**Arretted.** Arraigned.

**Arrha.** Same as Arra.

**Arrhabo.** An earnest paid to bind a bargain.

**Arrhae.** See Arra.

**Arraige and carriage.** Indefinite and unlawful services formerly demanded of servants.

**Arrier ban.** A feudal summons issued by the lord to his vassals to attend him.

**Arrière fee.** A fee dependent upon a superior fee.

**Arrière fief.** Same as Arrière fee.

**Arrière vassal.** A vassal's vassal.

**Arrogatio.** Arrogation.

**Arrogation.** Adoption of one sui juris.

**Arrondissement.** (French) A department subdivision.

**Arsae et pensatae.** Burnt and weighed; used of money to be minted.

**Arser in le main.** Burning in the hand. See 4 Bl. Comm. 333, 365.

**Arson.** The malicious burning of the dwelling-house of another. See 71 Am. St. Rep. 266.

**Art and part.** A Scotch term for abetting or instigating a crime.

**Arthel.** To avouch; as if a man were taken with stolen goods he was allowed a lawful arthel, i. e., a vouchee to clear him of the felony; but provision was made against it by 28 Henry VII, c. 6.—Blount.

**Articled clerk.** A lawyer's clerk bound to him by contract providing for his service and for his instruction in law.

**Articles approbatory.** (Scotch) A reply corresponding to an answer to a bill in equity.

**Articles improbatory.** (Scotch) A proceeding corresponding to the bill or complaint in an equity suit.

**Articles, lords of.** (Scotch) A parliamentary committee designed to increase the crown's power, later was abolished by statute.

**Articles of agreement.** A written contract or memorandum thereof.

**Articles of confederation.** The instrument forming the confederation of the original thirteen states of the Union, in force from March 1, 1781, to March 4, 1789. See 5 Wheat. (U. S.) 420, 5 L. Ed. 124.

**Articles of faith.** The creed of the church of England, known as the thirty-nine articles.

**Articles of impeachment.** The formal written charge against the defendant in an impeachment proceeding.

**Articles of partnership.** The agreement signed by members of a firm by which they are bound together.

**Articles of religion.** See articles of faith.

**Articles of roup.** (Scotch) The terms and conditions of an auction sale.

**Articles of set.** (Scotch) A leasehold agreement.

**Articles of the clergy.** An act passed 1316 to settle respective jurisdictions of the ecclesiastical and the law courts.

**Articles of the navy.** Statutory regulations governing the navy.

**Articles of the peace.** The complaint in a proceeding wherein one is compelled to give bond to keep the peace.

**Articles of union.** The compact of 1707 uniting the kingdoms of England and Scotland. See 1 Bl. Comm. 96.

**Articulate adjudication.** (Scotch) The separate adjudication for each of several distinct debts held by one creditor.

**Articuli.** Articles.

**Articuli Cleri.** Articles of the clergy.

**Articuli de Moneta.** Statutes concerning public currency.

**Articuli magnae chartae.** The preliminary forty-nine articles forming the basis for the Magna Charta.

**Articuli super chartas.** An act passed about 1300 amending the Magna Charta and the Charta de Foresta.

**Articulo mortis.** The point of death.

**Articulus.** An article; a part; a point.

**Artificer.** A workman or mechanic as distinguished from an employer thereof.

**Artificial.** Having an existence presumed in law only, as a corporation.

**Artificial boundary.** One erected by man.

**Artificial presumptions.** Facts presumed in law to exist, regardless of proof. See 13 N. J. L. 68, 23 Am. Dec. 711.

**Arura.** A ploughing.

**Ascendant.** An ancestor from whom one is descended.

**Ascendientes.** Ascendants.

**Ascient.** Knowing.

**Ascriptitius.** In Roman law, naturalized foreigners.

**Asphyxia.** Suspended animation usually caused by suffocation, drowning or inhalation of gas. See 36 Kan. 1, 12 Pac. 318.

**Asportare.** To carry away.

**Asportation.** A carrying away.

**Asportavit.** He carried away.

**Ass.** Abbreviation for Assize.

**Assach.** (Welsh) An oath made by compurgators.—Brown.

**Assart.** To root up trees; to deforest land.

**Assartare.** To assart.

**Assassination.** Murder done for hire alone.

**Assath.** Same as Assach.

**Assault.** An attempt, or offer, with force and violence, to do corporal hurt to another. See 11 Am. St. Rep. 830.

**Assay.** A trial by chemical analysis.

**Assecurare.** To make secure.

**Assecuratio.** Assecuration.

**Assecuration.** Assurance; marine insurance.

**Assecurator.** An insurer.

**Assedation.** In Scotch Law. An old term used indiscriminately to signify a lease or feu-right.—Bell's Dict.

**Assembly.** A meeting of several persons.

**Assembly general.** The highest Scotch ecclesiastical court.

**Assembly unlawful.** See Unlawful assembly.

**Assent.** Consent; approval. See 4 L. R. A. 745; also Ann. Cas. 1912D, 315.

**Assertare.** See Assartare.

**Assertory covenant.** One which affirms that a particular state of facts exists; an affirming promise under seal.—Black.

**Assess.** To value for taxation; to tax; to equalize valuations for taxation or for contributions; to fix or ascertain; to estimate. See 120 Cal. 332, 52 Pac. 823.

**Assessment.** Valuation for taxation or contribution; taxation; levying a contribution; ascertainment; estimation. See Ann. Cas. 1912D, 22; also 27 Am. St. Rep. 91.

**Assessor.** One whose function is to make an assessment.

**Assets.** Property or funds which may be subjected to the meeting of one's obligations. See 51 Am. St. Rep. 887; also 5 L. R. A. (N. S.) 358, note.

**Assets entre mains.** Assets in hand.

**Assets per descent.** Property which descends to the heir and not to the executor.

**Asseveration.** The solemn affirmation of the truth of a statement.

**Assewiare.** To draw or drain water from marsh grounds.—Cowell.

**Assign.** To transfer or set over to another. See 11 Barb. (N. Y.) 634.

**Assignation.** (Scotch) An assignment.—Bouv.

**Assignatus utitur jure auctoris.** An assignee is clothed with the rights of his assignor.

**Assignay, or Assigney.** (Scotch) An assignee.

**Assignee.** One to whom an assignment is made.

**Assignment.** A transfer. See 7 Am. St. Rep. 331.

**Assignment for benefit of creditors.** A transfer of his property by a debtor to another for administration and distribution to his creditors. See 133 Ill. 45, 24 N. E. 74.

**Assignment of dower.** The setting apart of the widow's portion of her husband's property. See 137 Ala. 588, 97 Am. St. Rep. 59, 34 South. 813.

**Assignment of errors.** A specification of the errors upon which an appellant relies for a reversal. See 10 Cal. 298.

**Assignor.** The maker of an assignment. See 13 L. R. A. (N. S.) 1260, note.

**Assigns.** Persons to whom any thing or right is assigned. See Ann. Cas. 1912A, 1120.

**Assisa.** Same as Assize.

**Assisa armorum.** A statute ordering the keeping of arms.

**Assisa cadere.** To be nonsuit.

**Assisa cadit in juratam.** The assize is turned into a jury.

**Assisa continuanda.** A writ granting a continuance of the assize to allow the production of papers.

**Assisa de Clarendon.** An act of 1164 staying exile of felons for forty days within which they might get contributions for their support.

**Assisa de foresta.** Assize of the forest, which see.

**Assisa de mensuris.** A regulation of weights and measures in 1198.

**Assisa de nocumento.** A writ to abate a nuisance.

**Assisa de utrum.** A writ for the parson of a church whose predecessor had alienated its land and rents.—Black.

**Assisa friscae fortiae.** Assize of fresh force, which see.

**Assisa juris utrum.** Assize of utrum, which see.

**Assisa mortis d'ancestoris.** Assize of Mort D'Ancestor.

**Assisa novae disseysinae.** Assize of novel disseisin, which see.

**Assisa panis et cerevisiae.** A statute regulating bread and ale measures.

**Assisa proroganda.** A writ to stay proceedings where one of the parties is engaged on the king's business.

**Assisa ultimae paresentationis.** See Assize of darrein presentment.

**Assisa venalium.** Statutes relating to the sales of slaves.

**Assise.** Assize.

**Assisors.** Assessors.

**Assistance.** A writ to place one entitled into possession of land.

**Assistant.** Used with reference to a public officer, is more comprehensive than "deputy," and includes those sworn and those not sworn, while deputy includes only those

sworn. See Ann. Cas. 1912A, 1268.

**Assisus.** Rented or farmed out for a specified assize; that is, a payment of a certain assessed rent in money or provisions.—Black.

**Assithment.** Assythement, which see.

**Assize.** A jury summoned by a writ of assize; a court; a statute; a tax; the verdict of jurors of a court of assize; an action.

**Assize of darrein presentment.** A proceeding to test the right of presentment of a church living.

**Assize of fresh force.** A writ to recover lands of which the demandant had been disseised within forty days.

**Assize of mort d'ancestor.** A writ to recover land of which an ancestor had died seised from an abator. See 3 Bl. Comm. 185.

**Assize of novel disseisin.** A writ to recover land of which the demandant had been recently seised.

**Assize of nuisance.** A writ for the abatement of a nuisance and the recovery of damages.

**Assize of the forest.** An act touching orders to be observed in the king's forests.—Manwood.

**Assize of utrum.** A writ by which a parson recovered lands disposed of by his predecessor.

**Assize rent.** Fixed rentals of freeholders and copyholders of a manor.

**Assizes.** Sessions of the judges.

**Assizes de Jerusalem.** A compilation of the feudal law made after the conquest of Jerusalem in 1099.

**Association.** An unincorporated company having certain attributes of a corporation. See 20 App. Div. 352, 46 N. Y. Supp. 1035.

**Assoil.** To acquit; to set free; to free from excommunication.

**Assoilzie** Assoil, which see.

**Assoyl.** Assoil, which see.

**Assume.** To undertake; engage; promise.

**Assumpserunt super se.** They undertook.

**Assumpsit.** Derived from Latin assumere, meaning to assume or undertake. In contracts, it is understood as an undertaking, either express or implied, to perform a parol agreement. At common law, it was divided into express and implied assumpsit, the former being an undertaking, made orally, by writing not under seal, or matter of record, to perform an act or to pay a sum of money to another; while an implied assumpsit was an undertaking presumed in law to have been made by a party from his conduct, although he had not made an express promise. The action of assumpsit was also divided into special assumpsit, or an action brought on an express promise, and general assumpsit or an action brought on an implied contract. See Ann. Cas. 1913A, 471.

**Assumption of risk.** A term of the contract of employment, expressed or implied from the circumstances of the employment, by which the servant agrees that dangers of injury obviously incident to the discharge of his duty shall be at his risk. See 48 L. R. A. 68.

**Assurance.** Any instrument evidencing title to land; insurance.

**Assure.** To insure.

**Assured.** One who insured against loss or whose life is insured.

**Assurer.** An insurer.

**Assythement.** A Scotch law action for damages for murder.

**Astipulation.** A stipulation or mutual agreement.

**Astitrarius haeres.** An heir in possession.

**Astitution.** An arraignment.

**Astrarius.** Astrer.

**Astrer.** A householder.

**Astrict.** (Scotch) To restrict a tenant to a certain mill for his grinding.

**Astrihiltet.** (Saxon) A penalty for a wrong done by one in the king's peace exacting double damages.—Spelman.

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**Astrum.** A house; a hearth.

**Asylum.** Held to include a soldiers' home supported by the state. See 23 L. R. A. 215.

**At.** When applied to a place is not definitely locative, but primarily expresses the relation of presence, nearness in place or direction, and is less definite than "in" or "on." See Ann. Cas. 1912B, 1065; also 123 Am. St. Rep. 17, 10 L. R. A. (N. S.) 204.

**At arm's length.** Without another's influence.

**At bar.** Before the court.

**At large.** Unrestrained; free; not limited.

**At law.** Before a court of law, as distinguished from equity or other tribunals.

**At sea.** Outside of any harbor or port.

**Atamita.** The sister of a great-great-great-grandfather.

**Atavus.** The male ascendant in the fifth degree.

**Atha.** In Saxon law. An oath.

**Athe.** Atha, which see.

**Atheist.** One who does not believe in God's existence.

**Atia.** Hate; malice.

**Atilia.** A harness.

**Atilium.** Tackle; a ship's rigging.

**Atmatertera.** The sister of a great-great-great-grandmother.

**Atrium.** The open court in a Roman house.

**Atta.** Atha, which see.

**Attach.** To seize and hold a defendant or his property in the custody of the law. See 62 Ohio St. 543, 78 Am. St. Rep. 743, 57 N. E. 446.

**Attaché.** One attached to a foreign ambassador or legation.

**Attachiamenta de spinis et boscis.** The right of forest officers to appropriate thorns and brushwood.

**Attachiamentum.** An attachment, which see.

**Attachiare.** To attach.

**Attachment.** The seizing and holding of a defendant or his property in the custody of the law, pending litigation. See 137 Am. St. Rep. 876.

**Attachment of privilege.** A process by which a man, by virtue of his privilege, calls another to litigate in that court to which he himself belongs, and who has the privilege to answer there.—Bouv. A writ to apprehend one in a privileged place.

**Attachment of the forest.** The lowest of the three courts formerly held in forests.—Manwood.

**Attainder.** The extinction of one's civil rights and capacities.

**Attainder, bill of.** See Bill of attainder.

**Attainder by confession.** Pleading guilty before a court or abjuring the realm before a coroner.

**Attainder by process of outlawry.** Adjudging one who has fled to be an outlaw.

**Attainder by verdict.** Finding one guilty by a jury.

**Attaint.** A writ employed to reverse a jury's verdict.

**Attaint d'une cause.** (French) The gain of a suit.—Black.

**Atte.** Atha, which see.

**Attempt.** An offer, trial, effort or experiment to do some act but failing to carry out the intended purpose. See 24 Am. St. Rep. 860.

**Attendant.** One owing a duty of service to another, or somehow dependent upon him.

**Attendant terms.** Long leases or mortgages so arranged as to protect the title of the owner.—Bouv.

**Attentat.** Any improper act done by a judge in an action pending an appeal from his decision.

**Attentare.** To attempt.

**Atterminare.** To delay; to postpone.

**Attermining.** Extending time for payment.

**Attermoiement.** A composition.

**Attest.** A witness; to witness.

**Attestation.** The witnessing of a signature and subscription as a witness thereto. See 43 Am. St. Rep. 118.

**Attestation clause.** The clause in a document wherein the witnesses state the circumstances on their attestation.

**Attesting witness.** One signing a paper as a witness of another's signature. See 115 Mass. 599.

**Attestor of a cautioner.** (Scotch) A guarantor of a debt.

**Attile.** Tackle.

**Attilamentum.** Atilium, which see.

**Attincta.** An attaint.

**Attinctus.** Attainted.

**Attingere.** To touch; to amount to.

**Attorn.** To assign; to transfer; assent or acknowledgment to a transfer or assignment. See 13 Ind. 388.

**Attornare.** To attorn.

**Attornare rem.** To assign or appropriate money or goods to some particular use or service.—Black.

**Attornatus.** An attorney.

**Attorne.** An attorney.

**Attorney.** One authorized by another to act for him.

**Attorney at law.** A court officer authorized by those who employ him to represent them in litigation. See 3 Mich. 598.

**Attorney general.** The first law officer of a state or government.

**Attorney in fact.** One having special or general authority to act for another. See 47 Barb. (N. Y.) 116.

**Attorney of the wards and liveries.** The third officer of the duchy court.

**Attorney's certificate.** An English revenue receipt showing payment of the annual duty exacted of an attorney.

**Attorney's lien.** The right of an attorney to retain his client's property as security for the payment of his fees. See 3 Am. St. Rep. 567.

**Attornment.** The tenant's assent to a change of landlords. See 13 Ind. 388.

**Au.** At; in; to; until.

**Au besoin.** A designation in a bill of exchange of one of whom payment may be requested upon the drawee's refusal.

**Au ces temps.** At that time.

**Au dernier.** At last.

**Au quel.** To which.

**Au plus.** At most.

**Au tiel forme.** In such manner.

**Aubaine.** A stranger.

**Auceps syllabarum.** A caviler.

**Auction.** A public sale to the highest bidder. See 131 Am. St. Rep. 479.

**Auctionarius.** A vendor; an auctioneer; a dealer in second-hand goods.

**Auctioneer.** One who conducts an auction. See 30 Am. Rep. 234.

**Auctor.** A plaintiff; a principal; an auctioneer.

**Auctoritas.** Authority.

**Auctoritates philosophorum, medicorum, et poetarum, sunt in causis allegandae et tenendae.** The opinions of philosophers, physicians and poets are to be alleged and received in causes.

**Aucune foits.** Sometimes.

**Aucunement.** Somewhat.

**Aucupia verborum sunt judice indigna.** Caviling is unworthy of a judge's dignity.

**Audi alteram partem.** Hear the other side. Both sides of a controversy should be heard. See 7 L. R. A. (N. S.) 684.

**Audience.** A hearing.

**Audience court.** An ecclesiastical court of jurisdiction inferior to the Court of Arches.

**Audiendo et terminando.** To hear and determine.

**Audit.** An official examination of accounts.

**Audita querela.** A writ to stay or recall an execution by reason of a fact occurring after judgment. See 36 Am. Dec. 329.

**Auditor.** An examiner of accounts appointed by a court or otherwise.

**Auditors of the imprest.** Officers who formerly audited certain accounts of the exchequer.

**Auditus.** Hearing.

**Augmentation.** The increment of crown revenue from appropriation of church property.

**Augusta legibus soluta non est.** The queen is not exempt from the law.

**Aujourd'huy.** To-day.

**Aula.** A hall; a court.

**Aula regia.** A court established by William the Conqueror. See 3 Bl. Comm. 38.

**Aula regis.** Aula regia, which see.

**Aulnage.** Same as alnage.

**Aumone.** Alms.

**Aumone, service in.** A gift of lands for church services for the donor's soul.

**Auncel weight.** Weighing with a balance or steelyard.

**Auprès.** Near; high; about.

**Aures.** (Saxon) Cutting off the ears as a punishment for larceny.

**Aurum reginae.** Queen's gold. See 1 Bl. Comm. 221.

**Aut.** Either.

**Aussi.** Also.

**Australian ballot system.** A system of voting at elections. See 31 Am. St. Rep. 304.

**Aut eo circiter.** Or thereabouts.

**Auter.** Other; another.

**Auter action pendant.** A plea defending on the ground that another action for the same cause is pending.

**Auter droit.** The right of another.

**Authentication.** Such attestation of an instrument as to identify it as authentic. See 9 Fla. 374.

**Authentics.** A collection of the novels of Justinian.

**Authenticum.** (Civil Law) An original document as distinguished from a copy.

**Authorities.** Precedents in statute law and in judicial opinions.

**Authority.** The delegation of power by one to another to act for him.

**Autocracy.** A government whose monarch's power is unlimited.

**Auxiliary chaplain.** A parish priest's assistant.

**Autonomy.** Independence.

**Autopsy.** The dissection of a corpse to ascertain the cause of death.

**Autre.** Auter, which see.

**Autre vie.** The life of another.

**Autrefois.** Formerly; heretofore.

**Autrefois acquit.** Previously acquitted.

**Autrefois attaint.** Previously attainted.

**Autrefois convict.** Previously convicted.

**Autri.** Same as Auter.

**Autry.** Same as Auter.

**Auxilium.** Aid.

**Auxilium ad filium militem faciendum et filiam maritandam.** An ancient writ addressed to the sheriff to levy compulsorily an aid toward knighting of a son and the marrying of a daughter of the tenants in capite of the crown.—Black.

**Auxilium curiae.** A court order citing one at the suit of another to appear and warrant something.

**Auxilium regis.** A subsidy paid to the king.

**Auxilium vice comiti.** An ancient duty paid to sheriffs.

**Avail of marriage.** Value of marriage, i. e., what the suitor would give.

**Avails.** Proceeds; profits.

**Aval.** A guaranty of a negotiable paper.

**Avanture.** Adventure; chance; misadventure; an accident causing death.

**Avaria, or avarie.** Average; loss to a ship or cargo at sea.

**Aventure.** Same as Avanture.

**Aver.** To allege; to plead; to state.

**Aver corn.** A rent payable in corn for church lands.

**Aver et tenir.** To have and to hold.

**Aver penny.** Money paid for freedom from cattle service due the king.

**Aver silver.** Rent reserved.

**Aver land.** Land ploughed and manured by tenants for the use of the soil.

**Average.** Loss to a ship or cargo; apportionment of marine loss; sum paid to a master for caring for a cargo. See 2 Wash. C. C. 51, 6 Fed. Cas. (U. S.) 611.

**Averia.** Cattle.

**Averia carucae.** Beasts of the plough.

**Averia elongata.** Cattle taken away.

**Averiis captis in withernam.** A writ by which one whose cattle had been taken abroad could have cattle of the taker.

**Averium.** A work animal.

**Averment.** A pleading; an allegation; a statement.

**Averrare.** A duty required of some customary tenants, to carry goods in a wagon or upon loaded horses. Black.

**Aversio.** An averting or turning away; a sale or lease as a whole.

**Aversio periculi.** The averting of peril.

**Averum.** Property.

**Avet.** To assist; to abet.

**Avizandum.** A Scotch practice of submitting a matter privately to the judge.

**Avocat.** (French) An advocate.

**Avoidance.** Nullifying; rendering void.

**Avoucher.** To call a warrantor of land to come in and defend the title for the warrantee.

**Avow.** To admit an act and to justify it.

**Avowant.** One who avows.

**Avowee, or avowe.** An advocate of a church living.

**Avowry.** A plea of justification in replevin.

**Avowterer.** An adulterer.

**Avowtry.** Adultery.

**Avulsion.** The sudden increment to or loss of riparian land by action of water or change in the bed of a stream. See 115 Mo. 145, 21 S. W. 913.

**Await.** To waylay.

**Award.** The judgment or decision of an arbitrator, commissioner or referee. See 36 Am. St. Rep. 344.

**Away-going crop.** One planted before but ripening after the end of a tenancy.

**Awm.** A wine measure.

**Ayle.** A grandfather.

**Ayre.** (Scotch) Eyre; a circuit.

**Ayuntamiento.** A Spanish municipal council.

# B

**B. C. L.** Bachelor of Civil Law.

**B. F.** Bonum factum. A good deed; a valid decree.

**B. L.** Bachelor of Laws.

**B. R.** Abbreviation for king's bench.

**Baby act.** Defending an action on grounds of infancy or limitations.

**Bacheleria.** Commonalty or yeomanry, in contradistinction to baronage.—Wharton.

**Bachelor.** An inferior knight; a squire.

**Backadation.** A sum paid by the vendor of stock to postpone the date of delivery.

**Backbear.** A poacher's carrying of game wrongfully killed.

**Backberend.** The carrying of the stolen goods with him by a thief.

**Back-bond.** An indemnity bond.

**Back-deed.** Same as Back-bond.

**Backing.** Indorsement.

**Backing a warrant.** Such indorsement as to permit its service in another county.

**Backside.** The backyard of a house.

**Back-water.** Water backed up by obstruction of a stream.

**Baculus.** A divining rod; a rod used in making livery of seisin.

**Badge of fraud.** Any act or fact tending to create suspicion of deceit. See 69 Mich. 5, 37 N. W. 37.

**Badger.** A hawker; a huckster.

**Badger game.** A blackmailing trick.

**Baga.** A bag or purse.—Black.

**Baggage.** Articles of clothing, attire and personal effects carried by a traveller. See Ann. Cas. 1912C, 627.

**Bahadum.** A chest.

**Bail.** The sureties of one bound to appear at court; to become such surety; money or a bond given to secure such appearance. See 37 Tenn. 623.

**Bail above.** Bail given to release one arrested on final process, e. g., execution.

**Bail below.** Bail given to release one arrested on mesne process, e. g., attachment.

**Bail bond.** A bond given to secure the appearance of one at court.

**Bail piece.** The certificate evidencing the fact that one has become bail for another. See 7 Johns. (N. Y.) 145.

**Baila.** Bail.

**Bailable action.** A proceeding in which the defendant may be released for arrest on bail.

**Bailable process.** Process under which an officer may take bail in lieu of an arrest and imprisonment.

**Bailee.** One entrusted with the custody of goods.

**Bailey, The Old.** The main criminal court of England.

**Bailie.** A Scotch alderman, bailiff or magistrate.

**Bailiff.** A sheriff's deputy; a keeper.

**Bailiff errant.** A deputy bailiff.

**Bailiffs of franchises.** Officers acting as sheriffs within privileged jurisdictions where the king's writ could at that time not be executed by the sheriff.—Spelman.

**Bailiffs of hundreds.** Officers appointed over hundreds by sheriffs, to collect fines, summon juries, attend judges, and execute writs and processes. See 1 Bl. Comm. 345.

**Bailiffs of manors.** Stewards appointed by lords of manors.

**Bailivia.** Bailiwick, which see.

**Bailiwick.** The jurisdiction of a sheriff or bailiff.

**Baillew de fonds.** In Canadian Law. The unpaid vendor of real estate. Bouv.

**Bailli.** One to whom judicial authority was assigned or delivered by a superior.—Black, Law Dict.

**Bailment.** The delivery or contract whereby goods are entrusted to another. See 136 Am. St. Rep. 214; also 7 L. R. A. 529.

**Bailor.** One who makes a bailment.

**Bair-man.** (Scotch) A bankrupt.

**Bairns** (Scotch) Children.

**Bairns' part.** (Scotch) A third of a decedent's estate if there was a widow, half if not.

**Balaena.** A whale. See 1 Bl. Comm. 222.

**Balance.** The remainder due a party after settling accounts with another. See 156 N. Y. 529, 51 N. E. 285.

**Balance sheet.** A statement showing the financial condition of a business. See 92 Cal. 580, 28 Pac. 779.

**Baldio.** (Spanish) Abandoned public land.

**Balius.** A tutor; a teacher; a guardian.

**Balivo amovendo.** A writ to oust a bailiff from office.

**Ballastage.** A tax on ships for taking ballast.

**Ballot.** A ticket or paper used in voting; to vote at an election. See 5 Ann. Cas. 861.

**Balnearii.** Thieves of clothing at the public baths.

**Ban.** A public edict or proclamation.

**Banality.** The right by which the lord made his vassals grind at his mill, bake at his oven, etc.

**Banc.** A bench; a meeting of all the judges.

**Banci narratores.** Advocates in the court of common pleas.

**Bancus.** Banc.

**Bancus reginae.** The queen's bench.

**Bancus regis.** The king's bench court.

**Bancus superior.** The upper bench. Once the name of the king's bench.

**Band.** (Scotch) A call to arms.

**Bandit.** An outlaw.

**Bane.** A malefactor.

**Bani.** Deodands.

**Banishment.** Removal from the country as a punishment for crime.

**Bank.** Same as banc, which see; an institution where money is deposited and loaned. See 49 Am. St. Rep. 76; also 21 L. Ed. (U. S.) 618.

**Bank account.** The funds of a bank from which a depositor may draw. See 51 N. H. 78.

**Bank bills.** Demand notes of a bank payable to bearer.

**Bank check.** An instrument by which a depositor seeks to withdraw funds from the bank. See 21 L. R. A. (N. S.) 703.

**Bank note.** The promissory demand note of a bank payable to bearer.

**Bank of issue.** A bank authorized to issue bank notes. See 87 Pa. 468, 30 Am. Rep. 378.

**Bankable.** Negotiable paper which a bank will receive as cash. See Ann. Cas. 1913C, 1255.

**Banker.** One having a place where deposits are received and paid out on checks and where money is loaned on security. See 23 L. Ed. (U. S.) 421.

**Bankerout.** A bankrupt.

**Banker's note.** A bank note issued by a private, unincorporated bank.

**Banking business.** The business conducted by a banker. See 18 Ann. Cas. 829.

**Bankrupt.** One who has committed an act of bankruptcy. See 5 Hill (N. Y.), 317.

**Bankruptcy.** The condition of one adjudged a bankrupt.

**Banleuca.** The territory without the walls, but within the legal limits of a town or city.—Cent. Dict.

**Banlieu.** Same as Banleuca.

**Banneret.** The title of a knight ranking next after a baron. See 1 Bl. Comm. 403.

**Banni nuptiarum.** Bans of matrimony.

**Bannitus.** An outlaw; one banished.

**Banns of matrimony.** Published notice of an intended marriage.

**Bannum.** A ban.

**Bannus.** A proclamation.

**Bar.** An obstruction to an action or suit; a railway inclosing the officers of a court; the place in court occupied by a prisoner on trial; those who are admitted to prac-

tice law; a court; to defeat; to obstruct.

**Bar association.** A society composed of members of the bar.

**Bar fee.** A sheriff's fee due upon a prisoner's acquittal.

**Baragaria.** (Spanish) A kept mistress; an inferior wife.

**Barat.** To quarrel.

**Baratriam committit qui propter pecuniam justitiam baractat.** One has committed barratry who sells justice for money.

**Barbicanage.** Money paid to support a watch tower.—Bouv.

**Bare contract.** One without conditions.

**Bare trustee.** One whose sole function is to hold title to trust property.

**Baret.** A quarrelsome litigation.

**Bargain.** A contract or agreement to buy on one side and sell on the other. See 5 Mass. 358, 4 Am. Dec. 68.

**Bargain and sale.** A bargain or contract whereby land is transferred without livery of seisin. See 110 U. S. 471, 28 L. Ed. 198, 4 Sup. Ct. Rep. 210.

**Bargainee.** The grantee or vendee in a bargain and sale.

**Bargainor.** The grantor or vendor in a bargain and sale.

**Barleycorn.** A lineal measure, a third of an inch.

**Barmote courts.** Courts established in the reign of Edward III, and held twice a year in Derbyshire, in which matters connected with mining are considered.

**Barnard's inn.** An inn of chancery.

**Baro.** A baron; a knight; a freeman.

**Baron.** A judge or officer of the court of exchequer; a husband; a vassal of the king.

**Baron et feme.** Husband and wife.

**Baronage.** The rank of a baron; a barony.

**Baronet.** An English title which is a dignity of inheritance, created by letters patent. See 1 Bl. Comm. 403.

**Barons of the cinque ports.** The members of parliament from the five English ports nearest France.

**Barons of the exchequer.** The judges or officers of the court of exchequer.

**Barony.** The rank of a baron; the lands held by a baron.

**Barony of land.** A quantity of land amounting to fifteen acres.—Black.

**Barra.** Same as Bar, which see.

**Barrator.** One guilty of barratry.

**Barratry.** The offense of practicing the excitement of quarrels or litigation. See 36 Am. Rep. 579. A grossly negligent or unlawful act of a master or crew of a ship, without the owner's authority. See 3 L. Ed. (U. S.) 481.

**Barre.** Same as Bar.

**Barren money.** A noninterest bearing debt.

**Barrenness.** Sterility.

**Barretry.** Same as Barratry.

**Barrister.** A lawyer admitted in England to plead at the bar.

**Barter.** An exchange of goods.

**Barton.** The unrented lands of a manor.

**Bas chevaliers.** Knights by tenure of a base military fee, as distinguished from superior knights. Blount.

**Base court.** An inferior English court.

**Base estate.** The estates which base tenants have in their land.—Cowell.

**Base fee.** A qualified fee determinable upon the ending of the qualification. See 94 Ill. 83.

**Base infeftment.** (Scotch) a disposition of lands by a vassal, to be held of himself.—Black.

**Base right.** (Scotch) A subordinate right; the right of a subvassal in the lands held by him.—Bell.

**Base services.** Feudal tenure services of a base nature. See 2 Bl. Comm. 62.

**Base tenants.** Tenants rendering base services.

**Base tenure.** Tenure by base services, as by villeinage.

**Basileus.** A king. See 1 Bl. Comm. 242.

**Basilica.** The Byzantine Code adapted from the Code of Justinian.

**Basils.** Iron shackles.

**Basket tenure.** Tenure by service of basket-making.

**Basse justice.** The right of a feudal lord to try petty offenders.

**Bastard.** Born out of wedlock. See 60 L. R. A. 699.

**Bastard-eigne.** The eldest son born a bastard of parents who then marry and beget others.

**Bastarda.** A female bastard.

**Bastardus non potest habere haeredem nisi de corpore suo legitime procreatum.** A bastard cannot have an heir unless one lawfully begotten of his own body.

**Bastardus nullius est filius; aut filius populi.** A bastard is the son of no one, or a son of the people.

**Bastardy.** The state of being a bastard; the act of begetting a bastard. See 17 Pa. St. 126, 55 Am. Dec. 542.

**Bastardy process.** A procedure to compel a bastard's father to support him.

**Bastinado.** Beating the soles of a man's feet as a punishment.

**Baston.** A baton; a club; a servant of a warden of the Fleet.

**Batable ground.** Land of disputed title.

**Bataille.** Same as Battel.

**Bath, knights of the.** An order of knighthood.

**Batiment.** (French) A ship.

**Battel.** A duel; a combat.

**Battery.** Any injury to the person done in an angry, revengeful, rude or insolent manner. See 50 Atl. (Del.) 632.

**Batture.** A shoal; an alluvial deposit in the bed of a stream.

**Bawd.** A panderer.

**Bawdy-house.** A house of ill-fame or prostitution. See 22 Am. St. Rep. 920.

**Bay.** A mill-pond.

**Bayley.** A bailiff.

**Beaconage.** Money paid to maintain beacons.

**Beadle.** A court crier; a parish officer whose duties resembled those of a constable.

**Bearer.** A maintainor; one practicing maintenance; the holder of negotiable paper not payable to a specified person. See 3 Fed. (U. S.) 617.

**Bearing date.** An expression refering to the date of an instrument.

**Beast.** Any four-footed animal.

**Beasts of the chase.** Wild beasts which are hunted; the buck, doe, fox, marten and roe.

**Beasts of the forest.** Beasts of the chase and hart, hind, hare, boar and wolf.

**Beasts of the park.** Same as Beasts of the forest.

**Beasts of the warren.** The hare, coney, pheasant and partridge.

**Beat.** To strike with successive blows.

**Beaupleader.** A writ prohibiting the taking of a fine for ill-pleading; bad pleading.

**Bed and board.** A divorce from, is one separating the parties without dissolving the marriage.

**Bed of justice.** The sitting of the king in the French parliament.

**Bedel.** Same as Beadle.

**Bedelary.** The jurisdiction of a beadle.

**Bederepe.** A service binding the tenant to reap the landlord's corn.

**Begotten.** Born.

**Behavior.** See Good behavior.

**Behetria.** (Spanish) Lands in districts and manors in which the inhabitants could select their own lords.—Bouv.

**Behoof.** Use; profit; advantage.

**Belligerent.** Actually engaged in war.

**Bello parta cedunt reipublicae.** Spoils of war go to the state.

**Bellum.** War.

**Below.** Inferior, as the court below.

**Bench.** A court; the judges of a court.

**Bench-warrant.** A warrant issued by a judge for one's apprehension.

**Bencher.** One of the senior or governing members of an Inn of Court.

**Bene.** Well; proper.

**Benedicta est expositio quando res redimitur a destructione.** Blessed is that interpretation which prevents destruction.

**Benefice.** A church living.

**Benefice de division.** (French) A cosurety's right to contribution.

**Benefice de discussion.** (French) A guarantor's right to have his principal's property first applied on the debt.

**Benefice d'inventaire.** (French) See Benefit of inventory.

**Beneficial devise.** A devise from which the devisee is intended by the testator to receive a substantial benefit. See 8 Am. Rep. 356.

**Beneficial enjoyment.** The advantages of ownership without legal title.

**Beneficial interest.** The interest of one enjoying the use, benefit or income of property, without title.

**Beneficial power.** The power of a donee to use property for his own benefit.

**Beneficial society.** A mutual benefit association.

**Beneficiary.** A cestui que trust.

**Beneficio primo.** A writ of the king designating the appointee to the first vacant benefice.

**Beneficium.** A benefice.

**Beneficium abstinendi.** The right of an heir to reject an inheritance.

**Beneficium cedendarum actionum.** A Roman law right of subrogation by the surety to the claims of the creditor against the principal.

**Beneficium clericale.** Benefit of clergy.

**Beneficium competentiae.** (Roman Law) The exemption of enough to live on by one making an assignment to his creditors.

**Beneficium divisionis.** The right to exact contribution from cosureties.

**Beneficium inventari.** See Benefit of inventory.

**Beneficium non datum nisi propter officium.** A benefit not conferred unless in recognition of an obligation.

**Beneficium ordinis.** The right of a surety to have all remedies against his principal first exhausted.

**Beneficium separationis.** (Civil Law) A creditor's right to have a decedent's goods separated from the heirs.

**Benefit of cession.** (Roman Law) Immunity from imprisonment for debt of a debtor who has assigned to his creditors.

**Benefit of clergy.** Exemption from capital punishment to those connected with the church.

**Benefit of discussion.** (Roman Law) The right of a surety to have his principal's property first subjected to the payment of the obligation.

**Benefit of division.** (Roman Law) The right to enforce contribution from cosuretics.

**Benefit of inventory.** (Roman Law) The limitation of an heir's liability for the debts of the estate to the value of his inheritance.

**Benerth.** A feudal service rendered by the tenant to his lord with horse and cart.—Cowell.

**Benevolence.** Enforced contributions or service to the crown under guise of gratuities.

**Benigne faciendae sunt interpretationes chartarum, ut res magis valeat quam pereat.** Liberal construction should be given to a deed, so that it may stand rather than fall.

**Benigne faciendae sunt interpretationes chartarum, ut res magis valeat quam pereat, et quaelibet concession fortissime contra donatorem interpretanda est.** Liberal construction should be given to a deed, so that it may stand rather than fall. A grant should be con-

strued most strongly against the grantor. See 4 Mass. 134.

**Benigne faciendae sunt interpretationes propter simplicitatem laicorum, ut res magis valeat quam; et verba intentione, non e contra, debent inservire.** On account of the ignorance of laymen, liberal construction should be given, so that affairs may stand rather than fall; and words ought to serve according to intention, and not otherwise. See 1 Whart. (Pa.) 315.

**Benignior sententia, in verbis generalibus seu dubiis, est preferanda.** A more liberal meaning of general or doubtful words is preferable.

**Benignius leges interpretandae sunt quo voluntas earum conservetur.** Laws should be construed more liberally that their intent may be preserved.

**Bequeath.** To dispose of chattels by will.

**Bequest.** A disposition by will of chattels.

**Bercaria.** A sheepfold.

**Bercarius, or bercator.** A shepherd.

**Berenica.** A manor; a town.

**Berewick.** Same as Barton.

**Berg.** A plain; a field; a manor.

**Bergmote.** Same as Barmote.

**Beria.** A plain; a field.

**Bernet.** Arson.

**Berra.** A plain, open heath.—Cowell.

**Berton.** A large farm or the barnyard thereof.

**Berwick.** Same as Barton.

**Besayle or besayel.** A writ by which a great-grandchild secured his right to his ancestor's property; a great-grandfather.

**Best evidence.** The best legal evidence the nature of the case will admit of. See 3 Tex. App. 103.

**Bestes.** Beasts; cattle.

**Bestiales.** Beasts; cattle.

**Bestiality.** Sexual intercourse between a human being and a beast of opposite sex. See 71 Am. Dec. 331.

**Bet.** A wager; to wager.

**Better equity.** The superior or prevailing of two equitable interests.

**Betterments.** Improvements beyond upkeep. See 81 Am. St. Rep. 164.

**Betrothment, or betrothal.** A contract to marry.

**Beyond seas.** Out of the country. See 25 L. R. A. (N. S.) 25; also 46 Am. Dec. 489.

**Beyond the four seas.** Out of the British Isles.

**Bias.** Prejudice. See 9 Am. St. Rep. 745.

**Bid.** To make an offer at an auction sale; an offer.

**Bidder.** One who bids at an auction.

**Bielbrief.** A particular and detailed written description of a ship, furnished by the builder.

**Bien.** Well; lawfully.

**Biennium.** A period of two years.

**Biens.** Goods; property.

**Biga.** A two-horse chariot.

**Bigamus.** (Roman Law) A bigamist.

**Bigamy.** Remarriage by one having a lawful spouse. See 20 Am. St. Rep. 377.

**Bilagae.** By-laws; ordinance.

**Bilagines.** By-laws; ordinances.

**Bilan.** A balance sheet.

**Bilateral contract.** A contract embracing mutual promises.

**Biline.** Collateral.

**Bilinguis.** Speaking two languages.

**Bill.** A complaint in an equity suit; a statement; a proposed statute.

**Bill chamber.** A department of the Scotch court of session.

**Bill for a new trial.** A bill in equity seeking a new trial of an action at law upon equitable grounds. See 28 Wash. 118, 68 Pac. 165.

**Bill for cancellation.** A bill in equity to cancel a written instrument.

**Bill for foreclosure.** A bill in equity in a suit to foreclose a lien, mortgage or pledge.

**Bill for reformation.** A bill seeking the correction of an error in a deed or other written instrument.

**Bill for specific performance.** A bill in equity to compel the perform-

ance of a contract. See 16 N. J. Eq. 256.

**Bill in chancery.** The complaint in suit in equity.

**Bill in equity.** Same as Bill in chancery.

**Bill obligatory.** A promissory note under seal. See 2 Serg. & R. (Pa.) 114.

**Bill of adventure.** A statement signed by shipper that the goods are those of another and are shipped at the latter's risk.

**Bill of advocation.** (Scotch) A petition praying to the supreme court to transfer to it a cause from a lower court.

**Bill of appeal.** A writ of appeal; the complaint in an appeal of felony.

**Bill of attainder.** A statute attainting a person. See 18 L. Ed. (U. S.) 366.

**Bill of certiorari.** A bill in equity for the removal of a suit to a higher court.

**Bill of conformity.** A bill in equity by which an executor or administrator seeks the aid of a court of equity in administering an involved estate.

**Bill of costs.** A statement of the items of a party's costs in an action. See 22 N. H. 217.

**Bill of credit.** Paper issued by authority of a state, on the faith of the state, designed to circulate as money. See 9 L. Ed. (U. S.) 709.

**Bill of debt.** An old term including promissory notes and bonds for the payment of money.

**Bill of discovery.** A bill in equity seeking the disclosure of papers or facts within the defendant's possession or knowledge. See 139 Cal. 469, 73 Pac. 145.

**Bill of entry.** A written description of imported or exported goods filed with the customs officials.

**Bill of exceptions.** A statement of a party's objections to rulings of a trial court. See 8 L. Ed. (U. S.) 92.

**Bill of exchange.** A written order by one person to another to pay a sum therein named to a third person. See 35 L. R. A. 647; also 16 Am. St. Rep. 718.

**Bill of gross adventure.** (French) A written contract of bottomry, respondentia, or other maritime loan.

**Bill of health.** A statement of a proper official certifying the healthful condition of a ship, its cargo and crew.

**Bill of indemnity.** A statute relieving officers from the failure to take their official oaths.

**Bill of indictment.** A written accusation of crime presented to a grand jury. See Rice (S. C.), 1, 33 Am. Dec. 90.

**Bill of information.** An information.

**Bill of interpleader.** A bill in equity by which the plaintiff, having no claim against the defendants, seeks to compel them to litigate their claims in respect to property in his hands and thus to relieve himself of responsibility. 1 Cow. (N. Y.) 691.

**Bill of lading.** A receipt issued by a carrier to the shipper reciting the contract of carriage. See 44 L. Ed. (U. S.) 929; also 37 Am. St. Rep. 572.

**Bill of Middlesex.** A kind of capias directing the sheriff to have the defendant in court on a certain day to answer an action of trespass. See 8 Leigh (Va.), 479.

**Bill of mortality.** A copy of a public record of deaths in a given community.

**Bill of pains and penalties.** A statute sentencing one to punishment for some high crime. See 71 U. S. 277, 18 L. Ed. 356.

**Bill of parcels.** An invoice.

**Bill of particulars.** An itemized statement of accounts or matters set forth generally in a pleading. See 12 Misc. Rep. 457, 34 N. Y. Supp. 255.

**Bill of peace.** A bill in equity to enjoin a multiplicity of suits. See 10 Ga. 395.

**Bill of privilege.** A special form of action against attorneys and other court officers exempt from arrest.

**Bill of proof.** A third party claim to the subject matter of a suit.

**Bill of review.** A bill in equity to have an equity suit reviewed. See 85 Mich. 243, 48 N. W. 505.

**Bill of revivor.** A bill in equity to continue a suit which has been abated. See 37 U. S. 164, 9 L. Ed. 1041.

**Bill of revivor and supplement.** A bill in equity to revive an abated suit and to introduce and plead new matters which could not be supplied by amendment. See 5 Johns. Ch. 334, 9 Am. Dec. 306.

**Bill of rights.** A statute declaring rights and liberties reserved to the people. See 11 Ark. 481.

**Bill of sale.** A writing evidencing transfer of title to chattels. See 14 Am. St. Rep. 266.

**Bill of sight.** A lawful custom-house entry of goods which withholds full information from the importer.

**Bill of store.** A custom-house license exempting a ship's stores and supplies from duty.

**Bill of sufferance.** A license exempting from duty a merchant trading between English ports.

**Bill payable.** Commercial paper which one is bound to pay.

**Bill penal.** A written promise to pay more than one's debt.

**Bill quia timet.** A bill in equity filed by the owner of a future estate to prevent injury thereto. See 6 Lans. (N. Y.) 356.

**Bill receivable.** Commercial paper which one holds.

**Bill, single.** A written promise to pay a certain sum at a certain time.

**Bill to carry a decree into execution.** A bill in equity in aid of the execution of a decree.

**Bill to marshal assets.** A bill in equity to compel creditors to exhaust the property on which they have claims before resorting to other assets.

**Bill to marshal securities.** A bill in equity to compel creditors secured by two funds to exhaust one of them before resorting to the other.

**Bill to perpetuate testimony.** A bill in equity to secure and preserve testimony for use in an action not yet pending. See 1 Del. Ch. 133.

**Bill to remove cloud upon title.** A bill in equity to confirm a valid title by one in possession against possible claimants.

**Bill to suspend a decree.** A bill in equity to set aside or suspend a decree.

**Bill to take testimony de bene esse.** A bill in equity to secure the testimony in a pending action of a witness whose testimony cannot be taken in court. See 4 Del. Ch. 269.

**Bill, true.** See True bill.

**Billa.** A bill.

**Billa cassetur.** That the bill be quashed.

**Billa excambii.** A bill of exchange.

**Billa exonerationis.** A bill of lading.

**Billa vera.** A true bill.

**Billet de change.** (French) A contract to furnish a bill of exchange.

**Billeta.** A bill or petition exhibited in parliament.—Cowell.

**Bind out.** To apprentice.

**Bind over.** To hold on bail for trial, or in default of sureties, to keep the peace.

**Bipartite.** In two parts; in duplicate.

**Birretum, or birretus.** The cap of a judge or sergeant.

**Birth.** The fact of being wholly born, alive.

**Bis.** Twice.

**Bis dat qui cito dat.** He gives twice who gives quickly.

**Bis idem exigi bona fides non patitur, et in satisfactionibus, non**

**permittitur amplius fieri quam semel factum est.** Good faith does not suffer the same thing to be exacted twice, and in giving satisfaction it is not permitted that more should be done than to do so once.

**Bi-scot.** A fine for failure to repair banks, ditches and causeways.—Blount.

**Bishop.** An officer in charge of a diocese of the Church of England.

**Bishopric.** The jurisdiction of a bishop.

**Bishop's court.** An ecclesiastical court held in each diocese of the English church.

**Bissextile.** The day added to February in leap years.

**Black acre and white acre.** Fictitious names of parcels of land used in the discussions of law-writers.

**Black Act.** An English statute passed in 1722 to suppress bands known as "the blacks."

**Black acts.** Scotch statutes enacted in the sixteenth century and written in black letter.

**Black book of the admiralty.** An old English commentary on admiralty law.

**Black book of the exchequer.** A book in the English exchequer containing treaties, conventions and charters.

**Black game.** Heath fowl, as distinguished from red game, as grouse.—Black.

**Blackmail.** Tribute levied by marauders who operated on the Scotch border.

**Black rents.** Rent payable in produce.

**Black rod.** An official messenger of the house of lords.

**Black ward.** A feudal subvassal.

**Blada.** Corn; grain; crops.

**Blada crescentia.** Growing corn, grain or crops.

**Bladarius.** A corn dealer.

**Blanc seign.** A blank signed by the principal intended to be filled out as a power of attorney by the appointee. See 6 Mart. (O. S.) (La.) 707.

**Blanch-holding.** A Scotch land tenure.

**Blanche firme.** Rent payable in silver.

**Blancus.** Blank.

**Blank.** A space in a document intended to be filled to complete the meaning.

**Blank acceptance.** Mere signing his name across the face of a bill of exchange by the drawee.

**Blank bar.** Common bar, which see.

**Blank bonds.** (Scotch) Securities payable to bearer, abolished by statute.

**Blank indorsement.** One which does not name an indorsee.

**Blanket-ballot.** A ballot on which all the names of candidates to be voted for at the election appear.

**Blanket-patent.** Letters patent including several devices each of which would be patentable.

**Blanket-policy.** An insurance policy covering generally the interest of the insured without describing particular property. See 23 L. Ed. (U. S.) 869.

**Blasarius.** An incendiary.

**Blasphemy.** Contumelious reproaches of God. See 22 L. R. A. 353.

**Blees scies.** Grain which has been cut.

**Blench-holding.** Same as Blanch-holding.

**Blended fund.** The proceeds of an executor's sale of all his testator's realty and personalty under the will.

**Blinks.** Broken boughs thrown where deer are likely to pass.—Jacob.

**Blockade.** The closing of a port or coast by an enemy so as to prevent egress or ingress. See 2 Am. Dec. 209.

**Blood.** Relationship; kindred. See 5 Ann. Cas. 511; also 29 L. R. A. 544.

**Blood-brother.** A brother by birth.

**Blood-frenzy.** An irresistible impulse for bloodshed.

**Blood money.** The price paid to cause one's death.

**Bloodwit.** An amercement for bloodshed.

**Bloody hand.** A hand stained with deer's blood, evidence of trespass.

**Blue laws.** Strict laws passed in New England including observance of the Sabbath and other religious matters.

**Blue sky law.** A statute for the regulation of investment companies.

**Board.** To furnish with food; meals; a body having the control or management of public or private affairs.

**Board measure.** The number of feet of board produced by a log when sawed. See 40 Am. St. Rep. 265.

**Board of health.** A public body in charge of the sanitary and hygienic affairs of a community.

**Board of supervisors.** The governing body of a county, in many states.

**Board of trade.** An association of tradesmen founded to benefit commercial interests of a community.

**Board of works.** A public body having charge of public works.

**Boarder.** One who contracts for meals at an agreed price.

**Boc.** A book; a written instrument.

**Boc horde.** A place where books or written instruments were kept.

**Boc land.** Land held by deed.

**Bodily heirs.** Heirs of the body. See Ann. Cas. 1912A, 540.

**Bodmerie, bodemerie, or boddemerey.** Bottomry.

**Body.** Person; a corporation; an unincorporated association; a board; a code of laws.

**Body corporate.** A corporation. See 24 Am. St. Rep. 67.

**Body politic.** A municipal corporation. See 24 Am. St. Rep. 67.

**Boilery.** Salt water from a well of one not owning the land.

**Bois.** A wood.

**Bolhagium, or boldagium.** A little house or cottage.—Blount.

**Bolting.** Moot courts held at Inns of Court.

**Bon.** Good.

**Bona.** Goods; chattels; property.

**Bona confiscata.** Property forfeited to the crown. See 1 Bl. Comm. 299.

**Bona et catalla.** Goods and chattels.

**Bona felonum.** Goods of felons.

**Bona fide.** In good faith.

**Bona fide holder.** One receiving the instrument in the ordinary course of business, in good faith, and for a valuable consideration. See 26 L. R. A. (N. S.) 849.

**Bona fide possessor facit fructus consumptos suos.** A possessor by good faith makes fruits consumed his own. See 5 L. Ed. (U. S.) 547.

**Bona fide purchaser.** A buyer at a fair price and without notice of any outstanding claim of title or interest. See 82 Am. St. Rep. 211; also 31 L. R. A. 612.

**Bona fides.** Good faith.

**Bona fides exigit ut quod convenit fiat.** Good faith requires that what has been agreed upon shall be done.

**Bona fides non patitur, ut bis idem exigatur.** Good faith does not suffer one to exact his price twice for the same thing. See 4 Johns. Ch. (N. Y.) 143.

**Bona forisfacta.** Goods forfeited.

**Bona fugitivorum.** Goods of fugitives.

**Bona gestura.** Good behavior.

**Bona gratia.** With good grace; freely.

**Bona immobila.** Immovable property.

**Bona memoria.** With good memory.

**Bona mobilia.** Movable goods.

**Bona notabilia.** Goods of a decedent worth administering upon.

**Bona patria.** (Scotch) A jury of countrymen.

**Bona peritura.** Perishable goods.

**Bona, sed impossibilia non cogit lex.** Neither honesty nor law requires the performance of impossibilities. See 23 L. R. A. (N. S.) 1.

**Bona utlagatorum.** Goods of outlaws.

**Bona vacantia.** Unclaimed or abandoned goods.

**Bona waviata.** Goods abandoned by a thief in escaping.

**Bonae fidei.** Of good faith.

**Bonae fidei emptor.** A purchaser in good faith.

**Bonae fidei possessor in id tantum quod ad se pervenerit tenetur.** A possessor in good faith is bound for only so much as has come to him.

**Bond.** An instrument under seal whereby one binds himself to do or not to do a certain act; bail; a surety. See 26 L. Ed. (U. S.) 886.

**Bond and disposition in security.** (Scotch) A mortgage of realty.

**Bond tenants.** Copyholders or customary tenants.

**Bonda.** A boundary.

**Bondage.** Involuntary personal servitude.

**Bonded debt.** Debt secured by bond issues.

**Bonded warehouse.** One in which goods subject to duty or internal revenue are stored until withdrawn for export or upon payment of the duty or revenue. See 20 L. Ed. (U. S.) 726.

**Bondsman.** A surety.

**Bones gents.** Good men.

**Boni et legales homines.** Good and lawful men.

**Boni homines** Good men.

**Boni judicis est ampliare jurisditionem.** A good judge should dignify his jurisdiction. See 68 L. R. A. 956.

**Boni judicis est causas litium dirimere.** A good judge should dissipate the causes of litigation.

**Boni judicis est judicium sine dilatione mandare executioni.** A good judge should order the execution of a judgment without delay.

**Boni judicis est lites dirimere, ne lis ex lite oritur, et interest reipublicae ut sint fines litium.** A good judge should end litigation lest suit grow out of suit, and it is of interest to the state that litigation should end.

**Bonis non amovendis.** A writ restraining a judgment debtor from removing his goods pending a writ of error.

**Bonitarian.** (Roman Law) A land title which was not wholly valid.

**Bonne.** Good.

**Bono et malo.** For good or evil.

**Bonus.** Not a gift or a gratuity, but a sum paid for services or upon a consideration, in addition to that which would ordinarily be given. See 21 L. Ed. (U. S.) 319.

**Bonum defendentis ex integra causa; malum ex quolibet defectu.** A defendant's good comes out of a good cause, his disaster from some defect.

**Bonum necessarium extra terminos necessitatis non est bonum.** That which is good of necessity is not good beyond the limits of necessity.

**Bonus judex secundum aequum et bonum judicat, et aequitatem stricto juri praefert.** A good judge decides according to that which is just and good, and prefers equity to strict law.

**Boodle.** Money fraudulently obtained in public service. See 34 Am. St. Rep. 318.

**Book debt.** A statutory action based upon book accounts.

**Book land.** Land held by deed.

**Book of acts.** Surrogate court records.

**Book of adjournal.** (Scotch) Records of the court of justiciary.

**Book of rates.** A list of statutory duties and tariffs.

**Book of responses.** (Scotch) An account kept by the director of the exchequer.

**Boon days.** Days appointed for base services of copyhold tenants.

**Boot.** Same as Bote.

**Boothage.** Duty paid on a market booth.

**Booting-corn.** Rent paid in corn.

**Booty.** Goods captured in war.

**Bord.** (Saxon) A dwelling-house; a cottage.

**Bordage.** A feudal tenure by which one held a cottage.

**Bordagium.** Bordage.

**Bordarii.** Tenants in bordage.

**Border warrant.** (Scotch) A warrant for the arrest of a debtor on the English side of the border.

**Bord-halfpenny.** Duty paid to maintain a market stall.

**Bord-land.** Land held by a tenant in bordage.

**Bordlode.** Rent service rendered by bordarii.

**Bord-service.** Bordage.

**Borel folk.** Laymen as distinguished from the clergy.

**Borg.** Same as Borgh.

**Borgesmon.** (Saxon) The name given to the head of each family composing a tithing.—Black.

**Borgh.** A suretyship; a pledge.

**Borghbrech.** (Saxon) Breach of a pledge.

**Born.** Wholly delivered from the mother. See 1 Brit. Rul. Cas. 568; also 11 L. R. A. 825.

**Borough.** A fortified town; a municipal corporation. See Ann. Cas. 1912A, 339.

**Borough council.** The managing board elected by the voters of the borough.

**Borough-English.** A descent to the youngest son.

**Borrowe.** (Scotch) A pledge.

**Borough court.** A court of a borough held by prescription, charter or statute.

**Borough reeve.** The governor of a borough.

**Borough sessions.** Sessions of a borough court.

**Borsholder.** The head of a borough.

**Boscage.** Tree leaves and bushes as cattle feed.

**Boscaria.** Cattle-sheds.

**Boscus.** Growing wood.

**Bote.** Compensation; a fine; satisfaction.

**Boteless.** Without a remedy.

**Botha.** A market stall or booth.

**Bothagium.** Same as Boothage.

**Bothna.** (Scotch) A pasture.

**Botless.** Same as Boteless.

**Bottom.** The national registry of a vessel.

**Bottomry.** The mortgage of a ship as security for a loan. See 4 Binn. (Pa.) 244, 5 Am. Dec. 404.

**Bottoms.** A slang term used by persons who deal in forged notes to denote paper for making them. See Rex v. Dade, 1 Mood. 307.

**Bouche.** A feudal allowance for supplies during active military service; mouth.

**Bought and sold notes.** Memoranda given by a broker to the respective parties on effecting a sale.

**Boulevard.** A public driveway reserved for light vehicles.

**Bound bailiff.** A sheriff's deputy bound to him for faithful performance of his duties. See 1 Bl. Comm. 345.

**Boundary.** The making or bounding line dividing two parcels of land. See 25 L. R. A. (N. S.) 649.

**Bounded tree.** A tree marking the corner of a tract of land.

**Bounders.** Boundary marks.

**Bounty.** An addition to ordinary compensation for an act or service; a premium. See 46 Am. St. Rep. 221.

**Bounty lands.** Land donated as a bounty.

**Bounty of Queen Anne.** A fund provided by statute to aid the smaller church livings.

**Bourg.** A fortified town.

**Bourgeois.** The inhabitant of a bourg.

**Bourse.** A stock exchange.

**Bouwerye.** (Dutch) A farm.

**Bouwmeester, or Bouwmaster.** (Dutch) A farmer.

**Bovata terrae.** Land tillable by one ox.

**Bow-bearer.** A sort of forest police.

**Boxing-match.** Generally, a sparring match of a limited number of rounds, as distinguished from a prize-fight or a fight to a finish.

**Boycott.** An attempt by persons acting in combination to coerce one to follow a prescribed line of con-

duct by compelling others to shun him in business. See 63 L. R. A. 753; also 90 Am. St. Rep. 451.

**Boys.** A wood.

**Bozero.** (Spanish) An advocate.

**Brabant.** An English coin current in the 13th century.

**Brace de la mer.** An arm of the sea.

**Bracelet.** A handcuff.

**Brachium maris.** An arm of the sea.

**Bradlaugh's Case.** A case involving the form of oath required of members of the house of commons. See 14 L. R. Q. B. D. 667.

**Branch.** A line of descent from a common ancestor.

**Brand.** To mark with a hot iron; a mark so made.

**Branding-helmet.** A helmet for branding on the cheek one who pleaded benefit of clergy.

**Branks.** A bridle used as a punishment for scolds.

**Brass knuckles.** A metal weapon held in the hand and projecting along the back of it. See 22 Tex. App. 679, 3 S. W. 477.

**Brawl.** A noisy quarrel.

**Breach.** To break; a break; a violation.

**Breach of arrestment.** (Scotch) The unlawful delivery of arrested goods to the debtor.

**Breach of close.** A trespass on land.

**Breach of contract.** The failure to perform a contractual obligation.

**Breach of covenant.** A failure to comply with the conditions of a covenant or bond. See 3 Bl. Comm. 156.

**Breach of pound.** Breaking a pound to take out impounded animals.

**Breach of prison.** A breaking out of prison.

**Breach of privilege.** An excess or abuse of the privilege of a legislator.

**Breach of promise of marriage.** Violation of an agreement to marry.

**Breach of the peace.** Any act disturbing the peace, quiet or good order of a neighborhood. See 13 L. R. A. 163; also 24 Am. St. Rep. 116.

**Breach of trust.** The violation of the duties of his trust by one acting as a fiduciary.

**Break.** To separate; to divide; to violate.

**Breaking.** The removal of any protection against intrusion for the purpose of effecting an unlawful entry. See 7 Am. Rep. 556.

**Breaking bulk.** The division or separating of the contents of a package or container. See 1 Pick. (Mass.) 375.

**Breaking of arrestment.** Same as Breach of arrestment.

**Breast of the court.** The judgment or mind of the court.

**Bredwite.** (Saxon) An amercement or fine.

**Brehon.** (Irish) An hereditary judge.

**Brehon law.** The old system of Irish law.

**Brenagium.** Same as Brennage.

**Brennage.** A tenure by furnishing bran for the lord's hounds.

**Brephotrophi.** (Roman Law) Caretakers of foundling asylums.

**Brethwalda, or Bretwalda.** An Anglo-Saxon king.

**Bretts and Scots.** See Laws of the.

**Breva.** Same as Breve.

**Breve.** A writ; a brief.

**Breve de recto.** A writ of right.

**Breve innominata.** A writ reciting the cause of action in general terms.

**Breve ita dicitur, quia rem de qua agitur, et intentionem potentis, paucis verbis breviter enarrat.** A writ is so called, because it states the controversy and the purpose of the plaintiff briefly in a few words.

**Breve judiciale debet sequi suum originale, et accessorium suum principale.** A judicial writ ought to follow its original, and an accessory its principal.

**Breve judicale non cadit pro defectu formae.** A judicial writ does not fall by reason of a defect in form.

**Breve nominatum.** A writ reciting the cause of action with particularity.

**Breve originale.** An original writ.

**Breve perquirere.** To purchase a writ.

**Breve testatum.** A memorandum attested by witnesses evidencing a grant of land. See 2 Bl. Comm. 307.

**Brevet** (French) Letters patent.

**Brevia.** Writs, plural of Breve.

**Brevia adversaria.** Adversary writs to recover land.

**Brevia amicabilia.** Writs obtained by consent of the other party.

**Brevia anticipantia.** Writs of prevention.

**Brevia de cursu.** Writs of course.

**Brevia formata.** Writs of established form.

**Brevia judicialia.** Judicial writs.

**Brevia magistralia.** Writs drawn by masters in chancery.

**Brevia selecta.** Selected writs.

**Brevia, tam originalia quam judiciali, patiuntur anglica nomina.** Original writs as well as judicial writs bear English names.

**Breviarium alaricianum.** A Roman code adopted about 506 A. D.

**Breviate.** An abstract or synopsis.

**Brevibus et votulus liberandis.** A writ ordering a sheriff to turn over all the paraphernalia of his office to his successor.

**Bribe.** An offer to give or a giving of something of value as a reward for an illegal act; the act of offering or giving a bribe; the thing so given or offered. See 97 Mich. 136, 56 N. W. 361.

**Bribery.** The crime of giving or offering a bribe. See 57 Am. St. Rep. 847.

**Bribour.** A thief; a robber.

**Bridewell.** A house of correction.

**Bridge-masters.** Officers in charge of public bridges.

**Bridle.** An instrument of punishment for common scolds.

**Brief.** An outline of the case of one of the parties; a written argument prepared for the court; to prepare a brief. See 43 Ind. 356.

**Brief a l'evesque.** An ecclesiastical writ for the removal of the incumbent of a living.

**Brief of title.** An abstract of title.

**Brieve.** (Scotch) A writ.

**Briga.** Strife; contention; litigation.

**Brigbote.** (Saxon) Contribution for bridge repairs.

**Bringing money into court.** Depositing an amount admitted to be due an adversary into the court's custody. See 59 Neb. 353, 80 N. W. 1045.

**Bris.** Wreck; wreckage.

**Bristol bargain.** A contract by which A lends B £1,000 on good security, and it is agreed that £500, together with interest, shall be paid at a time stated, and, as to the other £500, that B, in consideration thereof, shall pay to A £100 per annum for seven years.—Wharton.

**Brit. Rul. Cas.** British Ruling Cases.

**Brocage.** Brokerage.

**Brocarius, or brocator.** A broker.

**Brocella.** A copse; a thicket.

**Broker.** An agent employed to buy, sell or hypothecate, without custody or possession. See 23 L. Ed. (U. S.) 421; also 34 Am. Dec. 558.

**Brokerage.** A broker's compensation.

**Brossus.** Wounded or bruised.

**Brothel.** A home of prostitutes.

**Bruarium.** A place where heath grows.

**Brugbote.** Same as brigbote.

**Bruillus.** A thicket or copse.

**Bruise.** A bodily injury wherein the skin is unbroken; usually no more than a temporary contusion. See 79 Mich. 7, 44 N. W. 158.

**Brukbarn.** (Swedish) A legitimized child conceived in rape.

**Brutum fulmen.** An empty threat.

**Bubble act.** A statute to prevent corporate frauds such as the South Sea Bubble.

**Buckstall.** A net to trap deer.

**Buggery.** A term applied to both bestiality and sodomy. See 10 Ind. 355, 71 Am. Dec. 331.

**Building.** Anything erected by art, and fixed upon or in the soil, composed of different pieces connected together, and designed for permanent use in the position in which it is so fixed. See 2 Am. St. Rep. 373.

**Building lease.** A lease of land by which the lessee undertakes to erect buildings thereon.

**Bulk.** Merchandise in an unmeasured or uncounted mass.

**Bulletin.** A published official report of a matter or fact of public interest.

**Bullion.** Uncoined gold and silver.

**Bum-bailiff** A dun; a bailiff's deputy.

**Bunda.** A boundary.

**Bundle.** The act of a man and a woman sleeping in one bed without undressing.

**Bull.** A papal edict.

**Bulla.** Seals used by the Roman emperors.

**Bumboat act.** An English statute (1761) aimed at harbor thieves.

**Burden of proof.** The onus of establishing certain facts by the production of evidence. See 33 L. R. A. (N. S.) 1089; also 71 Am. St. Rep. 169.

**Bureau.** A business office; a government department.

**Bureaucracy.** A government by bureaus or departments.

**Burg, or burgh.** A borough.

**Burgage.** A tenure wherein lands were held of the king or the lord for a yearly rent.

**Burgage-holding.** (Scotch) A tenure held under the crown by watching and warding service.

**Burgator.** A burglar.

**Burgbote.** Contributions for maintenance of town walls.

**Burgenses.** Inhabitants of a borough.

**Burgess.** An inhabitant of a town; a borough magistrate; a town representative in parliament.

**Burgh-English.** Same as Borough English.

**Burgh Engloys.** Same as Borough English.

**Burgh-halfpenny.** Same as Bord-halfpenny.

**Burghbrech, or Burghbreche.** A fine for breach of the peace levied on the borough.

**Burghmote.** (Saxon) A burg court held semi-annually and presided over by the lord or bishop.

**Burglar.** One who commits burglary.

**Burglariously.** With intent to commit burglary.

**Burglary.** The crime of breaking and entering a dwelling-house in the night-time with intent to commit a felony. See 2 Am. St. Rep. 383.

**Burgomaster.** The chief magistrate of German or Dutch town.

**Burgwhar.** A burgess.

**Burke.** To murder by smothering.

**Burking, or Burkism.** Murder for the purpose of selling the corpse; murder by suffocating.

**Burlaw.** (Scotch) An old system of appointment of judges by neighbors.

**Burlaw courts.** (Scotch) Courts in which the Burlaw was administered.

**Burning in the hand.** A practice of branding to prevent a second claiming of benefit of clergy.

**Burrochium.** A dam or fish-trap weir.

**Burr's Case.** Aaron Burr's prosecution for treason against U. S., 1807. See 2 L. Ed. (U. S.) 684.

**Bursary.** The treasury of a college.

**Burse.** A bourse; a purse.

**Bury.** A borough; a castle; a manor house.

**Bushel.** A measure established in England in 1701, containing 2,150.42 cu. in., was called the Winchester Bushel; one established there in 1826 contains

2,118,192 cu. in.; here the measure varies in different states.

**Burying alive.** An old punishment for sodomy and dealing with Jews.

**Burying-ground.** A cemetery.

**Business hours.** That portion of the day in which business is ordinarily transacted. See 18 Minn. 133.

**Business month.** Thirty days, as distinguished from the calendar month.

**Bussa.** (Old English) A ship of large size and clumsy construction.—Spelman.

**Butlerage.** An hereditary crown duty of two tons of wine from every ship importing twenty tons or more. See 1 Bl. Comm. 315.

**Butt.** A ridge left in ploughing; an archery target; a measure of one hundred and ten gallons.

**Buttals.** End boundary lines.

**Butted and bounded.** Abutting and bounded; bounded.

**Butts and bounds.** Boundaries.

**Butty.** A coal mining contractor.

**Buying of titles.** Purchasing interests of land claimants who are not in possession. See 22 Mass. 348.

**By estimation.** An expression used in conveyancing signifying "more or less."

**By God and my country.** The formal answer of a defendant upon arraignment in answer to a question as to how he will be tried.

**By the by.** A condition existing when a defendant was in the custody of the court in another action.

**By-bidding.** False bidding at an auction in order to raise the price.

**By-laws.** Ordinances of a town or city; rules made by the stockholders of a corporation for its administration. See 3 L. R. A. 261.

**Byrlaw.** Same as Burlaw.

**By-road.** A public road off the main highway.

# C

**C.** A brand on the forehead as a punishment for counterfeiting in Rhode Island.

**C. A. V.** Curia advisare vult. The court wishes to deliberate.

**C. B.** Common bench.

**C. C.** County commissioner; county court.

**C. C. P.** Court of common pleas.

**C'est ascavoir.** (French) That is to say.

**C'est le crime qui fait la honte, et non pas l'echafaud.** It is the crime which brings disgrace, and not the scaffold.

**C. H.** An abbreviation for Courthouse.

**C. J.** Chief justice.

**C. O. D.** Collect on delivery. See 94 Mich. 133, 34 Am. St. Rep. 328, 53 N. W. 918.

**C. T. A.** Cum testamento annexo; with the will annexed.

**Ca. resp.** Capias ad respondendum; which see.

**Ca. sa.** Capias ad satisfaciendum; which see.

**Cabal.** A junto; a small political faction.

**Caballeria.** (Spanish) A lot of land measuring 100 by 200 feet.

**Caballero.** (Spanish) A knight.

**Cabinet.** A body of officials forming an advisory council.

**Cabinet council.** A council of cabinet members held privately to consider public matters.

**Cablish.** Brushwood.

**Cachepolus.** A catchpoll; a bailiff; a constable.

**Cacicazgos.** Lands held in entail by the caciques in Indian villages in Spanish America.—Bouv.

**Cadastre, or Cadaster.** An assessment-roll of real property.

**Cadaver.** A corpse.

**Cadere.** To fall; to fail; to end.

**Cadi.** A Turkish civil magistrate.

**Caedua.** Preserved for cutting, as wood.

**Caduca.** That which is inherited or escheated.

**Caducary.** Relating to or subject to escheat or forfeiture.

**Caducus.** Falling.

**Caesarean operation.** Delivery of a child by cutting above the pelvis.

**Caetera desunt.** Other things are lacking.

**Caeteris paribus.** Other things equal.

**Caeteris tacentibus.** The others being silent.

**Caeterorum.** Of the rest or residue.

**Cahier.** A memorial; a petition; a report; a section of a book.

**Cairns' act.** An English statute authorizing damages in equity suits.

**Calamus.** A pen made of a reed. See 14 Johns. (N. Y.) 484.

**Calcea.** A causeway.

**Calcetum.** A causeway.

**Calefagium.** The right to take fuel annually.

**Calendar.** A court list of causes to be heard; a list of prisoners with their sentences. See 9 Ill. App. 537.

**Calendar amendment act.** An English statute (1751) adopting the Gregorian calendar.

**Calendar month.** A period terminating with the day of the succeeding month numerically corresponding to the day of its beginning, less one. If there be no corresponding day, it terminates with the last day thereof. See 46 Neb. 427, 50 Am. St. Rep. 617, 30 L. R. A. 450, 65 N. W. 46.

**Calends.** (Roman) The first day of the month.

**Call.** A notice of a meeting; a stock assessment; a monument, landmark, course or distance in a survey. See 1 Wash. St. 521, 20 Pac. 605.

**Calling the jury.** Calling off the names of veniremen for jury duty.

**Calling the plaintiff.** The formal calling of the plaintiff upon ordering a nonsuit.

**Calling to the bar.** Admitting a student to the right to practice law.

**Calpe.** (Scotch) Tribute by a clansman to his chief, for protection.

**Calumnia.** A false charge; a calumny; a claim; a demand.

**Calumniae juramentum.** The oath against calumny; an oath of good faith.

**Calumniae jus jurandum.** Same as Calumniae juramentum.

**Calumniare.** To claim; to calumniate.

**Calumniators.** Those who make false accusations maliciously.

**Calumny.** Libel; slander; defamation.

**Calvin's Case.** An action holding that Calvin, though born in Scotland after the English crown descended to James I, who was also king of Scotland, was entitled to hold land. See 2 How. St. Tr. 559.

**Camara.** A chamber; a vault; a treasury.

**Camarage.** Rent paid for storage.

**Cambellanus.** A chamberlain.

**Cambiator.** Same as Cambist.

**Cambio.** Exchange; a bourse.

**Cambipartia.** Champerty.

**Cambiparticeps.** A party to the offense of champerty.

**Cambist.** A dealer in negotiable paper.

**Cambium.** (Civil Law) Exchange; exchange of lands.

**Camera.** Same as Camara.

**Camera regis.** A harbor.

**Camera scaccarii.** The exchequer chamber.

**Camera stellata.** The star-chamber.

**Cameralistics.** The science of finance.

**Camerarius.** A treasurer; a chamberlain.

**Camino.** (Spanish) A highway.

**Camorra.** An Italian secret society.

**Campana.** A church-bell; a bell.

**Campana bajula.** A hand-bell used by court criers.

**Campanile.** A bell tower.

**Campartum.** A part of a field.

**Campbell's Act.** An English statute giving a remedy for death by wrongful act. See 9 & 10 Vict., c. 93.

**Campers.** A share.

**Campertum.** A grain or corn field.

**Campias in withernam.** A writ to seize other goods of equal value when the plaintiff's goods have been taken out of the county.

**Campfight.** A duel; a battle.

**Campi partitio.** Champerty.

**Campus.** A field.

**Campus mail.** May day, a Saxon anniversary.

**Cancellaria.** Chancery.

**Cancellarius.** A chancellor.

**Cancellation.** The avoiding or nullifying of a written obligation. See 26 Ga. 451.

**Cancellatura.** A cancellation.

**Cancelli.** The railing inclosing the bar of a court; cancellation marks.

**Candidate.** The announced aspirant for an office.

**Candlemas day.** February 2d.

**Cane.** (Scotch) A tax; rent paid in produce.

**Canon.** A law; a church officer who took revenue for conducting service.

**Canon law.** The law of the Roman church.

**Canonic or canonical.** Pertaining to a canon or church law.

**Canonicate.** The office of a canon.

**Canonicus.** A canon.

**Canonry.** The office or benefice of a canon.

**Canons of descent.** Same as Canons of inheritance.

**Canons of inheritance.** The rules or laws of descent.

**Cant.** An auction sale; a sale to effect partition between cotenants.

**Cantel.** The excess over a full measure.

**Canton.** A district.

**Cantred.** (Welsh) A district; a hundred.

**Canum.** (Scotch) A duty paid in produce.

**Canvass.** To examine thoroughly; an examination.

**Capacity.** Legal qualification; authority; competency.

**Capax.** A holder; capable.

**Capax doli.** Capable of committing crime.

**Capax negotii.** Capable of contracting.

**Cape.** A judicial writ to recover land on the tenant's default.

**Cape magnum.** A judicial writ for the possession of land when the tenant defaulted in a real action.

**Cape parvum.** A judicial writ to recover possession in a real action in which the tenant had appeared.

**Caper.** A Dutch privateer.

**Capias.** A writ for the seizure of the property or person of the defendant.

**Capias ad audiendum judicium.** A writ to bring a convicted misdemeanant up for sentence. See 4 Bl. Comm. 368.

**Capias ad computandum.** A writ commanding a defendant to account upon his refusal.

**Capias ad respondendum.** A writ for the arrest of the defendant in a civil action.

**Capias ad satisfaciendum.** A writ of execution directed against the defendant's person. See 5 N. J. L. 799.

**Capias pro fine.** A writ for the arrest of one who had not paid a fine.

**Capias utligatum.** A writ for the seizure of an outlaw or his goods.

**Capiatur pro fine.** Let him be taken for the fine.

**Capita.** Heads.

**Capital.** The property and money invested in a business; affecting human life. See 37 Ga. 597.

**Capital crime.** A crime punishable by death.

**Capital punishment.** Infliction of the death penalty.

**Capital stock.** The sum subscribed by the stockholders of a corporation. See 126 N. Y. 433, 27 N. E. 818, 12 L. R. A. 762.

**Capitale.** A thing which is stolen, or its value.—Blount.

**Capitalis.** Capital.

**Capitalis baro.** Chief baron.

**Capitalis custos.** Chief magistrate or warden.

**Capitalis debitor.** The principal debtor.

**Capitalis dominus.** The chief lord.

**Capitalis justiciarius.** The chief justice.

**Capitalis justiciarius ad placita corum rege tenenda.** Chief justice in holding pleas before the king.

**Capitalis justiciarius banci.** Chief justice of the bench.

**Capitalis justiciarius totius angliae.** Chief justice of all England.

**Capitalis plegius.** Chief surety.

**Capitalis redditus.** A chief rent.

**Capitaneus.** One holding in capite.

**Capitas diminutio.** Civil death.

**Capitatim.** By heads; per head.

**Capitation.** A poll tax.

**Capite.** See In capite.

**Capite minutus.** One undergoing civil death.

**Capitis diminutio maxima.** Complete loss of civil status.

**Capitis diminutio media.** Partial loss of civil status.

**Capitis diminutio minima.** Slight loss of civil status.

**Capitula.** Collections of laws and ordinances drawn up under heads or divisions.—Spelman.

**Capitula coronis.** Detailed schedules.

**Capitula de judaeis.** A register of mortgages to Jews.

**Capitular.** A law or canon passed by an ecclesiastical chapter; a chapter member.

**Capitulary.** Same as Capitular.

**Capitulate.** To draw up an agreement; to surrender conditionally.

**Capitulum.** A chapter or section of a book.

**Capitur pro fine.** Same as Capias pro fine.

**Capper.** One employed to solicit business for an attorney.

**Captio.** Caption.

**Caption.** A taking; a seizure; the heading of a document.

**Capitation.** Undue influence.

**Captator.** One exercising undue influence over another.

**Capture.** A taking of a vessel as a prize by an enemy, in time of open war, with intent to deprive the owner of it. See 6 Wall. (U. S.) 1, 18 L. Ed. 836. A seizure of property or soldiers of an enemy in time of war.

**Caput.** A head; a chief; a principal.

**Caput baroniae.** A nobleman's mansion-house.

**Caput portus.** The chief town of a port.

**Caput lupinum.** An outlaw.

**Caput mortuum.** A deadhead; a nullity.

**Caput, principium et finis.** The head, beginning and end.

**Caputagium.** Head-money.

**Caputium.** A headland.

**Carack.** A bulky ship built for both commerce and war.

**Carat.** A weight of 4 grains.

**Carcan.** A sort of collar worn as a punishment.

**Carcare.** To load.

**Carcata.** Freighted or loaded.

Carcelage. Prison fees.

Carcer ad homines custodiendos, non ad puniendos, dari debet. A jail ought to be devoted to the custody of men, not to their punishment.

Carcer non supplicii causa sed custodiae constitutus. A jail is not maintained for punishment, but for custody.

Carcer. A jail.

Cardinal. A high officer in the church of Rome.

Card-playing. Games played with cards, often for money.

Care. Caution; vigilance; watchfulness; freedom from neglect.

Carena. A quarantine.

Careta. A cart.

Cargo. The load of a ship.

Carl. Same as Churl.

Carlisle tables. Tables of life expectancy compiled at Carlisle, England, in 1870.

Carnal. Sensual; lustful.

Carnal knowledge. Sexual intercourse.

Carnaliter. Carnally.

Carnaliter cognovit. He carnally knew.

Carno. An immunity or privilege.—Cowell.

Carriage. (Equity) Control or conduct. Implying a right to proceed with others in a suit. (Scotch) The service of a horse and cart.

Carrier. One who transports goods for hire.

Carry. To bear; to convey.

Carrying away. The asportation or complete moving of goods.

Carrying costs. Awarding costs.

Carta. A deed or charter.

Carta de Foresta. Laws of the forest.

Cart-bote. The estovers or license to take sufficient wood for the maintenance of farming tools. See 2 Bl. Comm. 35.

Carte. A chart.

Carte blanche. A signed blank instrument to be filled in and used by another without restriction See 2 Pa. St. 200, 44 Am. Dec. 190.

Cartel. A challenge; a note from a belligerent relative to exchange of prisoners.

Cartoon. A caricature, often libelous.

Caruca. A plough.

Carucage A tax on land ploughable with one plough.

Carucata. A plough.

Carve. To segregate; to cut out, as a smaller estate or parcel from a larger.

Cas. Case.

Cas fortuit. An inevitable accident.

Case. An action at law; a suit in equity; an abbreviated form of "Action on the case," which see.

Case agreed. A statement of the facts of a case agreed on by the parties or found by another court.

Case certified. A question of law certified by a lower court and submitted to a higher court for decision. See 128 U. S. 426, 32 L. Ed. 503, 9 Sup. Ct. Rep. 113.

Case law. The law as laid down in the decisions of the courts.

Case made. Same as Case reserved.

Case of the seven bishops. An English case in 1688 wherein the primate and six bishops were charged with libel for petitioning against the king's order that his "declarations for liberty of conscience" be read in the churches.

Case reserved. A decision rendered pro forma for the purpose of obtaining the opinion of the same

court in bank or that of a higher court.

**Case stated.** Same as Case agreed.

**Case to move for a new trial.** The losing party's statement of the case prepared for use on his motion for a new trial.

**Case system.** A method of law study by means of the analysis of cases or decisions.

**Cash.** Ready money, money in hand, either in current coin or other legal tender, or in bank bills or checks paid and received as money. See 136 U. S. 257, 34 L. Ed. 514, 10 Sup. Ct. Rep. 1034.

**Cashier.** The manager of a bank.

**Cashier's check.** An acknowledgment of the bank of its indebtedness to the payee of the order. See 186 Ill. 440, 78 Am. St. Rep. 294, 53 L. R. A. 232, 57 N. E. 1061.

**Cash account.** An account in a bank subject to draft or check.

**Cash-book.** A book of account of money received and paid out.

**Cash-note.** A note payable in money.

**Cassare.** To nullify; to annul; to dismiss.

**Cassatio.** Cassation.

**Cassation.** Annulment; abatement; to dismiss.

**Cassetur billa.** Let the bill be dismissed.

**Cassetur breve.** Same as Cassetur billa.

**Cast.** To decide against; to convict; to allege; to proffer; to deposit, as a ballot.

**Castellan.** The governor of a castle.

**Castellarium.** Same as Castlewick.

**Castigation.** Chastisement.

**Castigatory.** A contrivance for punishing common scolds. See 3 Cranch C. C. 620, 27 Fed. Cas. (U. S.) 907.

**Casting vote.** The deciding vote at an election.

**Castle.** A fortified building; a fortress.

**Castleguard.** Feudal services or payments toward the maintenance of a castle.

**Castlery.** The government or tenure of a castle.

**Castleward.** Same as Castleguard.

**Castlewick.** The district under the jurisdiction of a castle.

**Castration.** Severing the testicles; emasculation.

**Casu consimili.** In a similar case; a writ of entry to recover a reversion in land alienated by the tenant.

**Casu proviso.** A writ of entry to recover a reversion against a tenant in dower.

**Casual.** Accidental; of unknown origin; one irregularly employed as a servant.

**Casual ejector.** The fictitious defendant in an action of ejectment. See 67 N. J. L. 260, 91 Am. St. Rep. 433, 57 L. R. A. 956, 51 Atl. 509.

**Casual pauper.** A pauper who receives aid outside of the jurisdiction of his residence.

**Casualis.** Casual.

**Casualties.** (Scotch) Sums due from a vassal to his superior on the happening of certain events.

**Casualty.** An inevitable accident.

**Casus fortuitus.** An inevitable accident or event.

**Casus.** Case; event; happening.

**Casus belli.** A cause or occasion of war.

**Casus foederis.** A case within the provisions of a treaty.

**Casus fortuitus non est sperandus, et nemo tenetur divinare.** A chance happening is not to be expected, and no one is held to foresee it.

**Casus fortuitus non est supponendus.** A chance happening is not to be expected.

**Casus major.** An unusual event.

**Casus omissus.** A case omitted.

**Casus omissus et oblivioni datus dispositioni communis juris relinquitur.** An omitted and forgotten case is left to the disposal of the common law.

**Catalla.** Chattels.

**Catalla juste possessa amitti non possunt.** Chattels lawfully possessed cannot be lost.

**Catalla otiosa.** Dead goods; cattle other than work animals.

**Catalla reputantur inter minima in lege.** Chattels are regarded in law among things of lesser importance.

**Catallis captis nomine distinctionis.** A writ to distrain for rent.

**Catallis reddendis.** For the return of the chattels.

**Catallum.** A chattel.

**Cataneus.** A tenant in capite.

**Catching bargain.** An heir's bargain for the sale of his prospective inheritance at less than its value. See 47 Mich. 94, 41 Am. Rep. 711, 10 N. W. 123.

**Catchland.** Land the tithes from which went as a right to the first of two preachers who claimed them.

**Catchpole.** Same as Catchpoll.

**Catchpoll.** A bailiff; a constable.

**Cater-cousin.** A fourth cousin.

**Cathedral.** The church of a bishop.

**Catholic creditor.** (Scotch) One whose debt is secured by more than one property of the debtor.

**Catholic emancipation act.** A statute passed in 1829 relieving Roman Catholics from the disability of holding civil and military offices.

**Catoniana regula.** A Roman law rule that lapse of time will not cure what was invalid at the outset.

**Cattle.** Domestic animals used for food and husbandry.

**Cattle range.** Uninclosed land where cattle may range.

**Cattle-gate.** A right to pasture on the land of another.

**Caucus.** A local political meeting.

**Causa.** A cause; an action; a reason; a consideration.

**Causa adulteri.** By reason of adultery.

**Causa causae est causa causati.** The cause of a cause is the cause of the effect.

**Causa causans.** The causing or immediate cause.

**Causa causantis causa est causati.** The cause of the thing causing is the cause of the effect.

**Causa data et non secuta.** Consideration given and not followed.

**Causa ecclesiae publicis aequiparatur; et summa est ratio quae pro religione facit.** The cause of the church is equal to that of the public, and most important of all is the reason which makes for religion.

**Causa et origo est materia negotii.** The cause and origin is the material of business.

**Causa hospitandi.** For the sake of hospitality.

**Causa impotentiae.** By reason of impotence.

**Causa jacitationis maritagii.** An action to enjoin one from representing himself to be the plaintiff's spouse. See 3 Bl. Comm. 93.

**Causa matrimonii.** A writ for a woman who has been jilted by a man to whom she gave land on promise of marriage.

**Causa mortis.** In expectation of death.

**Causa patet.** The reason is apparent.

**Causa proxima.** The proximate cause.

**Causa proxima non remota spectatur.** Proximate and not remote causes are regarded. See 27 Fla. 1, 17 L. R. A. 33, 9 South. 666.

**Causa qua supra.** For the reason above stated.

**Causa rei.** An appurtenance or accessory.

**Causa remota.** A remote cause.

**Causa scientiae patet.** The reason of the knowledge is apparent.

**Causa sine qua non.** A cause without which the event would not have happened.

**Causa turpis.** For a base or evil cause.

**Causa vaga et incerta non est causa rationabilis.** A vague and uncertain cause is not a reasonable one.

**Causae dotis, vitae, libertatis, fisci sunt inter favorabilia in lege.** Causes of dower, life, liberty and public moneys are among those favored in law.

**Causam nobis significes quare.** A writ against a town mayor directing him to give seisin to a grantee of the king.

**Causare.** To litigate.

**Causator.** A party to an action.

**Cause.** An action or suit; consideration; motive; origin.

**Cause list.** A calendar or docket.

**Cause of action.** A right to sue.

**Causidical.** Relating to pleading.

**Causidicus.** An advocate; a pleader.

**Cautela.** Caution; vigilance.

**Cauti juratoria.** Caution juratory.

**Cautio.** Caution.

**Cautio fidejussoria.** Security by way of a surety bond.

**Cautio pignoratitia.** Security by way of pledge.

**Cautio pro expensis.** Security for expenses.

**Cautio usufructuaria.** Security against waste by a tenant.

**Caution.** Prudence; a written caveat filed with the recorder of land titles; security; collateral; pledge; one who gives security.

**Caution juratory.** Security by means of an oath.

**Cautionary.** By way of pledge or security.

**Cautioner.** A surety.

**Cautionry.** Suretyship; becoming surety.

**Caveat.** Let him beware; a notice or warning filed or recorded in a public office so as to prevent anyone from acting to the prejudice of the caveator. See 38 N. J. Eq. 485.

**Caveat actor.** Let the doer beware.

**Caveat emptor.** Let the buyer beware. See 72 Ark. 343, 65 L. R. A. 80, 80 S. W. 582.

**Caveat emptor; qui ignorare non debuit quod jus alienum emit.** Let the buyer beware, who ought not to ignore the fact that he is purchasing the right of another.

**Caveat venditor.** Let the seller beware.

**Caveat viator.** Let the traveler beware.

**Caveator.** One who files a caveat.

**Cavendum est a fragmentis.** Beware of fragments.

**Caver.** A thief stealing ore from a Derbyshire mine.

**Cavere.** To beware; to take care; to be cautions.

**Cay.** A quay or wharf.

**Cayagium.** Wharfage duties.

**Ceapgild.** Payment of an animal.

**Cede.** To assign; to transfer; to grant.

**Cedent.** An assignor.

**Cedula.** (Spanish) A promissory note.

**Celation.** Concealment of pregnancy.

**Celebration of marriage.** The solemnization or ceremony essential to a formal lawful marriage.

**Celibacy.** The condition of one not married.

**Cenegild.** A fine paid by a murderer to his victim's relatives.

**Cenninga.** A vendee's notice to a vendor that the goods sold have been claimed by a third party.

**Cens.** An annual payment to a superior lord as a tribute to his superiority.

**Censaria.** A farm, or house and land, let at a standing rent.—Cowell.

**Censarii.** Farmers.

**Cense.** An assessment; a tax; a census.

**Censitaire.** A tenant paying cens.

**Censive.** The land, the tenant of which paid a cens.

**Censo.** (Spanish) A ground-rent.

**Censor.** A high Roman officer who with the other censor kept the census, attended to matters involving public manners and morals and administered public finances.

**Censors, Council of.** See Council of censors.

**Censuere.** A judgment or decree of the Roman senate.

**Censumethidus, or censumorthidus.** A dead rent, like "mortmain."—Blount.

**Census.** A decennial official count by the United States government of the inhabitants and wealth of the country. See 149 Ind. 255, 48 N. E. 1025.

**Census regalis.** The royal property (or revenue).—Bouv.

**Cent.** An abbreviation of centum, a hundred.

**Cental.** An English weight measure of 100 pounds.

**Centena.** A hundred.

**Centenarius.** The president of the court of a centena or hundred.

**Centesima.** One hundredth.

**Centner.** A hundredweight.

**Central Criminal Court.** The court having jurisdiction of crimes committed in London, Middlesex and Surrey.

**Centum.** One hundred.

**Centumviri.** The 105 Roman judges appointed to decide common causes among the people. See 3 Bl. Comm. 515.

**Century.** The Roman hundred.

**Ceorl.** Same as Churl.

**Ceorlus.** A churl.

**Cepi.** I have taken.

**Cepi corpus.** I have taken the body. See 3 Bl. Comm. 288.

**Cepi corpus et est in custodia.** I have the body and it is in custody; a form of return for a writ.

**Cepi corpus et paratum habeo.** I have the body and I have it ready; a form of return for a writ.

**Cepit.** He took it.

**Cepit et abduxit.** He took and led away.

**Cepit et asportavit.** He took and carried away.

**Cepit in alio loco.** He took in another place; a form of plea in replevin.

**Ceppagium.** Tree stumps.

**Ceps.** The stocks.

**Ceragrum.** A payment to provide candles in the church.—Blount.

**Cere.** Wax; a wax seal.

**Cert money.** Yearly payments to the lord of the manor for the keeping of the leet.

**Certa debet esse intentio, et narratio et certum fundamentum, et certa res quae deducitur in judicium.** The intention, declaration, foundation and matter brought to judgment ought to be certain.

**Certa res.** A certain matter or thing.

**Certain services.** Base services, stinted in quantity and not to be exceeded. See 2 Bl. Comm. 61.

**Certainty.** Distinctness and accuracy of statement.—Bouv.

**Certificate.** A signed statement by an officer giving authenticity to the facts therein set forth. See 27 Misc. Rep. 576, 58 N. Y. Supp. 574.

**Certificate into chancery.** A law court's decision on a matter submitted for such decision by a court of chancery.

**Certificate of acknowledgment.** The certificate of a notary or other officer evidencing the due execution of an instrument. See 108 Am. St. Rep. 528, note.

**Certificate of assize.** A writ by which a retrial was had. See 3 Bl. Comm. 389.

**Certificate of costs.** A judge's certificate enhancing damages in trespass. See 3 Bl. Comm. 214.

**Certificate of deposit.** An obligation, or promissory note of the bank issuing it. See 14 How. (U. S.) 240, 14 L. Ed. 404.

**Certificate of registry.** A certificate reciting the due registration of a ship.

**Certificate of stock.** A certificate evidencing the ownership of a certain number of shares of stock of the corporation therein named. See 49 N. J. L. 48, 7 Atl. 672.

**Certificate, trial by.** A form of trial which was allowed where the evidence of the person certifying was the only proper criterion of the point in dispute. See 3 Bl. Comm. 333.

**Certification.** The return of a writ; a formal attestation of a matter of fact.

**Certified check.** A check certified by a bank as being payable out of a specific fund deposited to meet it. See 67 N. Y. 458, 23 Am. Rep. 129.

**Certiorari.** A writ issued by a higher court to bring up the record of a lower court or judicial officer or body for review.

**Certum est quod certum reddi potest.** That is certain which is capable of being made certain. See 130 N. Y. 642, 15 L. R. A. 218, 29 N. E. 142.

**Cervisarii.** (Saxon) Tenants who were bound to supply drink for their lord's table.—Cowell.

**Cervisia.** Beer.

**Cervus.** A deer; a stag.

**Cesionario.** (Spanish) An assignee.

**Cess.** To neglect a legal duty; a tax.

**Cessa regnare, si non vis judicare.** Cease to reign if you do not wish to judge.

**Cessante causa, cessat effectus.** The cause ceasing, the effect ceases.

**Cessante ratione legis cessat, et ipsa lex.** When the reason for a law ceases to exist, the law itself ceases. See 141 Cal. 116, 99 Am. St. Rep. 35, 64 L. R. A. 236, 70 Pac. 663, 74 Pac. 766.

**Cessante statu primitivo, cessat derivativus.** The primary state ceasing, the derivative ceases.

**Cessare.** To cease; to stop.

**Cessavit per biennium.** An old writ to recover land from a tenant in fee who had ceased to pay rent or service for two years.

**Cesse.** Same as Cess.

**Cesser.** A ceasing or stopping.

**Cesset executio.** An order directing a stay of execution.

**Cesset processus.** An order directing a stay of proceedings.

**Cessio.** A cession.

**Cessio bonorum.** An assignment for the benefit of one's creditors.

**Cession.** A surrender; a giving up.

**Cession des biens.** (French) An assignment for the benefit of one's creditors.

**Cessionary.** An assignee.

**Cessionary bankrupt.** An assignor for the benefit of his creditors.

**Cessment.** An assessment or tax.

**Cessor.** A tenant who by neglect to pay rent was liable to a writ of cessavit.

**Cessure.** Same as Cesser.

**Cestui, or cestuy.** He.

**Cestui que trust.** The beneficiary of a trust.

**Cestui que use.** He for whose use land is held by another.

**Cestui que vie.** He for whose life an estate is to exist.

**Cestuy que doit inheriter al pere doit inheriter al fils.** He who would have been heir to the father is heir to the son.

**Cet.** (French) That.

**Ceux.** (French) Those.

**Cf.** Abbreviation for confer, compare.

**Chace.** A chase.

**Chacea.** A chase.

**Chacea est ad communem legem.** A chase exists by the common law.

**Chaceable.** Animals which might be hunted.

**Chafewax.** A chancery officer who attended to the wax used in sealing writs.

**Chaffer.** Goods; wares; merchandise.

**Chain of causation.** Such a succession of events as link an act or legal cause with a result or damage.

**Chain-gang.** A number of convicts chained together, usually for labor.

**Chairman.** The presiding officer at a meeting of any deliberative body.

**Chaldron.** A coal measure of 36 bushels.

**Challenge.** An objection; an exception; to object; to take exception to.

**Challenge for cause.** An objection to a juror for a reason stated, as distinguished from a peremptory challenge. See 114 Ga. 421, 40 S. E. 308.

**Challenge for favor.** Same as Challenge to the favor.

**Challenge propter affectum.** An objection to a juror because of bias.

**Challenge propter defectum.** An objection to a juror because of disqualification.

**Challenge propter delictum.** An objection to a juror by reason of his having committed some offense.

**Challenge propter honoris respectum.** A challenge to a juror by reason of his position.

**Challenge to the array.** An objection to the jury panel as a whole. See 130 N. C. 229, 41 S. E. 293.

**Challenge to the favor.** One grounded on facts arousing suspicion of partiality. See 109 Ga. 272, 34 S. E. 579.

**Challenge to the polls.** An objection to an individual jury. See 8 Watts (Pa.), 304.

**Chamber of accounts.** A French court corresponding to the English court of exchequer.

**Chamber of commerce.** A board of trade.

**Chamber of deputies.** The second house of the English parliament; the assembly in France, Italy and Spain.

**Chamber-counselor.** A lawyer who counsels and advises but does not appear in court.

**Chamberlain.** A treasurer.

**Chamberlaria.** The office of a chamberlain.—Cowell.

**Chambers.** A judge's private room apart from the courtroom.

**Chambers of the king.** The harbors of England.

**Champart.** (French) A grant on condition that the grantee will deliver to the grantor a portion of the crops.—Bouv.

**Champarty.** Same as Champerty.

**Champertor.** One who commits champerty.

**Champertous.** Partaking of or tainted with champerty.

**Champerty.** An agreement between the owner of a claim and a volunteer, that the latter may take the claim and collect it at his own expense, dividing the proceeds with the owner. See 67 Vt. 233, 48 Am. St. Rep. 233, 31 Atl. 315.

**Champion.** One who enters a combat or battel for another. See 3 Bl. Comm. 339.

**Champion of the King or Queen.** One who announces at a coronation that he will in combat defend the title of the newly crowned sovereign.

**Chance.** An accident without design. See 4 Bl. Comm. 26.

**Chancellor.** A judge of a court of chancery; in Scotland, the foreman of a jury.

**Chancellor of diocese.** An assistant to the bishop in legal affairs and is delegated by him to hear ecclesiastical causes.

**Chancellor of the Duchy of Lancaster.** The presiding officer in the law and equity courts of Lancaster.

**Chancellor of the exchequer.** The chief financial minister of England.

**Chancellor, the Lord High.** The highest judicial officer of the king.

**Chance-medley.** A violent but unpremeditated affray; a killing in self-defense upon a sudden, unpremeditated attack.

**Chancery.** Equity; a court of equity.

**Chantry.** A church endowed with land for the support of priests who prayed and sang for the welfare of the soul of one named in the gift.

**Chapel.** A small church.

**Chapel of ease.** A secondary church for the use of parishioners living

at a distance from the principal one.

**Chapelry.** The legal precincts of a chapel.

**Chapitre.** A summary of matters to be inquired of by, or presented before, justices in eyre, justices of assize, or justices of the peace; articles delivered orally or in writing by the justice to the inquest. —Wharton.

**Chaplain.** One officiating in a chapel.

**Chaplaincy.** The office of a chaplain.

**Chapman.** An itinerant merchant.

**Chap-money.** Money repaid by a seller upon full payment.

**Chappelage.** The vicinity or precinct of a chapel.

**Chapter.** A bishop's council.

**Chap-woman.** A female trader.

**Character.** The qualities which constitute the individual. See 130 Am. St. Rep. (Ill.) 288.

**Charge.** A debit entry in an account; an accusation; an encumbrance or lien; a court's instruction to a jury.

**Charge and discharge.** The complainant's delivery of his account to the master in chancery and the defendant's filing of his defense thereto.

**Charge and specifications.** The general allegation, the defendant's commission of a crime and the detailed facts thereof.

**Charge d'affaires.** An inferior diplomat of a foreign country.

**Charge to enter heir.** (Scotch) A writ summoning an heir to take possession on the death of his ancestor.

**Chargeable.** Liable to a charge or accusation.

**Charges.** Costs and expenses of a litigation.

**Charge-sheet.** A police station blotter for the names of and charges against and accusers of prisoners.

**Charging order.** A court order subjecting the judgment debtor's stock or funds in a public company toward satisfaction of the judgment.

**Charging part.** That part of a bill in equity which anticipates the defense.

**Charitable trust.** A trust for the benefit of an indefinite class of persons, sufficiently designated to indicate the donor's intention and constituting some portion or class of the public. See 171 Ill. 462, 63 Am. St. Rep. 241, 40 L. R. A. 730, 49 N. E. 527.

**Charitable trusts acts.** Statutes for the administration of charities.

**Charitable uses.** Same as Charities.

**Charitable uses act.** An English statute of 1861 favoring conveyances for charitable uses.

**Charity.** A gift to a general public use. See 24 How. (U. S.) 465, 16 L. Ed. 701.

**Charity child.** One reared by a charity.

**Charlatan.** A cheat or impostor.

**Charles.** Charles I, King of England 1625–1649. Charles II, King of England 1660–1685.

**Charnel.** A charnel-house; a place where dead bodies are thrown.

**Charta.** A charter; a deed.

**Charta communis.** An indenture.

**Charta cyrographata.** A deed executed in two parts.—Stimson.

**Charta de Foresta.** A charter calculated to redress grievances and encroachments of the crown in the

execution of forest law. See 4 Bl. Comm. 423.

**Charta de non ente non valet.** A deed of a thing not in being is void.

**Charta partita.** A charter-party.

**Chartae libertatum.** The Magna Charta and the Charta de Foresta. See 4 Bl. Comm. 423.

**Chartarum super fidem, mortuis testibus, ad patriam de necessitudine, recurrendum est.** If the witnesses are dead, the credibility of deeds must of necessity be referred to the country.

**Charte partie.** (French) A charter-party.

**Chartel.** A challenge to single combat.

**Charter.** An instrument or authority from a sovereign power bestowing rights or privileges. See 16 Wall. (U. S.) 244, 21 L. Ed. 326.

**Charter of pardons.** A charter granting a pardon.

**Charter of the Forest.** See Charta de Foresta.

**Charter rolls.** Old records of charters.

**Charterer.** One who charters a ship; a freeholder.

**Charter-land.** Land held by charter.

**Charter-master.** A coal mining contractor.

**Charter-party.** A contract by which a ship or part of it is let to a merchant, to convey goods on a determined voyage to one or more places. See 22 How. (U. S.) 330, 16 L. Ed. 249.

**Chartis reddendis.** A writ to secure the return of deeds.

**Chartophlyax.** A keeper of records or public instruments.—Spelman.

**Charue.** A plough.

**Chase.** A game preserve other than a park or a forest; the hunting of game.

**Chastise.** To punish corporally.

**Chastity.** Sexual righteousness.

**Chattel.** An article of personal property.

**Chattel interest.** Any interest in land of less dignity than a freehold.

**Chattel mortgage.** A mortgage of personal property. See 137 Am. St. Rep. 472, note.

**Chattel personal.** Tangible personal property.

**Chaud-medley.** A killing in an affray in the heat of passion. See 4 Bl. Comm. 184.

**Chauntry.** Same as Chantry.

**Cheat.** Any deceitful practice, in cozening another by artful means. See 4 Bl. Comm. 156; also escheat, which see.

**Check.** See Bank check. See, also, Ann. Cas. (Ky.) 1912A, 327.

**Check-book.** A book of blank bank checks.

**Checker.** (Scotch) Exchequer.

**Chef.** (French) A head or chief.

**Chemin.** (French) A road; a highway.

**Cheque.** Same as check.

**Cherif.** (French) A sheriff.

**Chevage.** Same as chiefage.

**Chevantia.** A loan of money.

**Chevisance.** An agreement; an unlawful contract.

**Chicane.** Trickery; fraud.

**Chief justice.** The presiding justice of the court.

**Chief.** A head; a principal.

**Chief baron.** The chief justice of the exchequer.

**Chief justiciar.** In Norman times, the next lower in rank to the king; afterward chief justice of the king's bench.

**Chief lord.** The highest lord of the fee in the feudal system.

**Chief pledge.** The borsholder or chief of the borough.—Spelman.

**Chief rents.** Rent paid by a freeholder in full discharge of all service.

**Chiefage.** An annual payment by villeins to their lord; a poll tax.

**Chiefry.** Rent paid to the lord paramount.

**Childermas.** Holy Innocents Day, December 28th.

**Childnit.** The customary fine paid by a bastard's reputed father to the lord.—Cowell.

**Chiltern hundreds.** Certain hundreds of which the crown may appoint a steward and thus enable a member of parliament to resign as the appointee.

**Chimin.** Same as Chemin.

**Chiminage.** A toll paid on a forest road.

**Chiminus.** Private or other road over which the king, his subjects and those under his protection might pass.

**Chimney-money.** An old English tax on chimneys.

**Chippingavel.** A toll for buying and selling.

**Chirgemote or chirchgemote.** An ecclesiastical court.

**Chirograph.** An indenture; a deed in two parts which must fit and correspond. See 2 Bl. Comm. 296.

**Chirographer of fines.** An officer in the common pleas who engrossed fines of land.

**Chirographum.** A writing evidencing a debt; a written obligation.

**Chirographum apud debitorem repertum presumitur solutum.** A written obligation found in the hands of the debtor is presumed to have been paid.

**Chirographum non extans presumitur solutum.** A written obligation which does not exist is presumed to have been paid.

**Chirurgeon.** A surgeon.

**Chit.** (China, Japan) A promissory note.

**Chivalry.** Knight service.

**Chivalry, court of.** See Court of chivalry.

**Chivalry, tenure by.** Tenure by knight's service.

**Choke-bail.** Nonbailable.

**Choosing-stick.** A divining-rod.

**Chop.** (India, China) A clearance permit.

**Chop-church.** A priest who exchanged his benefice for a bonus.

**Chorepiscopi.** Bishops with limited powers.

**Chose.** A thing; a chattel; a personal right.

**Chose in action.** A right enforceable by action; a right to sue. See 76 U. S. 387, 19 L. Ed. 736.

**Chose in possession.** A chattel in one's possession.

**Chose local.** A chattel which is in a fixed location.

**Chose transitory.** A movable chattel.

**Chosen freeholders.** A board having charge of the affairs of the county.

**Christian.** A believer in the teachings of Christ.

**Christian name.** One's baptismal name.

**Christianitatis curia.** Court Christian.

**Christmas.** Christ's birthday, December 25th.

**Church.** A place of Christian worship; the whole body of Christians.

**Church building acts.** English statutes for the extension of the church of England.

**Church judicatory.** An ecclesiastical court with judicial powers.

**Church land.** Land owned by a church or ecclesiastical body.

**Church living.** A benefice in an established church.

**Church of England.** The national church of England.

**Church rate.** A tax imposed upon a parish by the majority for church maintenance.

**Church reeve.** A churchwarden.

**Churchesset.** A certain measure of grain paid to the church on St. Martin's day.

**Church-scot.** Customary obligations paid to the parish priest; services by a tenant of church lands.

**Churchwarden.** The manager of a church.

**Church-writ.** A writ issuing out of an ecclesiastical court.

**Churl.** One of the lowest classes of freemen.

**Ci.** So; here.

**Ci bien.** As well.

**Ci devant.** Formerly.

**Cibaria.** (Civil Law) Food.

**Cinque Ports.** Five ports on the southern coast of England, Hastings, Romney, Hythe, Dover and Sandwich.

**Cippi.** The stocks.

**Circa.** About; concerning.

**Circuit.** A judge's journey in holding court in different places; the district of a judge so traveling.

**Circuit Court.** A court held by a judge or judges at different places in a district. See, also, United States Circuit Court.

**Circuit Court of Appeals.** See United States Circuit Court of Appeals.

**Circuitus est evitandus.** Circuity is to be avoided.

**Circuitus est evitandus; et boni judices est lites dirimere, ne lis ex lite oriatur.** Circuity of action is to be avoided, and it is the duty of good judges to dismiss actions lest an action shall grow out of an action.

**Circuity of action.** Indirectness of remedy by unnecessary litigation.

**Circular notes.** Letters of credit, which see.

**Circumduction.** Annulment; avoidance; cancellation.

**Circumspecte agatis.** An English statute of 1285 limiting and regulating the jurisdiction of the ecclesiastical courts.

**Circumstantial evidence.** The proof of such circumstances as either necessarily or usually attend facts sought to be proved. See 97 Am. St. Rep. 773, note.

**Circumstantibus.** Bystanders present in court.

**Circumvention.** (Scotch) Fraud or deceit.

**Cirliscus.** A churl.—Spelman.

**Citacion.** (Spanish) A court order commanding the defendant to appear and defend.

**Citatio.** A citation.

**Citatio ad reassumendam causam.** A citation directed to a dead plaintiff's heir.

**Citatio est de juri naturali.** A summons is of natural right.

**Citation.** A court order directing a person to appear.

**Citationes non concedantur priusquam exprimatur super qua re fieri debet citatio.** Citations are not to be granted until it is shown concerning what matter the citation ought to be made.

**Cite.** To summon, to notify to appear in court.

**Citizen.** An inhabitant of a city in England; in United States, one entitled to vote for members of Congress and other public offices and who is qualified for office. See 92 U. S. 542, 23 L. Ed. 588.

**City Court.** A court having jurisdiction only within the city limits.

**Civil.** As between citizens; private.

**Civil action.** An action seeking recompense for the violation of a private right.

**Civil bill court.** An Irish court with jurisdiction similar to that of county courts.

**Civil commotion.** An insurrection.

**Civil contempt.** Those which are prosecuted to enforce the rights of private parties. See 21 Ann. Cas. (U. S.) 897.

**Civil corporation.** A private business corporation; a municipal corporation.

**Civil damage acts.** Statutes rendering liquor sellers liable for consequences.

**Civil day.** The mean solar day.

**Civil death.** The cessation of all one's legal rights and capacities. See 6 Am. St. Rep. 380.

**Civil injury.** A violation of one's private right.

**Civil law.** The Roman law expounded by Justinian.

**Civil liability.** Liability to a civil action.

**Civil liberty.** One's lawful liberty.

**Civil list.** In England, the appropriation for the royal family; in United States, general governmental expense, not including the army and navy.

**Civil obligation.** An enforceable obligation.

**Civil officer.** Any United States federal appointee excepting army and navy officers.

**Civil remedy.** Redress by means of a civil action.

**Civil responsibility.** Same as Civil liability.

**Civil rights.** Rights which municipal law enforces at the instance of private persons to secure the enjoyment of their means of happiness. See 51 N. J. L. 432, 14 Am. St. Rep. 693, 17 Atl. 969.

**Civil rights act.** A United States statute of 1875 against prohibiting the use of public places on account of race or color.

**Civil Rights Bill.** A United States statute of 1866, granting citizenship to native-born persons, including former slaves.

**Civil rights cases.** Cases determining the legal status of freedmen. See 100 U. S. 303, 25 L. Ed. 664.

**Civil service.** The executive department of the government.

**Civil side.** The civil department or calendar of a court having also a criminal department or calendar.

**Civil War.** A war between citizens of the same nation; the war of the Rebellion in the United States which lasted from 1861–1865.

**Civilian.** A scholar versed in the Roman law.

**Civilis.** Civil.

**Civiliter.** Civilly.

**Civiliter mortuus.** Civilly dead. See Civil death.

**Civis.** (Roman Law) A citizen.

**Civitas.** A state.

**Claim.** A demand of some matter as of right made by one person upon another to do or forbear. See 16 Pet. (U. S.) 615, 10 L. Ed. 1089.

**Claim in a service.** (Scotch) A petition by an heir to be served as heir of the decedent.

**Claim of conusance.** A claim of exclusive jurisdiction.

**Claim of liberty.** A suit or petition to the crown, in the court of exchequer, to have liberties and franchises confirmed there by the attorney general.—Wharton.

**Claim, vi, furto aut precario.** Claim by force, stealth or supplication.

**Claimant.** One who claims; in admiralty, one defending a suit against goods in which he claims an interest.

**Claim-notice.** A miner's posted notice of his claim to mining rights on the land.

**Clam.** Secretly.

**Clam delinquentes magis puniuntur quam palam.** Secret offenses are punished more severely than open ones.

**Clamea admittenda in itinere per attornatum.** A writ commanding the admission of an attorney to represent a claimant who was abroad.

**Clamor.** A complaint; an outcry; a claim.

**Clap-stick.** A watchman's alarm rattle.

**Clare constat.** It clearly appears.

**Claremethen.** (Scotch) A warranty of title in goods which had been stolen.

**Clarendon, constitutions of.** Statutes passed in the twelfth century curbing the pope and the clergy. See 4 Bl. Comm. 422.

**Class legislation.** Such as denies rights to one which are accorded to others, or inflicts upon one a more severe penalty than is imposed upon another in like case offending. See 99 Mich. 151, 41 Am. St. Rep. 589, 22 L. R. A. 696, 57 N. W. 1094.

**Classification.** The English chancery practice of assigning litigants having similar interests in the cause to one solicitor, to save expense.

**Clause.** Closed; sealed.

**Clause irritant.** (Scotch) A clause in a deed which limited the right of an absolute proprietor in entails.

**Clause of devolution.** (Scotch) A clause imposing some obligation contingent upon an event.

**Clause of return.** A clause by which a right shall upon certain contingencies revert to the grantor.

**Clause rolls.** Same as Close rolls.

**Clausula.** A clause or part of a sentence.

**Clausula generalis de residuo non ea complectitur quae non ejusdem sint generis cum iis quae speciatim dicta fuerant.** A general clause of remainder does not include matters not of the same kind with those specially mentioned.

**Clausula generalis non refertur ad expressa.** A general clause does not refer to matters expressly mentioned.

**Clausula quae abrogationem excludit ab initio non valet.** A clause which forbids repeal is void from the beginning.

**Clausulae inconsuetae semper inducunt suspicionem.** Unaccustomed clauses always arouse suspicion.

**Clausula vel dispositio inutilis per praesumptionem remotam vel causam, ex post facto non fulcitur.** A useless clause or disposition is not supported by a remote presumption or by a subsequently occurring fact.

**Clausum.** A clause; a close.

**Clausum fregit.** He broke the close.

**Clausura.** An inclosure.

**Claves curiae.** The keys of the court.

**Clean hands.** Freedom from wrongdoing or intent.

**Clear.** To acquit; to justify; to excuse.

**Clear days.** Days intervening, exclusive of the first day and the last one.

**Clearance.** A port collector's permit authorizing a ship's departure.

**Clearing-house.** A place where bankers daily settle their accounts.

**Clementines.** The collections of canon law made by Pope Clement, 1311.

**Cleptomania.** Same as Kleptomania.

**Cleremonia.** The clergy.

**Clergy.** Persons in ecclesiastical orders; officers of the church; at one time, all persons who could read.

**Clergyable.** Entitled to benefit of clergy.

**Clerical error.** A copyist's error; a slip of the pen.

**Clericale privilegium.** Benefit of clergy.

**Clerici de cancellaria.** Clerks of chancery.

**Clerici praenotarii.** The six clerks in chancery.

**Clerico admittendo.** A writ commanding the bishop to admit a clerk to a living.

**Clericus.** A clerk; a clergyman; a priest.

**Clericus et agricola et mercator, tempore belli, ut oret, colat, et commutet, pace fruuntur.** Clergymen, farmers and merchants in time of war enjoy peace so that they may preach, cultivate and trade.

**Clericus mercati.** Clerk of the market.

**Clericus non connumeretur in duabus ecclesiis.** A clergyman should not be appointed by two churches.

**Clericus parochialis.** A parish clerk.

**Clerigos.** (Spanish) Clergymen.

**Clerk.** A clergyman; the ministerial officer of a court.

**Clerk of arraigns.** Clerk of the central criminal court in England; a deputy of the clerk of assize.

**Clerk of assize.** The clerk of the justices of assize in their circuits.

**Clerk of court.** The chief ministerial officer of a court.

**Clerk of enrollments.** Formerly the chief officer of the English enrollment office.

**Clerk of the house of commons.** A crown appointee in charge of the memorials and journals of the acts of the house of commons.

**Clerk of the peace.** An officer who assisted justices of the peace in quarter sessions.

**Clerk of the petty bag.** A chancery officer who enrolled the admission of solicitors and other officers.

**Clerk of the privy seal.** Formerly an officer who attended the lord privy seal.

**Clerk of the signet.** An officer who attends the king's principal secretary.

**Clerks of indictments.** Clerks in the English central criminal court who prepare indictments.

**Clerks of seats.** Officers who attend to the clerical work in the

principal registry of the probate division of the English high court.

**Clerkship.** The service of an attorney's clerk during his preparation for admission to the bar.

**Clerus.** The clergy.

**Client.** The patron or employer of an attorney or solicitor.

**Clifford's Inn.** One of the inns of chancery.

**Close.** Closed; sealed; a parcel of land.

**Close copies.** Copies which might be written with any number of words on a sheet. Office copies were to contain only a prescribed number of words on each sheet.—Bouv.

**Close port.** A port inland on a river.

**Close rolls.** English public records of close writs and other instruments.

**Close writs.** Writs not open or patent; writs addressed to the sheriff or other particular person or officer.

**Cloth.** The clergy.

**Cloud on title.** A defect in a chain of title. See 42 Am. St. Rep. 378, note.

**Clough.** A valley.

**Club.** An unincorporated society.

**Coadjutor.** An assistant of a bishop or other prelate.

**Coagent.** An accomplice.

**Coadministrator.** One of two or more administrators appointed to act jointly.

**Coadunatio.** A conspiracy.

**Coafforest.** To turn into a forest or to increase one.

**Coal note.** A sort of promissory note used at the port of London.

**Coalition.** An alliance; a confederacy.

**Coassignee.** One of two or more persons to whom an assignment has been made.

**Coasting trade.** Trade between ports of the same country.

**Cobelligerent.** Allied in war.

**Co-bishop.** A joint bishop.

**Cocket.** A custom-house seal; a certificate showing payment of duties.

**Cockpit.** The meeting-room of the English privy council at Westminster.

**Code.** A statutory embodiment of all the law pertaining to the subject or subjects included.

**Code civil.** The Code Napoleon, which see.

**Code Napoleon.** A codification of French law in the reign of Napoleon I.

**Codex.** A code.

**Codicil.** An addendum to a will after its execution.

**Coemtio.** Coemption.

**Coemption.** The buying up of the supply of a commodity for the purpose of controlling prices; in Roman law, a civil marriage in which money was paid on both sides.

**Coercion.** Compulsion; constraint.

**Coexecutor.** One of two or more executors appointed to act jointly.

**Cofferer of the queen's household.** The chief officer of the royal court.

**Clogging.** Cheating with loaded dice.

**Cogitationis poenam nemo patitur.** No one suffers punishment for his thoughts. See 47 Or. 455, 8 Ann. Cas. 627, 4 L. R. A. (N. S.) 417, 84 Pac. 82.

**Cognates.** Maternal relatives. See 2 Bl. Comm. 235.

**Cognati.** Cognates.

**Cognation.** Blood of family relationship.

**Cognisance.** Same as cognizance.

**Cognitio.** Cognizance.

**Cognitionibus admittendis.** A writ requiring an officer to certify to the court of common pleas fines received but not reported.

**Cognitionis causae.** (Scotch) The judicial ascertainment of the amount of a claim against a decedent's estate.

**Cognizable.** Within the jurisdiction.

**Cognizance.** Acknowledgment; recognition; jurisdiction.

**Cognizee.** One to whom a fine was levied.

**Cognizor.** One who levied a fine.

**Cognomen.** A family name.

**Cognosce.** (Scotch) To give judgment; to adjudicate.

**Cognoscere.** To acknowledge.

**Cognovi actionem.** Same as Cognovit.

**Cognovit.** A confession of judgment.

**Cognovit actionem.** Same as Cognovit.

**Cognovit actionem relicta verificatione.** The defendant's abandonment of his plea or defense to an action.

**Cognustre.** To acknowledge.

**Coguardian.** A joint guardian.

**Cohabit.** To have sexual intercourse. See 116 U. S. 55, 29 L. Ed. 561, 6 Sup. Ct. Rep. 278.

**Cohaeredes, or cohaeres.** Coheirs; joint heirs.

**Cohaeredes una persona censentur, propter unitatem juris quod habent.** Coheirs are regarded as one person because they hold under unity of right.

**Coif.** A cap worn by serjeants at law.

**Coiner.** A counterfeiter.

**Coinheritance.** Joint inheritance.

**Cojudices.** Associate judges.

**Cold-water ordeal.** A trial in which the defendant was thrown into cold water; if he sank he was deemed innocent; if not, guilty.

**Co-lessee.** A joint lessee.

**Co-lessor.** A joint lessor.

**Colibertus.** A tenant in free socage but under duty of rendering some service.

**Collateral.** Indirect; blood relationship other than lineal.

**Collateral act.** An act the performance of which is secured by a bond.

**Collateral ancestors.** Ancestors who are not progenitors, such as aunts and uncles. See 3 Barb. Ch. (N. Y.) 438.

**Collateral assurance.** Assurance given over and aside from the deed.

**Collateral attack.** Any proceeding not instituted for the express purpose of annulling, correcting or modifying. See 20 Or. 96, 23 Am. St. Rep. 95, 11 L. R. A. 155, 25 Pac. 362.

**Collateral consanguinity.** Blood relationship other than lineal. See 45 Pa. 430.

**Collateral descent.** Descent from a common ancestor, but not in direct line. See 31 U. S. 101, 8 L. Ed. 334.

**Collateral facts.** Facts not in issue and not relevant to the issue.

**Collateral impeachment.** Indirect attack upon a judgment or decree. See 12 Okl. 650, 73 Pac. 305.

**Collateral issue.** A side issue, not the main one.

**Collateral kinsmen.** Blood relatives other than lineal.

**Collateral limitation.** One limiting an estate by an event other than the life or issue of the grantee. See 86 Tex. 358, 24 S. W. 792.

**Collateral security.** Property or choses in action pledged to secure the performance of an obligation. See 14 Colo. 125, 23 Pac. 462.

**Collateral warranty.** One made by a stranger to the title.

**Collaterales et socii.** Masters in chancery.

**Collatio bonorum.** A mingling of goods into a common fund; bringing into a hotchpot. See 2 Bl. Comm. 517.

**Collatio signorum.** A comparison of seals.

**Collation.** A presentation to a benefice by a bishop who holds the patronage; a hotchpot; the comparison of a copy with the original.

**Collation of seals.** One seal set on the reverse of another, on the same label.—Wharton.

**Collation to a benefice.** The conferring of a benefice by a bishop.

**Collatione facta uni post mortem alterius.** A writ commanding the justices to issue their writ to the bishop to admit a clerk instead of one who had been appointed by a king who has since died.

**Collector.** A special administrator appointed pending the appointment of an executor or administrator; a collector of the port.

**Collector of births and burials.** An English officer who reports weekly the births and burials to the magistrates.

**Collector of the customs.** A federal officer who collects customs duties within his district.

**Collega.** A co-officer or appointee.

**Collegatarius.** A colegatee.

**Colligendum bona defuncti.** The collection of the goods of a decedent.

**Collegialiter.** As a corporation.

**Collegiate church.** An English church having a chapter consisting of a dean, canons and prebends, but no bishop's see.

**Collegium.** A corporation; an ecclesiastical body uncontrolled by the state.

**Collegium est societas plurium corporum simul habitantium.** A college is a society composed of many persons living together.

**Collision.** The act of colliding or striking together. See Ann. Cas. (N. J.) 1914B, 846.

**Collistrigium.** The pillory.

**Collitigant.** One who litigates with another.

**Collocation.** The classification for payment of the creditors of an estate.

**Colloquium.** The allegation in a declaration for defamation that the words were used of or concerning the plaintiff. See 59 Pa. St. 488.

**Collude.** To enter into a collusion.

**Collusion.** An agreement to defraud a third party of his rights by the forms of law, or to secure an unlawful object. See 157 N. Y. 259, 68 Am. St. Rep. 777, 43 L. R. A. 256, 51 N. E. 1036.

**Collusive.** Resulting from collusion.

**Collusive divorce.** One wherein the parties agree that one of them may secure a divorce upon unfounded charges. See 65 Cal. 354, 4 Pac. 229.

**Collybist.** A money changer.

**Collybum.** (Civil Law) Exchange; rate of exchange.

**Colonial laws.** The laws passed by the American colonial legislatures prior to the Revolution; laws passed in the British colonies.

**Colonus.** A serf; a husbandman.

**Colony.** A body of emigrants who settle abroad but remain loyal to the mother country.

**Color.** Appearance of right.

**Color of office.** False assumption of official authority.

**Color of title.** An appearance of title which is in reality no title. See 59 U. S. 50, 15 L. Ed. 280.

**Colorable cause.** A colorable invocation of jurisdiction. See Ann. Cas. (Ala.) 1914C, 1155.

**Colorable imitation.** An imitation calculated to deceive.

**Colore officii.** Under color of office.

**Combat.** To fight; to engage in battle.

**Combe.** A narrow valley.

**Combination.** A uniting of two or more persons for a common purpose.

**Comburgess.** An inhabitant of the same borough as another.

**Combustio.** Burning.

**Combustio domorum.** Burning of houses.

**Combustio pecuniae.** The testing of money by melting it.

**Come.** As; whereas.

**Come semble.** As it seems.

**Comes.** A companion.

**Comfort.** Whatever is requisite to give security from want and furnish reasonable physical, mental and spiritual enjoyment. See Ann. Cas. (Wash.) 1912B, 1128.

**Comfortable enjoyment.** Quiet as well as physical comfort. See Ann. Cas. (Wash.) 1912B, 1128.

**Cominus.** Hand to hand; in close combat.

**Comitas.** Comity; courtesy.

**Comitatus.** A county; a shire; an attending company of persons.

**Comites.** The suite of a public minister.

**Comitia.** (Roman Law) Assemblies of the people.

**Comitia centuriata.** An assembly of the Romans in which they voted by centuries.

**Comitia curiata.** A Roman assembly which was composed of thirty patricians.

**Comitia tributa.** An assembly of the Romans in which they voted by tribes or neighborhoods.

**Comitissa.** A countess.

**Comitiva.** The office of an earl or count.

**Comity.** The recognition which one nation allows within its territory to the legislative, executive, or judicial acts of another nation. See 159 U. S. 113, 40 L. Ed. 95, 15 Sup. Ct Rep. 987.

**Comity inter gentes.** The comity of nations.

**Comity of nations.** The enforcement of the laws of one state by another, by courtesy. See 67 Conn. 91, 52 Am. St. Rep. 270, 32 L. R. A. 236, 34 Atl. 714.

**Commanditaire.** (French) A silent partner.

**Commandite.** A special partnership.

**Commandment.** An old English offense of directing one to do an unlawful act.

**Commark.** A frontier; a boundary.

**Comme.** As; whereas.

**Commend.** To place under the control of a lord.

**Commenda.** An association in which the management of the property was entrusted to individuals.

**Commenda est facultas recipiendi et retinendi beneficium contra jus positivum a suprema potestate.** A commendam is the power of receiving and retaining a benefice contrary to positive law, from the supreme authority.

**Commendam.** The appointment of a temporary clerk to hold a living pending the appointment of a regular pastor.

**Commendatio.** A recommendation; praise.

**Commendation.** The voluntary subjection of a freeman to a lord to secure his protection.

**Commendator.** One holding a benefice in commendam.

**Commendatory letters.** Letters of credence from a bishop in behalf of travelers from his diocese.

**Commendatus.** Voluntary service to a superior.

**Commerce.** Exchange of property. See 7 Ann. Cas. (Ill.) 1.

**Commerce Court.** See Court of Commerce.

**Commercia belli.** Contracts between citizens of belligerent countries.

**Commercial agent.** A consular officer in charge of the commercial interests of his country at a foreign port; a traveling solicitor. See 98 Va. 91, 81 Am. St. Rep. 705, 47 L. R. A. 583, 34 S. E. 967.

**Commercial broker.** One who as a broker, merely, negotiates sales for others. See 23 Wall. (U. S.) 321, 23 L. Ed. 143.

**Commercial law.** The laws relating to shipping, insurance, exchange, brokerage and other commercial matters.

**Commercial paper.** Negotiable instruments.

**Commercium.** Commerce.

**Commercium jure gentium commune esse debet et non in monopolium et privatum paucorum quaestum convertendum.** By the law of nations, commerce ought to be common and not converted into a monopoly and the private profit of a few.

**Comminatorium.** An admonition in a writ cautioning the sheriff to use diligence.

**Comminatory.** Threatening; coercive.

**Commis.** (French) An agent.

**Commissari lex.** (Roman Law) The right of a seller on credit to rescind upon nonpayment of the price.

**Commissariat.** (Scotch) The jurisdiction of a commissary.

**Commissary.** An ecclesiastical officer whose functions were similar to those of an archdeacon.

**Commissary Court.** (Scotch) A supreme court having jurisdiction formerly exercised by the bishops' commissaries.

**Commission.** Authority; a writ; an authorization.

**Commission day.** The opening day of the assizes.

**Commission de lunatico inquerendo.** Same as Commission of lunacy.

**Commission del credere.** Compensation allowed a factor for warranting a vendee's solvency. See 50 Barb. (N. Y.) 288.

**Commission merchant.** One who sells goods in his own name at his own store, and on commission, though from samples, not having the goods in his possession, but obtaining possession as soon as sales are made, and delivering or ship-

ping them to his customers. See 23 Wall. (U. S.) 321, 23 L. Ed. 143.

**Commission of appeals.** A tribunal appointed to relieve an appellate court whose calendar is overcrowded.

**Commission of array.** A royal command for the drafting of troops. See 1 Bl. Comm. 411.

**Commission of assize.** A commission appointing judges of assize to sit in those years when the justices in eyre did not.

**Commission of bankruptcy.** A commission appointed by the chancellor to examine into the affairs of a bankrupt. See 2 Bl. Comm. 480.

**Commission of delegates.** Same as Court of delegates.

**Commission of gaol delivery.** A commission appointed by the court to try all the prisoners confined in a jail.

**Commission of lunacy.** A commission appointed by a court to examine one as to his sanity. See 177 Pa. 359, 35 Atl. 722.

**Commission of nisi prius.** Commissioners sent by the crown on the various circuits to hold jury trials. See 3 Bl. Comm. 58.

**Commission of partition.** A commission appointed to carry out the decree of the court in partition proceedings.

**Commission of rebellion.** A writ authorizing the seizure of a defendant for contempt. See 3 Bl.Comm. 444.

**Commission of the peace.** A commission appointing justices of the peace. See 1 Bl. Comm. 351.

**Commission of review.** (Eccles.) A commission appointed to revise a sentence of the court of delegates. See 3 Bl. Comm. 67.

**Commission rogatoire.** (French) Letters rogatory.

**Commission to examine witnesses.** An authorization to take testimony out of court. See Barb. (N. Y.) 110.

**Commissioner of patents.** The head of the United States patent office.

**Commissioners of bail.** Officers appointed by the court to take bail in civil arrests.

**Commissioners of bankrupt.** Commissioners appointed to examine the affairs of bankrupts.

**Commissioners of highways.** Officers having the duty of laying out and maintaining highways within their district.

**Commissioners of sewers.** A temporary tribunal in England having jurisdiction of repairs of sea banks and walls and drainage generally. See 3 Bl. Comm. 73.

**Commissions.** Fees or compensation, usually allowed on a percentage basis.

**Commitment.** A warrant authorizing one's imprisonment; a mittimus.

**Committee.** Same as Commission.

**Committitur.** An entry recording one's commitment.

**Committitur piece.** An instrument in writing, charging one already in prison, in execution at the suit of the person who arrested him.—Bouv.

**Commixtio.** Commixtion.

**Commixtion.** The mingling of dry or solid substances of different owners.

**Commodate.** A gratuitous loan.

**Commodato.** (Spanish) A contract for a gratuitous loan of a chattel.

**Commodatum.** A chattel loaned gratuitously; the loan itself.

**Commodum.** Profit; gain; advantage.

**Commodum ejus esse debet cujus periculum est.** He who takes the risk should have the profit.

**Commodum ex injuria sua non habere debet.** One ought not to profit by his own wrong. See XXV Eng. Rul. Cas. 105.

**Common.** The profit one has in another's land.

**Common appendant.** A tenant's prescriptive right to feed cattle on land not held by him, but in the same manor.

**Common appurtenant.** A land owner's right to feed cattle on another's land.

**Common assurances.** Title deeds.

**Common at large.** Same as Common in gross.

**Common bail.** Bail with fictitious sureties.

**Common bar.** Blank bar, a plea in trespass compelling the plaintiff to name the place.

**Common barratry.** The practice of committing barratry.

**Common barretor.** One guilty of common barratry.

**Common because of vicinage.** The mutual license of persons in adjoining townships each to feed cattle in the other.

**Common bench.** The English court of common pleas.

**Common carrier.** One who undertakes for hire to transport from place to place goods of those who may employ him. See 21 How. (U. S.) 7, 16 L. Ed. 41.

**Common chase.** A place where all might hunt.

**Common council.** The governing body of a town or city, or one house thereof.

**Common counts.** Particular formal common-law counts of a declaration sounding in indebitatus assumpsit. See 67 Mich. 571, 35 N. W. 254.

**Common day.** The period between one midnight and the next.

**Common debtor.** (Scotch) One whose chattels have been seized by several creditors.

**Common drunkard.** One habitually intoxicated.

**Common fine.** A fine paid upon the inhabitants of a district.

**Common fishery.** A place where all may fish.

**Common form.** The proving of a will by the testimony of the executor.

**Common highway.** A public highway.

**Common in gross.** Common which is personal, not running with the land.

**Common in the soil.** The right to mine or quarry on another's land.

**Common informer.** One making a business of informing against criminals.

**Common intendment.** According to ordinary meaning.

**Common intent.** Ordinary meaning.

**Common jury.** An ordinary trial jury, not grand nor special.

**Common law.** The unwritten or nonstatute law.

**Common nuisance.** One which affects the general public; a public nuisance.

**Common of estovers.** The right to take wood from another's land.

**Common of piscary.** The right to fish on another's land.

**Common of turbary.** The right to dig turf on another's land.

**Common pleas.** Civil matters; the court of common pleas.

**Common pur cause de vicinage.** Common because of vicinage.

**Common recovery.** A fictitious form of action by which a tenant in tail was able to convey his estate in fee simple. See 25 Fla. 942, 2 South. 258.

**Common sans nombre.** A right to pasture an unlimited number of cattle.

**Common scold.** A woman guilty of habitual scolding.

**Common seal.** The seal of a corporation.

**Common serjeant** An assistant to the recorder of the city of London.

**Common, tenants in.** See Tenants in common.

**Common vouchee.** The fictitious party in an action of common recovery who was named by the tenant as his warrantor and grantor.

**Commonable.** Commonable beasts are either beasts of the plough or such as manure the ground. See 2 Bl. Comm. 33.

**Commonage.** Use in common with others.

**Commonalty.** The common people as distinguished from peers. See 1 Bl. Comm. 403.

**Commonance.** Those having the right of common in an open field.

**Commoner.** A member of the house of commons; one of the commonalty; one having a right of common.

**Common-law procedure acts.** English statutes of 1852, 1854, 1860, simplyfying forms of pleading and practice.

**Common-lawyer.** One versed in the common law.

**Commons.** Public grounds; the lower house of parliament; English freeholders not of the peerage.

**Commonty.** The commonalty; (Scotch) land owned in common and usually subject to certain servitudes.

**Commonweal.** Public welfare.

**Commonwealth.** The public; the state; the body politic; England during the Interregnum, 1649–1660.

**Commorancy.** Temporary residence.

**Commorant.** Residing temporarily.

**Commorientes.** Those dying together.

**Commote.** (Welsh) Half a hundred.

**Commune.** (French) A small town. (Latin) Common.

**Commune bonum.** Public welfare.

**Commune concilium regni.** Parliament.

**Commune placitum.** A common plea; a civil action.

**Commune vinculum.** A common or mutual bond.

**Communi dividendo.** A Roman law action for the partition of property held in common.

**Communi observantia non est recedendum.** There must be no departure from common practice. See 9 Mont. 452, 8 L. R. A. 629, 23 Pac. 1018.

**Communia.** Common.

**Communia pasturae.** Common of pasture.

**Communia piscariae.** Common of piscary.

**Communia placita.** Common pleas.

**Communia turbariae.** Common of turbary.

**Communibus annis.** In ordinary years.

**Communicare.** To common.

**Communings.** Offers to deal with or contract.

**Communio bonorum.** Community of goods.

**Communis.** Common.

**Communis bancus.** The common bench, the English court of common pleas.

**Communis error facit jus.** Common error makes law. See 154 Mass. 290, 13 L. R. A. 275, 28 N. E. 260.

**Communis opinio.** Common opinion.

**Communis paries.** A party-wall.

**Communis rixatrix.** A common scold.

**Communis scriptura.** A common writing; a deed.

**Communis stirpes.** Common stock or ancestry.

**Communitas regni angliae.** Parliament.

**Communiter usitata et approbata.** Things commonly used and approved.

**Community.** A town; a municipality; a district; a neighborhood; husband and wife.

**Community property.** Property owned in common by husband and wife. See 12 Cal. 247, 73 Am. Dec. 538.

**Commutation.** Substitution; the substitution of a lesser punishment.

**Commutation of tithes.** Paying tithes in money

**Commutative contract.** A contract by which each party is to receive the equivalent of what he is to give.

**Commutative justice.** Justice mutually done.

**Comorant.** A resident.

**Compact.** A contract; a treaty.

**Companies act.** An English statute of 1862 regulating nonpartnership companies.

**Company.** A union of two or more persons for the carrying on of a joint enterprise or business; a partnership; a corporation; an association.

**Comparatio literarum.** Comparison of handwritings.

**Comparative negligence.** An obsolete doctrine whereby contributory negligence was no bar to recovery but was measured as against that of the defendant. See 115 Ill. 358, 3 N. E. 456.

**Comparere.** To appear.

**Comparison of handwriting.** The identification of an instrument as genuine by comparing it with a known specimen of the writing of the alleged writer. See 1 Leigh (Va.), 216.

**Compartner.** A copartner

**Compascuum.** Common of pasture.

**Compass.** To plot; to contrive.

**Compaternity.** The relation of godparent.

**Compatibility.** Such reconcilability in two or more offices that one person may fill them.

**Compear.** (Scotch) To enter an appearance in person or by attorney.

**Compearance.** (Scotch) Appearance.

**Compendia sunt dispendia.** Short cuts are wasteful.

**Compensacion.** (Spanish) Setoff.

**Compensatio.** The Roman law setoff. See 3 Bl. Comm. 305.

**Compensatio criminis.** Recrimination.

**Compensation.** Consideration; remuneration; restoration.

**Comperendinatio.** (Roman Law) The putting off of a trial to the third day.

**Compertorium.** (Civil Law) A judicial inquest by delegates or commissioners to find out and relate the truth of a cause.—Wharton.

**Comperuit ad diem.** He appeared at the day.

**Compester.** To manure.

**Competency.** Legal fitness or qualification.

**Competent.** Legally qualified.

**Competent and omitted.** (Scotch) Of a plea which might have been offered but was not.

**Competent witness.** One possessing legal qualifications to testify. See 5 Mich. 60.

**Competere.** To be available.

**Competit assisa.** An assize lies.

**Competition.** (Scotch) A contest between creditors of a bankrupt to establish their rank and preferences.

**Complain.** To file a complaint; to make a formal charge or accusation.

**Complainant.** The petitioner in an equity suit; a plaintiff; a prosecuting witness; one who files a formal charge or accusation.

**Complaint.** A formal charge or accusation; a pleading corresponding to a common-law declaration; a bill in equity; a libel in admiralty. See 63 Kan. 610, 66 Pac. 641.

**Complice.** An accomplice.

**Complicity.** Involved as an accomplice.

**Complot.** To plot; to conspire.

**Compos mentis.** Of sound mind.

**Compos sui.** Possessing control of one's self.

**Compositio mensurarum.** An old English statute regulating weights. See 1 Bl. Comm. 275.

**Compositio ulnarum et perticarum.** An old English statute regulating measures. See 1 Bl. Comm. 275.

**Composition.** A compromise; a contract.

**Composition deed.** A contract between a debtor and his creditors affecting an agreed adjustment of their claims. See 48 Minn. 317, 51 N. W. 377.

**Composition in bankruptcy.** An agreement whereby the bankrupt's creditors agree to accept a certain percentage of their claims in full settlement. See 44 Conn. 587, 17 Fed. Cas. (U. S.) 131.

**Composition of tithes.** An agreement whereby the land owner discharges his land from liability for tithes.

**Compotus.** An account.

**Compound.** To compromise; to settle out of court.

**Compound interest.** Interest upon accrued interest added to interest upon the principal sum.

**Compound larceny.** Stealing from the person or from a dwelling-house in daytime. See 85 Ky. 597, 4 S. W. 351.

**Compounding a felony.** The offense of agreeing for a consideration not to prosecute a crime. See 16 Mass. 91.

**Compromise.** A settlement by agreement of matters in dispute.

**Compte arrête.** (French) Same as Account stated.

**Compter.** See Counter.

**Comptroller.** Same as Controller.

**Compulsion.** Impelling one to do an act by physical or moral force.

**Compulsory.** Under compulsion.

**Compurgation.** An old form of trial wherein the defendant could call twelve compurgators to swear to their belief in his innocence.

**Compurgator.** One of those who in a trial by wager of law swore to the innocence of the defendant.

**Comte.** (French) A count.

**Conacre.** (Irish) A tenancy wherein wages are wholly or partly credited to rental.

**Concealer.** One employed to discover lands secretly kept from the king.

**Concealment.** A suppression or neglect to disclose that which one knows and ought to communicate. See 3 Conn. 413.

**Concedere.** To grant.

**Concessi.** I have granted.

**Concessimus.** We have granted.

**Concessio.** A grant.

**Concessio per regem fieri debet de certitudine.** A grant from the king ought to be of that which can be ascertained.

**Concessio versus concedentem latam interpretationem habere debet.** A grant ought to have a broad construction against the grantor.

**Concession.** A grant.

**Concessor.** A grantor.

**Concilium.** A council.

**Conclusion.** Matter in a declaration following the statement of the cause of action. See 7 Ark. 282. The formal closing of a plea.

**Conclusion of fact.** Inferences drawn from the subordinate or evidentiary facts. See 175 Ill. 480, 51 N. E. 775.

**Conclusion of law.** A legal inference. See 28 Minn. 69, 9 N. W. 75.

**Conclusion to the country.** The end of a plea tendering an issue of fact for the jury.

**Conclusive evidence.** Evidence deemed as conclusively proving a fact. See 13 N. Y. 509, 67 Am. Dec. 62.

**Conclusive presumption.** A presumption which is not subject to rebuttal. See 81 App. Div. 183, 80 N. Y. Supp. 1002.

**Concord.** Settlement; compromise.

**Concordare leges legibus est optimus interpretandi modus.** To reconcile laws with other laws is the best method of interpreting them.

**Concordat.** An agreement; a covenant. In civil law, a composition deed.

**Concourse of actions.** (Scotch) The simultaneous maintenance of a civil action and a criminal prosecution for the same act.

**Concrimination.** Accusation of two or more for the same offense.

**Concubaria.** A cattle-pen.

**Concubeant.** Lying together.

**Concubinage.** Continuous and regular illicit intercourse. See 124 Ill. 607, 7 Am. St. Rep. 391, 17 N. E. 68.

**Concubinatus.** A legalized concubinage under the Roman law.

**Concubine.** A woman living with a man as his wife, but not married to him. See 124 Ill. 607, 7 Am. St. Rep. 391, 17 N. E. 68.

**Conculcavit et consumpsit.** He trampled upon and destroyed.

**Concur.** To agree with; to make claim with other creditors against an insolvent's estate.

**Concurrent.** Equal in rank; running together.

**Concurrent consideration.** One received when one is given.

**Concurrent jurisdiction.** Equal jurisdiction of two or more courts over the same matter. See 89 Me. 41, 35 Atl. 1007.

**Concurrent promises.** Those where the acts to be performed are simultaneous. See 16 Pet. (U. S.) 169, 10 L. Ed. 925.

**Concurrent resolution.** One adopted by both houses of Congress and not requiring the President's signature.

**Concurrent sentences.** Sentences running concurrently, not seriatim.

**Concurrent writs.** Writs issued for the same purpose to be used in different places or in respect to different persons.

**Concurso.** (Civil Law) A proceeding resembling interpleader. See 52 La. Ann. 2070, 28 South. 217.

**Concursus.** Same as Concurso.

**Concuss.** To exercise threats or duress.

**Concussio.** Extortion.

**Concussion.** Extortion; compulsion by threats and without force.

**Condemn.** To adjudge guilty; to pass sentence upon; to adjudge unfit for use; to take private property for public use.

**Condemnation.** Passing sentence upon one convicted; to adjudge as unfit for use, as a ship or a building; the taking of private property for public use. See 101 Cal. 15, 40 Am. St. Rep. 17, 35 Pac. 353.

**Condere.** To make; to establish.

**Condescendence.** (Scotch) A plaintiff's written statement of his cause of action.

**Condictio.** An action; a summons.

**Conditio.** A condition.

**Conditio beneficialis, quae statum construit, benigne, secundum verborum intentionem est interpretanda; odiosa autem, quae statum destruit, stricte, secundum verborum proprietatem, accipienda.** A beneficial condition which creates an estate, ought to be interpreted favorably, according to the intent of the language; but an odious condition which destroys an estate, should be construed strictly according to the letter.

**Conditio dicitur, cum quid in casum incertum qui potest tendere ad esse aut non esse, confertur.** It is called a condition when something is given on an uncertain event which may or may not happen.

**Conditio illicita habetur pro non adjicta.** An unlawful condition is held not to be binding.

**Conditio praecedens adimpleri debet priusquam, sequatur effectus.** A condition precedent is to be fulfilled before the effect can follow.

**Conditio sine qua non.** An indispensable condition.

**Condition.** A restriction; a circumstance as distinguished from a cause. See 29 Fla. 590, 10 South. 590.

**Condition inherent.** A condition not newly imposed but previously existing.

**Condition meritorious.** Where the event upon which the obligation becomes payable is in the power of the obligee. See 2 Southard (5 N. J. L.), 756.

**Condition precedent.** Such as must happen or be performed before either contracting party is bound. See 96 U. S. 24, 24 L. Ed. 644.

**Condition resolutory.** Same as Condition subsequent.

**Condition subsequent.** One which follows the principal act or obligation, often as a defeasance. See 34 N. J. L. 496, 3 Am. Rep. 256.

**Condition suspensive.** Same as Condition precedent.

**Conditional acceptance.** A qualified acceptance of a bill of exchange whereby the drawee assents to liability on the happening of a contingency.

**Conditional fee.** A fee limited to descend to a particular class of heirs. See 2 Bl. Comm. 110.

**Conditional limitation.** The limitation of the duration of an estate by the happening of a contingency. See 2 Bl. Comm. 155.

**Conditional obligation.** One depending upon the existence of a condition.

**Conditional pardon.** A pardon ineffective until a condition has been performed. See 1 Nev. 319.

**Conditional sale.** One wherein title does not vest in the vendee until full payment or the performance of some other condition; one conditioned for repurchase by the vendor. See 1 Pa. St. 190, 44 Am. Dec. 121.

**Conditional stipulation.** A stipulation dependent upon a condition.

**Conditionem testium tunc inspicere debemus cum signarent, non mortis tempore.** We ought to consider the condition of witnesses as of the time when they signed, not at the time of the testator's death.

**Conditiones quaelibet odiosae; maxime autem contra matrimonium et commercium.** Any conditions are odious; especially those against marriage and commerce.

**Conditions of sale.** The terms and conditions of an auction sale.

**Condominium.** Joint ownership.

**Condonacion.** (Spanish) Forgiveness of a debt.

**Condonation.** Forgiveness.

**Conductio.** A hiring.

**Conduct-money.** A witness' reimbursement for expenses.

**Cone and key.** Accounts and keys, a symbol of the fitness of a woman to assume the care of a house.

**Confarreatio.** An ancient Roman marriage ceremony.

**Confectio.** Execution of a written instrument.

**Confederacy.** A contract or agreement for mutual support; a confederation.

**Confederation.** An agreement; a compact.

**Confessio facta in judicio omni probatione major est.** A confession made in court is greater than all proof.

**Confession.** The voluntary declaration of a person who has committed crime, to another, of his participation therein. See 6 Am. St. Rep. 242, note.

**Confession and avoidance.** Used of a plea which admits but alleges facts which justify, excuse or obviate the admission. See 9 Minn. 194, 86 Am. Dec. 93.

**Confession of judgment.** A formal acknowledgment of an obligation or indebtedness before a court, upon which a judgment may be entered against the maker. See 53 Barb. (N. Y.) 615.

**Confessor.** A priest who hears confessions.

**Confessus in judicio pro judicato habetur et quodammodo sua sententia damnatur.** One who confesses in court is held to have been adjudged and in a manner is condemned by his own sentence.

**Confidence game.** Any swindling operation in which advantage is taken of confidence reposed by the victim in the swindler. See Ann. Cas. 1912A, 758, note.

**Confidence man.** A swindler; a trickster.

**Confidential communication.** One concerning which the receiver need not testify.

**Confidential relations.** Such as attorney and client, physician and patient, guardian and ward, in which high trust should prevail. See 87 Md. 377, 40 Atl. 256.

**Confirmare est id quod prius infirmum fuit simul firmare.** To confirm is to make firm what was previously infirm.

**Confirmare nemo potest prius quam jus ei acciderit.** No one can confirm a right before it has fallen to him.

**Confirmat usum qui tollit abusum.** He confirms a use who removes an abuse.

**Confirmatio.** A confirmation.

**Confirmatio chartarum.** A statute confirming Magna Charta and Carta de Foresta.

**Confirmatio crescens.** A confirmation increasing a rightful estate.

**Confirmatio diminuens.** A confirmation releasing part of the services supporting a tenure.

**Confirmatio est nulla, ubi donum praecedens est invalidum.** A confirmation is a nullity, where the preceding gift is invalid.

**Confirmatio omnes supplet defectus, licet id quod actum est ab initio non valuit.** Confirmation supplies all defects, though what has been done was not valid at the beginning.

**Confirmatio perficiens.** A confirmation making valid a defeasible title.

**Confirmation.** Ratification; affirmance; the cure of a defective title by a conveyance. See 14 Cal. 279.

**Confirmation of executor.** (Scotch) The formal clothing of the executor with title.

**Confirmation of title.** A conveyance of some right to one who has possession or some estate in the land. See 95 U. S. 551, 24 L. Ed. 456.

**Confirmavi.** I have confirmed or ratified.

**Confirmee.** One to whom a right is confirmed.

**Confirmor.** One who makes a confirmation.

**Confiscare.** To confiscate.

**Confiscate.** To adjudge forfeited; to appropriate property. See 3 U. S. 199, 1 L. Ed. 568.

**Confiscation cases.** Cases construing the Confiscation Act of 1861. See 7 Wall. (U. S.) 454, 19 L. Ed. 196; 20 Wall. (U. S.) 92, 22 L. Ed. 320.

**Confisk.** To confiscate.

**Confitens reus.** One charged with crime who confesses.

**Conflict of laws.** Conflicting differences in laws of different jurisdictions as affecting one controversy.

**Conformity.** Adherence to the Church of England.

**Conformity, bill of.** A bill in equity to marshal assets filed by an executor.

**Confrairie.** A brotherhood.

**Confrontation.** The practice of bringing a witness to face one whom he accuses.

**Confusio.** The mingling of goods of different owners.

**Confusion.** The merger of titles in one person; an extinction of an obligation by the merger of obligor and obligee; the mingling of goods of different owners. See 101 Am. St. Rep. (Pa.) 904.

**Confusion of rights.** A merger of obligor and obligee in one person.

**Congé.** Leave to depart.

**Congé d'accorder.** Leave to agree with the plaintiff in levying a fine.

**Congé d'appel.** (Civil Law) Leave to appeal.

**Congé de défaut.** Dismissal by reason of the plaintiff's default.

**Congé d'emparler.** Leave to imparl, i. e., to settle an action amicably.

**Congé d'eslire.** Leave to choose a bishop.

**Congeable.** Lawful.

**Congius.** An old Roman measure of about a gallon.

**Congress.** The United States national legislature; any formal gathering of representatives.

**Conjectio causae.** A statement of the case.

**Conjecture.** A guess upon slight evidence.

**Conjoints.** Persons owning jointly; husband and wife.

**Conjugal rights.** Rights of husband and wife, as such.

**Conjugium.** Marriage.

**Conjunct.** Concurrent; joint.

**Conjuncta.** Joined; united.

**Conjunctim.** Jointly.

**Conjunctim et divisim.** Jointly and severally.

**Conjunctio mariti et feminae est de jure naturae.** The union of husband and wife is according to the law of nature.

**Conjunctive.** Together; jointly.

**Conjuratio.** A conspiracy.

**Conjuration.** Conspiracy; a criminal plot.

**Conjurator.** A conspirator.

**Connivance.** A spouse's consent to the other's act which is ground for divorce. See 121 Cal. 12, 53 Pac. 403.

**Connoissement.** (French) A bill of lading.

**Connubium.** Marriage.

**Conocimiento.** (Spanish) A bill of lading.

**Conpossessio.** A joint possession.

**Conquereur.** The first purchaser of an estate.

**Conqueror.** William the Conqueror, King of England, 1066–1087; a purchaser.

**Conquest.** (Feudal Law) Acquisition otherwise than by inheritance; the Norman Conquest, which see.

**Conquestus.** Acquisition.

**Conquets.** (Civil Law) Same as Acquest.

**Conquisitio.** Acquisition.

**Conquisitor.** A purchaser; a conqueror.

**Consanguineous.** Of the same blood; descended from the same ancestor or parent.

**Consanguineous frater.** A brother born of the same father.

**Consanguineus.** Related by blood.

**Consanguineus est quasi eodem sanguine natus.** One related by consanguinity is, as it were, born of the same blood.

**Consanguinity.** Blood relationship.

**Conscience.** One's internal judgment of right and wrong. See 7 Cal. 140.

**Conscience, courts of.** See Courts of Conscience.

**Conscience money.** Money paid in settlement of an obligation previously evaded or concealed.

**Conscientia dicitur a con et scio, quasi scire cum deo.** Conscience

is called from con and scio, as it were to know with God.

**Conscientia rei alieni.** Knowledge of another's ownership.

**Conscientiae detrimentum.** Shipwreck of conscience. See 5 Rep. (Eng.) 125.

**Conscionable.** According to honesty.

**Consecratio est periodus electionis; electio est praeambula consecrationis.** Consecration is the termination of election; election is the preamble of consecration.

**Conseil.** Counsel.

**Conseil de famille.** (French) Sanction of the family.

**Conseil judiciaire.** (French) A sort of guardian appointed by a court to protect a spendthrift's estate.

**Consensual.** Depending upon consent.

**Consensual contract.** (Civil Law) A contract enforceable by reason of the mere consent of the parties.

**Consensus est voluntas plurium ad quos res pertinet, simul juncta.** Consent is the joint will of many persons to whom the thing belongs.

**Consensus facit legem.** Consent makes law. See 54 Ark. 101, 11 L. R. A. 452, 15 S. W. 18.

**Consensus, non concubitus, facit matrimonium.** Consent, not cohabitation, constitutes a marriage. See 25 Utah, 129, 95 Am. St. Rep. 821, 58 L. R. A. 723, 69 Pac. 660.

**Consensus, non concubitus, facit nuptias vel matrimonium, et consentire non possunt ante annos nubiles.** Consent, not cohabitation, makes nuptials or marriage and those under marriageable age cannot consent.

**Consensus tollit errorem.** Consent waives a mistake. See 11 Allen (Mass.), 138.

**Consensus voluntas multorum ad quos res pertinet, simul juncta.** Consent is the will of several joining simultaneously in one affair.

**Consent.** A meeting of the minds on the same matter.

**Consent rule.** A confession filed by a defendant in ejectment admitting all essential facts. See 4 Johns. (N. Y.) 311.

**Consentientes et agentes pari poena plectentur.** Consenting persons and those acting are subject to the same penalties.

**Consentire matrimonio non possunt infra annos nubiles.** They cannot consent to marriage who are under marriageable age.

**Consentire videtur qui tacet.** Silence makes consent.

**Consequentiae non est consequentia.** A consequence is not the result of a consequence.

**Consequential damages.** Damages mediately resulting from an act.

**Conservator.** A guardian.

**Conservators of the peace.** Officers formerly appointed in England to preserve the public peace.

**Conservatrix.** A female conservator.

**Consessimus.** We have granted.

**Consideratio curiae.** The court's judgment.

**Consideration.** Inducement; quid pro quo; motive.

**Consideratum est per curiam.** It is considered by the court.

**Consideratur.** It is considered.

**Consign.** To send goods to one for sale or for custody.

**Consignatio.** A consignment.

**Consignation.** Consignment.

**Consignee.** One to whom goods are consigned.

**Consignment.** The act of consigning goods to one for sale or custody.

**Consignor.** One sending goods on consignment.

**Consilia multorum requiruntur in magnis.** The advice of many is required in affairs of magnitude.

**Consiliarius.** A counselor.

**Consilium, or dies consilii.** A day set for an argument or hearing.

**Consimili casu.** A writ by which a reversioner recovered land from the alienee of a life tenant.

**Consistory.** An ecclesiastical court.

**Consistory court.** An ecclesiastical court, also known as the Bishop's Court, which see.

**Consolato del mare.** A maritime code in force in the Mediterranean, compiled about 1000 A. D.

**Consolidated fund.** The combined revenue of Great Britain and Ireland.

**Consolidated orders.** A compilation of orders regulating English chancery practice in 1860.

**Consolidation of actions.** The combining of two or more actions involving the same controversy into one suit. See 1 Ala. 77.

**Consolidation rule.** A rule or order for the consolidation of two or more actions in one. See 19 Wend. (N. Y.) 63.

**Consols.** Consolidated annuities, the English Funded Debt.

**Consortio malorum me quoque malum facit.** The companionship of the wicked makes me also wicked.

**Consortium.** Conjugal fellowship and society. See 150 N. Y. 176, 55 Am. St. Rep. 670, 34 L. R. A. 156, 44 N. E 773; also Ann. Cas. 1912B, 1120.

**Consortium vicinorum.** Society of one's neighbors.

**Conspiracy.** A combination of two or more persons to procure an unlawful object, or to procure a lawful object by unlawful means. See 159 Pa. St. 420, 39 Am. St. Rep. 686, 23 L. R. A. 135, 28 Atl. 190.

**Conspirators.** Persons joining in a conspiracy.

**Constable.** A peace officer who serves process in minor cases.

**Constablery.** The jurisdiction of a constable.

**Constablewick.** The jurisdiction of a constable.

**Constabulary.** The constables of a district.

**Constat.** It is clear; a certificate that certain matters appear of record. See 2 N. C. 410.

**Constate.** To verify or prove.

**Constating instruments.** Documents fixing the charter of a corporation. See 37 N. J. Eq. 363.

**Constituent.** An agent's principal.

**Constituere.** To appoint; to establish; to ordain.

**Constituted authorities.** The existing lawfully appointed officers of the government.

**Constitutio.** A constitution; a statute.

**Constitutio dotis.** Establishment of dower.

**Constitution.** The fundamental law governing a state.

**Constitution of the United States.** The fundamental law of the United States in effect March 4, 1789.

**Constitutional.** Consonant with the constitution.

**Constitutional convention.** A convention of delegates met to form or amend a constitution.

**Constitutiones.** Laws of the Roman emperors.

**Constitutiones tempore posteriores potiores sunt his quae ipsas praecesserunt.** Later laws prevail over those which preceded them.

**Constitutions of Clarendon.** English statutes passed in 1164 limiting the powers of the church.

**Constitutor.** One promising to pay another's debt.

**Constitutum.** An agreement to pay an existing debt.

**Constitutum esse eam domun unicuique nostrum debere existimari, ubi quisque sedes et tabulas haberet, suarumque rerum constitutionem fecisset.** It is established that the home of each of us is considered to be where he has his abode and his books and where he may have made an establishment of his business.

**Constraint.** Duress; restraint.

**Constructio legis non facit injuriam.** The interpretation of the law works no wrong.

**Construction.** Interpretation; explanation.

**Construction, court of.** See Court of Construction.

**Constructive.** Presumed; inferred; imputed.

**Constructive contempt.** An act committed out of court but tending to obstruct justice.

**Constructive notice.** Notice conclusively presumed. See 109 U. S. 504, 27 L. Ed. 1012, 3 Sup. Ct. Rep. 357.

**Constructive trust.** Exists when property is purchased in the name of one, but the consideration is paid by another and such property will be held by the former in trust for the latter. See 97 Cal. 575, 33 Am. St. Rep. 209, 21 L. R. A. 33, 32 Pac. 579.

**Consuetudinary law.** Law established by custom.

**Consuetudo.** A custom or usage.

**Consuetudo contra rationem introducta, potius usurpatio quam consuetudo appellari debet.** A custom introduced contrary to reason ought rather to be called a usurpation than a custom.

**Consuetudo curiae.** The custom of the court.

**Consuetudo debet esse certa; nam incerta pro nullis habentur.** A custom should be certain, for uncertain things are held as nothing.

**Consuetudo debet esse certa.** A custom ought to be certain.

**Consuetudo est altera lex.** Custom is another sort of law.

**Consuetudo est optimus interpres legum.** Custom is the best interpreter of law.

**Consuetudo et communis assuetudo vincit legem non scriptam, si sit specialis, et interpretatur legem scriptam, si lex sit generalis.** Custom and common usage override the unwritten law, if it is special, and explain the written law, if the law is general.

**Consuetudo ex certa causa rationabili usitata privat communem legem.** Custom adopted from certain reasonable cause supersedes the common law.

**Consuetudo, licet sit magnae auctoritatis, nunquam tamen praejudicat manifestae veritati.** Custom, though it may be high authority, should never be prejudicial to plain truth.

**Consuetudo loci observanda est.** The custom of the locality should be observed.

**Consuetudo manerii et loci observanda est.** The custom of the manor and the locality should be observed.

**Consuetudo mercatorum.** The custom of merchants.

**Consuetudo neque injuria oriti, neque tolli potest.** A custom can neither spring from nor be overcome by a wrongful act.

**Consuetudo non habitur in consequentiam.** A custom should not be turned into a consequence.

**Consuetudo non trahitur in consequentiam.** Custom is not to be drawn into consequence.

**Consuetudo praescripta et legitima vincit legem.** A prescriptive and lawful custom prevails over law.

**Consuetudo regni Angliae est lex Angliae.** The custom of the English kingdom is the law of England.

**Consuetudo semel reprobata non potest amplius induci.** A custom once denied cannot be further invoked.

**Consuetudo tollit communem legem.** Custom supersedes the common law.

**Consuetudo vincit communem legem.** Custom supersedes the common law.

**Consuetudo volentes ducit; lex nolentes trahit.** Custom leads the willing; law drags the unwilling.

**Consul.** A government agent in a foreign place to protect the citizens and trade of his country. See 103 U. S. 261, 26 L. R. A. 539.

**Consular agent.** An officer having functions similar to a consul's but of lesser authority.

**Consular courts.** Courts presided over by a foreign consul.

**Consulatory response.** A court's opinion on a matter submitted.

**Consultation.** See Writ of consultation.

**Consummate.** To complete; to carry out.

**Consummation of marriage.** Completion by sexual intercourse. See 75 Cal. 1, 16 Pac. 345.

**Contango.** A broker's charge for carrying over a customer's account to the next settling day.

**Contek.** Strife; contention.

**Contemner.** One guilty of contempt.

**Contemplation of bankruptcy.** An intention to go through bankruptcy. See 3 McLean (U. S.), 587, Fed. Cas. No. 8888.

**Contemporanea expositio est optima et fortissima in lege.** A contemporaneous exposition is the best and most powerful in law.

**Contempt.** Disobedience of court orders or breach of decorum of a court. See 85 Cal. 603, 20 Am. St. Rep. 248, 25 Pac. 256.

**Contempt of court.** The willful disregard of a court's authority. See 11 Mont. 126, 28 Am. St. Rep. 451, 27 Pac. 336.

**Contemptibiliter.** Contemptuously.

**Contenement.** That which is necessarily appurtenant to a tenement.

**Contentious jurisdiction.** Jurisdiction of causes between contending parties.

**Conterminous.** Having a common boundary.

**Contestatio litis.** An issue, joinder of issue.

**Contestatio litis eget terminos contradictarios.** An issue requires contradictory conclusions.

**Context.** Accompanying words of a writing.

**Contiguous.** Adjoining; adjacent; touching.

**Continens.** (Roman Law) Joined together.

**Contingency.** An event which may happen. See 39 Barb. (N. Y.) 272.

**Contingency with double aspect.** A second remainder limited to take effect in case the first one fails.

**Contingent damages.** Damages awarded on the trial of counts not demurred to before decision on the demurrer to other count or counts. See 1 Strange, 431.

**Contingent estate.** One wherein the person who is to enjoy it, or the event upon which it is to arise, is uncertain. See 185 Pa. St. 179, 64 Am. St. Rep. 621, 39 Atl. 879; 64 Am. St. Rep. 658, note.

**Contingent fee.** An attorney's fee made dependent upon the outcome of the suit.

**Contingent legacy.** A legacy dependent upon an uncertain event.

**Contingent remainder.** One so conditioned upon an uncertain event. See 89 Mich. 428, 28 Am. St. Rep. 310, 50 N. W. 1077.

**Contingent use.** A use the vesting of which is conditioned upon an uncertain event. See 4 N. J. L. 94.

**Continual claim.** An attempted entry by one entitled to possession made once each year and day to keep alive his right.

**Continuance.** Postponement; adjournment.

**Continuando.** A form of pleading continued or repeated trespasses in one action. See 2 Mass. 50.

**Continuing consideration.** A consideration partly executed.

**Continuous easement.** An easement enjoyed without any act of the dominant owner, as an easement of light and air. See 68 N. Y. 66, 23 Am. Rep. 149.

**Contra.** Against; to the contrary.

**Contra bonos mores.** Against good morals.

**Contra forman collationis.** A writ by which a donor of lands to be held by religious service could recover it after wrongful alienation.

**Contra formam doni.** Against the form of the grant.

**Contra formam feoffamenti.** A writ whereby a tenant could resist the demanded performance of more services than the charter of his ancestor required.

**Contra formam statuti in hoc casu nuper edict' et provis'.** Against the form of the statute in such case lately made and provided.

**Contra jus belli.** Against the laws of war.

**Contra jus commune.** Against common right.

**Contra legem facit qui id facit quod lex prohibet; in fraudem vero qui, salvis verbis legis, sententiam ejus circumvenit.** He acts contrary to law who does what the law prohibits; but he acts in fraud of it who, the letter of the law being inviolate, cheats the spirit of it.

**Contra legem terrae.** Against the law of the land.

**Contra negantem principia non est disputandum.** It is useless to dispute with one who denies principles.

**Contra non valentem agere nulla currit praescriptio.** No prescription runs against one who is unable to act.

**Contra omnes gentes.** Against all the people.

**Contra pacem.** Against the peace.

**Contra pacem domini regis.** Against the peace of our lord the king.

**Contra proferentem.** Against the offeror.

**Contra tabulas.** Contrary to the will.

**Contra veritatem lex nunquam aliquid permittit.** The law never allows anything contrary to the truth.

**Contraband of war.** Goods which a neutral cannot ship to a belligerent without violating a treaty or international law. See 4 Heisk. (Tenn.) 345.

**Contracausator.** One guilty of crime.

**Contract.** An agreement between two or more to do or not to do a particular thing. See 11 Pet. (U. S.) 420, 9 L. Ed. 773.

**Contract of beneficence.** One benefiting only one of the parties.

**Contract of record.** A term sometimes applied to a judgment. See 95 N. Y. 428.

**Contractio rei alienae animo furandi, est furtum.** Larceny is the taking and carrying away of a thing with intent to steal.

**Contractor.** A party to a contract.

**Contractus.** A contract.

**Contractus bonae fidei.** A Roman law contract subject to an equitable defense.

**Contractus est quasi actus contra actum.** A contract is, as it were, an act for an act.

**Contractus ex turpi causa, vel contra bonos mores nullus est.** A contract with a base consideration or against good morals is void.

**Contractus legem ex conventione accipiunt.** Contracts take their law from the agreement.

**Contradict.** To disprove testimony which has been received.

**Contradiction in terms.** An expression contradicting itself.

**Contraescritura.** (Spanish) An instrument executed secretly by parties to a public contract to modify its terms.

**Contrafactio.** Counterfeiting.

**Contrainte par corps.** Arrest; imprisonment for debt.

**Contraligatio.** A counter-obligation.

**Contramandatio placiti.** Extending the time to plead.

**Contraplacitum.** A counter-plea.

**Contrapositio.** A plea.

**Contrariorum contraria est ratio.** The reason for contrary things is contrary.

**Contrarotulator.** (French) A controller.

**Contrat.** (French) A contract.

**Contratenere.** To withhold.

**Contravention.** Violation; infraction.

**Contrectare.** To take.

**Contrectatio rei alienae animo furandi, est furtum.** The taking of the goods of another with intent to steal is larceny.

**Contrefaçon.** (French) An infraction of a copyright

**Contribution.** Payment by co-obligors of their several shares of liability; a suit to compel such payment. See 4 Johns. Ch. (N. Y.) 545.

**Contributione facienda.** See De contributione facienda.

**Contributory.** One liable as a member to contribute to the assets on the winding up of a company.

**Contributory negligence.** Negligence of a plaintiff contributing, with the defendant's negligence,

as a cause to the plaintiff's own injury. See 59 Conn. 261, 21 Am. St. Rep. 104.

**Controller.** An officer in charge of financial affairs of a public or private corporation.

**Controlment.** The checking of an account.

**Controver.** An inventor of false news.

**Controversy.** The claim of a litigant before a court for adjudication by regular proceedings established for protection and redress. See 154 U. S. 447, 38 L. Ed. 1047, 14 Sup. Ct. Rep. 1125.

**Contubernium.** A marriage of slaves.

**Contumace capiendo.** See De contumace capiendo.

**Contumacy.** Contemptuous disobedience of a judicial order.

**Contumax.** An outlaw.

**Contusion.** A bruise without a breaking of the skin.

**Contutor.** A coguardian.

**Conus.** Known.

**Conusance.** Same as Cognizance.

**Conusance of pleas.** Exclusive jurisdiction.

**Conusant.** Having notice or knowledge.

**Conusee.** One to whom a recognizance is made.

**Conusor.** One entering into a recognizance.

**Convalescere.** To become valid.

**Convenable.** Suitable; proper.

**Convene.** (Civil Law) To file an action.

**Convenire.** To covenant; to sue.

**Convenit.** It is agreed.

**Conventicle.** A prayer-meeting of dissenters.

**Conventio.** An agreement or covenant.

**Conventio privatorum non potest publico juri derogare.** An agreement of private parties cannot derogate from public right.

**Conventio vincit legem.** The contract controls the law. See 14 Gray (Mass.), 446.

**Convention.** A contract; a covenant; an agreement.

**Convention in unum.** A meeting of the minds.

**Conventional.** Based or founded upon contract.

**Conventional estates.** Estates other than for life or of inheritance created by acts of the parties.

**Conventional obligation.** One arising out of contract.

**Conventional subrogation.** The right of subrogation springing from an express agreement with a debtor that the security shall be kept alive for the benefit of the maker of the payment. See 168 Ill. 618, 61 Am. St. Rep. 146, 48 N. E. 161.

**Conventione.** A writ for breach of covenant.

**Conventual church.** A church attached to a convent.

**Conventus.** A contract; an agreement.

**Conventus juridicus.** A Roman civil court.

**Conversantes.** Conversant with; informed upon.

**Conversation.** See Criminal conversation.

**Conversion.** An unlawful exercise of dominion over, an intentional change in the nature or destruction of the chattel of another. See 24 Am. St. Rep. 795, note. Changing realty to personalty, or the reverse.

**Convey.** To transfer.

**Conveyance.** A transfer of property; the document effecting a transfer. See 21 Barb. (N. Y.) 551.

**Conveyance by record.** One evidenced by a court's order.

**Conveyancer.** One making a business of conveyancing.

**Conveyancing.** Preparing documents for the transfer of property and investigating the title thereto. See 3 Mass. 487.

**Convicia si irascaris tua divulgas; spreta exolescunt.** If you are angered by insults, you publish them; despised, they are forgotten.

**Convicium.** Insult; slander.

**Convict.** One who is undergoing sentence for crime.

**Convict lease.** A letting out of convicts to serve a contractor.

**Conviction.** Finding guilty one accused of crime. See 48 La. Ann. 109, 35 L. R. A. 701, 18 South. 943.

**Convivium.** A land tenure by service of providing food and drink to the lord.

**Convocation.** An assembly of the English clergy.

**Convoy.** A naval escort for a merchantman.

**Co-obligor.** One of two or more persons jointly obligated.

**Cooling time.** The time after a provocation during which the provocation is deemed active. See 3 Gratt. (Va.) 594, 46 Am. Dec. 196.

**Co-operative business corporations.** Those authorized to divide profits with persons other than the stockholders.

**Co-opertus.** Covered.

**Coparcenary, estates in.** Estates inherited by two or more jointly.

**Coparceners.** Joint heirs of an estate.

**Coparticeps.** A coparcener.

**Copartner.** A partner.

**Copartnership.** A partnership.

**Copartnery.** (Scotch) A partnership.

**Cope.** A duty on lead from Derbyshire mines.

**Copeman.** A chapman or peddler.

**Copesmate.** A merchant.

**Copia.** A copy; opportunity.

**Copia vera.** A true copy.

**Copia libelli deliberanda.** (Eccles.) A writ commanding the defendant to furnish the plaintiff with a copy of the complaint.

**Coppa.** Crops stacked for tithing.

**Coppice, or copse.** A thicket.

**Copula.** Sexual intercourse.

**Copulatio verborum indicat acceptationem in eodem sensu.** Coupling of words indicates their use in the same sense. See 11 Allen (Mass.), 470.

**Copulative condition.** A condition depending upon the happening of each of several events.

**Copyhold.** An English land tenure in which the tenant held under a copy of the roll in the lord's court; the land so held. See 2 Bl. Comm. 95.

**Copyholder.** A tenant who held by copyhold.

**Copyright.** An exclusive right or privilege of publishing one's literary or artistic works. See 99 U. S. 674, 25 L. Ed. 308.

**Copyrighted.** A term implying that the protection applicable to copyrights has been secured. See 16

Colo. 388, 25 Am. St. Rep. 279, 26 Pac. 556.

**Coram domino rege ubicunque tunc fuerit angliae.** Before our lord the king wherever he may then be in England.

**Coram ipso rege.** In the presence of the king himself.

**Coram me vel justiciariis meis.** Before me or my justices.

**Coram nobis.** In our presence; before us.

**Coram non judice.** Acts done without jurisdiction. See 1 Conn. 40, 6 Am. Dec. 200.

**Coram paribus.** In the presence of peers or equals.

**Coram paribus de vicineto.** Before his peers in the neighborhood.

**Coram sectatoribus.** Before the suitors.

**Coram vobis.** Before you.

**Corespondent.** One accused in divorce of adultery with the defendant.

**Corf.** A box coal carrier used in mining coal.

**Corium forfisfacere.** Forfeiture of skin; punishment by flogging.

**Corn laws.** Statutes regulating commerce in grain.

**Cornage.** A tenure by the service of blowing a horn to warn of a Scotch invasion.

**Corn-rents.** Rents paid in corn.

**Corodium.** Corody.

**Corody.** An incorporeal hereditament allowing means of sustenance to the holder.

**Corona.** A crown.

**Coronare.** To crown; to make one a priest.

**Coronare filium.** To make one's son a priest.

**Coronator.** Coroner.

**Coroner.** An officer charged with the duty of holding inquests over the bodies of persons dying by violence. See 20 Ga. 336.

**Corporal.** Pertaining to the body.

**Corporal oath.** Swearing on the Bible.

**Corporale sacaramentum.** A corporal oath.

**Corporalis injuria non recipit aestimationem de futuro.** Bodily injury does not look to future proceedings for compensation.

**Corporation.** A corporation is an artificial being, invisible, intangible, and existing only in contemplation of law. See 17 U. S. 518, 4 L. Ed. 629.

**Corporation aggregate.** A corporation composed of more than one person.

**Corporation de facto.** One organized and operated under color of law, but not legally constituted. See 80 Tex. 344, 26 Am. St. Rep. 743.

**Corporation de jure.** One whose right to exercise a corporate function is proof against quo warranto proceedings. See 40 Neb. 470, 24 L. R. A. 259.

**Corporation sole.** A corporation having but one member. See 23 Wend. (N. Y.) 103.

**Corporator.** One joining in the formation of a corporation.

**Corpore et animo.** In body and mind.

**Corporeal.** Having substance; tangible.

**Corporeal hereditaments.** Such inheritable property as may be perceived by the senses, e. g., land. See 2 Bl. Comm. 19.

**Corporeal property.** Property which may be perceived by the senses, as land.

**Corps diplomatique.** The diplomatic corps.

**Corpse.** A dead human body.

**Corpus.** A body.

**Corpus comitatus.** The body or inhabitants of a county.

**Corpus corporatum.** A corporation.

**Corpus cum causa.** See Habeas corpus cum causa.

**Corpus delicti.** The body of the crime; the fact that the crime charged has been committed. See 43 Miss. 472.

**Corpus humanum non recipit aestimationem.** The human body is not susceptible of valuation.

**Corpus juris canonici.** The decrees of the Roman church.

**Corpus juris civilis.** The whole body of the Roman law, being the Digest, the Institutes, the Code and the Novellae of Justiuian.

**Correction, house of.** See House of Correction.

**Corregidor.** (Spanish) The chief magistrate of a town.

**Correi credendi.** Joint creditors.

**Correi debendi.** Joint debtors.

**Corroborate.** To testify in confirmation of other testimony.

**Corruptio optimi est pessima.** Corruption of the best is the worst. See 221 U. S. 263, 55 L. Ed. 729, 31 Sup. Ct. Rep. 555.

**Corruption.** Official dishonesty, such as bribery. See 43 Wis. 344.

**Corruption of blood.** Disqualification to inherit, as by attainder. See 110 N. Y. 317, 6 Am. St. Rep. 368, 1 L. R. A. 264, 18 N. E. 148.

**Corruptive.** Unlawfully; corruptly.

**Corse-present.** A gift to the priest from the decedent's property at the burial of his body.

**Corsned.** (Anglo-Saxon Law) A piece of bread given to an accused person.

**Cortes.** The national legislature of Portugal.

**Corvée.** (French) An exaction of labor for repair of roads, bridges, etc., of the inhabitants of a district.

**Cosa juzgada.** (Spanish) Res adjudicata.

**Cosbering.** The lord's right to sleep and eat at the tenant's house.

**Cosduna.** A custom; a tribute.

**Cosen, or cozen.** To cheat.

**Cosening.** Cheating.

**Coshering.** (Irish) An old custom by which the lord of the manor might feast at a tenant's house.

**Cosinage, cousinage, or cosenage.** Collateral relationship.

**Costipulator.** A joint promisor.

**Costs.** Court and official charges usually included in the judgment in a cause. See 58 Ala. 578.

**Costs de incremento.** Costs found by the court above those found by the jury. See 13 How. (U. S.) 372, 14 L. Ed. 186.

**Costs of prosecution.** Costs incurred by the plaintiff.

**Costs of the day.** Costs taxed against a party in a proceeding incidental to the main action.

**Costs to abide event.** Costs to be borne by the losing party on a new trial. See 50 Hun (N. Y.), 441, 3 N. Y. Supp. 297.

**Costumbre.** (Spanish) Custom.

**Cosurety.** One of two or more sureties jointly obligated.

**Cotarius.** A cottager.

**Cotenancy.** Exists if two or more are entitled in such manner that they have undivided possession,

but several freeholds. See 96 Mich. 459, 35 Am. St. Rep. 617, 56 N. W. 16.

**Coterelli.** Robbers.

**Coterellus.** A cottager holding at the will of the lord.

**Coteswold.** A place bare of wood.

**Cotland.** Land appendant to a cottage.

**Cotset.** A householder or tenant under an old English service tenure.

**Cotsethland.** Same as Cotland.

**Cotsetus.** Same as Cotset.

**Cottage, cota, or cottagium.** The service to which a cotset was bound; a dwelling.

**Couchant.** Lying down.

**Couchant et levant.** Lying down and getting up.

**Coucher.** A banker; a factor.

**Coucher de soel.** Sunset.

**Council.** The title of the governing body of many cities.

**Council of censors.** A council elected every seven years to examine into the conduct of state officials and constitutional violations.

**Council of conciliation.** An arbitration council for trade and labor disputes.

**Council of the north.** A court established under Henry VIII in the northern counties of England.

**Counsel.** A counselor; an attorney; the attorneys representing a litigant. See 15 N. J. L. 269.

**Counselor at law.** An attorney admitted to practice; an advising lawyer.

**Count.** The statement of one of two or more causes of action contained in one pleading; to plead. See 5 Johns. (N. Y.) 430.

**Count palatine.** (Old Eng.) The proprietor of a county.

**Countee.** An earl.

**Countenance.** Credit.

**Counter.** An attorney at law employed to conduct litigation.

**Counter-affidavit.** An affidavit in rebuttal.

**Counter-appeal.** A cross-appeal by the appellee.

**Counter-bond.** A bond indemnifying a surety.

**Counterclaim.** A defendant's affirmative claim pleaded as an offset of the plaintiff's. See 35 Wis. 618.

**Counterfeasance.** Counterfeiting.

**Counterfeit.** A fraudulent imitation of a genuine article. See 42 Me. 392.

**Counterfeiting.** The crime of making spurious coin in imitation of the genuine.

**Counterfoil.** The part of a document, torn off and retained by the maker, as a check stub.

**Counter-letter.** A defeasance by a separate instrument. See 11 Pet. (U. S.) 351, 9 L. Ed. 746.

**Countermand.** To revoke a previous order.

**Counterpart.** A duplicate; one of the parts of an indenture. See 17 Misc. Rep. 323, 40 N. Y. Supp. 381.

**Counter-plea.** A replication or plea in reply to another plea.

**Counter-roll.** A duplicate record.

**Counter-security.** Indemnification of a surety.

**Countersign.** To authenticate by an additional signature. See 33 Am. St. Rep. 712.

**Countez.** Count; Count the jury.

**Country.** The public; a jury; any place out of court. See Settlement in pais.

**County commissioners.** The title of the governing body of many counties.

**County corporate.** A county having a local government.

**County court.** A court whose jurisdiction is within the county.

**County palatine.** A county wherein the owner was practically a king.

**County rate.** A tax levy for county purposes.

**County seat.** The seat of government of a county.

**County sessions.** The general quarter sessions of the peace.

**Coupons.** Certificates attached to a bond, each representing an installment of interest, principal, or both, to be cut off by the holder and cashed by the obligee. See 43 Me. 232.

**Coupon bond.** An interest-bearing bond with coupons attached. See 114 U. S. 663, 29 L. Ed. 281, 5 Sup. Ct. Rep. 1098.

**Cour de cassation.** Court of Cassation.

**Course.** A survey line run with a compass or transit.

**Course of trade.** The trend of business; merchandise.

**Court.** Persons officially assembled under authority of law, for the administration of justice. See 13 Colo. 525, 16 Am. St. Rep. 224, 10 L. R. A. 790, 22 Pac. 820.

**Court for crown cases reserved.** Same as Court of Criminal Appeal.

**Court for divorce and matrimonial causes.** An English court established under 20 & 21 Vict., c. 85, having jurisdiction in divorces and annulments of marriage.

**Court for the relief of insolvent debtors in England.** A London bankruptcy court.

**Court hand.** The handwriting peculiar to English court records.

**Court of admiralty.** A court of civil and criminal jurisdiction in maritime cases.

**Court of ancient demesne.** A court held by the king's bailiff for tenants of the king's demesne.

**Court of appeals.** A court in which appeals from a lower court are heard.

**Court of arbitration of the chamber of commerce.** A New York city court for disputes among merchants.

**Court of arches.** An appellate ecclesiastical court presided over by the Dean of the Arches as the representative of the Archbishop of Canterbury.

**Court of attachments.** An ancient English court for the trial of offenders against forest laws.

**Court of augmentation.** An old English court for the control of the funds and property of monasteries.

**Court of bankruptcy.** A court having jurisdiction of bankruptcy proceedings.

**Court of cassation.** The highest court of appeal in France.

**Court of chancery.** A court of equity.

**Court of chivalry.** A court established by Edward III.

**Court of claims.** A United States court for the investigation of claims against the United States.

**Court of commerce.** A United States court established in 1910 and having jurisdiction principally in interstate commerce matters.

**Court of common pleas.** An English court having jurisdiction in civil actions.

**Court of convocation.** An ecclesiastical court for the trial of religious offenses.

**Court of criminal appeal.** A court composed of judges of the English superior courts which decided questions of law referred to it in pending criminal cases.

**Court of equity.** A court having jurisdiction of equity suits.

**Court of exchequer.** An English superior court with jurisdiction of matters of law and revenue.

**Court of exchequer chamber.** An English court with jurisdiction of appeals from the three superior courts.

**Court of faculties.** An English ecclesiastical court granting licenses, pew rights and the like.

**Court of hustings.** An English city court presided over by the mayor, the recorder and the sheriffs.

**Court of inquiry.** A court held for a preliminary investigation of charges against a soldier or an officer.

**Court of justiciary.** The supreme criminal court of Scotland.

**Court of king's bench.** Formerly the supreme English common-law court, now a department of the High Court of Justice.

**Court of magistrates and freeholders.** An abolished North Carolina criminal court for the trial of colored persons.

**Court of nisi prius.** An English court held by two or more commissioners sent out from London on a circuit to hold jury trials.

**Court of orphans.** A court for the care of orphans and their property.

**Court of oyer and terminer.** A state court for criminal cases.

**Court of passage.** An inferior court of record held at Liverpool.

**Court of peculiars.** A court from which an appeal lay to the Court of Arches, which see.

**Court of piepoudre.** An English court of record held by the steward of each fair or market.

**Court of policies of insurance.** An English court for insurance cases, established about 1550 and abolished in 1863.

**Court of probate.** A court for the probate of wills and the care of estates of decedents, minors and lunatics.

**Court of quarter sessions of the peace.** A minor English court held quarterly in each county by two justices of the peace.

**Court of queen's bench.** Same as Court of king's bench.

**Court of record.** One whose acts and proceedings are enrolled in parchment for a perpetual memorial and testimony. See 34 Cal. 391, 94 Am. Dec. 742.

**Court of regard.** A court for the expeditation of dogs. See 3 Bl. Comm. 71.

**Court of sessions.** The supreme civil court of Scotland.

**Court of star-chamber.** A court which tried certain high crimes without a jury, abolished under Charles I.

**Court of sweinmote.** A court held by the freeholders of the forest to try violations of forest laws.

**Court of the clerk of the market.** A court held at the time of a fair or market in England.

**Court of the coroner.** A coroner's inquest.

**Court of the Duchy of Lancaster.** An equity court of special jurisdiction in cases involving lands

held of the king in right of the Duchy of Lancaster.

**Court of the lord high steward.** A court for the trial of peers for felonies and other certain high crimes.

**Court of the lord high steward of the universities.** A court for the trial of indictments of Oxford and and Cambridge scholars and officers.

**Court of the marshalsea.** An English court having jurisdiction of cases involving royal servants.

**Court of the ordinary.** A court presided over by an English bishop.

**Court of the steward and marshal.** A court for the trial of cases arising within twelve miles of the king's actual residence.

**Court of the steward of the king's household.** An English court which tried certain crimes committed near the king's residence.

**Court of wards and liveries.** An obsolete English court for matters involving tenures in chivalry.

**Court-baron.** A court within a manor in which the tenants litigated and were tried.

**Courtesy.** The life estate which a widower has in the real property of which his wife was seised, if they have had lawful issue able to inherit. See 128 Am. St. Rep. 474, note.

**Court-lands.** Lands retained by the lord for his family use.

**Court-leet.** An old English court presided over by the steward of the leet, having jurisdiction in petty crimes and preliminary examinations.

**Court-martial.** A military court for the enforcement of military laws and regulations.

**Courts Christian.** Ecclesiastical courts. See 5 Rand. (Va.) 627, 16 Am. Dec. 776.

**Courts of assize and nisi prius.** Same as Court of nisi prius.

**Courts of conscience.** English courts for the collection of small debts.

**Courts of oyer and terminer and general gaol delivery.** Same as Courts of assize and nisi prius.

**Courts of requests, or courts of conscience.** See Courts of conscience.

**Courts of survey.** English and Welsh courts held under the Merchants' Shipping Act of 1894.

**Courts of the Cinque ports.** Courts of local jurisdiction held at the Cinque ports.

**Courts of the counties palatine.** Courts held in counties palatine.

**Courts of the two universities.** Courts of local jurisdiction held at Oxford and Cambridge. See 3 Bl. Comm. 83.

**Cousin.** (Old Eng.) Any peer of the degree of an earl.

**Cousinage.** The relationship of cousins.

**Coustum.** Toll; tribute.

**Couthutlaugh.** The harborer of an outlaw.

**Covenant.** An agreement under seal between two or more parties, by which some of them engage with the others, or some of them, that some act has or has not, or shall or shall not, be done. See 4 Whart. (Pa.) 68, 33 Am. Dec. 38.

**Covenant against encumbrances.** A covenant securing the grantee against claims of third parties in the land. See 68 Ohio St. 450, 96 Am. St. Rep. 672, 67 N. E. 896.

**Covenant appurtenant.** One which runs with the land.

**Covenant collateral.** One which does not relate to the grant.

**Covenant for further assurance.** The grantor's covenant to make any further conveyance necessary to perfect the title. See 26 Mo. 517.

**Covenant for quiet enjoyment.** A covenant undertaking to protect the grantee's possession from third party claims. See 9 N. J. L. 139.

**Covenant inherent.** One directly relating to the grant.

**Covenant not to sue.** An agreement not to enforce an existing cause of action.

**Covenant of right to convey.** A covenant asserting the grantor's right to convey. See 128 Ala. 267, 86 Am. St. Rep. 136, 29 South. 386.

**Covenant of seisin.** An assurance that the grantor has the very estate in quantity and quality which he purports to convey. See 125 Am. St. Rep. 443, note.

**Covenant of warranty.** One by which the grantor undertakes to warrant and defend the grantee's title. See 58 Conn. 109, 19 Atl. 519.

**Covenant real.** A covenant binding upon the heirs of the covenantor upon their inheriting assets.

**Covenant running with land.** A covenant binding upon transferees of land. See 79 Ala. 569, 58 Am. Rep. 623.

**Covenant to convey.** One by which the maker agrees to convey certain property.

**Covenant to stand seised to uses.** One by which a land owner covenants that he will hold the land for another's use.

**Covenantee.** One to whom performance of a covenant is due.

**Covenanter.** Same as covenantor.

**Covenator.** One who makes a covenant.

**Covenants performed.** A form of plea in actions of covenant, used in Pennsylvania. See 15 Serg. & R. (Pa.) 105.

**Coventry act.** An English statute against maiming by lying in wait.

**Covert.** Protected, as feme covert, a married woman.

**Covert-baron.** A married woman.

**Coverture.** The condition of a married woman.

**Covin.** Fraud; deceit; collusion.

**Cowitch.** A plant whose spines cause violent itching in contact with the skin. See 2 Pears. (Pa.) 441.

**Cranage.** License to use a wharf crane.

**Crassa.** Gross.

**Crastinum, or crastino.** To-morrow; the next day.

**Crave.** To demand; to dun.

**Craven, cravent, or cravant.** A word used as an admission of defeat by a champion in battle. See 3 Bl. Comm. 340.

**Creamus.** We create.

**Creance.** Collateral security; pledge.

**Creancer, or creansor.** A creditor.

**Credentials.** Documents or evidences of authority.

**Credibility.** Capacity for being believed or credited.

**Credible.** Competent. See 9 Pick. (Mass.) 350, 20 Am. Dec. 481.

**Credible witness.** One, who being competent to give evidence, is worthy of belief. See 27 Tex. App. 47, 11 Am. St. Rep. 180, 10 S. W. 749.

**Credit.** Reputation for veracity or integrity.

**Crédit foncier.** An association engaged in lending money on real estate.

**Creditor.** One who has a definite demand against the estate, or a cause of action capable of adjustment and liquidation. See 118 Am. St. Rep. (Pa.) 909.

**Creditors' bill.** A bill whereby a creditor seeks to recover out of some equity not liable to execution sale at law. See 52 Ill. 98.

**Creditors in solido.** Joint creditors.

**Creditorum appellatione non hi tantum accipiuntur qui pecuniam crediderunt, sed omnes quibus ex qualibet causa debetur.** By the term "creditors" is understood not only those who have lent money but all to whom a debt is owing from any cause.

**Credo.** I believe.

**Creek.** A small seacoast town having no customs office.

**Crementum comitatus.** The increase of the county.

**Crepare oculum.** To put out an eye.

**Crepusculum.** Twilight.

**Crescente malitia crescere debet et poena.** Punishment ought to be increased as malice increases.

**Cressant.** Growing.

**Cresser.** To grow.

**Cretio.** The period during which an heir might decide to take or reject his inheritance.

**Crew.** A ship's company. See 3 Sumn. (U. S.) 209, Fed. Cas. No. 16,740.

**Cribler.** To argue.

**Crie de pays.** Hue and cry.

**Criez la peez.** Rehearse the concord. One of the formalities in levying a fine.

**Crier.** To proclaim.

**Crim. con.** Criminal conversation.

**Crime.** A public offense; a wrong against the public; includes every offense. See 24 How. (U. S.) 66, 16 L. Ed. 717.

**Crime against nature.** A crime embracing both bestiality and sodomy. See 10 Ind. 355, 71 Am. Dec. 331.

**Crimen.** A crime.

**Crimen falsi.** The crime of falsifying, including perjury, forgery and the like. See 194 Ill. 108, 88 Am. St. Rep. 134, 62 N. E. 546.

**Crimen falsi dicitur, cum quis illicitur, cui non fuerit ad haec data auctoritas, de sigillo regis rapto vel invento brevia, cartasve consignaverit.** The crime of falsifying applies to one to whom the authority has not been given who has signed writs or charters with the king's seal, stolen or found.

**Crimen furti.** Larceny.

**Crimen incendii.** Arson.

**Crimen laesae majestatis.** High treason.

**Crimen laesae majestatis omnia alia crimina excedit quoad poenam.** The punishment for high treason exceeds that of all other crimes.

**Crimen omnia ex se nata vitiat.** Crime vitiates everything born of it. See 64 Kan. 216, 91 Am. St. Rep. 216, 56 L. R. A. 275, 67 Pac. 537.

**Crimen raptus.** Rape.

**Crimen roberiae.** Robbery.

**Crimen trahit personam.** A crime draws the person with it. See 3 Denio (N. Y.), 190, 45 Am. Dec. 468.

**Crimina morte extinguuntur.** Crimes are extinguished by death.

**Criminal.** Pertaining to crime; punishable as a crime.

**Criminal act.** Any act punishable as a crime.

**Criminal contempt.** Any act against the majesty of the law or the courts as an agency of the government, and in which the public are concerned. See 177 Mo. 205, 99 Am. St. Rep. 624, 76 S. W. 79; also 135 Am. St. Rep. 272, note.

**Criminal conversation.** Adulterous intercourse; sexual intercourse with the wife of another.

**Criminal information.** A prosecution instituted by the district or prosecuting attorney without the intervention of the grand jury. See 75 Vt. 202, 98 Am. St. Rep. 813, 54 Atl. 183.

**Criminal intent.** Intention to commit an act which is a crime.

**Criminal law.** The law pertaining to crime and its punishment. See 128 U. S. 398, 32 L. Ed. 480, 9 Sup. Ct. Rep. 99.

**Criminal letters.** (Scotch) A prosecution similar to one upon an information.

**Criminal procedure.** Court practice relative to criminal prosecutions.

**Criminal prosecution.** The proceedings under which one is held and tried for crime.

**Criminaliter.** Criminally.

**Criminate.** To involve in the commission of a crime; to give evidence against one in a criminal case.

**Crimp.** To kidnap or decoy one aboard a ship for service; one who so does.

**Criticism.** A discussion or a censure of another's conduct, character or utterances. See 83 Mich. 583, 21 Am. St. Rep. 622, 11 L. R. A. 72, 47 N. W. 674.

**Cro.** (Scotch) Compensation for killing a man.

**Croft.** A small farm.

**Croise.** A crusader.

**Cropper.** One who raises a crop for a share of it.

**Crops.** Cultivated produce of the soil.

**Cross-action.** A cause of action against the plaintiff or a codefendant set up in the defendant's plea or answer.

**Cross-appeal.** An appeal filed by the respondent or appellee after the appellant has filed his appeal.

**Cross-bill.** A bill filed by the defendant in an equity suit for discovery or relief. See 9 Wall. (U. S.) 807, 19 L. Ed. 587.

**Cross-complaint.** A defendant's pleading setting up a cross-action. See 69 Cal. 616, 11 Pac. 456.

**Cross-demand.** A statement of new matter constituting a cause of action in the defendant's favor against the plaintiff. See 32 Iowa, 383.

**Cross-errors.** Errors assigned by a defendant in error.

**Cross-examination.** Questioning a witness by an adverse party after his direct examination by the party calling him. See 97 Ind. 430.

**Cross-interrogatory.** A question to be propounded to a deponent.

**Cross-remainder.** A remainder created by a conveyance to cotenants one or some of whom succeed in remainder to the share of one or some of them at its termination. See 4 Kent's Comm. 201.

**Cross-rules.** Rules nisi entered in behalf of both plaintiff and defendant.

**Crown cases.** English criminal cases.

**Crown cases reserved.** Criminal cases reserved for the opinions of the judges on questions of law.

**Crown colony.** A colony under the sole control of the crown, as distinguished from one having a government of its own.

**Crown debt.** A debt owing to the crown.

**Crown lands.** Lands belonging to the sovereign.

**Crown law.** The common law applicable to crimes.

**Crown lawyer.** A criminal lawyer.

**Crown office.** A department of the King's Bench division of the High Court of Justice having jurisdiction in criminal cases.

**Crown side.** The criminal department of the court of King's Bench. See 4 Bl. Comm. 265.

**Crown solicitor.** A solicitor who prepares criminal prosecutions.

**Crowner.** Same as Coroner.

**Crowner's quest.** Coroner's inquest.

**Cruce signati.** Signed with the cross.

**Cruel and unusual punishment.** One so disproportioned to the offense as to shock the sense of the community, or not known to the common law. See 25 Hun (N. Y.), 546.

**Cruise.** A naval expedition in search of ships of an enemy.

**Cry de pays, or cry de pais.** Hue and cry.

**Cryer.** Same as Crier.

**Cucking-stool.** A punishment for common scolds, being a chair in which the person was placed to be hooted at and pelted by the mob.

**Cui ante divortium.** A divorcée's writ to secure land alienated by her husband. See 3 Bl. Comm. 183.

**Cui bono.** For whose good.

**Cui in vita.** A widow's writ to secure her land alienated by her husband.

**Cui jurisdictio data est, ea quoque concessa esse videntur sine quibus jurisdictio explicari non potest.** Those things without which jurisdiction could not be exercised are held to be given to him to whom jurisdiction has been granted.

**Cui jus est donandi, eidem et vendendi et concedendi jus est.** One having a right to give has also a right to sell and to grant.

**Cui licet quod majus non debet quod minus est non licere.** One who has a greater power ought not to be denied a less one.

**Cui pater est populus non habet ille patrem.** One whose father is the people has no father.

**Cuicunque aliquis quid concedit concedere videtur et id, sine quo res ipsa esse non potuit.** One who grants something to another is held to grant also that without which the thing is worthless.

**Cuilibet in arte sua perito est credendum.** Any expert in his own art is credible therein.

**Cuilibet licet juri pro se introducto renunciare.** One may waive a legal right existing in his favor.

**Cuique in sua arte credendum est.** Anyone is to be believed in his own art.

**Cujus est commodum ejus debet esse incommodum.** One who enjoys a benefit should take the burden with it.

**Cujus est commodum, ejus est onus.** He who enjoys the benefit has the burden. See 3 Mass. 53, 3 Am. Dec. 77.

**Cujus est dare ejus est disponere.** Who has the gift of anything should have the disposition of it.

**Cujus est divisio alterius est electio.** Whichever one has the division, the other has the choice.

**Cujus est dominium ejus est periculum.** He who has the ownership should have the risk.

**Cujus est instituere ejus est abrogare.** Whoever may institute may abrogate.

**Cujus est solum ejus est usque ad coelum.** The owner of the soil owns to the Heavens. See 89 Minn. 58, 99 Am. St. Rep. 541, 60 L. R. A. 875, 93 N. W. 907.

**Cujus est solum, ejus est usque ad coelum et ad inferos.** The owner of the soil owns to the Heavens and also to the lowest depths. See 186 N. Y. 486, 116 Am. St. Rep. 563, 9 Ann. Cas. 858, 11 L. R. A. (N. S.) 920, 79 N. E. 716.

**Cujust est solum, ejus est usque ad inferos.** The owner of the soil owns to the lowest depths. See 141 Cal. 116, 99 Am. St. Rep. 35, 64 L. R. A. 236, 70 Pac. 663, 74 Pac. 766.

**Cujus juris est principale, ejusdem juris erit accessorium.** Who has jurisdiction of the principal thing has jurisdiction also of the accessory.

**Cujus per errorem dati repetitio est, ejus consulto dati, donatio est.** Whatever given by mistake can be demanded back, though given deliberately, is a gift.

**Cujusque rei patissima pars principium est.** The most important part of anything is the first part.

**Cul.** Guilty.

**Cul-de-sac.** A street open at but one end.

**Cul. prit.** The formal reply to a plea of not guilty.

**Culpa.** Guilt; fault; negligence.

**Culpa caret, qui scit, sed prohibere non potest.** One who knows, but cannot prevent is without fault.

**Culpa est immiscere se rei ad se non pertinenti.** It is a fault to intermeddle in anything which does not concern one.

**Culpa lata dolo aequiparatur.** Gross negligence is equal to malice.

**Culpa tenet suos auctores.** Guilt binds its own originators.

**Culpa tenet suos auctores tantum.** Guilt binds its own originators most. See XIX Eng. Rul. Cas. 183.

**Culpabilis.** Guilty.

**Culpable.** Guilty; criminal.

**Culpae poena par esto.** Let the punishment fit the crime.

**Culprit.** One guilty of crime.

**Culvertage.** Forfeiture of status by a freeman.

**Cum.** With; when.

**Cum actio fuerit mere criminalis, institui poterit ab initio criminaliter vel civiliter.** When an action is merely criminal, it can be instituted either criminally or civilly at the beginning.

**Cum adsunt testimonia rerum, quid opus est verbis?** When evidence of the facts is present, what need of words is there?

**Cum aliquis renunciaverit societati, solvitur societas.** When any of the partners shall have renounced the partnership, it is dissolved.

**Cum confitente sponte mitius est agendum.** When one makes a voluntary confession, he should be more mildly treated.

**Cum de lucro duorum quaeritur melior est causa possidentis.** When two are striving over money, the cause of the one in possession of it is the better one.

**Cum duo inter se pugnantia reperiuntur in testamento, ultimum ratum est.** When two repugnant matters are found in a will, the

latter one is confirmed. See 16 Johns. (N. Y.) 146.

Cum duo jura concurrunt in una persona aequum est ac si essent in duobus. When two rights concur in one person, it is the same as if they were in two persons.

Cum grano salis. With a grain of salt.

Cum in corpore dissentitur, apparet nullam esse acceptionem. When there is a disagreement in the substance of the matter, it appears there is no acceptance. See 12 Allen (Mass.), 44.

Cum in testamento ambigue aut etiam perperam scriptum, est benigne interpretari, et secundum id quod credibile est cogitatum credendum est. When an ambiguous or even an incorrectly written clause is found in a will, it should be interpreted liberally and according to what is to be believed to be the intention.

Cum legitimae nuptiae factae sunt, patrem liberi sequuntur. Children of lawful wedlock inherit from their father.

Cum onere. With the burden; subject to.

Cum par delictum est duorum, semper oneratur petitor, et melior habetur possessoris causa. When two parties are equally at fault, the claimant always has the burden and the one in possession has the better cause.

Cum pertinentiis. With the appurtenances.

Cum potestate regis et legis. By the power of the king and the law.

Cum quod ago non valet ut ago, valeat quantum valere potest. When what I do is void as I do it, it shall be as effective as it can be made.

Cum quolibet et qualibet eorum. Taken in one sense or another.

Cum testamento annexo. With the will annexed.

Cumulative. Adding to; by way of increase.

Cumulative evidence. Such as tends to support the same fact before attempted to be proved. See 23 Mass. 417.

Cumulative legacy. A legacy in addition to another preceding it in the same will and to the same legatee.

Cumulative remedy. A further or additional remedy. See 148 Ill. 141, 35 N. E. 881.

Cumulative sentence. A sentence made up of two or more for different offenses added together. See 183 U. S. 365, 46 L. Ed. 236, 22 Sup. Ct. Rep. 181.

Cumulative voting. Voting wherein the voter may cast one ballot for each candidate or may otherwise distribute the same number of ballots. See Cal. Civ. Code, § 307.

Cuneator. The custodian of the dies of a mint.

Cur. Curia, the court.

Cura. Care.

Cura animorum. Care of souls.

Curagulos. A caretaker.

Curate. An assistant to a rector or a vicar.

Curatio. A guardian.

Curator. A guardian.

Curator ad hoc. A guardian for this purpose.

Curator ad litem. Same as Guardian ad litem.

Curator bonis. The guardian of an estate.

Curatorship. Guardianship.

Curatrix. A female guardian.

**Curatus non habet titulum.** A curate has no title.

**Cure by verdict.** Same as Aider by verdict.

**Cure of souls.** The pastoral charge of a parish.

**Curfew.** A town bell rung in the evening as a signal for extinguishing lights and fires.

**Curia.** A court.

**Curia admiralitatis.** A court of admiralty.

**Curia advisare vult.** The court wishes to consider the matter.

**Curia baronis.** The court-baron.

**Curia cancellariae est officina justitiae.** The court of chancery is the workshop of justice.

**Curia christianitatis.** The ecclesiastical court.

**Curia claudenda.** An old English writ requiring one to fence his land.

**Curia comitatus.** The county court.

**Curia domini.** The lord's court.

**Curia magna.** Parliament.

**Curia majoris.** The mayor's court.

**Curia palatii.** The palace court.

**Curia parliamenti suis propriis legibus sussistit.** Parliament is governed by its own laws.

**Curia pedis pulverizati.** Court of piepoudre.

**Curia regis.** The king's court.

**Curialty.** Courtesy.

**Curiosa et captiosa interpretatio in lege reprobatur.** A curious and captious interpretation is disapproved in the law.

**Currency.** Paper money or notes which are current in the community as dollars. 12 Wall. (U. S.) 687, 20 L. Ed. 460.

**Current coin.** Coin in general circulation.

**Current money.** Money in general circulation.

**Currere.** To run.

**Currit quatuor pedibus.** It runs on four feet. It is on all-fours, i. e., in precise accord.

**Currit tempus contra desides et sui juris contemptores.** Time runs against the slothful and those ignoring their rights.

**Cursitor.** A chancery clerk.

**Cursitor baron.** An officer who had authority to administer oaths.

**Cursus curiae est lex curiae.** The practice of the court is the law of the court.

**Curtesy.** Same as Courtesy.

**Curtilage.** The common fence including the dwelling-house and its offices. See 2 Am. St. Rep. 388, note.

**Curtillum.** Curtilage.

**Curtis.** A court; a yard; a curtilage.

**Custa.** Costs.

**Custagium.** Costs.

**Custantia.** Costs.

**Custodes.** Guardians; custodians.

**Custodia legis.** In the custody of the law.

**Custody.** Bare control over or care of a thing, as distinguished from possession. See 41 How. Pr. (N. Y.) 293.

**Custom.** An established usage; a tax or duty.

**Custom-house.** A postoffice where customs duties are paid.

**Custom of merchants.** The customary practices of merchants in respect to mercantile contracts; the law-merchant. See 95 Pa. 348, 40 Am. Rep. 662.

**Customary court.** A court held in manor by the lord or his steward.

**Customary estate.** An estate held under the custom of a manor.

**Customary freehold.** A tenancy by copyhold, not at the will of the lord of the manor.

**Customary service.** A service due by the custom. See 2 Bl. Comm. 234.

**Customary tenant.** The holder of a customary freehold.

**Custome serra prise stricte.** A custom should be strictly interpreted.

**Customs.** Duties levied upon exports and imports.

**Customs of London.** Common-law usages and regulations peculiar to the city of London. See 1 Bl. Comm. 75.

**Custos.** A custodian or keeper.

**Custos brevium.** The clerk of the old English common pleas court.

**Custos ferarum.** A game warden.

**Custos horrei regii.** Guard of the royal granary.

**Custos morum.** The court of queen's bench.

**Custos placitorum coronae.** The keeper of the criminal records.

**Custos rotulorum.** The keeper of the rolls or records.

**Custos sigilli.** The keeper of the seal.

**Custos spiritualium.** One who officiated in spiritual matters during the vacancy of a see.

**Custos statum haeredis in** custodia existentis meliorem non deteriorem, facere potest. A guardian can make the estate of an heir in his custody better but not worse.

**Custos temporalium.** One who officiated in temporal matters during the vacancy of a see.

**Custos terrae.** A warden or keeper of the land.

**Custuma antiqua sive magna.** A duty on wool and hides. See 1 Bl. Comm. 314.

**Custuma parva et nova.** Duties paid by aliens.

**Cuth, or couth.** Customary.

**Cutpurse.** A pickpocket.

**Cy.** Same as Ci.

**Cy gist.** Here lies.

**Cynebote.** The portion of a regicide's fine which was paid to the community.

**Cyphonism.** An old punishment of smearing one with honey and exposing him to insects.

**Cy apres.** Thereafter.

**Cy pres.** As near as practicable. See Doctrine of cy pres.

**Cyrce.** A church.

**Cyricbryce.** Church-breaking.

**Cyrographum.** Same as Chirographum.

# D

**D. B. E.** De bene esse.

**D. B. N.** De bonis non.

**D. C.** District Court.

**D. C. L.** Doctor of civil law.

**D. D.** Days after date.

**D. P.** The House of Lords.

**Da tua dum tua sunt, post mortem tunc tua non sunt.** Give your property while it is yours; after death it will not be yours.

**Dacion.** (Spanish) Delivery according to contract.

**Dacker.** A dispute.

**Dacoity.** (India) Robbery by a band of five or more.

**Dagger-money.** Payments to the justices of assize on the northern circuit as a defense fund against robbers.

**Daker.** Same as Dacker.

**Damage-cleer.** A fee paid into court on the recovery of damages.

**Damage-feasant.** While doing damage.

**Damages.** Loss; compensation for legal injury. See 19 Ann. Cas. (Wash.) 1199.

**Dame.** A baronet's wife.

**Damn.** To cancel; to condemn.

**Damna.** Damages.

**Damnatus.** Condemned; illegal.

**Damni injuriae actio.** An action for intentional injury to another's beast.

**Damnify.** To injure; to cause loss.

**Damnosa haereditas.** An encumbered inheritance.

**Damnum.** Loss; harm.

**Damnum absque injuria.** Damage without violation of a legal right. See 113 Mo. 308, 35 Am. St. Rep. 706, 18 L. R. A. 339, 20 S. W. 658.

**Damnum absque injuria esse potest.** There can be no damage without the violation of a legal right.

**Damnum fatale.** Inevitable loss.

**Damnum infectum.** Threatened damage.

**Damnum rei amissae.** Loss through payment by mistake of law.

**Damnum sine injuria.** Damage without violation of a legal right See 81 N. J. L. 536, 35 L. R. A. (N. S.) 338, 80 Atl. 327.

**Damnum sine injuria esse potest.** There can be damage without violation of a legal right.

**Dandy-note.** An English customs permit for the removal of goods from the warehouse.

**Danegelt.** An annual English tax to finance fighting the Danes.

**Danelage.** Same as Danelaw.

**Danelaw.** English law where the Danes had settled; that part of England once occupied by the Danes.

**Danger.** An ancient duty which the tenant paid for leave to till the soil at certain seasons.

**Dangerous weapon.** One capable of producing death or great bodily harm. See 17 Or. 300, 11 Am. St. Rep. 830, 20 Pac. 625.

**Dangers of the sea.** Perils of navigation which are beyond human control. See 33 N. J. L. 543.

**Danism.** A usurious loan.

**Dano.** (Spanish) Damage.

**Dans.** In.

**Dans et retinens, nihil dat.** Giving and retaining in one's possession gives nothing.

**Dapifer.** A court officer with functions of a steward.

**Darbies.** Handcuffs.

**Dare.** To transfer.

**Dare ad remanentiam.** To convey in fee.

**Dareyne.** Same as Darrein.

**Darnell's Case.** A celebrated English case (1627) sustaining the defendant's refusal to subscribe to a forced loan.

**Darraign.** Same as Deraign.

**Darrein.** Last.

**Darrein continuance.** The last continuance.

**Darrein presentment.** The last presentation.

**Darrein seisin.** A tenant's plea in a writ of right. See 3 Met. (Mass.) 184, 37 Am. Dec. 130.

**Dartmouth College Case.** A case holding a corporate charter to be a contract between a corporation and the state. See 4 Wheat. (U. S.) 518, 4 L. Ed. 629.

**Data.** Plural of Datum.

**Date certaine.** (French) The date of recording an instrument.

**Datio.** A dation.

**Datio in solutum.** An accord and satisfaction in property. (Not in money.)

**Dation.** An appointment, as to an office; a giving in fulfillment of a duty.

**Dation en paiement.** Same as Datio in solutum.

**Dative.** That which one may give or appoint to; given or appointed; removal at pleasure.

**Datum.** That which is delivered; executed; a date.

**Datur digniori.** It is given to the more worthy.

**Dauphin.** A French king's eldest son.

**Day.** The period between one midnight and the next. See 52 La. Ann. 936, 78 Am. St. Rep. 364, 49 L. R. A. 218, 27 South. 566.

**Day in court.** An opportunity to appear and to be heard in court. See 71 Vt. 457, 76 Am. St. Rep. 787, 45 Atl. 1035.

**Day-book.** An account-book of original entry of transactions as they occur.

**Day-rule, or day-writ.** A court order permitting a prisoner a day out of prison.

**Days in bank.** Days set by law for the return of writs or for appearance in court after service.

**Days of grace.** Days after the due date of negotiable paper within which it may be paid; the three days after the return day of a writ within which the person served might appear. See 115 U. S. 373, 29 L. Ed. 409, 6 Sup. Ct. Rep. 105.

**Daysman.** An arbiter.

**Daytime.** The period between sunrise and sunset when one can see another's features by daylight. See 9 Mass. 154.

**Daywere.** A quantity of land ploughable in one day.

**De.** From; of; concerning; among.

**De acquirendo rerum dominio.** Of acquiring the control of things.

**De admensuratione.** For adjustment or settlement.

**De admensuratione dotis.** A writ for the admeasurement of dower.

**De admittendo clerico.** A writ commanding a bishop to admit a duly appointed clerk to a living.

**De advisamento consilii nostri.** By advice of our counsel.

**De aequitate.** In equity.

**De aetate probanda.** A writ to determine the majority of the heir of a tenant in capite.

**De aleatoribus.** Concerning gamblers.

**De allocatione facienda.** A writ for making an allowance.

**De alto et basso.** Of high and low; fully; completely.

**De ambitu.** Concerning bribery.

**De annua pensione.** A writ of annual pension.

**De annuo reditu.** A writ to secure an annuity.

**De apostata capiendo.** A writ to arrest one who had abandoned his religious post.

**De arbitratione facta.** A writ to restrain an action brought on a claim which had been arbitrated.

**De arrestandis bonis ne dissipentur.** A writ to recover goods taken by one who might leave the owner without remedy.

**De arrestando ipsum qui pecuniam recepit.** A writ to arrest a deserting soldier who had received pay.

**De arte et parte.** Of art and part.

**De asportatis religiosorum.** A statute of Edward I, to curb ecclesiastical acquisition.

**De assisa proroganda.** A writ to postpone the issue of an assize during the absence in war of one of the parties.

**De attornato recipiendo.** A writ to compel the judges to receive one as an attorney.

**De audiendo et terminando.** To hear and determine.

**De averiis captis in withernam.** Same as Averiis captis in withernam.

**De averiis retornandis.** A writ to take cattle of one in lieu of other cattle which he has driven away.

**De avo.** A writ whereby an heir secured land entered by a stranger on the day of the death of the heir's grandfather, who was seised.

**De bene esse.** Provisionally; for what it is worth.

**De bien et de mal.** For good or bad.

**De biens le mort.** Of the goods of the deceased.

**De bigamis.** Of bigamists.

**De bone memorie.** Of good memory.

**De bonis asportatis.** For goods carried away.

**De bonis intestati.** Out of or from the property of the intestate.

**De bonis non.** Of goods upon which no administration has been had.

**De bonis non administratis.** Of goods not administered.

**De bonis non amovendis.** See Bonis non amovendis.

**De bonis propriis.** From his own property.

**De bonis testatoris.** From or out of the property of the testator.

**De bonis testatoris ac si.** From the goods of the testator if he has any.

**De bono et malo.** For good or evil.

**De bono gestu.** For or during good behavior.

**De caetero.** In future.

**De calceto reparendo.** A writ for the repair of a highway.

**De capitalibus dominis feodi.** Of the chief lords of the fee. See 2 Bl. Comm. 298.

**De capite minutis.** Of those who have suffered loss of citizenship.

**De cartis reddendis.** A writ for the recovery of deeds.

**De catallis reddendis.** A writ for the recovery of chattels.

**De cautione admittenda.** A writ to compel a bishop to admit a prisoner to bail.

**De certificando.** A writ to compel certification.

**De certiorando.** A writ to compel the sheriff to give a certificate.

**De cetero.** In future.

**De champertia.** A writ to enforce the champerty laws.

**De char et de sank.** Of flesh and blood.

**De chimino.** A writ to secure a right of way.

**De cibariis utendis.** Of things useful as food.

**De clamia admittenda in itinere per attornatum.** A writ to compel the justices to allow one in the service of the king to appear by attorney.

**De claro die.** By the light of day.

**De clauso fracto.** Of breach of close.

**De clerico admittendo.** See De admittendo clerico.

**De clerico capto per statutum mercatorium deliberando.** A writ for the delivery of a clerk arrested under the statute of merchants.

**De clerico convicto commisso gaolae in defectu ordinarii deliberando.** A writ for the delivery of a clerk convicted and committed to jail in the absence of the ordinary.

**De clero.** Of the clergy.

**De combustione domorum.** An appeal of felony for arson.

**De common droit.** Of common right.

**De communi dividendo.** A writ for partition of common property.

**De comon droit.** Same as De Common droit.

**De computo.** The old action of account.

**De concilio curiae.** By advice of the court.

**De conflictu legum.** Of conflict of laws.

**De conjunctim feoffatis.** Of joint feoffees.

**De consanguineo.** A writ of cosinage.

**De consilio.** Of counsel.

**De consilio curiae.** By advice of the court.

**De conspiratione.** A writ of conspiracy.

**De conspiratoribus.** The statute 33 Edward I, against the crime of conspiracy.

**De consuetudinibus et servitiis.** A writ to compel a tenant to perform customs and services.

**De continuando assisam.** A writ to continue the assize.

**De contributione facienda.** A writ to compel contribution by partners and cotenants.

**De contumace capiendo.** A writ against one guilty of contempt.

**De conventione.** A writ of covenant.

**De copia libelli deliberanda.** A writ for the delivery of a copy of a libel.

**De cornes et de bouche.** With hue and cry.

**De coronatore eligendo.** A writ to compel the sheriff to choose a coroner.

**De coronatore exonerando.** A writ to remove a coroner.

**De corpore.** Of the body.

**De corpore comitatus.** Of the body of the county.

**De coste.** On the side; collateral.

**De curia claudenda.** A writ to compel one to fence his land.

**De curso.** Of course, as a matter of right.

**De custode admittendo.** A writ to admit a guardian.

**De custode amovendo.** A writ to remove a guardian.

**De custodia terrae et haeredis.** A writ whereby a guardian secured the land and person of the heir.

**De cy en avant.** From now hereafter.

**De debito.** A writ of debt.

**De deceptione.** A writ of deceit.

**De defaute de droit.** For failure of right.

**De deoneranda pro rata portionis.** A writ for one distrained for rent to compel others jointly liable to contribute.

**De die claro.** By daylight.

**De die in diem.** From day to day.

**De diversis regulis juris antiqui.** From divers rules of ancient law.

**De dolo malo.** Concerning fraud.

**De domo reparanda.** A writ to compel the repair of a house dangerous to the community.

**De donis.** Concerning gifts.

**De donis, the statute of.** 13 Edward I, st. 1, c. 1, establishing fees-tail.

**De dote assignanda.** A writ whereby a widow of a tenant in capite compelled an assignment of her dower.

**De dote unde nihil habet.** A writ whereby a tenant was compelled to assign to a widow her dower.

**De droit.** Of right.

**De ejectione custodiae.** A guardian's writ to secure the person or land of his ward.

**De ejectione firmae.** A writ to recover damages for ejectment.

**De escambio monetae.** A writ for a bill of exchange.

**De eschaeta.** A writ of escheat.

**De esse in peregrinatione.** Of being on a journey.

**De essendo quietum de theolonio.** A writ to secure an exemption from toll.

**De essonio de malo lecti.** A writ to examine into an excuse of being sick in bed.

**De estoverlis habendis.** A writ to recover alimony or estovers.

**De estrepamento.** A writ to restrain waste pendente lite.

**De et super praemissis.** Of and upon the premises.

**De eve et de treve.** From grandfather and remote ancestors.

**De excommunicato capiendo.** A writ to arrest an excommunicated person.

**De excommunicato deliberando.** A writ to deliver one who had been excommunicated.

**De excommunicato recapiendo.** A writ for the recaption of one who had been excommunicated.

**De executione facienda in withernamium.** A writ of execution in withernam.

**De executione judicii.** A writ ordering execution of a judgment.

**De exemplificatione.** A writ for the exemplification of an original document.

**De exitibus terrae.** From the profits of the land.

**De exoneratione sectae.** A writ to exempt the king's ward from suit in certain courts.

**De expensis civium et burgensium.** A writ for the levy of the expenses of citizens and burgesses of parliament.

**De facto.** As of fact; actually. See 8 Kan. 437.

**De facto contract of sale.** One purporting to pass title. See 74 N. Y. 568.

**De facto corporation.** See Corporation de facto.

**De facto director.** One performing the functions of a director who has not been lawfully appointed. See 38 W. Va. 351, 18 S. E. 620.

**De facto government.** One whose existence is maintained by active

military power against the authority of a lawful government. See 8 Wall. (U. S.) 1, 19 L. Ed. 361.

**De facto officer.** One whose acts, though not those of a lawful officer, the law, upon principles of policy, will hold valid. See 21 Nev. 47, 37 Am. St. Rep. 478, 9 L. R. A. 59, 24 Pac. 367.

**De falso moneta.** Of false money.

**De feodo.** In fee.

**De fide et officio judicis non recipitur quaestio sed de scientia, sive sit error juris, sive facti.** The good faith and honesty of a judge are not questioned, but his knowledge, whether it be an error of law or fact, may be.

**De fidei laesione.** Of breach of faith.

**De fine capiendo pro terris.** A writ to secure the release of an attainted juror and his goods on payment of a fine.

**De fine force.** Of pure necessity.

**De fine non capiendo pro pulchre placitando.** A writ to prevent taking a fine for beaupleader.

**De fine pro redisseisina capiendo.** A writ to release one who had made a redisseisin.

**De finibus levatis.** Of fines levied.

**De foresta.** See Charta de Foresta.

**De forisfacture maritagii.** A writ of forfeiture of marriage.

**De frangentibus prisonam.** Of prison breakers.

**De furto.** Of larceny.

**De futuro.** For the future.

**De gestu et fama.** Of conduct and reputation.

**De gratia.** By favor.

**De gratia speciali certa scientia et mero motu, talis clausula non valet in his in quibus praesumitur principem esse ignorantem.** Of special favor, certain knowledge and mere motion, is worthless in those matters in which the prince is presumed to be ignorant.

**De grossis arboribus decimae non dabuntur sed de sylvia caedua decimae dabuntur.** Tithes are not given from entire trees, but they are given from cut wood.

**De haerede deliberando alteri qui habet custodium terrae.** A writ to deliver the heir to another who has the custody of the land.

**De haerede deliberando illi qui habet custodiam terrae.** A writ to deliver the heir to the custodian of the land.

**De haerede rapto et abducto.** A writ whereby a guardian recovered his abducted ward.

**De haeretico comburendo.** A writ to burn a heretic.

**De haut en bas.** Of high and low.

**De homagio respectuando.** A writ to postpone homage.

**De homine capto in withernam.** A writ to take in withernam one who had taken a bondman out of the country.

**De homine replegiando.** A writ to take one out of the sheriff's custody on giving security.

**De identitate nominis.** A writ to release one of the same name as the true defendant.

**De idiota iquirendo.** A writ to inquire into one's alleged idiocy.

**De iis qui ponendi sunt in assisis.** Of those who are placed on the assizes.

**De incremento.** Of increase.

**De infirmitate.** Of infirmity.

**De ingressu.** A writ of entry.

**De injuria.** A plea in excuse or justification, an abbreviation of de injuria propria sua, etc.

**De injuria sua, absque residuo causae.** By his own fault, without the rest of the alleged cause.

**De injuria sua propria absque tali causa.** By his own fault, without such cause.

**De integro.** Anew; over again.

**De intrusione.** A writ of intrusion.

**De jactura evitanda.** To avoid loss. See 1 Litt. (Ky.) 50, 13 Am. Dec. 218.

**De judaismo, statutum.** A statute against Jews under Edward I.

**De judicato solvendo.** For payment of the sum adjudged.

**De judiciis.** Of judicial proceedings.

**De judicio sisti.** For appearing in court.

**De jure.** Rightfully; by lawful right.

**De jure communi.** At common law.

**De jure decimarum, originem ducens de jure patronatus, tunc cognitio spectat at legem civilem, i. e., communem.** As to the right of tithes, taking its origin from the right of the patron then the civil law has jurisdiction of it, that is the common law.

**De jure judices, de facto juratores, respondent.** The judge's answer for matters of law, the jurors for matters of fact.

**De latere.** Collaterally.

**De leproso amovendo.** A writ to remove a leper.

**De libera piscaria.** A writ of free fishery.

**De libero passagio.** A writ of free passage.

**De libertate probanda.** A writ for proving one a freeman.

**De libertatibus allocandis.** A writ to enforce certain liberties of burgesses.

**De licentia transfretandi.** A writ for leave to cross the sea.

**De lunatico inquirendo.** A writ to have one's sanity inquired into.

**De magna assisa eligenda.** A writ to choose the grand assize.

**De majori et minori non variant jura.** Whether the matter is great or small, the laws do not vary.

**De malo.** Of sickness.

**De malo lecti.** See Essoin de malo lecti.

**De manucaptione.** A writ to compel the sheriff to free a prisoner and take mainpernours. See 3 Bl. Comm. 128.

**De manutenendo.** A writ of maintenance.

**De me.** From me.

**De medietate linguae.** Partaking of two languages; a jury of two nationalities.

**De medio.** A writ of mesne, which lay by the tenant against the mesne lord when the lord paramount had distrained the tenant for services due from the mesne lord.

**De melioribus damnis.** For better damages; the plaintiff's election to proceed against one defendant, having dismissed the others.

**De mercatoribus, the statute.** An English statute of 1233 allowing the charging of lands with debts contracted in trade. Also known as Acton Burnel. See 4 Bl. Comm. 426.

**De minimis non curat lex.** The law does not regard trifles. See 35 Ind. App. 104, 111 Am. St. Rep. 149, 72 N. E. 1049, 73 N. E. 832.

**De minimis non curat praetor.** The praetor does not concern himself with trifles.

**De minis.** A writ against threats, to keep the peace.

**De mittendo tenorem recordi.** A writ to send the tenor of a record.

**De moderata misericordia capienda.** A writ for taking moderate amercement.

**De modo decimandi.** Of the manner of paying tithes.

**De molendino de novo erecto non jacet prohibitio.** Prohibition does not lie against a newly erected mill.

**De morte hominis nulla est cunctatio longa.** As to a man's death, no delay is long.

**De mot en mot.** Word for word.

**De nativo habendo.** A writ to secure a fugitive villein.

**De nihilo, nil.** Nothing can emanate from nonentity. See 102 Md. 307, 111 Am. St. Rep. 362, 3 L. R. A. (N. S.) 887, 62 Atl. 351.

**De nomine proprio non est curandum cum in substantia non erretur; quia nomina mutabilia sunt, res autem immobiles.** As to the proper name it is not to be regarded when there is no substantial error, because names are changeable, but things (i. e., facts) are not.

**De non apparentibus et non existentibus eadem est lex.** The law is the same as to things which do not appear as it is to things which do not exist.

**De non decimando.** Of not paying tithes.

**De non desidentia clerici regis.** A writ to exonerate a clerk in the king's service for nonresidence.

**De non procedendo ad assisam.** A writ to stop the assize from proceeding with a cause.

**De non sane memorie.** Of unsound mind.

**De novo.** Anew; over again.

**De nullo, quod est sua natura indivisibile, et divisionem non patitur nullam partem labebit vidua, sed satisfaciat ei ad valentiam.** A widow shall have no part of that which is in its own nature indivisible, and will not suffer division, but she shall be satisfied with its value.

**De nullo tenemento, quod tenetur ad terminum, fit homagii, fit tamen inde fidelitatis sacramentum.** There is no homage in a tenement for a term of years, but in such case there is the oath of fealty.

**De odio et atia.** A writ to determine whether one charged with homicide was imprisoned through hatred and malice.

**De office.** Of office; officially.

**De onerando pro rata portione.** A writ for a cotenant or a joint tenant to compel the other to contribute rent.

**De pace et imprisonamento.** Of breach of the peace and imprisonment.

**De pace et legalitate tuenda.** For keeping the peace and good order.

**De pace et plagis.** Of breach of the peace and wounding.

**De pace et roberia.** Of breach of the peace and robbery.

**De pace infracta.** Of breach of the peace.

**De palabra.** By parol; oral.

**De parco fracto.** A writ of pound breach.

**De partitione facienda.** A writ to partition lands.

**De perambulatione facienda.** A writ to establish boundaries.

**De pignore surrepto furti, actio.** An action to recover a stolen pledge.

**De placito.** Of a plea.

**De plagis et mahemio.** Of wounding and mayhem.

**De plano.** Clearly; immediately.

**De plegiis acquietandis.** A writ to compel a principal to reimburse his surety.

**De pleine age.** Of full age.

**De pone.** A writ to remove a cause to a superior court.

**De ponendo sigillum ad exceptionem.** A writ to place the court seal on an exception taken to a ruling.

**De post disseisina.** A writ of post disseisin.

**De praerogativa regis.** Of the king's prerogative, a statute of Edward II.

**De praesenti.** For the present.

**De proprietate probanda.** A writ to compel the sheriff to inquire into the title of distrained goods.

**De quarantina habenda.** A writ to secure for a widow her quarantine. See 12 Or. 203, 6 Pac. 682.

**De ques en ça.** From which time until now.

**De quibus.** Of which.

**De quibus sur disseisin.** A sort of writ of entry.

**De quo.** Of which.

**De quodam ignoto.** From a certain person unknown.

**De quota litis.** An agreement for a contingent fee.

**De quoy.** Of which.

**De raptu haeredis.** A writ for a guardian for the abduction of his ward.

**De raptu virginum.** Of the rape of virgins.

**De rationabili parte.** A writ of right for one against his cotenant who had assumed exclusive possession.

**De rationabili parte bonorum.** A writ for the recovery of that part of a decedent's goods which he had alienated against the rights of his wife and children.

**De rationalibus divisis.** A writ for the establishment of boundaries.

**De rebus.** The title of the third part of the Digests or Pandects.

**De rebus dubiis.** Of doubtful matters.

**De recordo et processu mittendis.** A writ to send the record and process to a higher court.

**De recto.** A writ of right, brought to recover full rights to property.

**De recto de advocatione.** A writ of right of advowson.

**De recto de dote.** A writ of right of dower.

**De recto deficere.** To fail of right.

**De recto patens.** A patent writ of right.

**De redisseisina.** A writ of redisseisin.

**De reparatione facienda.** A writ to compel a cotenant to contribute toward repairs.

**De replegiare.** A writ of replevin.

**De rescussu.** A writ of rescous.

**De retorno habendo.** To have the goods returned.

**De rien culpable.** Not guilty.

**De rigore juris.** By strict law.

**De sa vie.** For his life.

**De salva guardia.** A writ of safeguard for the license and protection of strangers.

**De salvo conductu.** A writ of safe conduct.

**De scaccario.** Of the exchequer, a statute of Henry III.

**De scutagio habendo.** A writ to recover escuage.

**De se bene gerendo.** For his good behavior.

**De secta ad molendinum.** A writ to compel one to have his grinding done at the plaintiff's mill.

**De similibus ad similia eadem ratione procedendum est.** Proceeding

in similar matters is by the same rule.

**De similibus idem est judicium.** The same judgment is rendered in similar cases.

**De son done.** By his gift.

**De son grée.** Of his own accord.

**De son tort.** By his own wrong.

**De son tort demesne sans tiel cause.** Same as De injuria sua, etc.

**De statuto mercatori.** A writ of statute merchant.

**De statuto stapulae.** A writ of statute staple.

**De superoneratione pasturae.** A writ of surcharge of pasture.

**De supersedendo.** A writ of supersedeas.

**De tempore cujus contrarium memoria hominum non existat.** From the time of which human memory exists not to the contrary.

**De tempore in tempus, et ad omnia tempora.** From time to time and at all times.

**De temps dont memorie ne court.** From the time when memory runneth not to the contrary.

**De terra sancta.** Of the holy land.

**De testamentis.** Of wills, the fifth part of the Digests or Pandects.

**De theolonio.** A writ for the recovery of toll.

**De transgressione.** A writ of trespass.

**De ultra mere.** Of beyond sea.

**De una parte.** Of one side; unilateral.

**De uxore rapta et abducta.** A writ for damages for the abduction of one's wife.

**De vasto.** A writ of waste.

**De ventre inspiciendo.** A writ to examine into a woman's pregnancy.

**De verbo in verbum.** Word for word.

**De verborum significatione.** Of the meaning of words, a part of the Digests or Pandects.

**De vi laica amovenda.** A writ to stop laymen forcibly aiding parsons in their strife for a church.

**De vicineto.** From the neighborhood.

**De warrantia chartae.** A writ of warranty of charter.

**De warrantia diei.** A writ to save one from default by reason of absence in the king's service.

**Deacon.** A priest's assistant.

**Dead freight.** The sum paid for the empty portion of a ship by a charterer. See 3 Brit. Rul. Cas. 266.

**Dead letter.** An unenforced law; an undelivered letter sent to the dead letter office.

**Dead man's part.** (Scotch) Personal property which he could dispose of by will.

**Dead pay.** Pay of dead soldiers and sailors wrongfully collected.

**Dead rent.** Rent beyond royalty in a mine lease.

**Dead use.** A future use.

**Deadhead.** A passenger traveling on a free pass. See 61 N. C. 21.

**Dead-born.** Born dead; still-born.

**Dead-hand.** Same as Mortmain.

**Dead-line.** A line which a military prisoner may not cross without liability of being shot.

**Dead-pledge.** A mortgage; the property mortgaged.

**Deadly weapon.** Anything with which death can be easily and readily produced. See 146 Mo. 6, 69 Am. St. Rep. 598, 47 S. W. 892.

**Dead's part.** Same as Dead man's part.

**Deafforest.** To take from a forest its character as such and thus to remove it from forest law.

**Dealer.** One who buys and sells.

**Dean.** The president of a bar association; an ecclesiastical title. See 34 La. Ann. 596.

**Dean and chapter.** The council of a bishop.

**Dean of the arches.** The chief judicial officer of the Archbishop of Canterbury.

**Death-bed expenses.** Expenses of one's last illness.

**Deathsman.** One who executes the death penalty.

**Death's part.** Same as Dead men's part.

**Death-warrant.** The court's order for the execution of one sentenced to death.

**Death-wound.** A wound causing death.

**Deawarren.** To break up and discontinue a warren.

**Debas.** Below.

**Debase.** To adulterate.

**Debatable land.** Land once claimed by both England and Scotland.

**Debauch.** To seduce.

**Debent.** They owe.

**Debenture.** A sealed instrument acknowledging an indebtedness. See 72 Vt. 33, 47 Atl. 176.

**Debet.** He owes; he ought.

**Debet esse finis litium.** There ought to be an end of litigation.

**Debet et detinet.** He owes and withholds.

**Debet et solet.** He ought and has been accustomed to.

**Debet quis juri subjacere ubi delinquit.** One ought to be subject to the law of the place where he commits an offense.

**Debet sua cuique domus esse perfugium tutissimum.** Each man's house should be a very safe refuge. See 12 Johns. (N. Y.) 31.

**Debile fundamentum fallit opus.** When the foundation is weak, the structure falls. See 80 Mo. App. 115.

**Debit.** That which is charged as due or owing.

**Debita.** Debts.

**Debita fundi.** (Scotch) Debts secured by land.

**Debita laicorum.** Debts of the laity.

**Debita sequuntur personam debitoris.** Debts follow the person of the debtor.

**Debitor.** A debtor.

**Debitor non praesumitur donare.** A debtor is not presumed to give.

**Debitors in solido.** Joint debtors.

**Debitorum pactionibus, creditorum petitio nec minui potest.** The rights of creditors to sue cannot be diminished by agreements between their debtors.

**Debitrix.** A female debtor.

**Debitum.** A debt.

**Debitum et contractus sunt nullius loci.** Debt and contract have no special locality.

**Debitum fundi.** A debt secured by land.

**Debitum in presenti, solvendum in futuro.** A present debt to be paid in the future.

**Debitum sine brevi.** An action of debt brought without a writ.

**Debrusa.** He broke them up.

**Debt.** That which one owes to another; a just demand. See Ann. Cas. (Conn.) 1914C, 1059.

**Debt by specialty.** A debt evidenced by a deed or instrument under seal. See 51 Ohio St. 240, 23 L. R. A. 842, 37 N. E. 267.

**Debt of record.** A judgment debt.

**Debtee.** A creditor.

**Debtor.** One who owes a debt.

**Debtors' act 1869.** An English statute abolishing imprisonment for debt.

**Debtor's summons.** A summons issuing out of an English bankruptcy court, notifying one to pay his creditor or be subjected to bankruptcy proceedings.

**Debuit.** He owed; he ought.

**Debuit repare.** He ought to repair.

**Decalogue.** The Ten Commandments.

**Decanatus or decania.** The jurisdiction of a dean.

**Decanus.** A dean.

**Decapitation.** Beheading.

**Decease.** Death.

**Deceased wife's sister bill.** An English statute prohibiting a widower from marrying his deceased wife's sister.

**Decedens.** A decedent.

**Decedent.** A deceased person.

**Deceit.** Fraud; a false representation made with intent to deceive, and relied upon to his damage by the party injured. See 102 Mass. 132, 3 Am. Rep. 440.

**Decem tales.** A writ to summon ten more jurors.

**Decemviri litibus judicandis.** Ten judges appointed by the Emperor Augustus.

**Decenna.** A decennary.

**Decennarius.** One of a tithing.

**Decennary.** A tithing.

**Deceptis non decipientibus, jura subveniunt.** The laws aid those deceived not the deceivers.

**Decern.** To decree.

**Decessus.** Death.

**Decet.** It is proper.

**Decet tamen principem servare leges, quibus ipse servatus est.** It is proper that the prince should observe the laws by which he himself is protected.

**Decies tantum.** A proceeding to recover ten times the amount received against a bribed juror.

**Decimae.** Tithes; tenths.

**Decimae de decimatis solvi non debent.** Tithes are not due from that which is paid as tithes.

**Decimae debentur parocho.** Tithes are due the parish priest.

**Decimae non debent solvi, ubi non est annua renovatio, et ex annuatis renovantibus simul semel.** Tithes ought not to be paid where there is not an annual renovation, and only once from annual renovations.

**Decimation.** A tithing.

**Deciner.** One of a tithing.

**Decipi quam fallere est tutius.** It is more safe to be deceived than to mislead.

**Decision.** The judgment of the court. See 13 Cal. 24, 73 Am. Dec. 565.

**Decisive oath.** (Civil Law) An oath upon which the cause rested where a party elected to leave the issue to the oath of his adversary.

**Declarant.** One who makes an evidentiary declaration.

**Declaration.** A pleading of the plaintiff's cause of action. See 108 U. S. 336, 27 L. Ed. 746, 2 Sup. Ct. Rep. 682. An admission or statement subsequently used as evidence in an action.

**Declaration of intention.** An alien's formal statement in court of his intention to become a citizen.

**Declaration of Paris.** An international declaration of 1856, on points of maritime law.

**Declaration of rights.** A clause in a state constitution specifically reserving certain rights to the people. See 13 Pa. Co. Ct. R. 481.

**Declaration of trust.** An act by which one acknowledges that property to which he holds title is held by him for another's use. See 66 Ark. 515, 51 S. W. 832.

**Declaration of war.** A national proclamation publishing the fact that the declarant nation is at war with another.

**Declaratory.** Explanatory; affirmative.

**Declaratory judgment.** A judgment establishing the rights of the parties, but ordering nothing.

**Declaratory statute.** One expressive of the common law. See 44 Mass. 522.

**Declare.** To set forth in a declaration.

**Declination.** (Scotch) A plea to the jurisdiction.

**Declinatory plea.** A plea of benefit of clergy.

**Declinature.** Same as Declination.

**Declined.** Objected to.

**Decollatio.** Decapitation.

**Decollation.** Decapitation.

**Decree.** A judgment of an equity or admiralty court.

**Decree absolvitor.** A decree for defendant.

**Decree condemnator.** A decree for plaintiff.

**Decree dative.** (Scotch) A decree appointing one as executor not nominated in the will.

**Decree in absence.** (Scotch) A default judgment.

**Decree nisi.** A decree to be made final unless a contingency happens.

**Decree pro confesso.** A decree taking the complaint as confessed by reason of the defendant's default.

**Decreet.** Same as Decree.

**Decrementum maris.** Reliction; the receding of the sea.

**Decreta.** Decrees.

**Decreta conciliorum non ligant reges nostros.** The decrees of councils do not bind our kings.

**Decretal order.** An order finally determining some right of a party. See 6 Har. & J. (Md.) 302.

**Decretales Gregorii Noni.** A collection of ecclesiastical laws published under Gregory IX in 1227.

**Decretals.** Canonical opinions of the popes.

**Decretum.** A decree; a law.

**Decretum Gratiani.** Eccleciastical laws compiled by Gratian in 1151. See 1 Bl. Comm. 82.

**Decurio.** An ancient Roman city manager.

**Dedbaba.** Homicide.

**Dedi.** I have given.

**Dedi et concessi.** I have given and granted.

**Dedication.** An owner's offer or appropriation of his property to a public use. See 33 N. J. L. 13, 97 Am. Dec. 696.

**Dedimus.** A commission to take testimony.

**Dedimus et concessimus.** We have given and granted.

**Dedimus potestatem.** A chancery writ authorizing the performance of certain judicial or ministerial acts.

**Dedimus potestatem de attorno faciendo.** We have given the power of receiving an attorney.

**Dedit et concessit.** He has given and granted.

**Dedititii.** Branded criminals.

**Deduction for new.** A rebate to a marine insurer who has paid for repairs under the policy.

**Deduction of a claim.** Proving a right by showing its origin in law or equity.

**Deed.** A sealed agreement; an instrument conveying land. See 35 W. Va. 647, 14 S. E. 319.

**Deed indented.** A deed in two parts the torn edges of which might be matched.

**Deed poll.** A single deed, not indented.

**Deed to declare uses.** A deed given after a fine was levied to show its object.

**Deed to lead uses.** Same as Deed to declare uses, but made before the fine was levied.

**Deemster.** A Manx judge.

**Deer-fald or deer-fold.** A deer park.

**Defalcation.** A cutting off; a reduction; an embezzlement. See 120 Fed. (U. S.) 966.

**Defalta.** Default.

**Defamation.** A false publication calculated to bring one into disrepute. See 103 Iowa, 214, 64 Am. St. Rep. 175, 39 L. R. A. 734, 72 N. W. 518.

**Defamatory.** Slanderous; libelous.

**Defamer.** One who has committed defamation.

**Default.** Fault; neglect; omission; failure to appear. See 42 N. J. L. 283.

**Defeasance.** Something defeating or nullifying an obligation. See 59 Fla. 239, 138 Am. St. Rep. 121, 52 South. 715.

**Defeasible.** Capable of defeasance.

**Defect.** An insufficiency.

**Defectum.** A defect.

**Defectus.** A defect; an insufficiency.

**Defectus sanguinis.** Lack of heirs capable of inheriting.

**Defend.** To deny.

**Defendant.** One who is sued or prosecuted.

**Defendant in error.** A party adverse to one who brings a writ of error.

**Defendemus.** We will defend.

**Defendendo.** See Se defendendo.

**Defender.** A champion; a defendant.

**Defender of the faith.** One of the titles of an English king or queen

**Defendere.** To deny.

**Defendere se per corpus suum.** To wage battle.

**Defendere se unica manu.** To wage his law.

**Defendit vim et injuriam.** He denies the force and injury.

**Defendour.** A defender.

**Defendre.** To deny.

**Defendress.** A female defender.

**Defeneration.** Usurious lending.

**Defensa.** An inclosure; a park.

**Defense.** The plea or answer of a defendant; matters offered to defeat an action or prosecution. See 125 Fed. (U. S.) 269.

**Defense au fond en droit.** A demurrer.

**Defense au fond en fait.** A general denial.

**Défense en droit.** A demurrer.

**Defensio.** Defense.

**Defensive allegation.** A defendant's plea in an ecclesiastical proceeding.

**Defensor.** A defendant; a guardian.

**Defensor civitatus.** A Roman city officer who cared for the public safety.

**Defensum.** A park; an inclosure.

**Deficiente uno sanguine non potest esse haeres.** Lacking in one blood he cannot be an heir.

**Defile.** To deprive of chastity.

**Definitive.** Effecting an end to a controversy.

**Definitive sentence.** (Ecclesiastical) A final judgment.

**Defloration.** Seduction; deprivation of virginity.

**Deforce.** To withhold land from the true owner. See 17 Conn. 201, 42 Am. Dec. 735.

**Deforcement.** Withholding land from the true owner. See 17 N. J. L. 246.

**Deforceor.** Same as Deforciant.

**Deforcians.** Same as Deforciant.

**Deforciant.** One who deforces.

**Deforciare.** To deforce.

**Defossion.** Burial alive as a punishment.

**Defraudacion.** (Spanish) Fraudulent evasion of taxes.

**Defunct.** Dead; a decedent.

**Degaster.** To waste.

**Degree.** The grade of a crime according to its gravity.

**Deherison.** Disinheritance.

**Dehors.** Outside of; disconnected with.

**Dei gratia.** By the grace of God.

**Dei judicium.** (Saxon) Trial by ordeal.

**Deit.** He owes.

**Dejacion.** (Spanish) An insolvent's surrender of property to creditors.

**Dejeration.** An oath.

**Del bien estre.** For what it is worth.

**Del credere factor.** One who for an additional charge guarantees payment by the vendee. See 83 N. Y. 601.

**Del credere commission.** The commission paid to a del credere broker or factor. See 50 Barb. (N. Y.) 288.

**Delate.** To accuse.

**Delatio.** An accusation.

**Delator.** An accuser.

**Delatura.** A reward for informing of crime.

**Delectus personae.** Choice of person. See 7 Pick. (Mass.) 237.

**Delegare.** To delegate.

**Delegata potestas non protest delegari.** Delegated authority cannot be delegated.

**Delegate.** A representative; to appoint; to depute.

**Delegated power.** Authority given to another.

**Delegatio.** A substitution of debtors.

**Delegation.** A substitution of debtors; an appointment.

**Delegatus debitor est odiosus in lege.** A substituted debtor is obnoxious to the law.

**Delegatus non potest delegare.** A representative cannot delegate his authority. See 109 N. C. 1, 13 L. R. A. 721, 13 S. E. 698.

**Delate.** To charge; to accuse.

**Delator.** A spy; an informer.

**Delete.** To expunge; to blot out.

**Deliberandum est diu quod statuendum est semel.** That which is to be settled once for all should be deliberated at length.

**Deliberate.** Premeditated.

**Deliberation.** Premeditation.

**Delicatus debitor est odiosus in lege.** A delicate debtor is obnoxious to the law.

**Delict.** A wrong; an offense; a misdemeanor.

**Delictum.** A tort; an injury; a crime.

**Delimit.** To mark with a boundary line.

**Delinquens per iram provocatus puniri debet mitius.** A delinquent provoked by anger ought to be punished more mildly.

**Delinquent.** One who has committed an offense.

**Delirium.** A mental state, produced by bodily disease wherein the mind acts without direction of the power of volition. See 1 Bland's Ch. (Md.) 370, 17 Am. Dec. 311.

**Delirium febrile.** A fever accompanied with delirium.

**Delirium tremens.** Delirium brought about by continued and excessive intoxication. See 31 Tex. Cr. Rep. 318, 37 Am. St. Rep. 811, 18 L. R. A. 421, 20 S. W. 744.

**Delito.** (Spanish) A crime.

**Deliverance.** Delivery; a jury's verdict.

**Delivery.** The transfer of possession from one to another. See 27 W. Va. 75. Release from imprisonment.

**Delivery order.** An order drawn by the owner on the bailee of goods for their delivery to a third party.

**Delusion.** A belief that something exists which does not exist and which no rational person in the absence of evidence would believe to exist. See 195 Pa. St. 291, 78 Am. St. Rep. 815, 45 Atl. 726.

**Dem.** Demise.

**Demain.** To-morrow; demesne.

**Demand.** A claim; a legal obligation; a request to perform an alleged obligation. See 66 Ala. 89.

**Demand in reconvention.** A counterclaim. See 33 Wis. 176, 14 Am. Rep. 755.

**Demanda.** A demand.

**Demandant.** A plaintiff.

**Demandress.** A female plaintiff.

**Demease.** Death.

**Demembration.** (Scotch) The crime of severing a limb of one's body.

**Demens.** One deprived of his mind.

**Dementenant en avant.** From now henceforth.

**Dementia.** A feebleness of mind caused by disease and without delusion or uncontrollable impulse. See 44 N. H. 531, 84 Am. Dec. 97.

**Demesne.** Lordship; lands of the lord himself; his own.

**Demesne as of fee.** An estate in fee simple.

**Demesne lands.** Lands reserved by the lord for his own use.

**Demesne lands of the crown.** The share of land reserved to the crown at the original distribution, or such as came to it by forfeitures. See 1 Bl. Comm. 286.

**Demesnial.** Pertaining to a demesne.

**Demi.** Half.

**Demidietas.** Half.

**Demi-mark.** 6s. 8d.

**Deminutio.** Deprivation.

**Demi-sangue.** Half blood.

**Demise.** Death; transfer of a life estate or less; a lease. See Ann. Cas. (Cal.) 1913B, 1094.

**Demise and re-demise.** A mutual leasing of the same land, the owner paying only nominal rent.

**Demise of the king.** The transfer of the kingdom to a dead king's successor.

**Demisi.** I have demised.

**Demi-vill.** Half a tithing.

**Demonstratio.** Designation; description.

**Demonstration.** A designation.

**Demonstrative legacy.** One of quantity, with a particular fund pointed out for its satisfaction. See 95 Am. St. Rep. 368, note.

**Demorage.** Same as Demurrage.

**Demorari.** To demur.

**Dempster, or deemster.** (Scotch) The official pronouncing sentence.

**Demur.** To file a demurrer.

**Demurrage.** Charges for detention of a ship or a freight-car. See 30 Am. St. Rep. 634, note.

**Demurrant.** One who demurs.

**Demurrer.** An objection to a pleading that one ought not to answer it for some defect of law in the pleading. 7 How. (U. S.) 573, 12 L. Ed. 824.

**Demurrer book.** A transcript of the pleadings leading up to an issue of law.

**Demurrer ore tenus.** An oral demurrer.

**Demurrer to evidence.** A formal contention that the evidence of the adverse party has not made out his cause of action or defense. See 3 Ala. 237.

**Demy sanke, or demy sangue.** Same as Demi-sangue.

**Denarii.** Cash.

**Denariis petrii.** Peter's pence, an annual general contribution to the pope.

**Denarius.** A penny.

**Denarius Dei.** Earnest-money.

**Denaturalize.** To deprive of citizenship.

**Denial.** A contradiction; a traverse.

**Denier.** A penny.

**Denier a Dieu.** Same as Denarius Dei.

**Denization.** Formal admission of an alien to the status of a subject by letters patent.

**Denize.** To effect a denization.

**Denizen.** An alien made a subject by letters patent. See 1 Strob. Eq. (S. C.) 295, 47 Am. Dec. 532.

**Denman's (Lord) Act.** See Lord Denman's Act.

**Denman's (Mr.) Act.** See Mr. Denman's Act.

**Denominatio est a digniori.** Denomination is from the more worthy.

**Denominatio fieri debet a dignioribus.** Denomination ought to be from the more worthy.

**Denouncement.** Same as Denuncia.

**Denumeration.** Payment down.

**Denuncia.** A judicial proceeding to establish claim to a mine lost by another's failure to comply with the mining laws. See 26 Cal. 455.

**Denunciation.** Same as Denuncia.

**Denuntiatio.** A public notice; a bulletin.

**Deodand.** Any instrument causing death, forfeited to the crown.

**Depart.** To divide; to separate.

**Department of justice.** That branch of the United States government under the direction of the attorney general.

**Departure.** A party's change in his pleadings from his original theory of offense or defense. See 158 U. S. 285, 39 L. Ed. 983, 15 Sup. Ct. Rep. 877.

**Departure in despite of court.** A tenant's failure to appear in court on being summoned, though he had appeared previously.

**Depasture.** To pasture; to graze; to strip.

**Depeculation.** Embezzlement of public moneys.

**Dependency.** A territory apart from but subject to the laws of a mother country.

**Dependent contract.** One whose performance depends upon the performance of another contract.

**Dependent covenants.** A covenant which need not be performed unless another upon which it depends is performed. See 3 Ala. 330.

**Depending.** Pending; undetermined.

**Depesas.** (Spanish) A grazing park within a town.

**Depone.** To depose; to give one's deposition.

**Deponent.** One who deposes. See 47 Me. 248.

**Deponer.** (Scotch) A deponent.

**Depopulatio agrorum.** The crime of laying waste the fields. See 4 Bl. Comm. 373.

**Deportation.** Removal of an alien from the country. See 149 U. S. 709, 37 L. Ed. 912, 13 Sup. Ct. Rep. 1016.

**Depose.** To give a deposition; to remove from office.

**Deposit.** A gratuitous bailment.

**Depositary.** One who receives a deposit.

**Deposition.** Written testimony with cross-examination sworn to by the deponent.

**Deposito.** (Spanish) A bailment terminable at the will of the bailor.

**Depositor.** The maker of a deposit.

**Depositum.** A gratuitous bailment terminable at the will of the bailor.

**Depredation.** Waste.

**Deprivation.** Reduction in rank or office.

**Depuis.** Since.

**Deputy.** A special agent.

**Deraign.** To trace; to prove; to disprove.

**Derecho.** (Spanish) A right; a lawful claim.

**Dereine.** Same as Deraign.

**Derelict.** Abandoned.

**Dereliction.** Neglect; abandonment.

**Dereyn.** Same as Deraign.

**Derivativa potestas non potest esse major primitiva.** Delegated authority cannot exceed the original.

**Derivative.** Ancillary; subordinate; collateral.

**Derivative conveyance.** One which only serves to enlarge, confirm, alter, restrain, restore or transfer the interest granted by a precedent conveyance. See 2 Bl. Comm. 324.

**Derogation.** Nullification.

**Derogatory clause.** A secret clause in a will with a condition nullifying all future wills not containing it.

**Derogatur legi, cum pars detrahitur; abrogatur legi, cum prorsus tollitur.** A law is derogated when part of it is taken away, a law is abrogated when it is wholly abolished.

**Desafuero.** (Spanish) Violence.

**Descend.** To vest by succession. See 128 Mass. 40.

**Descendants.** Issue of any degree. See 136 N. Y. 244, 32 Am. St. Rep. 731, 32 N. E. 768.

**Descender.** To descend.

**Descensus tolli intrationem.** A descent removes the right of entry.

**Descent.** A title whereby one, on his ancestor's death, acquires his estate as heir at law. See 12 Am. St. Rep. 82, note.

**Descent cast.** The succession of a disseisor's estate barring the true owner's right of entry.

**Descriptio personae.** Description of the person.

**Desertion.** The abandonment of a duty or obligation; voluntary separation or refusal to cohabit, without cause, of husband or wife. See Ann. Cas. (Md.) 1914B, 628; also 138 Am. St. Rep. 147, note.

**Designatio unius est exclusio alterius, et expressum facit cessare tacitum.** The designation of one is the exclusion of the other, and that which is expressed chokes that which is silent.

**Designatio personae.** A description of the person.

**Designation.** Appointment; nomination.

**Deslinde.** (Spanish) Establishment of boundaries.

**Desmaintenant.** From now.

**Desmemoriados.** (Spanish) One without memory.

**Desormes.** From the present henceforth.

**Desoubs.** Same as Dessous.

**Desperate.** Without hope.

**Despitus.** A despised person.

**Desponsation.** Betrothal.

**Desposorio.** (Spanish) Mutual promises to marry.

**Despot.** An absolute ruler; a tyrant.

**Despotism.** The rule of a despot.

**Desrenable.** Unreasonable.

**Dessous.** Under; underneath.

**Dessus.** Above.

**Destination.** (Scotch) A testamentary succession of beneficiaries.

**Desuetude.** Disuse.

**Desus.** Same as Dessus.

**Detachiare.** To seize.

**Detainer.** Withholding land; restraint of a person.

**Detention.** Holding one in custody.

**Determinable.** Capable of conclusion by an event.

**Determinable fee.** A fee subject to defeasance by the happening of a contingency. See 155 Mass. 171, 15 L. R. A. 231, 29 N. E. 524.

**Determinate.** Made certain.

**Determination.** Conclusion.

**Determine.** To cease; to end.

**Detinet.** He detains.

**Detinue.** A common-law action for the recovery of goods wrongfully detained. See 165 N. Y. 444, 80 Am. St. Rep. 736, 53 L. R. A. 565, 59 N. E. 265.

**Detinuit.** See In the detinuit.

**Detractare.** To draw; to drag along.

**Detunicari.** To discover.

**Deus solus haeredem facere potest, non homo.** God alone can make an heir, man cannot.

**Deuterogamy.** Remarriage after a spouse's death.

**Devadiatus.** A defendant without bail.

**Devant.** Before.

**Devant le roy.** Before the king.

**Devastation.** Waste.

**Devastaverunt.** They have wasted.

**Devastavit.** He has wasted; an executor's or administrator's mismanagement of the estate. See 20 Or. 70, 10 L. R. A. 670, 25 Pac. 69.

**Devenerunt.** A writ directing the escheator to ascertain whether land held by a tenant in capite should escheat upon his death.

**Devenio vester homo.** I become your man.

**Devenit.** He comes; he comes into.

**Devest.** To deprive.

**Deviation.** A voluntary departure, without necessity or reasonable cause, from the usual course of a voyage. See 7 Har. & J. (Md.) 279, 16 Am. Dec. 302.

**Devier.** To die.

**Devisa.** A boundary.

**Devisavit vel non.** Did he devise or not. See 157 Pa. 465, 27 Atl. 669.

**Devise.** A disposition of real property by will.

**Devisee.** One designated to receive a devise.

**Devisor.** One who makes a devise.

**Devoir.** Duties; customs.

**Devolution.** A forfeiture from one to another.

**Devolve.** To attach to one alive from a decedent.

**Devyer.** To die.

**Di colonna.** A contract whereby the owner and all connected with a ship share in the voyage profits.

**Diarium.** Food for a day.

**Diatim.** Daily.

**Dicast.** An Athenian judge chosen by popular lot.

**Dicere et non dare legem.** To expound but not to make the law. See 37 Fed. 705, 3 L. R. A. 711.

**Dict.** Something said.

**Dicta.** Plural of dictum.

**Dictator.** An absolute ruler.

**Dictores.** Arbitrators.

**Dictum.** Something said; used for obiter dictum, which see. See 62 N. Y. 47, 20 Am. Rep. 451.

**Dictum of Kenilworth.** A compromise of differences between Henry III and parliament, 1266.

**Diei dictio.** A Roman magistrate's notice of intention to impeach a citizen.

**Diem clausit extremum.** A writ by which the heir of a deceased tenant in capite compelled the escheator to inquire what land should escheat.

**Dies.** A day.

**Dies a quo.** The day from which.

**Dies ad quem.** The day to which.

**Dies amoris.** A day of grace or indulgence.

**Dies communes in banco.** Common days in bank.

**Dies consilii.** A day set for an argument or hearing.

**Dies datus.** A day given or set.

**Dies dominicus non est juridicus.** The Lord's day is not a court day. See 13 Mass. 327.

**Dies excrescens.** The extra day added in a leap-year.

**Dies fasti.** Business days.

**Dies feriati.** Holidays.

**Dies gratiae.** Day of grace.

**Dies inceptus pro completo habetur.** A day begun is regarded as completed.

**Dies incertus pro conditione habetur.** An uncertain day is held as a condition.

**Dies intercisi.** Days when the court was in session part of the day only.

**Dies interpellat pro homine.** The due date makes the demand for the man (the creditor).

**Dies juridicus.** A court day.

**Dies legitimus.** A lawful day; a term day.

**Dies nefasti.** Days on which business could not lawfully be transacted.

**Dies non.** A day not a court day. See 56 L. R. A. (Idaho) 736.

**Dies non juridici.** English court holidays.

**Dies non juridicus.** Same as Dies non. See 56 L. R. A. (Idaho) 736.

**Dies solaris.** A solar day.

**Dies solis.** Sunday.

**Dies utiles.** An available day.

**Diet.** A legislative assembly; a meeting of delegates.

**Diet of compearance.** (Scotch) A day set for one's appearance in court.

**Dieta.** A day's work; a day's journey.

**Dieu et mon droit.** God and my right.

**Dieu son acte.** Act of God.

**Diffacere.** To mutilate.

**Difficile est ut unus homo vicem duorum sustineat.** It is hard that

one man should suffer for the vice of two.

**Difforciare.** To keep from one.

**Digama, or digamy.** Same as deuterogamy.

**Digests.** The Pandects or body of Roman laws compiled under Justinian.

**Dignitary.** (Ecclesiastical) One higher than a priest or canon.

**Dignities.** Titles of rank or office.

**Dignity.** A title; one of the incorporeal hereditaments.

**Dilacion.** (Spanish) An extension of time granted a litigant.

**Dilapidation.** Waste on ecclesiastical property.

**Dilationes in lege sunt odiosae.** Delays are obnoxious to the law.

**Dilatory defense.** A defense interposed for delay.

**Dilatory plea.** A plea interposed for delay or to abate the action without reference to the merits. See 44 N. J. L. 552.

**Diligence.** (Scotch) An execution proceeding for the collection of a debt; care. See 4 Nev. 534, 97 Am. Dec. 550.

**Diligiatus.** Outlawed.

**Dillonques.** Thenceforth.

**Dimes.** Tithes.

**Dimidietas.** Half.

**Dimidium.** An undivided half.

**Diminutio.** Diminution.

**Diminution of the record.** A proceeding by certiorari to have the whole record transmitted on an appeal, where the record was incomplete. See 18 N. C. 382, 28 Am. Dec. 572.

**Dimisi.** I have demised.

**Dimisi, concessi, et ad firmam tradidi.** I have demised, granted and leased to farm.

**Dimisit.** He has demised.

**Dimittere.** To dismiss; to release.

**Dinarchy.** A government by two rulers.

**Diocesan courts.** Courts held by the bishop or his chancellor in each diocese.

**Diocese.** The jurisdiction of a bishop.

**Diploma.** A certificate conferring an honor, privilege or authority. See 40 Ala. 178.

**Diplomatics.** The science of deciphering ancient documents.

**Dipsomania.** An uncontrollable desire for intoxicants. See 19 Neb. 614, 28 N. W. 271.

**Direct.** Proximate; not remote.

**Direct contempt.** A contempt committed in court and so as to interrupt the orderly administration of justice. See Ann. Cas. (Miss.) 1913B, 281.

**Direct evidence.** Precise facts in issue to which a witness will testify. See 59 Mass. 295, 52 Am. Dec. 711.

**Direct examination.** Examination in chief of a witness.

**Direct line.** Direct lineal succession.

**Direct tax.** Capitation or poll tax; tax on land. See 3 Dall. (U. S.) 171, 1 L. Ed. 556.

**Direction.** The address to the court in a bill of equity; a court's instruction to a jury; control.

**Directors.** Members of a corporation governing board. See 34 Cal. 48, 91 Am. Dec. 672.

**Directory.** Advisory, as opposed to mandatory, as a directory statute.

**Directory statute.** One the disobedience of which is not an unlawful act. See 86 Tex. 133, 23 S. W. 1103.

**Directory trust.** One wherein the trust fund is directed to be invested in a particular manner.

See 18 Tenn. 263, 31 Am. Dec. 576.

**Diribitores.** Distributors of ballots at a Roman election.

**Dirimant impediments.** Bars to matrimony not removed by consummation.

**Disability.** Legal incapacity. See 18 Mont. 152, 56 Am. St. Rep. 565, 44 Pac. 528.

**Disabling statutes.** Statutes which curbed the leasing of lands by the church.

**Disadvocare.** To disavow.

**Disaffirmance.** Repudiation of a voidable obligation.

**Disafforest.** Same as Deafforest.

**Disaffranchise.** To disfranchise.

**Disallow.** To overrule; to reject; to deny.

**Disalt.** To disable.

**Disappropriation.** The misuse of church property for other purposes.

**Disavow.** To repudiate; to disclaim.

**Disband.** Same as Dissolve. See 71 Mich. 87, 38 N. W. 712.

**Disbar.** To revoke an attorney's license to practice.

**Disbarment proceeding.** One to disbar an attorney. See 121 Iowa, 292, 100 Am. St. Rep. 354, 63 L. R. A. 614, 96 N. W. 855.

**Disbocation.** The act of disforesting.

**Discarcare, or discargare.** To discharge a cargo.

**Disceptatio causae.** Same as Disceptio causae.

**Disceptio causae.** Argument in a cause by counsel.

**Discharge.** Acquittal; release. See 3 Fla. 175, 52 Am. Dec. 367.

**Discharge in bankruptcy.** Release from debt in bankruptcy proceedings. See 96 Fed. (U. S.) 514.

**Disclaimer.** A denial; a waiver; refusal to accept an offer; a formal refusal to accept a conveyance. See 3 Wend. (N. Y.) 337, 20 Am. Dec. 699.

**Disclaimer of tenure.** A tenant's disclaimer in an action for rent.

**Disclamation.** Disclaimer.

**Discommission.** To deprive of an office or commission.

**Discommon.** To deprive of a right of common; to change common property into private property.

**Discontinuance.** Dismissal of an action; an ouster of a reversioner by the grant by a tenant in tail of a larger estate than he had; failure of the plaintiff to continue his action. See 12 W. Va. 70, 29 Am. Rep. 445.

**Discontinuous easement.** An easement to perform acts at separated intervals.

**Discontinuous servitude.** A servitude carrying a discontinuous easement. See 21 N. Y. 505.

**Disconvenable.** Improper.

**Discoöperta.** Discovert.

**Discount.** The interest reserved from an amount loaned or advanced at the time of the loan or advance. See 95 Ala. 521, 36 Am. St. Rep. 245, 20 L. R. A. 58, 12 South. 579.

**Discovert.** Unmarried; unprotected.

**Discovery.** Sworn testimony furnished by the defendant in answer to a complaint or bill in equity; knowledge as distinguished from suspicion (see 41 Neb. 413, 59 N. W. 838); the finding of mineral in place. See 18 Mont. 208, 56 Am. St. Rep. 578, 33 L. R. A. 851, 44 Pac. 979.

**Discovery claim.** A mining claim held by right of discovery of minerals therein.

**Discredit.** To injure one's credit or reputation; to refuse credence; to distrust. See 84 Cal. 573, 24 Pac. 313.

**Discrepancy.** Variance between pleading and proof.

**Discretio est discernere per legem quid sit justum.** Discretion is the selection of that which is just by the law. See 3 Gray (Mass.), 204.

**Discretio est scire per legem quid sit justum.** Discretion is the knowledge of that which is just by the law. See 4 Johns. Ch. (N. Y.) 352.

**Discretion.** The exercise of the best of a court's judgment upon the occasion calling for it. See 8 Wend. (N. Y.) 462, 24 Am. Dec. 46.

**Discretionary trust.** One wherein no direction is made as to the investment of the fund. See 18 Tenn. 263, 31 Am. Dec. 576.

**Discumberment.** Release from encumbrance or lien.

**Discussion.** See Benefit of discussion.

**Disembargo.** To release from embargo.

**Disentail.** The breaking of the entail of an estate.

**Disentailing deed.** One wherein the tenant in tail conveys all his estate.

**Disforest.** To clear of trees.

**Disfranchise.** To deprive of citizenship, of a franchise, or of suffrage.

**Disgavel.** To remove from land the incidents of gavelkind.

**Disgrading.** Depriving of a title or dignity.

**Dishabilitation.** (Scotch) Corruption of blood as a punishment for treason.

**Disherison.** A disinheriting.

**Disheritor.** One who disinherits another.

**Dishonor.** Refusal to accept a bill of exchange; refusal to pay negotiable paper. See 1 Wis. 264.

**Disincarcerate.** To release from imprisonment.

**Disincorporate.** To relinquish a corporate charter.

**Disinherison.** Deprivation of a forced heir of his inheritance.

**Disinheritance.** Preventing an heir from succession to the estate of his ancestor.

**Disinter.** To exhume a corpse.

**Disinterested witness.** One unbiased by interest in the action. See 5 Mass. 219.

**Disjunctim.** Separately; severally.

**Disjunctive allegations.** Separated, independent charges.

**Disjunctive condition.** A condition depending upon the happening of but one of several events.

**Disjunctive term.** An alternative term. See 2 Miles (Pa.), 49.

**Dismiss.** Tithes.

**Dismiss.** To discontinue; to order a cause, motion or prosecution to be discontinued or quashed. See 37 N. H. 536, 75 Am. Dec. 154.

**Dismortgage.** To redeem from mortgage.

**Disorderly.** Against public peace, good order, morals, decency or safety.

**Disorderly house.** A disreputable house. See 104 N. C. 858, 17 Am. St. Rep. 704, 10 S. E. 455.

**Disorderly persons.** Vagrants. See 4 Bl. Comm. 169.

**Disparagation.** Same as Disparagement.

**Disparage.** To permit a disparagement.

**Disparagement.** A ward's unequal marriage permitted by a guardian. See 36 N. C. 232.

**Disparagium.** Inequality in blood or station.

**Disparata non debent jungi.** Dissimilar matters ought not to be joined.

**Dispark.** To change the use or character of a land used as a park.

**Dispauper.** To deprive of the right of suing in forma pauperis; to declare one no longer a pauper.

**Dispensatio est vulnus, quod vulnerat jus commune.** A dispensation is a wound, because it wounds common right.

**Dispensation.** Exemption from certain duties or penalties imposed by law.

**Dispersonare.** To scandalize.

**Dispone.** To grant or convey.

**Dispose of.** To alienate; to effectually transfer. See 73 Fed. (U. S.) 292.

**Disposing mind.** One fully capable of comprehending a testamentary disposition of property. See 108 Pa. 395, 56 Am. Rep. 218.

**Dispossession.** Changing from the possession of one person to that of another.

**Disputable presumption.** One which is conclusive until overthrown by contrary evidence. See 26 S. C. 49, 1 S. E. 52.

**Disputatio fori.** An argument before the court.

**Disrationare.** To exonerate one's self.

**Dissasina.** Disseisin.

**Disseisee.** One who has suffered disseisin.

**Disseisin.** A wrongful ouster from possession of a freehold. See 177 Mass. 139, 83 Am. St. Rep. 265, 58 N. E. 275.

**Disseisin by election.** A legal fiction whereby the owner admitted disseisin that he might sue an adverse claimant. See 2 Wend. (N. Y.) 166, 19 Am. Dec. 571.

**Disseisin by relation.** That wherein the owner elects to consider himself disseised for the sake of the remedy by novel disseisin. See 2 Wend. (N. Y.) 166, 19 Am. Dec. 571.

**Disseisin in fact.** Exists only when there is a wrongful entry by one claiming an actual ouster of the true owner, or some act tantamount thereto. See 2 Wend. (N. Y.) 166, 19 Am. Dec. 571.

**Disseisinam satisfacit, qui uti non permittit possessorem, vel minus commode, licet omnino non expellat.** One commits a disseisin who does not permit the possessor to enjoy his property or who renders his enjoyment less comfortable, although he does not expel him altogether.

**Disseisor.** One who effects a disseisin.

**Disseisoress.** A female disseisor.

**Dissent.** To render a minority opinion.

**Dissignare.** To break a seal.

**Dissimilium dissimilis est ratio.** The rule as to a matter which is dissimilar, is dissimilar.

**Dissimulatione tollitur injuria.** An injury is eradicated by ignoring it.

**Dissolution.** Disincorporation; breaking up a partnership.

**Dissolve.** To effect a dissolution.

**Dissuade.** To persuade one not to perform a positive legal duty.

**Distincte et aperte.** Distinctly and openly.

**Distinguenda sunt tempora; aliud est facere, aliud perficere.** Times must be distinguished; it is one thing to act and another to finish. See 2 Pick. (Mass.) 327.

**Distinguenda sunt tempora; distingue tempora, et concordabis leges.** Times must be distinguished; distinguish times, and you will reconcile laws.

**Distracted person.** An insane person.

**Distractio.** A debtor's sale of hypothecated property.

**Distrahere.** To withdraw; to sell at auction.

**Distrain.** To take up or withhold another's chattels as security for compensation for injury. See 29 Hun (N. Y.), 137.

**Distress.** The act of distraining.

**Distress infinite.** Distresses made one after another until satisfaction.

**Distributee.** One entitled under the statute of distribution to the personal estate of an intestate. See 31 N. C. 278.

**Distribution.** The division of the personal property of an intestate according to law (see 56 Iowa, 266, 9 N. W. 204); dividing or apportioning. See 12 Neb. 280, 11 N. W. 313.

**Distributive finding of the issue.** A finding of facts partly for the plaintiff and partly for the defendant.

**District attorney.** The attorney who officially represents the people within the district. See 197 Pa. 542, 47 Atl. 748.

**District attorneys of the United States.** The attorneys appointed for each of the federal judicial districts.

**District Courts.** The United States trial courts held in each federal judicial district; courts of limited jurisdiction within a district.

**Districtio.** A distress.

**Districtus.** A district; a distress.

**Distringas.** A writ of distress; a writ to enforce the attendance of jurors by distress of their goods or seizure of their persons; an equity proceeding to enforce a corporation's obedience to a summons; a form of execution. See 1 Rawle (Pa.), 44.

**Distringas juratores.** A writ to enforce the attendance of jurors by distress of their goods or seizure of their persons.

**Distringas nuper vice comitum.** A writ of distress against an exsheriff for nonfeasance while in office.

**Distringas vice comitem.** A writ of distringas directed to the coroner.

**Distringere.** To distrain.

**Disturbance.** An interference with the enjoyment of an incorporeal hereditament; an interference with the peaceable exercise of a right. See 3 Bl. Comm. 235.

**Disturber.** One who commits a disturbance.

**Diswarren.** To deprive of the character of a warren.

**Dites ouster.** Say over, an expression used in a judgment of respondeat ouster. See 3 Bl. Comm. 303.

**Dittay.** The charge contained in an indictment.

**Diverse citizenship.** Citizenship in different states.

**Diversis diebus et vicibus.** At divers days and times.

**Diversity of person.** A plea after judgment denying identity of the prisoner with the defendant.

**Diverso intuitu.** With a different purpose or motive.

**Diversorium.** An inn.

**Dives costs.** Rich man's costs, ordinary costs as opposed to costs taxed to a defendant appearing in forma pauperis.

**Divest.** To deprive of a right or title.

**Divestitive fact.** A fact which divests a right.

**Divestiture.** The surrender of a right or title.

**Divide et impera, cum radix et vertex imperii in obedientium consensu rata sunt.** Divide and rule, for the root and pinnacle of empire are rated in the consent of the obedient.

**Divided court.** A court rendering a decision not unanimous.

**Dividend.** A division into shares; one of such shares or portions; the portion of a corporation's profits set apart for ratable division among its shareholders. See 8 R. I. 310, 5 Am. Rep. 575.

**Dividend warrant.** An order representing a stockholder's dividend.

**Dividenda.** An indenture.

**Divinare.** To guess; to prophesy.

**Divinatio non interpretatio est, quae omnino recedit a litera.** It is guesswork and not interpretation which wholly departs from the literal.

**Divine law.** The laws of God, natural and revealed. See 11 Ark. 519, 54 Am. Dec. 217.

**Divine right of kings.** The old theory that the king derived his power from God.

**Divine service.** Public worship.

**Divining-rod.** A twig or rod held in the hand and supposed to locate water by being mysteriously pulled down at the farther end.

**Divisa.** A boundary.

**Divisibilis est semper divisibilis.** A divisible thing is always divisible.

**Divisible.** Susceptible of division or partition.

**Divisim.** Severally; separately.

**Division.** The ascertainment of a legislative vote by separating the members.

**Division of opinion.** A disagreement between judges.

**Division wall.** A party-wall. See 84 Md. 95, 33 L. R. A. 294; 35 Atl. 170.

**Divisional court.** An English court composed of two or more judges of the high court of justice and sitting only in special cases.

**Divisum imperium.** Jurisdiction of different tribunals.

**Divorce.** A judicial severance of matrimonal bonds.

**Divorce a mensa et thoro.** A judicial separation of husband and wife not an absolute divorce, but usually with provision for the wife's maintenance by the husband. See 23 Ind. 370.

**Divorce a vinculo matrimonii.** Absolute divorce. See 165 Mo. 231, 88 Am. St. Rep. 416, 55 L. R. A. 332, 65 S. W. 315.

**Divorcée.** A divorced woman.

**Divortium.** Divorce.

**Divortium dicitur a divertendo, quia vir divertitur ab uxore.** Divorce is said to be from divertendo, because a man is diverted from his wife.

**Dixieme.** One tenth.

**Do.** I give.

**Do, dico, addico.** I give, I say, I adjudge.

**Do, lego.** I give and bequeath.

**Do ut des.** I give that you may give.

**Do ut facias.** I give that you may do.

**Dock.** A place reserved for a prisoner on trial; the space between two wharves. See 58 U. S. 426, 15 L. Ed. 118.

**Dockage.** Charges for use of a dock.

**Docket.** An abstract; a list of court causes; a record of the proceedings of a court.

**Dock-warrant.** A warehouse receipt.

**Doctor and student.** An ancient dialogue treatise of the common law.

**Doctor's commons.** The buildings occupied by the proctors and doctors of the civil law in London.

**Doctrine of cy près.** A principle of equity construction substituting the nearest feasible condition or purpose for an impossible one.

**Document.** A written instrument available as evidence. See 12 R. I. 99.

**Doe, John.** See John Doe.

**Doer.** One who does an act; an actor; an agent; an attorney.

**Dogdraw.** An arrest for killing deer made while the prisoner was on the scent with a dog.

**Dogma.** An order of the Roman senate.

**Doitkin, or doit.** A small coin.

**Dole.** Malice; a division of ore among miners; a share.

**Dolg bote.** Compensation for wounding.

**Doli capax.** Having capacity for malice.

**Doli incapax.** Incapable of possessing malice.

**Dolo.** (Spanish) Malice; fraud.

**Dolosus versatur in generalibus.** A deceiver deals in generalities.

**Dolum ex indiciis perspicuis probari convenit.** Fraud should be proved by clear proofs.

**Dolus.** Malice; fraud; deceit.

**Dolus auctoris non nocet successori.** The fraud of the author does not harm his successor.

**Dolus auctoris non nocet successori, nisi in causa lucrativa.** The fraud of the author does not harm his successor, unless a valuable consideration is wanting.

**Dolus circuitu non purgator.** Fraud is not purged by circuity.

**Dolus dans locum contractui.** Fraud and deceit upon the occasion of the contract.

**Dolus est machinatio, cum aliud dissimulat aliud agit.** Deceit is an artifice, because it pretends one thing and does another.

**Dolus et fraus nemini patrocinentur; patrocinari debent.** Deceit and fraud shall protect no one; they require protection.

**Dolus latet in generalibus.** Fraud lies hidden in generalities.

**Dolus malus.** Actual fraud arising from facts and circumstances of imposition. See 3 Wend. (N. Y.) 626.

**Dolus versatur in generalibus.** Fraud deals in generalities.

**Dom. proc.** Domus procerum, the House of Lords.

**Domain.** Ownership of land. See 30 Cal. 645.

**Domboc, or dombec.** (Saxon) A code of law.

**Dome.** Judgment.

**Dome-book.** A code compiled in the reign of Alfred.

**Domesday Book.** A survey of all of England.

**Domesmen.** Inferior English judges.

**Domestic.** Internal, as opposed to foreign; a house servant.

**Domestic attachment.** An attachment levied on the property of a resident debtor.

**Domestic bill of exchange.** A bill drawn on a resident drawee.

**Domestic corporation.** One formed under the laws of the state. See 13 Daly (N. Y.), 509.

**Domestic purposes.** Household uses. See Ann. Cas. 1912B, 621, note.

**Domesticus.** A steward.

**Domicil.** The place where one lives and has his home. See 48 Am. St. Rep. 711, note.

**Domicil by operation of law.** The domicil which the law attaches to one by reason of status; e. g., that of a wife. See 115 Ky. 512, 74 S. W. 229.

**Domicil of choice.** That of one's own selection.

**Domicil of nativity.** One's birthplace.

**Domicil of origin.** One's birthplace.

**Domicile.** Same as Domicil.

**Domiciliate.** To establish in a domicile.

**Domigerium.** Dominion over another person.

**Domina.** A woman who held a barony in her own right.

**Dominant.** Controlling; principal; ruling.

**Dominant tenement.** The one which benefits by a servitude attached to it. See 128 Ala. 67, 86 Am. St. Rep. 74, 29 South. 588.

**Dominical.** Pertaining to the Sabbath.

**Dominicide.** The killing of one's master.

**Dominicum.** A demesne; a church.

**Dominicum antiquum.** An ancient demesne.

**Dominium.** Dominion; control; ownership.

**Dominium directum.** Allodial ownership; legal ownership.

**Dominium directum et utile.** Legal and equitable ownership.

**Dominium eminens.** Eminent domain.

**Dominium non potest esse in pendenti.** Ownership cannot be in suspense.

**Dominium plenum.** Complete ownership.

**Dominium utile.** Equitable or beneficial ownership.

**Domino volente.** With the owner's consent.

**Dominus.** Principal; lord; master.

**Dominus litis.** One controlling a litigation.

**Dominus navis.** A shipmaster.

**Dominus non maritabit pupillum nisi semel.** A lord cannot give his ward in marriage but once.

**Dominus rex nullum habere potest parem, multo minus superiorem.** The king cannot have an equal, much less a superior.

**Domitae.** Domesticated.

**Domitae naturae.** Domesticated; tame.

**Domo reparanda.** For the repair of a house.

**Domus.** A house; a dwelling; a home.

**Domus capitularis.** A chapter-house.

**Domus Dei.** A church.

**Domus mansionalis.** Mansion-house. See 4 Conn. 446.

**Domus procerum.** The House of Lords.

**Domus sua cuique est tutissimum refugium.** One's home is his safest refuge. See 90 Ill. 229.

**Domus tutissimum cuique refugium atque receptaculum.** The home of everyone is his safest refuge and asylum.

**Dona.** Gifts.

**Dona clandestina sunt semper suspiciosa.** Secret gifts are always open to suspicion.

**Donare.** To give.

**Donari videtur quod nulli jure cogente conceditur.** That is considered as given which is transferred under no legal compulsion.

**Donatarius.** A donee.

**Donatio.** A gift.

**Donatio causa mortis.** A gift by one dying, who actually dies. See 122 Pa. St. 177, 9 Am. St. Rep. 83, 1 L. R. A. 535, 15 Atl. 470.

**Donatio inter vivos.** A gift between persons living.

**Donatio non praesumitur.** A gift is not presumed.

**Donatio perficitur possessione accipientis.** A gift is perfected by the receipt of possession. See 2 Leigh (Va.), 837.

**Donatio propter nuptias.** A gift in consideration of marriage.

**Donatio velata.** A veiled or hidden gift.

**Donation.** A gift; a gratuity. See 65 Ga. 499, 38 Am. Rep. 793.

**Donation lands.** Lands reserved in Pennsylvania for its citizens who fought in the Revolution.

**Donationum alia perfecta, alia incepta, et non perfecta; ut si donatio lecta fuit et concessa, ac traditio nondum fuerit subsecuta.** Some gifts are complete, others either incipient or not complete, as if a gift were read and agreed upon but delivery had not yet followed.

**Donative advowson.** See Advowson donative.

**Donator.** A donor.

**Donator nunquam desinit possidere antequam donatarius incipiat possidere.** A donor never ceases to possess until the donee begins to possess.

**Donatorius.** A donee.

**Donatory.** (Scotch) One receiving a gift from the crown.

**Donc.** Then.

**Donec.** Until.

**Donee.** One to whom a gift is made; a grantee.

**Dongan charter.** A charter granted for the city of New York in 1686.

**Donis, statute de.** The English statute establishing fees-tail. See 2 Bl. Comm. 110.

**Donor.** One who makes a gift; a grantor.

**Donque.** Same as Donc.

**Donum.** A gift.

**Doom.** Same as Dome.

**Doomsday Book.** Same as Domesday Book.

**Dormant.** Silent.

**Dormant execution.** One losing priority from delay in its use.

**Dormant partner.** A partner unknown as such to those doing business with the firm. See 190 Pa. St. 111, 42 Atl. 528.

**Dormiunt aliquando leges, nunquam moriuntur.** Although the laws sometimes sleep, they never die.

**Dorsum.** Back.

**Dorture.** A lodging place.

**Dos.** A dowry; dower.

**Dos de dote peti non debet.** Dower ought not to be sought from dower. See 13 Allen (Mass.), 459.

**Dos rationabilis.** Reasonable dower.

**Dos rationabilis vel legitima est cujuslibet mulieris de quocunque tenemento tertia pars omnium terrarum et tenementorum, quae vir suus tenuit in dominio suo ut de feodo.** Reasonable or legitimate

dower is for every woman a third part of all the lands and tenements which her husband held in his demesne as of fee.

**Dot.** Same as Dos.

**Dotage.** Mental feebleness in old age.

**Dotal property.** Part of dower or marriage portion. See 147 U. S. 550, 37 L. Ed. 276, 13 Sup. Ct. Rep. 495.

**Dotalitium.** Dower.

**Dotation.** Endowment with a marriage portion.

**Dote.** (Spanish) Same as Dos.

**Dote assignando.** For assignment of dower.

**Dote unde nihil habet.** A writ of dower for a widow against a tenant of lands whereof he was solely seised in fee simple, or fee-tail, and of which she is dowable.

**Doti lex favet; proemium pudoris est, ideo parcatur.** The law favors dower; it is the reward of virtue, therefore it should be spared.

**Dotis administratio.** Admeasurement of dower.

**Dotissa.** A dowager.

**Double avail of marriage.** Double the ordinary or single value of a marriage.—Bell. Dict.

**Double bond.** (Scotch) A bond providing a penalty for nonfulfillment.

**Double complaint.** A complaint in an ecclesiastical court against both the judge who delayed or refused justice and the defendant in the cause.

**Double costs.** One and a half times the actual costs of suit. See 2 N. J. L. 108.

**Double damages.** Twice the actual loss suffered.

**Double fine.** A fine sur don grant et render.

**Double insurance.** The making of two or more insurances upon the same subject, the same risk, and the same interest. See 146 Pa. St. 561, 28 Am. St. Rep. 821, 15 L. R. A. 127, 23 Atl. 248.

**Double quarrel.** Same as Double complaint.

**Double plea.** A plea embracing more than one defense. See 18 R. I. 567, 49 Am. St. Rep. 794, 29 Atl. 143.

**Double possibility.** A possibility founded upon another possibility

**Double rent.** A statutory penalty for holding over after the landlord's notice to quit.

**Double taxation.** Taxing the same property twice to the same person, or once to one and again to another. See 59 Iowa, 251, 44 Am. Rep. 679, 13 N. W. 113.

**Double voucher.** See Recovery by double voucher.

**Double waste.** Cutting timber to make repairs.

**Dowable.** Entitled to dower.

**Dowager.** An endowed widow.

**Dowager queen.** The widow of a king.

**Dower.** A widow's life estate in one-third of the real property of which her husband was seised of an estate of inheritance during the marriage. See 135 Ill. 448, 25 Am. St. Rep. 392, 11 L. R. A. 790, 26 N. E. 582.

**Dower ad ostium ecclesiae.** A husband's endowment of his wife at the time of marriage. See 27 Ohio St. 50.

**Dower by the common law.** A third of a husband's lands.

**Dower ex assensu patris.** A marriage portion assigned by the husband to his wife out of his father's estate. See 27 Ohio St. 50.

**Dower unde nihil habet.** A writ for a widow to whom no dower has been assigned.

**Dowle stones.** Boundary stones.

**Dowment.** Endowment.

**Dowment ad ostium ecclesiae.** See Dower ad ostium ecclesiae.

**Dowress.** A woman entitled to dower.

**Dowry.** A marriage portion.

**Dozein.** An ancient municipal district of twelve families.

**Dr. Bonham's case.** Holding void at common law a statute impossible of performance or against common right and reason. See 8 Coke, 107, 77 Eng. Reprint, 638.

**Draconian laws.** A code of laws compiled by Draco the Athenian; harsh laws.

**Draft.** A written order drawn on one person to pay money to another.

**Dragoman.** A Turkish court interpreter.

**Draw.** To make a draft.

**Drawback.** A government rebate on the export of certain imports. See 113 Fed. (U. S.) 144, 51 C. C. A. 100.

**Drawee.** One upon whom a bill of exchange is drawn.

**Drawer.** The maker of a bill of exchange.

**Drawlatches.** Thieves.

**Dred Scott Case.** Holding a free negro born of slaves was not a United States citizen. See 19 How. (U. S.) 393, 15 L. Ed. 691.

**Dreit dreit.** Same as Droit droit.

**Dreng.** A tenant in capite.

**Drengage.** The tenure of a dreng.

**Drift of the forest.** A driving together of all the cattle in a forest.

**Driftland.** An annual tribute for the privilege of driving cattle through a manor.

**Driftway.** A way over which cattle are driven.

**Drip.** The fall of rain-water from the eaves of a house.

**Drofland.** Same as Driftland.

**Droict.** Same as Droit.

**Droit.** Right; law; justice.

**Droit commun.** Common law.

**Droit d'accroissement.** Right of survivorship.

**Droit d'ainesse.** A birthright.

**Droit d'aubaine.** The right of a country to seize the estate of an alien dying therein. See 100 Iowa, 407, 37 L. R. A. 583, 69 N. W. 560.

**Droit d'eignesse.** The right of the eldest.

**Droit d'execution.** Right of a broker to sell for account of his principal who refuses to accept.

**Droit de corvées.** Right to feudal service.

**Droit de déshérence.** Right of escheat.

**Droit de suit.** Right to pursue property in a third party's hands; stoppage in transitu.

**Droit droit.** Title and right of possession.

**Droit ecrit.** The written law.

**Droit ne done pluis que soit demaundé.** The law gives no more than is demanded.

**Droit no poet pas morier.** The right cannot die.

**Droits civils.** Civil or private rights.

**Droits of admiralty.** Abandoned goods found at sea; goods taken in war time by a noncommissioned ship.

**Droitural.** Concerning right.

**Droitural action.** An action to recover land of which the plaintiff had lost both possession and the right thereto.

**Drop-letter.** A letter posted for delivery by the local postoffice.

**Drove road.** A cattle road.

**Druggist.** One in the business of buying and selling drugs without compounding or preparation. See 28 La. Ann. 765, 26 Am. Rep. 110.

**Drumhead court-martial.** A summary military trial.

**Drunkard.** One who by habitual use of intoxicants is deprived of reasonable self-control. See 23 Colo. 87, 33 L. R. A. 832, 46 Pac. 117.

**Drunkenness.** Inebriation from intoxicating liquors. See 112 Ga. 854, 38 S. E. 330.

**Dry craeft.** Witchcraft.

**Dry exchange.** An evasion of usury laws.

**Dry mortgage.** One imposing no personal liability on the mortgagor. See 134 Cal. 128, 66 Pac. 178.

**Dry rent.** Rent reserved without right of distress.

**Dry trust.** One wherein the trustee merely holds the title. See 148 Mo. 542, 45 L. R. A. 53, 50 S. W. 439.

**Duarchy.** A government with two rulers.

**Duas uxores eodem tempore habere non potest.** One cannot have two wives at the same time.

**Dub.** Abbreviation of Dubitatur.

**Dubitans.** Doubting.

**Dubitante.** Doubting.

**Dubitatur.** It is doubted.

**Dubitavit.** It has been doubted.

**Dubii juris.** Of doubtful right or law.

**Duces tecum.** Bring with you. See Subpoena duces tecum.

**Duces tecum licet languidus.** A writ to bring one into court notwithstanding his illness.

**Duchy Court of Lancaster.** See Court of the Duchy of Lancaster.

**Ducking-stool.** An instrument for punishing scolds, being a chair wherein they were plunged in water.

**Due.** Exactly; immediately payable; owing, and payable now or at a future time. See 7 N. Y. 476, 57 Am. Dec. 542.

**Due bill.** A writing acknowledging a debt.

**Due care.** Care such as an ordinarily prudent man would have exercised under the circumstances. See 70 N. H. 441, 55 L. R. A. 426, 50 Atl. 146.

**Due process of law.** The application of the law as it exists in the fair and regular course of administrative procedure. See 122 Am. St. Rep. 904, note.

**Due-days.** Same as Boon-days.

**Duelling.** The offense of fighting a duel.

**Duello.** A duel.

**Duellum.** A trial by battle.

**Duke.** A leader; a hereditary title in England next to a prince.

**Dulocracy.** A government of slaves.

**Duly.** Regularly; according to law. See 224 Ill. 218, 8 Ann. Cas. 123, 79 N. E. 639.

**Dum.** While.

**Dum bene se gesserit.** During good behavior.

**Dum fervet opus.** While the work flourishes.

**Dum fuit in prisona.** A writ to recover land conveyed under duress.

**Dum fuit infra aetatem.** While he was under age.

**Dum non fuit compos mentis.** While he was of unsound mind.

**Dum recens fuit maleficium.** While the offense was recent.

**Dum sola.** While unmarried.

**Dum sola et casta vixerit.** While she shall live unmarried and chaste.

**Dumb-bidding.** Auction bidding wherein all bids below a secret one are rejected.

**Dummodo.** So that.

**Dummodo constat de persona.** So that it is clear as to the person.

**Dungeon.** An underground cell.

**Dunnage.** Loose wood used to protect a cargo from water in a ship's hold. See 103 Mass. 401, 4 Am. Rep. 567.

**Duo non possunt in solido unam rem possidere.** Two cannot possess one thing exclusively.

**Duo sunt instrumenta ad omnes res aut confirmandas aut impugnandas,—Ratio et aucoritas.** Reason and authority are two instruments for the confirming or impugning of all matters.

**Duodecemvirale judicium.** A jury trial.

**Duodecima manus.** Twelve men's oath.

**Duodena.** A jury of twelve.

**Duorum in solidum dominium vel possessio esse non potest.** Sole ownership or possession cannot be in two persons.

**Duplex querela.** An appeal from an ordinary to his superior.

**Duplex valor maritagii.** Twice the value of the marriage.

**Duplicate.** One of two documents precisely similar.

**Duplicate will.** One executed in duplicate and each copy placed in different hands.

**Duplicatio.** (Civil Law) A pleading corresponding to a common-law rejoinder.

**Duplicationem possibilitatis lex non patitur.** The law does not suffer a duplication of possibility.

**Duplicatum jus.** A double right.

**Duplicity.** Double pleading; the joinder of two or more distinct and separate offenses in one count. See 77 Md. 121, 39 Am. St. Rep. 401, 26 Atl. 500.

**Duply.** (Scotch) A second pleading by way of reply.

**Durante.** During.

**Durante absentia.** During absence.

**Durante bene placito.** During good pleasure.

**Durante furore.** During insanity.

**Durante itinere.** During a journey.

**Durante minore aetate.** During minority.

**Durante viduitate.** During widowhood.

**Durante vita.** During life.

**Duress.** Constraint or danger, inflicted or threatened and impending, sufficient to overcome the mind and will of one of ordinary firmness. See 94 Am. St. Rep. 411, note.

**Duress per minas.** Duress through threats.

**Duressor.** One who imposes duress upon another.

**Dusty foot.** See Courts of pie poudre.

**Dutch auction.** One in which the auctioneer submits a high price and lowers it until there is an acceptance. See 28 Ohio St. 479.

**Duumviri.** Two Roman municipal magistrates with the same functions.

**Dux.** A chief; a leader.

**Dwelling-house.** An inhabited residence.

**Dying declarations.** Those made by one on his death-bed. See 86 Am. St. Rep. 638, note.

**Dying without issue.** Death without a child born either before or after death.

**Dynasty.** A royal family succession to a throne.

**Dysnomy.** Bad legislation.

**Dyvour.** (Scotch) An insolvent who had assigned for the benefit of his creditors.

**Dyvour's habit.** The costume prescribed by law for a dyvour.

# E

**E.** From; out of.

**E converso.** Conversely.

**E contra.** On the contrary; on the other hand.

**E. e.** Errors excepted; used in accounts.

**E. g.** Exempli gratia, for example.

**E mera gratia.** Of mere favor.

**Ea est accipienda interpretatio, quae vitio caret.** That interpretation is to be accepted which is without fault.

**Ea intentione.** With that intention.

**Ea quae commendandi causa in venditionibus dicuntur si palam appareant venditorem non obligant.** Those things which are said in commendation at sales, if they appear openly, do not bind the seller.

**Ea quae dari impossibilia sunt, vel quae in rerum natura non sunt, pro non adjectis habentur.** Those things which it is impossible to give or which are not in being are held not to apply.

**Ea quae in curia nostra rite acta sunt debitae executioni demandari debet.** Those things which are regularly done in our court should be included in the execution debt.

**Ea quae raro accidunt, non temere in agendis negotiis computantur.** Those things which rarely happen are not rashly taken into account in business transactions.

**Eadem causa diversis rationibus coram judicibus ecclesiasticis et secularibus ventilatur.** The same cause is with different reasons argued before both ecclesiastical and secular judges.

**Eadem est ratio, eadem est lex.** The same reason, the same law. See 7 Pick. (Mass.) 493.

**Eadem mens praesumitur regis quae est juris et quae esse debet, proesertim in dubiis.** The king's mind is presumed to be in accord with law and as it should be, especially in doubtful matters.

**Eagle.** A United States coin of ten dollars value.

**Ealderman.** A chief.

**Ealdor biscop.** An archbishop.

**Ealehus.** An alehouse.

**Earl.** An English title of nobility below that of a marquis and above that of a viscount.

**Earl marshal.** The eighth great officer of state in England.

**Earl palatine.** Same as Count palatine.

**Earldom.** The jurisdiction or dignity of an earl.

**Earles-penny.** Earnest-money given to bind a bargain.

**Earmark.** An identifying or distinguishing mark; a peculiar slit made in the ears of cattle and sheep for identification.

**Earnest.** A part payment of the price. See 108 Mass. 54, 11 Am. Rep. 306.

**Earnings.** The rewards of labor or services. See 102 Am. St. Rep. 97, note.

**Ear-witness.** One testifying to what he has heard; one testifying to hearsay.

**Easement.** A liberty, privilege, or advantage in land, without profit, and existing distinct from the ownership of the soil. See 113 Iowa, 122, 86 Am. St. Rep. 367, and note, 84 N. W. 949.

**Easement appurtenant.** An incorporeal right which is attached to and belongs with some greater or

superior right. See 136 Am. St. Rep. 685, note.

**Easement in gross.** A mere personal interest in land, not appurtenant to any other land. See 136 Am. St. Rep. 683, note.

**East Greenwich.** A royal manor in Kent.

**Easter offerings, or Easter dues.** Dues paid to the clergy at Easter.

**Easter term.** An English court term from April 15th to May 8th.

**Eat inde sine die.** Let him go hence without day.

**Eau.** Water.

**Eaves-drip.** Rain-water dripping from the eaves of a house.

**Eavesdropper.** One guilty of lying in wait to overhear conversation. See 75 Am. Dec. 773, note.

**Eavesdropping.** The offense of lying in wait to overhear conversation.

**Ebb.** The falling of the tide.

**Ebba.** Ebb.

**Eberemord.** Same as Aberemurder.

**Eccl.** Ecclesiastical.

**Eccles.** Ecclesiastical.

**Ecclesia.** A church.

**Ecclesia ecclesiae decimas solvere non debet.** The church ought not to pay tithes to the church.

**Ecclesia est domus mansionalis omnipotentis dei.** The church is the mansion-house of the omnipotent God.

**Ecclesia est infra aetatem et in custodia domini regis, qui tenetur jura et haereditates ejusdem manu tenere et defendere.** The church is under age and in the custody of the king, who is bound to sustain and defend her rights and inheritances.

**Ecclesia fungitur vice minoris; meliorem conditionem suam facere potest, deteriorem nequaquam.** The church occupies the position of a minor; she can make her own condition better, but never worse.

**Ecclesia magis favendum est quam personae.** The church is more to be favored than the individual.

**Ecclesia non moritur.** The church does not die.

**Ecclesiastic.** Ecclesiastical; a churchman.

**Ecclesiastical.** Religious; pertaining to the church.

**Ecclesiastical commission.** A court instituted by Elizabeth with great powers in religious matters.

**Ecclesiastical corporations.** Religious corporations.

**Ecclesiastical courts.** English courts presided over by the clergy.

**Ecclesiastical law.** The law enforced in the ecclesiastical courts.

**Ecclesiastical notary.** A secretary or clerk employed in the ecclesiastical courts and councils.

**Ecumenical.** Belonging to the whole of Christian church.

**Edict.** A mandatory or prohibitory law issued by a sovereign.

**Edict of Theodoric.** See Edictum Theodorici.

**Edictum.** An edict.

**Edictum Theodorici.** The edict of Theodoric, a code compiled in the 6th century for the Roman subjects of Theodoric.

**Edile.** Same as Aedile.

**Editus.** Issued; promulgated.

**Edward I.** King of England, 1272–1307.

**Edward II.** King of England, 1307–1327.

**Edward III.** King of England, 1327–1377.

**Edward IV.** King of England, 1461–1483.

**Edward V.** King of England, April–June, 1483.

**Edward VI.** King of England, 1547–1553.

**Edward VII.** King of Great Britain, etc., 1901–1910.

**Eé.** Estre, to be.

**Effect.** See In effect.

**Effective.** In force; in effect.

**Effective money.** Coin.

**Effects.** Property. See 14 Am. Dec. 577, note.

**Effectus punitur licet non sequatur effectus.** The act should be punished that the consequence may not follow. See 5 Har. & J. (Md.) 317, 9 Am. Dec. 534.

**Effectus sequitur causam.** The effect follows the cause.

**Effigy.** A stuffed figure made to represent some person.

**Efflux.** The flow of time.

**Effluxion of time.** Lapse of time.

**Efforce.** To force.

**Efforcialiter.** Forcibly.

**Effraction.** A forcible breaking.

**Effractor.** A housebreaker.

**Effractores.** Housebreakers; burglars.

**Effranchise.** To clothe with a franchise.

**Effray.** Same as affray.

**Effusio sanguinis.** Bloodshed.

**Egality.** Equality.

**Egetter.** To eject.

**Eglise or Egglise.** A church.

**Ego, talis.** I, such a one.

**Egrediens et exeuns.** Going forth and issuing.

**Ei incumbit probatio qui dicit, non qui negat.** The burden of proof is upon him who alleges, not upon him who denies.

**Ei nihil turpe, cui nihil satis.** Nothing is base to whom nothing is sufficient.

**Eia, or ey.** An island.

**Eigne.** The eldest.

**Eignesse.** Esnecy.

**Eik.** An addition.

**Einecia.** Esnecy.

**Einetia.** An eldest son's share.

**Eins ceo que.** Inasmuch as.

**Eirant.** Errant; wandering.

**Eire.** Same as Eyre.

**Eisdem modis dissolvitur obligatio quae nascitur ex contractu, vel quasi, quibus contrahitur.** An obligation which arises in contract or quasi contract is dissolved in the same manner in which it is contracted.

**Eisna.** The eldest.

**Eisnetia.** Same as Einetia.

**Eject.** To turn out; to expel.

**Ejecta.** Refuse.

**Ejection.** Ouster from possession.

**Ejection and intrusion.** (Scotch) An action to recover real property and damages by one forcibly dispossessed.

**Ejectione custodiae.** See De ejectione custodiae.

**Ejectione firmae.** See De ejectione firmae.

**Ejectment.** An action for trial of title to land in which possession may be recovered. See 67 N. J. L. 260, 91 Am. St. Rep. 433, 57 L. R. A. 956, 51 Atl. 509.

**Ejectment of ward.** See De ejectione custodiae.

**Ejectum.** Wreckage cast up by the sea.

**Ejercitoria.** (Spanish) An action against a ship owner for debts incurred by his shipmaster.

**Ejettement.** Ejectment.

**Ejettement de garde.** Same as Ejectment of ward.

**Ejidos.** (Spanish) A common. See 15 Cal. 554.

**Ejurare.** To abjure; to renounce by oath.

**Ejus est interpretari cujus est condere.** It is for him who composes to interpret.

**Ejus est nolle, qui potest velle.** He who can consent can refuse.

**Ejus est non nolle qui potest velle.** He who can consent should not be noncommittal.

**Ejus est periculum cujus est dominum aut commodum.** His is the risk who has the ownership and profit.

**Ejus nulla culpa est cui parere necesse sit.** No blame follows him who has to obey.

**Ejusdem generis.** Of the same nature or kind. See 112 Minn. 52, 21 Ann. Cas. 679, 30 L. R. A. (N. S.) 335, 127 N. W. 444.

**Ejusdem negotii.** Of the same transaction.

**Elaborare.** To acquire by labor.

**Elder brethren.** The Masters of Trinity House, a body in charge of English buoys and lighthouses.

**Electa una via, non datur recursus ad alteram.** Having chosen one course, he is not allowed to return to the other.

**Electio est creditoris.** The creditor has his choice.

**Electio est debitoris.** The debtor has his choice.

**Electio est intima (interna), libera, et spontanea separatio unius rei ab alia, sine compulsione, consistens in animo et voluntate.** Election is the internal, free and spontaneous separation of one thing from another, without compulsion, consisting in intent and will.

**Electio semel facta, et placitum testatum, non patitur regressum.** An election once made and the decision made clear is not permitted to be revoked.

**Electio semel facta non patitur regressum.** An election once made does not admit of a retraction.

**Election.** A choice; a selection; a selection by votes. See 82 Iowa, 216, 11 L. R. A. 354, 47 N. W. 1091.

**Election auditor.** An officer who audits and publishes an account of election expenses.

**Electiones fiant rite et libere sine interruptione aliqua.** Election should be made regularly and freely without any interruption.

**Elective.** Chosen at an election by votes cast thereat.

**Elector.** One qualified to vote at an election. See 136 Pa. 459, 10 L. R. A. 228, 20 Atl. 574.

**Electoral college.** The meeting of presidential electors to elect the president.

**Electors of president.** See Presidential electors.

**Eleemosyna.** Alms.

**Eleemosynarius.** One who dispenses alms.

**Eleemosynary.** Charitable.

**Eleemosynary corporation.** One formed for charitable purposes. See 4 Conn. 172, 10 Am. Dec. 112.

**Eleganter.** Accurately.

**Elegit.** A writ of execution.

**Elements.** The forces of nature which are sudden, unusual or unexpected. See 40 Minn. 106, 2 L. R. A. 349, 41 N. W. 940.

**Eligible.** Qualified. See 50 Kan. 275, 34 Am. St. Rep. 113, 30 L. R. A. 97, 32 Pac. 1123.

**Elimination.** Ejection.

**Elinguation.** Punishment by cutting out the tongue.

**Elisor.** One appointed to perform functions of a sheriff or coroner in case of their disqualification to act. See 92 Cal. 239, 28 Pac. 341.

**Elizabeth.** Queen of England, 1558–1603.

**Ell.** A lineal measure of about a yard.

**Elogium.** A will.

**Eloign.** To remove or conceal; to remove beyond the jurisdiction of a court.

**Eloignment.** Removal beyond the jurisdiction of a court. See 8 Wash. 467, 36 Pac. 463.

**Eloignment of goods.** Their removal from the county to avoid their distress or seizure by process. See 8 Wash. 467, 36 Pac. 463.

**Eloin.** Same as Eloign.

**Eloinate.** To eloin.

**Eloinment.** Removal.

**Elongare.** To eloign.

**Elongata.** A sheriff's return on a writ of replevin when the goods have been eloigned.

**Elongatus.** Eloigned.

**Elongavit.** He has eloigned.

**Elopement.** A wife's departure with an adulterer. See 3 N. H. 42.

**Eluviones.** Spring tides.

**Emanare.** To issue.

**Emanavit.** It issued.

**Emancipation.** Liberation from slavery or bondage; a minor's liberation from control of his parents. See 79 Iowa, 151, 18 Am. St. Rep. 353, 7 L. R. A. 176, 44 N. W. 295.

**Emasculate.** To castrate; to destroy the power of reproduction in a male.

**Embargo.** A governmental order forbidding the departure of ships or goods during its operation. See 14 Fed. Cas. (U. S.) 516, 2 Wash. C. C. 300.

**Embassy.** The trust, charge or mission of an ambassador of a foreign nation; the residence of an ambassador.

**Embezzlement.** The felonious appropriation by an agent or servant of personal property intrusted to his possession by or for his principal. See 98 Am. Dec. 131, note.

**Emblements.** The fruits of annual planting; the right to gather them. See 131 Am. St. Rep. 618, note.

**Embler.** To sow; to steal.

**Embody.** To include in an instrument or statute.

**Embowel.** To disembowel.

**Embraceor.** Same as Embracer.

**Embracer.** One guilty of embracery.

**Embracery.** The offense of attempting to influence a court or jury by improper means. See 5 Cow. (N. Y.) 503.

**Embrothel.** To place or harbor in a brothel.

**Emenda.** Amends.

**Emendare.** To make amends.

**Emendatio.** Amendment; amends.

**Emergency.** A sudden or unexpected happening or occasion calling for immediate action. See 43 Colo. 131, 127 Am. St. Rep. 106, 95 Pac. 347.

**Emigrant.** One who lawfully quits his own country to settle in another. See 110 Ga. 584, 50 L. R. A. 685, 35 S. E. 699.

**Emigration.** The act of lawfully quitting one's own country to settle in another.

**Eminent domain.** The right to take private property for public use upon making compensation therefor. See 133 N. Y. 329, 28 Am.

St. Rep. 640, and note, 16 L. R. A. 180, 31 N. E. 102.

**Emission.** A discharge of seminal fluid; issuance.

**Emit.** To issue paper intended to circulate as money. See 4 Pet. (U. S.) 410, 7 L. Ed. 903.

**Emmenagogue.** Medicine administered to produce menstruation.

**Emoluments.** The profits or compensation attached to an office. See 105 Pa. St. 242, 51 Am. Rep. 205.

**Emotional insanity.** Wherein the victim may have full power to reason but is seized with violent emotions or passions. See 82 U. S. 580, 21 L. Ed. 236.

**Empalement.** Same as Impalement.

**Empannel.** Same as Impanel.

**Emparlance.** Same as Imparlance.

**Emparler.** To imparl.

**Emphyteusis.** (Roman Law) A sort of lease, usually forever, providing for the improvement of the property and an annual rent.

**Emphyteuta.** A tenant holding by emphyteusis.

**Emplazamiento.** (Spanish) A citation.

**Emplead.** Same as implead.

**Employees.** Laborers, servants and those occupying inferior positions. See 27 Or. 251, 50 Am. St. Rep. 717, and note, 41 Pac. 656.

**Employers' liability acts.** Statutes governing compensation to workmen for injuries incurred in the discharge of their employment.

**Employment.** Occupation; trade; business. See 72 Am. Dec. 180, note.

**Empower.** To authorize.

**Emprestido.** (Spanish) A loan.

**Emptio.** A purchase.

**Emptio bonorum.** The purchase of goods.

**Emptio et venditio.** Purchase and sale.

**Emptor.** A purchaser.

**Emptor emit quam minimo potest, venditor vendit quam maximo potest.** The purchaser buys for as little as he can, the seller sells for as much as he can.

**En.** In; into; on.

**En après.** Henceforth.

**En ariere.** In the past.

**En autre droit.** In another's right.

**En autre soile.** On another's land.

**En avant.** In the future.

**En banke.** In banc; on the bench.

**En barre.** In bar.

**En bonne foy.** In good faith.

**En ce.** In this.

**En chemin.** On the way.

**En chiefe.** In chief.

**En coste.** On the side; collateral.

**En court.** In court.

**En demeure.** In default.

**En demeyne.** In demesne.

**En eschange il covient que les estates soient egales.** In an exchange it is proper that the estates should be equal.

**En fait.** In fact.

**En gros.** In gross.

**En juicio.** (Spanish) In court.

**En le mercie.** In mercy.

**En mort meyne.** In mortmain.

**En oultre.** Furthermore.

**En owel main.** In equal hand.

**En pais.** In the country; out of court.

**En plein vie.** In full life.

**En poigne.** In hand.

**En primes.** In the first place.

**En son damage.** Same as Damage feasant.

**En son demeyne come de fee.** In his demesne as of fee.

**En suspence.** In statu quo.

**En tesmoignance.** In testimony.

**En ventre sa mere.** In the mother's womb.

**En vie.** In life.

**Enabling statute.** The statute 32 Henry VIII, c. 28, enabling certain persons to make leases binding for 21 years upon their successors.

**Enact.** To pass as a statute.

**Enacting clause.** Of a statute, "Be it enacted," or the like. See 98 N. C. 660, 4 S. E. 350.

**Enajenacion.** A conveyance. See 26 Cal. 88.

**Enceinte.** Pregnant.

**Encheson.** Cause; reason.

**Enclosure.** Same as Inclosure.

**Encroach.** To effect an encroachment.

**Encroachment.** A gradual entering on and taking possession by one of what is not his. See 81 Wis. 313, 29 Am. St. Rep. 898, 15 L. R. A. 553, 51 N. W. 560.

**Encumber.** To effect an encumbrance.

**Encumbrance.** A third person's right in land, to the diminution of its value, though consistent with the passing of the fee by deed or conveyance. See 113 Iowa, 122, 86 Am. St. Rep. 367, and note, 84 N. W. 949.

**Encumbrancer.** The holder of an encumbrance.

**Endenizen.** Same as Denize.

**Endorse.** Same as Indorse.

**Endorsement.** Same as Indorsement.

**Endowed.** Provided with dower.

**Endowment.** Assignment of dower; settling property or money upon an institution to provide for its support. See 116 Pa. 555, 11 Atl. 402.

**Endowment policy.** A life policy the amount of which is payable to the insured if he lives until a time stated. See 129 U. S. 252, 32 L. Ed. 669, 9 Sup. Ct. Rep. 295.

**Enemy.** A nation at war with a given one. See 88 Am. Dec. 779, note.

**Enfeoff.** To vest with a fee.

**Enfeoffment.** The act of enfoeffing.

**Enfranchise.** To confer a franchise upon; to free; to permit to vote.

**Enfranchisement.** The act of enfranchising.

**Enfranchisement of copyhold.** A conveyance of copyhold lands by the lord in fee simple.

**Eng. Rul. Cas.** English Ruling Cases.

**Engagement.** An agreement; a contract.

**Engager.** To pledge.

**Englecery.** Same as Englishry.

**Englescherie.** Same as Englishry.

**Engleschire, or Engleshire.** Same as Englishry.

**English rulers.** See Regnal years.

**English tables.** Tables compiled in England showing average duration of life. See 66 Mich. 261, 11 Am. St. Rep. 482, 33 N. W. 306.

**Englishry.** Proof that one murdered was an Englishman, thereby saving the county from amercement. See 4 Bl. Comm. 195.

**Engross.** The offense of buying up a commodity to control the market; to copy.

**Engrossed bill.** A legislative bill engrossed and ready for passage.

**Enitia pars.** The share of the eldest.

**Enjoin.** To forbid or command; to restrain or command by injunction.

**Enjoyment.** The exercise of a right.

**Enlarge.** To extend time; to free; to release.

**Enlarger l'estate.** To enlarge the estate, as by release.

**Enlarging statute.** One which augments powers or authority previously granted.

**Enlistment.** Entering the army or navy as a private or noncommissioned officer. See 107 Mass. 282.

**Enormia.** Wrongs; crimes.

**Enormis.** Excessive.

**Enparler.** To imparle.

**Enpleet.** To implead.

**Enquest.** An inquest.

**Enquet.** An inquest; a jury.

**Enroll.** To record; to enter of record.

**Enrollment.** Recordation; entry of record.

**Enrolment, Statute of.** See Statute of enrolment.

**Ens.** Existence.

**Ens legis.** A creature of the law.

**Enschedule.** To place in a schedule.

**Enseal.** To seal; to affix a seal to.

**Ensemble.** Together.

**Ensement.** Also.

**Enserver.** To subject to a service.

**Ensi or ensy.** Thus; so.

**Ensure.** Same as Insure.

**Entail.** To create an estate-tail; to settle property upon.

**Entailed money.** Money to be applied toward the purchase of an estate-tail.

**Entencion.** A declaration; a count thereof.

**Entendment.** Understanding.

**Entente.** Same as Entencion; understanding.

**Enter.** To go in; in; within.

**Enter into.** To join in.

**Enterlesse.** Left out.

**Enterprise.** A business venture.

**Entice.** To persuade.

**Entire contract.** A contract wherein the consideration is indivisible; one which is not severable. See 43 Or. 149, 72 Pac. 702.

**Entire tenancy.** Sole ownership, not joint or in common.

**Entirety.** Undivided property. See Estate by Entireties.

**Entitle.** To vest title in; to place the caption on a pleading or other legal document.

**Entre.** In; within.

**Entrebat.** An intruder.

**Entrega.** (Spanish) Delivery.

**Entrepot.** A warehouse.

**Entry.** Recordation; noting in a record; going upon land; taking actual possession of land; the acquisition of an inceptive right by filing a claim. See 12 Wheat. (U. S.) 586, 6 L. Ed. 737.

**Entry ad communem legem.** A writ by which a reversioner secured possession on the death of the particular tenant.

**Entry ad terminum qui praeteriit.** Entry at the end of a term which has expired.

**Entry cui ante divortium.** See Cui ante divortium.

**Entry in casu consimili.** See Casu consimili.

**Entry, Writ of.** See Writ of entry.

**Enumeratio infirmat regulam in casibus non enumeratis.** Enumeration disaffirms a rule in cases not enumerated.

**Enumeratio unius est exclusio alterius.** The enumeration of one

amounts to the exclusion of the other.

**Enure.** See Inure.

**Envers.** Against.

**Envoy.** A messenger sent to a foreign government to transact some international business.

**Eo instante.** Instantly.

**Eo intuitu.** With that intent.

**Eo ipso.** By that itself.

**Eo loci.** In that place.

**Eo nomine.** By or in that name.

**Eod.** Eodem, the same.

**Eodem ligamine quo ligatum est dissolvitur.** A bond is released by the same bond which bound.

**Eodem modo quo quid constituitur, eodem modo destruitur.** In the same manner by which a thing is constituted, it is destroyed.

**Eodem modo quo oritur, eodem modo dissolvitur.** In the same manner in which a thing is created, it is dissolved.

**Eorl.** Same as Earl.

**Eoth.** An oath.

**Epiqueya.** (Spanish) Equity.

**Episcopacy.** Church rule by bishops.

**Episcopalia.** Dues owing the bishop.

**Episcopus.** A bishop.

**Episcopus alterius mandato quam regis non tenetur obtemperare.** A bishop is not held to obey any other command than that of the king.

**Epistolae.** Opinions of the Roman emperors.

**Equal.** Impartial; not discriminating; unbiased; uniform.

**Equal protection of the law.** Equal protection and security for all under like circumstances in life, liberty, property and pursuit of happiness. See 16 Idaho, 737, 22 L. R. A. (N. S.) 1123, 102 Pac. 374.

**Equality.** The state of being equal; uniformity.

**Equalize.** To make uniform, as an assessment.

**Eques.** A knight.

**Equitable assets.** Assets reachable in equity.

**Equitable assignment.** Assignment of a thing not yet in existence; the assignment of part of a demand actually due or to become due. See 21 Or. 202, 28 Am. St. Rep. 740, note, 27 Pac. 952.

**Equitable construction.** Interpretation according to principles of equity.

**Equitable conversion.** Treating real property as personal, or the reverse, to carry out a testator's intention or to secure the rights of the parties. See 128 Ill. 430, 15 Am. St. Rep. 120, 21 N. E. 503.

**Equitable defense.** A defense in an action at law based upon equitable grounds. See 74 Mo. 561.

**Equitable estate.** An equity; an estate or interest recognized in a court of equity; e. g., equity of redemption. See 42 Mo. 45, 97 Am. Dec. 295.

**Equitable estoppel.** An estoppel from words or acts which it would be inequitable to permit the maker of them to repudiate. See 134 Am. St. Rep. 172.

**Equitable mortgage.** The mortgage of an equitable interest or estate.

**Equitable owner.** One owning an equitable interest.

**Equitable plea.** A plea in an action at law presenting an equitable defense.

**Equitable seizin.** Possession of an equitable interest in land.

**Equitable title.** See Equitable estate.

**Equitable waste.** Injury to the inheritance, the remainder or reversion. See 193 Ill. 372, 55 L. R. A. 701, 62 N. E. 210.

**Equitas sequitur legem.** Equity follows the law. See 170 Mo. 531, 62 L. R. A. 427, 71 S. W. 337.

**Equitatura.** Equipment of a traveler.

**Equity.** The system of jurisprudence which was designed to relieve from the hardships of the common law, in which equitable remedies are administered by courts of equity; good conscience; courts of equity; an equitable right, estate or interest. See 8 Misc. Rep. 484, 29 N. Y. Supp. 342.

**Equity of statute.** The reason and spirit of it as aids to interpretation.

**Equity of redemption.** The interest of a mortgagor, either before or after foreclosure. See 55 Am. St. Rep. 100, note.

**Equity side.** The sitting of a court which also has a law side, as a court of equity.

**Equity term.** Same as Equity side.

**Equity to a settlement.** A wife's right in equity to have part of her equitable estate settled upon her and the children.

**Equivalent.** Equal in probative force.

**Equivocal.** Double meaning.

**Equuleus.** A sort of rack used by the Romans to extort confessions.

**Erer.** To plough.

**Ergo.** Therefore.

**Ergo hic.** Therefore here.

**Erigimus.** We establish.

**Erosion.** Gradual washing away by tides or currents. See 100 N. Y. 433, 53 Am. Rep. 206, 3 N. E. 581.

**Erotic mania.** A mental disease attributed to love.

**Errant.** Itinerant; wandering.

**Erraticum.** An estray.

**Erroneous.** Bad or defective as a matter of law.

**Erronice.** Erroneously.

**Error.** A mistake of law or fact; a mistake of the court in the trial of a cause; a writ to review an inferior court's judgment in a higher court for errors on the face of the record.

**Error coram nobis.** A writ of error in the king's bench to review a judgment of that court.

**Error fucatus nuda veritate in multis est probabilior, et saepenumero rationibus vincit veritatem error.** Error disguised is in many things more probable than naked truth, and error very often overcomes truth in arguments.

**Error in fact.** A judicial error founded upon a mistake of fact.

**Error juris nocet.** A mistake of law works injury.

**Error lapsus.** An error by mistake.

**Error nominis nunquam nocet, si de identitate rel constat.** A mistake in a name is harmless, if the identity of the thing is clear.

**Error qui non resistitur, approbatur.** An error not objected to is waived.

**Error scribentis nocere non debit.** The error of a scribe ought not to work an injury.

**Error, Writ of.** See Error.

**Errores ad sua principia referre, est refellere.** To refer errors to their source is to refute them.

**Erubescit lex filios castigare parentes.** The law blushes at sons' reproof of their parents.

**Escaeta.** An escheat.

**Escaetor.** An escheator.

**Escaldare.** To scald.

**Escambio.** A writ to authorize the drawing of bills of exchange on persons out of the country.

**Escambium.** Exchange.

**Escape.** Flight from lawful imprisonment. See 5 Mass. 310.

**Escape warrant.** One directing any sheriff in England to arrest one imprisoned on civil process who has escaped.

**Escapium.** An escape.

**Eschaetae vulgo discuntur quae decidentibus iis quae de rege tenent, cum non existit ratione sanguinis haeres, ad fiscum relabuntur.** They are commonly called escheats which upon the dying out of those who hold of the king when there is no heir by consanguinity, revert to the treasury.

**Escheat.** The reversion of title to the lord upon failure of heirs of the tenant to inherit; the reversion of land to the state upon failure of heirs. See 12 L. R. A. 529, note.

**Escheat propter defectum sanguinis.** Escheat for failure of blood.

**Escheat propter delictum tenentis.** Escheat for the fault of the tenant, as through attainder.

**Escheator.** A county officer who looked into and reported escheats reverting to the king.

**Eschoir.** To escheat.

**Escribano.** (Spanish) An officer whose functions are similar to those of a notary public.

**Escrier.** To proclaim.

**Escript.** A written instrument.

**Escrit.** Same as Escript.

**Escritura.** (Spanish) A deed; a writing.

**Escrow.** A deed; the delivery of an instrument to a third party who is to deliver it to the grantee or promisee upon the fulfillment of some condition, such as the payment of money. See 130 Am. St. Rep. 911, note.

**Escrowl.** An escrow.

**Escuage.** Knight-service; money paid by the tenant in lieu thereof.

**Esketores.** Robbers.

**Eskippamentum.** Ships' tackle.

**Eskipper, or Eskippare.** To ship.

**Eslier.** To choose.

**Eslisor.** Same as Elisor.

**Esloigner.** To eloign.

**Esne.** One in a condition of servitude.

**Esnecy.** The share of the eldest.

**Espediente.** A complete statement of every step taken in the proceedings for a Mexican grant. See 161 U. S. 208, 40 L. Ed. 673, 16 Sup. Ct. Rep. 544.

**Espera.** The time fixed by a court for performance of an act.

**Esperons.** Spurs.

**Esplees.** Products and profits of land.

**Espousals.** Mutual promises to marry.

**Espouse.** To give in marriage; to engage in one's defense.

**Espurio.** A bastard.

**Esquire.** A knight's attendant; a title often applied to barristers.

**Essart.** Cleared and cultivated woodland.

**Essartum.** Essart.

**Esse.** To be; being.

**Essence of the contract.** The gist or substance of the contract; an important part of it.

**Essendi quietam de theolonia.** Exemption from tolls.

**Essentialia negotii.** The essentials of the transaction.

**Essoign.** An excuse for nonappearance in court at the time set to defend an action.

**Essoin.** Same as Essoign.

**Essoin day.** A court day for hearing essoigns.

**Essoin de infirmitate.** An essoign of illness.

**Essoin de mal de lit.** Same as Essoin de malo lecti.

**Essoin de mal de venue.** Same as Essoin de malo veniendi.

**Essoin de malo lecti.** An essoign that one was sick in bed.

**Essoin de malo veniendi.** An essoign that one met with an accident on the way.

**Essoin de outre mere.** Same as Essoin de ultra mare.

**Essoin de servitio regis.** An essoign that one was away in the king's service.

**Essoin de terra sancta.** An essoign that one was absent in the holy land.

**Essoin de terre seynte.** Same as Essoin de terra sancta.

**Essoin de ultra mare.** An essoign that one was beyond seas.

**Essoin roll.** The record of essoigns.

**Essoin service del roy.** Same as Essoin de servitio regis.

**Essoiniator, or essoineour.** He who presented an essoign to the court in behalf of the absent one.

**Est.** It is; he is; there is.

**Est à sçavoir.** It is understood; viz.

**Est aliquid quod non oportet, etiam si licet; quicquid vere non licet certe non oportet.** Something may not be proper although it is lawful, but certainly anything which is not lawful is not proper.

**Est ascavoir.** It is understood; viz.

**Est autem jus publicum et privatum, quod ex naturalibus praeceptis aut gentium, aut civilibus est collectum; et quod in jure scripto jus appellatur id in lege angliae rectum esse dicitur.** Public and private law is that which is collected from natural precepts or from nations or from citizens; and that which in the written law is called jus, in the English law is said to be right.

**Est autem vis legem simulans.** Violence may also be masquerading as law.

**Est boni judicis ampliare jurisdictionem.** It is the duty of a good judge to liberally interpret his jurisdiction.

**Est ipsorum legislatorum tanquam viva vox; rebus et non verbis legem imponimus.** That of the legislators themselves is like the living voice; we impose law upon things and not upon words.

**Est quiddam perfectius in rebus licitis.** Something more perfect exists in lawful things.

**Establish,** To prove; to substantiate by proof; to settle certainly or fix permanently what was before uncertain, doubtful or disputed. See 124 Tenn. 450, Ann. Cas. 1912D, 1246, 138 S. W. 316.

**Establishment of dower.** See Assignment of dower.

**Estadal.** (Spanish) A measure equal to about 12 lineal feet.

**Estadia.** (Spanish) The duration of demurrage on a chartered ship.

**Estate.** The degree, quantity, nature and extent of interest which a person has in real property. See 189 Pa. St. 73, 69 Am. St. Rep. 791, 41 Atl. 1110.

**Estate at sufferance.** The interest of a tenant holding over. See 39 Mo. 177.

**Estate at will.** One terminable at the will of the grantor.

**Estate by elegit.** The interest of the creditor in land seized under an elegit.

**Estate by entireties.** An estate held by one title, as in joint tenancy. See 18 Am. Dec. 493, note.

**Estate by statute merchant.** The interest of the creditor in land conveyed to him under the statute. See 2 Bl. Comm. 160.

**Estate by statute staple.** The interest of the creditor in land conveyed to him under the statute. See 2 Bl. Comm. 160.

**Estate by sufferance.** Same as Estate at sufferance.

**Estate by the courtesy.** A widower's interest in his wife's lands. See Courtesy.

**Estate for life.** See Life estate.

**Estate for years.** An estate for a fixed time.

**Estate from year to year.** An estate for one year, renewed for another year by presumption, unless terminated.

**Estate in common.** The interest of a tenant in common.

**Estate in coparcenary.** The interest of a coparcener.

**Estate in expectancy.** An estate presently vesting for future enjoyment. See 7 Paige Ch. (N. Y.) 70.

**Estate in fee.** See Fee simple.

**Estate in fee-tail.** See Estate-tail.

**Estate in joint tenancy.** See Joint tenancy.

**Estate in possession.** One wherein the holder has the present right of entry and user.

**Estate in remainder.** The interest of a remainderman.

**Estate in reversion.** A reversioner's interest.

**Estate in severalty.** An estate or interest held in sole ownership.

**Estate in vadio.** An estate or interest by way of pledge.

**Estate of inheritance.** One which the heirs may inherit.

**Estate pur autre vie.** An estate to endure for the life of another.

**Estate-tail.** One limited to a man and the lawful heirs of his body. See 7 Am. St. Rep. 428, note.

**Estate-tail after possibility of issue extinct.** The estate of a childless widower who holds in special tail.

**Estate-tail female.** An estate limited to a man and the female heirs of his body.

**Estate-tail general.** Same as Estate-tail.

**Estate-tail male.** An estate limited to a man and the male heirs of his body.

**Estate-tail, Quasi.** See Quasi estate-tail.

**Estate-tail special.** An estate limited to a man and his heirs on a certain body begotten.

**Estate upon condition.** An estate the vesting of which depends upon an uncertain event.

**Estate upon limitation.** See Limitation over. See, also, 80 Am. Dec. 493, note.

**Estates of the realm.** The lords spiritual and temporal and the commons.

**Este.** Been.

**Ester in judgment.** To enter an appearance.

**Estimate.** To calculate roughly or to form an opinion from imperfect data. See 129 La. 857, Ann. Cas. 1913B, 848, 56 South. 1026.

**Esto.** Be it.

**Esto perpetua.** Be it everlasting.

**Estop.** To operate as an estoppel.

**Estoppel.** The legal barrier which precludes one who has done some

act or executed some deed from averring to the contrary. See 134 Am. St. Rep. 173, note.

**Estoppel by deed.** An estoppel from the contents of the grantor's prior deed. See 10 Cush. (Mass.) 163.

**Estoppel by record.** An estoppel resulting from a judgment of a court of record. See 8 Wend. (N. Y.) 9, 22 Am. Dec. 603.

**Estoppel in pais.** An estoppel by conduct. See 20 Am. St. Rep. 236, note.

**Estoveria sunt ardendi, arundi, construendi, et claudendi.** Estovers are for burning, ploughing, building and fencing.

**Estoveriis habendis.** See De estoveriis habendis.

**Estoverium.** Estovers.

**Estovers.** Supplies; a tenant's right to take wood for fuel and repairs; the family allowance of a felon's wife and children during his imprisonment; alimony of a divorcee. See 64 Am. Dec. 367, note.

**Estray.** A domestic animal which has strayed away from its owner's custody. See 16 Or. 62, 8 Am. St. Rep. 267, and note, 16 Pac. 876.

**Estreat.** An extract from a record.

**Estrepamentum.** Estrepment.

**Estrepe.** To strip; waste.

**Estrepement.** Equitable waste; a writ to prevent waste pending a real action.

**Et.** And; also.

**Et ad huc detinet.** And he still detains.

**Et adjournatur.** And it is adjourned.

**Et al.** And others; and another.

**Et alii.** And others.

**Et alii e contra.** And others to the contrary.

**Et allocatur.** And it is allowed.

**Et als.** Et alios, and others.

**Et cetera.** And other things; and so forth.

**Et curia consentiente.** And the court consenting.

**Et de ceo se mettent en le pays.** And of this they put themselves on the country; i. e., leave it to the jury.

**Et de hoc ponit se super patriam.** And of this he puts himself on the country; i. e., leaves for the jury to decide.

**Et ei legitur in haec verba.** And it is read to him in these words.

**Et habeas ibi tunc hoc breve.** And have you then there this writ.

**Et habuit.** And he had it.

**Et hoc paratus est verificare.** And this he is ready to verify. (To prove.)

**Et hoc petit quod inquiratur per patriam.** And this he prays may be inquired of by the country (the jury).

**Et inde petit judicium.** And thereof he prays judgment.

**Et inde producit sectam.** And thereupon he sues.

**Et issint.** And so.

**Et modo ad hunc diem.** And now at this day.

**Et non.** And not.

**Et non allocatur.** And it is not allowed.

**Et petit auxilium.** And he prays aid.

**Et praedictus X similiter.** And the said X likewise.

**Et semble.** And it seems.

**Et seq.** Et sequitur, and as follows.

**Et sic.** And so.

**Et sic ad judicium.** And so to judgment.

**Et sic ad patriam.** And so to the country (the jury).

**Et sic fecit.** And he did so.

**Et sic pendet.** And so the matter hangs.

**Et sic ulterius.** And so forth.

**Et ux.** Et uxor, and wife.

**Ethics, Legal.** See Legal ethics.

**Eum qui nocentem infamat, non est aequum et bonum ob eam rem condemnari; delicta enim nocentium nota esse oportet et expedit.** If one defames a bad man it is not just and right that he should on that account be condemned, for it is proper and expedient that the crimes of bad men should be known.

**Eundo morando et redeundo.** In going, staying and returning.

**Eunomy.** Well ordered; under good laws.

**Eunuch.** A castrated boy or man.

**Evasio.** An escape.

**Event.** Outcome; judgment.

**Eventus est qui ex causa sequitur; et dicitur eventus quia ex causis evenit.** An event is that which follows from the cause, and is called event because it comes out of the causes.

**Eventus varios res nova semper habet.** A new circumstance is always attended with various results.

**Evesche.** A bishop's diocese.

**Evesque.** A bishop.

**Eviction.** Any act by a landlord of such a character as to deprive the tenant of the beneficial use and enjoyment. See 23 Am. St. Rep. 845, note.

**Evidence.** The means by which alleged facts are proved or disproved. See 31 Cal. 201.

**Evidence aliunde.** Extrinsic evidence.

**Evidence, Circumstantial.** See Circumstantial evidence.

**Evidence, Conclusive.** See Conclusive evidence.

**Evidence, Cumulative.** See Cumulative evidence.

**Evidence, Direct.** See Direct evidence.

**Evidence, Extrinsic.** See Extrinsic evidence.

**Evidence, Secondary.** See Secondary evidence.

**Evidentiary.** Having a tendency to prove or establish.

**Ewage.** See Aquagium.

**Ewbrice.** Adultery.

**Ewe.** Water.

**Ex.** From; out of; in; in accord with; of.

**Ex abundanti cautela.** From abundance of caution

**Ex abuso non arguitur ad usum.** The use of a thing cannot be argued from its abuse.

**Ex adverso.** On the other side.

**Ex aequitate.** In equity.

**Ex aequo et bono.** In equity and good conscience. See 45 Or. 531, 68 L. R. A. 469, 80 Pac. 899.

**Ex altera parte.** Of the other part.

**Ex antecedentibus et consequentibus fit optima interpretatio.** The best interpretation is made out from what precedes and follows.

**Ex arbitrio judicis.** From the discretion of the judge.

**Ex assensu curiae.** With the consent of the court.

**Ex assensu patris.** With the father's consent.

**Ex assensu suo.** With his own consent.

**Ex audito.** From hearsay.

**Ex bonis.** Of or from the goods.

**Ex bonis maternis.** From goods of maternal inheritance.

**Ex bonis paternis.** From goods of paternal inheritance.

**Ex capite doli.** On the ground of deceit.

**Ex capite fraudis.** On the ground of fraud.

**Ex causa.** From cause.

**Ex causa lucrativa.** By gratuity.

**Ex certa scientia.** Of certain knowledge.

**Ex colore.** Under color of.

**Ex comitate.** By courtesy; by comity.

**Ex commodato.** From a loan.

**Ex comparatione scriptorum.** By comparison of handwritings.

**Ex concessione.** By grant.

**Ex concessis.** From the things granted.

**Ex consulto.** From consultation.

**Ex continenti.** Forthwith.

**Ex contractu.** From contract.

**Ex culpa levissima.** From the least fault.

**Ex curia.** Out of court.

**Ex damno absque injuria non oritur actio.** From damage without violation of a legal right no action arises. See 50 W. Va. 611, 88 Am. St. Rep. 895, 56 L. R. A. 804, 40 S. E. 591.

**Ex debito justitiae.** From a debt of justice; as of right.

**Ex debito naturali.** From natural obligation.

**Ex defectu juris.** From failure of right.

**Ex defectu sanguinis.** From failure of blood.

**Ex delicto.** From wrong; from a tort.

**Ex dem.** Ex demissione.

**Ex demissione.** On the demise of.

**Ex dicto majoris partis.** By the voice of the majority.

**Ex directo.** Directly.

**Ex diuturnitate temporis, omnia praesumuntur solemniter esse acta.** From lapse of time, all things are presumed to have been duly performed.

**Ex dolo malo.** From evil intent.

**Ex dolo malo non oritur actio.** No action arises from evil intent (alone). See 132 Ill. 342, 22 Am. St. Rep. 531, 8 L. R. A. 511, 24 N. E. 71.

**Ex donationibus autem feoda militaria vel magum serjeantium non continentibus oritur nobis quoddam nomen generale, quod est socagium.** From grants containing neither military fees nor grand serjeantry a name has sprung up with us, which is "socage."

**Ex empto.** From purchase.

**Ex eo quod plerumque fit.** From what often happens.

**Ex facie.** On the face.

**Ex facto.** From the act.

**Ex facto jus oritur.** The law is born of the fact.

**Ex fictione juris.** By legal fiction.

**Ex frequenti delicto augetur poena.** By frequent wrongdoing the punishment is augmented.

**Ex gratia.** By favor.

**Ex gravi querela.** By serious complaint.

**Ex hypothesi.** Upon the hypothesis.

**Ex improviso.** With no preparation.

**Ex incontinenti.** Summarily.

**Ex industria.** Purposely.

**Ex insinuatione.** Upon the information of.

**Ex integro.** Anew.

**Ex intervallo.** After an interval.

**Ex jure.** By the law of nature.

**Ex justa causa.** With just cause.

**Ex latere.** Collateral.

**Ex lege.** According to law.

**Ex legibus.** According to the laws.

**Ex licentia regis.** By the king's license.

**Ex locato.** From a letting.

**Ex mala causa non oritur actio.** From an evil cause no action arises. See 118 N. C. 783, 54 Am. St. Rep. 753, 32 L. R. A. 712, 24 S. E. 524.

**Ex maleficio.** From wrongdoing.

**Ex maleficio non oritur contractus.** A contract cannot spring from wrongdoing.

**Ex malis moribus bonae leges natae sunt.** Out of bad practices good laws are born.

**Ex malitia sua praecogitata.** With malice aforethought.

**Ex mero motu.** Of mere motion.

**Ex mora.** From delay.

**Ex mora debitoris.** From the debtor's delay.

**Ex more.** By the custom.

**Ex multitudine signorum, colligitur identitas vera.** From a multitude of marks, true identity is established.

**Ex mutuo.** From mutuality.

**Ex natura rei.** From the nature of the thing.

**Ex necessitate.** Of necessity.

**Ex necessitate legis.** By necessity of law.

**Ex necessitate rei.** By the necessity of the thing.

**Ex nihilo nihil fit.** Out of nothing nothing is made out.

**Ex nudo pacto non oritur actio.** From a naked promise no action arises. See 7 Conn. 57, 18 Am. Dec. 79.

**Ex officio.** By virtue of (his) office.

**Ex officio informations.** Criminal informations filed by the attorney general in England.

**Ex pacto illicito non oritur actio.** From an unlawful agreement no action arises.

**Ex parte.** From one party.

**Ex parte materna.** On the mother's side.

**Ex parte order.** An order of court made upon the application of one of the parties without notice to the other.

**Ex parte paterna.** On the father's side.

**Ex paucis dictis intendere plurima possis.** With a few words it is possible to express very much.

**Ex post facto.** After the act (has been committed).

**Ex post facto law.** One which augments the punishment or alters the rules of evidence to the prisoner's disadvantage, after the commission of the crime. See 45 Am. Rep. 544, note.

**Ex praecogitata malicia.** With malice aforethought.

**Ex praemisses.** From the premises.

**Ex procedentibus et consequentibus optima fit interpretatio.** The best interpretation is made out from what precedes and follows.

**Ex proprio motu.** Of his own motion.

**Ex proprio vigore.** Of its own force.

**Ex provisione hominis.** By provision of the husband.

**Ex provisione mariti.** By provision of the husband.

**Ex provisione viri.** By provision of the husband.

**Ex quasi contractu.** As if from a contract.

**Ex rel.** Ex relatione.

**Ex relatione.** On the relation of; on the information of.

**Ex rigore juris.** According to the rigor of the law.

**Ex scriptis olim visis.** From writings formerly seen.

**Ex speciali gratia.** By special favor.

**Ex statuto.** According to the statute.

**Ex tempore.** Extemporaneous; from lapse of time.

**Ex testamento.** By will.

**Ex tota materia emergat resolutio.** The explanation or solution should arise out of the whole matter.

**Ex turpi causa non oritur actio.** From a base cause no action arises. See 132 Ill. 342, 22 Am. St. Rep. 531, 8 L. R. A. 511, 24 N. E. 71

**Ex turpi contractu actio non oritur.** From an evil contract no action arises. See 44 Minn. 318, 20 Am. St. Rep. 580, 9 L. R. A. 506, 46 N. W. 558.

**Ex una parte.** From one side.

**Ex uno disces omnes.** From one you discern all.

**Ex utraque parte.** From both sides.

**Ex utrisque parentibus conjuncti.** From both parents jointly.

**Ex vi aut metu.** From force or fear.

**Ex vi termini.** By the force of the term.

**Ex visceribus.** From the bowels, i. e., the essence.

**Ex visitatione Dei.** By the visitation of God.

**Ex visu scriptionis.** From seeing him write.

**Ex voluntate.** Voluntary; voluntarily.

**Exaction.** Excessive or unauthorized collection by an officer.

**Exactor.** One demanding an exaction.

**Exactor regis.** Collector of the king.

**Exaltare.** To raise; to lift.

**Examen.** A trial.

**Examination.** An investigation; the questioning of a witness. See, also, Preliminary examination.

**Examination in chief.** A party's first examination of his own witness.

**Examined copy.** One which has been compared with the original.

**Examiners in chancery.** Officers appointed by the court to take testimony.

**Excambium.** Exchange.

**Exceptant.** One who enters an exception.

**Exceptio.** An exception; a plea; a defense; an objection.

**Exceptio ad breve prosternendum.** A plea in abatement.

**Exceptio dilatoria.** A plea interposed for delay.

**Exceptio doli mali.** A plea of fraud.

**Exceptio ejus rei cujus petitur dissolutio nulla est.** A plea of the same matter of which a dissolution is sought, is a nullity.

**Exceptio falsi omnium ultima.** A false plea is the worst of all things.

**Exceptio firmat regulam in casibus non exceptis.** An exception confirms the rule in cases not excepted.

**Exceptio firmat regulam in contrarium.** An exception confirms the rule in contrary matters.

**Exceptio juris jurandi.** A plea that the defendant had, at the plaintiff's instance, sworn that he owed him nothing.

**Exceptio metus.** A plea of fear or duress.

**Exceptio nulla est versus actionem quae exceptionem perimit.** There is no plea against an action which destroys the plea.

**Exceptio pacti conventi.** A plea of a covenant not to sue.

**Exceptio pecunia non numeratae.** A plea of nonpayment of the money to the defendant.

**Exceptio peremptoria.** A peremptory plea.

**Exceptio probat regulam.** The exception proves the rule. See 101 Me. 581, 8 L. R. A. (N. S.) 104, 64 Atl. 1048.

**Exceptio probat regulam de rebus non exceptis.** The exception proves the rule in matters not excepted. See 177 Pa. 412, 34 L. R. A. 172, 35 Atl. 693.

**Exceptio quae firmat legem, exponit legem.** An exception which confirms the law expounds the law.

**Exceptio quoque regulam declarat.** An exception also declares the rule.

**Exceptio rei adjudicatae.** A plea of res adjudicata.

**Exceptio rei venditae et traditae.** A plea that the thing was sold and delivered.

**Exceptio semper ultima ponenda est.** An exception should always be placed last.

**Exceptio temporis.** A plea that the action has expired by lapse of time.

**Exception.** An objection; a reservation; a contradiction. See 232 Mo. 444, Ann. Cas. 1912B, 1221, 134 S. W. 641.

**Exception to bail.** An objection to the sureties or amount of a bail bond.

**Exceptions, Bill of.** See Bill of exceptions. See also 232 Mo. 444, Ann. Cas. 1912B, 1221, 134 S. W. 641.

**Exceptor.** One who makes or reserves an exception.

**Excerpta, or Excerpts.** Extracts.

**Excess.** Same as excessive force.

**Excess of jurisdiction.** An act though within the general power of the court, void because the conditions which authorize it are wanting. See 56 Colo. 17, Ann. Cas. 1914C, 1155, 137 Pac. 55.

**Excessive bail.** Bail disproportionate to the crime. See 53 Cal. 410.

**Excessive force.** Force beyond that reasonably necessary to defense of person or property.

**Excessivum in jure reprobatur; excessus in re qualibet jure reprobatur communi.** Excess is reprehended in the law; any kind of excess is reprehended in the common law.

**Exchange.** A reciprocal conveyance of land.

**Exchange, Bill of.** See Bill of exchange.

**Exchequer.** The English department of revenue. See, also, Court of exchequer.

**Exchequer bills.** Bills of credit authorized by parliament.

**Exchequer chamber.** See Court of exchequer chamber.

**Exchequer, Court of.** See Court of exchequer.

**Excise.** A tax, generally duties on manufacture, sale, or consumption of commodities within the country, or upon certain callings or professions. See 157 U. S. 429, 39 L. Ed. 759, 15 Sup. Ct. Rep. 673.

**Exclusive.** Not admitting of another; sole; only.

**Excommengement.** Excommunication.

**Excommunicate.** To cut off from intercourse with members of the church by an ecclesiastical sentence.

**Excommunicato capiendo.** See De excommunicato capiendo.

**Excommunicato interdictur omnis actus legitimus, ita quod agere non potest, nec aliquem convenire, licet ipse ab aliis possit conveniri.** Every legal act is forbidden one excommunicated, so that he cannot act, nor can he sue anyone, but he can be sued himself by others.

**Exculpation, Letters of.** (Scotch) A warrant citing witnesses in aid of one accused of crime.

**Excusable homicide.** A killing in self-defense or by accident. See 9 Houst. (Del.) 542, 33 Atl. 312.

**Excusable trespass.** A trespass which the law pardons.

**Excusat aut extenuat delictum in capitalibus, quod non operatur idem in civilibus.** That excuses or extenuates fault in capital cases which would not operate similarly in civil causes.

**Excusatio.** Excuse.

**Excusator quis quod clameum non opposuerit, ut si toto tempore litigii fuit ultra mare quacunque occasione.** He is excused for not resisting a claim if during the whole period of the litigation, he is beyond seas for some reason.

**Excuse.** To relieve from liability; to pardon as distinguished from to justify.

**Excuss.** To seize goods under process.

**Excussio.** The exhaustion of remedies against the principal before suing the surety.

**Execute.** To perform; to complete. See 12 N. J. L. 300.

**Executed.** Fully performed; synonymous also with "signed." See 35 W. Va. 15, 29 Am. St. Rep. 774, 12 S. E. 1078.

**Executed consideration.** One previously performed or received.

**Executed contract.** One fully performed.

**Executed estate.** One in which possession presently passes to the holder.

**Executed gift.** One which has been delivered to the donee. See 33 Pa. St. 268.

**Executed remainder.** One whereby a present interest passed or where the estate is fixed to remain to a determinate person. See 8 Conn. 348.

**Executed trust.** One in which the limitations are fully and perfectly declared. See 144 Pa. St. 428, 27 Am. St. Rep. 641, 22 Atl. 916.

**Executed use.** One created at the time of conveyance.

**Executed writ.** A writ which has been complied with.

**Executio.** Execution; administration; management.

**Executio bonorum.** The administration or management of goods.

**Executio est executio juris secundum judicium.** An execution is the execution of the law according to the judgment.

**Executio est finis et fructus legis.** Execution is the end and fruit of law.

**Executio juris non habet injuriam.** The execution of the law works no injury.

**Execution.** A writ authorizing the seizure and appropriation of the property of a defendant for the

satisfaction of a judgment against him (see 94 Cal. 217, 28 Am. St. Rep. 115, 29 Pac. 627); the enforcement of a judgment; the making of a contract or other instrument; the performance of a contract; capital punishment.

**Execution paree.** A French proceeding whereby the creditor may seize and sell the property of his debtor to satisfy a confessed judgment.

**Executioner.** One who executes a death sentence.

**Executive.** That branch of government which enforces the law; the President of the United States; the Governor of a state. See 118 Ind. 382, 4 L. R. A. 79, 21 N. E. 252.

**Executor.** One appointed by will to administer a testator's estate.

**Executor de son tort.** One who without right acts as an executor. See 85 Am. Dec. 423, note.

**Executor, General.** See General executor.

**Executor, Instituted.** See Instituted executor.

**Executor, Substituted.** See Substituted executor.

**Executor to the tenor.** One not appointed as executor who performs certain of the functions of an executor.

**Executory.** To be performed; not yet executed.

**Executory consideration.** One to be performed.

**Executory contract.** One in which a party binds himself to do or not to do a particular thing. See 6 Cranch (U. S.), 87, 3 L. Ed. 162.

**Executory devise.** One creating an estate to vest in futuro. See 52 N. H. 267, 13 Am. Rep. 23.

**Executory estate.** One to vest in futuro.

**Executory interests.** Future interests.

**Executory limitation.** A limitation upon a future estate.

**Executory process.** (Civil Law) A proceeding to enforce a confessed judgment by seizure and sale of the debtor's property.

**Executory trust.** One in which the limitations are imperfectly declared, and the donor's intention is so generally expressed that something not fully declared is required to be done in order to complete the trust and to give it effect. See 144 Pa. St. 428, 27 Am. St. Rep. 641, and note, 22 Atl. 916.

**Executory use.** One to come into existence in the future; a springing use.

**Executress.** An executrix.

**Executrix.** A female executor.

**Executry.** (Scotch) That portion of a decedent's personalty which passes to the executor.

**Exegence.** Same as Exigent.

**Exempla illustrant non restringunt legem.** Examples illustrate, they do not restrict the law.

**Exemplary damages.** Punitive damages; damages in excess of compensation for loss. See 37 Mich. 34, 26 Am. Rep. 493.

**Exempli gratia.** For example; abb. e. g.

**Exemplification.** An exemplified copy.

**Exemplified copy.** A true copy of a record authenticated by the great seal of the state or the seal of the court and certified by the custodian of the record. See 57 N. J. L. 313, 30 Atl. 581.

**Exemplum.** A copy.

**Exempt from execution.** Such property as the law gives a debtor as against his creditors. See 114 Iowa, 681, 87 N. W. 667.

**Exemption.** Immunity from military service or jury duty. See 59 Md. 123, 43 Am. St. Rep. 542; a release from some burden, duty or obligation. 93 Me. 586, 49 L. R. A. 294, 45 Atl. 830.

**Exequatur.** A written recognition of a consul or consular agent by the government which he represents.

**Exercitor maris.** One who outfits a ship.

**Exercitor navis.** The charterer of a ship.

**Exfrediare.** To break the peace.

**Exhaeredatio.** Disinheritance.

**Exhaeres.** One disinherited.

**Exheredate.** To disinherit.

**Exhibere.** To offer as an exhibit.

**Exhibit.** Any paper or thing offered in evidence and marked for identification; an instrument or copy thereof attached to a pleading and by reference incorporated in it. See 16 Ga. 67; to offer in evidence as an exhibit.

**Exhibitant.** One who offers an exhibit.

**Exhibitio billae.** The filing of a suit.

**Exhibition.** (Scotch) A suit to compel delivery of writings.

**Exigency of a bond.** The condition therein.

**Exigendary.** Same as Exigenter.

**Exigent.** A writ used in outlawry when the defendant could not be found.

**Exigenter.** An officer of the English court of common pleas who issued exigents.

**Exigi facias.** Same as Exigent.

**Exigible.** Demandable.

**Exile.** To banish; one banished.

**Exilium est patriae privatio, natalis soli mutatio, legum nativarum amissio.** Exile is deprivation of country, a change of natal soil, a loss of native laws.

**Exire.** To go forth; to issue.

**Existimatio.** Estimation; reputation; the award of an arbitrator.

**Exit.** It issues.

**Exitus.** Issue; child or children.

**Exlegalitas.** Outlawry.

**Exlegare.** To outlaw.

**Exlegatus, or Exlex.** An outlaw.

**Exonerare.** To discharge; to exonerate.

**Exoneration.** Discharge; application of payment of an intestate's personalty and relief of his realty therefrom.

**Exoneratur.** Let him be discharged.

**Expatriation.** One's voluntary renunciation of citizenship to become a citizen of another country.

**Expectancy.** A present estate, the use and enjoyment of which are future. See 56 Am. St. Rep. 339, note.

**Expectant estate.** See Estate in expectancy.

**Expectant heir.** One who in the natural order of things will inherit an estate.

**Expectation of life.** Average duration of life beyond any given age.

**Expedit republicae ne sua re quis male utatur.** It is for the good of the state that no one should make a bad use of his property.

**Expedit reipublicae ut sit finis litium.** It is for the good of the state that there should be an end of litigation.

**Expeditate.** To cut off the feet.

**Expeditation of dogs.** Removing the balls or claws of dogs' feet to prevent their chasing game.

**Expeditio.** Service; execution.

**Expeditio brevis.** The execution or service of a writ.

**Expenditors.** Paymasters.

**Expensae litis.** Costs of suit.

**Experientia per varios actus legem facit. Magistra rerum experientia.** Experience by various acts makes the law. Experience is the mistress of things.

**Expert.** One instructed by experience after a course of previous habit and study, so as to be familiar with the subject. See 71 N. Y. 453. See, also, 66 Am. Dec. 231, note.

**Expert witness.** One possessed of special knowledge or skill in respect of the subject upon which he is called to testify. See 99 U. S. 645, 25 L. Ed. 487.

**Expilare.** To despoil.

**Expiration.** Determination; termination; maturity.

**Expiry of the legal.** (Scotch) The expiration of the time within which property subjected to a judgment might be redeemed.

**Explees.** Same as Esplees.

**Explicatio.** (Civil Law) A pleading corresponding to a common-law surrejoinder.

**Exportation.** Sending goods to foreign countries.

**Exports.** Articles exported to foreign countries. 156 U. S. 590, 39 L. Ed. 544, 15 Sup. Ct. Rep. 459.

**Expose.** To disclose; to make known.

**Expositio.** Interpretation.

**Expositio, quae ex visceribus causae nascitur, est aptissima et fortissima in lege.** The interpretation which springs from the essence of a cause is the most apt and the most powerful in law.

**Exposure of person.** Indecently exposing one's person to public view.

**Express.** Stated or declared as opposed to implied.

**Express acceptance.** An unqualified acceptance.

**Express assumpsit.** An undertaking supported by an express promise.

**Express color.** An evasive plea used instead of the general issue.

**Express consideration.** One expressed in the contract.

**Express contract.** One the terms of which are expressly stated.

**Express malice.** In murder, a sedate and deliberate mind and formed design to kill, evidenced by external circumstances discovering that inward intention. See 30 Tex. App. 129, 28 Am. St. Rep. 895, 16 S. W. 767; malice which is proved as opposed to implied malice; malice in fact. See 2 Tex. Civ. App. 107, 21 S. W. 384.

**Express trust.** One created by direct and positive act by a writing, deed or will. See 59 Kan. 246, 52 Pac. 454. See, also, 115 Am. St. Rep. 774, note.

**Express warranty.** One arising when the seller makes an affirmation with respect to the article to be sold pending negotiations, upon which he intends that the buyer should rely. See 68 Mo. App. 311.

**Expressa nocent; non expressa non nocent.** What is expressed may injure, what is not will not.

**Expressa non prosunt quae non expressa proderunt.** Things expressed may be disadvantageous which not expressed would benefit.

**Expressio eorum quae tacite insunt nihil operatur.** The expression of those things which are tacitly understood, avails nothing.

**Expressio falsi.** A falsehood.

**Expressio unius est exclusio alterius.** The expression of one thing is the exclusion of another. See 113 Mo. 112, 35 Am. St. Rep. 699, 20 S. W. 786.

**Expressum facit cessare tacitum.** The expression of anything puts an end to a silent understanding. See 148 Pa. 236, 15 L. R. A. 547, 23 Atl. 996.

**Expromissio.** A novation.

**Expromissor.** The new debtor in a novation.

**Expromittere.** To become bound by a novation.

**Expropriation.** To condemn for public use.

**Expulsion.** A driving out with force.

**Expurgation.** A purging.

**Exrogare.** To adopt part of an old law in a new one.

**Extend.** To estimate the duration of an estate by the statute merchant or the statute staple by an appraisal of the property.

**Extendi facias.** A writ of extent.

**Extension.** A continuance; a grant of further time.

**Extensores.** Extenders; appraisers.

**Extent.** A writ of execution directing the sheriff to appraise the debtor's property.

**Extent in chief.** Extent at the instance of the king.

**Extenuating circumstances.** Circumstances to be considered in mitigation of damages or punishment.

**Extenuation.** Mitigation of punishment or damages.

**Exterritoriality.** The privileges and immunities of diplomatic representatives during residence in a foreign country.

**Exterus non habet terras.** An alien does not hold land.

**Extinct.** Extinguished; discharged.

**Extincto subjecto, tollitur adjunctum.** The subject matter having become extinct, the adjunct is removed.

**Extinguishment.** Discharge; destruction; termination.

**Extinguishment of a debt.** Reduction thereof to judgment.

**Extinguishment of common.** Termination by acquiring ownership of the land.

**Extinguishment of copyhold.** Conversion of copyhold into freehold.

**Extinguishment of easement.** Termination by acquiring ownership of the land.

**Extinguishment of rent.** Termination by the tenant's acquisition of title.

**Extorsively.** With a corrupt intent. See 35 Ark. 438, 37 Am. Rep. 44.

**Extortio est crimen quando quis coloro officii extorquet quod non est debitum, vel supra debitum, vel ante tempus quod est debitum.** Extortion is a crime when under color of office anyone extorts what is not due, or more than is due or before the time when it is due.

**Extortion.** Obtaining property from another without his consent, induced by a wrongful use of force or fear, or under color of official right. See 93 Cal. 452, 27 Am. St. Rep. 207, 28 Pac. 1068. See, also, 96 Am. Dec. 193, note.

**Extra.** Outside of; out of; beyond.

**Extra feodum.** Out of the fee.

**Extra judicium.** Out of court.

**Extra jus.** Beyond the law.

**Extra legem.** Beyond the law's protection.

**Extra legem positus est civiliter mortuus.** One who is placed outside the law (outlawed) is civilly dead.

**Extra praesentiam mariti.** Out of the presence of the husband.

**Extra quatuor maria.** Beyond the four seas.

**Extra regnum.** Out of the kingdom.

**Extra territorium.** Outside of the jurisdiction.

**Extra territorium jus dicenti non paretur impune.** One may not with impunity obey one who lays down the law outside of his jurisdiction.

**Extra viam.** Off the road or way.

**Extra vires.** In excess of power or authority.

**Extract.** A copy from a record.

**Extradition.** The delivery up of one charged with crime by one state or country to another.

**Extradition treaty.** A treaty providing for the extradition between the countries of persons charged with specified offenses.

**Extradotal property.** Property not included in a dowry. See 147 U. S. 550, 37 L. Ed. 276, 13 Sup. Ct. Rep. 495.

**Extrahura.** An estray.

**Extrajudicial.** Without jurisdiction.

**Extrajudicium.** Extrajudicial.

**Extraneus.** A stranger; a foreigner.

**Extraneus est subditus qui extra terram, i. e., potestatem regis natus est.** A foreigner is a subject born outside the land; that is, outside the power of the king.

**Extraordinary care.** The utmost care.

**Extraparochial.** Outside of any parish.

**Extraterritorial.** Outside of the boundaries of the state or country.

**Extraterritoriality.** The operation of law outside the jurisdiction.

**Extremis.** See In extremis.

**Extremis probatis, praesumuntur media.** When the extremes are proved, those things which are between them are presumed.

**Extrinsic.** Outside; from outside.

**Extrinsic evidence.** Proof not contained in the document itself, offered to explain or modify its contents.

**Extum.** Thence.

**Exuere patriam.** To renounce allegiance to one's country.

**Exulare.** To exile.

**Ey.** Water.

**Eye-witness.** One who testifies as to what he has seen.

**Eygne.** The eldest.

**Eyott.** An islet.

**Eyre.** A journey; the journey of a judge on a circuit.

**Eyrer.** To journey.

# F

**F. o. b.** Free on board, contemplating payment of freight by the buyer. See 66 Wash. 101, Ann. Cas. 1913C, 427, 119 Pac. 16.

**Fabric lands.** Lands contributed for support of cathedrals and churches.

**Fabrica.** The coinage of money.

**Fabricare.** To fabricate; to coin money; to make false coins.

**Fabricate.** To forge; to counterfeit.

**Fabula.** A covenant; a contract.

**Face.** That which appears on a document, pleading, writ or other paper.

**Face value.** The apparent value of a commercial paper. See 38 S. C. 238, 17 S. E. 49.

**Facere.** To do; to make; to act; to cause.

**Facias.** You do it.

**Faciendo.** Doing.

**Facies.** Face, which see.

**Facility.** (Scotch) Mental unsoundness warranting guardianship.

**Facinus quos inquinat aequat.** Crime makes equal those whom it levels.

**Facio ut des.** I do that you may give.

**Facio ut facias.** I do that you may do.

**Facit.** He does.

**Facsimile.** A precise copy.

**Fact.** A deed; an act.

**Fact, Conclusion of.** See Conclusion of fact.

**Facta.** Facts; deeds; acts.

**Facta sunt potentiora verbis.** Deeds are more powerful than words.

**Facta tenent multa quae fieri prohibentur.** Deeds contain many things which are prohibited being done.

**Factio testamenti.** The making of a will.

**Facto.** In fact; in deed.

**Factor.** One whose regular business is to sell consigned goods on commission; a garnishee. See 120 Wis. 405, 102 Am. St. Rep. 991, 98 N. W. 235.

**Factorage.** The commissions paid a factor.

**Factorize.** To attach one's goods in the hands of a third party. See 19 R. I. 220, 33 Atl. 147. See, also, Garnish.

**Factorizing process.** See Factorize.

**Factors' acts.** Statutes providing for factors' liens for advances and for their enforcement against bills of lading.

**Factory.** An association of factors formed for their common welfare.

**Factum.** A fact; an act; a deed.

**Factum a judice quod ad ejus officium non spectat, non ratum est.** The act of a judge which does not belong to his office is void.

**Factum a judice quod ad officium ejus non pertinet ratum non est.** The act of a judge which does not pertain to his office is void.

**Factum cuique suum, non adversario, nocere debet.** One's act ought to harm himself and not his adversary.

**Factum infectum fieri nequit.** A thing done cannot be undone.

**Factum negantis nulla probatio.** The denial of a fact requires no proof.

**Factum non dicitur quod non perseverat.** A thing is not called done which is not finished.

**Factum probandum.** Facts to be proved.

**Factum probans.** A probative fact.

**Factum reputabitur pro voluntate.** The deed is considered instead of the intent.

**Factum unius alteri nocere non debet.** The act of one should not harm another.

**Facultas probationum non est angustanda.** The right of making proof is not to be curtailed.

**Faculties, Court of.** See **Court of faculties.**

**Faculties of husband.** His financial abilities and earning capacity with reference to the fixing of his wife's alimony.

**Faculty.** Authority of a representative.

**Faculty of Advocates.** An association of lawyers practicing in the highest courts of Scotland.

**Faestingmen.** Vassals.

**Faggot.** The punishment by burning alive.

**Faggot votes.** Illegal votes.

**Faida.** Spirit of revenge.

**Fail.** To refuse; to neglect; to become insolvent; to become worthless, as consideration. See 156 Ind. 66, 83 Am. St. Rep. 150, 59 N. E. 281.

**Failing of record.** A party's failure to produce a record after pleading it.

**Faillite.** Bankruptcy.

**Failure.** Suspension of payment by a bank. (See 97 U. S. 171, 24 L. Ed. 944); negligence. See 81 Minn. 103, 83 N. W. 483.

**Failure of consideration.** Deterioration or worthlessness of a consideration apparently good originally. See 156 Ind. 66, 83 Am. St. Rep. 150, 59 N. E. 281.

**Failure of issue.** Lack of child or children. See 142 Pa. 432, 24 Am. St. Rep. 507, 21 Atl. 826.

**Faint action.** Same as Feigned action.

**Faint pleading.** Collusive pleading.

**Fair à sçavoir.** To make to know.

**Fair cash value.** Actual cash value. See 126 Ill. 329, 9 Am. St. Rep. 598, 18 N. E. 804.

**Fair pleader.** Same as Beaupleader.

**Fair pleading.** Not pleading fairly or properly; bad pleading.

**Faire.** To do; to make.

**Fairly.** Justly; rightly.

**Fair-play men.** A court held in Pennsylvania before the Revolution.

**Fairway.** The navigable part of a harbor or river.

**Faisant.** Doing.

**Fait.** A fact; a deed; an act.

**Fait enrolle.** An enrolled deed.

**Faith and credit.** See **Full faith and credit.**

**Faitours.** Vagrants.

**Falcare.** To mow.

**Falcidia.** (Spanish) A fourth of an inheritance.

**Falcidian law.** A Roman statute of 714 A. D. restricting the disposition of property by will.

**Falcidian portion.** The fourth of a succession which the testamentary heir was authorized to retain if the legacies absorbed more than three-fourths of it. See Civ. Code La. 1900.

**Faldae cursus.** A sheep trail.

**Faldage.** The lord's right to have his tenant's sheep manure his land; a fee paid by the tenant for exemption therefrom.

**Faldata.** A flock of sheep.

**Fald-fee.** Same as **Faldage.**

**Faldsoca.** Same as Faldage.

**Faldworth.** One who has attained age entitling him to admission to a decennary.

**Falk-land.** Same as Folc-land.

**Fall.** To become the property of. See 11 Pa. St. 370.

**Fall of land.** (Scotch) One one-hundred and sixtieth part of an acre.

**Fallo.** (Spanish) A final judgment.

**Fallow land.** Land left uncultivated to recuperate.

**Falsa demonstratio.** Erroneous description.

**Falsa demonstratio non nocet.** Erroneous description does not injure. See 99 Tex. 391, 13 Ann. Cas. 1020, 2 L. R. A. (N. S.) 548, 89 S. W. 1057.

**Falsa demonstratio non nocet, cum de corpore constat.** An erroneous description is harmless when it is clear as to the individual.

**Falsa demonstratione legatum non perimi.** An erroneous description will not nullify a legacy. See 3 Bradf. (N. Y.) 144.

**Falsa grammatica non vitiat chartum.** Faulty grammar will not vitiate a deed.

**Falsa moneta.** Counterfeit money.

**Falsa orthographia, sive falsa grammatica, non vitiat concessionem.** Faulty spelling, or faulty grammar will not vitiate a grant.

**Falsare.** To counterfeit.

**Falsarius.** A counterfeiter.

**False action.** Same as Feigned action.

**False appeal.** An unsuccessful appeal of felony.

**False character.** A fraudulent letter of recommendation furnished one seeking employment as a servant.

**False imprisonment.** The unlawful arrest and detention of one's person with or without warrant or other process, or an unlawful restraint upon his person, or control over the freedom of his movements by force or threat. See 37 Utah, 116, Ann. Cas. 1912B, 1366, 26 L. R. A. (N. S.) 953, 106 Pac. 653. See, also, 54 Am. Dec. 258, note.

**False judgment.** A writ to correct an error of an inferior English court.

**False Latin.** An error in the use of Latin in which all proceedings were formerly written.

**False measures.** Fraudulently constructed means of measuring size or capacity and used to defraud.

**False personation.** The offense of pretending to be a certain other person in order to defraud.

**False pretense.** A fraudulent representation of an existing or past fact by one who knows it untrue to induce one to whom it is made to part with something of value. See 66 Cal. 10, 56 Am. Rep. 73, 4 Pac. 768, 773.

**False return.** A return of process by an officer stating what is untrue, to the damage of an interested party. See 170 Mo. 16, 70 S. W. 152.

**False swearing.** Differs from perjury in that it is voluntary and not required by law or made in the course of a judicial proceeding. See 27 Tex. App. 322, 11 S. W. 443.

**False token.** A false mark, sign, forged object, counterfeit letter, key, ring, or the like. See 33 Or. 584, 72 Am. St. Rep. 758, 44 L. R. A. 266, 56 Pac. 275.

**False weights.** Weighing devices so constructed and used as to defraud customers.

**Falsedad.** (Spanish) Falsity; deception; fraud.

**Falsi crimen.** The crime of fraud, defrauding by concealment or falsifying; forgery.

**Falsify.** To alter a document or record fraudulently; to disprove an account item. See 114 Pa. 82, 60 Am. Rep. 341, 7 Atl. 224.

**Falsing.** (Scotch) Falsifying, forgery.

**Falsing of dooms.** (Scotch) Protesting against or pointing out errors in a sentence or judgment.

**Falso retorno brevium.** A writ against an officer for making false return of a writ.

**Falsonarius.** A forger.

**Falsum.** Something falsified, counterfeit or forged.

**Falsus in uno, falsus in omnibus.** Deceitful in one thing, deceitful in all things. See 57 Or. 61, Ann. Cas. 1912D, 1349, 29 L. R. A. (N. S.) 680, 110 Pac. 485.

**Fama.** Good name; reputation.

**Fama, fides, et oculus non patiuntur ludum.** Good name, faith and eyesight do not permit deceit.

**Fama, quae suspicionem inducit, oriri debet apud bonos et graves, non quidem malevolos et maledicos, sed providas et fide dignas personas, non semel sed saepius, quia clamor minuit et defamatio manifestat.** Report, which induces suspicion, ought to arise from good and serious persons, not indeed from the malevolent and evil-tongued, but from cautious and worthy persons, not once, but often, because praise dies out and evil gossip spreads.

**Famacide.** A defamer.

**Familia.** A family.

**Familiares regis.** Certain clerks of the English chancery courts.

**Family.** The collective body of persons forming one household, under one head, including parents, children and possibly servants. See 80 Conn. 212, 125 Am. St. Rep. 116, 11 Ann. Cas. 568, 67 Atl. 510. See, also, 61 Am. Dec. 586, note.

**Family Bible.** One containing records of births, deaths and marriages in the family.

**Family meetings.** An advisory jury. See 44 La. Ann. 1037, 11 South. 712.

**Famosi libelli.** Plural of Famosus libellus.

**Famosus libellus.** A libelous book or publication.

**Fanatica mania.** Religious insanity. See 11 Phila. (Pa.) 534.

**Fanega.** (Spanish) A measure of about 6,400 square yards.

**Fardage.** Same as Dunnage.

**Fardel.** A fourth part.

**Farding deal.** A fourth of an acre.

**Fare.** The rate charged for the carriage of passengers. See 111 N. C. 615, 20 L. R. A. 743, 16 S. E. 857.

**Farinagium.** A mill.

**Farleu.** Money paid in lieu of a heriot.

**Farlingarii.** Panderers.

**Farm.** An estate for years; rent reserved in a lease.

**Farm let.** To lease land on a rent payable in produce.

**Farmer.** The tenant or lessee of a farm; the eldest son of such a one; a yeoman.

**Faro.** A gambling game played with cards. See 12 Tex. App. 222.

**Farrago libelli.** Books confusedly written.

**Farrier.** A horseshoer. See 1 Bl. Comm. 2.

**Farthing damages.** Same as Nominal damages.

**Faryndon Inn.** One of the old inns of court at London.

**Fas.** Right; justice.

**Fast bill of exceptions.** One which is entitled to review by the higher court without the usual delay. See 66 Ga. 353.

**Fast estate.** Realty.

**Fast writ.** Any proceeding entitled to precedence on a court calendar. See 135 Ga. 339, Ann. Cas. 1912A, 144, 31 L. R. A. (N. S.) 1057, 69 S. E. 593.

**Fastermannes.** Same as Faestingmen.

**Fasti.** The days on which the praetor could administer justice at Rome.

**Fatetur facinus qui judicium fugit.** Who flees from judgment admits guilt.

**Fathom.** Six feet.

**Fatua mulier.** A ruined woman; a whore.

**Fatuitas.** Idiocy.

**Fatum.** Fate.

**Fatuous person.** An idiot.

**Fatuum judicium.** A silly judgment.

**Fatuus.** Fatuous; silly; foolish; idiotic; an idiot.

**Fatuus, apud jurisconsultos nostros, accipitur pro non compos mentis; et fatuus dicitur, qui omnino desipit.** "Fatuus," among our lawyers, is treated as meaning not in one's right mind, and he is called "fatuus" who is altogether foolish.

**Fatuus praesumitur qui in proprio nomine errat.** He is presumed fatuous who makes a mistake in his own name. See 5 Johns. Ch. (N. Y.) 148.

**Faubourg.** A suburb.

**Fauces terrae.** Headlands inclosing a bay.

**Fault.** Culpability; negligence.

**Fausse.** False.

**Fautor.** A patron; an abettor.

**Faux.** False.

**Fauxer.** To forge.

**Favor.** Prejudice; bias.

**Favorabilia in lege sunt fiscus, dos, vita, libertas.** The revenue, dower, life and liberty are favored in law.

**Favorabiliores rei potius quam actores habentur.** Defendants are rather favored than plaintiffs. See 8 Wheat. (U. S.) 195, 5 L. Ed. 589.

**Favorabiliores sunt executiones aliis processibus quibuscunque.** Executions are more favored than all other processes.

**Favores ampliandi sunt; odia restringenda.** Favorable comments should be encouraged, expressions of hatred should be restrained.

**Feal.** Faithful.

**Feal and divot.** A servitude of taking sod; turbary.

**Fealte.** Fealty.

**Fealty.** Fidelity of a vassal or tenant to his superior or lord. See 6 N. Y. 467, 57 Am. Dec. 470.

**Fealty, Oath of.** The oath required of a feudal tenant.

**Feasance.** A doing; a making.

**Feasant.** Doing; making.

**Feasor.** One who does or commits an act.

**Feasts.** Ecclesiastical festivals or holidays.

**Fecial law.** Ancient Roman law governing declarations of war.

**Feciales.** Ancient Roman officials upon whom devolved the function of declaring war.

**Federal.** Appertaining to the United States; appertaining to a community of sovereign states. See 6 Ohio St. 342.

**Fee.** A fee simple; an estate belonging to one and his heirs and assigns forever; an estate of inheritance; a freehold conditioned with a service; compensation for professional services. See 1 N. Y. 491.

**Fee, Base.** See Base fee.

**Fee, Conditional.** See Conditional fee.

**Fee, Determinable.** See Determinable fee.

**Fee farm rent.** A rent issuing out of an estate in fee; a perpetual rent reserved on a conveyance in fee simple. See 6 N. Y. 467, 57 Am. Dec. 470.

**Fee, Great.** See Great fee.

**Fee, Limited.** See Limited fee.

**Fee, Plowman's.** See Plowman's fee.

**Fee, Qualified.** See Qualified fee.

**Fee simple.** An unlimited or unqualified fee.

**Fee simple absolute.** Same as Fee simple.

**Fee simple conditional.** Same as Conditional fee.

**Fee-tail.** The estate of the donee of a conditional fee after the statute de donis. See 16 N. J. L. 181.

**Fee-expectant.** A fee limited to a man and his wife and the heirs of their bodies.

**Fee-farm.** A fee with rent, but free of other service unless specified in the feoffment.

**Fee-farm rent.** Rent attached to a fee-farm tenure.

**Fegangi.** A fleeing thief caught red-handed.

**Fehmgerichte.** Same as Vengerichte.

**Feigned action.** One brought merely to settle a law point with no actual controversy.

**Feigned issue.** An issue of fact submitted to a jury in an equity suit; a fictitious issue of fact.

**Fele.** Same as Feal.

**Felix qui potuit rerum cognoscere causes.** Fortunate is he who can understand the causes of things.

**Fellow-heir.** A joint or coheir.

**Fellow-servants.** Servants in a common employment, of the same master, and under his control. See 57 N. J. L. 400, 51 Am. St. Rep. 604, 31 Atl. 619. See, also, 36 Am. Dec. 287, note.

**Felo.** A felon.

**Felo de se.** A suicide.

**Felon.** One guilty of felony.

**Felonia.** A felony.

**Felonia, ex vi termini, significat quodlibet capitale crimen felleo animo perpetratum.** Felony, by the force of the term, signifies any capital crime committed with felonious intent.

**Felonia implicatur in quolibet proditione.** Felony is implied in every treason.

**Felonice abduxit unum equum.** He feloniously led away one horse.

**Felonice cepit.** He took it feloniously.

**Felonious homicide.** The unjustifiable killing of a human being.

**Feloniously.** With intent to commit a crime. See 83 Vt. 305, Ann. Cas. 1912A, 261, 75 Atl. 534.

**Felony.** At common law, any offense punishable by death, or forfeiture of property. See 156 U. S. 464, 39 L. Ed. 494, 15 Sup. Ct. Rep. 467; generally in the United States any offense punishable with death or imprisonment in a state prison.

**Feme, or Femme.** A woman.

**Feme covert.** A married woman.

Feme sole. An unmarried woman.

Feme sole trader. A married woman who engages in business on her own account. See 1 Hill (S. C.), 429.

Femicide. The killing of a woman.

Fenatio. The breeding season of deer.

Fence. An inclosure; a defense; a place where stolen goods are received; the keeper of such a place; to deliver stolen goods at such a place; to try to evade questions in giving testimony.

Fence-month. The closed or fawning season for deer.

Feneration. Lending money at interest; interest.

Fengeld. A tax imposed for repelling enemies.

Feod. A fee.

Feodal. Same as Feudal.

Feodal actions. Real actions.

Feodality. Fealty, which see.

Feodary. Same as Feudary.

Feodatory. Same as Feudary.

Feodi firma. A fee-farm, which see.

Feodum. A fee.

Feodum antiquum. An ancient fee.

Feodum est quod quis tenet ex quacunque causa, sive sit tenementum sive redditus. A fee is something that one holds from whatever cause, whether it be tenement or rent.

Feodum nobile. See Feudum nobile.

Feodum novum. See Feudum novum.

Feodum simplex quia feodum idem est quod haereditas, et simplex idem est quod legitimum vel purum; et sic feodum simplex idem est quod haereditas legitima vel haereditas pura. A fee simple, because fee is the same as inheritance and simple is the same as lawful or pure; and so fee simple is the same as lawful inheritance or pure inheritance.

Feodum talliatum, i e., haereditas in quandam certitudinem limitata. A fee-tail, that is an inheritance limited in a certain descent.

Feoffamentum. A feoffment.

Feoffare. To enfeoff.

Feoffator. A feoffor.

Feoffatus. A feoffee.

Feoffavit. He enfeoffed.

Feoffee. One to whom a fee is conveyed or to whom a feoffment is made.

Feoffee to uses. One to whom a fee is conveyed to another's use.

Feoffment. The transfer of a fee, a freehold or a corporeal hereditament by livery of seisin; the document evidencing such transfer. See 2 Leigh (Va.), 200, 21 Am. Dec. 608.

Feoffor. One who conveys a fee or makes a feoffment.

Feoh. A fee; a reward.

Feorme, or Fearme. A farm; a leasehold; rent.

Ferae bestiae. Wild beasts.

Ferae naturae. Animals wild by nature. See 14 Wend. (N. Y.) 42.

Ferdwit. A fine for not joining the army.

Feria. A holiday.

Feriae. Holidays.

Ferial days. Holidays; also, working-days.

Ferita. A wound.

Ferme. Same as Farm.

Fermer. A farmer, which see.

Ferriage. Transportation for hire. See 35 Cal. 606.

Ferry. A place of carriage across a waterway for hire. See 73 Me.

655, 39 Am. Rep. 535. See, also, 12 Am. Dec. 295, note.

**Ferryman.** One having an exclusive right to operate a ferry. See 2 McCord (S. C.), 47, 13 Am. Dec. 701.

**Fesaunt.** Same as Feasant.

**Festinatio justitiae est noverca infortunii.** The hastening of justice is the stepmother of misfortune.

**Festingman.** A surety; a vassal.

**Festing penny.** Earnest-money to bind a hiring.

**Festinum remedium.** A speedy remedy.

**Festuca.** Same as Fistuca.

**Festum.** A festival.

**Fet.** Done; made.

**Fetial law.** Same as Fecial law.

**Fetiales.** Same as Feciales.

**Fetters.** Manacles; shackles.

**Fetus.** Same as Foetus.

**Feu.** A hearth; a fee; a Scotch tenure held by payment of rent in produce or money.

**Feu annuals.** The annual rent paid by the holder of a feu.

**Feu holding.** The tenancy of lands under a feu right.

**Feuar.** A feu tenant.

**Feud.** A fee; a fief; an estate held by the performance of services for the grantor; a tenure by service rendered a superior lord.

**Feuda antiqua.** An inheritable interest in land. See 20 Wend. (N. Y.) 338.

**Feuda nova.** An interest in land not acquired by inheritance. See 20 Wend. (N. Y.) 338.

**Feudal.** Held under a superior, as opposed to allodial.

**Feudal actions.** Real actions.

**Feudal law, or Feodal law.** The law applying to the feudal system of tenure.

**Feudal system.** A system of land tenure having its origin in the customs of the tribes which overran the territory of the Roman Empire. See 2 Bl. Comm. 44. See, also, 23 Am. & Eng. Ency. of Law, 2d ed., 935.

**Feudal tenures.** Land tenure by the performance of services to a superior.

**Feudalism.** Pertaining to the feudal system; military service tenure.

**Feudalize.** To invest lands with the feudal system of tenure.

**Feudary.** Pertaining to feudal tenure; one who held by feudal tenure.

**Feudatory.** See Feudary.

**Feudbote.** A fine imposed for quarreling.

**Feude.** Deadly hatred.

**Feudist.** A commentator on feudal law.

**Feudo.** (Spanish) A feud; a fee.

**Feudum.** A feud; a fee; a fief.

**Feudum antiquum.** An ancient fee.

**Feudum apertum.** A fee whereon the lord might re-enter for the tenant's fault.

**Feudum francum.** A free feud.

**Feudum hauberticum.** A fee held by service of being present in full armor at the call of the lord.

**Feudum improprium.** An improper feud; a derivative feud; one having extraordinary incidents expressed in its creation. See 1 Bl. Comm. 58.

**Feudum individuum.** A fee which only the eldest son could inherit.

**Feudum laicum.** A lay fee.

**Feudum ligium.** A fee held of the crown.

**Feudum maternum.** A fee inherited from the mother.

**Feudum militare.** A military fee.

**Feudum militus.** A knight's fee.

**Feudum nobile.** A fee held by guard service, fealty and homage.

**Feudum novum.** A new fee, one acquired otherwise than by inheritance.

**Feudum novum ut antiquum.** A new fee which could descend to the purchaser's heirs, as an ancient one.

**Feudum paternum.** A fee inherited from the mother.

**Feudum proprium.** A proper fee, a military fee.

**Feudum simplex.** A fee simple.

**Feudum sine investitura nullo modo constitui potest.** A fee cannot be created in any manner without an investiture.

**Feudum talliatum.** A fee-tail.

**Few.** A fee.

**Fi. fa.** Fieri facias.

**Fiancer.** To promise.

**Fianza.** (Spanish) A surety; obligation. See 57 N. J. L. 111, 30 Atl. 593.

**Fiar.** The owner of the fee.

**Fiar prices.** (Scotch) Prices at which grain could be sold, as fixed by the sheriffs of the several counties.

**Fiat.** A court's short order or warrant.

**Fiat in bankruptcy.** An order that a commission in bankruptcy should issue.

**Fiat justitia.** Let justice be done.

**Fiat justitia ruat coelum.** Let justice be done though the heavens fall asunder. See 65 Kan. 436, 93 Am. St. Rep. 287, 59 L. R. A. 711, 70 Pac. 358.

**Fiat prout fieri consuerit; nil temere novandum.** Let it be done as has been customary, nothing new should be rashly adopted.

**Fiat ut petitur.** Let it be done as he asks.

**Fictio.** A fiction.

**Fictio cedit veritati. Fictio juris non est, ubi veritas.** Fiction yields to truth. There is no fiction of law where there is truth.

**Fictio est contra veritatem, sed pro veritate habetur.** Fiction is opposed to truth, but it is regarded as truth.

**Fictio juris non est ubi veritas.** A legal fiction does not exist where truth is.

**Fictio legis inique operatur alieni damnum vel injuriam.** A legal fiction should not be employed to the loss or injury of anyone.

**Fictio legis neminem laedit.** A legal fiction injures no one. See 17 Johns. (N. Y.) 348.

**Fiction.** An allegation in a declaration which though not true in fact cannot be traversed. See 132 N. C. 614, 44 S. E. 354.

**Fictitious action.** Same as Feigned action.

**Fictitious party.** A plaintiff who has not authorized an action brought contemptuously in his name.

**Fictitious payee.** A fictitious name inserted as that of the payee in a negotiable instrument, thus rendering it payable to bearer. See 30 Miss. 122, 64 Am. Dec. 154.

**Fide commissary.** A cestui que trust. See 83 Hun, 160, 31 N. Y. Supp. 650.

**Fidei-commissa.** A testamentary trust.

**Fidei-commissarius.** A cestui que trust.

**Fidei-commissum.** A testamentary trust.

**Fide-jubere.** To become surety.

**Fide-jussio.** Becoming surety for another.

**Fide-jussor.** A surety.

**Fide-promissor.** A surety.

**Fidelis.** Faithful; loyal.

**Fidelitas.** Fealty.

**Fidelity insurance.** Insurance guaranteeing the faithfulness of an officer or employee to his trust. See 100 Am. St. Rep. 775, note. See, also, 4 L. R. A. 124, note, and Id. 213.

**Fidem mentiri.** A tenant who has broken his oath of fealty.

**Fides.** Faith; a trust; a confidence.

**Fides est obligatio conscientiae alicujus ad intentionem alterius.** A trust is an obligation of conscience of one man to the wishes of another.

**Fides servanda.** The keeping of good faith. See 23 Barb. (N. Y.) 521.

**Fides servanda est; simplicitas juris gentium praevaleat.** Good faith is to be preserved, the simplicity of the law of nations should prevail.

**Fiducia.** A sale conditional upon repurchase by the seller.

**Fiduciary.** Partaking of a trust or confidence; one in whom such trust or confidence is placed. See 144 Ill. 507, 33 N. E. 955.

**Fiduciary contract.** A contract by which one intrusted with goods agrees to redeliver them.

**Fief.** A fee; real estate. See 2 Watts (Pa.), 61.

**Fief d'haubert.** A knight-service fee.

**Fief d'hauberk.** Same as Feudum hauberticum.

**Fief tenant.** The holder of a fief or fee.

**Fieldad.** (Spanish) Sequestration.

**Fierding courts.** Ancient Gothic courts of very inferior jurisdiction.

**Fieri facias.** A writ of execution, usually for levy upon goods only. See Execution.

**Fieri facias de bonis testatoris.** A writ of execution against an executor as such on account of a debt of the testator.

**Fieri feci.** I have caused it to be made, the return on a fieri facias, after levy.

**Fieri non debet, sed factum valet.** It ought not to be done, but done, it is valid. See 19 Johns. (N. Y.) 84.

**Fifteenths.** An ancient tax of one-fifteenth of the value of all personal property.

**Fightnite.** Same as Fightwite.

**Fightwite.** A fine for disturbing the peace.

**Filacer.** One of the clerks in English superior courts who filed writs and issued them.

**Filare.** To file.

**File.** To deliver and leave with the proper officer the instrument to be filed (See 77 Wis. 136, 20 Am. St. Rep. 102, 45 N. W. 953); a collection of filed papers; a girl; a daughter.

**Filiate.** To adjudge the paternity of a child; to adopt a child.

**Filiatio.** Filiation; paternity.

**Filiatio non potest probari.** Filiation cannot be proved. See 84 Ohio St. 165, 36 L. R. A. (N. S.) 255, 95 N. E. 660.

**Filiation.** The paternity of a child; the adjudication of a child's paternity; a child's adoption.

**Filing.** Delivery to and leaving with the proper officer the instrument to be filed. See 77 Wis. 136, 20 Am. St. Rep. 102, 45 N. W. 953.

**Filiolus.** A godson.

**Filius.** A son.

**Filius est nomen naturae, sed haeres nomen juris.** Son is the natural name, but heir is the legal name.

**Filius familias.** A son under paternal control.

**Filius in utero matris est pars viscerum matris.** A son in his mother's womb is part of the mother's vitals.

**Filius mulieratus.** A legitimate son.

**Filius nullius.** A son of no one; a bastard.

**Filius populi.** A son of the people; a bastard.

**Filizer.** Same as Filacer.

**Fille.** A girl; a daughter.

**Filly.** A young mare.

**Fils.** A son.

**Filum.** A thread or edge.

**Filum aquae.** The thread or center line of the stream. See 21 Mass. 268, 16 Am. Dec. 342.

**Filum forestae.** The edge or boundary of the forest.

**Filum viae.** The thread or center line of the way or street.

**Fin.** The end.

**Final.** Terminating all controversy, doubt, or dispute; the end, ultimate or last. See 18 S. C. 486.

**Final appeal court.** The court of delegates, formerly a court of final appeal in English admiralty and ecclesiastical cases.

**Final concord.** A fine of lands.

**Final decision.** Synonymous with final judgment or final decree. See 111 U. S. 796, 28 L. Ed. 602, 4 Sup. Ct. Rep. 697.

**Final decree.** One disposing of the whole subject giving all the relief contemplated and leaving nothing to be done by the court. See 94 Va. 580, 64 Am. St. Rep. 772, and note, 27 S. E. 436.

**Final judgment.** One disposing of the cause, or of a distinct and definite branch of it, reserving no further questions or directions for further determination. See 60 Am. Dec. 426, note.

**Finalis concordia.** A final concord.

**Finance.** Public revenue; government funds.

**Find.** To discover a lost chattel; to state judicially a conclusion of law or fact; to arrive at a decision, by a court or a verdict, by a jury. See 74 Wis. 267, 42 N. W. 110.

**Find bail.** To secure bail or sureties.

**Finder.** One who finds a lost chattel.

**Finding.** Discovering a lost chattel; a judicial conclusion of law or fact. See 86 Wis. 648, 57 N. W. 1111.

**Fine.** A sum adjudged to be paid as a punishment for crime; to sentence to pay a fine; a fine of lands, which see.

**Fine and common recovery.** See Fine of land.

**Fine and recoveries act.** An English statute of 1833 abolishing fines of land and substituting conveyances by deed.

**Fine, Foot of a.** See Foot of a fine.

**Fine for alienation.** An exaction by the lord to a tenant in chivalry for leave to convey his land. See 2 Bl. Comm. 71.

**Fine for endowment.** An exaction from a widow upon assignment of her dower. See 2 Bl. Comm. 135.

**Fine force.** Absolute necessity.

**Fine of land.** A court proceeding used as a means of transferring land in England, usually a fictitious action, was abolished by statute in 1833, and was often used to defeat an estate-tail. See 6 N. Y. 467, 57 Am. Dec. 470.

**Fine sur cognizance de droit come ceo que il ad de son done.** A fine of land upon the acknowledgment of the right (of the cognizee) as that which he has by the gift (of his cognizor), wherein the cognizor acknowledges his gift of the land to the plaintiff, the cognizee.

**Fine sur cognizance de droit tantum.** A fine upon acknowledgment of the right merely.

**Fine sur concessit.** A fine of land upon grant, wherein the cognizor acknowledges a grant of the land to the cognizee.

**Fine sur don grant et render.** A fine upon gift grant and render, wherein the cognizee grants back or renders an estate to the cognizor or to a third party after the cognizor has acknowledged a grant to him (the cognizee).

**Finem facere.** To impose or pay a fine.

**Fines.** Boundaries; limits.

**Fines, Statute of.** See Statute of fines.

**Finire.** To impose or pay a fine.

**Finis.** A fine; the end; the limit.

**Finis est amicabilis compositio et finalis concordia ex consensu et concordia domini regis vel justicarium.** A fine is a friendly settlement and final concord by the consent of our lord the king or the justices.

**Finis finem litibus imponit.** A fine makes an end of litigation.

**Finis rei attendendus est.** The completion of a thing should be attended to.

**Finis unius diei est principium alterius.** The end of one day is the beginning of another.

**Finitio.** The end or finishing.

**Finium regundorum actio.** (Civil Law) An action to establish boundaries.

**Firdnite.** Same as Ferdwit.

**Fire and sword, Letters of.** See Letters of fire and sword.

**Fire-bote.** An allowance to a tenant of sufficient fuel for his fire.

**Fire insurance.** A contract by which the insurer, for a premium or consideration paid, agrees to indemnify the insured against loss by burning of the thing insured.

**Fire ordeal.** Trial by holding a red-hot iron in the hand or stepping blindfolded over a row of them; if unhurt, the defendant was acquitted.

**Fire policy.** A contract of fire insurance.

**Firkin.** A measure of nine gallons.

**Firm.** A partnership; the members thereof.

**Firm name and style.** The business name used by a partnership.

**Firma.** A farm; rent.

**Firma alba.** White rent, rent payable in silver.

**Firma feodi.** A fee-farm.

**Firman.** A passport; a license; a permit.

**Firmaratio.** A tenant's right to his land.

**Firmarius.** A tenant for life or less.

**Firme.** A farm.

**Firmior et potentior est operatio legis quam dispositio hominis.** More firm and more powerful is

the operation of the law than the will of man.

**First-class misdemeanant.** One convicted of misdemeanor who is adjudged to be entitled to leniency.

**First-fruits.** The first year's profits of a living.

**First impression.** The first appearance of a case of the sort to come before the court, or any court; used of a novel point of law.

**First mortgage.** One having priority as a lien.

**First of exchange.** The first of a set of bills of exchange, drawn in duplicate or triplicate, the honor of any one of which avoids the others.

**First purchaser.** One of a family who first acquired the estate otherwise than by descent. See 59 Fed. (N. S.) 243.

**Fisc.** A treasury of a state or prince.

**Fiscal.** Portaining to the fisc or public revenue.

**Fiscus.** A fisc.

**Fish royal.** Fish which, when thrown ashore, were the king's, the sturgeon, the whale and the porpoise.

**Fishery.** The right to fish. See 6 N. J. L. 1, 10 Am. Dec. 356.

**Fishgarth.** A fish-weir.

**Fisk.** Same as Fisc.

**Fisticuffs.** A boxing-match. See 14 Ohio St. 437.

**Fistuca.** A staff used as a symbol in making livery of seisin.

**Fistula.** (Civil Law) A conduit.

**Fitz.** A son.

**Five-mile act.** An English statute of 1665, repealed in 1689, restricting the right of certain non-conformists to preach.

**Fixing bail.** Determining the amount of bail or bond which a prisoner must find for his release from custody.

**Fixture.** Something so attached to the realty as to become for the time being a part of the freehold. See 68 Md. 478, 6 Am. St. Rep. 467, 13 Atl. 370, 16 Atl. 301.

**Flagellat.** Whipped with a scourge.

**Flagrans.** Burning; raging; in course of perpetration, as a crime.

**Flagrans crimen.** The crime being in the course of perpetration.

**Flagrant necessity.** Such as to excuse an act otherwise unlawful.

**Flagrante bello.** During the raging of the war.

**Flagranti delicto.** In the perpetration of the act.

**Fledwit.** The pardon of an outlaw; the price paid by him therefor.

**Flee from justice.** See Fugitive from justice.

**Flee to the wall.** Used in connection with killing in self-defense as meaning that one must do all in his power to avoid killing his assailant. See 96 Minn. 318, 2 L. R. A. (N. S.) 49, 104 N. W. 971.

**Fleece.** To cheat; to rob.

**Fleet.** A London prison, famous as place for the imprisonment of debtors.

**Flem.** An outlaw; a fugitive from justice.

**Flemens-firth.** The offense of harboring a fugitive from justice.

**Flet.** A house.

**Fleta.** An ancient law treatise believed to have been written about 1300 by a judge while imprisoned in the Fleet.

**Fleth.** Same as Flet.

**Flichwite.** A fine imposed for fighting.

**Flight.** Fleeing to avoid arrest for crime.

**Flightwite.** Same as Fledwit.

**Float.** A certificate authorizing an entry on public land. See 20 How. (U. S.) 501, 15 L. Ed. 1002.

**Float policy.** An insurance policy covering generally the interest of the insured without describing particular property. See 93 U. S. 541, 23 L. Ed. 869.

**Floatable.** Capable of being used to float logs, rafts and the like. See 51 Me. 256, 81 Am. Dec. 569.

**Floatable stream.** One capable of bearing the products of mines, forests and tillage to mills or markets. See 116 N. C. 731, 47 Am. St. Rep. 829, 21 S. E. 941.

**Floatage.** Same as Flotage.

**Floating capital.** Funds set apart for general expenses.

**Floating debt.** That indebtedness of a corporation or concern for which no provision has been made for payment. See 86 Fed. (U. S.) 272, 49 L. R. A. 534, 30 C. C. A. 38.

**Flodemark.** The highest mark left by the sea at high tide.

**Florentine pandects.** A copy of the pandects found in Italy in 1137.

**Florin.** An English coin at one time worth six shillings and later (since 1849) two shillings.

**Flotage.** Flotsam; things floating in the water.

**Flotsam, or Flotsan.** Floating goods from a wreck. See 1 Add. (Pa.) 59.

**Floud-marke.** Same as Flode-mark.

**Fluctus.** Flood tide.

**Flume.** A wooden viaduct for carrying water or floating timber.

**Flumen.** The easement of allowing rain-water to run from a roof to a neighbor's land.

**Flumina et portus publica sunt; ideoque jus piscandi omnibus commune est.** Rivers and ports are public and the right to fish is therefore common to all.

**Fluvius.** A river; a stream.

**Fluxus.** The flow of the tides.

**Flyma.** A fugitive from justice.

**Flyman-frymth.** Aiding or harboring fugitive from justice.

**Focage.** House-bote; fire-bote.

**Focale.** Fire-bote.

**Fodder.** Food for domestic animals.

**Foderum.** Fodder.

**Foedus.** An agreement between nations; a treaty.

**Foemina viro co-operta.** A married woman.

**Foeminae ab omnibus officiis civilibus vel publicis remotae sunt.** Women are excluded from all offices, both state and public.

**Foeminae non sunt capaces de publicis officiis.** Women are not qualified for public office.

**Foeneration.** Same as Feneration.

**Foenus nauticum.** Interest on marine loans.

**Foeticide.** The killing of a foetus; a criminal abortion.

**Foetura.** Increase of animals; fruit.

**Foetus.** An unborn child.

**Fogagium.** A variety of grass.

**Foi.** Fealty; loyalty.

**Foinesun.** Same as Fenatio.

**Foirfault.** To forfeit.

**Foirthocht.** Forethought; premeditated.

**Fois.** Time.

**Foiterers.** Vagrants.

**Folc-gemote.** See Folemote.

**Folc-land.** Land held without deed.

**Folcmote.** An ancient Saxon assembly of the people.

**Folc-right.** The common right of the people. See 1 Bl. Comm. 65.

**Foldage.** Same as Faldage.

**Fold-course.** The right of folding cattle on another's land.

**Folgarii.** Followers; menial servants.

**Folgere.** A follower or retainer.

**Folgers.** Same as Folgarii.

**Folio.** A page of one hundred words in the United States; in England, in conveyancing seventy-two words; in parliamentary, chancery and probate matters, ninety words.

**Folkmote.** See folcmote.

**Fonsadera.** (Spanish) A loan or tribute to the king for war purposes.

**Fontana.** A fountain; a spring.

**Fool natural.** An idiot.

**Foot of the fine.** The concluding part of the proceeding of levying a fine.

**Footgeld.** An amercement exacted for omitting the expeditation of a dog.

**Foraneus.** A foreigner.

**Forathe.** A witness in one's behalf.

**Forbalca.** Same as Forebalk.

**Forbannitus.** Banished.

**Forbarrer.** To bar out; to exclude; to estop.

**Forbatudus.** A killed aggressor.

**Forbearance.** Abstention from suing or otherwise enforcing a right.

**Force.** Violence, lawful or unlawful; physcial power presently threatened or used to overcome the will; coercion. See 18 Am. Dec. 141, note.

**Force and arms.** Violence.

**Force majeure.** Vis major, act of God.

**Forced heir.** One who could not be disinherited by will; in Roman law, one compelled by law to accept an inheritance.

**Forced sale.** A sale against the will of the property owner. See 30 W. Va. 358, 8 Am. St. Rep. 66, 4 S. E. 303.

**Forceheapum.** Forestalling the market.

**Forcible detainer.** Withholding possession of lands or tenements of another by force.

**Forcible entry.** An entry into the possession of another with actual violence or such show of force as to intimidate or tend to a breach of the peace. See 84 Ga. 669, 20 Am. St. Rep. 389, and note, 11 S. E. 500.

**Forcible entry or detainer.** The violent or unlawful taking possession of or keeping lands or tenements. See 121 Am. St. Rep. 372, note.

**Forcible trespass.** Such a trespass as would amount to a breach of the peace. See 58 Am. Dec. 282.

**Forda.** A ford.

**Fordanno.** An aggressor.

**Fordika.** Grass on a ditch bank.

**Fore.** Before.

**Forebalk.** An unploughed strip next the highway.

**Foreclosure.** A proceeding to enforce a lien, pledge or mortgage; a proceeding to preclude an equity of redemption. See 34 Cal. 365, 94 Am. Dec. 722.

**Foreclosure sale.** A sale, judicial or otherwise, in the enforcement of a lien, pledge or mortgage.

**Foreclosure, Strict.** See Strict foreclosure.

**Forefault.** To forfeit.

**Foregift.** A premium paid for a leasehold, besides rent.

**Foregoer.** An ancestor.

**Forehand rent.** Prepaid rent.

**Foreign.** Some person or thing belonging to another country. See 30 U. S. 1, 8 L. Ed. 25.

**Foreign attachment.** An attachment levied on the property of a nonresident debtor.

**Foreign bill.** A bill of exchange drawn by a citizen of one state on a citizen of another state or country. See 6 B. Mon. (Ky.) 60, 43 Am. Dec. 145.

**Foreign corporation.** A corporation formed under the laws of another state or country and unincorporated companies of foreign countries having corporate attributes. See 77 U. S. 566, 19 L. Ed. 1029.

**Foreign executor.** An executor appointed under the laws of another state or country. See 125 N. Y. 400, 12 L. R. A. 237, 26 N. E. 457.

**Foreign judgment.** A judgment rendered in another state or country. See 94 Am. St. Rep. 533, note.

**Foreign office.** The department of a government which communicates with foreign powers.

**Foreign pauper.** A pauper who has no legal settlement in any place in the state. See 42 Mass. 572.

**Foreigner.** A citizen of a foreign country; not a citizen of foreign birth. See 26 U. S. 343, 7 L. Ed. 171.

**Forein.** Foreign.

**Forejudge.** To expel from the court; to take away by judgment; to banish.

**Forejudger.** A judgment by which one is forejudged.

**Foreman.** The spokesman and presiding member of a jury.

**Forensic.** Pertaining or belonging to the courts.

**Forensic medicine.** Medical jurisprudence.

**Forensis.** Forensic.

**Fore-rent.** Prepaid rent.

**Foreright.** A first right to inherit.

**Foresaid.** Aforesaid; previously mentioned in the same instrument.

**Foreshore.** The land situate between medium high and low water marks. 2 Ch. (Eng.) 164, 4 Brit. Rul. Cas. 164.

**Forest.** Land reserved by the king for hunting.

**Forest courts.** English courts which had jurisdiction of infractions of the forest laws.

**Forest law.** The laws pertaining to the royal forests.

**Forest liberties.** The royal grant of the right to hunt in forests.

**Forestage.** Duties exacted by the royal foresters.

**Forestagium.** Forestage.

**Forestal.** Relating to royal forests.

**Forestall.** To obstruct a highway; see also Forestalling.

**Forestaller.** One who committed the offense of forestalling.

**Forestalling.** Buying victuals on their way to market with intent to sell again at a higher price. See 121 Tenn. 25, 130 Am. St. Rep. 748, 16 Ann. Cas. 1028, 113 S. W. 381.

**Forestarius.** A forester.

**Forester.** An officer of the king who had charge of a forest and the game therein.

**Forethought felony.** Premeditated felony.

**Forfang.** The recaption of stolen goods; the reward therefor.

**Forefault.** A forfeit.

**Forfaulture.** Forfeiture.

**Forfeit.** A fine; a mulct; a penalty. See 12 Gill & J. (Md.) 399, 38 Am. Dec. 317.

**Forfeitment.** Same as Forfeiture.

**Forfeiture.** A deprivation of a right in consequence of the nonperformance of some obligation or condition. See 53 Ohio St. 558, 53 Am. St. Rep. 658, 30 L. R. A. 719, 42 N. E. 546.

**Forfeiture of a bond.** The release of the promisor by the promisee's nonperformance.

**Forfeiture of marriage.** A forfeiture by a ward who married without his guardian's consent.

**Forfeiture, Title by.** See Title by forfeiture.

**Forfeitures abolition act.** The English statute of 1870 abolishing forfeiture for felony.

**Forfeng.** Same as Forfang.

**Forgavel.** A small rent payable in money.

**Forge.** To commit forgery; to counterfeit.

**Forgery.** The making with a fraudulent intent of a written instrument apparently capable of effecting a fraud. See 20 Or. 192, 23 Am. St. Rep. 119, 10 L. R. A. 779, 25 Pac. 394.

**Forinsecus.** Forinsic.

**Forinsic.** Foreign; outside.

**Foris.** Outside; without; abroad.

**Forisbanitus.** Banished.

**Forisfacere.** To forfeit.

**Forisfacta.** Property forfeited to the crown. See 1 Bl. Comm. 299.

**Forisfactum.** Forfeited.

**Forisfactura.** A forfeiture.

**Forisfactus.** A felon.

**Forisfamiliated.** Divided; apportioned.

**Forisfamiliatus.** Forisfamiliated.

**Forisjudicatio.** Forejudger, which see.

**Forisjudicatus.** Forejudged. See Forejudge.

**Forisjurare.** To forswear; to abjure.

**Forjudge.** Same as Forejudge.

**Forjurer.** Same as Forisjurare.

**Form.** A blank to be filled out to make a complete instrument; order, technical arrangement.

**Form of action.** The designation by which an action is known, as trover, trespass, case, etc.

**Forma.** Form.

**Forma dat esse.** Form gives being.

**Forma legalis forma essentialis.** Legal form is essential form.

**Forma non observata, infertur adnullatio actus.** When form is not observed, the nullity of the act is inferred.

**Forma pauperis.** See In forma pauperis.

**Formalities.** Prescribed robes of office.

**Formality.** Adherence to forms and customs.

**Formata brevia.** Same as Brevia formata.

**Formed action.** One in which a set form of words has been established.

**Formedon.** An old writ of right to recover lands according to the form of a gift or grant in tail.

**Formedon in the descender.** A writ of formedon for the heir in tail against one to whom a preceding tenant in tail had conveyed the land.

**Formedon in the reverter.** A writ of formedon to recover a reversion.

**Former adjudication.** A previous judgment in which the same matter in a dispute between the same parties was or might have been

put in issue and tried. See 94 U. S. 351, 24 L. Ed. 195.

**Former jeopardy.** Previous jeopardy for the same offense. See Jeopardy. See, also, 135 Am. St. Rep. 71.

**Former recovery.** Former adjudication for the plaintiff.

**Formido periculi.** Fear of danger.

**Formula.** A prescribed form or words.

**Formulae.** Plural of formula.

**Formagium.** Furnage.

**Fornication.** The carnal and illicit intercourse of an unmarried person with one of opposite sex. See 1 Mont. 359, 25 Am. Rep. 740. See, also, 26 Am. Rep. 32, note.

**Fornix.** A brothel.

**Forno.** An oven or bakehouse.

**Foro.** In the forum; in the jurisdiction.

**Forprise.** An exception; a reservation.

**Forsque.** Only.

**Forstal.** See Forestalling.

**Forstellarius est pauperum depressor, et totius communitatis et patriae publicus inimicus.** A forestaller is an oppressor of the poor and is a public enemy to the whole community and the country.

**Forswear.** To abjure; to swear falsely; to perjure one's self.

**Fortax.** To tax heavily.

**Forthcoming.** (Scotch) An action to carry out an arrestment. See Arrestment.

**Forthcoming bond.** A bond given to a sheriff conditioned for the delivery to him on demand goods on which he had levied.

**Forthwith.** Without unnecessary delay. See 86 Ala. 558, 11 Am. St. Rep. 67, 6 South. 83.

**Fortia.** Force.

**Fortia frisca.** Fresh force.

**Fortility.** A fort.

**Fortior.** Stronger; greater.

**Fortior est custodia legis quam hominis.** The custody of the law is stronger than that of a man.

**Fortior et potentior est dispositio legis quam hominis.** The will of the law is stronger and more powerful than that of a man. See 8 Johns. (N. Y.) 401.

**Fortiori.** See A fortiori.

**Fortis.** Strong; sound.

**Fortuit.** Accidental; fortuitous.

**Fortuitment.** Same as Fortuit.

**Fortuitous.** Accidental; inevitable.

**Fortuitous collision.** An accidental collision of vessels. See 14 Pet. (U. S.) 112, 10 L. Ed. 378.

**Fortuitous event.** An event depending upon chance; an inevitable occurrence.

**Fortunam faciunt judicem.** They make fortune the judge.

**Forty-days court.** One of the English forest courts.

**Forum.** A court; a jurisdiction; a tribunal.

**Forum actus.** The jurisdiction of the act.

**Forum conscientiae.** The forum of conscience; a court of equity.

**Forum contractus.** The forum of the contract, the place of contracting.

**Forum domesticum.** A domestic forum or jurisdiction.

**Forum domicilii.** The forum or court of one's domicile.

**Forum domicilii actoris.** The forum of the plaintiff's domicile.

**Forum domicilii rei.** The forum of the defendant's domicile.

**Forum ecclesiasticum.** An ecclesiastical court or forum.

**Forum fortuitum.** The forum of chance.

**Forum ligeantiae actoris.** The forum of the plaintiff's allegiance.

**Forum ligeantiae rei.** The forum of the defendant's allegiance.

**Forum litis motae.** The forum where the action is brought.

**Forum originis.** The forum of one's birthplace.

**Forum rei.** The forum of the defendant; the forum of the subject matter of the action.

**Forum regis.** The king's court.

**Forum rei gestae.** The forum of the place where the act was committed.

**Forum rei sitae.** The forum where the subject matter of the action is situated.

**Forum saeculare.** A secular court.

**Fossa.** A ditch.

**Fossage.** A duty paid by the inhabitants of a town for care of a surrounding moat.

**Fossagium.** Fossage.

**Fossatorium operatio.** Work on a moat.

**Fossatum.** A moat, which see.

**Fossway.** One of the old Roman roads of England.

**Fosterage.** Rearing a child not one's own as one's own.

**Foster-child.** A child reared in fosterage.

**Fosterland.** Land assigned for the support of a person or institution.

**Fosterlean.** Remuneration for the rearing of a foster-child.

**Foundation.** The endowment of a charitable or educational institution.

**Founder.** One who bestows a foundation.

**Founderosa.** Founderous; lacking repairs.

**Foundling.** An abandoned child; a child of unknown parentage.

**Four corners.** The contents or face of a document.

**Four seas.** The four seas surrounding England.

**Fourcher.** To fork, a practice of delaying an action against two or more defendants by appearing at different times instead of together.

**Fourching.** Delaying an action.

**Fowls of warren.** Fowls protected by the English game laws.

**Foy.** Fealty; allegiance.

**Fractio.** A breaking; a fractional part; a division.

**Fractionem diei non recipet lex.** The law does not regard a fraction of a day.

**Fractura navium.** Shipwrecks.

**Frais.** Costs; expenses.

**Frais de justice.** Costs of suit.

**Franc.** Free.

**Franc aleu.** Free land; allodial land.

**Franc tenancier.** A freeholder.

**Franchilanus.** A free tenant.

**Franchise.** A special privilege conferred by the government on individuals. See 101 Md. 541, 109 Am. St. Rep. 584, 1 L. R. A. (N. S.) 263, 61 Atl. 532.

**Franchise tax.** A tax on the privilege of doing business as a corporation. See 84 Vt. 167, Ann. Cas. 1912D, 22, 78 Atl. 944.

**Francigena.** A native of France; an alien.

**Franclaine.** A freeholder.

**Francus.** Free; a freeman.

**Francus bancus.** Free bench.

**Francus homo.** A freeman.

**Francus plegius.** A frank pledge.

**Francus tenens.** A freeholder.

**Frank.** Free; to send mail without postage as an official privilege; a mark or indorsement used in franking.

**Frank bank.** Free bench, which see.

**Frank chase.** Free chase, the holder of which had an exclusive liberty of hunting within the area prescribed.

**Frank fee.** Freehold lands exempt from services but not from homage. See 2 Bl. Comm. 368.

**Frank ferme.** A species of socage tenure, changed by feoffment from knight's service. See 2 Bl. Comm. 80.

**Frank fold.** Same as Foldage.

**Frank law.** The rights of a freeman or a citizen.

**Frank marriage.** An estate-tail special to a man and his wife, the donor's near relative, and to the heirs of their bodies to the fourth generation, free of all service but fealty. See 2 Bl. Comm. 115.

**Frank pledge.** An old English pledge or bond given to secure the good behavior of the members of a tithing by the other members.

**Frank tenant.** A freeholder.

**Frank tenement.** A freehold.

**Frank tenure.** Free tenure.

**Frankalmoigne.** Free alms. A tenure whereby an ecclesiastical corporation held land without fealty and merely by prayer service for the donor's soul.

**Franking privilege.** See Frank.

**Franklyn.** A freeholder.

**Frassetum.** A wood.

**Frater.** A brother.

**Frater consanguineus.** A brother born of the same father.

**Frater fratri uterino non succedet in haereditate paterna.** A brother shall not succeed a uterine brother in the paternal inheritance.

**Frater nutricius.** A bastard brother.

**Frater uterinus.** A uterine brother, one born of the same mother.

**Fraternal insurance.** Mutual life, accident and health insurance issued in fraternal orders or societies.

**Fraternia.** A fraternity; a brotherhood.

**Fratriage.** Inheritance by a younger brother.

**Fratricide.** The killing of a brother or sister; one who so kills.

**Fraud.** Any deceitful practice used in depriving or endeavoring to deprive another of his known right by means of some artful device or plan contrary to the plain rules of common honesty. See 5 Pa. St. 216, 47 Am. Dec. 408.

**Fraudem legis.** See In fraudem legis.

**Frauds, Statute of.** See Statute of Frauds.

**Fraudulent conveyance.** A conveyance or transfer to defraud one's creditors.

**Fraudulent preferences.** Preferences in the payment of debts by an insolvent debtor, which were forbidden by the English bankruptcy acts.

**Fraunche, or Fraunke.** Free.

**Fraunchise.** A franchise.

**Fraunk homo.** A freeman.

**Fraus.** Fraud.

**Fraus dans locum contractui.** Fraud in the making of the contract.

**Fraus est celare fraudem.** It is fraud to conceal fraud.

**Fraus est odiosa, et non praesumenda.** Fraud is odious and will not be presumed.

**Fraus et dolus nemini patrocianari debent.** Fraud and deceit ought to excuse no one.

**Fraus et jus nunquam cohabitant.** Fraud and justice never live together.

**Fraus latet in generalibus.** Fraud lies hidden in generalities.

**Fraus legis.** Fraud of the law.

**Fraus meretur fraudem.** Fraud merits fraud.

**Fray.** An affray.

**Frectare.** To freight.

**Frectum.** Freight.

**Frednite.** Immunity from fines.

**Fredum.** A fine paid for a pardon for breach of the peace; a payment to a magistrate for protection against vengeance.

**Free.** Without restraint or coercion; not enslaved; not bound; exonerated; certain as applied to feudal services.

**Free alms.** See Frankalmoigne.

**Free bench.** Dower in copyhold land.

**Free burgh.** One which had charter rights from the crown.

**Free burrow.** A frank pledge.

**Free course.** With the wind favoring, in sailing a ship.

**Free fishery.** The exclusive right of fishing in a public river.

**Free on board.** See F. o. b.

**Free services.** Services becoming a freeman ; such as were not base.

**Free ships.** Neutral ships during war.

**Free socage.** Tenure by certain, free, and honorable services.

**Free socmen.** Tenants in free socage.

**Free tenure.** Freehold tenure; tenure by free services.

**Free warren.** A franchise of hunting and preserving game in a warren.

**Free-borough men.** The inhabitants of a free burgh.

**Freedman.** One freed from bondage. servitude or slavery.

**Freedom of the press.** The same rights and immunities in speaking the truth in reference to acts of government, public officials or individuals that are enjoyed by the public at large. See 88 Ky. 603, 21 Am. St. Rep. 358, 11 S. W. 713.

**Freefold.** Same as Foldage.

**Freehold.** Any estate of inheritance or for life in either a corporeal or incorporeal hereditament existing in or arising from real property of free tenure. See 18 Colo. 298, 36 Am. St. Rep. 280, 33 Pac. 144.

**Freehold estate.** Same as Freehold.

**Freehold in law.** A freehold to which one is entitled, but has not entered upon.

**Freehold land societies.** Societies for the aid of workingmen in acquiring freeholds.

**Freeholder.** The owner of land in fee, for life or for an indeterminate period. See Ann. Cas. 1913D, 327, note.

**Freeman.** A freeholder, as opposed to a villein.

**Freeman's roll.** A list of persons entitled to participate in the village government.

**Freight.** Compensation for carriage of goods. See 3 Pick. (Mass.) 20, 15 Am. Dec. 175.

**Freighter.** The charterer and loader of a ship.

**Frendlesman.** An outlaw.

**Frendwit.** A fine for harboring an outlawed friend.

**Freneticus.** A lunatic.

**Frentike.** Same as Freneticus.

**Freoborgh.** A frank pledge, which see.

**Frequent.** To visit frequently.

**Frequentia actus multum operatur.** The frequency of the act effects much.

**Fresh disseisin.** Recent disseisin, such as one might resist by force.

**Fresh fine.** A fine levied within the next preceding year.

**Fresh force.** Force used within the next preceding forty days. See Assize of fresh force.

**Fresh pursuit.** Pursuit of one's goods immediately after their wrongful taking (see 11 N. H. 540; also 17 R. I. 437, 14 L. R. A. 317, 22 Atl. 1111); pursuit of a criminal immediately after his commission of the crime. See 27 Cal. 573.

**Fresh suit.** Same as Fresh pursuit.

**Fret.** Freight.

**Freter.** To freight.

**Freteur.** A freighter.

**Frettum.** Freight.

**Fretum.** A strait.

**Friars.** Members of certain religious orders.

**Friborg or Fridborg.** Same as Freoborgh.

**Friend of the court.** An amicus curiae, which see.

**Friendly societies.** Mutual aid or benefit societies.

**Friendly suit.** Same as Amicable action.

**Frigidity.** Impotence.

**Frilingi.** Freemen.

**Friscus.** Fresh; recent.

**Friscus fortia.** Fresh force, which see.

**Frithbote.** A fine exacted for breach of the peace.

**Frithbreach.** Breach of the peace.

**Frithman.** A member of a company or fraternity.—Blount.

**Frithsocne.** Same as Frithsoken.

**Frithsoken.** Power to preserve the peace.

**Frithsplot.** Sacred ground, where fugitives might safely hide.

**Frivolous.** So palpably insufficient as to show lack of good faith, as a pleading, argument, motion, objection. See 53 N. Y. 497.

**Frodmortel.** Freedom from punishment for killing.

**From and after.** From and after a date certain means excluding that date and beginning with the next one. See 35 Minn. 294, 59 Am. Rep. 326, 28 N. W. 919.

**Fructuarius.** One entitled to fruits and profits; a lessee.

**Fructus.** Fruit; fruits.

**Fructus augeat haereditatem.** The fruits go to increase the inheritance.

**Fructus civiles.** Revenues; recompenses.

**Fructus industriales.** Annual products of the soil raised by yearly manurance, labor and cultivation. See 42 Minn. 412, 32 Am. St. Rep. 571, 16 L. R. A. 103, 52 N. W. 36.

**Fructus legis.** Fruit of the law; execution.

**Fructus naturales.** Fruits and produce of perennial trees, bushes and grasses. See 49 Minn. 412, 32 Am. St. Rep. 571, 16 L. R. A. 103, 52 N. W. 36.

**Fructus pendentes.** Fruits unplucked.

**Fructus pendentes pars fundi videntur.** Hanging fruits seem to be a part of the soil.

**Fructus perceptos villae non esse constat.** Gathered fruits are not a part of the farm.

**Fructus rei alienae.** Fruit of another's property.

**Fructus separati.** Plucked fruit.

**Fruges.** Produce.

**Fruit.** The produce of trees, plants or other vegetation.

**Fruits of crime.** Gains acquired in or by commission of an offense.

**Frumenta quae sata sunt solo cedere intelliguntur.** Grains which are sown are understood to go with the soil.

**Frumentum.** Grain.

**Frumgild.** The initial recompense to the relatives of one murdered.

**Frusca terra.** Barren land.

**Frussura.** A ploughing.

**Frustra.** In vain.

**Frustra agit qui judicium prosequi nequit cum effectu.** He sues vainly who is unable to prosecute his judgment with effect.

**Frustra est potentia quae nunquam venit in actum.** A power or authority is vain which is never exercised.

**Frustra expectatur eventus cujus effectus nullus sequitur.** It is vain to look forward to an event which is to be followed by no result.

**Frustra feruntur leges nisi subditis et obedientibus.** It is vain to make laws unless for those who are subject and obedient.

**Frustra fit per plura, quod fieri potest per pauciora.** He acts vainly by many agencies who could act by a few of them.

**Frustra legis auxilium quaerit qui in legem committit.** One vainly seeks the law's aid who has transgressed it.

**Frustra petis quod mox es restiturus.** It is vain that you should seek what you will have to restore immediately. See 15 Mass. 407.

**Frustra petis quod statim alteri reddere cogeris.** It is vain that you should seek that which you will be compelled immediately to transfer to another.

**Frustra probatur quod probatum non relevat.** It is vain to prove that which when proved is irrelevant. See 13 Gray (Mass.), 511.

**Frustrum terrae.** A segregated piece or parcel of land.

**Frutices.** Bushes.

**Frutex.** A bush.

**Frutos.** (Spanish) Fruits; profits.

**Frythe.** Clear land between woods; a strait.

**Fuage.** A tax on hearths; hearth-money.

**Fuer.** To flee.

**Fuero.** (Spanish) A use and custom which has the force of law. See 37 U. S. 410, 9 L. Ed. 1137.

**Fuero de Castilla.** (Spanish) The old laws of Castile.

**Fuero de correos y caminas.** (Spanish) A tribunal with jurisdiction over postoffices and roads.

**Fuero de guerra.** (Spanish) A tribunal having jurisdiction over military matters.

**Fuero de marina.** (Spanish) A tribunal with jurisdiction over naval matters.

**Fuero juzgo.** The old Visigothic laws of Spain.

**Fuero municipal.** (Spanish) A town or city charter.

**Fuga catallorum.** A drove of cattle.

**Fugacia.** Flight.

**Fugam fecit.** He has fled.

**Fugator.** A privilege of hunting.

**Fugie.** A fugitive.

**Fugie-warrant.** A warrant for the arrest of a fleeing debtor.

**Fugitate.** To outlaw.

**Fugitation.** Outlawry; the flight of a criminal from justice.

**Fugitive from justice.** One who, having committed an act criminal in the state, left that state and is to be found in another state. See 115 N. C. 811, 44 Am. St. Rep. 501, and note, 28 L. R. A. 289, 20 S. E. 729.

**Fugitive slave.** A slave who has fled from his master.

**Fugitivus.** A fugitive.

**Full.** Ample; complete; perfect; not wanting in any essential. See 44 Ala. 506.

**Full age.** The period of life at which a person becomes legally capable of transacting business or of becoming contractually responsible. See 34 Ky. 597.

**Full blood.** That of the sons and daughters of the same parents.

**Full court.** One whereat all of the judges thereof are present on the bench.

**Full faith and credit.** Applies to the judicial proceedings and the public acts of a sister state. See 39 Neb. 679, 42 Am. St. Rep. 613, 23 L. R. A. 210, 58 N. W. 226.

**Full life.** Existence both in law and in fact, de facto and de jure.

**Full proof.** Evidence which satisfies the minds of the jury of the truth of the fact in dispute to the entire exclusion of every reasonable doubt. See 38 N. J. L. 441, 20 Am. Rep. 409.

**Fullum aquae.** An aqueduct; a stream.

**Fumage.** Same as Fuage.

**Function.** An official duty. See 121 Ind. 20, 22 N. E. 644.

**Functionary.** An officer.

**Functus.** Performed.

**Functus officio.** Having performed its office; legally defunct; of a process which has been returned; of an agent or officer without authority to proceed further.

**Fundamental.** Going to the essence or to the merits. See 28 Tex. Civ. App. 541, 68 S. W. 329.

**Fundamus.** We found, i. e., establish the foundation of.

**Fundatio.** A foundling.

**Funded debt.** A debt for whose payment a specific fund is provided. See 21 Barb. (N. Y.) 294.

**Fundi patrimoniales.** Inheritable lands.

**Fundi publici.** Public lands.

**Funditores.** Pioneers.

**Funds.** Cash.

**Fundus.** Lands.

**Funeral expenses.** Expenses connected with the funeral ceremonies of a decedent, the burial, the purchase of a lot and the marking of the grave.

**Fungible.** Consumable by use and and returnable in kind, e. g., wine.

**Fur.** A thief.

**Fur manifestus.** One palpably a thief; i. e., taken red-handed.

**Furandi animo.** With intent to steal.

**Furandi animus.** Intent to steal.

**Furca.** A fork; a gallows.

**Furca et flagellum.** Gallows and whip, a species of servile tenure

**Furca et fossa.** Gallows and pit, signifying punishment by hanging and by drowning.

**Furcare.** To fourcher.

**Furent criblés.** They were debated.

**Furigeldum.** Payment for stealing.

**Furiosi nulla voluntas est.** A madman has no will.

**Furiosity.** Raving madness.

**Furiosus.** Mad; insane.

**Furiosus absentis loco est.** A lunatic is regarded as one who is absent.

**Furiosus nullum negotium contrahere (gerere) potest (quia non intelligit quod agit).** An insane person cannot make a contract. (Because he cannot understand what he is doing.)

**Furiosus solo furore punitur.** An insane person is punished only by his insanity.

**Furiosus stipulari non potest nec aliquod negotium agere, qui non intelligit quid agit.** An insane person, who does not understand what he is doing cannot contract nor carry on any business.

**Furlong.** An eighth of a mile.

**Furnage.** Fees exacted from tenants for use of the lord's bakehouse.

**Furniture of a ship.** Everything required to be furnished a ship to make her seaworthy. See 1 Wall. Jr. 359, 29 Fed. Cas. (U. S.) 489.

**Furor contrahi matrimonium non sinit, quia consensu opus est.** Insanity prevents a marriage from being contracted, because consent is necessary.

**Further advance.** A further or additional loan to a mortgagor, often secured by the original mortgage.

**Further assurance.** See Covenant for further assurance.

**Furtively.** Stealthily; by stealth.

**Furtum.** Theft; larceny.

**Furtum conceptum.** Discovered larceny.

**Furtum est contrectatio rei alienae fraudulenta, cum animo furandi, invito illo domino cujus res illa fuerat.** Larceny is the fraudulent taking of the goods of another with intent to steal, against the will of him in whose control they were.

**Furtum grave.** Aggravated larceny, e. g., from the person, from a building.

**Furtum manifestum.** Open theft, wherein the thief is caught redhanded.

**Furtum non est ubi initium habet detentionis per dominum rei.** It is not larceny when the detention of the thing has its beginning through the owner.

**Furtum oblatum.** Receiving stolen goods.

**Fustigatio.** A form of punishment by beating with club or cudgel.

**Fustis.** See Fistuca.

**Future debt.** An existing debt not yet due.

**Future estate.** An estate, the possession of which is to begin at a future time.

**Futures.** Contracts for the sale and future delivery of stocks or commodities, wherein either party may waive delivery and receive or pay the difference in market price at the time set for delivery. See 71 Miss. 514, 14 South. 33.

**Futuri.** Persons not yet born.

**Fyhtwite.** Same as Fightwite.

**Fyrdwite.** Same as Ferdwit.

# G

**Gabel.** Same as Gavel.

**Gabella.** Same as Gabel.

**Gablum.** Same as Gavel.

**Gabulus denariorum.** Rent money.

**Gafol.** Same as Gavel.

**Gafolgild.** The payment of tribute.

**Gafol-land.** Land liable to gafolgild.

**Gag.** Something forced into one's mouth to prevent outcry.

**Gage.** A pledge; to pledge; to wage; to challenge.

**Gage, Estates in.** Estates held in pledge.

**Gager.** To pledge; to wage; an officer charged with the duty of measuring the contents of casks.

**Gager de deliverance.** To give pledge for the delivery up of distrained goods after action brought.

**Gager del ley.** Wager of law, which see.

**Gain.** Profit; acquisition; benefit. See 86 App. Div. 405, 83 N. Y. Supp. 849.

**Gainage.** The gain or profit in crops; beasts of the plough.

**Gainery.** Tillage; profits thereof.

**Gale.** A wind blowing at 40 to 70 miles an hour (see 65 Kan. 390, 58 L. R. A. 399, 69 Pac. 338); the payment of interest, rent or taxes.

**Gales.** Wales.

**Gallows.** A framework of two upright posts and a bar across from which capital criminals are hanged.

**Gallows-tree.** A gallows.

**Galravage.** Same as Gilravage.

**Gamacta.** An assault; a battery.

**Gamalis.** A legitimate child; a child of betrothed parents.

**Gamble.** To play any game of chance for a stake; to wager for a stake. See 113 Mass. 193, 18 Am. Rep. 466.

**Gambling contract.** One wherein the parties stake their property or money on an event which in its nature may or may not happen and whereby one is to lose and the other to win. See 113 Ala. 120, 36 L. R. A. 81, 21 South. 409. See, also, 79 Tex. 543, 23 Am. St. Rep. 363, 15 S. W. 569.

**Gambling device.** Anything so used in gambling that the event depends more upon chance than skill. See 18 Fed. (U. S.) 253, 9 Saw. 333.

**Gambling policy.** A life insurance policy, the beneficiary named in which has no insurable interest in the life of the insured.

**Gambling verdict.** A jury's verdict reached after agreeing to leave it to some chance, as by tossing a coin, and so doing. See 83 Tenn. 133.

**Game.** Animals pursued and taken by sportsmen, including wild bees and fish. Am. & Eng. Ency. See 51 S. C. 51, 38 L. R. A. 561, 28 S. E. 15.

**Game laws.** Laws regulating the open and closed seasons for hunting wild game.

**Game warden.** Same as Gamekeeper.

**Gamekeeper.** One employed to guard game in a preserve and against poachers.

**Game-preserve.** A private park stocked with game for hunting.

**Gaming.** An agreement to risk money or property in a contest or chance where one may be gainer and the other loser. See 33 Am. Dec. 134, note.

**Gaming device.** See Gambling device.

**Gaming-house.** One furnished with means and facilities for gambling to which the public is tempted, invited or permitted to attend for the purpose of gambling. See 151 Mo. 566, 74 Am. St. Rep. 571, 52 S. W. 365.

**Gaming-room.** A room maintained for gambling or gaming.

**Ganancial property.** (Spanish) Community property of husband and wife. See 18 Tex. 626.

**Ganancias.** (Spanish) Income of community property.

**Gang.** Current as money.

**Gangiatori.** Ancient officers of weights and measures.

**Gang-days.** Same as Gang-week.

**Gang-week.** Rogation-week, which see.

**Gantlet.** Same as Gauntlet.

**Gantlope.** Same as Gauntlet.

**Gaol.** Same as Jail.

**Gaol delivery.** The trial and disposition of all the prisoners in a jail.

**Gaol liberties.** The prescribed limits around a jail within which prisoners may roam upon giving bond. See 2 Johns. Cas. (N. Y.) 205.

**Gaol limits.** Same as Gaol liberties.

**Gaoler.** A jailer.

**Garandia.** A warranty.

**Garathinx.** A gift.

**Garaunt.** A warranty.

**Garaunter.** To warrant.

**Garauntor.** A warrantor.

**Garba.** A sheaf of grain.

**Garbales decimae.** Tithes of grain.

**Garbling coins.** The practice of taking out good coins for melting and keeping the worn ones in circulation.

**Gard.** A guardianship; care; custody.

**Garde.** Same as Gard.

**Gardein.** A guardian; a keeper.

**Gardianus.** A guardian; a warden.

**Gardinum.** A garden.

**Garene.** A warren, which see.

**Garner.** To garnish.

**Garnish.** To warn; to notify; to cause a garnishment to be served.

**Garnishee.** To garnish; one upon whom a garnishment is served. See 21 Me. 499, 38 Am. Dec. 276.

**Garnishee proceeding.** A proceeding by which the creditor takes the debtor's position with respect to the latter's debtor, the garnishee. See 31 Kan. 180, 47 Am. Rep. 497, 1 Pac. 622.

**Garnishee process.** Same as Garnishment.

**Garnisher.** One who garnishes.

**Garnishing process.** Same as garnishment.

**Garnishment.** An attachment whereby money or property of a debtor in the hands of third parties, which cannot be levied upon, may be subjected to the payment of the creditor's claim. See 37 Neb. 849, 40 Am. St. Rep. 522, 56 N. W. 711. A warning; the act of garnishing.

**Garote.** Same as Garrote.

**Garrant.** A warrant.

**Garrantie.** A warranty.

**Garrena.** A warren.

**Garrote.** A capital punishment for crime in some countries by strangulation with an iron collar compressed by means of a screw, or by severing the spinal cord in like manner.

**Garsumne.** A fine; an amercement.

**Garter.** The badge of the Order of the Garter, the highest order of British knighthood.

**Garth.** A yard; a fish-weir.

**Gast.** Waste, which see.

**Gastaldus.** A bailiff; a steward.

**Gaster.** To waste.

**Gastine.** Waste land.

**Gate.** A servitude for the pasturage or passage of cattle. See Cattle-gate.

**Gaugeator.** See Gager.

**Gauger.** See Gager.

**Gaugetum.** The measure of a barrel or cask.

**Gauntlet.** A military punishment by running between two ranks of men and being lashed by each.

**Gavel.** A tax; an excise; a duty; rent.

**Gavelbred.** Rent paid in produce.

**Gaveled.** Held by gavelkind tenure.

**Gavelet.** An ancient writ for a landlord for collection of rent from his tenant. See 62 Md. 458.

**Gavelgeld.** Yearly profit, toll, or tribute; the subject thereof.

**Gavelherte.** Customary service of ploughing.

**Gaveling men.** Tenants who paid rent and rendered customary services.

**Gavelkind.** An old socage tenure by rent paid in money, services (other than military), or produce; the land held thereby; an estate in land descending to all the sons who could partition their several interests or dispose thereof when fifteen years old. See, also, Irish Gavelkind.

**Gaveller.** A royal appointee who had charge of coal mining in certain districts in England.

**Gavelman.** A gavelkind tenant.

**Gavelmed.** Customary service of mowing meadows.

**Gavelrep.** The service of reaping at the command of the lord.

**Gavelwerk.** Customary services by manual labor or with carts.

**Gazette.** A British official newspaper announcing declarations of bankruptcy, official promotions and public events; to publish anything therein.

**Gebocced.** Conveyed.—Black.

**Gebocian.** To convey.

**Gebur.** One owning an allotment of land.

**Geburscript.** A village.

**Geld.** A fine; a tribute.

**Geldabilis.** Taxable.—Black.

**Geldable.** Taxable.

**Gelding.** A castrated horse (see 2 Tex. App. 293), but not a mule. See 4 Pa. Dist. R. 172.

**Gemma.** Gems.

**Gemot, or gemote.** A meeting or assembly.

**Genealogy.** The tracing of one's descent from his ancestors.

**Genearch.** The chief of a tribe.

**Geneath.** A vassal.

**Gener.** A son-in-law.

**General.** Prevalent but not universal. See 35 Neb. 676, 17 L. R. A. 821, 53 N. W. 595.

**General administrator.** One who administers the whole of a decedent's estate either under a statute of distribution or under a will. See 40 Ala. 189.

**General agent.** An agent who is authorized to do all acts connected with a particular business or in a particular place. See 157 Ill. 554, 48 Am. St. Rep. 341, 41 N. E. 888.

**General appearance.** An appearance without reservation or qualification. See Appearance.

**General assignment.** A debtor's transfer of all his property in trust for the benefit of all of his creditors. See 85 N. Y. 516, 39 Am. Rep. 674.

**General assumpsit.** Same as Indebitatus Assumpsit.

**General average.** That contribution which is made by all who are parties to the same adventure toward a loss arising out of extraordinary sacrifices made, or extraordinary expenses incurred, by some of them, for the common benefit of the ship and cargo. See 3 Wall. (U. S.) 347, 18 L. Ed. 155.

**General credit.** A witness' general reputation for veracity.

**General creditor.** A creditor who has no lien on property of the debtor. See 5 N. M. 442, 8 L. R. A. 691, 23 Pac. 780.

**General criminal intent.** That intent which the law presumes from the voluntary commission of an unlawful act without justification or excuse.

**General custom.** One which prevails throughout a country and becomes the law thereof and whose existence is to be determined by the court. See 23 Me. 90, 39 Am. Dec. 611.

**General damages.** Those necessarily resulting.

**General demurrer.** A demurrer specifying that the pleading demurred to does not state facts sufficient to constitute a cause of action or a defense, as the case may be. See 63 Neb. 713, 89 N. W. 256.

**General denial.** A pleading or answer which traverses all material allegations of the pleading at which it is directed. See 146 Ind. 509, 58 Am. St. Rep. 367, 36 L. R. A. 59, 45 N. E. 702.

**General deposit.** One which is to be repaid on demand, in money. See 19 Am. Dec. 418, note.

**General devise.** One which fails to specify the quantity of the estate devised. See 8 Houst. (Del.) 334, 2 L. R. A. 724, 16 Atl. 558.

**General executor.** One appointed to administer the whole of an estate.

**General guaranty.** One for the acceptance of the public generally. See 101 Wis. 193, 70 Am. St. Rep. 907, 77 N. W. 182.

**General guardian.** A guardian of the person of the ward or of all of the ward's property within the jurisdiction, or of both.

**General heir.** See Heir general.

**General hypothecation.** Hypothecation by a debtor of all his property for the benefit of his creditors.

**General indorsement.** One wherein no payee is named.

**General issue.** A plea or answer the effect of which is to traverse or deny all the material allegations of the declaration or complaint. See 94 Md. 290, 50 Atl. 1046.

**General judgment.** A judgment in personam. See 69 N. J. L. 365, 55 Atl. 805.

**General law.** A law affecting all persons or things of a given class, order, genus or kind. See 21 Am. St. Rep. 780, note.

**General legacy.** One the bequest whereof does not describe specific chattels or money. See 6 N. J. L. 133, 10 Am. Dec. 392.

**General lien.** The right to retain the property of another to cover and secure a general balance of account against him. See 37 Am. Dec. 522, note.

**General malice.** General desire to injure mankind, as distinguished from ill will toward a particular person. See 117 N. C. 393, 53 Am. St. Rep. 590, 23 S. E. 428.

**General ownership.** Such unqualified dominion over a thing that it belongs to the owner exclusively. See 74 N. Y. 568.

**General partnership.** One wherein all the business is carried on for the joint profit of all the partners. See 3 Fed. Cas. (U. S.) 349, 1 Cliff. (U. S.) 28.

**General power.** A power to appoint whomsoever the donee pleases. See 3 Whart. (Penn.) 287, 31 Am. Dec. 502.

**General restraint of trade.** A prohibition in an agreement against carrying on a specified business or occupation anywhere. See 3 Pinn. (Wis.) 123, 56 Am. Dec. 164.

**General ship.** One in which the masters or owners engage separately with a number of persons unconnected with each other to convey their respective goods to the place of the ship's destination. See 6 Cow. (N. Y.) 173, 16 Am. Dec. 437.

**General verdict.** One that finds in favor of the plaintiff or the defendant on all the issues or any one of them. See 8 Ga. 201, 52 Am. Dec. 393.

**Generale dictum generaliter est interpretandum.** A general statement should be interpreted generally.

**Generale nihil certum implicat.** A general expression implies nothing certain.

**Generale tantum valet in generalibus, quantum singulare in singulis.** That which is general prevails in general matters, as that which is particular in particular matters.

**Generalia praecedunt; specialia sequuntur.** General matters precede; special matters follow.

**Generalia specialibus non derogant.** General words do not derogate from special ones. See 97 Tenn. 697, 34 L. R. A. 541, 37 S. W. 689.

**Generalia sunt praeponenda singularibus.** General matters should not be placed before particular ones.

**Generalia verba sunt generaliter intelligenda.** General words are to be interpreted generally.

**Generalibus specialia derogant.** Special words derogate general ones.

**Generalis clausula non porrigitur ad ea quae antea specialiter sunt comprehensa.** A general clause is not extended to include those things which have been previously specially included.

**Generalis regula generaliter est intelligenda.** A general rule should be generally understood.

**Generosi filius.** A gentleman's son.

**Generosus.** A gentleman.

**Gens.** A Roman tribe composed of families of the same name and descended from a common ancestor.

**Gentes.** Plural of Gens.

**Gentiles.** Members of the same gens.

**Gentleman.** Any man ranking above a yeoman; one having a crest or coat-of-arms.

**Gentlewoman.** A woman of the same rank or status as a gentleman.

**Gents.** People.

**Genuine.** Real or original, as opposed to counterfeit or adulterated.

**Genus.** A kind; a class.

**George I.** King of England, 1714–1727.

George II. King of England, 1727–1760.

George III. King of England, 1760–1820.

George IV. King of England, 1820–1830.

George V. King of Great Britain, etc., May 7, 1910.

Gerefa. A reeve; a sheriff.

Gerens. Bearing.

Gerere. To act; to behave.

Gerere pro haerede. To act as heir.

Germain. Same as Germane.

German. Germane; fully related, as brothers of the same parents.

German cousin. A first cousin.

Germane. Relevant.

Germanus. Of the same parents; of the same stock.

Gersome. Same as Gersume.

Gersume. An exaction for permitting a tenant to transfer his tenancy; or a bonus paid for a rebate in rent on a lease.

Gest. A guest.

Gesta. Plural of Gestum.

Gestation. Pregnancy.

Geste. A guest.

Gestio. An act; behavior.

Gestio pro haerede. Behavior as heir.

Gestor. An agent.

Gest-taker. An agister.

Gestum. A deed; an act; business.

Gewitnessa. Acting as a witness.

Gewrite. Written instruments.

Gibbet. A gallows.

Gift. A voluntary transfer of property from one to another without any consideration or compensation therefor. See 106 Cal. 113, 46 Am. St. Rep. 221, 28 L. R. A. 187, 38 Pac. 315, 39 Pac. 437.

Gift causa mortis. A gift of personal property, made by one in expectation of death then imminent, and upon an essential condition that the property shall belong fully to the donee in case the donor dies, leaving the donee surviving and the gift unrevoked. See 99 Am. St. Rep. 891, note.

Gift enterprise. "A business, as the selling of books or works of art, the publication of a newspaper, etc., in which presents are given to purchasers as an inducement." Cent. Dict. See 74 Md. 565, 28 Am. St. Rep. 268, 12 L. R. A. 425, 22 Atl. 4.

Gift inter vivos. A voluntary gift bestowed upon one living person by another. See 43 Tex. 340.

Gift of bastardy. (Scotch) The crown's gift of property of a bastard dying intestate and without heirs.

Gift to a class. A gift of an aggregate sum to a body of persons, uncertain in number at the time of the gift, to be ascertained at a future time, and who are to take in equal or in some other definite proportions, the share of each being dependent for its amount on the ultimate number of persons. See 200 N. Y. 189, 21 Ann. Cas. 412, 34 L. R. A. (N. S.) 945, 93 N. E. 484.

Gild. Same as Geld; also one of the many English mutual benefit societies.

Gild hall. The meeting place of a gild.

Gilda mercatoria. A mercantile company or corporation.

Gildable. Same as Geldable.

Gild-ale. A feast; a drinking bout.

Gildo. Members of a gild.

Gillravage. Same as Gilravage.

**Gilour.** A beguiler; a betrayer.

**Gilravage.** To ravage; to plunder.

**Girth.** Thirty-six inches.

**Gisant.** Resting; lying.

**Gisel.** A pledge.

**Gisement.** Same as Agistment.

**Giser.** To lie; to rest.

**Gisetaker.** Same as Agister.

**Gist.** The pith; the principal point involved. See 127 Ala. 149, 28 South. 593.

**Give.** To make a gift; to convey.

**Giver.** The maker of a gift.

**Gleaning.** Gathering reaped crops.

**Gleba.** Glebe.

**Glebae ascriptitii.** Villeins in socage tenure who were regarded as fixtures while they performed services due.

**Glebe.** Tillable church lands.

**Gloss.** A translation; an explanation; an interpretation.

**Glossa.** A gloss.

**Glossa viperina est quae corrodit viscera textus.** It is a poisonous gloss which corrupts the essence of the text.

**Glossator.** A translator; a commentator.

**Gloucester, Statute of.** See Statute of Gloucester.

**Glove contest.** A boxing or sparring exhibition, as distinguished from a prize-fight. See 46 La. Ann. 935, 24 L. R. A. 452, 15 South. 190.

**Glove-money.** Money given by the sheriff to certain court officers when there were no offenders left for execution.

**Glove-silver.** Same as Glove-money.

**Glyn.** A glen; a ravine.

**Go hence without day.** To be discharged. See 40 Neb. 178, 58 N. W. 700.

**Go quit.** To be dismissed.

**Go to protest.** To be protested for nonacceptance or nonpayment. See Protest.

**Go without day.** To be dismissed.

**Godbote.** An ecclesiastical fine.

**God's penny.** Earnest-money.

**Goging stole.** Same as Cucking-stool.

**Going concern.** A corporation which is still prosecuting its business with the prospect of continuing to do so, even though its assets are insufficient to pay its debts. See 99 Ala. 68, 42 Am. St. Rep. 29, 23 L. R. A. 618, 11 South. 350.

**Going to the country.** Reaching an issue of fact in pleading.

**Going witness.** A witness who is about to leave the jurisdiction.

**Gold certificates.** Certificates issued by the United States to circulato as money and secured by gold in the treasury.

**Goldsmith's notes.** Notes of a bank or banker.

**Good abearing.** Good behavior.

**Good and lawful men.** Jurymen with the qualifications required by law. See 59 Ind. 510.

**Good and sufficient deed.** A valid deed, but not referring to the validity of the title. See 32 Mass. 546, 26 Am. Dec. 620.

**Good behavior.** Good official conduct. See 79 Ky. 42, 42 Am. Rep. 204.

**Good consideration.** Natural love and affection; any valid consideration other than a valuable one.

**Good faith.** Honest, lawful intent; the condition of acting without knowledge of fraud and without intent to assist in a fraudulent, or otherwise unlawful, scheme. See 156 Ill. 342, 40 N. E. 974.

**Good parliament.** The reform parliament of 1376.

**Good title.** A marketable title which can be sold to a reasonable purchaser, or mortgaged to one of reasonable prudence as security for the loan of money. See 115 N. Y. 586, 12 Am. St. Rep. 844, 5 L. R. A. 654, 22 N. E. 233.

**Goodwill.** The chance or probability that custom will be had at a certain place of business in consequence of the way that business has been previously carried on. See 44 La. Ann. 264, 32 Am. St. Rep. 336, 15 L. R. A. 462, 10 South. 616.

**Goods.** Personal property. See 1 Am. Dec. 294, note.

**Goods and chattels.** The term includes all personal property in possession. See 9 Baxt. (Tenn.) 53, 40 Am. Rep. 81.

**Goods bargained and sold.** One of the common counts. See Common Counts.

**Goods sold and delivered.** One of the common counts. See Common Counts.

**Gote.** A gutter; a drain.

**Government.** Management; control. See 119 Mo. 41, 41 Am. St. Rep. 630, 24 S. W. 770. The public political authority which guides and directs the body politic, or society of men called the "state," united together to promote their safety and advantage by means of their union. See 42 Miss. 651, 2 Am. Rep. 625.

**Grace.** See Days of grace.

**Gradatim.** Gradually.

**Gradus.** Grade; status; relationship.

**Gradus parentelae.** A genealogy; a family tree.

**Graf.** A magistrate; a chief.

**Graffarius.** A graffer.

**Graffer.** A notary; a copyist.

**Graft.** A dishonest transaction in relation to public or official acts. See 55 Wash. 69, 133 Am. St. Rep. 1016, 19 Ann. Cas. 1077, 104 Pac. 181. Also, the improvement of a mortgagee's title by the mortgagor's subsequently acquired title. See 9 Mass. 34, 6 Am. Dec. 22.

**Grain.** Corn; cereal plants.

**Grainage.** A duty on salt imported by aliens.

**Grammatica falsa non vitiat chartam.** Bad grammar does not vitiate a deed.

**Granatarius.** The manager of a granary.

**Grand assize.** A substitute for trial by battel before a jury of sixteen men. See 3 Bl. Comm. 341.

**Grand bill of sale.** One transferring title to a ship while she was at sea.

**Grand cape.** See Cape magnum.

**Grand days.** English court holidays.

**Grand distress.** A writ issued in an action of quare impedit, after the defendant's default, to distrain all of his property in the county to force his appearance.

**Grand jury.** A body of men, the number of whom varies in different jurisdictions, chosen by lot and sworn to inquire into crimes within the jurisdiction of the county. See 65 How. Pr. (N. Y.) 365.

**Grand larceny.** A larceny of goods of greater value than twelve pence, at common law (see 13 Wash. 584, 43 Pac. 881); but statutes of many states fix the value at $50, and some include in the offense aggravated larceny and larceny of certain named chattels.

**Grand serjeanty.** A tenure in capite like knight service but did not

include attendance on the king or escuage. See 2 Bl. Comm. 73.

**Grange.** A farm with all its barns, stables and other buildings.

**Grangiarius.** The steward of a grange.

**Grant.** A conveyance; an admission of truth; a conveyance by deed, especially by the government. See 50 La. Ann. 880, 24 South. 666.

**Grant to uses.** A grant of land to one for the use or benefit of another.

**Grantee.** One to whom a grant is made.

**Grantor.** One who makes a grant.

**Grantz.** Noblemen.

**Granum crescens.** Growing grain.

**Grasshearth.** Customary service of one day's work for the landlord.

**Grassum.** Same as Gersome.

**Gratification.** A gratuity for services rendered.

**Gratis.** Gratuitously; without consideration.

**Gratis appearance.** An appearance entered in a suit by attorney without waiting to be served with process.

**Gratis dictum.** A spontaneous statement.

**Gratuitous.** Without valuable or legal consideration. Bouv. Law Dict.

**Gratuitous contract.** A contract the purpose of which is to benefit the promisee, without any consideration coming from him. See 65 Ga. 499, 38 Am. Rep. 793.

**Gratuitous conveyance.** One made without consideration.

**Gratuity.** A present; a reward without legal consideration.

**Gratulance.** A bribe.

**Gravamen.** Gist; essence; substance; sting.

**Gravatio.** A charge; an accusation.

**Gravis.** Great; grievous.

**Gravius.** Same as Graf.

**Gravius est divinam quam temporalem laedere majestatem.** It is more serious to injure divine than temporal majesty.

**Gray's Inn.** One of the inns of court at London.

**Great body of laws.** A code of statutes adopted in the Province of Pennsylvania in 1862. See 12 Serg. & R. (Pa.) 220.

**Great cattle.** Grown cattle.

**Great charter.** Same as Magna Charta.

**Great fee.** One held of the king.

**Great law.** See Great body of laws.

**Great seal.** A seal of state; the seal of Great Britain, of which the Lord High Chancellor is the custodian.

**Great tithes.** Tithes of corn, hay, wood or grain.

**Greave.** A grove.

**Gree.** Satisfaction for an injury; agreement; consent; to effect a compromise.

**Green cloth.** An English court held in the royal household.

**Green goods.** Counterfeit paper currency.

**Green silver.** A feudal customary annual rent.

**Greenbacks.** United States paper currency. See 79 Ala. 259.

**Greeve.** A reeve, which see.

**Gregorian calendar.** One making January 1st the beginning of the year instead of March 25th.

**Gregorian Code.** A compilation of Roman laws by Gregorianus in the fourth century.

**Gregorian epoch.** From 1582, when the Gregorian calendar began.

**Gremio.** (Spanish) A guild; a union.

**Gremium.** Lap; bosom.

**Gressame.** Same as Gersome.

**Gressum.** Same as Gersome.

**Gressume.** Same as Gersome.

**Gretna Green.** A place just over the Scotch border where English runaway couples went to marry.

**Gretna Green marriage.** A marriage valid in Scotland requiring only the mutual declarations of the parties in the presence of witnesses.

**Grieved.** Aggrieved.

**Griff.** The issue of a negro and a mulatto. See 126 La. 300, 139 Am. St. Rep. 514, 20 Ann. Cas. 1297, 52 South. 500.

**Grith.** Peace.

**Grithbrech.** Breach of the peace.

**Grithstole.** A sanctuary.

**Grocer.** An engrosser. See Engross.

**Gros.** Large.

**Gross.** Twelve dozen; without any deductions, as opposed to net; great; independent.

**Gross adventure.** Bottomry; a maritime loan.

**Gross average.** Same as General average.

**Gross negligence.** An entire failure to exercise care, or the exercise of so slight a degree as to justify the belief that there was an indifference to the interest and welfare of others. See 107 Cal. 317, 48 Am. St. Rep. 132, 40 Pac. 432.

**Gross weight.** Weight without deductions.

**Grosse avanture.** Gross adventure.

**Grosse bois.** Great wood; timber.

**Grossement.** Greatly.

**Grossome.** Same as Gersome.

**Ground annual.** (Scotch) An annual rent.

**Ground landlord.** One to whom ground rent is payable.

**Ground writ.** An English writ running out of the county upon which a writ of execution was issued in the second county.

**Ground-rent.** Rent on land leased for building; also, same as Fee-farm Rent. See 115 Md. 689, Ann. Cas. 1913A, 919, 81 Atl. 793.

**Groundage.** A fee charged for keeping a ship in port.

**Growth half-penny.** A tax on non-productive cattle.

**Gruarii.** Chief forest officers.

**Guadalupe Hidalgo Treaty.** The treaty concluding peace between Mexico and the United States. See 18 How. (U. S.) 235, 15 L. Ed. 365.

**Guadia.** A pledge.

**Guarantee.** A guaranty; one to whom it is made.

**Guaranteed dividends.** Dividends to which a preferred stockholder is entitled when there are profits to pay them. See 31 Mich. 76, 18 Am. Rep. 156.

**Guarantor.** The maker of a guaranty.

**Guaranty.** A promise to answer for the payment of some debt, or the performance of some duty in case of the failure of another person, who is in the first instance liable. See 12 Smedes & M. (Miss.) 595, 51 Am. Dec. 124.

**Guaranty insurance.** Insurance guaranteeing the fidelity of officers and the performance of contracts. See 174 Ill. 310, 44 L. R. A. 124, 51 N. E. 246.

**Guardage.** Wardship.

**Guardia.** A ward.

**Guardian.** One appointed by a court to take charge of a person, his property or both. See 67 Iowa, 460, 23 N. W. 746, 25 N. W. 735.

**Guardian ad litem.** A guardian appointed to represent one in litigation during the pendency thereof. See 107 Wis. 404, 83 N. W. 694.

**Guardian by appointment.** A guardian appointed by a court.

**Guardian by custom.** One who by the custom of the place had the right to act as guardian.

**Guardian by election.** A guardian selected by an infant and appointed by the court.

**Guardian by nature.** A father, or in case of his death, the mother of a child. See 6 Conn. 494.

**Guardian by statute.** A guardian appointed by a deed or a will under statutory authority. See 88 Ga. 722, 16 S. E. 255.

**Guardian for nurture.** The father, or in case of his death, the mother, as guardian of their children's persons until fourteen years old. See 16 Fed. Cas. (U. S.) 1171, 3 Cranch C. C. 147.

**Guardian in chivalry.** A lord who was entitled to the guardianship of the minor heir of his tenant by knight service. See 16 Fed. Cas. (U. S.) 1171, 3 Cranch C. C. 147.

**Guardian in socage.** One next of kin to a child from whom it was impossible for the former to inherit, as guardian of the socage land and person of the child, until the child was fourteen. See 2 Wend. (N. Y.) 153, 19 Am. Dec. 568.

**Guardian of the spiritualities.** See Custos spiritualium.

**Guardian of the temporalities.** See Custos temporalium.

**Guardian, Testamentary.** See Testamentary guardian.

**Guardians of the peace.** Same as Conservators of the peace.

**Guardians of the poor.** The board or body in charge of the paupers of a county.

**Guardianship.** The office of a guardian; the duties pertaining thereto.

**Guardianus.** Same as Gardianus.

**Guarra.** War.

**Guastald.** Same as Gastaldus.

**Gubernator.** A helmsman; a pilot.

**Gubernatorial.** Pertaining to the office of a governor.

**Gue.** A vagrant.

**Guerpi.** Abandoned.

**Guerra or Guerre.** War.

**Guest.** A wayfarer who stops at an inn and is accepted. See 62 Am. Dec. 586, note.

**Guest-taker.** An agister.

**Guia.** (Spanish) A way.

**Guidage.** A reward for guiding a traveler.

**Guidon de la mer.** A treatise on maritime law, written about 1670.

**Guild.** See Gild.

**Guild-hall.** See Gild-hall.

**Guilt.** Criminality; culpability.

**Guilty.** The plea of a defendant in a criminal prosecution who admits having committed the crime charged.

**Gule of August.** The 1st of August.

**Gunpowder plot.** A conspiracy in 1605 to blow up the king and parliament to avenge anti-Catholic legislation.

**Gust.** A guest.

**Guy Fawkes.** The chief conspirator of the Gunpowder plot.

**Gwabr merched.** A fee paid to the lord upon the loss of maidenhood, by marriage or otherwise, of a tenant's daughter.

**Gwalstow.** A place of execution.

**Gwayf.** Stolen goods dropped in the highway to avoid discovery.

**Gyltwite.** Amends for fraud or trespass.

**Gynarcy.** A government ruled by a woman.

**Gyves.** Shackles.

# H

**H. B. M.** His or her Brittanic majesty.

**H. C.** House of Commons.

**H. I. H.** His or her imperial majesty.

**H. L.** House of Lords.

**H. R. H.** His or her royal highness.

**Hab. corp.** Habeas corpus.

**Habeas corpora.** An old writ to enforce the attendance of a jury.

**Habeas corpora juratorum.** A writ to compel jurors to attend court.

**Habeas corpus.** A common-law writ by which one restrained of liberty is brought before a court for judicial inquiry as to the lawfulness of his restraint. See 5 Ind. 290, 61 Am. Dec. 90.

**Habeas corpus act.** The statute 31 Car. II, c. 2, passed 1679, regulating habeas corpus proceedings.

**Habeas corpus ad deliberandum et recipiendum.** A writ for the removal of a prisoner to be tried in the proper jurisdiction. See 8 U. S. 75, 2 L. Ed. 554.

**Habeas corpus ad faciendum et recipiendum.** A writ to remove a cause from an inferior court to a higher one, commanding the inferior judges to produce the body of the defendant and to show the cause of his caption and detainer. See 8 U. S. 98, 2 L. Ed. 562.

**Habeas corpus ad prosequendum.** A writ to remove a prisoner to be tried in the proper jurisdiction. See 8 U. S. 97, 2 L. Ed. 562.

**Habeas corpus ad respondendum.** A writ to remove a prisoner confined by process of an inferior court to a higher court to be charged there with a new action. See 8 U. S. 97, 2 L. Ed. 562.

**Habeas corpus ad satisfaciendum.** A writ to bring a prisoner against whom a judgment was rendered to some superior court to charge him with process of execution. See 8 U. S. 97, 2 L. Ed. 562.

**Habeas corpus ad subjiciendum.** A writ to require one detaining the body of another to produce him and submit to the court's order.

**Habeas corpus ad testificandum.** A writ to remove a prisoner to bear testimony in court. See 8 U. S. 98, 2 L. Ed. 562.

**Habeas corpus cum causa.** Same as Habeas corpus ad faciendum.

**Habemus optimum testem, confitentem reum.** We have the best witness, a confessing defendant.

**Habendum.** That clause or portion of a deed which names the grantee and limits the certainty of the estate. See 8 Mass. 162, 5 Am. Dec. 83. See, also, 4 Dev. & B. (N. C.) 433, 34 Am. Dec. 390, 20 N. C. 570.

**Habendum et tenendum.** To have and to hold.

**Habentes homines.** Men of wealth.

**Habentia.** Riches.

**Habere.** To have.

**Habere facias possessionem.** A writ to enforce a plaintiff's judgment in ejectment and put him in possession.

**Habere facias seisinam.** A writ to obtain possession of land.

**Habere facias visum.** A writ directing the sheriff to view the premises in controversy.

**Habere licere.** To allow one to take possession.

**Haberject.** An old sort of cloth.

**Habeto tibi res tuas.** Take your belongings to yourself.

**Habilis.** Suitable; fit; capable.

**Habit.** Customary or ordinary course of conduct.

**Habit and repute.** Habits and reputation.

**Habitancy.** Residence at a place with intent to make it a home. See 34 Mass. 231, 28 Am. Dec. 293.

**Habitatio.** Habitation.

**Habitation.** An abiding place, permanent or temporary. See 79 N. Y. 454, 35 Am. Rep. 536.

**Habitual drunkard.** One who drinks intoxicating liquors to such extent as in some manner to disqualify him from pursuing his avocation. See 79 Wis. 321, 24 Am. St. Rep. 717, 48 N. W. 555.

**Habitual intemperance.** A fixed habit of drinking to excess, to such a degree as to disqualify one during the principal portion of the time usually devoted to business. See 19 Cal. 626, 81 Am. Dec. 91, and note.

**Habitus.** Appearance; apparel.

**Hacienda.** (Spanish) An estate.

**Hadbote.** A fine or mulct for assaulting a priest.

**Hade.** A grassy slope.

**Haderunga.** Hatred.

**Hadgonel.** A tax.

**Haec est conventio.** This is the agreement.

**Haec est finalis concordia.** This is the final agreement.

**Haec verba.** These words.

**Haereda.** A hundred court.

**Haerede abducto.** See De haerede et rapto abducto.

**Haeredem Deus facit, non homo.** God makes an heir, not man.

**Haeredes.** Heirs.

**Haeredes est nomen collectivum.** Heirs is a collective name.

**Haeredes extranei.** (Civil Law) Heirs who were not children or slaves of the decedent.

**Haeredes necessarii.** (Civil Law) Heirs made so without their election.

**Haeredes proximi.** Nearest heirs; children or descendants.

**Haeredes remotiores.** More remote heirs.

**Haeredes sui et necessarii.** (Civil Law) Descendants and haeredes necessarii.

**Haeredi magis parcendum est.** An heir should be dealt with more leniently.

**Haeredipeta.** The next heir.

**Haeredipetae suo propinquo vel extraneo periculoso sane custodi nullus committatur.** To his next heir or to a stranger, indeed a dangerous guardian, no one should be committed.

**Haereditas.** An inheritance.

**Haereditas, alia corporalis, alia incorporalis; corporalis est, quae tangi potest et videri; incorporalis quae tangi non potest nec videri.** An inheritance is either corporeal or incorporeal. Corporeal is what can be touched or seen. Incorporeal is what cannot be touched or seen.

**Haereditas damnosa.** A detrimental inheritance.

**Haereditas est successio in universum jus quod defunctus habuerat.** Inheritance is the succession to every right which the decedent had.

**Haereditas jacens.** An inheritance which the heir has not yet received or accepted.

**Haereditas luctuosa.** A sorrowful inheritance.

**Haereditas nihil aliud est, quam successio in universum jus, quod defunctus habuerit.** An inheritance is nothing but the succession to all rights which the decedent had.

**Haereditas nunquam ascendit.** An inheritance never ascends.

**Haereditas paterna.** A paternal inheritance.

**Haeredum appellatione veniunt haeredes haeredum in infinitum.** Under the name "heirs" come the heirs of heirs without limit.

**Haeres.** An heir.

**Haeres actu.** An heir by one's act or appointment.

**Haeres astrarius.** An heir in possession.

**Haeres de facto.** An heir in fact.

**Haeres est alter ipse, et filius est pars patris.** An heir is the other self of a man and the son is a part of his father.

**Haeres est aut jure proprietatis aut jure representationis.** An heir is such either by right of property or by right of representation.

**Haeres est eadem persona cum antecessore.** An heir is the same person with his ancestor.

**Haeres est nomen collectivum.** Heir is a collective term.

**Haeres est nomen juris; filius est nomen naturae.** Heir is the legal name, son is the natural name.

**Haeres est pars antecessoris.** The heir is a part of his ancestor. See 3 Hill (N. Y.), 165.

**Haeres est quem nuptiae demonstrant.** An heir is one whom marriage shows to be an heir.

**Haeres ex asse.** A sole heir.

**Haeres extraneus.** An heir who was neither a child nor a slave of the decedent.

**Haeres factus.** An heir appointed by will.

**Haeres fideicommissarius.** A beneficiary heir; a testamentary cestui que trust.

**Haeres fiduciarius.** A fiduciary heir; an heir who holds in trust.

**Haeres haeredis mei est meus haeres.** The heir of my heir is my heir.

**Haeres legitimus.** A lawful heir.

**Haeres legitimus est quem nuptiae demonstrant.** The lawful heir is the one whom the marriage shows to be such. See 82 Md. 17, 34 L. R. A. 773, 33 Atl. 317.

**Haeres minor uno et vigenti annis non respondebit, nisi in casu dotis.** An heir under twenty-one years of age is not answerable, except in the matter of dower.

**Haeres natus.** A born heir.

**Haeres necessarius.** An heir who had no election but to accept.

**Haeres non tenetur in Anglia ad debita antecessoris reddenda, nisi per antecessorem ad hoc fuerit obligatus, praeterquam debita regis tantum.** The heir is not bound in England to pay his ancestor's debts unless he was bound to this by the ancestor, excepting whatever is owed to the king.

**Haeres rectus.** A rightful heir.

**Haeres suus.** A proper heir; an heir by descent

**Haeretare.** To attach a hereditary character to a gift.

**Haeretico comburendo.** See De haeretico comburendo.

**Hafne courts.** English port courts.

**Haga.** A city house.

**Haia.** A hedge.

**Haiebote.** Same as Haybote.

**Haill.** Whole.

**Hailworkfolk.** Same as Halywerc-folk.

**Haimsucken.** Same as Hamesecken.

**Halegemot.** Same as Halmote.

**Half blood.** That of children who have but one of their parents in common. See 10 Tenn. 115.

**Half-notes.** Notes given as payment, half of each of which was given to the seller upon ordering the goods and the other half on delivery. See Ir. R. 10 C. L. 508.

**Half-brother, or Half-sister.** Having the same father or mother. See 92 N. Y. 375.

**Half-endeal.** One half.

**Half-proof.** Proving by one witness; proof by a private document.

**Half-tongue.** Speaking two languages as of a jury so composed.

**Half-year.** One hundred and eighty-two days.

**Hali-gemote.** Same as Halle-gemote.

**Halimass.** Same as Hallowmass.

**Hall day.** A court day.

**Hallage.** A toll paid for vending goods in a hall or fair.

**Hallazco.** (Spanish) Acquisition by finding.

**Halle-gemote.** A court-baron.

**Hallowmass.** All Saints' day, November 1st.

**Hallucination.** An error of eyesight, hearing or other of the senses. See 168 N. Y. 19, 60 N. E. 1057. Not insanity. See 64 Vt. 233, 24 Atl. 253.

**Halmote.** A court-baron.

**Halywercfolk.** Tenants by service of repairing a church.

**Ham.** A home; a house.

**Hamble.** To expeditate a dog; to hamstring an animal.

**Hamel.** A village.

**Hamesecken.** Nocturnal housebreaking. See 4 Bl. Comm. 223.

**Hamsocne.** Same as Hamesecken.

**Hamesucken.** Same as Hamesecken.

**Hamfare.** An assault in a house.

**Hamlet.** A small village.

**Hamma.** Same as Curtilage.

**Hamsoken.** Same as Hamesecken.

**Hamstring.** To disable an animal by cutting a hamstring.

**Hanaper.** A hamper; a receptacle where files and documents were kept.

**Hanaper office.** The office in English practice where all original writs under the great seal were issued. See 6 Johns. (N. Y.) 337.

**Hand.** Four inches.

**Handborow.** A pledge; a frank pledge.

**Hand grith.** Protection at the hands of the king.

**Handbill.** A printed circular. See 33 Misc. Rep. 691, 68 N. Y. Supp. 1108.

**Handcuffs.** Shackles for the wrists.

**Handhabend.** Same as Bacberend.

**Handsale.** A sale confirmed by shaking hands.

**Handsel.** Same as Handsale.

**Handwriting.** Whatever one has written with his hand, though not in his usual or ordinary chirography. See 5 Cush. (Mass.) 295, 52 Am. Dec. 711.

**Hanging in chains.** The practice of suspending an executed murderer's body by chains in public view.

**Hanging-gale.** Overdue rent.

**Hangman.** One employed to execute a capital sentence by hanging.

**Hangwite.** A fine for hanging one without trying him; a fine for permitting an escape.

**Hanse.** A society of merchants in different towns for mutual protection and welfare.

**Hanse towns.** Towns of the Hanseatic League which adopted certain maritime laws.

**Hanseatic.** Relating to a hanse or to the hanse towns.

**Hantelode.** An arrest.

**Harbor.** A bay forming sheltered mooring for ships. See 51 Conn. 266, 50 Am. Rep. 16. See, also, Harboring.

**Hard labor.** Continuous and compulsory labor. See 74 Ala. 478.

**Hard money.** Coin. See 5 Hill (N. Y.), 523.

**Harlot.** Same as Herict.

**Harlot.** A whore.

**Harmless error.** An error in the trial of an action insufficiently grave to warrant a reversal of the judgment.

**Harmless, To save.** See Save harmless.

**Harnasca.** Armor.

**Haro.** Hue and cry.

**Harrou.** Hue and cry.

**Harth-penny.** Same as Chimney-money.

**Hasp and staple.** See Seisin by hasp and staple.

**Haspa.** A hasp of a door.

**Hat-money.** Same as Primage.

**Hauberk.** A coat of mail.

**Haubert.** Same as Hauberk.

**Haugh.** Low lands sometimes overflowed by a river.

**Haula.** A hall; a court.

**Haur.** Hate.

**Haustus.** A drawing as of water.

**Haut.** High.

**Haut bois.** High wood.

**Haut chemin.** A highway.

**Haut estret.** A high street.

**Have.** To be entitled to; to be possessed of.

**Have and hold.** Words used in the habendum clause of a deed. See Habendum.

**Haven.** A harbor, whether a safe one or not. See 153 U. S. 1, 38 L. Ed. 615, 14 Sup. Ct. Rep. 758.

**Hawker.** One who carries about merchandise from place to place for sale. See 132 Ill. 380, 22 Am. St. Rep. 540, 8 L. R. A. 328, 24 N. E. 58.

**Hay.** A hedge.

**Hay-bote.** Estovers consisting of timber used in erecting, maintaining or repairing all hedges and fences on the premises. See 64 Am. Dec. 368, note.

**Hayward.** An officer whose duty it is to impound estrays. See 1 Aik. (Vt.) 316.

**Hazard.** To wager. See 37 Tenn. 438; a risk. See 14 Colo. 499, 20 Am. St. Rep. 281, 24 Pac. 333.

**Hazardous contract.** See Aleatory.

**Head money.** A gratuity distributed among a ship's officers and crew in the same manner as prize money. See 7 D. C. (U. S.) 97.

**Head of a family.** One who has a home and a family circle thereat of one or more under his control. See 1 Lea (Tenn.), 749. See, also, 61 Am. Dec. 589, note.

**Headborough.** Same as Headborow.

**Headborow.** The head or chief of a borough, a frank pledge, or a tithing.

**Headland.** A ridge left in ploughing.

**Head-note.** The syllabus of a decision printed at the head or beginning of a report of the case.

**Headright certificate.** A United States land certificate representing a conditional grant of 640 acres. See 12 Tex. 399.

**Healgemote.** Same as Halmote.

**Healsfang.** A sort of pillory.

**Health.** Freedom from disease. See 45 N. J. L. 310, 46 Am. Rep. 772.

**Health laws.** Laws pertaining to sanitation and the preservation of the public health.

**Health officer.** An officer having the duty of overseeing the sanitary affairs of a district.

**Hear and determine.** To try and decide. See 102 Ind. 233, 52 Am. Rep. 662, 1 N. E. 476.

**Hearing.** The trial of an equity suit. See 56 N. H. 184, 22 Am. Rep. 437. The judicial examination of an issue of law or fact. See 155 Ill. 232, 40 N. E. 594.

**Hearsay evidence.** Evidence not founded on the personal knowledge of the witness. See 43 Mont. 47, Ann. Cas. 1912C, 424, 114 Pac. 603.

**Hearth-money.** Same as Chimney-money.

**Heat of passion.** Passion or anger suddenly aroused at the time by some immediate reasonable provocation by words or acts of the person killed at the time. See 134 Am. St. Rep. 730.

**Hebberman.** On who fished unlawfully below London bridge.

**Hedagium.** Toll for landing goods at a wharf.

**Hedge-bote.** Same as Hay-bote.

**Hedging.** A means by which collectors and exporters of grain or other products, and manufacturers who make contracts in advance for the sale of their goods, secure themselves against the fluctuations of the market by counter contracts. 198 U. S. 236, 49 L. Ed. 1031, 25 Sup. Ct. Rep. 637.

**Hegira.** The escape of Mohammed from the Meccans on Friday, July 16, 622, A. D., from whence dates the calendar of the Arabians and the Turks.

**Heifer.** A young cow.

**Heir.** One upon whom is cast an estate of inheritance upon the death of its owner. See 127 N. Y. 166, 24 Am. St. Rep. 438, 13 L. R. A. 46, 27 N. E. 959.

**Heir apparent.** One who it is probable will inherit from an ancestor who is alive. See 17 N. C. 509, 27 Am. Dec. 238.

**Heir at law.** Same as Heir. See 64 Conn. 240, 42 Am. St. Rep. 174, 24 L. R. A. 664, 29 Atl. 478.

**Heir beneficiary.** (Civil Law) An heir who has accepted his inheritance under an inventory regularly made.

**Heir by custom.** One to whose inheritance some special custom is attached, e. g., inheritance thereof by a younger son.

**Heir by devise.** One to whom land is left by will.

**Heir collateral.** One taking by collateral descent, which see.

**Heir conventional.** One succeeding to an estate under a contract or agreement.

**Heir general.** One who inherits by the ordinary rules of descent.

**Heir institute.** (Scotch) One whose right to succeed to an estate appears by some instrument executed by the decedent.

**Heir legal.** (Civil Law) One who inherits by descent under the law.

**Heir of conquest.** (Scotch) An heir to property which the deceased acquired by conquest. See Conquest.

**Heir of line.** (Scotch) One who inherits as a lineal descendant.

**Heir of provision.** One who takes under the provision of some instrument.

**Heir of tailzie.** (Scotch) Same as Heir special.

**Heir presumptive.** Same as Heir apparent. See 17 N. C. 509, 27 Am. Dec. 238.

**Heir special.** An heir to an estate-tail.

**Heir substitute, in a bond.** (Scotch) The obligee of a bond payable on the death of a creditor.

**Heir testamentary.** One to whom land is devised.

**Heiress.** A female heir.

**Heir-land.** Land descended to an heir.

**Heirloom.** Any chattel which descends to the heir.

**Heirs.** Those of one's relatives upon whom the law casts his real estate as soon as he dies. See 106 Pa. 216, 51 Am. Rep. 519.

**Heirs and assigns.** An expression used in the habendum clause of a deed to pass a fee simple. See 91 Mass. 159.

**Heirs beneficiary.** See Heir beneficiary.

**Heirs, Forced.** See Forced heir.

**Heirs general.** Heirs at law. See Heir at law.

**Heirs, Irregular.** See Irregular heirs.

**Heirs of the body.** Natural heirs. See 19 Conn. 107, 48 Am. Dec. 146.

**Heirs, Unconditional.** See Unconditional heirs.

**Heirship.** The status of an heir; his right to inherit.

**Heirship movables.** (Scotch) Certain personal property which went to the heir and not to the executor.

**Hejira.** Same as Hegira.

**Hell.** A place under the exchequer chamber where the king's debtors were confined.

**Henfare.** A fine for flight from a murder charge.

**Henghen.** A prison.

**Hengwyte.** Same as Hangwite.

**Henricus vetus.** Henry I.

**Henry I.** King of England, 1100–1135.

**Henry II.** King of England, 1154–1189.

**Henry III.** King of England, 1216–1272.

**Henry IV.** King of England, 1399–1413.

**Henry V.** King of England, 1413–1422.

**Henry VI.** King of England, 1422–1461.

**Henry VII.** King of England, 1485–1509.

**Henry VIII.** King of England, 1509–1547.

**Heordwerch.** Same as Herdwerck.

**Herald.** A messenger; an officer in charge of matters pertaining to heraldry.

**Heraldry.** The office of a herald; the art of tracing genealogy and inheritable titles and decorations.

**Herald's College.** A corporation chartered in the 15th century for the purpose of tracing and preserving records of heraldry.

**Herbage.** The right to pasture.

**Herbagium.** Herbage.

**Herbagium anterius.** A first crop.

**Herbergare.** To harbor.

**Herbery.** An inn.

**Herdwerck.** The work of a herdsman or shepherd.

**Heredad.** (Spanish) Farmed land.

**Heredad yacente.** (Spanish) Same as Hacreditas jacens.

**Heredero.** The proprietor of an inheritance. See 64 Cal. 529, 2 Pac. 418.

**Hereditament.** Any property which may be inherited. See 46 Ind. 488, 15 Am. Rep. 295.

**Hereditament, Corporeal.** See Corporeal hereditaments.

**Hereditament, Incorporeal.** See Incorporeal hereditaments.

**Hereditary.** Of or pertaining to inheritance; inherited. See 131 U. S. 75, 33 L. Ed. 53, 9 Sup. Ct. Rep. 634.

**Hereditary succession.** Same as Descent. See 12 Am. St. Rep. 82, note.

**Hereditary successor.** A successor by hereditary succession.

**Hereditas.** Same as Haereditas.

**Heregeat.** Same as Heriot.

**Heregeld, or Heregild.** A military tribute.

**Heres.** See Haeres.

**Heresy.** A denial of some of the essential doctrines of Christianity, publicly and obstinately avowed. See 4 Bl. Comm. 44.

**Heretofore.** Formerly.

**Hereyeld.** Same as Heregeld.

**Heriot.** A feudal service of the yielding up to the lord of the best beast or other chattel on the death of the tenant. See 51 Me. 497.

**Heriot custom.** A heriot due under custom or usage.

**Heriot service.** A heriot due under a special reservation in the grant.

**Herischild.** A species of military service.

**Heritable.** Capable of being inherited; subject to inheritance.

**Heritable bond.** A bond secured by an inheritance.

**Heritable jurisdiction.** A royal grant of criminal jurisdiction to a family.

**Heritable rights.** Rights in real property.

**Heritable security.** The pledge of an inheritance as security.

**Heritage.** A Norman law term, meaning real estate. See 2 Watts (Pa.), 61.

**Heritor.** The proprietor of an inheritance.

**Hermandad.** A Spanish society for the preservation of public order.

**Hermaphrodite.** A human being with imperfectly formed sexual organs of both sexes.

**Hermaphroditus tam masculo quam foeminae comparatur, secundum praevalentiam sexus incalescentis.** A hermaphrodite is regarded as male or female according to the predominance of the exciting sex.

**Hermer.** A great lord.

**Herring silver.** Customary money payments to supply a religious house with herring.

**Herus.** A master.

**Herus dat ut servius faciat.** The master gives that the servant may work.

**Hesia.** An easement.

**Hetaeria.** An association; a society.

**Heuvelborh.** A guarantor.

**Heybote.** Same as Hay-bote.

**Hidage.** A tax levied on each hide of land.

**Hidalgo.** A Spanish nobleman of lower rank.

**Hide.** An allotment of land to a single family, varying from 60 to 120 acres; land tillable with one plough.

**Hide and gain.** Plougbable land.

**Hide lands.** Lands allotted in hides of land.

**Hidegild.** A tax on each hide of land.

**Hidel.** A hiding place.

**High bailiff.** An English county court officer; an officer who performs certain services not within the duties of the sheriff; in Vermont, an officer resembling an elisor.

**High commission court.** An English ecclesiastical court, abolished 1641.

**High constable.** The constable of a hundred.

**High constable of England, Lord.** An office of great and numerous powers and functions, abolished by Henry VIII.

**High court of admiralty.** An ancient English admiralty court presided over by the Lord High Admiral.

**High court of delegates.** A court of appeals from the ecclesiastical and admiralty courts, no longer existing.

**High court of justice.** A division of the English supreme court.

**High court of justiciary.** See Court of justiciary.

**High court of parliament.** The English houses of parliament; either of them; either of them in the exercise of judicial or quasi-judicial functions.

**High crimes and misdemeanors.** Such immoral and unlawful acts as are nearly allied and equal in guilt to felony, yet, owing to some technical circumstance, do not fall within the definition of felony. See 6 Conn. 415, 16 Am. Dec. 68.

**High justice.** The right to try for all crimes.

**High justicier.** A feudal lord who asserted the rights of high justice.

**High seas.** "Waters on the seacoast without the boundaries of low-water mark." See 140 U. S. 453, 35 L. Ed. 581, 11 Sup. Ct. Rep. 897.

**High steward, Court of the lord.** See Court of the lord high steward.

**High treason.** Treason against the king or the government.

**Highbinder.** One of a Chinese society organized for blackmailing, murder, or both.

**Higher and lower scale.** The two classes of counsel fees in England.

**High-water mark.** In fresh-water lakes and streams, the mark where the presence and action of the water are so common and usual as to mark upon the soil of the bed a character distinct from that of the banks in respect to vegetation as well as to the nature of the soil itself. See 56 Minn. 513, 45 Am. St. Rep. 494, 58 N. W. 295. See, also, Flode-mark.

**Highway.** A public way for use of the public in general, for passage and traffic, without distinction. See 57 Am. St. Rep. 744, note.

**Highway robbery.** Robbery on or near a highway. See 113 N. C. 645, 18 S. E. 51.

**Highwayman.** One attempting or committing highway robbery.

**Higler.** Same as Huckster.

**Higuela.** (Spanish) An heir's signed receipt for his inheritance.

**His testibus.** With these witnesses.

**Hijodalgo.** Same as Hidalgo.

**Hikenild street.** Same as Ikenild street.

**Hilary rules.** A set of English rules of pleading and practice adopted in 1834.

**Hilary term.** An English term of court from January 11th to 31st, inclusive.

**Hinc inde.** On each side.

**Hind.** An agricultural servant.

**Hinder and delay.** To attempt to defraud creditors; to place obstacles in their way or retard them before they can attach property of the debtor. See 42 N. Y. Super. Ct. (10 Jones & S.) 49.

**Hine.** Same as Hind.

**Hipoteca.** (Spanish) A mortgage of realty.

**Hire.** Compensation for the use or possession of personal property. See 69 N. C. 89, 12 Am. Rep. 642.

**Hiring.** A bailment for reward or compensation, which compensation

need not necessarily be certain. See 136 Am. St. Rep. 213, note.

Hirst. Same as Hurst.

Hithe. A harbor; a port.

Hlaford. A lord.

Hlafordswice. Treason.

Hlothbote. A fine for attending a hlothe.

Hlothe. An unlawful assembly.

Hoard. Same as Hoarding.

Hoarding. A protective board fence; a palisade; a billboard.

Hoc. This; with, by, or in, this.

Hoc paratus est verificare. This he is ready to verify.

Hoc paratus est verificare per recordum. This he is ready to verify by the record.

Hoc servabitur quod initio convenit. That shall be preserved which was agreeable in the beginning.

Hoc vobis ostendit. This makes clear to you.

Hoc titulo. Under this title.

Hoc voce. By this word.

Hoccus saltis. A salt-pit.

Hochepot. Same as Hotchpot.

Hock or Hockle. Same as Hamstring.

Hock-day. An ancient English festival, the second or third Tuesday after Easter.

Hock-money. Contributions to celebrate hock-day.

Hodge-podge. Same as Hotchpot.

Hoghenhyne. A domestic.

Hogshead. Sixty-three gallons.

Hold over. To retain an office after the term has expired. See 20 Or. 365, 26 Pac. 170. To retain possession by a tenant after the expiration of his term. See 1 App. Div. 449, 37 N. Y. Supp. 374.

Hold up. Robbery. See 63 Neb. 723, 89 N. W. 303.

Holder. One rightfully in possession; one whose title vested in him an uncontested right of immediate possession. See 23 Nev. 143, 44 Pac. 430.

Holding. The land one holds; a tenure.

Holding over. See Hold over.

Holiday. See Legal holiday.

Holimote. Same as Halmote.

Holm. A small island.

Holografo. (Spanish) A holographic will.

Holograph. A holographic will, which see.

Holographic will. A will written entirely by the hand of the testator. (Bouv. Law Dict.) See 104 Am. St. Rep. 22, note.

Holt. A grove.

Holy orders. The rank or station of ecclesiastical officers.

Holymote. Same as Halmote.

Homage. A formal acknowledgment or profession of fealty by a feudal vassal or tenant to his lord.

Homage ancestral. That homage the duty to render which had descended from one's ancestors.

Homage jury. The jury of a court-baron drawn from tenants.

Homage, Liege. See Liege homage.

Homager. A tenant by homage.

Homagium. Homage.

Homagium ligium. Liege homage, which see.

Homagium, non per procuratores nec per literas fieri potuit, sed in propria persona tam domini quam tenentis capi debet et fieri. Homage cannot be done by proxy nor by letter, but ought to be received and made in the proper person of the lord as well as of the tenant.

Homagium planum. Plain homage, being the service of fidelity alone.

**Homagium reddere.** To renounce homage.

**Hombre bueno.** (Spanish) A district judge.

**Home.** The place where one keeps his personal effects. See 33 Vt. 159; also, same as Homme.

**Home ne sera puny pur suer des briefes en court le roy, soit il a droit ou a tort.** A man shall not be punished for suing out writs in the king's court whether he is right or wrong.

**Home office.** The office of the British government which supervises internal affairs.

**Home port.** Any port in which the owner happens to be with his vessel, in the United States, but in England, any port within the jurisdiction of the common-law courts of that island, if the owner resides in England. See 6 Dana (Ky.), 17, 32 Am. Dec. 54.

**Homesoken.** Same as Hamesecken.

**Homestall.** The mansion-house. See 58 Tenn. 515 (citing Bouvier Law Dict.).

**Homestead.** A parcel of land on which the family resides, and which is to them a home. See 28 Neb. 189, 26 Am. St. Rep. 319, 44 N. W. 187. See, also, 102 Am. St. Rep. 389, note.

**Homestead ex vi termini.** The family seat or mansion. See 107 Ala. 465, 54 Am. St. Rep. 110, 18 South. 310.

**Homicidal mania.** Irresistible inclination to kill. See 5 Weekly Notes Cas. (Pa.) 424.

**Homicide.** A killing of one person by another. See 10 Mich. 212, 81 Am. Dec. 781.

**Homicide by misadventure.** An accidental killing by one engaged in a lawful act, with no intent to hurt. See 9 Houst. (Del.) 564, 32 Atl. 137.

**Homicide per infortunium.** Same as Homicide by misadventure.

**Homicide se defendendo.** A killing in self-defense.

**Homicidium.** Homicide.

**Homicidium in rixo.** A killing while engaged in a quarrel.

**Homicidium per infortunium.** See Homicide per infortunium.

**Homicidium per misadventure.** A killing while engaged in a lawful act.

**Homicidium se defendendo.** A killing in self-defense.

**Hominatio.** Homage.

**Homine capto in withernam.** See De homine capto in withernam.

**Homine eligendo.** A writ directing members of a corporation to select a successor to a dead man who had held one part of an indenture under the statute merchant. See Statute merchant.

**Homine replegiando.** See De homine replegiando.

**Homines.** Plural of Homo.

**Homines ligii.** Tenants rendering liege homage.

**Hominium.** Homage.

**Hominum causa jus constitutum est.** Law is constituted for the benefit of men.

**Homiplagium.** Mayhem.

**Homme.** A man.

**Hommes de fief.** Feudal tenants.

**Hommes feodaux.** Same as Hommes de fief.

**Homo.** A man; a feudal tenant or vassal.

**Homo chartularis.** A freeman by deed or charter.

**Homo commendatus.** A man who entered commendation. See Commendation.

**Homo ecclesiasticus.** A vassal of the church.

**Homo exercitalis.** A soldier.

**Homo feodalis.** A feudal tenant; a vassal.

**Homo francus.** A freeman.

**Homo ingenuus.** A freeman.

**Homo liber.** A freeman.

**Homo ligius.** Singular of Homines ligii.

**Homo novus.** A feudal tenant who took a new fee.

**Homo pertinens.** A feudal vassal who went with the soil.

**Homo potest esse habilis et inhabilis diversis temporibus.** A man can be capable and incapable at different times.

**Homo regius.** A vassal of the king.

**Homo romanus.** A Roman.

**Homo trium litterarum.** A man of three letters, i. e., a thief, "f," "u," "r."

**Homo vocabulum est naturae; persona juris civilis.** Man is an appellation of nature, person is one of the civil law.

**Homologacion.** (Spanish) Homologation.

**Homologare.** To homologate.

**Homologate.** To affirm; to confirm; to approve.

**Homologation.** An affirmation; a confirmation or approval. See 104 La. 524, 29 South. 232.

**Homonymiae.** (Civil Law) Cases containing repetitions of the same law.

**Homsoken.** Same as Hamesecken.

**Hon.** Honorable, which see.

**Honeste vivere.** To live honestly.

**Honeste vivere, alteri non laedere, suum cuique tribuere.** Live honestly, injure not another, distribute to each one his own.

**Honor.** To accept a bill of exchange; to pay a demand; an aggregation of manors held under one lord paramount.

**Honorable.** An English title bestowed upon younger sons of earls and upon the children of viscounts and barons.

**Honorarium.** Something freely given in consideration of services immeasurable in money. See 14 Ga. 89.

**Honorary.** As an honor; without profit or reward. See 81 N. Y. 255.

**Honorary feuds.** A feudal honorary title or rank descending to the eldest son.

**Honorary services.** Feudal services of a special nature rendered to the king in person.

**Honor-courts.** Courts held within honors.

**Hope.** A valley.

**Hora non est multum de subtantia negotii, licet in appello de ea aliquando fiat mentio.** The hour is not of much consequence in business matters, but mention of it is sometimes made in appeals.

**Horae judiciae.** The hours of a court's sessions.

**Hordera.** A treasurer.

**Horizontal.** Uniform. See 60 Minn. 461, 62 N. W. 826.

**Horn tenure.** Same as Cornage.

**Hornage.** Same as Cornage.

**Horngeld.** A tax on horned animals.

**Hors.** Out; outside.

**Hors de combat.** Out of the combat or struggle.

**Hors de son fee.** A plea in an action seeking to hold the goods of one who had been a tenant, meaning, "I am no longer your tenant, and am, with my goods,

out of your land." See 12 Pa. Co. Ct. R. 3.

**Hors pris.** Except.

**Hortus.** A garden.

**Hospes.** Accommodations for guests; a guest (see 2 Daly (N. Y.), 15; a host.

**Hospitaller.** A member of an order of knights who cared for the sick and the poor.

**Hospitator.** An innkeeper; a host.

**Hospitelarius.** An innkeeper.

**Hospites.** Plural of Hospes.

**Hospitia.** Inns.

**Hospitia curiae.** Inns of court, which see.

**Hospiticide.** The killing of a host or guest at an inn; the killer.

**Hospitium.** A place for the entertainment of guests. See 2 Daly (N. Y.), 15.

**Host.** An innkeeper; to put up at an inn. See 2 Daly (N. Y.), 15.

**Hostage.** An inn; one held by an enemy as security for the performance of demands.

**Hosteler.** An innkeeper.

**Hostelier.** An innkeeper.

**Hostellagium.** A lord's reservation of the right to be lodged by his tenants.—Bouvier.

**Hostelry.** An inn; a lodging-house.

**Hostes.** Enemies.

**Hostes humani generis.** Enemies of the human race; pirates.

**Hostes sunt qui nobis vel quibus nos bellum decernimus; caeteri traditores vel praedones sunt.** Enemies are those against whom we declare war or who declare it against us; others are traitors or pirates.

**Hosticide.** The killing of an enemy.

**Hostile.** Adverse; under claim of exclusive ownership. See 33 Neb. 861, 51 N. W. 295.

**Hostile act.** An act of war or one which tends to involve a nation in war with another.

**Hostile embargo.** An embargo upon the ships of a present or prospective enemy.

**Hostile witness.** A witness subject to cross-examination by the party calling him, because of his evident antagonism.

**Hotchpot.** An aggregate of funds or property advanced to children by their father in his liftime and by them at his death brought together for proper distribution among them. See 80 Am. Dec. 565, note.

**Hotch-potch.** Same as Hotchpot.

**Hotel.** A house for the entertainment of strangers and travelers; an inn of the better sort. See 15 Ind. App. 88, 43 N. E. 146.

**Hot-water ordeal.** A trial by plunging one's arms into scalding water; if unhurt, he was deemed innocent.

**Housage.** A fee for storing goods.

**House.** Any building or structure inclosed with walls and covered. See 25 Tex. App. 199, 8 Am. St. Rep. 435, 7 S. W. 664.

**House of commons.** The lower house of the English parliament.

**House of correction.** A place for the reformation of youthful criminals. See 72 Cal. 10, 12 Pac. 803.

**House of ill fame.** A house resorted to more than once for prostitution and lewdness by others than the proprietor. See 80 Iowa, 75, 20 Am. St. Rep. 401, 45 N. W. 545.

**House of lords.** The upper house of parliament; the supreme court of England composed of the members of that house who have performed judicial functions.

**House of refuge.** A juvenile prison. See 55 Am. Rep. 456.

**House of representatives.** The lower house of the Congress of the United States.

**House-bote.** Estovers consisting of wood necessarily used in repairing buildings on the premises and for fuel. See 64 Am. Dec. 367, note.

**Housebreaking.** The breaking and entering of another's dwelling-house by day or night with intent to commit a felony.

**Household.** A home. See 60 Pa. 220, 100 Am. Dec. 562. A family, living together. See 112 U. S. 495, 28 L. Ed. 825, 5 Sup. Ct. Rep. 241.

**Household furniture.** Furniture belonging to the family. See 69 Tex. 300, 5 Am. St. Rep. 53, 6 S. W. 831. The things in the house and used there. See 2 Munf. (Va.) 234, 5 Am. Dec. 470.

**Household goods.** Every household article of a permanent nature which is not consumed in its enjoyment. See 24 Or. 2, 32 Pac. 676.

**Household stuff.** Same as Household furniture.

**Householder.** Generally held to be synonymous with "Head of a family." See 61 Am. Dec. 593.

**Housekeeper.** "One who keeps house." See 2 Tex. App. 432. (Citing Bouv. Law Dict.)

**Hovel.** A shed; a hut.

**How.** A hill.

**Hoy.** A small sailboat usually employed in and about harbors for lightering.

**Hoyman.** The proprietor of a hoy.

**Huckster.** A peddler or hawker.

**Huckstering.** The business carried on by a huckster.

**Hue and cry.** See Statute of hue and cry.

**Huebra.** (Spanish) An acre.

**Huis.** Same as Huy.

**Hullus.** A hill.

**Humagium.** A moist place.

**Huisher.** Same as Huissier.

**Huissier.** A court usher; a process server.

**Hundred.** Ten tithings composed of ten families each, comprising a governmental district. See 1 Bl. Comm. 116.

**Hundred court.** A court presided over by the freeholders of the hundred as judges.

**Hundred gemote.** An assembly of the freeholders of a hundred.

**Hundred lagh.** Liability to attend the hundred court.

**Hundredarius.** A hundredary.

**Hundredary.** The chief of a hundred.

**Hundredfeh.** Same as Hundred-penny.

**Hundredors.** Members of a hundred liable to jury service.

**Hundred-penny.** The tax levied on a hundred.

**Hung jury.** One which fails to agree on a verdict.

**Hurdle.** A sledge on which a traitor was dragged to execution. See 4 Bl. Comm. 92.

**Hurricane.** A tornado; a very high wind. See 8 Ind. App. 22, 35 N. E. 397.

**Hurst.** A grove.

**Husband.** The spouse of a wife; a farmer; a manager; to farm; to till the soil.

**Husband of a ship.** See Ship's husband.

**Husbrece.** Housebreaking.

**Huscarle.** A domestic servant.

**Husgablum.** House rent; a tax on houses.

**Hustings.** A court; a court held in London.

**Hutesium et clamor.** Hue and cry. See Statute of hue and cry.

**Hypobolum.** A testamentary gift to a wife in addition to her dower.

**Hypothec.** Same as Hypothecation.

**Hypotheca.** A chattel mortgage.

**Hypothecaria actio.** A hypothecary action, which see.

**Hypothecary action.** An action by a creditor to whom property has been hypothecated to have it sold to pay the debt. See 136 U. S. 130, 34 L. Ed. 372, 10 Sup. Ct. Rep. 1024.

**Hypothecate.** To subject property as security for the performance of an act, with or without a transfer of possession. See 88 Cal. 437, 22 Am. St. Rep. 314, 13 L. R. A. 137, 26 Pac. 203.

**Hypothecation.** The act of hypothecating.

**Hypothecation bond.** Same as Bottomry.

**Hypotheque.** Hypothecation, which see.

**Hypothesis.** A supposition. See 105 Cal. 335, 38 Pac. 945.

**Hypothetical question.** A question asked an expert witness supposing or assuming facts for the purpose of the question. See 83 N. Y. 464, 38 Am. Rep. 464.

**Hysterotomy.** See Caesarean operation.

**Hythe.** Same as Hithe.

# I

**I. e.** Id est. That is.

**I. O. U.** The three letters followed by a designated sum evidence an acknowledgment of a debt. See 2 R. I. 319.

**Ibi.** There.

**Ibi semper debet fieri triatio ubi juratores meliorem possunt habere notitiam.** The trial of an action ought always to be held in that place where the jurors can have the better information.

**Ibid.** Ibidem.

**Ibidem.** In the same place.

**Ictus.** A bruise.

**Ictus orbis.** A bruise, which see.

**Id.** Idem, the same.

**Id certum est quid reddi potest.** That is certain which can be made certain. See 137 Ind. 683, 45 Am. St. Rep. 218, 36 N. E. 132.

**Id certum est quod certum reddi potest, sed id magis certum est quod de semetipso est certum.** That is certain which can be made certain, but that is more certain which is certain in itself.

**Id est.** That is.

**Id perfectum est quod ex omnibus suis partibus constat.** That is perfect which is correct in all its parts.

**Id possumus quod de jure possumus.** We do that which we can do lawfully.

**Id quod est magis remotum, non trahit ad se quod est magis junctum, sed e contrario in omni casu.** That which is more remote does not draw to itself that which is more proximate, but the contrary in every case.

**Id quod nostrum est, sine facto nostro, ad alium transferri non potest.** That which is ours cannot be transferred to another without our act.

**Id solum nostrum quod debitis deductis nostrum est.** That only is ours which is ours after the deduction of debts.

**Id tantum possumus quod de jure possumus.** We can do so much as we can lawfully do.

**Idem.** The same.

**Idem agens et patiens esse non potest.** The same one cannot be both agent and patient. See Agent and patient.

**Idem est facere, et nolle prohibere cum possis.** It is the same thing to do a thing and not to prohibit it when you can.

**Idem est nihil dicere et insufficienter dicere.** It is the same thing to say nothing as not to say enough.

**Idem est non esse et non appare.** It is the same not to appear as not to be.

**Idem est non probari et non esse; non deficit jus, sed probatio.** A thing is the same when not proved as when nonexistent; the law is not lacking, but the proof is.

**Idem est scire aut scire debet aut potuisse.** To know, to be bound to know or to be able to know are the same.

**Idem non esse et non apparere.** It is the same not to be as not to appear.

**Idem per idem.** The same for the same.

**Idem semper antecedenti proximo refertur.** Idem always refers to the next antecedent. See 7 Johns. Ch. (N. Y.) 248.

**Idem sonans.** Having the same sound. See 82 Tex. 58, 27 Am. St. Rep. 852, 19 S. W. 847.

**Identification.** Proof that one is the person he is supposed or represented to be.

**Identitas vera colligitur ex multitudine signorum.** True identity is collected from a number of signs.

**Identitate nominis.** A writ for the release of a prisoner committed under the same name as the real offender.

**Identity.** The condition of being the same person or thing as supposed, pleaded or represented.

**Ideo.** Therefore.

**Ideo consideratum est.** Therefore it is considered. See 2 Paine, 209, 29 Fed. Cas. (U. S.) 947.

**Ides.** The 15th of March, May, July and October; the 13th day of the other months. See 46 N. C. 87.

**Idiochira.** A privately executed instrument.

**Idiocy.** A total absence of all mind from birth. See 1 Bland Ch. (Md.) 370, 17 Am. Dec. 311.

**Idiot.** One non compos mentis from birth, by perpetual infirmity. See 1 Whart. (Pa.) 53, 29 Am. Dec. 33.

**Idiota inquirendo.** See De idiota inquirendo.

**Idoneare.** To disprove one's own guilt.

**Idoneus.** Favorable; sufficient, adequate.

**Idonietas.** Fitness.

**Idus.** Ides, which see.

**Iglise.** Same as Eglise.

**Ignis judicium.** Trial by fire, which see.

**Ignitegium.** Curfew.

**Ignominy.** Public disgrace. See 38 Iowa, 220.

**Ignoramus.** We do not know, the indorsement of a grand jury upon an indictment not found; the opposite of "a true bill."

**Ignorance.** Want of knowledge. See 55 Am. St. Rep. 494, note.

**Ignorance of law.** Ignorance of the laws of one's own country or state. See 26 Mass. 112, 19 Am. Dec. 353.

**Ignorantia.** Ignorance.

**Ignorantia eorum quae scire tenetur non excusat.** Ignorance of those matters which one is deemed to know is no excuse.

**Ignorantia excusatur, non juris sed facti.** Ignorance excuses, that is ignorance of fact but not of law.

**Ignorantia facti excusat.** Ignorance of fact excuses.

**Ignorantia facti excusat, ignorantia juris non excusat.** Ignorance of fact excuses, ignorance of law does not. See 45 Or. 531, 68 L. R. A. 469, 78 Pac. 742.

**Ignorantia judicis est calamitas innocentis.** Ignorance of a judge is a misfortune to the innocent.

**Ignorantia juris non excusat.** Ignorance of the law does not excuse. See 7 Watts (Pa.), 374.

**Ignorantia juris quod quisque tenetur scire, neminem excusat.** Ignorance of the law, which each one is held to know, does not excuse.

**Ignorantia juris sui non praejudicat juri.** Ignorance of his right does not prejudice the right.

**Ignorantia legis neminem excusat.** Ignorance of the law excuses no one. See 36 N. J. L. 125.

**Ignorantia praesumitur ubi scientia non probatur.** Ignorance is presumed when knowledge is not proved.

**Ignorare.** To be ignorant of.

**Ignorare legis est lata culpa.** To be ignorant of the law is gross negligence.

**Ignoratio elenchi.** A misunderstanding of the question. See Wythe (Va.), 302.

**Ignoratis terminis artis, ignoratur et ars.** The terms of an art being unknown, the art is also unknown.

**Ignore.** To reject as false or ungrounded. See 69 Ark. 48, 60 S. W. 307.

**Ignoscitur ei qui sanguinem suum qualiter redemptum voluit.** He is forgiven who chooses somehow to save his own blood.

**Ignotum per ignotius.** Unknown by what is more unknown.

**Ikenild street.** An old Roman road in England.

**Il.** He; it.

**Il covient.** It is fitting.

**Il est communement dit.** It is commonly said.

**Ilet** A small island.

**Ill fame.** See House of ill fame.

**Illegal.** Unlawful. See 35 Tenn. 64.

**Illegal interest.** Usury. See 40 Neb. 119, 58 N. W. 726.

**Illegal transaction.** An illegal intention coupled with an act criminal or prohibited by law. See 188 Pa. St. 550, 68 Am. St. Rep. 887, 41 Atl. 619.

**Illegitimate child.** A child born out of lawful wedlock. See 3 Kan. 41.

**Illeviable.** Not collectible or leviable.

**Illicenciatus.** Unlicensed.

**Illicit.** Prohibited by law; unlawful. See 60 Vt. 90, 12 Atl. 526.

**Illicite.** Unlawfully.

**Illicitum collegium.** An unlawful corporation or company.

**Illiterate.** Unable to read; one thus unable.

**Illocable.** Not to be hired.

**Illud.** That.

**Illud, quod alias licitum non est necessitas facit licitum; et necessitas inducit privilegium quod jure privatur.** That which is otherwise not lawful, necessity makes lawful; for necessity produces a privilege which dispenses with law.

**Illud, quod alteri unitur extinguitur neque amplius per se vacare licet.** That which is united to another thing is extinguished, nor can it any more be detached.

**Illusion.** That which one believes he sees, but really does not.

**Illusory appointment.** "The appointment of a merely nominal share of the property to one of the objects of a power in order to escape the rule that an exclusive appointment could not be made unless it was authorized by the instrument creating the power, and was void in equity, but St. 1 Wm. IV, c. 46, abolished this rule."—Black's Law Dict. See 3 Wall. Jr. 32, 13 Fed. Cas. (U. S.) 50.

**Imaginary damages.** Same as Exemplary damages. See 7 Colo. 541, 49 Am. Rep. 366, 5 Pac. 119.

**Imagine.** To conceive in the mind.

**Iman.** A Mohammedan chief.

**Imbargo.** Same as Embargo.

**Imbasing of money.** Reduction of the standard of coins with increased alloy.

**Imbecile.** One destitute of strength, either of body or of mind; weak; feeble; impotent; decrepit. See 130 Ill. 466, 6 L. R. A. 167, 22 N. E. 620.

**Imbecility.** The quality of being imbecile; feebleness of mind. See 130 Ill. 466, 6 L. R. A. 167, 22 N. E. 620.

**Imbezzle.** See Embezzlement.

**Imbladare.** To sow grain.

**Imbracery.** Same as Embracery.

**Immaterial.** Not material; not pertinent; of no consequence.

**Immaterial averment.** An allegation which may be stricken from a pleading without leaving it insufficient. See 15 Cal. 411, 76 Am. Dec. 492.

**Immaterial issue.** An issue made by the pleadings joined on a point which is not decisive of the rights of the cause. See 1 Code Rep. (N. Y.) (N. S.) 392.

**Immediate.** Direct, as opposed to consequential; with nothing intervening.

**Immediate descent.** Descent without any intervening link of relationship. See 6 Pet. (U. S.) 102, 8 L. Ed. 334.

**Immemorial.** From a time whereof the memory of man is not to the contrary. See 71 Cal. 62, 11 Pac. 879.

**Immeubles.** Immovables, which see.

**Immigration.** Removing into a country.

**Imminent.** Immediate; about to happen on the instant. See 19 App. Div. 1, 46 N. Y. Supp. 204.

**Immiscere.** To mingle; to mix.

**Immittere.** To put into possession; to admit.

**Immobilia situm sequuntur.** Immovable things follow their location (as to the law governing them).

**Immobilis.** Immovable.

**Immoral.** Contrary to public welfare; against public morals. See 112 Ga. 426, 52 L. R. A. 271, 37 S. E. 729.

**Immovable property.** Land and chattels real. See 5 J. J. Marsh. (Ky.) 460, 22 Am. Dec. 41.

**Immovables.** Immovable property.

**Immunity.** A personal favor granted by law contrary to the general rule. See 43 Ark. 42, 51 Am. Rep. 550.

**Impair.** To diminish in quality, value, excellence or strength. See 17 Wash. 611, 61 Am. St. Rep. 932, 50 Pac. 489.

**Impairing the obligation of contracts.** Passing a statute abrogating or lessening the means of enforcement of a contract. See 107 U. S. 711, 27 L. Ed. 448, 2 Sup. Ct. Rep. 128.

**Impalement.** An inclosure.

**Impanel.** To make a list of those who have been selected for jury duty. See 35 Fla. 210, 17 South. 225.

**Imparcare.** To impound; to imprison.

**Impargamentum.** Impounding.

**Imparl.** To discuss out of court in an effort to compromise.

**Imparlance.** An order extending a party's time to plead; a discussion in an effort to effect a compromise.

**Imparsonee.** Inducted into and possessed of a benefice; one so inducted.

**Impatronization.** Inducting one into and vesting him with possession of a benefice.

**Impeach.** To accuse, blame or censure a person. See 36 Me. 36.

**Impeachment.** A proceeding for the removal of a public officer. See 54 Ala. 599.

**Impeachment of waste.** Liability for waste; an action for waste or to restrain it. See 6 Fla. 430, 63 Am. Dec. 217.

**Impeachment of witness.** Accusation of a witness of want of veracity; proof of the accusation. See 47 How. Pr. (N. Y.) 193.

**Impechiare.** To impeach.

**Impediens.** One who impedes; a defendant.

**Impedimento.** (Spanish) A bar to matrimony.

**Impediments.** Bars to marriage. See Dirimant, Prohibitive, Relative impediments.

**Impeditor.** One who interferes with a patron's right of presentation to a benefice.

**Impensae.** Expense.

**Imperative.** Mandatory, i. e., commanding.

**Imperative statute.** Same as Mandatory statute.

**Imperator.** An emperor.

**Imperfect delegation.** A substitution of debtors without discharging the original one.

**Imperfect obligations.** Obligations resting in conscience for performance. See 96 U. S. 595, 24 L. Ed. 793.

**Imperfect rights.** Rights existing in behalf of one who is himself not free from fault. See 162 U. S. 466, 40 L. Ed. 1039, 16 Sup. Ct. Rep. 859.

**Imperfect trust.** An unexecuted trust.

**Imperial parliament.** The English parliament, thus named in 1801.

**Imperii majestas est tutelae salus.** The majesty of the empire is the safety of its protection.

**Imperite.** Unskillfully.

**Imperitia.** Unskillfulness.

**Imperitia culpae adnumeratur.** Unskillfulness is rated as negligence.

**Imperitia est maxima mechanicorum poena.** Lack of skill is the greatest punishment of mechanics.

**Imperium.** Power; authority.

**Impersonalitas.** Impersonality.

**Impersonalitas non concludit nec ligat.** Impersonality neither concludes nor binds.

**Impertinence.** Immateriality; irrelevancy.

**Impertinent.** That which is not relevant or pertinent.

**Impescare.** To impeach.

**Impetere.** To impeach.

**Impetitio vasti.** Impeachment of waste.

**Impetrare.** To obtain by asking.

**Impetration.** The obtaining of a thing by request or petition.

**Impier.** An umpire.—Bouv. Law Dict.

**Impierment.** Impairment.

**Impignorata.** Pledged; mortgaged.

**Impignoration.** A pledge or mortgage.

**Impius et crudelis judicandus est qui libertati non favet.** He should be adjudged impious and cruel who does not favor liberty.

**Implacitare.** To implead.

**Implead.** To sue; to make one a party to an action or suit.

**Implication.** Such a strong probability that an intention to the contrary cannot be supposed. See 7 Watts & S. (Pa.) 284.

**Implied abrogation.** The repeal of a statute by a new one which is quite to the contrary.

**Implied acceptance.** An acceptance by the drawee of a bill of exchange which the law implies from his conduct; acts on the part of the public from which their acceptance of a highway is presumed. See 122 Ala. 179, 27 South. 303.

**Implied assumpsit.** Same as Indebitatus assumpsit.

**Implied condition.** One not expressed but implied by law or by common intention.

**Implied consideration.** One implied by law.

**Implied contract.** Such a contract as the law has presumed a man to have promised to perform. See 12 Wheat. (U. S.) 213, 6 L. Ed. 606.

**Implied covenant.** One which the law implies from the nature of the transaction, although not expressed in the instrument. See 32 Am. Dec. 353, note.

**Implied dedication.** One which arises by operation of law from the acts of the owner. See 129 Am. St. Rep. 578, note.

**Implied malice.** That malice which the law infers from or imputes to certain acts. See 30 Tex. App. 129, 28 Am. St. Rep. 895, 16 S. W. 767.

**Implied trust.** A trust raised by operation of law, e. g., a resulting trust.

**Implied use.** Same as Resulting use.

**Implied warranty.** A warranty which is conclusively presumed. See 3 Rawle (Pa.), 23, 23 Am. Dec. 85.

**Importation.** The bringing in of goods from a foreign country. See 5 Cranch (U. S.), 368, 3 L. Ed. 128.

**Importer.** To carry away; one who causes imports to be brought in.

**Imports.** Articles imported from foreign countries. See 114 U. S. 622, 29 L. Ed. 257, 5 Sup. Ct. Rep. 1091.

**importunity.** Persistent solicitation.

**Impositio.** An imposition, which see.

**Imposition.** An impost; a tax; a tribute. See 24 N. J. L. 385.

**Impossibilis.** Impossible.

**Impossibility.** That which cannot in the nature of the thing be done. See 95 Cal. 353, 30 Pac. 555.

**Impossibilium nulla obligatio est.** One is not bound to do an impossibility.

**Impossible contract.** One in which a party undertakes the performance of an act impossible in its nature. See 95 Cal. 353, 30 Pac. 555.

**Impost.** A custom or tax levied on articles brought into a country. See 25 U. S. 419, 6 L. Ed. 678.

**Impotence.** Incapacity for sexual intercourse. See 28 Am. Dec. 448, note.

**Impotentia excusat legem.** Inability excuses law, i. e., the law excuses inability.

**Impotentiam, Property propter.** See Property propter impotentiam.

**Impound.** To keep in the custody of the law; to place in a pound. See Pound.

**Imprescriptibility.** Incapability of being acquired by prescription. See Prescription.

**Imprescriptible rights.** Rights unattainable by prescription.

**Impression.** An image fixed on the mind; a belief. See 22 U. S. 483, 6 L. Ed. 140.

**Impressment.** The seizure of seamen for naval service.

**Imprest money.** Money paid for impressment.

**Impretiabilis.** Without price.

**Imprimatur.** A government license to publish a book.

**Imprimere.** To impress; to print.

**Imprimis.** Firstly; principally; first.

**Imprison.** To deprive one of his liberty without his consent See 29 Ind. App. 451, 63 N. E. 328.

**Imprisonment.** Every confinement of the person, whether in a prison, a house or on the street. See 12 Ark. 43, 54 Am. Dec. 250.

**Impristi.** Sympathizers; partisans.

**Improbare.** To disallow; to reject.

**Improbation.** (Scotch) An action to annul an instrument as forged.

**Improper feud.** A feud which carried no military service.

**Improper navigation.** Navigation of a vessel unfit to be navigated with safety to herself or her cargo. See 104 Fed. (U. S.) 145.

**Impropriate rector.** A layman rector.

**Impropriation.** The investiture of a benefice in a layman.

**Improve.** To disprove; to impeach; to annul; to benefit; to increase the value of. See 40 Cal. 83.

**Improvements.** Additions to or alterations of property which increase its value.

**Improvidence.** Lack of care, prudence and foresight. See 10 Mont. 228, 25 Pac. 105.

**Impruiamentum.** Improvement of land.

**Impruiare.** To improve land.

**Impubes.** A child over seven who has not reached the age of puberty.

**Impunitas continuum affectum tribuit delinquendi.** Impunity offers a constant opening to the delinquent.

**Impunitas semper ad deteriora invitat.** Impunity always invites greater offenses.

**Impunity.** Freedom from punishment.

**Impuris manibus nemo accedat curiam.** Let no one approach the court with unclean hands.

**Imputatio.** Legal responsibility.

**Imputation of payments.** Same as Application of payments.

**Imputed negligence.** Negligence of a custodian which according to some jurisdictions bars the right of the child or other person in his charge from recovering for injuries caused by a third party's negligence. See 4 App. Div. 493, 38 N. Y. Supp. 666.

**In.** In; into; within; among.

**In action.** To be recovered by suing See Chose in action.

**In adversum.** Against an adverse party.

**In aedificiis lapis male positus non est removendus.** In buildings, a stone badly placed is not to be removed.

**In aequa manu.** In equal hand. See In aequali manu.

**In aequali jure.** In equal right.

**In aequali jure melior est conditio possidentis.** In a case of equal right, the situation of the party in possession is the stronger.

**In aequali manu.** In equal hand i. e., in the hands of an indifferent person.

**In alieno solo.** On the land of another.

**In alio loco.** In another place.

**In alta proditione nullus potest esse accessorius sed principalis solummodo.** In high treason no one can be an accessory, but all are principals. See 4 Cranch (U. S.), 75, 2 L. Ed. 554.

**In alternativis electio est debitoris.** In alternatives the debtor has his election.

**In ambigua voce legis ea potius accipienda est significatio quae vitio caret praesertim cum etiam voluntas legis ex hoc colligi possit.** In an ambiguous expression of law, that construction ought rather be adopted which renders it free from fault, especially when the intent of the law can thus be gathered.

**In ambiguis casibus semper praesumitur pro rege.** In doubtful cases the presumption is always on the side of the crown.

**In ambiguis orationibus maxime sententia spectanda est ejus qui**

eas protulisset. In ambiguous speeches, the intent of him who made them ought to be regarded as most important.

In ambiguo sermone non utrumque dicimus sed id duntaxat quod volumus. In ambiguous discourse we do not say either one thing or the other, but exactly what we wish.

In Anglia non est interregnum. In England there is no interregnum.

In aperta luce. In open daylight.

In apicibus juris. In the extremes of the law.

In arbitrium alieno. In the discretion of another.

In arbitrium judicis. In the decision or discretion of the judge.

In arcta et salva custodia. In close and safe custody.

In articulo. At the moment.

In articulo mortis. At the point of death.

In atrocioribus delictus punitur affectus licet non sequatur effectus. In the more atrocious crimes the attempt is punished although the result does not follow.

In autre droit. In the right of another.

In banco. In bank.

In bank. With all the judges of the court sitting.

In being. Held to include a child in utero. See 55 Ohio St. 478, 45 N. E. 720.

In blank. See Indorsement in blank.

In bonis. Among the goods.

In bonis defuncti. Among the goods of the deceased.

In camera. In chambers; in private.

In capita. By heads; per capita.

In capite. In chief. See Tenure in capite.

In casu consimili. In a similar case.

In casu extremae necessitatis omnia sunt communia. In a case of extreme necessity all is common property.

In casu proviso. In the case provided.

In chief. See Examination in chief. See, also, Tenure in capite.

In civilibus ministerium excusat, in criminalibus non item. In civil matters employment excuses, but not so in crimes.

In claris non est locus conjecturis. In matters which are clear there is no room for conjecture.

In commendam. During a commendam. See Commendam.

In commodato haec pactio, ne dolus praestetur, rata non est. In a commodatum, an agreement that fraud is not to be answered for is not valid.

In common. See Tenants in common.

In communi. In common.

In conjunctivis oportet utramaque partem esse veram. In conjunctives it is necessary that each part should be true, i. e., performed.

In consideratione inde. In consideration thereof.

In consideratione legis. In contemplation of law.

In consideratione praemissorum. In consideration of the premises.

In consimili casu, consimili debet esse remedium. In a like case there ought to be a similar remedy.

In conspectu ejus. Within his view.

In consuetudinibus, non diuturnitas temporis sed soliditas rationis est consideranda. In customs, not lapse of time, but the soundness of the reason for them should be considered.

**In contempt.** The status of one who has committed a contempt and has not expiated his offense.

**In continenti.** Immediately.

**In contractibus, benigna, in testamentis, benignior, in restitutionibus, benignissima interpretatio facienda est.** In contracts, a liberal, in wills, a more liberal, in restitutions, a most liberal construction should be adopted.

**In contractibus, rei veritas potius quam scriptura perspici debet.** In contracts, the truth of the matter ought to be regarded as of more consequence than the writing.

**In contractibus, tacite insunt quae sunt moris et consuetudinis.** In contracts, matters of custom and usage are tacitly implied.

**In contrahenda venditione, ambiguum pactum contra venditorem interpretandum est.** In negotiating a sale, an ambiguous clause is to be construed against the vendor.

**In conventionibus contrahentium voluntas potius quam verba spectari placuit.** In agreements it is well to regard the wishes of the contracting parties rather than the mere words. See 17 Johns. (N. Y.) 150.

**In corpore.** In substance.

**In crastino.** On the morrow.

**In criminalibus, probationes debent esse luce clariores.** In criminal cases, proofs ought to be clearer than light.

**In criminalibus, sufficit generalis malitia intentionis, cum facto paris gradus.** In crimes general malicious intent accompanied by an act of equal degree is sufficient. See 38 Ala. 213.

**In criminalibus, voluntas reputabitur pro facto.** In crimes the intent is taken for the fact.

**In cujus rei testimonium.** In witness whereof, which see.

**In curia.** In court.

**In custodia legis.** In the custody of the law; under the control of the court. See 31 Neb. 811, 28 Am. St. Rep. 539, 48 N. W. 818.

**In damno.** In damage.

**In delicto.** In fault.

**In descendu.** By descent.

**In diem.** For a day.

**In disjunctivis sufficit alteram partem esse veram.** In disjunctive matters it is sufficient if either part be true, i. e., performed.

**In dominico.** In demesne. See Demesne.

**In dorso.** On the back.

**In dorso recordi.** On the back of the record.

**In dubiis, benigniora praeferenda sunt.** In doubtful cases, the more liberal constructions are to be preferred.

**In dubiis, magis dignum est accipiendum.** In doubtful matters, the more worthy is to be adopted.

**In dubiis, non praesumitur pro testamento.** In doubtful cases there is no presumption in favor of a will.

**In dubio.** In doubt; in a doubtful case.

**In dubio, haec legis constructio quam verba ostendunt.** In a doubtful case that construction of the law which explains the words (should be adopted).

**In dubio, pars mitior est sequenda.** In case of doubt the milder course should be pursued.

**In dubio, pro lege fori.** In case of doubt, the law of the forum.

**In dubio, sequendum quod tutius est.** In case of doubt that should be followed which is the more safe (course).

**In duplo.** In double.

**In duplum.** In double.

**In eadem causa.** In the same condition.

**In effect.** In force or operation.

**In emulationem vicini.** In envy of a neighbor.

**In eo quod plus sit, semper inest et minus.** In the greater the less is always (included).

**In equity.** In a court of equity; through proceedings in equity.

**In esse.** In being.

**In essentialibus.** In the essentials.

**In est de jure.** It is as a matter of law.

**In evidence.** Before the court after having been introduced and received as evidence.

**In excambio.** In exchange.

**In exitu.** In issue; in the outcome.

**In expositione instrumentorum, mala grammatica, quod fieri potest, vitanda est.** In the drawing of instruments, bad grammar should be avoided as much as possible.

**In extenso.** At length; in full.

**In extremis.** Near death; about to die. See 7 Johns. (N. Y.) 95.

**In facie curiae.** Before the court.

**In facie ecclesiae.** In the face of the church.

**In faciendo.** In doing; in performing.

**In facto.** In fact; indeed.

**In facto quod se habet ad bonum et malum, magis de bono quam de malo lex intendit.** In a deed which may be held either good or bad, the law directs its attention more to the good than to the bad.

**In favorabilibus magis attenditur quod prodest quam quod nocet.** In favored matters, more attention is paid to that which benefits than to that which does harm.

**In favorem libertatis.** In favor of liberty.

**In favorem vitae.** In favor of life.

**In favorem vitae, libertatis, et innocentiae, omnia praesumuntur.** All things are presumed in favor of life, liberty and innocence.

**In feodo.** In fee.

**In fictione juris semper aequitas existit.** In a fiction of law, an equity always remains. See 125 Cal. 242, 73 Am. St. Rep. 40, 57 Pac. 991.

**In fictione juris semper subsistit aequitas.** In fiction of law equity always exists. See 2 Pick. (Mass.) 495.

**In fieri.** In being done; incomplete.

**In fine.** At the end.

**In flagrante delicto.** In the act of committing the offense.

**In force.** In effect, as a statute.

**In forma pauperis.** As a pauper, i. e., relieved of the payment of court costs.

**In foro.** In the forum; in the court.

**In foro conscientiae.** In the tribunal of conscience; in a court of equity.

**In foro contentioso.** In the forum of contention.

**In foro domestico.** In the home.

**In foro ecclesiastico.** In the ecclesiastical court.

**In foro saeculari.** In a secular court.

**In fraudem creditorum.** In fraud of creditors.

**In fraudem legis.** In fraud of the law.

**In full life.** Alive both civilly and physically.

**In futuro.** In the future.

**In generali passagio.** In the general passage, i. e., with the Crusaders to the Holy Land. See Essoin de terra sancta.

**In generalibus versatur error.** Error thrives upon general terms. See 1 Cush. (Mass.) 292.

**In genere.** In kind.

**In genere quicunque aliquid dicit, sive actor sive reus, necesse est ut probat.** In general, whoever alleges anything, whether plaintiff or defendant, is under the necessity of proving it.

**In gremio legis.** In the lap of the law.

**In gross.** Not appendant or appurtenant to any land, but personal. See Easement in gross.

**In hac parte.** In this behalf.

**In haec verba.** In these words.

**In haeredes non solent transire actiones quae poenales ex maleficio sunt.** Actions which are penal arising out of crime do not pass to the heirs.

**In his demain as of fee.** A fee simple in possession.

**In his enim quae sunt favorabilia animae, quamvis sunt damnosa rebus, fiat aliquando extentio statuti.** In matters which are good for the soul, though they may be injurious to material things, some elasticity should be given the statute.

**In his quae de jure communi omnibus conceduntur, consuetudo alicujus patriae vel loci non est allegenda.** In those matters which in law are conceded to be common to all, a custom of a particular country or place need not be alleged.

**In his verbis.** In these words.

**In hoc.** In this.

**In hunc modum.** In this manner.

**In iisdem terminis.** In the same terms.

**In individuo.** In kind.

**In infinitum.** Without limit.

**In initialibus.** In the beginnings.

**In initio.** In the beginning.

**In integrum.** Anew.

**In invidiam.** Prejudice.

**In invitum.** Against one unwilling.

**In ipsis faucibus.** In the very entrance.

**In itinere.** On the journey; on the way.

**In jeopardy.** Brought to trial by valid steps unless something not under the control of the power thus bringing the defendant makes impossible any verdict which he will not be entitled to have set aside. See 21 Am. Dec. 508, note.

**In judgment.** In a court.

**In judiciis, minori aetati succuritur.** Those of minor age are assisted in courts.

**In judicio.** In the presence of or before a judge; in court.

**In judicio non creditur nisi juratis.** One is not believed in court unless he is sworn.

**In jure.** In law; in right.

**In jure alterius.** In the right of another.

**In jure causa proxima non remota spectatur.** In law the proximate and not the remote cause is regarded. See 88 Md. 482, 71 Am. St. Rep. 441, 42 L. R. A. 842, 42 Atl. 60.

**In jure, non remota causa sed proxima spectatur.** In law, not the remote cause, but the proximate cause is regarded.

**In jure proprio.** In one's own right.

**In jus vocare.** To summon to court.

**In kind.** In the same or similar commodity or kind of goods.

**In law.** Implied by law; presumed by law to be so or to exist.

**In lecto.** In bed.

**In lecto mortali.** On the death-bed.

**In libera eleemosyna.** In frankalmoigne. See Frankalmoigne.

**In libero soccagio.** In free socage.

**In limine.** On the threshold; at the outset.

**In linea recta.** In the direct line.

**In litem.** In or during the litigation.

**In loco.** In the place.

**In loco parentis.** In the place of a parent. See 24 N. J. L. 680.

**In majore summa continetur minor.** The lesser sum is contained in the greater.

**In majorem cautelam.** In greater caution.

**In malam partem.** In an evil sense.

**In maleficiis voluntas spectatur, non exitus.** In crimes, the intent and not the result is regarded.

**In maleficio, ratihabitio mandato comparatur.** In tort, a ratification is regarded as a command.

**In maxima potentia minima licentia.** With the greatest power liberty is least.

**In medias res.** Into the meat of the matter.

**In mercibus illicitis non sit commercium.** There should be no commerce in illicit merchandise.

**In mercy.** Liable to amercement. See Amercement.

**In mero jure.** Of mere right.

**In misericordia.** In mercy.

**In mitiori sensu.** In a milder sense.

**In modum assisae.** In the manner of an assize.

**In mora.** In delay; in default.

**In mortua manu.** In mortmain. See Mortmain.

**In nomine Dei, Amen.** In the name of God, Amen.

**In notis.** In the notes.

**In novo casu novum remedium apponendum est.** In a novel case a new remedy must be applied.

**In nubibus.** In the clouds; in abeyance.

**In nullius bonis.** In the goods of no one.

**In nullo est erratum.** In nothing has there been error. A plea in a proceeding on a writ of error.

**In obscura voluntate manumittentis, favendum est libertati.** In a doubtful wish for manumission, liberty is favored.

**In obscuris, inspici solere quod verisimilius est, aut quod plerumque fieri solet.** In obscure matters, it is customary to inquire into what is probable or what is usually done.

**In obscuris, quod minimum est sequimur.** In obscure matters we follow that which is least.

**In octavis.** In eight (days).

**In odium spoliatoris.** To the prejudice of the despoiler.

**In odium spoliatoris omnia praesumuntur.** All things are presumed to the prejudice of the despoiler.

**In omni actione ubi duae concurrunt districtiones, videlicet, in rem et in personam, illa districtio tenenda est quae magis timetur et magis ligat.** In every action where two distresses concur, that is to say, in rem, and in personam, that distress will hold which is the more feared and which binds the more firmly.

**In omni re nascitur res quae ipsam rem exterminat.** In everything, a thing arises which exterminates the thing itself.

**In omnibus.** In all things.

**In omnibus contractibus, sive nominatis sive innominatis, permutatio continetur.** In all contracts whether nominate or innominate, a consideration is contained.

**In omnibus obligationibus in quibus dies non ponitur, praesenti die debetur.** In all obligations in which no time is designated for their fulfillment, the obligation is presently due.

**In omnibus poenalibus judiciis, et aetati et imprudentiae succurritur.** In all penal judgments, both youth and lack of prudence are favored

**In omnibus quidem, maxime tamen in jure, aequitas spectanda sit.** In all matters indeed, but especially in matters of right, equity should be regarded.

**In ore.** In the mouth.

**In pacato solo.** On peaceful soil.

**In pace Dei et regis.** In the peace of God and the king.

**In pais.** Out of court.

**In paper.** Not yet in the record. See 3 Bl. Comm. 406.

**In pari causa.** In a similar case; under like conditions.

**In pari causa possessor potior haberi debet.** Under like conditions, the party in possession ought to be deemed the stronger.

**In pari causa potior est conditio possidentis.** Under like conditions the situation of the party in possession is the stronger.

**In pari delicto.** In equal fault.

**In pari delicto melior est conditio defendentis.** Where the parties are equally at fault, the situation of the defendant is preferable. See 198 Ill. 130, 60 L. R. A. 286, 65 N. E. 84.

**In pari delicto melior est conditio possidentis.** Where the parties are equally at fault the situation of the party in possession is preferable. See 64 Conn. 170, 24 L. R. A. 815, 29 Atl. 614.

**In pari delicto potior est conditio defendentis.** Where the parties are equally at fault, the position of the defendant is the stronger. See 132 Ill. 342, 22 Am. St. Rep. 531, 8 L. R. A. 511, 24 N. E. 71.

**In pari delicto, potior est conditio defendentis et possidentis.** Where the parties are equally at fault, the position of the defendant and the party in possession is the stronger. See 132 Ill. 342, 22 Am. St. Rep. 531 8 L. R. A. 511, 24 N. E. 71.

**In pari delicto potior est conditio possidentis.** Where the parties are equally at fault, the position of the one in possession is the stronger. See 20 Mont. 560, 40 L. R. A. 158, 52 Pac. 553.

**In pari materia.** On the same subject. See 221 U. S. 286, 55 L. Ed. 738, 31 Sup. Ct. Rep. 578.

**In pari passu.** On equal footing.

**In patiendo.** In suffering; in permitting.

**In pectore judicis.** In the breast of the court. See Breast.

**In pejorem partem.** On the worse side.

**In pendente.** In suspense.

**In perpetuam rei memoriam.** In perpetual memory of the thing.

**In perpetuum.** Forever.

**In perpetuum rei testimonium.** In perpetual testimony of the thing.

**In person.** Without counsel in the conduct of one's action or defense.

**In personam.** Against the person.

**In personam actio est, qua cum eo agimus qui obligatus est nobis ad faciendum aliquid vel dandum.** An action in personam is one in which we sue one who is obligated to us to do something or to give something.

**In pios usus.** For religious use.

**In plena vita.** In full life.

**In pleno comitatu.** In the full county court. See 3 Bl. Comm. 36.

**In pleno lumine.** In full light; in daytime.

**In poenalibus causis benignius interpretandum est.** In penal cases the more liberal interpretation is to be made.

**In posse.** In possibility; in potentiality.

**In posterum.** In future.

**In potestate parentis.** In the power, or under the control, of the parent.

**In praemissorum fidem.** In attestation of the premises.

**In praeparatoriis ad judicium favetur actori.** In those matters preceding a judgment the plaintiff is favored.

**In praesenti.** At present; to take effect at once. See 106 U. S. 360, 27 L. Ed. 201, 1 Sup. Ct. Rep. 336.

**In praesentia.** In the presence.

**In praesentia majoris potestatis, minor potestas cessat.** In the presence of the superior power, the inferior power ceases. See 13 How. (U. S.) 142, 14 L. Ed. 75.

**In prender.** Such as might be taken by the tenant. Applied to incorporeal hereditaments, which see. See, also, In render.

**In pretio emptionis et venditionis, naturaliter licet contrahentibus se circumvenire.** In the price of buying and selling, it is naturally permitted that those concerned should cheat one another.

**In primis.** In the first place; at first.

**In principio.** In the beginning.

**In promptu.** Impromptu; in readiness.

**In propria causa nemo judex.** No one can be a judge in his own cause.

**In propria persona.** In one's own person or behalf.

**In proximo gradu.** In the next, or nearest, degree.

**In quantum lucratus est.** To the extent to which he has profited.

**In quindena.** In fifteen days.

**In quo quis delinquit, in eo de jure est puniendus.** In that wherein one has offended, he may be punished by the law.

**In re.** In the matter; in the transaction.

**In re aliena.** In another's affair, or property.

**In re communi neminem dominorum jure facere quicquam, invito altero, posse.** No one of the owners of common property can exercise any dominion over it against the will of another.

**In re communi potior est conditio prohibentis.** In relation to property held in common, the position of the one who holds back (the conservative partner) is the more favorable.

**In re dubia, benigniorem interpretationem sequi, non minis justius est quam tutius.** In a doubtful matter to follow a more liberal construction is not less the more just than it is the more safe.

**In re dubia magis infitiatio quam affirmatio intelligenda.** In a doubtful matter the negative rather than the affirmative is to be understood.

**In re lupanari, testes lupanares admittentur.** In the matter of a brothel, the inmates are received as witnesses. See 6 Barb. (N. Y.) 320.

**In re pari potiorem causam esse prohibentis constat.** In a matter

of equal rights the cause of him who is seeking to prohibit is held the stronger. See 16 Johns. (N. Y.) 438.

**In re propria.** In one's own business.

**In re propria iniquum admodum est alicui licentiam tribuere sententiae.** It is most unfair for anyone to assign to himself the privilege of deciding his own case.

**In rebus.** In matters; in transactions.

**In rebus quae sunt favorabilia animae, quamvis sunt damnosa rebus, fiat aliquando extensio statuti.** In matters wherein the intent is good although there is damage to property, there should be some stretching of the statute.

**In rebus manifestis, errat qui auctoritates legum allegat; quia perspicua vera non sunt probanda.** He errs who cites authority of law in things which are manifest, because plain truths do not need to be proved.

**In rem.** Against the thing; against the property, not against a person. See 20 Ill. App. 183.

**In rem actio est per quam rem nostram quae ab alio possidetur petimus, et semper adversus eum est qui rem possidet.** An action in rem is one by means of which we seek our property in the hands of another, and is always against him who holds possession of the property.

**In rem suam.** In his own business.

**In rem versum.** Used in one's business, or to his advantage.

**In render.** Such as the tenant had to yield to the landlord, e. g., rent. See In prender.

**In republica maxime conservanda sunt jura belli.** In the state the laws of war are to be especially observed. See 8 Allen (Mass.), 484.

**In rerum natura.** In the nature of things.

**In restitutionem, non in poenam haeres succedit.** An heir succeeds to a restitution, not to a penalty.

**In restitutionibus benignissima interpretatio facienda est.** In restitutions the most liberal construction is adopted.

**In rixa.** In a quarrel.

**In satisfactionibus non permittitur amplius fieri quam semel factum est.** In settlements more should not be paid than was paid once for all.

**In scaccario.** In the exchequer.

**In scrinio judicis.** Among the judge's notes, i. e., not in the record.

**In separali.** In severalty.

**In session.** Expresses that the judge is on the bench in the discharge of judicial functions and that the court term has not yet adjourned. See 5 N. D. 487, 57 Am. St. Rep. 568, 67 N. W. 590.

**In simili materia.** In a like matter.

**In simplici peregrinatione.** In simple pilgrimage.

**In solido.** As a whole; for the whole sum; jointly and severally. See 115 U. S. 264, 29 L. Ed. 377, 6 Sup. Ct. Rep. 40.

**In solidum.** As a whole; for the whole.

**In solo.** In the soil; on the land.

**In solo proprio.** On one's own land.

**In solutum.** In payment.

**In spe.** In expectation.

**In specie.** In kind.

**In statu quo.** In the same state; without change. See 6 N. M. 380, 28 Pac. 764.

**In statu quo ante bellum.** In the state in which it was before the war.

**In statu quo ante fuit.** In the state in which it was before.

**In stipulationibus cum quaeritur quid actum sit verba contra stipulatorem interpretanda sunt.** In contracts, when it is questioned as to what the fact is, the language is construed against the promisor. See 2 Day (Conn.), 281.

**In stipulationibus, id tempus spectatur quo contrahimus.** In agreements, the time at which we contract is regarded.

**In stipulationibus quum queritur quid actum sit verba contra stipulatorem interpretanda sunt.** In agreements, when it is questioned as to what was done, the words are construed against the promisee.

**In stirpes.** According to roots. See Per stirpes.

**In stricto jure.** In strict law.

**In subsidium.** By way of subsidy; in aid.

**In substantialibus.** Substantially.

**In summa.** On the whole.

**In suo genere.** Of its own kind.

**In suo quisque negotio hebetior est quam in alieno.** Each one is more stupid in his own business than in that of another.

**In superficie.** Superficially.

**In suspenso.** In suspense.

**In tali casu editum et provisum.** In such case made and provided.

**In tantum.** Insomuch.

**In terminus terminantibus.** In determinating terms.

**In terrorem.** In terror; as a threat.

**In terrorem populi.** To the terror of the people.

**In testamentis plenius testatoris intentionem scrutamur.** In wills we should search thoroughly for the intention of the testator.

**In testamentis plenius voluntates testantium interpretantur.** In wills the intentions of testators should be liberally construed.

**In testamentis ratio tacita non debet considerari, sed verba solum spectari debent; adeo per divinationem mentis a verbis recedere durum est.** In wills a secret plan ought not to be considered, but only the words ought to be regarded; it is so difficult by guessing the mind to recede from the words.

**In testimonium.** In testimony or witness whereof.

**In the detinuit.** The state of a replevin suit when the plaintiff is in possession under the writ.

**In totidem verbis.** In so many words.

**In toto.** Altogether; wholly.

**In toto et pars continetur.** In the whole the part is also contained.

**In traditionibus scriptorum, non quod dictum est, sed quod gestum est, inspicitur.** In the delivery of written instruments, not what was said, but what was done, is regarded.

**In trajectu.** In passing over.

**In transitu.** In transit. See Stoppage in transitu.

**In tuto.** Safe.

**In utero matris.** In the mother's womb.

**In vacuo.** In space.

**In vadio.** In pledge; by way of security.

**In ventre sa mere.** In the mother's womb.

**In veram quantitatem fidejussor teneatur, nisi pro certa quantitate accessit.** A surety should be held for the true quantity, unless he agreed for a certain quantity. See 17 Mass. 597.

**In verbis, non verba, sed res et ratio, quaerenda est.** In expressions, not the words, but the thing

and the reason should be inquired into.

**In vinculis.** In chains.

**In viridi observantia.** In fresh attention; present in one's mind.

**In vita.** In life.

**In vocibus videndum non a quo sed ad quid sumatur.** In discourse it should be seen not from what but to what it is led.

**In withernam.** In retaliation; by way of reprisal.

**In witness whereof.** The beginning of the attestation clause of an instrument.

**Inadequate price.** Want of consideration, often a badge of fraud. See 6 Johns. (N. Y.) 110, 5 Am. Dec. 195.

**Inadmissible.** Not receivable as evidence.

**Inaedificatio.** Building so as to encroach on the land of another; building on one's own land with another's timber.

**Inalienable.** Incapable of being transferred.

**Inauguration.** The installation of a high officer of state.

**Inauguration day.** March 4th, when the President of the United States is inaugurated.

**Inblaura.** Produce; profit thereof.

**Inbound common.** An uninclosed common with marked boundaries. Black.

**Incapacity.** Lack of legal ability.

**Incaustum.** Ink.

**Incaute factum pro non facto habetur.** An act done carelessly is held as not done.

**Incendiary.** One committing or attempting arson or the burning of a building.

**Incendium aere alieno non exuit debitorem.** A fire does not exonerate a debtor from a debt.

**Inception.** Initial stage. See 88 Tex. 574, 53 Am. St. Rep. 790, 30 L. R. A. 65, 33 S. W. 652.

**Incerta pro nullis habentur.** Uncertain things are held to be nullities.

**Incerta quantitas vitiat actum.** An uncertain quantity vitiates the act.

**Incest.** Sexual intercourse with one with whom the law prohibits marriage because of relationship. See 174 Ind. 715, Ann. Cas. 1913A, 100, 93 N. E. 3.

**Incestuous adultery.** Incest committed by a married person.

**Incestuous bastardy.** Bastardy in the commission of, or resulting from, incest. See Bastardy.

**Inchartare.** To give, grant, or assure by written instrument.—Black.

**Inchoate.** Imperfect; incipient not completely formed.

**Inchoate dower.** See Inchoate right of dower.

**Inchoate right of dower.** Such an interest of a wife in her husband's land as may be allowed by the law in force at his death. See 25 Minn. 462.

**Incident.** That which follows the principal thing. See 104 Va. 337, 113 Am. St. Rep. 1039, 7 Ann. Cas. 422, 1 L. R. A. (N. S.) 149, 51 S. E. 737.

**Incidental power.** One which is directly and immediately appropriate to the execution of the specific power granted. See 71 Minn. 413, 70 Am. St. Rep. 334, 74 N. W. 160.

**Incidere.** To happen.

**Incipitur.** It is begun.

**Incivile.** Unjustly; improperly.

**Incivile est, nisi tota lege prospecta, una aliqua particula ejus proposita, judicare vel respondere.** It is unfair, unless the whole law has been examined to adjudge or advise

respecting some particular provision of it.

**Incivile est, nisi tota sententia inspecta, de aliqua parte judicare.** It is unfair, unless the whole of an opinion has been examined, to judge of any certain part of it.

**Incivism.** Failure to perform one's duty as a citizen.

**Inclausa.** An inclosure.

**Inclose.** To fence; to shut in.

**Inclosed lands.** Fenced lands. See 95 Va. 77, 38 L. R. A. 570, 27 S. E. 823.

**Inclosure.** A fence; the extinction of common. See Common.

**Inclusio unius est exclusio alterius.** The including of one is the exclusion of the other. See 44 Fla. 537, 61 L. R. A. 734, 33 South. 509.

**Inclusive.** Embracing; comprehensive.

**Incola.** An inhabitant.

**Incolas domicilium facit.** Residence makes the domicile. See 1 Johns. Cas. (N. Y.) 363.

**Income.** That which comes in to a person as payment for labor, or services rendered in some office, or as gain from lands, the investment of capital, etc. See 148 Wis. 456, Ann. Cas. 1913A, 1147, L. R. A. 1915B, 569, 134 N. W. 673.

**Income tax.** A tax on the product of property or from business pursuits. See 97 Ky. 394, 28 L. R. A. 480, 30 S. W. 973.

**Incommodum non solvit argumentum.** An inconvenience does not settle an argument.

**Incommunication.** Confinement of a prisoner so as to prevent conversation with or sight of other persons.

**Incompatibility.** Incapability of reconciliation; the condition of being incompatible.

**Incompatible.** Incapable of being performed by one person at the same time.

**Incompetency.** The state of being incompetent; inadmissibility as evidence.

**Incompetent.** Unqualified; ineligible; unfit; inadmissible as evidence. See Mentally incompetent.

**Inconclusive.** Not conclusive; subject to disproof.

**Inconsulto.** Unintentionally.

**Incontinence.** Unlawful indulgence in sexual intercourse. See 128 N. C. 571, 37 S. E. 952.

**Incorporalia bello non adquiruntur.** Incorporeal things are not acquired by war.

**Incorporalis.** Incorporeal, which see.

**Incorporamus.** We incorporate.

**Incorporate.** To form a corporation; to unite in one body; to include.

**Incorporation.** The act of incorporating; also, same as Corporation.

**Incorporeal.** Intangible; without substance, as a right.

**Incorporeal chattel.** Same as Chose in action, which see.

**Incorporeal hereditaments.** Incorporeal property which may be inherited, e. g., rent.

**Incorporeal property.** Intangible property; choses in action, which see.

**Increase.** Crops; progeny; profit. See 83 Fed. (U. S.) 964.

**Increase, Costs of.** See Costs de incremento.

**Increase of hazard.** Some alteration or change in the situation or condition of insured property which tends to increase the risk. See 10 S. D. 82, 66 Am. St. Rep. 685, 71 N. W. 761.

**Incrementa.** Additions.

**Incrementum.** Increase.

**Incriminate.** To charge with crime. See 51 Neb. 301, 70 N. W. 984.

**Incriminating circumstance.** One which tends to show that a crime has been committed or that some particular person committed it. See 51 Neb. 301, 70 N. W. 984.

**Incroachment.** See Encroachment.

**Inculpate.** To incriminate; to accuse of crime or fault.

**Inculpatory.** Incriminatory; accusing.

**Incumbent.** One authorized by law to discharge the duties of an office. See 104 Mo. 340, 15 S. W. 960.

**Incumber.** See Encumber.

**Incumbrance.** See Encumbrance.

**Incumbrancer.** See Encumbrancer.

**Incur.** To become subject to or liable for by act or operation of law. See 14 Barb. (N. Y.) 202.

**Incurramentum.** Liability to fine or amercement.

**Inde.** Then; thence; from thence; thereupon.

**Inde datae leges ne fortior omnia posset.** Laws were made lest the stronger should be all powerful.

**Indebitatus.** Indebted.

**Indebitatus assumpsit.** An action for the breach of an implied contract. See 11 Ill. App. 298.

**Indebitatus nunquam.** Never indebted.

**Indebiti solutio.** The payment of that which is not due.

**Indebitum.** Not due; not owing.

**Indecency.** An act against good behavior and just delicacy. See 85 Fed. (U. S.) 204.

**Indecent exposure.** An exhibition of one's private parts. See 106 Iowa, 107, 76 N. W. 508.

**Indecimable.** Not liable to payment of tithes.

**Indefeasible.** Not subject to being defeated or avoided.

**Indefensus.** Not defended; not denied.

**Indefinite failure of issue.** Failure of issue generally, without any specification as to the time thereof. See Failure of issue. See 19 N. H. 9, 49 Am. Dec. 139.

**Indefinite punishment.** An uncertain punishment. See 24 Fla. 278, 12 Am. St. Rep. 200, 4 South. 854.

**Indefinitum aequipollet universali.** That which is unlimited is equivalent to the whole.

**Indefinitum supplet locum universalis.** Lack of limitation supplies the place of the whole.

**Indemnificatus.** Indemnified.

**Indemnify.** To secure against loss; to compensate for loss. See 15 Minn. 461, 2 Am. Rep. 150.

**Indemnis.** Undamaged.

**Indemnitee.** One who is indemnified.

**Indemnitor.** On who undertakes to indemnify another.

**Indemnity.** An obligation or duty, springing from a contract express or implied, on one person to make good any loss or damage another has incurred while acting at his request or for his benefit. See 107 Ala. 547, 54 Am. St. Rep. 118, 19 South. 180.

**Indemnity belt.** Indemnity lands abutting a railroad right of way. See 7 Mont. 330, 16 Pac. 931. See, also, Indemnity lands.

**Indemnity lands.** Lands selected in lieu of parcels previously disposed of or reserved, title to which accrues only from their selection. See 117 U. S. 228, 29 L. Ed. 858, 6 Sup. Ct. Rep. 654.

**Indempnis.** Same as Indemnis.

**Indenization.** Same as Denization.

**Indent.** An indenture, which see.

**Indenture.** A deed; an instrument drawn in two parts with toothed edges which matched when the two parts were placed together. See 6 N. J. L. 169.

**Indenture of apprenticeship.** A contract in duplicate by which an apprentice is bound to service. See Apprentice.

**Independence day.** July 4th.

**Independent condition.** One which can be inforced without showing the performance of another condition.

**Independent contract.** One the enforcement of which does not depend upon the performance of any other contract.

**Independent contractor.** One who, exercising an independent employment, contracts to do a piece of work according to his own methods, and without being subject to his employer's control, except as to the result of the work. See 76 Am. St. Rep. 382, note.

**Independent covenants.** A covenant the enforcement of which is not dependent upon the performance of another covenant. See 21 Pick. (Mass.) 428.

**Independenter se habet assecuratio a viaggio navis.** Insurance of the voyage is independent of the voyage of the ship.

**Indeterminate.** Uncertain; not fixed.

**Indeterminate sentence.** An uncertain or indefinite sentence for crime.

**Index.** A table of references pointing out the volume and page where an article or subject may be found. See 22 Neb. 725, 36 N. W. 292.

**Index animi sermo.** Speech is the index of intent. See 41 Neb. 631, 25 L. R. A. 564, 59 N. W. 935.

**Indian country.** Territory within the United States to which the title of the Indians has not been extinguished. See 109 U. S. 556, 27 L. Ed. 1030, 3 Sup. Ct. Rep. 396.

**Indian tribe.** A body of Indians of the same or similar race, united in a community under one leadership or government and inhabiting a particular territory. See 180 U. S. 261, 45 L. Ed. 521, 21 Sup. Ct. Rep. 358.

**Indicare.** To designate; to show.

**Indicavit.** A king's writ of prohibition to take from the ecclesiastical court a dispute as to the right to a living the tithes of which amounted to a fourth thereof. See 1 Mill, Const. (S. C.) 55, 12 Am. Dec. 596.

**Indicia.** Plural of Indicium.

**Indicium.** A symbol; a token; a sign; a mark; evidence.

**Indict.** To charge one with crime by indictment or information. See 19 Blatchf. 249, 7 Fed. (U. S.) 193.

**Indictable offense.** A felony. See 42 Mo. 572.

**Indictare.** To indict.

**Indicted.** Charged with crime by indictment.

**Indictee.** One against whom an indictment has been found.

**Indictio.** An indictment; a proclamation.

**Indiction, Cycle of.** Fifteen years.

**Indictment.** A written accusation against an individual charging him with crime. See 32 N. C. 234.

**Indictment de felony est contra pacem domini regis, coronam et dignitatem suam, in genere et non in individuo; quia in Anglia non est interregnum.** An indictment for felony reads "against the peace of our lord the king, his

crown and dignity," in general, and not against the king individually, because in England there is no interregnum.

**Indictor.** One who causes another to be indicted.

**Indifferent.** Neutral as to the parties or subject matter concerned or in controversy.

**Indigena.** A native subject or one naturalized by statute.

**Indigent.** Needy; poor; destitute of means of comfortable existence. See 109 Wis. 330, 85 N. W. 387.

**Indirect evidence.** Same as Circumstantial evidence.

**Indirect tax.** A tax levied on commodities; a tax indirectly paid by the consumer.

**Indispensable evidence.** Evidence without which a certain fact cannot be proved.

**Inditee.** Same as Indictee.

**Individuum.** Incapable of division.

**Indivisible.** Incapable of division.

**Indivisum.** Undivided.

**Indorsat.** Indorsed.

**Indorse.** To write one's name on the back of an instrument. See 124 Mass. 327, 26 Am. Rep. 668.

**Indorsee.** One to whom a negotiable instrument is indorsed.

**Indorsee in due course.** One who in good faith, in the ordinary course of business, for value, before its apparent maturity or presumptive dishonor, and without knowledge of its actual dishonor, acquires a negotiable instrument indorsed to him, generally, or payable to bearer. See 138 Cal. xix, 71 Pac. 87.

**Indorsement.** Writing one's name on the back of a negotiable instrument.

**Indorsement in blank.** Writing one's name on a negotiable instrument with intent to incur the liability of a party who warrants payment of it, provided it is presented to the principal at maturity, and if not paid by him, notice thereof is duly given to the indorser. See 29 Am. Dec. 297, note.

**Indorsement in full.** An indorsement on a negotiable instrument designating a payee. See 13 Serg. & R. (Pa.) 311.

**Indorsement without recourse.** An indorsement of a negotiable instrument with the words "without recourse" after the indorsee's name, thus rendering him not liable as an indorser.

**Indorser.** One who indorses a negotiable instrument.

**Inducement.** A statement in a pleading introductory to the plea and explanatory of it; a statement of the facts, out of which a defamation charge arises or to make the charge intelligible. See 122 Cal. 58, 54 Pac. 389.

**Induciae.** An armistice or truce; an indulgence.

**Inductio.** Cancellation; obliteration.

**Induction.** Investing a clergyman with actual possession of the temporalities of a benefice by some symbolic act. See Benefice; Temporalities. See, also, Jeff. (Va.) 96.

**Indulgence.** A remission of punishment for sins, granted by the Catholic church.

**Indulto.** (Spanish) Pardon for an offense by the king.

**Indument.** Same as Endowment.

**Indutiae.** Same as Induciae.

**Inebriate.** One who so habitually indulges in intoxicating liquors as to render him mentally incompetent safely to transact his ordinary business. See 132 N. C. 243, 43 S. E. 649.

**Ineligibility.** Lack of legal qualifications for an office.

**Ineligible.** Not qualified to hold office. See 27 Minn. 466, 38 Am. Rep. 304, 8 N. W. 375.

**Inesse potest donationi, modus, conditio sive causa; ut modus est; si conditio; quia causa.** There can be manner, condition or cause in a gift; "ut" is for the manner; "si" for the condition; "quia" for the cause.

**Inest de jure.** It is implied in law.

**Inevitable.** Unavoidable.

**Inevitable accident.** Synonymous with act of God, which see. See 2 Smedes & M. (Miss.) 572, 41 Am. Dec. 609.

**Inewardus.** A guard.

**Infamia.** Infamy; disgrace.

**Infamia facti.** Infamy of one supposed to be guilty of infamous crime, but who has not been convicted. See 17 Mass. 515.

**Infamia juris.** Disgrace in conviction of crime. See 17 Mass. 515.

**Infamis.** Infamous; of ill repute.

**Infamous offense.** One punishable by imprisonment in a state prison. See 108 N. C. 593, 23 Am. St. Rep. 73, 13 S. E. 168.

**Infamy.** Infamia in facti, which see; infamia juris, which disqualifies one as a witness. See 114 U. S. 417, 29 L. Ed. 89, 5 Sup. Ct. Rep. 935.

**Infancy.** The state of an infant. See Infant.

**Infangenthef.** A lord's right to adjudge a thief taken on his premises.

**Infangthefe.** Same as Infangenthef.

**Infans.** A child under seven.

**Infans non multum a furioso distat.** An infant does not differ much from a lunatic.

**Infant.** Any person under the age of twenty-one years, but by statute eighteen years as to females. See 124 Iowa, 576, 104 Am. St. Rep. 367, 100 N. W. 532.

**Infantia.** Childhood to the age of seven years.

**Infanticide.** The killing of a child.

**Infants' marriage act.** An English statute enabling an infant to enter with court sanction into a valid marriage settlement. See St. 18 & 19 Vict., c. 43.

**Infanzon.** (Spanish) A person of noble birth.

**Infeft.** Same as Enfeoff.

**Infeftment.** Same as Enfeoffment.

**Infeodare.** To enfeoff, which see.

**Infeodatio.** Enfeoffment, which see.

**Infeodation.** Same as Enfeoffment.

**Infeoffment.** Same as Enfeoffment.

**Inference.** A deduction or conclusion from known facts. See 44 Wis. 336.

**Inferential.** Deducible or inferable from proved facts.

**Inferior.** Less in power or authority; subordinate.

**Inferior court.** One whose judgements, standing alone, are nullities, unless its proceedings show its jurisdiction; a court of limited and special jurisdiction. See 5 Cranch (U. S.), 173, 3 L. Ed. 70.

**Infeudation.** Same as Enfeoffment.

**Infeudation of tithes.** Investing laymen with the right to tithes.

**Inficiari.** To deny; to repudiate an obligation.

**Inficiatio.** A denial.

**Infidel.** One who does not believe in the Bible or that Christ was the true Messiah. See 53 N. H. 9, 16 Am. Rep. 82.

**Infidelis.** An infidel; a violator of fealty.

**Infidelitas.** Infidelity.

**Infiht.** An assault upon one living in the same house.

**Infinitum in jure reprobatur.** Endlessness is disapproved in the law.

**Infirm.** Weak; sickly.

**Infirmative.** Tending to weaken.

**Inflicted injury.** Any bodily harm which is caused by one to be suffered on another. See 101 Mass. 1, 100 Am. Dec. 89.

**Informal.** Lacking in due form.

**Informality.** A departure from well-approved forms without loss of meaning. See 24 N. C. 372.

**Information.** A formal written accusation against one or more of crime filed in court by a prosecuting attorney. See 4 Tex. 242.

**Information and belief.** Allegations of a verified pleading are made on information and belief when positive knowledge is wanting.

**Information in chancery.** A bill in chancery of the crown.

**Information in the exchequer.** The institution of a crown suit for money or one for damages for trespass.

**Information in the nature of a quo warranto.** A civil proceeding to try the right to an office or a franchise. See 84 Cal. 114, 12 L. R. A. 117, 24 Pac. 277.

**Information of intrusion.** A state prosecution against intruders on the public domain. See 6 Leigh (Va.), 588, 29 Am. Dec. 226.

**Informatus non sum.** I am not informed, a judgment resembling a default, entered by the defendant, usually by agreement. See 3 Bl. Comm. 397.

**Informer.** One who furnishes information for the prosecution of a crime. See, also, Common informer.

**Infortunium.** Misfortune; accident; misadventure.

**Infortunium, Homicide per.** See Homicide per infortunium.

**Infra.** Below; within; beneath.

**Infra aetatem.** Under age.

**Infra annos nubiles.** Under marriageable years.

**Infra annum.** Within a year.

**Infra annum lûctus.** Within the year of mourning, the time of prohibited remarriage (Civil Law).

**Infra brachia.** Within her arms.

**Infra civitatem.** Within the state.

**Infra corpus comitatus.** Within the body of the county.

**Infra dig.** Infra dignitatem, beneath the dignity.

**Infra dignitatem curiae.** Beneath the court's dignity.

**Infra furorem.** While insane.

**Infra hospitium.** Within an inn.

**Infra jurisdictionem.** Within the jurisdiction.

**Infra ligeantiam regis.** Within allegiance to the king.

**Infra metas.** Within the boundaries.

**Infra praesidia.** Within the walls; within complete subjection.

**Infra quatuor maria.** Within the four seas, i. e., in England.

**Infra quatuor parietes.** Within the four walls.

**Infra regnum.** Within the realm.

**Infra sex annos.** Within six years.

**Infra tempus semestre.** Within six months.

**Infra triduum.** Within three days.

**Infraction.** A breach or violation of a duty, a statute or a contract.

**Infringement.** The unlawful sale or use of a patented invention. See 112 Fed. 146, 55 L. R. A. 692, 50 C. C. A. 159.

**Infugare.** To chase; to compel to flee.

**Infula.** A band or fillet.

**Ingenium.** A trick; a fraudulent scheme.

**Ingenui.** Plural of Ingenuus.

**Ingenuitas.** The condition of a freeman or a manumitted slave.

**Ingenuitas regni.** The freemen of the kingdom.

**Ingenuus.** A freeman born free.

**Ingress.** Entry; a right to enter.

**Ingressu.** A writ of entry.

**Ingressus.** Ingress, which see.

**Ingressus et egressus.** The right to enter and depart.

**Ingrossator.** An engrosser.

**Ingrossing.** Making a clear copy of a rough draft.

**Inhabitant.** One who has a home in a place. See 124 Mass. 132, 26 Am. Rep. 650.

**Inhabited house duty.** A tax on dwellings.

**Inherent condition.** Same as Condition inherent.

**Inherent covenant.** Same as Covenant inherent.

**Inherent powers.** Such as result from the very nature and such as are essential to the existence of the institution. See 100 Miss. 811, Ann. Cas. 1914A, 98, 39 L. R. A. (N. S.) 242, 57 South. 806.

**Inheretrix.** An heiress.

**Inherit.** To acquire by inheritance.

**Inheritable blood.** Relationship by blood capable of transmitting an inheritance.

**Inheritance.** An estate which descends to the heir by operation of law on the death of his ancestor. See 36 Cal. 329.

**Inheritance Act.** The English statute of descent.

**Inheritance tax.** A tax upon transmissions of property occasioned by the death of the owner. See 127 Am. St. Rep. 1036, note.

**Inhibition.** A prohibition; a writ to prohibit a judge from further proceeding in a matter.

**Inhibition against a wife.** A writ to prohibit business transactions with a married woman.

**Inhonestus.** Unsightly; disgraceful.

**Iniquissima pax est anteponenda justissimo bello.** A most unfavorable peace is preferable to a most just war. See 18 Wend. (N. Y.) 257.

**Iniquity.** (Scotch) Judicial error.

**Iniquum est alios permittere, alios inhibere mercaturam.** It is unfair to permit some to carry on trade and to prohibit others.

**Iniquum est aliquem rei sui esse judicem.** It is improper for one to be a judge in his own cause.

**Iniquum est ingenuis hominibus non esse liberam rerum suarum alienationem.** It is unjust for free men not to be at liberty to alienate their own property.

**Initialia testimonii.** (Scotch) Preliminary examination of a witness.

**Initiate.** Begun.

**Initiate courtesy.** The interest of a husband during his wife's life in the lands in which he will be entitled to courtesy after her death. See Courtesy.

**Initiative.** The prerogative of submitting proposed laws; in some states, by statute, laws are proposed by electors and become effective when sanctioned by popular vote.

**Initium.** A beginning.

**Injunction.** An equity writ prohibiting or commanding an act. See 116 Fed. (U. S.) 510.

**Injunction pendente lite.** A temporary injunction to operate pending a hearing on the merits, or until the final decree is rendered.

**Injuria.** Injury; the violation of a legal right; a tort. See 7 Ill. App. 438.

**Injuria absque damno.** The violation of a legal right without damage. See 111 N. Y. 531, 7 Am. St. Rep. 760, 2 L. R. A. 644, 19 N. E. 94.

**Injuria fit ei cui convicium dictum est, vel de eo factum carmen famosum.** An injury is done to him of whom reviling things are said or concerning whom a defamatory poem is composed.

**Injuria illata judici, seu locum tenenti regis, videtur ipsi regi illata maxime si fiat in exercentem officium.** An injury offered to a judge or to one holding the place of the king seems to be as if it were offered to the king himself, if done while he is in the exercise of his office.

**Injuria non excusat injuriam.** An injury does not excuse an injury.

**Injuria non praesumitur.** Injury is not presumed.

**Injuria propria non cadet in beneficium facientis.** No benefit shall accrue to the doer from his own wrongdoing.

**Injuria servi dominum pertingit.** The wrongdoing of the servant extends to the master.

**Injury.** Any act or omission which harms or damages another, whether justified by law or not. See 81 Conn. 293, 129 Am. St. Rep. 215, 70 Atl. 1035.

**Injustum est, nisi tota lege inspecta, de una aliqua ejus particula proposita judicare vel respondere.** Without having examined the whole of a law, it is unfair to judge or give an opinion concerning some particular provision of it.

**Inlagare.** To restore an outlaw to the law's protection.

**Inlagation.** Same as Inlaw.

**Inlagh.** One under the law's protection.

**Inland bill of exchange.** A bill of exchange the maker and payee of which reside in the same country. See 5 Johns. (N. Y.) 375, 4 Am. Dec. 372.

**Inland navigation.** Navigation on waters lying wholly within a state. See 65 U. S. 1, 16 L. Ed. 674.

**Inland waters.** All waters of the United States upon which a naval force can go, other than bays and harbors on the sea coast. See 106 U. S. 607, 27 L. Ed. 286, 1 Sup. Ct. Rep. 539.

**Inlantal.** Demesne land. See Demesne.

**Inlaughe.** Under the law's protection.

**Inlaw.** To restore from outlawry; to pardon of attainder.

**Inleased.** Trapped.

**Inmate.** A co-lodger; one living in the same abode.

**Inn.** Synonymous with hotel as understood in this country. See 62 Am. Dec. 587, note.

**Innamium.** A pledge.

**Innavigability.** Unseaworthiness of a ship; the state of being impassable by ships.

**Innavigable.** Incapable of floating ships.

**Inner barrister.** One who pleads within the bar.

**Inner house.** The superior department of the High Court of Sessions in Scotland.

**Innings.** Reclaimed tide lands.

**Innkeeper.** One in the business of entertaining travelers and pas-

sengers, and providing lodging and necessaries for them and their attendants. See 9 B. Mon. (Ky.) 72, 48 Am. Dec. 416, and note.

**Innocence.** Freedom from guilt.

**Innocent.** Free from wrongdoing.

**Innocent conveyance.** One which conveys only the title of the grantor, as opposed to a tortious one. See Tortious conveyance.

**Innocent purchaser.** One who by an honest contract or agreement purchases property or acquires an interest therein without knowledge or means of knowledge sufficient to charge him in law with knowledge of any infirmity or flaw in the title of the seller. See 2 N. E. (Ill.) 512.

**Innominate.** Unclassified.

**Innonia.** An inclosure.

**Innotescimus.** We make known.

**Innovation.** Same as Novation.

**Innoxiare.** To exculpate.

**Inns of chancery.** Inns formerly attached to the inns of court occupied by students who advanced from them to the inns of court.

**Inns of court.** Societies of lawyers at London from the members of which the barristers are qualified for the bar. The four principal ones are the Middle Temple, Inner Temple, Gray's Inn and Lincoln's Inn.

**Innuendo.** That part of a declaration or complaint for defamation which explains the meaning of the defamatory words. See 4 Am. Dec. 349, note.

**Inoficiocidad.** (Spanish) A violation of duty.

**Inofficiosum.** Neglectful or contrary to duty.

**Inofficiosum testamentum.** An inofficious testament.

**Inofficious testament.** A will omitting the testator's nearest relatives. See 51 Atl. (N. J.) 501.

**Inops consilii.** Without counsel.

**Inordinatus.** An intestate.

**Inpeny.** A tenant's customary payment to the landlord upon entry.

**Inquest.** A judicial inquiry by a jury; the finding thereof. See Coroner.

**Inquest of office.** An inquiry by an officer of the king into some matter concerning property to which the king is entitled. See 165 U. S. 413, 41 L. Ed. 770, 17 Sup. Ct. Rep. 348.

**Inquilinus.** A tenant.

**Inquirendo.** An authorization to institute an inquiry in the government's behalf.

**Inquiry, Writ of.** See Writ of inquiry.

**Inquisitio.** An inquisition; an inquest.

**Inquisitio post mortem.** A coroner's inquest. See Coroner. Also, an inquest of office held when a tenant in chivalry died. See Inquest of office.

**Inquisition.** An official inquiry; an inquest.

**Inquisition of office.** Same as Inquest of office. See 29 Am. Dec. 233, note.

**Inquisitor.** An official investigator.

**Inroll.** Same as Enroll.

**Inrollment.** Same as Enrollment.

**Insane.** Mentally unsound; mad; deranged. See 13 Mich. 427, 87 Am. Dec. 774.

**Insane delusion.** Belief of facts which no reasonable person would have believed. See 63 Am. St. Rep. 83, note.

**Insanity.** Unsoundness of mind; mental derangement. See 34 Wis. 117.

**Insanus est qui, abjecta ratione, omnia cum impetu et furore facit.** One is insane who, casting reason aside, does everything in violence and fury.

**Inscribere.** To charge with crime.

**Inscriptio.** A written accusation of crime; an accuser's consent to suffer the penalty prescribed for the crime he charges against the accused, in case of the latter's acquittal.

**Inscription.** A writing engraved or stamped on stone or other enduring substance.

**Insensible.** Unintelligible.

**Insidiator.** A waylayer; a traitor.

**Insidiatores viarum.** Highwaymen.

**Insignia.** Coats of arms; emblems of rank.

**Insilium.** Bad counsel.

**Insimul.** At the same time; together; jointly.

**Insimul computassent.** They had accounted together, the name of one of the common counts in an action based on an account stated. See 10 Pa. St. 320, 51 Am. Dec. 486. See, also, Common counts and Account stated.

**Insinuacion.** (Spanish) The submission of a public document to a judge for approval.

**Insinuare.** To deposit in the court records.

**Insinuatio.** Suggestion.

**Insinuation.** Copying into public records.

**Insinuation of a will.** The production of a will for probate.

**Insolvency.** Inability to pay debts as they become due in the ordinary course of business. See 25 Or. 15, 42 Am. St. Rep. 756, 34 Pac. 692.

**Insolvent.** The condition of one in a state of insolvency; one in such condition.

**Insolvent law.** A statute which relieved a debtor's person from imprisonment for debt. See 4 N. J. L. 192, 7 Am. Dec. 582.

**Inspectator.** An adversary.

**Inspection.** The examination of articles of commerce and consumption; the examination of records public and private.

**Inspection laws.** Laws to protect the community from fraud in domestic sales and to preserve the reputation of the state in its imports. See 20 Blatchf. 296, 10 Fed. (U. S.) 357.

**Inspection of documents.** The preliminary examination of documents by the party opposing him who offers them in evidence.

**Inspection, Trial by.** See Trial by inspection.

**Inst.** See Institutes of Coke.

**Installation.** The ceremony of investing one with a public office.

**Instalment contract.** A contract the consideration in which is expressed in separate and distinct items.

**Instalment note.** A note the principal of which is payable in two or more certain amounts at different stated times.

**Instalments.** Partial payments on account of a larger sum.

**Instance.** A precedent; instigation; solicitation.

**Instance court.** An English court with general admiralty jurisdiction excepting prize cases. See Prize court. See, also, 18 Johns. (N. Y.) 257, 9 Am. Dec. 210.

**Instancia.** (Spanish) The filing and prosecutioin of an action to judgment.

**Instans est finis unius temporis et principium alterius.** An instant is the end of one time and the beginning of another.

**Instanter.** At once.

**Instar.** Likeness; like.

**Instaurum.** Farming equipment.

**Instigation.** Solicitation; incitement.

**Instirpare.** To establish.

**Institor.** A factor; a broker; an agent.

**Institorial action.** An action against a principal on a contract made for him by his institor.

**Institorial power.** The power or authority of an agent.

**Institute.** To begin an action; to accuse; to appoint an heir by will. See, also, Heir institute.

**Instituted executor.** An executor whose appointment to act is not made conditional by the will. See Substituted executor.

**Institutes.** Elementary treatises on law.

**Institutes of Caius.** Same as Institutes of Gaius.

**Institutes of Coke.** Institutes on the common law, in four volumes, by Sir Edward Coke, often cited, respectively, "Co. Litt," or "1st Inst.," "2 Inst.," "3 Inst.," "4 Inst."

**Institutes of Gaius.** A treatise on the Roman law.

**Institutes of Justinian.** An elementary treatise on Roman law written in the 6th century. See Corpus juris civilis.

**Institutio.** Same as Induction.

**Institutio haeredis.** The appointment of an heir by will.

**Institution.** Same as Induction. Also an establishment of a public character; a place where the business or a society is carried on; the organization itself. See 80 Ga. 159, 7 S. E. 633.

**Institutiones.** Institutes, which see.

**Instruct.** To give instructions to a jury; to direct; to advise.

**Instruction.** A court's explanation of the law as applied to the facts in the case to the jury; a court's directions to a jury. See 121 Ind. 541, 23 N. E. 670. See, also, Charge.

**Instructions.** Orders or directions of a superior or principal.

**Instrument of appeal.** A petition on appeal in an English divorce suit.

**Instrument of evidence.** Any person or thing which may be presented in evidence for inspection. See 108 Cal. 250, 49 Am. St. Rep. 84, 39 Pac. 783, 41 Pac. 472.

**Instrumenta.** Unsealed writings as evidence.

**Instruments.** Formal or legal documents in writing, including contracts, deeds, wills, bonds, leases, mortgages, etc. See 108 Cal. 250, 49 Am. St. Rep. 84, 39 Pac. 783, 41 Pac. 472.

**Insufficiency.** Lack of form or substance in a pleading. See 107 Mo. 1, 14 L. R. A. 846, 17 S. W. 646.

**Insula.** An island.

**Insultus.** An assault.

**Insuper.** Above; moreover.

**Insurable interest.** Any interest in property which would be recognized in a court of law or equity. See 31 Iowa, 464, 7 Am. Rep. 160.

**Insurance.** A personal contract whereby one who has an interest in that for injury to which he is to be paid, is by the insurer to be indemnified for his loss. See 28 Am. Dec. 154, note.

**Insurance agent.** Anyone who in any manner aids in the transaction of an insurance company's business. See 127 Ill. 364, 11 Am. St. Rep. 121, 20 Pac. 77.

**Insurance broker.** One who acts as a middleman between the insured

and the company, and who solicits from the public under no employment from any special company. See 125 N. Y. 57, 21 Am. St. Rep. 721, 10 L. R. A. 609, 25 N. E. 1073.

Insurance policy. See Policy of insurance.

Insure. To contract to indemnify against loss; to enter into a contract of insurance. See Insurance.

Insured. One who procures an insurance contract from an insurer.

Insurer. One who agrees by a contract of insurance to indemnify. See Insurance.

Insurgent. One engaging in an insurrection; partaking of an insurrection.

Insurrection. Mutiny (See 10 Rob. (La.) 202, 43 Am. Dec. 180); open and active opposition to the execution of law. See 90 Pa. St. 397, 35 Am. Rep. 670.

Intaker. A receiver of stolen goods.

Integer. Whole; entire; fresh.

Intemperance. The use of intoxicants beyond moderation. See 76 Ill. 211.

Intend. To fix the mind upon; to design. See 1 Mich. (N. P.) 264.

Intendant. A superintendent; a manager.

Intendment of law. A presumption of law; legal meaning.

Intent. The purpose to use a particular means to effect a certain result; motive being the reason which leads the mind to desire that result. See 105 Am. St. Rep. 986, note.

Intentio. Intent; intention; a plaintiff's formal complaint.

Intentio caeca mala. A hidden intent is bad.

Intentio inservire debet legibus, non leges intentioni. Intention should be subservient to the laws, not the laws to intention.

Intentio mea imponit nomen operi meo. My intent stamps a name upon my act.

Intention. See Intent.

Inter. Between; among; in.

Inter absentes. Among or between persons absent.

Inter alia. Among other things.

Inter alias causas acquisitionis, magna, celebris, et famosa est causa donationis. Among other means of acquisition is a great, celebrated and famous means, that of gift.

Inter alios. Among others.

Inter alios acta. Acts or transactions between other persons.

Inter alios res gestas aliis non posse praejudicium facere saepe constitutum est. It has often been decided that matters which were transacted between some cannot operate as a prejudice to others.

Inter amicos. Among or between friends.

Inter apices juris. Between the extremes of the law.

Inter arma silent leges. In the midst of war the laws are silent.

Inter caeteros. Among or between other persons.

Inter canem et lupum. Between the dog and the wolf; i. e., twilight.

Inter conjuges. Between spouses.

Inter partes. Between the parties.

Inter praesentes. Among or between persons present.

Inter quatuor parietes. Within the four walls.

Inter rusticos. Among illiterate persons.

Inter se. Between or among themselves.

Inter sese. Same as Inter se.

**Inter virum et uxorem.** Between husband and wife.

**Inter vivos.** Between living persons.

**Intercalare.** To insert; to insert a month or a day in the calendar.

**Intercedere.** To stand between; to go surety.

**Interchangeably.** By way of exchange, as in the exchange of indentures. See 17 Misc. Rep. 323, 40 N. Y. Supp. 381.

**Intercommon.** The enjoyment of mutual rights of common by neighbors. See Common.

**Intercommoning.** Enjoying rights of intercommon.

**Intercourse.** Communication; trade; commerce.

**Interdict.** An interdiction; an injunction; an ecclesiastical order prohibiting divine services in respect to places or persons.

**Interdiction.** A court order depriving one needful of protection from freedom of action.

**Interdiction of fire and water.** Banishment with a prohibition on all persons to refrain from furnishing the person with either fire or water.

**Interdictum salvianum.** A foreclosure of a pledge of a tenant's goods securing rent.

**Interdum evenit ut exceptio quae prima facie justa videtur, tamen unique noceat.** It sometimes happens that a plea which on its face seems just, is nevertheless unfair and injurious.

**Interesse.** Interest; an interest.

**Interesse termini.** The lessee's interest in a term or lease for years to begin at a future time. See 72 Mo. 535, 37 Am. Rep. 446.

**Interest.** Any right, in the nature of property, less than title. See 73 Kan. 127, 117 Am. St. Rep. 460, 9 Ann. Cas. 459, 4 L. R. A. (N. S.) 654, 84 Pac. 717; compensation for the use of money. See 211 Mass. 171, Ann. Cas. 1913B, 206, 39 L. R. A. (N. S.) 120, 97 N. E. 1100.

**Interest, Maritime.** See Maritime interest.

**Interest or no interest.** A provision in an insurance policy waiving the right to question the interest of the insured in the property insured.

**Interest policy.** An insurance policy which by its form shows that the assured has a real interest in the thing insured and that it is not a mere wager. See 37 Wis. 503.

**Interest reipublicae ne maleficia remaneant impunita.** It is in the interest of the state that crimes should not remain unpunished.

**Interest reipublicae ne sua quis male utatur.** It is of interest to the state that no one should make ill use of his own.

**Interest reipublicae quod homines conserventur.** It is of interest to the state that men should be protected.

**Interest reipublicae res judicatas non rescindi.** It is of interest to the state that judgments should not be reversed.

**Interest reipublicae suprema hominum testamenta rata haberi.** It is of interest to the state that men's last wills be held valid.

**Interest reipublicae ut carceres sint in tuto.** It is of interest to the state that prisons should be safe.

**Interest reipublicae ut pax in regno conservetur, et quaecunque paci adversentur provide declinentur.** It is of interest to the state that peace should be preserved in the kingdom and whatever things are adverse to peace should be prudently declined.

**Interest reipublicae ut quilibet re sua bene utatur.** It is of interest to the state that each one should make good use of his property.

**Interest reipublicae ut sit finis litium.** It is of interest to the state that there should be an end of litigation. See 67 Conn. 91, 52 Am. St. Rep. 270, 32 L. R. A. 236, 34 Atl. 714.

**Interest suit.** A contest between parties interested in an estate for the right to administer it.

**Interest upon interest.** See Compound interest.

**Interference.** A claim of a right to the same invention by a party other than the patentee or applicant for a patent. See 68 Fed. (U. S.) 354.

**Interim.** Meanwhile; in the meantime.

**Interim committitur.** An order for one's temporary custody.

**Interim curator.** A temporary guardian.

**Interim factor.** (Scotch) A temporary trustee of a bankrupt's estate.

**Interim officer.** An officer appointed temporarily. See Pro tem.

**Interim order.** A temporary court order, e. g., Preliminary injunction, which see.

**Interim receipt.** A receipt for money paid on account of a bond or other instrument to be delivered on full payment.

**Interlineation.** Writing between lines of an instrument. See 1 Dall. (Pa.) 64, 1 L. Ed. 38.

**Interlocking directors.** Persons serving as members of the boards of directors of two or more competing corporations.

**Interlocutio.** Same as Imparlance.

**Interlocutor.** A judgment or order of court.

**Interlocutory costs.** Costs awarded to a party by the court before judgment, during the progress of a cause. See 17 Fed. (U. S.) 2.

**Interlocutory decree.** One made pending the cause, and before final hearing on the merits. See 101 Miss. 203, Ann. Cas. 1914B, 307, 57 South. 567.

**Interlocutory injunction.** Same as Injunction pendente lite.

**Interlocutory judgment.** An order of court made in the progress of the cause, requiring something to be done or observed, but not determining the controversy. See 107 Ind. 9, 7 N. E. 579.

**Interlocutory order.** Same as Interlocutory judgment.

**Interlopers.** An unlicensed trader.

**Intermittent easement.** An easement only used or to be used at intervals. See 51 N. H. 504, 12 Am. Rep. 147.

**Intern.** To hold one as a political prisoner; the detention of ships, sailors, soldiers or property of a belligerent by a neutral nation, during hostilities.

**Internal revenue.** All government revenue excepting duties on exports and imports.

**International law.** See Law of nations.

**International private law.** See Private international law.

**International public law.** See Public international law.

**Internuncio.** A papal representative at a minor court. See Nuncio.

**Internuncius.** A messenger; a joint agent.

**Interpellation.** A citation to appear.

**Interpleader.** Wherein the plaintiff says, "I have a fund in my possession in which I claim no per-

sonal interest and to which you, the defendants, set up conflicting claims; pay me my costs and I will bring the fund into court and you shall contest it between yourselves." See 35 Am. Dec. 701, note.

Interpret. To construe; to explain.

Interpretare et concordare leges legibus, est optimus interpretandi modus. To interpret and reconcile laws with laws is the best manner of construing them.

Interpretatio chartarum benigne facienda est, ut res magis valeat quam pereat. The construction of deeds should be liberal in order that the thing may be effectual rather than void.

Interpretatio fienda est ut res magis valeat quam pereat. Construction should be so made that the thing will rather have effect than expire. See 78 Pa. St. 219.

Interpretatio talis in ambiguis semper fienda est ut evitetur inconveniens et absurdum. Such construction should be made of ambiguous expressions that inconvenience and absurdity shall be avoided.

Interpretation. Construction; explanation.

Interpretation clause. A clause in a statute governing its construction or defining terms used in it.

Interpreter. One sworn to interpret the testimony of witness who testifies in a cause.

Interregnum. The interval between one ruler's death and the beginning of his successor's reign. See Commonwealth.

Interrogatories. Written questions propounded to a witness. See 5 N. J. L. 772.

Interruptio. Interruption.

Interruptio multiplex non tollit praescriptionem semel obtentam. Repeated interruption will not defeat a prescription once obtained.

Interruption. An act, circumstance or condition which interrupts the running of the statute of limitations or of a period of prescription.

Interstate commerce. The transportation of persons, property or intelligence from one state to another. See 139 Ky. 27, Ann. Cas. 1912 B, 333, 47 L. R. A. (N. S.) 648, 129 S. W. 314.

Interstate Commerce Act. The federal statute of February 4, 1887, establishing the Interstate Commerce Commission.

Interstate Commerce Commission. A board of five appointed by the President and confirmed by the Senate under the Interstate Commerce Act to carry out the provisions thereof.

Intervener. One who files a plea in intervention.

Intervening damages. Damages accruing pending an appeal or review. See 17 Vt. 46.

Intervention. A proceeding whereby one not originally a party appears in a suit on his own application and joins one of the original parties in his cause of action or defense, or asserts some cause of action in his own favor against one or all of the original parties. See 123 Am. St. Rep. 280, note.

Intestabilis. Disqualified from testifying or from making a will.

Intestable. One not qualified to make a will.

Intestacy. The condition of one dying intestate.

Intestate. A person who dies without leaving a valid will. See 21 Idaho, 258, 39 L. R. A. (N. S.)

1107, Ann. Cas. 1913D, 492, 121 Pac. 544.

**Intestate laws.** Laws governing the estates of persons dying intestate, including the common law. See 189 Ill. 472, 59 L. R. A. 807, 59 N. E. 798.

**Intestate succession.** Inheritance from one dying intestate.

**Intestato.** Intestate.

**Intestatus.** An intestate.

**Intestatus decedit, qui aut omnino testamentum non fecit; aut non jure fecit; aut id quod fecerat ruptum irritumve factum est; aut nemo ex eo haeres exstitit.** One dies intestate who either made no will at all, or made one not according to law, or the one which he made has been broken or has been made ineffectual, or to whom no heir is living.

**Intimation.** A conclusion from something said. See 3 Serg. & R. (Pa.) 267, 8 Am. Dec. 651.

**Intimidation.** Putting one into a state of fear by threat to commit an unlawful act. See 81 Tenn. 507, 49 Am. Rep. 666.

**Intitle.** Same as Entitle.

**Intol and uttol.** Toll levied on imports and exports.

**Intoxicating liquor.** Any liquor containing alcohol which can be drunk as a beverage in such quantity as to produce intoxication. See 64 Tex. Cr. 350, Ann. Cas. 1914C, 814, 144 S. W. 628.

**Intra.** Within.

**Intra anni spatium.** Within the space of a year.

**Intra fidem.** Credible.

**Intra luctus tempus.** Within the time of mourning.

**Intra moenia.** Within the walls, pertaining to the household.

**Intra parietes.** Between walls; among friends.

**Intra praesidia.** Same as Infra praesidia.

**Intra quatuor maria.** Within the four seas, i. e., England.

**Intra vires.** Within the powers or authority. Cf. Ultra vires.

**Intrastate commerce.** Commerce wholly within a state.

**Intrinsic value.** True, inherent and essential value, not depending on accident, place or person. See 27 N. C. 692.

**Intromission.** The assumption of dominion over the property of another.

**Intruder.** One committing an intrusion.

**Intrusion.** A trespass on land on the death of the particular tenant, before entry of the remainderman or reversioner. See 9 Ill. 159.

**Intuitu matrimonii.** In contemplation of matrimony.

**Intuitu mortis.** In contemplation of death.

**Intuitus.** View.

**Inundation.** A flood.

**Inure.** Accrue. See 31 Fla. 525, 13 South. 108.

**Inurement.** Accrual to; devolution upon.

**Inutilis labor et sine fructu non est effectus legis.** The result of the law is not useless and fruitless labor.

**Invade.** To make an invasion; to assault.

**Invadiare.** To pledge; to mortgage.

**Invadiatio.** A pledge; a mortgage.

**Invadiatus.** The principal debtor in a pledge or suretyship.

**Invalid.** Void; not valid.

**Invasion.** A hostile entry into a country by a public enemy.

**Invecta et illata.** Things carried and brought, the goods of a tenant.

**Inveniendo.** Finding.

**Inveniens libellum famosum et non corrumpens punitur.** The finder of a defamatory libel, not destroying it, is punished.

**Inventio.** A finding of goods.

**Invention.** The finding out, creation or contrivance of something new and useful. See 20 Fed. Cas. (U. S.) 286.

**Inventor.** The originator of an invention.

**Inventory.** An itemized list of articles with the value of each. See 111 Ga. 622, 78 Am. St. Rep. 216, 52 L. R. A. 70, 36 S. E. 821.

**Inventus.** Found.

**Inveritare.** To verify; to prove.

**Invest.** To vest; to clothe; to confer upon; to place money where it will yield a profit. See 127 Mo. 85, 27 L. R. A. 653, 29 S. W. 990.

**Investitive fact.** A fact giving rise to a right.

**Investiture.** Making livery of seisin; clothing one with actual possession.

**Inviolable.** Immunity from being violated.

**Invitation.** A direct or implied inducement to enter upon one's premises. See 92 Mass. 368, 87 Am. Dec. 644.

**Invito.** Against the will; unwilling.

**Invito beneficium non datur.** A benefit is not given to one who is unwilling.

**Invito debitore.** Against the debtor's will.

**Invito domino.** Without the consent of the master.

**Invoice.** A written account of items of goods shipped with their values or prices. See 132 Mich. 353, 93 N. W. 869.

**Invoice price.** The cost or value of goods at the place of shipment. See 120 Cal. 156, 40 L. R. A. 350, 47 Pac. 874, 52 Pac. 302.

**Involuntary.** Not voluntary; without willing; accidental. See 31 Tex. Civ. App. 509, 72 S. W. 602.

**Involuntary alienation.** Such as results from attachment, levy and sale for taxes or other debts due from the owner of the property. See 32 R. I. 104, Ann. Cas. 1912C, 1311, 78 Atl. 507.

**Involuntary bankruptcy.** Proceedings to have a debtor judicially declared a bankrupt, instituted by his creditors without his consent. See 96 Fed. (U. S.) 600.

**Involuntary manslaughter.** The unlawful killing of a human being, without malice, either express or implied, and without intent to kill or inflict an injury causing death, committed accidentally in the commission of some unlawful act not felonious, or in the improper or negligent performance of an act lawful in itself. See 90 Am. St. Rep. 571, note.

**Involuntary payment.** One made reluctantly in consequence of an illegal demand. See 49 Am. Dec. 603, note.

**Ipsae leges cupiunt ut jure regantur.** The very laws wish to be governed by the right.

**Ipse.** He, himself; himself.

**Ipse dixit.** He said it himself, i. e., there is no other authority for it.

**Ipsissimis verbis.** In the very words.

**Ipso facto.** By the very fact; automatically.

**Ipso jure.** By the law itself.

**Ira furor brevis est.** Anger is brief insanity. See 4 Wend. (N. Y.) 336.

**Ira motus.** Excited by anger or passion.

**Ire ad largum.** To go at large.

**Irish gavelkind.** Tenure by which on the proprietor's death there was a fresh division of all the lands in the district including his.

**Irrecusable.** Obligated contractually without one's consent. See 8 Harv. Law Rev. 200.

**Irregular deposit.** A deposit wherein the equivalent and not the thing itself is to be returned.

**Irregular heirs.** (Civil Law) Those who take by statute when there are neither testamentary heirs nor legal heirs. See Legal heir.

**Irregular indorsement.** An indorsement on a negotiable instrument written above that of the payee, by which the indorser assumes full liability. See 61 Vt. 106, 2 L. R. A. 428, 17 Atl. 42.

**Irregular judgment.** One contrary to the course and practice of the courts, valid until vacated. See 123 N. C. 19, 68 Am. St. Rep. 815, 31 S. E. 265.

**Irregular process.** Voidable process. See 2 Ind. 252.

**Irregularity.** The failure to observe that particular course of proceeding which, conformable with the practice of the court, ought to have been observed. See 86 Kan. 632, Ann. Cas. 1913C, 242, 52 L. R. A. (N. S.) 1161, 121 Pac. 1094.

**Irrelevant.** Not pertinent; without relation to the matter in issue; redundant. See 18 N. Y. 315, 72 Am. Dec. 515.

**Irreparable injury.** That which cannot be measured by any known pecuniary standard. See 67 Md. 44, 1 Am. St. Rep. 368, and note, 8 Atl. 901.

**Irrepleviable.** Incapable of being replevied.

**Irresistible force.** Overwhelming force, as that of a mob.

**Irresistible impulse.** The absence of sufficient mental power to choose between right and wrong. See 95 Me. 467, 55 L. R. A. 373, 50 Atl. 276.

**Irrevocable.** That which cannot be recalled or revoked.

**Irrevocable license.** One in the exercise of which the licensee has made improvements or invested capital. See 87 Cal. 126, 22 Am. St. Rep. 234, 11 L. R. A. 134, 25 Pac. 268, one connected with an interest or grant. See 22 Am. St. Rep. 238, note.

**Irrigation.** Artificial watering of agricultural land.

**Irritancy.** Becoming void.

**Irritant.** Rendering void.

**Irritant clause.** A condition the happening of which avoids the instrument.

**Irritus.** Ineffectual; void.

**Irrogare.** To impose; to levy.

**Irrotulatio.** An enrollment; a record; a roll.

**Is cui cognoscitur.** The cognizee. See Fine of land.

**Is qui cognoscit.** The cognizor. See Fine of land.

**Issint.** Thus.

**Issuable.** Creating an issue of fact in pleading.

**Issuable plea.** A plea which goes to the merits of the case. See 14 N. J. L. 344.

**Issuable terms.** Terms of court at which the issues were made up for the assizes. See 3 Bl. Comm. 350.

**Issue.** Heirs of the body; lineal descendants. See 105 Pa. St. 200, 51 Am. Rep. 197. A claim of law or fact asserted in an action by one

party and denied by the other. See 23 Wend. (N. Y.) 363.

**Issue in fact.** An issue of law presented by demurrer or an issue of fact made by a plea. See 27 W. Va. 456.

**Issue in law.** An issue raising a point or question of law to be determined by the court.

**Issue joined.** An issue of fact reached by the parties in their pleadings.

**Issue roll.** A record upon which the issues were entered as soon as they were reached.

**Issues.** Rents and profits of realty. See 102 Pa. St. 235.

**Ita.** Thus; so.

**Ita est.** It is thus; it is so.

**Ita lex scripta est.** Thus the law is written. See 58 Conn. 174, 7 L. R. A. 693, 20 Atl. 440.

**Ita quod.** So that.

**Ita semper fiat relatio ut valeat dispositio.** Let the reference always be so made that the disposition may be valid.

**Ita te Deus adjuvet.** So help you God.

**Ita utere tuo ut alienum non laedas.** So use your own that you do not destroy another's.

**Item.** Also; likewise; any particular charge contained in an account; a word used to introduce a new clause in a will.

**Iter.** A way; a right of way; the journey of a judge on his circuit.

**Iter est jus eundi, ambulandi hominis, non etiam jumentum agendi vel vehiculum.** A way is a right of going or walking by man and not of driving a beast of burden or a vehicle.

**Iteratio.** A repetition.

**Itinera.** Plural of Iter; circuits.

**Itinerant.** Wandering; traveling; one who roams or travels.

# J

**J.** Abbreviation for "judge."

**J. A.** Judge advocate.

**J. K. B.** Justice of the king's bench.

**J. P.** Justice of the peace.

**J. Q. B.** Justice of the queen's bench.

**Ja.** Now; yet.

**Jac.** James, King of England.

**Jacens.** Lying down; in abeyance.

**Jacens haereditas.** An inheritance in abeyance.

**Jacet in ore.** It lies in the mouth.

**Jack Ketch.** An English hangman or executioner.

**Jack of Lent.** An effigy personifying Lent.

**Jactitation.** An involuntary convulsive muscular movement. See 46 La. Ann. 1189, 49 Am. St. Rep. 348, 24 L. R. A. 589, 15 South. 388. A false boast.

**Jactitation of marriage.** A false boasting of one's marriage. See 2 Bl. Comm. 93.

**Jactitation of tithes.** A false boasting of one's right to tithes.

**Jactivus.** Thrown away; lost.

**Jactura.** Jettison; loss thereby. See Jettison.

**Jactus.** Jettison, which see. See, also, 51 U. S. 270, 13 L. Ed. 417.

**Jactus lapilli.** Throwing down a stone, a symbolic act to bar the acquisition of an adverse prescriptive right or title.

**Jail.** A prison; more especially one for the incarceration of misdemeanants and the detention of persons awaiting trial for any crime. See 89 N. C. 531.

**Jail delivery.** Same as Gaol delivery.

**Jail liberties.** Same as Gaol liberties.

**Jail limits.** Same as Gaol liberties.

**James I.** King of England, 1603–1625.

**James II.** King of England, 1685–1689.

**Jamunlingi, or Jamundilingi.** Freemen who subjected themselves and their property to service for protection.

**Janitor.** A doorkeeper.

**Javelour.** A jailer.

**Jedburgh justice.** Execution of a prisoner without trial.

**Jeddart justice.** Same as Jedburgh justice.

**Jedwood justice.** Same as Jedburgh justice.

**Jeofail or Jeofaile.** A mistake or error in a pleading.

**Jeofails, Statute of.** See Statute of Jeofails.

**Jeopardy.** One is in jeopardy whenever, upon a valid indictment, in a court of competent jurisdiction, and before a legally constituted jury, his trial has been fairly entered upon. See 21 Am. Dec. 505, note.

**Jepardy.** Same as Jeopardy.

**Jerguer.** An English customs officer.

**Jet.** Jettison, which see.

**Jetsam.** Same as Jettison.

**Jetsom.** Same as Jettison.

**Jetsome.** Same as Jettison.

**Jettage.** A tax laid on incoming ships.

**Jettison.** The throwing goods overboard for the preservation of the ship and cargo. See 86 Am. Dec. 500, note.

**Jetty.** A sort of dam intended to deflect the current of a stream, so as to deepen the channel or form an eddy below, thereby extending the bank. See 48 Or. 444, 120 Am. St. Rep. 827, 7 L. R. A. (N. S.) 344, 87 Pac. 151.

**Jeux de Bourse.** Speculations.

**Jim Crow car.** A street or railway car for exclusive accommodation of negroes.

**Jimmy.** A burglar's prying-bar.

**JJ.** Abbreviation for "judges."

**Jobber.** One who buys from importers and sells to retailers. See 4 Sand. Ch. (N. Y.) 587.

**Jocalia.** Jewels.

**Jocelet.** A small farm.

**Jocus.** A game of chance.

**Jocus partitus.** An ancient means of deciding a case by chance.

**John.** King of England, 1199–1216.

**John Doe.** A fictitious name often substituted in a proceeding for a real one until it is ascertained.

**John Doe warrant.** A warrant of arrest which describes the defendant by a fictitious name.

**Join.** To act jointly with another. See 96 Tex. 341, 97 Am. St. Rep. 911, 72 S. W. 583.

**Joinder.** To act jointly with; to join.

**Joinder in demurrer.** The formal acceptance by the adverse party of the issue of law tendered by a demurrer.

**Joinder in issue.** The formal acceptance of the tender of an issue of fact. See Similiter.

**Joinder of actions.** A consolidation or union of two or more causes of action in one action.

**Joinder of causes of action.** The pleading of more than one cause of action in one declaration.

**Joinder of issue.** Joinder in issue, which see.

**Joinder of offenses.** The charging of more than one offense in an indictment or information.

**Joinder of parties.** The joining of persons as coplaintiffs or codefendants.

**Joint.** United; sharing an interest; sharing liability.

**Joint action.** An action maintained or defended by two or more.

**Joint adventure.** A business enterprise shared by two or more.

**Joint and several bond.** A bond in which the obligors are bound both jointly and individually for the full amount.

**Joint bond.** A bond in which the obligors are only liable in combination and not severally. See 25 R. I. 289, 105 Am. St. Rep. 890, 63 L. R. A. (R. I.) 235, 55 Atl. 750.

**Joint contract.** A contract in which either the promisors or the promisees are jointly bound.

**Joint creditors.** Creditors who can only enforce their claims by joining together.

**Joint debtors.** Persons jointly liable. See 51 Ohio St. 462, 38 N. E. 381.

**Joint executor.** Same as Coexecutor.

**Joint fiat.** A fiat in bankruptcy against partners. See Fiat in bankruptcy.

**Joint fine.** A fine imposed upon two or more jointly.

**Joint heir.** Same as Coheir.

**Joint indictment.** An indictment against two or more parties to the crime charged.

**Joint lives.** A period ending upon the death of anyone of the persons named.

**Joint tenancy.** An estate held by two or more persons jointly, so that during the lives of all they are equally entitled to the enjoyment of the land, or its equivalent in rents and profits; but on the death of one, his share vests in the survivor or survivors until there is but one survivor, when the estate is his in severalty. See 135 Ind. 178, 41 Am. St. Rep. 422, 22 L. R. A. 42, 34 N. E. 999.

**Joint tenants.** The co-owners of a joint tenancy.

**Joint trespassers.** Persons uniting in a trespass.

**Joint trustees.** Joint holders of a trust.

**Joint will.** One executed jointly by several owners as a means of transferring their several titles to one devisee. See 136 Am. St. Rep. 593, note.

**Jointress.** A wife upon whom a jointure has been settled. See Jointure.

**Joint-stock bank.** A joint-stock company engaged in banking.

**Joint-stock company.** An association of individuals for profit, with a common capital contributed by them, commonly divided into shares of which each holds one or more, transferable by the owner, the business being under the control of their selected directors. See 80 Tex. 261, 26 Am. St. Rep. 735, 16 S. W. 43.

**Joint-stock corporation.** A corporation whose capital is divided into shares.

**Jointure.** An antenuptial settlement upon a husband and wife jointly or upon the wife alone to take effect at his death. See 67 Hun, 329, 22 N. Y. Supp. 299.

**Jointuress.** Same as Jointress.

**Jour.** A day.

**Jour en banc.** A day in bank. See In bank.

**Journal.** A day-book; a book for record of daily transactions; a log-book of a ship.

**Journée.** A court day.

**Journey.** A day's travel; a traveling from place to place. See 53 Ala. 521, 25 Am. Rep. 652.

**Journeyman.** A day laborer.

**Journeys account.** An old English writ issued to revive an abated one. See 8 Cranch (U. S.), 84, 3 L. Ed. 496.

**Journey-work.** Work by the day.

**Jubere.** To order.

**Jubilacion.** (Spanish) An officer's retirement, keeping title and salary.

**Judaismus.** The Jewish religion.

**Judex.** A judge.

**Judex a quo.** A judge from whom, i. e., from whose court, a cause has been removed.

**Judex ad quem.** A judge to whom, i. e., to whose court, a cause has been removed.

**Judex aequitatem semper spectare debet.** A judge ought always to regard equity.

**Judex ante oculos aequitatem semper habere debet.** A judge ought always to have equity before his eyes.

**Judex bonus nihil ex arbitrio suo faciat, nec propositione domesticae voluntatis, sed juxta leges et jura pronunciet.** A good judge should do nothing from his own choice, nor from a prompting of his private wish, but he should adjudge according to laws and justice.

**Judex damnatur cum nocens absolvitur.** A judge is condemned when a guilty man is acquitted.

**Judex datus.** A judge appointed to sit in a cause.

**Judex debet judicare secundum allegata et probata.** A judge ought to decide according to pleadings and proofs.

**Judex delegatus.** A specially appointed judge.

**Judex est lex loquens.** The judge is the law speaking.

**Judex fiscalis.** A judge with jurisdiction in fiscal matters. See Fiscal.

**Judex habere debet duos sales, salem sapientiae ne sit insipidus, et salem conscientiae, ne sit diabolus.** A judge ought to have two salts, the salt of wisdom, lest he be foolish, and the salt of conscience, lest he be devilish.

**Judex non potest esse testis in propria causa.** A judge cannot be a witness in his own case.

**Judex non potest injuriam sibi datam punire.** A judge cannot punish a wrong done to himself.

**Judex non reddit plus quam quod petens ipse requirit.** A judge should not render judgment for more than that which the plaintiff himself asks.

**Judex ordinarius.** (Civil Law) A judge in his own right, not appointed.

**Judex pedaneus.** A judge of an inferior court.

**Judex quaestionis.** (Civil Law) A quaestor, which see.

**Judex selectus.** (Civil Law) A selected judge; one who decided questions of fact in criminal causes.

**Judge.** Often used for "court" in statutes. See 87 Kan. 485, Ann. Cas. 1913E, 384, 125 Pac. 47. A public officer clothed with judicial authority, by his office. See 158 U. S. 278, 39 L. Ed. 982, 15 Sup. Ct. Rep. 889.

**Judge advocate.** The judge of a military court or court-martial.

**Judge or justice.** The words "judge or justice," held not to include justices of the peace. See 97 N. Y. 530, 49 Am. Rep. 556.

**Judge ordinary.** A judge of the English court of probate for divorce and matrimonial causes.

**Judge pro tem.** A substitute judge.

**Judge-made law.** See Judicial legislation.

**Judge's certificate.** A statement signed by the judge awarding a party his costs in the action.

**Judge's chambers.** See Chambers.

**Judge's notes.** Notes jotted down by the judge in the trial of an action.

**Judgment.** The final consideration and determination of a court of competent jurisdiction upon the matters submitted to it. See 3 Mich. 84, 59 Am. Dec. 220.

**Judgment by confession.** Same as Confession of judgment.

**Judgment by default.** A judgment entered in favor of a party by reason of the failure of the other party to take some necessary step in time. See 22 Fla. 577.

**Judgment by nil dicit.** See Judgment nihil dicit.

**Judgment by non sum informatus.** A judgment against a defendant who alleges lack of information in lieu of a plea.

**Judgment by one's peers.** See Judgment of his peers.

**Judgment creditor.** A creditor who has secured a judgment for the amount of the debt against his debtor.

**Judgment de melioribus damnis.** A judgment for the highest amount,

where the verdict differs as to different defendants.

**Judgment debt.** A debt owing on a judgment.

**Judgment debtor.** One against whom a judgment has been entered.

**Judgment debtor summons.** A summons to a debtor under the English bankruptcy act.

**Judgment for want of prosecution.** See Judgment of non pros.

**Judgment in error.** The judgment rendered on a writ of error. See Error.

**Judgment in personam.** See In personam.

**Judgment in rem.** See In rem.

**Judgment lien.** A lien on the real property of the judgment debtor which attaches upon the entry or recording of the judgment.

**Judgment nihil (or nil) dicit.** A judgment entered for failure to plead. See 77 Tex. 273, 14 S. W. 59.

**Judgment nisi.** A judgment to become final unless otherwise ordered within the first four days of the next term on a showing made by the party against whom it was rendered.

**Judgment non obstante veredicto.** A judgment rendered in one's favor notwithstanding a verdict against him.

**Judgment non sum informatus.** Same as Judgment by non sum informatus.

**Judgment note.** A promissory note authorizing the holder to enter judgment for its amount against the maker on default of payment.

**Judgment nunc pro tunc.** A judgment entered now for then, i. e., as of a previous date.

**Judgment of assets in futuro.** A judgment enforceable against a future interest.

**Judgment of cassetur billa.** See Cassetur billa.

**Judgment of cassetur breve.** See Cassetur breve.

**Judgment of his peers.** Trial by jury. See 2 Md. 429, 56 Am. Dec. 723.

**Judgment of nil capiat per billam.** Same as Judgment of nil capiat per breve.

**Judgment of nil capiat per breve.** A judgment for the defendant on an issue raised by a plea in bar or plea in abatement.

**Judgment of nolle prosequi.** A judgment for the defendant upon the plaintiff's formal refusal to proceed.

**Judgment of non pros.** A judgment rendered against the plaintiff for failing to proceed with his action. See Non prosequitur.

**Judgment of nonsuit.** A judgment against the plaintiff for failure to prove a cause of action. See 169 N. Y. 129, 62 N. E. 158.

**Judgment of respondeat ouster.** A judgment against the defendant on an issue of law raised by a dilatory plea.

**Judgment of retraxit.** A judgment against a plaintiff who withdraws his action.

**Judgment on demurrer.** A judgment in favor of the party whose pleading was demurred to, upon failure to amend.

**Judgment on the merits.** A judgment rendered after all the evidence has been heard and considered. See 69 N. H. 429, 45 Atl. 243.

**Judgment on the pleadings.** A judgment rendered on motion for insufficiency of the pleadings of

the adverse party to sustain a judgment for him. See 159 Mo. 617, 53 L. R. A. 438, 60 S. W. 1114.

**Judgment on the verdict.** A judgment for the party in whose favor the verdict is found.

**Judgment paper.** The paper on which the final judgment in an action is signed.

**Judgment pro retorno habendo.** A judgment ordering a restoration of goods.

**Judgment quando acciderunt.** A judgment against an heir or an executor enforceable only against future assets.

**Judgment quod computet.** A judgment ordering the defendant to account.

**Judgment quod partes replacitent.** A judgment ordering a repleader. See Repleader.

**Judgment quod partitio fiat.** A judgment ordering a partition.

**Judgment quod recuperet.** A judgment for the plaintiff rendered otherwise than upon a dilatory plea.

**Judgment record.** Same as Judgment-roll.

**Judgment-roll.** The process, pleadings, verdict or findings and judgment in an action, tied together.

**Judicandum est legibus non exemplis.** Matters should be decided by law, not by precedents.

**Judicare.** To judge; to decide.

**Judicatio.** The announcement of judgment; the passings of sentence.

**Judicatores terrarum.** Tenants who performed judicial functions under their tenure.

**Judicature.** Judicial power; jurisdiction.

**Judicature acts.** Statutes reorganizing the English courts.

**Judices non tenentur exprimere causam sententiae suae.** Judges are not bound to give the reasons for their decisions.

**Judices ordinarii.** Plural of Judex ordinarius.

**Judices pedaneos.** Plural of Judex pedaneus.

**Judices selecti.** Plural of Judex selectus.

**Judici officium suum excedenti non paretur.** A judge need not be obeyed when exceeding his jurisdiction.

**Judici satis poena est quod deum habet ultorem.** It is is sufficient punishment for a judge that he has God as his punisher.

**Judicia.** Trials; judgments; decisions.

**Judicia in curia regis non adnihilentur, sed stent in robore suo quousque per errorem aut attinctum adnullentur.** Judgments in the king's court are not to be ignored, but they stand in force until annulled by error or attaint.

**Judicia in deliberationibus crebro maturescunt, in accelerato processu nunquam.** Judgments often mature through deliberations, never through hastened process.

**Judicia posteriora sunt in lege fortiora.** The more recent decisions are the stronger in law.

**Judicia sunt tanquam juris dicta, et pro veritate accipiuntur.** Judgments are, as it were, the sayings of the law and are received as truth.

**Judicial.** Pertaining to or partaking of the office or functions of a judge or other officer or body having power to decide as judge or court.

**Judicial act.** A determiation of what the law is in relation to some existing thing done or happened. See 101 Cal. 15, 40 Am. St. Rep. 17, 35 Pac. 353.

**Judicial admission.** One made voluntarily before a court or magistrate.

**Judicial committee of the privy council.** An English tribunal which had jurisdiction of appeals in admiralty and lunacy cases until 1873.

**Judicial confession.** Same as Judicial admission.

**Judicial convention.** An agreement pursuant to an order of court.

**Judicial day.** One in which legal and judicial business can be transacted. Cf., Legal day, Dies non. See 48 La. Ann. 1088, 20 South. 281.

**Judicial decision.** An opinion of a court or judge on the law as applied to the facts in a case. See 73 Miss. 463, 19 South. 211.

**Judicial discretion.** A judge's personal determination of matters of fact which are by law intrusted thereto. See Discretion. See, also, 52 N. H. 401, 13 Am. Rep. 55.

**Judicial documents.** Those filed in an action or other judicial proceeding.

**Judicial legislation.** A term applied to decisions which are criticised as not in accord with law and therefore as infringing upon legislative power.

**Judicial mortgage.** Same as Judgment lien.

**Judicial notice.** A court's recognition of certain commonly known facts without requiring proof thereof. See 116 N. Y. 615, 6 L. R. A. 246, 23 N. E. 9.

**Judicial power.** The power vested in the courts; the power vested in any public officer to perform judicial acts. See 77 Ala. 422, 54 Am. Rep. 65.

**Judicial proceedings.** Proceedings before a judge or court of justice.

**Judicial sale.** One made under the process of a court having competent authority to order it, by an officer legally appointed and commissioned to sell. See 135 Am. St. Rep. 918, note.

**Judicial separation.** An establishment of the right of one spouse to live apart from the other and of rights of property and custody of the children, without divorce.

**Judicial writ.** Any writ issued by a court after an action is begun.

**Judiciary.** Pertaining to the judges or the courts; the judges as a body.

**Judiciary Act.** An act of Congress, September 24, 1789, establishing the United States federal courts.

**Judiciis posterioribus fides est adhibenda.** Faith should be placed in more recent decisions.

**Judicis est in pronuntiando sequi regulam, exceptione non probata.** The exception not being proved, it is the judge's duty to follow the rule.

**Judicis est judicare secundum allegata et probata.** It is the duty of the judge to decide according to the allegations and proofs, i. e., the pleadings and the evidence.

**Judicis est jus dicere non dare.** It is the duty of a judge to administer justice, not to make law.

**Judicis officium est opus diei in die suo perficere.** It is the duty of a judge to complete the day's work on the day.

**Judicis officium est ut res ita tempora rerum quaerere; quaesito**

tempore tutus eris. It is as much the judge's duty to inquire into the times of things as the things themselves; by inquiring into the time you will be safe.

**Judicium.** A trial; an action; a decision; an opinion; a judgment.

**Judicium a non suo judice datum nullius est momenti.** A judgment rendered by one not the proper judge is of no avail.

**Judicium aquae.** Trial by water. See Hot-water ordeal.

**Judicium capitale.** A judgment or sentence of death.

**Judicium Dei.** The judgment of God, the outcome of an ordeal. See Ordeal.

**Judicium est quasi juris dictum.** A judgment is, as it were, a command of the law.

**Judicium ferri.** Trial by the iron. See Trial by the iron.

**Judicium ignis.** Fire ordeal, which see.

**Judicium non debet esse illusorium; suum effectum habere debet.** A judgment ought not to be illusory; it ought to have its effect.

**Judicium parium.** Judgment of his peers, which see.

**Judicium pro rege.** Judgment for the king.

**Judicium redditur in invitum in praesumptione legis.** In presumption of law, a judgment is rendered against one's will. See 95 N. Y. 428, 47 Am. Rep. 64.

**Judicium semper pro veritate accipitur.** A judgment is always received as the truth.

**Jugerum.** A Roman land measure, 240x120 feet.

**Jugulator.** A cutthroat.

**Jugum.** A yoke.

**Jugum terrae.** A yoke of land; half of a plough-land. See Plough-land.

**Juicio.** (Spanish) An action or suit.

**Juicio de apeo.** (Spanish) A decree establishing a boundary.

**Juicio de concurso de acreedores.** (Spanish) A judgment directing a pro rata payment to the creditors of an insolvent.

**Julian calendar.** A solar calendar adopted by Julius Caesar.

**Jument.** A plough ox.

**Jumenta.** Beasts of burden.

**Jump bail.** To flee while released on bail.

**Juncta juvant.** United, they succeed. See Quae non valeant, etc.

**Junior.** Younger; of secondary consequence, standing or rank; that over which something else stands prior in right.

**Junior creditor.** One the due date of whose debt was later than that of another creditor.

**Junior encumbrance.** An encumbrance over which another has priority.

**Junior execution.** An execution levied subsequently to another on a different judgment.

**Junior judgment.** A judgment of later rendition or entry than another one.

**Junior mortgage.** One over which another has priority.

**Junior-right.** Same as Borough English.

**Juniperus sabina.** A plant the product of which is used in abortions.

**Junta.** Same as Junto.

**Junto.** A secret political council; a political faction.

**Jura.** Plural of Jus.

**Jura ad personam.** Rights in personam. See In personam.

**Jura ad rem.** Rights in rem. See In rem.

**Jura ecclesiastica limitata sunt infra limites separatos.** Ecclesiastical laws are limited within separate confines.

**Jura eodem modo destituuntur quo constituuntur.** Laws are repealed in the same manner in which they are enacted.

**Jura fiscalia.** Fiscal rights. See Fiscal.

**Jura in re.** Rights in a thing, being exclusive or shared with others.

**Jura majestatis.** Rights of sovereignty. See 18 Cal. 229.

**Jura naturae sunt immutabilia.** Natural laws are unchangeable.

**Jura personarum.** Rights which concern and are annexed to one's person. See 1 Bl. Comm. 122.

**Jura praediorum.** Rights of landed estates.

**Jura publica anteferenda privatis.** Public rights are to be preferred to private ones.

**Jura publica ex privato promiscue decidi non debent.** Public rights ought not to be determined promiscuously with a private one.

**Jura regalia.** Royal rights.

**Jura regia.** Royal rights.

**Jura regis specialia non concedunter per generalia verba.** Special rights are not granted by the crown in general terms.

**Jura rerum.** Rights of things, such as a man may acquire over external objects. See 1 Bl. Comm. 122.

**Jura sanguinis nullo jure civili dirimi possunt.** The rights of consanguinity cannot be abrogated by any civil law. See 14 Allen (Mass.), 562.

**Jura summi imperii.** Sovereign rights.

**Juramentae corporales.** Corporal oaths. See Corporal oath.

**Juramentum.** An oath.

**Juramentum calumniae.** Oath of calumny, required in civil law actions of both parties, disclaiming malice.

**Juramentum est indivisibile; et non est admittendum in parte verum et in parte falsam.** An oath is indivisible; it is not to be received as partly true and partly false.

**Juramentum necessarium.** (Civil Law) A necessary oath, required of a party to an action, binding on the other party.

**Juramentum voluntarium.** (Civil Law) A voluntary oath, not required of a party to the action, but binding on the other party when made.

**Jurare.** To swear; to make oath.

**Jurare est deum in testum vocare, et est actus divini cultus.** To swear is to call God to witness, and is an act of divine reverence.

**Jurat.** The officer's certificate affixed to an affidavit, stating that the affiant was sworn before him. See 140 U. S. 151, 35 L. Ed. 391, 11 Sup. Ct. Rep. 745.

**Jurata.** A jury.

**Juration.** The taking or administration of an oath.

**Jurato creditur in judicio.** One who is sworn is to be believed in court.

**Jurator.** A juryman.

**Juratores debent esse vicini, sufficientes et minus suspecti.** Jurors ought to be neighbors, sufficiently well off and free from suspicion.

**Juratores sunt judices facti.** Jurors are the judges of fact.

**Jurats.** Sworn officers.

Jure. By law; in law; by right.

Jure alluvionis. By right of alluvion.

Jure belli. By right of war.

Jure civili. By the civil law.

Jure ecclesiae. By the ecclesiastical law.

Jure emphyteutico. By right of emphyteusis. See Emphyteusis.

Jure naturae aequum est, neminem cum alterius detrimento, et injuria fieri locupletiorem. By natural law it is just that no one should be enriched by another's loss or injury.

Jure propinquitatis. By right of relationnship.

Jure representationis. By right of representation.

Jure uxoris. In the right of the wife.

Juri non est consonum quod aliquis accessorius in curia regis convincatur antequam aliquis de facto fuerit attinctus. It is not consonant with the law that any accessory should be convicted in the king's court before any one has been attainted of the fact.

Juridical. Pertaining to law or to its administration.

Juridicus. Juridical.

Juris consultus. Learned in the law.

Juris effectus in executione consistit. The effect of law rests in its execution.

Juris et de jure. Of law and by law, a term applied to conclusive presumptions. See Conclusive presumption.

Juris et seisinae conjunctio. The union of right and seisin. See Seisin.

Juris gentium. The law of nations.

Juris positivi. Positive law, which see.

Juris praecepta sunt hoc. The precepts of law are this.

Juris publici. Of common right.

Juris utrum. A writ of right for a parson to recover land alienated by a predecessor.

Jurisconsultus. One learned in the law.

Jurisdictio. Jurisdiction.

Jurisdictio est potestas de publico introducta, cum necessitate juris dicendi. Jurisdiction is a power introduced for the public good, through the necessity of administering the law.

Jurisdiction. The right to adjudicate concerning the subject matter in a given case. See 29 Am. St. Rep. 82, note.

Jurisdiction clause. The clause in a bill in equity upon which the complainant bases his claim of the court's jurisdiction.

Jurisdictional. Essential to jurisdiction.

Jurisperitus. Learned in the law.

Jurisprudence. The science of law.

Jurisprudentia. Jurisprudence.

Jurisprudentia est divinarum atque humanarum rerum notitia; justi atque injusti scientia. Jurisprudence is knowledge of things divine and human; the science of the just and the unjust.

Jurisprudentia legis communis angliae est scientia socialis et copiosa. The jurisprudence of the English common law is a science social and copious.

Jurist. One learned in the law.

Juristic act. One calculated to have legal effect.

Juro. A pension granted by the king of Spain.

Juror. A member of a jury.

Jury. Twelve men duly impaneled. See 162 N. C. 656, Ann. Cas.

1914A, 867, 46 L. R. A. (N. S.) 38, 78 S. E. 293. A body of laymen selected by lot to ascertain, under the guidance of a judge, the truth in questions of fact in either a civil or a criminal case. See 96 Tenn. 409, 32 L. R. A. 354, 34 S. W. 1029. See Grand jury, and Petit jury.

**Jury box.** The place in a courtroom for the jury to sit during a trial.

**Jury de medietate linguae.** A jury composed half of citizens and half of the nationality of one of the parties to the action.

**Jury list.** A list of persons eligible for jury duty.

**Jury of annoyance.** A jury called to examine into and report on public nuisances.

**Jury of matrons.** A jury of women impaneled to determine a question as to a woman's pregnancy.

**Jury process.** Process of a court employed to summon jurors and to compel their attendance.

**Jury wheel.** A contrivance by which the names of jurors to be summoned for duty are selected by lot from the jury list.

**Juryman.** A juror.

**Jurywomen.** Members of a jury of matrons.

**Jus.** Right; justice; law. See 39 N. J. Eq. 551.

**Jus abutendi.** The right to abuse, i. e., full ownership.

**Jus accrescendi.** The right of survivorship.

**Jus accrescendi inter mercatores locum non habet, pro beneficio commercii.** The right of survivorship has no place among merchants, for the benefit of commerce.

**Jus accrescendi praefertur oneribus.** The right of survivorship is preferred to encumbrances.

**Jus accrescendi praefertur ultimae voluntati.** The right of survivorship is preferred to the last will. See 2 Bl. Comm. 184.

**Jus ad rem.** A right to a thing. See 3 Bl. Comm. 312.

**Jus aesneciae.** The right of esnecy, the right of the first born.

**Jus angariae.** The right to exact service of a vassal.

**Jus anglorum.** The law of the Anglo-Saxons.

**Jus aquaeductus.** The servitude of conducting water over another's land.

**Jus aquam ducendi.** Same as Jus aquaeductus.

**Jus banci.** The right of bench, an elevated judge's seat.

**Jus belli.** The law of war.

**Jus bellum decendi.** The right to declare war.

**Jus canonicum.** The canon law.

**Jus civile.** The civil law.

**Jus civile est quod sibi populus constituit.** The civil law is that which a people establishes for itself. See 1 Johns. (N. Y.) 424.

**Jus civitatis.** The right of citizenship.

**Jus cloacae.** The right of sewage or drainage.

**Jus commune.** Common right; the common law.

**Jus constitui oportet in his quae ut plurimum accidunt non quae ex inopinato.** Law ought to be established in respect to those matters which occur most often, not those which occur unexpectedly.

**Jus coronae.** The right of the crown.

**Jus cudendae monetae.** The right of coining money.

**Jus curialitatis.** The right of courtesy. See Courtesy.

**Jus dare.** To make law.

**Jus deliberandi.** The right of deliberating.

**Jus descendit, et non terra.** The right descends, not the land.

**Jus dicere.** To declare to expound the law.

**Jus dicere, non jus dare.** To declare the law, not to make the law. See 10 Johns. (N. Y.) 566.

**Jus disponendi.** The right of disposing.

**Jus dividendi.** The right of devising by will.

**Jus duplicatum.** A double right. See 2 Bl. Comm. 199.

**Jus est ars boni et aequi.** Law is the practice (practical application) of what is good and just.

**Jus est norma recti; et quicquid est contra normam recti est injuria.** Justice is the rule of right and whatever is contrary to the rule of right is an injury.

**Jus et fraus nunquam cohabitant.** Justice and fraud never live together.

**Jus ex injuria non oritur.** A right cannot spring from a wrong.

**Jus feciale.** Fecial law, which see.

**Jus fiiduciarum.** A right in trust. See 3 Bl. Comm. 328.

**Jus fluminum.** The right of using the rivers.

**Jus fodiendi.** The right of digging in the land of another.

**Jus gentium.** Law of nations, which see.

**Jus gladii.** The right of the sword, i. e., to punish for crime.

**Jus habendi.** The right of having possession.

**Jus habendi et retinendi.** The right of having and keeping the rewards and fruits of a rectory or parsonage.

**Jus haereditatis.** The right of inheritance.

**Jus hauriendi.** The right or servitude of drawing water.

**Jus honorarium.** The body of Roman law.

**Jus immunitatis.** The right of immunity from public service.

**Jus in personam.** A right against a person.

**Jus in re.** A right in a thing. See Jura in re.

**Jus in re aliena.** A right in the property of another.

**Jus in re inhaerit ossibus usufructuarii.** A right in a thing clings to the bones of the usufructuary. See Usufructuary.

**Jus in re propria.** A right in the thing itself.

**Jus incognitum.** An unknown law.

**Jus individuum.** An indivisible right.

**Jus Italicum.** The rights of a Roman colony.

**Jus jurandum.** See Jusjurandum.

**Jus Latii.** The right of the Latins.

**Jus legitimum.** A legal right.

**Jus mariti.** The right of a husband.

**Jus merum.** A mere right, i. e., without possession.

**Jus naturae.** The law of nature.

**Jus naturale.** Natural law.

**Jus naturale est quod apud homines eandem habet potentiam.** Natural law is that which has the same power among mankind.

**Jus navigandi.** The right of navigation.

**Jus necis.** The right of death, which the Romans possessed in respect to their children.

**Jus non habenti, tute non paretur.** He is safely disobeyed who has no right.

**Jus non patitur ut idem bis solvatur.** The law does not suffer the same thing to be paid twice.

**Jus non scriptum.** The unwritten law.

**Jus pascendi.** The right of pasture.

**Jus patronatus.** The right of patronage.

**Jus personarum.** The right of persons. See Jura personarum.

**Jus possessionis.** The right of possession.

**Jus postliminii.** The right of an owner to his goods captured in war and retaken from the enemy.

**Jus praesens.** A present or existing right.

**Jus praetorium.** The discretion of the praetor: that which in Roman law corresponded to equity.

**Jus precarium.** A right in courtesy. See 2 Bl. Comm. 328.

**Jus presentationis.** The right of a patron of presentation to a benefice. See 3 Bl. Comm. 246.

**Jus projiciendi.** The servitude of projecting one's building over his neighbor's land.

**Jus proprietatis.** A right of property. See 2 Bl. Comm. 197.

**Jus protegendi.** Same as Jus projiciendi.

**Jus publicum.** A public right.

**Jus publicum et privatum quod ex naturalibus praeceptis aut gentium aut civilibus est collectum; et quod in jure scripto jus appellatur, id in lege Angliae rectum esse dicitur.** Law, both public and private, is that which is collected from natural precepts either of nations or states and that which in the written law is called "jus," in the law of England is called "right."

**Jus publicum privatorum pactis mutari non potest.** A public right cannot be changed by the agreements of private parties.

**Jus quaesitum.** The right of demanding.

**Jus quiritium.** The Roman law which at first extended only to the patricians, but later to the whole Roman people.

**Jus quo universitates utuntur est idem quod habent privati.** The law governing corporations is the same as that governing private persons.

**Jus relictae.** The right of a widow in her deceased husband's personal property.

**Jus respicit aequitatem.** Law regards equity.

**Jus scriptum.** The written law.

**Jus stapulae.** The right of staple, an ancient right of some towns to force the sale of imports to their own people.

**Jus strictum.** Strict law.

**Jus superveniens auctori accrescit successori.** A right coming to the holder of an estate accrues to his successor.

**Jus tertii.** The right of a third party.

**Jus testamentorum pertinet ordinario.** The right of testaments belongs to the ordinary.

**Jus tripertitum.** The law of wills.

**Jus triplex est,—proprietatis, possessionis, et possibilitatis.** A right is threefold,—proprietary, possessory and in possibility.

**Jus trium liberorum.** The extraordinary rights and immunities of a father of three or more children. See 2 Bl. Comm. 247.

**Jus utendi.** The right to the use of a thing. Cf. Jus abutendi.

**Jus venandi et piscandi.** The right of hunting and fishing.

**Jus vendit quod usus approbavit.** The law recommends what use has approved.

**Jusjurandi forma verbis differt, re convenit; hunc enim sensum habere debet, ut deus invocetur.** The form of an oath differs in wording, but agrees in the thing itself; for it ought to have this meaning, that God is invoked

**Jusjurandum.** An oath.

**Jusjurandum inter alios factum nec nocere nec prodesse debet.** An oath made between other parties ought neither to harm nor profit.

**Justa causa.** A just cause.

**Justice.** Exact conformity to some obligatory law. See 11 Ark. 519, 54 Am. Dec. 217. Also, a judge of a law court.

**Justice ayres.** The circuits of Scotch judges.

**Justices' courts.** Courts presided over by justices of the peace, of inferior jurisdiction in civil and criminal causes, not courts of record.

**Justices in eyre.** The justices on their circuits. See Eyre.

**Justice's judgment.** A judgment rendered by a justice of the peace. See 11 N. C. 283.

**Justices of assize.** Justices of the superior courts of England who try causes on their circuits.

**Justices of gaol delivery.** Judges commissioned to hear the cases of persons imprisoned.

**Justices of laborers.** Justices appointed to hear controversies between laborers and their employers.

**Justices of nisi prius.** See Nisi prius.

**Justices of oyer and terminer.** The judges of the courts of assize and nisi prius.

**Justices of the Jews.** Justices appointed by Richard I to enforce usury laws against the Jews.

**Justices of the peace.** The judges of justices' courts. See Justices' courts.

**Justiciar.** A judge; a justice.

**Justiciarii itinerantes.** Justices in eyre, which see.

**Justiciarii residentes.** The judges residing at Westminster.

**Judiciary.** A judge or justice.

**Judiciary court.** The principal criminal court of Scotland.

**Justicies.** An old writ authorizing a sheriff to bring a cause to trial in the court of his county.

**Justifiable homicide.** A homicide committed intentionally but from lawful cause or excuse. See 81 Iowa, 138, 46 N. W. 872.

**Justifiable trespass.** An intentional trespass for which one is in law exonerated.

**Justification.** A valid defense; a proof made by sureties that they are responsible in the amount of the bond which they have executed.

**Justificators.** Compurgators, which see.

**Justifying bail.** The justification of sureties on a bail bond. See Justification.

**Justinian Code.** Same as Corpus juris civilis.

**Justitia.** Justice.

**Justitia debet esse libera, quia nihil iniquius venali justitia; plena, quia justitia non debet claudicare; et celeris, quia dilatio est quaedam negatio.** Justice ought to be free, because nothing is more iniquitous

than venal justice; full, because justice ought not to waiver; and speedy, because delay is a sort of denial.

**Justitia est constans et perpetua voluntas jus suum cuique tribuendi.** Justice is the constant and perpetual wish to render to each one his rights.

**Justitia est duplex, viz., severe puniens et vere praeveniens.** Justice is double, i. e., severely punishing and truly preventing.

**Justitia est virtus excellens, et altissimo complacens.** Justice is excellent goodness and pleasing to the Most High.

**Justitia firmatur solium.** Justice confirms sovereign power.

**Justitia nec differenda nec neganda est.** Justice is not to be deferred nor delayed.

**Justitia nemini neganda est.** Justice is denied no one.

**Justitia non est neganda, non differenda.** Justice should neither be denied nor deferred.

**Justitia non novit patrem nec matrem; solum veritatem spectat justitia.** Justice knows neither father nor mother; justice looks at the truth alone.

**Justitia piepoudrous.** Speedy justice.

**Justitium.** A suspension of the business of the courts.

**Justum non est aliquem antenatum mortuum facere bastardum, qui pro tota vita sua pro legitimo habetur.** It is not just to make an elder born dead man a bastard, who through his whole life was considered legitimate.

**Juxta.** Near; according to.

**Juxta formam statuti.** According to the form of the statute.

**Juxta tenorem sequentem.** According to the following tenor.

**Juzgado.** (Spanish) The judiciary.

# K

**K. B.** King's bench. See Court of king's bench; also, Knight of the bath, which see.

**K. C.** King's counsel, which see.

**K. G.** Knight of the garter, which see.

**Kadi.** A Turkish civil magistrate.

**Kain.** Same as Cane.

**Kaiser.** An emperor.

**Kalendae.** The first day of the month.

**Kalendar.** Same as Calendar.

**Kalends.** Same as Calends.

**Karat.** Same as Carat.

**Karl.** Same as Churl.

**Kavil.** A choosing by lot.

**Keelage.** Duty or toll charged for bringing a ship into a port.

**Keelhaul.** To punish one by dragging him under a ship's keel.

**Keels.** Coal barges.

**Keep.** To maintain, carry on, conduct, or manage. See 117 Iowa, 469, 91 N. W. 760. Also the central structure of a feudal castle.

**Keep the peace.** To maintain public order and decorum; to prevent breach of the peace; to refrain from violence.

**Keeper.** A deputy left in possession of goods under attachment; a game warden.

**Keeper of the forest.** The chief officer of a forest; a forest warden.

**Keeper of the great seal.** The lord chancellor of England.

**Keeper of the king's conscience.** The lord high chancellor.

**Keeper of the privy seal.** An English state officer who inspects all documents requiring the great seal.

**Keep-friend.** An iron ring and chain used to hold a prisoner.

**Kenilworth Edict.** An award for the pacification of the kingdom made by the English king and parliament in 1266.

**Kenning to a terce.** A sheriff's computation or assignment of a widow's third or dower.

**Keno bank.** A gambling device. See 13 S. W. (Ky.) 108. See, also, 48 Ala. 122.

**Kentledge.** Pig iron ship's ballast.

**Kern.** A vagrant.

**Keyage.** Same as Quayage.

**Keys.** The House of Keys, the lower house of the Manx legislature.

**Khedive.** The viceroy of Egypt.

**Kidder.** An engrosser; a forestaller. See Engross; Forestaller.

**Kidnaping.** The forcible abduction or stealing away of a man, woman or child from his own country and sending him into another. See 4 Am. St. Rep. 447, note.

**Kilderkin.** Half a barrel.

**Kill.** A stream; its bed.

**Kin.** Related by the tie of consanguinity. See 174 Ind. 715, Ann. Cas. 1913A, 100, 93 N. E. 3.

**Kinbote.** Same as Cynebote.

**Kind, In.** See In kind.

**Kindred.** Those of one's relatives who can lawfully inherit from him. See 94 Ky. 213, 23 L. R. A. 753, 21 S. W. 874.

**King geld.** Escuage, which see.

**Kingdom.** The dominion of a king or queen; a country whose sovereign is a king or queen.

**King's advocate.** The legal adviser of the king.

**Kings and queens of England.** See Regnal years.

**King's bench.** See Court of king's bench.

**King's Bench Division.** A department of the English High Court of Justice.

**King's chambers.** English harbors.

**King's court.** A court which was the successor of the witenagemote. See Witenagemote.

**King's council.** A court which followed the person of the king.

**King's counsel.** Barristers nominated by the lord chancellor and appointed as counsel to the crown. See 3 Bl. Comm. 350.

**King's evidence.** Same as State's evidence.

**King's peace.** The peace and good order of the kingdom. See 1 Bl. Comm. 350.

**King's silver.** A payment to the king upon levying a fine of land. See 2 Bl. Comm. 350.

**King's widow.** A royal tenant's widow who could not marry without the king's consent.

**Kinless.** Without relatives.

**Kinsbote.** Compensation for killing a kinsman.

**Kintledge.** Same as Kentledge.

**Kip.** A bawdy-house.

**Kirby's quest.** A record of English surveys made under Edward I.

**Kissing the book.** Kissing the Bible on being sworn.

**Kite.** To secure money temporarily by issuing or negotiating worthless paper.

**Kith.** One's home or birthplace.

**Kleptomania.** An insane and uncontrollable propensity to pilfer. See 89 Am. St. Rep. 386, note, quoting Stand. Dict.

**Knave.** A swindler; a cheat; a servant; a rogue. See 5 Pick. (Mass.) 244.

**Knight.** One possessing the first personal dignity after the nobility. See 1 Bl. Comm. 403.

**Knight marshal.** A keeper of decorum within the royal household.

**Knighthood.** The rank or dignity of a knight.

**Knights Bachelors.** The oldest and lowest order of knighthood. See 1 Bl. Comm. 403.

**Knights Banneret.** An order of knighthood next in rank, after certain dignities, to the Knights of the Garter. See 1 Bl. Comm. 403.

**Knight's fee.** The estate essential for a knight's maintenance.

**Knights of St. George.** Same as Knights of the Garter.

**Knights of the Bath.** An order of knighthood ranking after baronets. See 1 Bl. Comm. 403.

**Knights of the Chamber.** Knights bachelors who were knighted in times of peace.

**Knights of the Garter.** The highest order of knighthood, instituted in 1344 by Edward III.

**Knights of the Shire.** Members at large of Parliament, two being elected from each county.

**Knight's service.** Tenure by military service. See 2 Bl. Comm. 62.

**Knock down.** An auction sale to the highest bidder; to withhold moneys from an employer.

**Knock-out drops.** Drugs secretly put into a drink to stupefy the victim.

**Knowingly.** Intentionally; with knowledge or with reasonable belief. See 13 Cox C. C. 138.

**Knowledge.** Information; acquaintance; notice actual or imputed. See 81 Ala. 140, 1 South. 773.

**Knuckles.** See Brass knuckles.

**Kyn.** Same as Kin.

**Kyth.** Same as Kith.

# L

**L. J.** Law judge.

**L. S.** Locus sigilli, which see.

**La.** There.

**La conscience est la plus changeante des regles.** Conscience is the most changeable of rules.

**La ley favour la vie d'un home.** The law favors human life.

**La ley favour l'inheritance d'un home.** The law favors a man's inheritance.

**La ley voit plus tost suffer un mischiefe que un inconvenience.** The law will rather suffer a mischief than an inconvenience.

**Label.** A strip of paper attached to an instrument, upon which a seal is affixed.

**Labor.** Physical toil; bodily exertion. See 168 Ill. 179, 39 L. R. A. 116, 48 N. E. 108.

**Labor a jury.** To tamper with members of a jury.

**Laborariis.** A writ to force a pauper to work.

**Laborer.** One who performs with his own hands the contract he makes with his employer. See 27 Or. 251, 50 Am. St. Rep. 717, 41 Pac. 656. See, also, 102 Am. St. Rep. 84, note.

**Labourers, Statutes of.** See Statutes of laborers.

**Laches.** A doctrine of equity whereby lapse of time bars relief. See 2 Am. St. Rep. 796, note.

**Lack-learning parliament.** Same as Parliament of dunces.

**Lacta.** Short weight.

**Lacus.** A lake; an alloy of silver.

**Lada.** Trial by purgation, which see.

**Laden in bulk.** Loaded with a loose, unboxed cargo.

**Lading, Bill of.** See Bill of lading.

**Lady-day.** March 25th.

**Lady's friend.** An officer of the House of Commons who looked to the enforcement of orders for the support of wives divorced by acts of parliament.

**Laesa majestas.** High treason. See 4 Bl. Comm. 75.

**Laesione fidei, Suits pro.** Suits for breach of contract. See 3 Bl. Comm. 52.

**Laga.** Law.

**Lagan.** Same as Ligan.

**Lage.** Law.

**Lage day.** Law day, which see.

**Lage man.** A lawful man; a juror.

**Laghslite.** An unlawful act.

**Lagu.** Law.

**Lahman.** A lawyer.

**Laicus.** A layman.

**Lairesite.** A fine for adultery,

**Lais gents.** Laymen.

**Laity.** The laymen, as distinguished from the clergy.

**Lammas land.** Land thrown open after harvest as common pasture.

**Lancaster.** See Court of the Duchy of.

**Lanceti.** Feudal vassals who labored one day a week for the landlord at certain seasons.

**Land.** The surface of the soil and all above and under it. See 52 Tenn. 473.

**Landboc.** A deed or charter to land.

**Landceap.** A customary fine paid on a transfer of land.

**Landcheap.** Same as Landceap.

**Landed interest.** One's interest in land or possession thereof.

**Landed property.** Real estate. See 93 Md. 630, 52 L. R. A. 772, 49 Atl. 655.

**Landefricus.** A landlord.

**Landegandman.** An inferior tenant of a manor.

**Land-gabel.** Land rent.

**Landing.** A place on a river or other navigable water for lading and unloading goods, or for the reception and delivery of passengers. See 1 Strob. L. (S. C.) 110, 47 Am. Dec. 548.

**Landlord.** One who leases land to another. See 7 Cow. (N. Y.) 323, 17 Am. Dec. 517.

**Landman.** Same as land tenant.

**Landmark.** A fixed boundary mark or monument.

**Land-poor.** The state of owning much unproductive land. See 46 Mich. 393, 9 N. W. 445.

**Land-reeve.** A superintendent of a portion of a farm or estate.

**Lands, tenements, and hereditaments.** Inheritable lands or interests therein. See 91 Hun, 384, 36 N. Y. Supp. 129.

**Landslagh.** (Scotch) The law corresponding to the English common law.

**Land-tax.** A tax imposed on the beneficial owner of land.

**Land-tenant.** One in possession of land.

**Land-waiter.** An English customs measurer and weigher.

**Languidus.** Sick.

**Languidus in prisona.** Sick in prison.

**Lanzas.** (Spanish) An annual money service paid by nobles and grandees.

**Lapidation.** Execution by stoning.

**Lappage.** The overlapping of a boundary. See 131 N. C. 491, 42 S. E. 957.

**Lapse.** A forfeiture by failure to perform some necessary act.

**Lapse patent.** A land patent issued on land which another patentee had lost by neglect. See 1 Wash. (Va.) 39.

**Lapsed benefice.** The loss of the right of a patron to present a clerk to a benefice by not doing so in time.

**Lapsed devise.** One the devisee in which dies before the testator, thus lapsing the devise. See 53 N. J. Eq. 406, 32 Atl. 374.

**Lapsed legacy.** One the legatee in which dies before the testator, thus lapsing the legacy. See 46 Ohio St. 307, 24 N. E. 599.

**Lapsus linguae.** A slip of the tongue. See 85 Ga. 482, 21 Am. St. Rep. 169, 11 S. E. 853.

**Larceny.** The taking by trespass and carrying away of the personal property of another, without his consent, with intent to deprive the owner thereof. See 88 Am. St. Rep. 561, note. See, also, Grand larceny; Petit larceny.

**Larceny by bailee.** A bailee's unlawful conversion with felonious intent of goods intrusted to him. See 29 Or. 599, 46 Pac. 368.

**Larcyn.** Larceny.

**Large.** See At large.

**Laron.** A thief.

**Lascivious carriage.** "All those wanton acts between persons of different sexes, flowing from the exercise of lustful passions, which are grossly indecent and unchaste, and which are not otherwise punished as crimes against chastity and public decency." See 5 Day (Conn.), 81.

**Lashlit.** Same as Lagslite.

**Last.** A measure of ship capacity, 6,000 pounds.

**Last-court.** A court held in the marshes of Kent, England.

**Last heir.** The recipient of lands by escheat for want of lawful heirs.

**Last illness.** Same as Last sickness.

**Last resort.** Of a court from whose decision no appeal lies.

**Last sickness.** That from which the deceased believed he would not, and from which he did not recover. See 82 Ill. 50, 25 Am. Rep. 290.

**Last will.** An instrument disposing of one's property in the mode recognized by law, to take effect after death. See 79 Tenn. 316.

**Last will and testament.** The disposition of one's property to take effect after death. See 11 Mont. 571, 28 Am. St. Rep. 495, 29 Pac. 282.

**Lastage.** The loading or ballast of a ship.

**Lata culpa dolo aequiparatur.** Gross fault — or gross negligence — is equivalent to fraud.

**Late.** No longer existing. See 7 Cal. 215, 68 Am. Dec. 237.

**Latens.** Latent.

**Latent ambiguity.** "That which seemeth certain for anything that appeareth upon the deed or instrument, but there is some collateral matter out of the deed that breedeth the ambiguity." See 100 Mass. 58, 1 Am. Rep. 82.

**Latent deed.** A deed kept secretly for twenty years or more. See 7 N. J. L. 175, 11 Am. Dec. 546.

**Latent defect.** One not discoverable by an inspection made with ordinary care.

**Lateral support, Right to.** See Right to lateral support.

**Lath.** Same as Lathe.

**Lathe.** A division of a county; a taxing district.

**Lathereeve.** The chief officer of a lathe.

**Latifundium.** A large landed estate.

**Latifundus.** The holder of a latifundium.

**Latitare.** To lie concealed.

**Latitat.** A writ running outside the county to summon one who lay concealed there to the king's bench.

**Latitatio.** A concealment of one's person.

**Latori praesentium.** To the bearer of these presents.

**Latro.** A thief; a robber.

**Latrocination.** Highway robbery.

**Latrocinium.** Larceny; robbery.

**Latrociny.** Larceny.

**Latu sensu.** In a broad sense or meaning.

**Laudare.** To advise; to arbitrate.

**Laudatio.** Testimony as to a defendant's character.

**Laudatiorem.** Same as Laudemium.

**Laudator.** A character witness.

**Laudemium.** Money paid by a tenant to a new landlord on the death of the old one.

**Laudum.** An award.

**Laughe.** Frank-pledge, which see.

**Laughlesman.** An outlaw.

**Laus Deo.** Praise be to God.

**Law.** A statute; a bill; a legislative enactment; the whole body or system of rules of conduct, including both decisions of courts and legislative acts. See 72 Cal. 462, 1 Am. St. Rep. 67, 14 Pac. 27.

**Law and motion day.** A court day upon which issues of law and motions are tried by the court.

**Law borgh.** A pledge.

**Law charges.** Costs, which see.

**Law day.** The time specified for paying money under a contract. See 43 Minn. 428, 19 Am. St. Rep. 247, 9 L. R. A. 55, 45 N. W. 857.

**Law Latin.** The Latin language as used in old forms and proceedings in England.

**Law list.** An annual compilation of matters concerning the legal profession in England.

**Law lords.** Members of the House of Lords who have held high judicial offices.

**Law martial.** See Military law.

**Law merchant.** That part of the common law which has become established by the customs and usages of the mercantile world. See 4 N. J. L. 1.

**Law of citations.** A law of Theodosius II prescribing the relative authority to be conceded to writers upon Roman law. — Cent. Dict.

**Law of marque.** See Letters of marque and reprisal.

**Law of nations.** A system of rules which reason, morality and custom have established among civilized nations as their public law. See 37 Miss. 209.

**Law of nature.** "Those fit and just rules of conduct which the Creator has prescribed to man as a dependent and social being, and which are to be ascertained from the deductions of right reason, though they may be more precisely known and more explicitly declared by divine revelation." See 4 Johns. Ch. (N. Y.) 343.

**Law of the case.** The law as determined in a case on appeal to a court of last resort, such determination governing the case in all subsequent steps both in the trial and appellate courts. See 27 Am. Dec. 634, note.

**Law of the land.** The common law, and the statute law existing in a state at the time of the adoption of the state constitution. See 42 S. C. 293, 46 Am. St. Rep. 723, 27 L. R. A 284, 20 S. E. 842.

**Law of the road.** The custom in America of keeping to the right-hand side of the road in passing others. See 89 Iowa, 82, 48 Am. St. Rep. 356, 26 L. R. A. 769, 56 N. W. 285.

**Law of the staple.** Same as Law merchant.

**Law side.** The sitting of a court, which also has an equity side, as a law court.

**Law spiritual.** The ecclesiastical law.

**Law worthy.** Having, or entitled to, the law's protection.

**Law-burrows.** Security to keep the peace.

**Lawful.** That which is right as well as legal. See 5 S. D. 427, 59 N. W. 211.

**Lawful age.** The age at which one ceases to be an infant. See Infant.

**Lawful day.** A day upon which legal acts may be done.

**Lawful heirs.** Those upon whom a descent is cast by the statutes of descent. See 70 Mich. 297, 14 Am. St. Rep. 500, 38 N. W. 249.

**Lawful interest.** Interest at a rate not to exceed that allowed by statute. See 72 Ga. 367, 53 Am. Rep. 845. Cf. Legal interest.

**Lawful issue.** Descendants. See 161 N. Y. 11, 76 Am. St. Rep. 238, 55 N. E. 311.

**Lawful man.** A freeman who could make oath; one not outlawed.

**Lawful money.** Gold and silver coin or that which the law makes its equivalent. See 74 U. S. 229, 19 L. Ed. 141.

**Lawing of dogs.** Expeditation, which see.

**Lawless court.** An odd court held at Essex at cock-crowing, without light, ink or pen, whereat all speech was whispered.

**Lawless man.** An outlaw.

**Laws of Oleron.** An ancient maritime code.

**Laws of the Bretts and Scotts.** An ancient Scotch code.

**Lawsuit.** Held to include an arbitration in 5 Wend. (N. Y.) 375.

**Lawyer.** One learned in the law; an attorney or counselor at law; a solicitor. See 101 Iowa, 160, 63 Am. St. Rep. 378, 35 L. R. A. 690, 70 N. W. 113.

**Lay.** Pertaining to the laity, as opposed to the clergy.

**Lay corporation.** A nonreligious corporation.

**Lay damages.** To allege one's damages.

**Lay days.** The days specified in a contract of affreightment, during which the charterer of the vessel is permitted to detain her for loading without liability for demurrage. See 30 Am. St. Rep. 639, note.

**Lay fee.** A fee held by services not religious.

**Lay gents.** Laymen.

**Lay impropriator.** A layman holding the appropriation of a benefice. See Impropriation.

**Lay judge.** A judge not versed in law.

**Lay out.** To locate and establish a new highway. See 133 Mass. 321.

**Lay people.** Jurymen.

**Laying the venue.** The entitling of a declaration or complaint with the name of the jurisdiction.

**Layman.** One with no profession; one not of the clergy; one not versed in the law.

**Lazaret, or Lazaretto.** A place of quarantine.

**Le.** The.

**Le action bien gist.** The action well lies.

**Le contrat fait la loi.** The contract makes the law.

**Le ley de Dieu et le ley de terre sont tout un, et l'un et l'autre preferre et favour le common et publique bien del terre.** The law of God and the law of the land are all one, and both the one and the other preserve and favor the common and public good of the land.

**Le ley est le plus haut enheritance que le roy ad, car par le ley, il mesme et touts ses sujets sont rules, et si le ley ne fuit, nul roy ne nul enheritance serra.** The law is the highest inheritance which the king has, for by the law he himself and all his subjects are ruled, and if there were no law, there would be neither king nor inheritance.

**Le roi le veut.** The king wishes it.

**Le roi s'avisera.** The king will take it under advisement.

**Le roi veut en deliberer.** The king wishes to deliberate upon it.

**Le roy remercie ses loyal sujets, accepte leur benevolence, et aussi le veut.** The king thanks his loyal subjects, accepts their benevolence and thus wishes it to be.

**Le salut du peuple est la suprême loi.** The welfare of the people is the highest law.

**Leading a use.** Making a deed to show the object or use before levying a fine.

**Leading case.** A case of importance determining a question of law.

**Leading counsel.** The counsel in charge of his side of a case.

**Leading question.** One which suggests to the witness the answer desired, or which assumes a fact to be proved which is not, or which, embodying a material fact, admits of an answer by "yes" or "no." See 8 S. & M. (Miss.) 104, 47 Am. Dec. 74.

**League.** (Mex.) A square of 5,000 varas on each side, estimated at 4,428.4 acres. See 98 U. S. 428, 25 L. Ed. 251.

**Leakage.** A partial but not a total loss by leaking. See 13 La. Ann. 269, 71 Am. Dec. 509.

**Leal.** Loyal.

**Lealte.** Legality; loyalty.

**Lean-to.** A shed or structure the supports of which rest or lean against another building.

**Leap year.** A year in which a 29th day is added to February.

**Learned in the law.** Admitted to practice, or entitled to be admitted to practice, in the courts. See 23 S. D. 43, 139 Am. St. Rep. 1030, 20 Ann. Cas. 418, 119 N. W. 1021.

**Lease.** A conveyance by the owner of an estate to another of a portion of his interest therein for a term less than his own. See 161 Cal. 405, Ann. Cas. 1913B, 1094, 119 Pac. 516.

**Lease and release.** A sort of conveyace contrived to defeat the Statute of Uses.

**Lease for years.** A contract for the possession and profits of land, and a recompense therefor by rent or other consideration. See 32 Am. Dec. 355, note.

**Leasehold.** An estate created by a lease to a tenant. See 136 Ill. 37, 29 Am. St. Rep. 300, 11 L. R. A. 839, 26 N. E. 577.

**Leccator.** A lecherous person.

**Leaute.** Legal sufficiency.

**Leave.** To devise or bequeath.

**Leave and license.** Permission of the plaintiff.

**Leave of court.** Permission or indulgence granted by the court. See 18 N. J. L. 258.

**Lecherwite.** Same as Laireswite.

**Ledgrevius.** Same as Lathereeve.

**Leet.** An ancient English criminal court.

**Lega.** Alloy used in coins.

**Legabilis.** Chattels subject to bequest.

**Legacy.** Strictly, a bequest of personal property, but often used to include a devise of real property. See 2 Murph. (N. C.) 228, 5 Am. Dec. 527.

**Legal.** According to law; as prescribed or provided by law. See 1 Phila. (Pa.) 237.

**Legal assets.** Those which may be reached by proceedings at law. See 1 McCord Eq. (S. C.) 466.

**Legal compulsion.** Compulsion presumed in law, as by the presence of a husband with his wife during her criminal act.

**Legal day.** One in which the court is in session. See 48 La. Ann. 1088, 20 South. 281.

**Legal damages.** Such losses as the law will compensate. See 44 N. J. L. 181, 43 Am. Rep. 353.

**Legal estate.** One the legal title to which is vested; any estate other than an equitable one. See 30 Or. 238, 47 Pac. 197. See, also, Equitable estate.

**Legal ethics.** The usages among members of the legal profession involving their moral duties toward one another, their clients and the courts.

**Legal heir.** A legal representative. See 118 Pa. 215, 4 Am. St. Rep. 588, 11 Atl. 787. See, also, Legal representative.

**Legal holiday.** Any day set apart by statute as a holiday.

**Legal interest.** The statutory rate of interest which attaches to an interest-bearing obligation when the parties have not specified the rate; the statutory rate which a judgment bears. See 109 Cal. 378, 50 Am. St. Rep. 49, 42 Pac. 34.

**Legal malice.** The intent unlawfully to take human life in cases where the law neither mitigates nor justifies the killing. See 124 Ga. 760, 4 L. R. A. (N. S.) 934, 53 S. E. 324.

**Legal memory.** The time fixed by statute as "time out of mind," varying from 60 years in England, 25 years and less in the United States. See 8 Barb. (N. Y.) 153.

**Legal obligation.** Obligation to do and perform what the law of the land as existing at the time requires one to do. See 120 Am. St. Rep. 471, note.

**Legal rate of interest.** Same as Legal interest.

**Legal representative.** One who lawfully represents another in any manner. See 89 Iowa, 396, 48 Am. St. Rep. 396. Administrator, executor; heirs, next of kin or descendants of a decedent; successor of a trustee. See 71 Ill. 91, 22 Am. Rep. 85.

**Legal reversion.** (Scotch) The time within which property sold for debt could be redeemed.

**Legal subrogation.** The right of one who pays another's debt as insurer, guarantor or surety to succeed to his rights. See 168 Ill. 618, 61 Am. St. Rep. 146, 48 N. E. 161.

**Legal tender.** A tender in legal tender notes or United States coin. See 17 Ind. App. 444, 46 N. E. 151.

**Legal tender notes.** Current treasury notes of the United States. See 17 Minn. 241.

**Legalis homo.** A lawful man. See Lawful man.

**Legalis moneta Angliae.** Lawful money of England.

**Legalization.** The making lawful of anything.

**Legally.** Properly; according to law.

**Legantine constitutions.** An old ecclesiastical code. See 1 Bl. Comm. 83.

**Legare.** To leave by legacy.

**Legatary.** A legatee.

**Legatee.** Strictly, one to whom a legacy is given, but often used for "devisee." See 104 N. Y. 325, 10 N. E. 431.

**Legates.** Papal representatives. See Nuncio.

**Legation.** An embassy.

**Legatory.** Personalty which one could bequeath.

**Legatos violare contra jus gentium est.** To violate ambassadors is against the law of nations.

**Legatum.** A legacy.

**Legatum morte testatoris tantum confirmatur, sicut donatio inter vivos traditione sola.** A legacy

is confirmed by the death of the testator, just as a gift between living persons is confirmed by delivery alone.

**Legatus regis vice fungitur a quo destinatur, et honorandus est sicut ille cujus vicem gerit.** An ambassador officiates in the place of the king by whom he is sent, and should be honored as much as he whose place he holds.

**Legem amittere.** To lose one's law, i. e., to lose the right to make oath.

**Legem enim contractus dat.** The contract makes the law.

**Legem facere.** To make an oath; to wage one's law. See Wager of law.

**Legem ferre.** (Roman Law) To submit a law to the people.

**Legem habere.** To have one's law, i. e., the right to be sworn.

**Legem jubere.** To ratify a proposed law.

**Legem terrae amittentes perpetuam infamiae notam inde merito incurrunt.** Those who lose the law of the land thereby justly incur the everlasting mark of disgrace.

**Legem vadire.** To wage law. See Wager of law.

**Legerwite.** Same as Laireswite.

**Leges.** Laws, plural of Lex.

**Leges Angliae sunt tripartitae; jus commune, consuetudines, ac decreta comitiorum.** The laws of England are threefold, the common law, the customs and the resolutions of parliament.

**Leges figendi et refigendi consuetudo est periculosissima.** The custom of making and repealing laws is very dangerous. See 1 Bl. Comm. 89.

**Leges humanae nascuntur, vivunt, et moriuntur.** Human laws are born, live and die.

**Leges naturae perfectissimae sunt et immutabiles; humani vero juris conditio semper in infinitum decurrit, et nihil est in eo quod perpetuo stare possit.** The laws of nature are the most perfect and immutable, but the condition of human law always fails endlessly and there is nothing in it which can stand permanently.

**Leges non scriptae.** Unwritten laws.

**Leges non verbis sed rebus sunt impositae.** Laws are imposed not upon words but upon things.

**Leges posteriores priores contrarias abrogant.** More recent laws repeal prior conflicting ones. See 12 Allen (Mass.), 434.

**Leges scriptae.** Written laws, i. e., statutes.

**Leges sub graviori lege.** Laws subject to a higher law.

**Leges suum ligent latorem.** Laws should bind their proposer.

**Leges tabellariae.** Laws of the ballot, i. e., election laws.

**Leges vigilantibus, non dormientibus subveniunt.** The laws aid the vigilant, not those who slumber. See 16 How. Pr. (N. Y.) 142.

**Legibus solutus.** (Civil Law) Immune from the laws, i. e., the emperor.

**Legibus sumptis desinentibus, lege naturae utendum est.** When artificial laws fail, the law of nature must be invoked.

**Legis constructio non facit injuriam.** The construction of the law does not work injury.

**Legis figendi et refigendi consuetudo periculosissima est.** The custom of making and repealing the law is a very dangerous one.

**Legis interpretatio legis vim obtinet.** The interpretation of the law obtains the force of law.

**Legis minister non tenetur, in executione officii sui, fugere aut retrocedere.** A servant of the law is not bound, in the execution of his office, either to flee or to retreat.

**Legislative act.** One which predetermines what the law shall be for the regulation of future cases falling within its provisions. See 101 Cal. 15, 40 Am. St. Rep. 17, 35 Pac. 353.

**Legislative power.** The power to make, alter or repeal laws. See 166 Pa. St. 72, 45 Am. St. Rep. 650, 26 L. R. A. 715, 30 Atl. 943, 945.

**Legislator.** A member of a legislature or legislative body.

**Legislatorum est viva vox, rebus et non verbis, legem imponere.** That of the legislators is the living voice to impose law upon things and not upon words.

**Legislature.** A body clothed with authority to make laws See 121 Ind. 20, 22 N. E. 644.

**Legisperitus.** One learned in the law.

**Legit ut clericus.** He reads as a clerk, i. e., is entitled to benefit of clergy. See Benefit of clergy.

**Legit vel non?** Does he read or not? i. e., Is he entitled to benefit of clergy?

**Legitim.** (Scotch) The share of the children in the father's movable property.

**Legitima potestas.** Lawful power. Same as Liege poustie.

**Legitimacy.** A status embracing one's right to inherit from his ancestors and to bear the name and enjoy the support of his father. See 5 Mo. App. 539.

**Legitimate.** Lawful; to make lawful; to legalize; to render legitimate. See 86 Tenn. 459, 7 S. W. 194.

**Legitimation.** The clothing of one's bastard child with the rights of a lawful heir. See 96 Cal. 532, 19 L. R. A. 40, 31 Pac. 915.

**Legitimation per subsequens matrimonium.** Legitimation by subsequent marriage (of the parents of the bastard).

**Legitime.** That portion of a dedecedent's estate to which a forced heir is entitled. See 105 La. 257, 29 South. 802. See, also, Forced heir.

**Legitime imperanti parere necesse est.** It is necessary to obey one who lawfully commands.

**Legitimize.** To make lawful; to legitimate.

**Legitimus.** Lawful; legitimate.

**Legitimus haeres et filius est quem nuptiae demonstrant.** A lawful son and heir is one whom the marriage shows to be such.

**Lego.** I bequeath.

**Leguleius.** One learned in the law.

**Leidgreve.** Same as Lathreve.

**Leipa.** A fugitive from justice.

**Leod.** The people; the country.

**Leodes.** A vassal; a liege man.

**Leonina societas.** A lion's partnership, wherein one partner shares the profits but not the losses.

**Leproso amovendo.** See De leproso amovendo.

**Les.** The (plural).

**Les fictions naissent de la loi, et non la loi des fictions.** Fictions arise from law and not law from fictions.

**Les lois ne se chargent de punir que les actions exterieures.** The laws

do not assume to punish other than overt acts.

**Lése majesté.** High treason.

**Lesion.** One's loss in receiving less than his full equivalent under a commutative contract. See 109 La. 948, 34 South. 34. See, also, Commutative contract.

**Lespegend.** A subordinate forest officer.

**Lessa.** A legacy.

**Lessee.** The tenant, to whom a lease is made. See 120 U. S. 707, 30 L. Ed. 776, 7 Sup. Ct. Rep. 962.

**Lessor.** The owner or landlord who grants a lease to the tenant or lessee. See 120 U. S. 707, 30 L. Ed. 776, 7 Sup. Ct. Rep. 962.

**Lessor of the plaintiff** The one who really sues in ejectment.

**Lestage.** Same as Lastage.

**Leswes.** Pasture land.

**Let.** To demise; to lease.

**Lethal weapon.** A gun, sword, knife, pistol, or the like, when used within striking distance; and any other weapon is lethal or not according to its capability of producing death or great bodily harm in the manner in which it is used. See 17 Or. 300, 11 Am. St. Rep. 830, 20 Pac. 625.

**Letter.** A written or printed message. See 35 Fed. (U. S.) 407.

**Letter missive.** A summons from the chancellor to a peer to defend a suit in equity; a royal letter nominating a bishop.

**Letter of advice.** A written notice of an act done by the writer.

**Letter of attorney.** A power of attorney. See 112 Mich. 192, 67 Am. St. Rep. 392, 70 N. W. 466. See, also, Power of attorney.

**Letter of credence.** A certificate, addressed to a foreign government, of the appointment of an ambassador.

**Letter of credit.** A letter requesting one to pay money or give credit to a third party and promising to repay or guarantee the same. See 70 Cal. 380, 59 Am. Rep. 416, 9 Pac. 259, 11 Pac. 636.

**Letter of license.** An agreement between his creditors and an insolvent to extend time for payment.

**Letter of recall.** A notice to a foreign government of the recall of an ambassador or minister.

**Letter of recommendation.** A letter commending the former services of the holder to aid him in securing employment. See 174 Ill. 398, 66 Am. St. Rep. 296, 62 L. R. A. 922, 51 N. E. 811.

**Letter of recredentials.** The reply of the foreign government to a letter of recall.

**Letters.** An instrument granting or delegating some power or authority.

**Letters ad colligendum bona de functi.** Letters to collect the goods of a decedent. See Special letters of administration.

**Letters close.** See Close writs.

**Letters of administration.** Letters granted by a probate court to one evidencing his authority as executor or administrator. See 91 U. S. 238, 23 L. Ed. 314.

**Letters of fire and sword.** Letters anciently directed to the sheriff requesting him to gather necesssary force to dispossess a tenant unlawfully holding.

**Letters of marque and reprisal.** A government commission to attack the ships and seize the property of a hostile nation on the high seas. See 25 Fed. (U. S.) 408.

**Letters of request.** A written waiver of jurisdiction by a lower court in favor of a higher one.

**Letters of safe-conduct.** Passports issued in time of war.

**Letters patent.** A royal or governmental grant of property, status, title, authority or privilege.

**Letters rogatory.** A written request of a court or judge to the court or judge in another jurisdiction to take there the testimony of a witness. See 9 App. Div. 596, 41 N. Y. Supp. 602.

**Letters testamentary.** Letters granted by a probate court to one evidencing his authority as executor.

**Letting out.** The award of a contract for supplies, labor or materials.

**Lettre de change.** (French) A bill of exchange.

**Levandae navis causa.** For the purpose of lightening the ship.

**Levant.** Rising up.

**Levant et couchant.** Rising up and lying down.

**Levantes et cubantes.** Rising up and lying down.

**Levari facias.** A writ of execution. See 6 W. & S. (Pa.) 483.

**Leviable.** Capable of being reached by a levy.

**Levir.** The brother of a husband.

**Levis culpa.** Ordinary negligence or fault. See 8 Barb. (N. Y.) 368.

**Levissima culpa.** Slight fault or negligence. See 8 Barb. (N. Y.) 368.

**Levitical degrees.** The degrees of relationship barring marriage as stated in the eighteenth chapter of Leviticus.

**Levy.** To collect money. See 10 Miss. 383. To fix the rate of property taxes. See 64 Cal. 529, 2 Pac. 418. A seizure and taking possession of property by an officer under a writ. See 84 Wis. 80, 36 Am. St. Rep. 907, 20 L. R. A. 267, 54 N. W 18.

**Levying war.** Insurrections and rebellions for the purpose of overturning the government by force of arms. See 94 Am. Dec. 579, note.

**Lewdness.** Open and public indecency. See 128 Mass. 52, 35 Am. Rep. 357.

**Lex.** Law.

**Lex aequitate gaudet; appetit perfectum; est norma recti.** Law finds pleasure in equity; it grasps at perfection; it is the rule of right.

**Lex agraria.** The Agrarian law limiting the amount of land a Roman could hold.

**Lex aliquando sequitur aequitatem.** The law occasionally follows equity.

**Lex amissa.** One who has lost his law, i. e., civilly dead.

**Lex Angliae.** The law of England.

**Lex Angliae est lex misericordiae.** The law of England is the law of mercy.

**Lex Angliae non patitur absurdum.** The law of England does not suffer an absurdity.

**Lex Angliae nunquam matris sed semper patris conditionem imitari partum judicat.** The law of England never adjudges that their issue shall partake of the condition of the mother, but always of that of the father.

**Lex Angliae nunquam sine parliamento mutari potest.** The law of England never can be changed without parliament.

**Lex apparens.** Apparent law, trial by ordeal. See Trial by ordeal.

**Lex atilia.** The law authorizing the appointment of guardians at Rome.

**Lex atinia.** The law preventing acquisition of title by continued possession of stolen goods.

**Lex beneficialis rei consimili remedium praestat.** A beneficial law furnishes a remedy in a similar matter.

**Lex brehonia.** Brehon law, which see.

**Lex citius tolerare vult privatum damnum quam publicum malum.** The law would rather tolerate a private loss than a public evil.

**Lex commissoria.** A Roman law under which a pledge was ipso facto forfeited upon nonpayment on the due date.

**Lex communis.** The common law.

**Lex contra id quod praesumit, probationem non recipit.** The law receives no proof contrary to that which it presumes.

**Lex contractus.** The law of the contract.

**Lex cornelia de falsis.** A law punishing the forgery of one dying in captivity.

**Lex cornelia de injuriis.** A law providing a penalty for injury to one's person.

**Lex cornelia de sicariis et veneficis.** A law for the punishment of assassins and poisoners.

**Lex de futuro; judex de praeterito.** The law looks out for the future; the judge regards the past.

**Lex deficiere non potest in justitia exhibenda.** The law cannot be deficient in granting justice.

**Lex dilationes semper exhorret.** The law always abhors delays.

**Lex domicilii.** The law of the domicile.

**Lex est ab aeterno.** Law is from eternity.

**Lex est dictamen rationis.** Law is the dictate of reason.

**Lex est norma recti.** Law is the rule of right.

**Lex est ratio summa quae jubet quae sunt utilia et necessaria, et contraria prohibet.** Law is the highest reason which orders those things which are useful and necessary, and prohibits the contrary.

**Lex est sanctio sancta, jubens honesta, et prohibens contraria.** Law is a sacred sanction, ordering right things and prohibiting the contrary.

**Lex est tutissima cassis; sub clypeo legis nemo decipitur.** Law is the safest helmet; under the shield of the law no one is deceived.

**Lex et consuetudo parliamenti.** The law and custom of parliament.

**Lex et consuetudo regni nostri.** The common law.

**Lex Falcidia.** Falcidian law, which see.

**Lex favet doti.** The law favors dower.

**Lex feudi.** The law of the fee.

**Lex fingit ubi subsistit aequitas.** The law fabricates where equity exists.

**Lex fori.** The law of the jurisdiction of the court. See 112 U. S. 452, 28 L. Ed. 751, 5 Sup. Ct. Rep. 221.

**Lex furia caninia.** The Roman law limiting manumission by will.

**Lex intendit vicinum vicini facta scire.** The law presumes that a neighbor knows of the acts of his neighbor.

**Lex judicat de rebus necessario faciendis quasi de re ipsa factis.** The law judges of things necessarily to

be done as if they were really done.

**Lex ligeantiae.** The law of the country of one's allegiance.

**Lex loci.** The law of the place.

**Lex loci actus.** The law of the place of the act.

**Lex loci celebrationis.** The law of the place where the obligation was entered into. See 106 U. S. 124, 27 L. Ed. 104, 1 Sup. Ct. Rep. 102.

**Lex loci contractus.** The law of the place of contracting; the law of the place where the contract is to be performed. See 106 U. S. 124, 27 L. Ed. 104, 1 Sup. Ct. Rep. 102

**Lex loci delictus.** The law of the place of the crime.

**Lex loci rei sitae.** The law of the place where the thing is situated.

**Lex loci solutionis.** The law of the place where the obligation is to be performed. See 106 U. S. 124, 27 L. Ed. 104, 1 Sup. Ct. Rep. 102.

**Lex manifesta.** Same as Lex apparens.

**Lex mercatoria.** The law merchant. See Law merchant.

**Lex necessitatis est lex temporis, i. e., instantis.** The law of necessity is the law of time, i. e., the present.

**Lex neminem cogit ad impossibilia.** The law compels no one to do the impossible. See 52 C. C. A. (U. S.) 268, 57 L. R. A. 707, 114 Fed. 466.

**Lex neminem cogit ad vana seu inutilia peragenda.** The law compels no one to perform vain or useless acts. See 14 Gray (Mass.), 78.

**Lex neminem cogit ostendere quod nescire praesumitur.** The law compels no one to divulge what he is presumed to be ignorant of.

**Lex nemini facit injuriam.** The law works injury to no one.

**Lex nemini operatur iniquum, nemini facit injuriam.** The law works injustice to no one, injures no one.

**Lex nil facit frustra, nil jubet frustra.** The law does nothing in vain, commands nothing in vain.

**Lex nil frustra facit.** The law does nothing in vain.

**Lex non cogit ad impossibilia.** The law does not compel the impossible.

**Lex non curat de minimis.** The law does not regard trifles.

**Lex non deficit in justitia exhibenda.** The law does not fail in showing justice.

**Lex non exacte definit, sed arbitrio boni viri permittit.** The law does not define exactly, but allows for the judgment of a fair man.

**Lex non favet votis delicatorum.** The law does not favor the wishes of the fastidious.

**Lex non intendit aliquid impossibile.** The law does not intend anything impossible.

**Lex non patitur fractiones et divisiones statutorum.** The law does not suffer fractions and divisions of statutes.

**Lex non praecipit inutilia, quia inutilis labor stultus.** The law does not order useless things, because useless labor is silly. See 112 Mass. 400.

**Lex non requirit verificari quod apparet curiae.** The law does not require to be proved that which is apparent to the court.

**Lex non scripta.** The unwritten law.

**Lex patriae.** The law of one's country.

**Lex plus laudatur quando ratione probatur.** The law is more highly

praised when it is approved by reason.

**Lex posterior derogat priori.** A later law repeals an earlier one.

**Lex prospicit, non respicit.** The law looks forward, not backward.

**Lex punit mendacium.** The law punishes mendacity.

**Lex regia.** Laws ordained by the Roman emperor.

**Lex rei sitae.** The law of the place where the thing is situated. See 136 Pa. St. 354, 20 Am. St. Rep. 925, 11 L. R. A. 85, 20 Atl. 521.

**Lex rejicit superflua, pugnantia, incongrua.** The law rejects those matters which are superfluous, repugnant or incongruous.

**Lex reprobat moram.** The law disapproves of delay.

**Lex respicit aequitatem.** The law regards equity.

**Lex Rhodia de jactu.** The Roman law fixing the right of a shipper whose goods were jettisoned to contribution from owners of the rest of the cargo.

**Lex Salica.** Salic law, which see.

**Lex scripta.** The written law.

**Lex semper dabit remedium.** The law always gives a remedy. 5 Rawle (Pa.), 89.

**Lex semper intendit quod convenit rationi.** The law always intends that which is agreeable to reason.

**Lex situs.** Same as Lex rei sitae.

**Lex spectat naturae ordinem.** The law regards the order of nature.

**Lex succurrit ignoranti.** The law aids ignorance.

**Lex succurrit minoribus.** The law aids minors.

**Lex talionis.** The law of retaliation.

**Lex terrae.** The law of the land.

**Lex uno ore omnes alloquitur.** The law speaks to all with one mouth.

**Lex vigilantibus favet.** The law favors the diligent.

**Lex vigilantibus, non dormientibus subvenit.** The law aids the vigilant, not those who sleep.

**Ley.** Law; an oath.

**Ley civile.** The civil law.

**Ley gager.** To wage law. See Wager of law.

**Leze majesty.** Treason.

**Liability.** The condition of one after he has breached his contract or violated any obligation resting upon him. See 95 Cal. 317, 29 Am. St. Rep. 115, 30 Pac. 545.

**Libel.** A malicious defamation expressed in print or writing, or by signs or pictures tending to blacken the memory of the dead, with intent to provoke the living, or to injure the reputation of one who is alive and thereby expose him to public hatred, contempt, or ridicule, or to deny to him the possession of some worthy quality as every man is to be taken to possess. See 152 Pa. 187, 34 Am. St. Rep. 636, 25 Atl. 546. The pleading in an admiralty suit which corresponds to the declaration in an action at law. See 93 U. S. 302, 23 L. Ed. 863.

**Libel of accusation.** (Scotch) A formal accusation of crime; an indictment.

**Libellant.** The plaintiff in an admiralty libel.

**Libellee.** The defendant in an admiralty libel.

**Libellus.** A libel.

**Libellus famosus.** A defamatory libel.

**Libelous.** Defamatory.

**Liber.** A book.

**Liber assisarum.** The book of the Assizes. The fourth volume of decisions reported in the reign of Edward III.

**Liber bancus.** Free bench, which see.

**Liber et legalis homo.** A free and lawful man; a juryman.

**Liber feudorum.** The book of fiefs, a code of feudal law compiled in the 12th century.

**Liber homo.** A freeman.

**Liber judiciarum.** The Dome-Book of King Alfred. See 1 Bl. Comm. 64.

**Libera chasea.** Free chase, the exclusive right to hunt.

**Libera eleemosyna.** Free alms. See Frankalmoigne.

**Libera falda.** Frank-fold, which see.

**Libera lex.** Frank law, which see.

**Libera piscaria.** Free fishery, which see.

**Libera warrena.** Free warren, which see.

**Liberal construction.** Interpretation according to the spirit rather than the letter. See 43 U. S. 426, 11 L. Ed. 326.

**Liberam legem amittere.** See Legem amittere.

**Liberare.** To liberate; to deliver.

**Liberata pecunia non liberat offerentem.** The restoration of money does not free the offeror.

**Liberate.** Deliver ye. An old writ for the payment of a pension; a writ for lands seized by the sheriff on a recognizance; a writ to release one imprisoned.

**Liberatio.** Liberation.

**Liberation.** A payment in discharge of a contract.

**Liberi.** Freemen.

**Libertas.** Liberty.

**Libertas ecclesiastica.** Ecclesiastical liberty or immunity.

**Libertas est naturalis facultas ejus, quod cuique facere libet, nisi quod de jure aut vi prohibetur.** Liberty is one's natural power of doing as he pleases, unless that is prohibited by law or by force.

**Libertas inaestimabilis res est.** Liberty is an inestimable thing.

**Libertas non recipit aestimationem.** Liberty does not admit of valuation.

**Libertas omnibus rebus favorabilior est.** Liberty is more favored than all other things.

**Libertas regales ad coronam spectantes ex concessione regum a corona exierunt.** Royal privileges relating to the crown issue from the crown by royal grant.

**Liberti.** Freed after having been slaves.

**Liberticide.** A destroyer of liberty.

**Liberties.** Privileged communities or districts.

**Libertinum ingratum leges civiles in pristinam servitutem redigunt; sed leges Angliae semel manumissum semper liberum judicant.** The civil laws reduce an ungrateful freedman to his former servitude, but the laws of England adjudge one once freed to be always free.

**Liberty.** Freedom from servitude and restraint. See 147 Ill. 66, 37 Am. St. Rep. 206, 22 L. R. A. 340, 35 N. E. 62.

**Liberty of the globe.** As used in a marine insurance policy, meaning that the vessel may go anywhere. See 6 Whart. (Pa.) 247.

**Liberty of the press.** A right in the conductor of a newspaper to print whatever he chooses, without any previous license, but subject to be held responsible therefor to

exactly the same extent that anyone else would be responsible for the publication. See 15 Am. St. Rep. 344, note.

**Liberty of the rules.** The privilege of an imprisoned debtor to live outside the prison.

**Liberty pole.** The unlawful raising of a pole as a symbol of dissatisfaction with the government. See 1 Add. (Pa.) 274.

**Liberty to hold pleas.** The privilege of holding a court, such as the manorial courts. See Court-baron.

**Liberum corpus aestimationem non recipit.** The body of a freeman does not admit of valuation.

**Liberum est cuique apud se explorare an expediat sibi consilium.** Each one is free to test for himself whether he requires advice.

**Liberum maritagium.** Frank marriage, which see.

**Liberum servitium.** Free service, which see.

**Liberum socagium.** Free socage, which see.

**Liberum tenementum.** Frank tenement, which see.

**Liblac.** Witchcraft.

**Liblacum.** Liblac.

**Liborum appellatione continentur omnia volumina, sive in charta, sive in membrana sint, sive in quavis alia materia.** In the term books is included all volumes, whether of paper, of parchment or of some other material.

**Libra arsa.** A burned or tested pound.

**Libra numerata.** A pound estimated by count.

**Libra pensa.** A weighed pound.

**Librarius.** An amanuensis.

**Librata.** Land renting at one pound annually.

**Libripens.** A weigher.

**Licenciado.** (Spanish) A lawyer.

**License.** A bare authority to do a certain act, or series of acts, upon another's land, without possessing any estate therein. See 3 Wyo. 513, 31 Am. St. Rep. 122, 27 Pac. 807, 900. A permission to do something which without the permission would not be allowed. See 32 Mich. 406, 20 Am. Rep. 654.

**License tax.** A fee or charge for a municipal, state or federal license.

**Licensee.** One who is licensed; one to whom a license is given, granted or issued.

**Licensor.** The grantor of a license.

**Licentia concordandi.** Leave to agree. See Finis est, etc.

**Licentia loquendi.** Leave to speak, i. e., leave to imparl. See Imparl.

**Licentia surgendi.** The privilege of rising, the duration of the time allowed on an essoin de malo lecti. See Essoin de malo lecti.

**Licentia transfretandi.** A writ to cause a port warden to honor a royal license to pass.

**Licentiate.** The holder of a license to practice a profession or calling.

**Licentiousness.** Ruthless disregard of the rights of others.

**Licere.** To be allowed or permitted by law.

**Licet.** Although.

**Licet cepit non asportavit.** Although he took, he did not carry away.

**Licet dispositio de interesse futuro sit inutilis tamen potest fieri declaratio praecedens quae sortiatur effectum interveniente novo actu.** Although the disposition of a future interest is ineffectual, yet a declaration precedent can be made

which will take effect upon the intervention of a new act.

**Licet saepe requisitus.** Although often demanded.

**Licet saepius requisitus.** Although (more) ofter demanded.

**Licita bene miscentur, formula nisi juris obstet.** Things which are allowed may well be mingled, unless a form of law forbid.

**Licitacion.** (Spanish) An auction sale of common property incapable of division.

**Licitare.** To bid; to outbid at an auction.

**Licitation.** An offer of sale to the highest bidder.

**Licitator.** A bidder at a Roman auction.

**Lidford law.** Execution without a trial.

**Lie.** To be appropriate as a remedy. See Le action bien gist.

**Lie in franchise.** Of property which one may take without action, e. g., wreck, estrays.

**Lie in grant.** Of property which passes only by deed, e. g., an incorporeal hereditament.

**Lie in livery.** Of property which passes only with livery of seisin, e. g., a freehold.

**Liege.** The state of being bound in fealty.

**Liege homage.** Such homage as is due the king irrespective of tenure.

**Liege lord.** A superior lord.

**Liege poustie.** The condition of health prerequisite to freedom of alienation of one's property.

**Liegeman.** One from whom allegiance was due.

**Lien.** A charge imposed upon specific property for the performance of an act. See 31 Am. Dec. 755.

**Lienor.** The holder or owner of a lien.

**Lieu conus.** A well-known place.

**Lieu lands.** Same as Indemnity lands. See 7 Mont. 330, 16 Pac. 931.

**Lieutenant.** A deputy; a substitute.

**Life annuity.** An annuity for the life of the beneficiary. See Annuity.

**Life assurance.** Same as Life insurance.

**Life estate.** An interest in land or chattels which one holds for his own life or that of another.

**Life insurance.** A contract whereby one agrees to pay a certain sum of money to a beneficiary named therein on the death of another within a stipulated time. See 100 Ga. 142, 28 S. E. 75.

**Life peerage.** The dignity of a baron conferred for one's lifetime only.

**Life policy.** A written contract of life insurance.

**Life tables.** Tabulated lists showing life expectancy at different ages. See 24 Tex. Civ. App. 180, 58 S. W. 622. See Expectation of life.

**Life-interest.** An interest terminating upon the death of some designated person. See Interest.

**Life-rent.** (Scotch) Same as Life estate.

**Life-renter.** (Scotch) The holder of a life-rent.

**Liga.** A league or association.

**Ligan.** Goods cast overboard to lighten ship at sea and which sink and are left with a buoy to mark their location. See 1 Add. (Pa.) 58.

**Ligare.** To join a league.

**Ligeance.** Allegiance.

**Ligeantia est quasi legis essentia; est vinculum fidei.** Allegiance is, as it were, the essence of the law; it is the bond of faith.

**Ligeantia naturalis, nullis claustris coercetur, nullis metis refraentur, nullis finibus premitur.** Natural allegiance is restrained by no bars, held in by no boundaries compressed by no limits.

**Lighter.** A boat used to load and unload ships in port.

**Lighterman.** The proprietor of a lighter.

**Lights.** See Ancient lights.

**Ligioso** (Spanish) That which is in dispute in a suit. See 1 Tex. 384.

**Ligius.** Liege.

**Ligna et lapides sub "armorum" appellatione non continentur.** Sticks and stones are not included in the term "arms."

**Lignagium.** The right to gather firewood.

**Lignum.** Wood; firewood.

**Limitatio.** A limitation.

**Limitation.** A limitation marks the period which determines the estate, without any act on the part of him who has the next expectant interest. See 69 Mass. 142, 63 Am. Dec. 725.

**Limitation of actions.** See Statute of limitations.

**Limitation of estates.** The limitation of an estate either by a conditional limitation with a limitation over or by a condition without one. See Limitation; Conditional limitation; Estate upon condition.

**Limitation over.** An estate to be enjoyed after the termination of the particular estate, e. g., in an estate to A for life, remainder to B., the remainder is a limitation over to B. See 80 Ga. 374, 7 S. E. 554.

**Limitation, Words of.** See Words of limitation.

**Limitations.** See Statute of limitations.

**Limited.** Qualified; falling short of absolute ownership. See 23 S. C. 25, 55 Am. Rep. 1. See, also, Ltd.

**Limited company.** A company in which the liability of the members for its debts is limited.

**Limited divorce.** See Divorce a mensa et thoro.

**Limited fee.** Either a base fee or a conditional fee. See 11 Wend. (N. Y.) 259. See Base fee; Conditional fee.

**Limited jurisdiction.** Jurisdiction which does not extend to the general administration of justice. See 18 N. J. L. 73.

**Limited owner.** One whose ownership is not absolute and exclusive. See 23 S. C. 25, 55 Am. Rep. 1.

**Limited partnership.** A partnership confined to a single transaction or adventure. See 3 Fed. Cas. (U. S.) 349.

**Line.** A course of descent or succession. See 23 Pa. 317.

**Line tree.** A tree marking a boundary.

**Linea.** A line.

**Linea recta.** A straight line; a line of direct descent.

**Linea recta est index sui et obliqui; lex est linea recti.** A direct line is its own index and that of an oblique; law is a line of right.

**Linea recta semper praefertur transversali.** A direct line of descent is always preferred to a collateral one.

**Linea transversalis.** A collateral line.

**Lineal.** In a direct line of descent.

**Lineal consanguinity.** That which subsists between persons, one of whom is descended in a right line from the other, as between the son, the father, and the grandfather, in the ascending line, and between the father, son and grandson, and so on downward, in the descending line. See 56 Am. Dec. 293, note.

**Lineal descent.** Descent through those related by lineal consanguinity.

**Lineal warranty.** A warranty by one in the line of title. See 2 Bl. Comm. 301.

**Liquere.** To be clear.

**Liquet.** It is clear.

**Liquet satis.** It is clear enough.

**Liquidate.** To pay. See 49 Neb. 412, 59 Am. St. Rep. 543, 35 L. R. A. 444, 68 N. W. 628. To ascertain the balance due on an account, to whom due and to whom payable. See 29 N. C. 143.

**Liquidated.** Ascertained; agreed upon. See 178 U. S. 353, 44 L. Ed. 1099, 20 Sup. Ct. Rep. 924.

**Liquidated damages.** A certain and definite sum fixed and agreed upon in advance by the parties to a contract as the sum to be paid to the party injured by the party in default, in cases where the actual damages would be difficult of ascertainment or the amount is not unreasonably large. See 108 Am. St. Rep. 47, note.

**Liquidating partner.** The partner who winds up the affairs of a dissolving partnership. See 185 Pa. 447, 40 Atl. 293.

**Liquidation.** Payment. See 8 Wheat. (U. S.) 338, 5 L. Ed. 631. A winding up of an insolvent corporation or partnership.

**Lis.** An action; a suit; a controversy; a dispute. See 156 Mo. 513, 50 L. R. A. 787, 57 S. W. 281.

**Lis alibi pendens.** An action pending in another place.

**Lis mota.** The commencement of a controversy; the commencement of a suit (Civil law). See 131 N. C. 379, 42 S. E. 823.

**Lis pendens.** A notice of the pendency of an action concerning land therein described which, filed with the proper officer, puts all persons on inquiry. See 20 Nev. 232, 19 Am. St. Rep. 350, 2 L. R. A. 615, 20 Pac. 156.

**Lister.** An appraiser; an assessor.

**Lite pendente.** During the pendency of the action.

**Litem suam facere.** To make the action his own.

**Liter.** 1.056 quarts; 61.022 cubic inches.

**Litera.** A letter.

**Litera acquietantiae.** A letter of acquittance.

**Litera excambii.** A bill of exchange.

**Litera scripta manet.** The written letter endures.

**Literae.** Letters.

**Literae clausae.** Close writs, which see.

**Literae mortuae.** Dead letters, superfluous words.

**Literae patentes.** Letters patent, which see.

**Literae patentes regis non erunt vacuae.** The letters patent of the king shall not be void.

**Literae procuratoriae.** Letters of attorney. See Letter of attorney.

**Literae recognitionis.** Bills of lading.

**Literae scriptae manent.** Written words endure.

**Literae sigillatae.** Sealed letters.

**Literal contract.** (Roman Law) A contract wholly in writing and binding without consideration.

**Literal proof.** Writings in evidence.

**Literary property.** The right which entitles one and his assigns to all the use and profit of his composition to which no independent right is, either by act or omission on his part or theirs, vested in another. See 14 Fed. Cas. (U. S.) 180, 4 Phila. 157.

**Literis obligatio.** (Roman Law) An obligation arising from entries in books of account.

**Litigant.** A party to an action.

**Litigare.** To litigate.

**Litigate.** To sue or be sued.

**Litigation.** An action or suit or a series of related suits or actions.

**Litigious.** Contested in an action.

**Litigious right.** A right contested by suit. See 103 U. S. 105, 26 L. Ed. 322.

**Litis aestimatio.** Measure of damages.

**Litis contestatio.** (Civil and Canon Law) The contest of a suit; a general denial in an ecclesiastical suit.

**Litis dominium.** The control of an action or litigation.

**Litis nomen actionem significat, sive in rem, sive in personam sit.** The name "lis" signifies an action, whether in rem or in personam.

**Litispendence.** The pendency of an action.

**Litispendencia.** (Spanish) The pendency of an action.

**Litre.** Same as Liter.

**Littleton, Sir Thomas.** The author of a treatise on tenures written about 1470, the basis of Coke's Commentaries. See Institutes of Coke.

**Littoral.** Bordering on the shore; pertaining to the shore.

**Litura.** A blot on a writing.

**Litus est quousque maximus fluctus a mari pervenit.** The shore is where the greatest wave has come up to from the sea.

**Litus maris.** The shore of the sea.

**Livery.** Delivery.

**Livery in law.** The transfer of possession in sight of, but not by actual physical entry upon, the land.

**Livery of seisin.** The investing one with the actual possession of land. See 2 Bl. Comm. 310. See, also, 8 N. J. L. 90.

**Living.** A child en ventre sa mere held to be living. See 32 Mass. 255, 26 Am. Dec. 598. See En ventre sa mere.

**Livre.** A book; a pound weight.

**Lloyds.** An association of marine insurance underwriters in London. See 65 N. J. L. 10, 46 Atl. 582.

**Lloyd's bond.** A sealed promise to pay acknowledging value received, issued by a corporation.

**Loadman.** A pilot.

**Loadmanage.** Pilotage.

**Loan.** Except with respect to money, to loan implies that the specific thing is to be returned after being used by the borrower. See 32 U. S. 109, 8 L. Ed. 623.

**Loan for consumption.** A loan of goods to be consumed and returned in kind.

**Loan for exchange.** A loan of goods to be returned in kind at a future time, without reward.

**Loan for use.** A loan of goods for use, without reward, to be returned in specie.

**Loan society.** An association formed for the purpose of lending money.

**Lobbying.** The solicitation of members of a legislature to influence their votes. See 75 Wis. 224, 6 L. R. A. 601, 44 N. W. 17.

**Lobbying contract.** Any agreement which tends to introduce personal influence and solicitation as elements in procuring and influencing legislative action, or action by any department of government. See 93 Wis. 393, 57 Am. St. Rep. 928, 33 L. R. A. 166, 67 N. W. 715.

**L'obligation sans cause, ou sur une fausse cause, ou sur cause illicite, ne peut avoir aucun effet.** An obligation without consideration, or with a false one, or an unlawful one cannot have any effect.

**Local action.** One based upon a cause of action which could only have arisen in one place. See 22 Am. St. Rep. 22, note.

**Local allegiance.** Allegiance of a foreigner during his residence abroad.

**Local chattel.** A fixture, which see.

**Local court.** A court whose process and jurisdiction are confined to a locality. See 78 N. Y. 64.

**Local custom.** A custom not general. See General custom.

**Local government.** A county, city, town or district government.

**Local improvement.** An improvement the purpose and effect of which is to improve the locality. See 258 Ill. 374, Ann. Cas. 1914B, 538, 45 L. R. A. (N. S.) 918, 101 N. E. 532.

**Local legislation.** Enactments intended to operate in specified localities. See 62 Or. 332, Ann. Cas. 1914C, 483, 124 Pac. 637.

**Local option.** The statutory option of the voters or residents of a district as to whether it shall be "wet" or "dry." See 35 Ark. 69, 37 Am. Rep. 6.

**Local prejudice.** Prejudice of the local public either for or against a party to an action. See 31 Fed. (U. S.) 53.

**Local statutes.** See Local legislation.

**Local taxes.** Taxes assessed in a district or town, as distinguished from general or state taxes. See 141 N. Y. 476, 36 N. E. 508.

**Local venue.** Venue confined to a single county.

**Locality.** A particular district; confined to a limited or prescribed region. See 96 Ill. 300.

**Locare.** To let.

**Locarium.** Rent.

**Locataire.** A lessee.

**Locatarius.** A depositary, which see.

**Locate.** To place; to determine a boundary or location. See 47 Tenn. 483.

**Locatio.** A letting.

**Locatio conductio.** A bailment of goods for reward or hire.

**Locatio custodiae.** A bailment for safekeeping for a reward.

**Locatio operis.** A contract to repair a thing and to supply the materials. See 156 Pa. 353, 27 Atl. 38.

**Locatio operis faciendi.** The bailment of goods to be worked upon, for reward.

**Locatio operis mercium vehendarum.** A bailment of goods to be carried.

**Locatio rei.** A letting of a thing for hire or reward.

**Location.** The designation of a parcel of land by boundaries from a map or survey.

**Locative calls.** See Call.

**Locator.** A bailor in a bailment for hire.

**Locmen.** A local pilot. See 33 N. Y. Super. Ct. 246.

**Loco parentis.** See In loco parentis.

**Locum tenens.** A lieutenant, which see.

**Locuples.** (Civil Law) Responsible; able to pay a judgment.

**Locus.** Place.

**Locus contractus.** The place of the contract.

**Locus contractus regit actum.** The place of the contract governs the act. See 91 U. S. 406, 23 L. Ed. 245.

**Locus criminis.** The place of the crime.

**Locus delicti.** The place of the crime or tort.

**Locus in quo.** The place in which; the premises described in the writ. See 15 N. H. 208.

**Locus penitentiae.** A place or an opportunity to reflect or repent.

**Locus pro solutione reditus aut pecuniae** secundum conditionem dimissionis aut obligationis est stricte observandus. The .place for the payment of rent or money is to be strictly observed according to the condition of the demise or obligation.

**Locus publicus.** A public place.

**Locus regit actum.** The place governs the act.

**Locus rei sitae.** The place where the thing is situated.

**Locus sigilli.** The place for the seal, abbreviated "L. S." "L. S." inclosed in a circle or scroll denotes a seal. See 63 S. C. 433, 90 Am. St. Rep. 681, 41 S. E. 523.

**Locus standi.** A right to appear and to be heard.

**Lode.** A seam or fissure in the earth's crust filled with quartz or some other kind of rock in a place carrying gold, silver or other valuable mineral. See 63 Am. Dec. 108, note.

**Lodeman.** A pilot.

**Lodemanage.** Pilotage.

**Lodger.** One who, for the time being, has his home at his lodging place. See 28 Neb. 239, 26 Am. St. Rep. 325, 6 L. R. A. 809, 44 N. W. 226.

**Lods et ventes.** A fine paid for alienation of land.

**Log.** Same as Log-book.

**Log-book.** A ship's journal of daily events.

**Logia.** A lodge.

**Logrolling.** The corrupt practice of combining legislature minorities to secure the passage of bills otherwise impossible of passage. See 199 Pa. 161, 55 L. R. A. 882, 48 Atl. 976.

**Londres.** (French) London.

**Long and short haul.** Distances of transportation by common carriers as affecting the regulation of rates.

**Long parliament.** The English parliament of 1640 reduced in numbers in 1648, dissolved by Cromwell in 1653, restored in 1659 and finally dissolved in 1660. See Rump parliament.

**Long quinto, The.** Part II of the Year-Book, being the cases in 5 Edward IV.

**Long vacation.** The English court vacation August 12th to October 24th.

**Longa patientia trahitur ad consensum.** Long sufferance is interpreted as consent.

**Longa possessio est pacis jus.** Long possession is the peace of law.

**Longa possessio jus parit.** Long possession ripens into right.

**Longa possessio parit jus possidendi, et tollit actionem vero domino.** Long possession ripens into the right to possession and deprives the true owner of his right of action. See 115 U. S. 623, 29 L. Ed. 483, 6 Sup. Ct. Rep. 209.

**Longum tempus, et longus usus qui excedit memoria hominum, sufficit pro jure.** Long time and long use which exceed the memory of man, supply a right.

**Loose woman.** An unchaste and sexually impure woman. See 68 Vt. 319, 54 Am. St. Rep. 886, 35 Atl. 316.

**Loquela.** A discourse; a conversation; a talk. See Imparl.

**Loquendum ut vulgus; sentiendum ut docti.** One should speak as the masses speak and think as learned men think.

**Lord.** A landlord; a feudal proprietor; a peer; an official title.

**Lord advocate.** (Scotch) The chief prosecutor.

**Lord Chesterfield's Act.** See Calendar Amendment Act.

**Lord Chief Baron.** Formerly the chief judge of the Court of Exchequer.

**Lord Chief Justice.** The chief judge of the King's Bench.

**Lord Denman's Act.** The statute of 6 & 7 Victoria, 85, enabling certain persons formerly disqualified to testify.

**Lord high chancellor.** The highest judicial officer in England.

**Lord high steward.** A member of the House of Lords appointed to preside therein in felony and impeachment cases.

**Lord high treasurer.** Formerly, the chief treasurer of England.

**Lord in gross.** A feudal lord whose lordship was not attached to any manor.

**Lord justice clerk.** (Scotch) The second highest judicial officer.

**Lord keeper.** The keeper of the great seal.

**Lord mayor's court.** An English court of limited jurisdiction in both law and equity cases.

**Lord of a manor.** The proprietor of a manor.

**Lord paramount.** The king of England. See 6 N. Y. 467, 57 Am. Dec. 470.

**Lord's day.** Sunday.

**Lords marchers.** Lords of the marches of Wales and Scotland.

**Lords of articles.** (Scotch) A parliamentary committee designed to increase the crown's power, later abolished by statute.

**Lords of parliament.** Members of the House of Lords.

**Lords spiritual.** The bishops and archbishops who are members of the House of Lords.

**Lords temporal.** The lay peers who are members of the House of Lords.

**Lordship.** The jurisdiction of a lord; a manor.

**Loss.** Liability. See 68 Ohio St. 9, 96 Am. St. Rep. 635, 64 L. R. A. 405, 67 Atl. 93. Damage. See 53 N. H. 342, 16 Am. Rep. 270.

**Lost or not lost.** A term used in marine policies to include indemnity against both past and future losses. See 98 U. S. 528, 25 L. Ed. 219.

**Lost property.** Property the possession of which the owner has only parted with casually or involuntarily. See 129 Am. St. Rep. 401, note.

**Lot.** A tract or parcel of land. See 72 Minn. 87, 42 L. R. A. 639, 75 N. W. 108.

**Lot and scot.** Duties the payment of which was a prerequisite to the right to vote.

**Lottery.** A scheme for the distribution of prizes by chance. See 103 Am. St. Rep. 711, note.

**L'ou le ley done chose, la ceo done remedie a vener a ceo.** Where the law gives a thing, it gives a remedy to recover the thing.

**Lovely claim.** A sort of United States land grant. See 1 Ark. 313, 33 Am. Dec. 338.

**Low bote.** Compensation for killing in a riot.

**Lower house.** The less important of the two houses of a legislature.

**Lowers.** Sailors' wages.

**Low-water mark.** The margin of the sea at low tide. See 6 Mass. 435, 4 Am. Dec. 155. The lowest point to which a body of fresh water recedes. See 32 Kan. 263, 4 Pac. 401.

**Loyal.** Lawful.

**Loyalty.** Devotion to the government or to law.

**Ltd.** Limited, a word signed after the signature of a limited partnership to limit the liability of the partners. See 64 Fed. (U. S.) 309.

**Lubricum linguae non facile trahendum est in poenam.** A slipping of the tongue ought hardly to be punished.

**Lucid intervals.** Intervals during which the mind of an insane person is fully restored. See 11 Phila. (Pa.) 534.

**Lucrative succession.** The gift to an heir of all or a portion of the property to which he would succeed, rendering him liable for the ancestor's debts.

**Lucri causa.** For the sake of pecuniary profit. See 12 Nev. 401, 28 Am. Rep. 802.

**Lucrum facere ex pupilli tutela tutor non debet.** A guardian ought not to make gain out of the guardianship of his ward. See 1 Johns. Ch. (N. Y.) 527.

**Luctuosa haereditas.** A mournful inheritance.

**Luggage.** Baggage which a traveler uses for his daily convenience. See 13 Okl. 411, 73 Pac. 941.

**Lumen.** Light; the right to receive it.

**Lunacy.** An impairment of one or more of the mental faculties, accompanied by or inducing a defect in the power of comparison. See 1 Bland Ch. (Md.) 370, 17 Am. Dec. 311.

**Lunar month.** The time of a revolution of the moon, 28 days.

**Lunatic.** A person of unsound mind. See 1 Whart. (Pa.) 52, 29 Am. Dec. 33.

**Lunatico inquirendo.** See De lunatico inquirendo.

**Lunaticus, qui gaudet in lucidis intervallis.** He is an insane person who has lucid intervals.

**Lupanatrix.** A prostitute.

**Lupinum caput.** An outlaw.

**Lupinum caput gerere.** To have one's head held as a wolf's, to be outlawed.

**Lyef geld.** A fine exacted for leave to till and to raise crops.

**Lying in franchise.** See Lie in franchise.

**Lying in grant.** See Lie in grant.

**Lying in livery.** See Lie in livery.

**Lynch law.** Punishment for crime without the warrant or sanction of law. See 39 W. Va. 549, 20 S. E. 585, for an interesting historical account of the subject. See, also, 142 N. C. 626, 9 Ann. Cas. 604, 7 L. R. A. (N. S.) 669, 55 S. E. 600.

**Lyndhurst's (Lord) Act.** An English statute rendering void marriages within certain degrees of relationship.

# M

**Mace proof.** Immune from arrest.

**Macedonian decree.** A Roman law for the protection of young men against usurers.

**Macegrief.** A guilty buyer of stolen meat.

**Machination.** A fraudulent scheme or plot.

**Machine.** Any mechanical device or combination of mechanical powers and devices to perform some function and produce a certain effect or result. See 56 U. S. 252, 14 L. Ed. 683.

**Mactator.** A murderer.

**Mad parliament.** A council held in 1258 to adjust differences between the English king and the barons, which provided for the king's closer observance of the Magna Charta and other reforms.

**Mad point.** The subject upon which a monomania is centered. See 1 Bland (Md.), 370, 17 Am. Dec. 311.

**Made land.** Land reclaimed by filling in along the shore of a lake or other body of water. See 28 Minn. 373, 41 Am. Rep. 290, 10 N. W. 205.

**Madness.** Insanity. See 1 Bland (Md.), 370, 17 Am. Dec. 311.

**Maeg.** A kinsman.

**Maegbote, or Maegbot.** Compensation for the killing of a kinsman.

**Maeremium.** Lumber.

**Magazine.** A storehouse; a warehouse. See 149 Mo. 409, 50 S. W. 901.

**Magis.** More.

**Magis de bono quam de malo lex intendit.** The law inclines more toward the good than toward the bad.

**Magis dignum trahit ad se minus dignum.** The more worthy appropriates to itself the less worthy.

**Magister.** A master.

**Magister ad facultates.** An ecclesiastical officer who granted dispensations.

**Magister cancellariae.** Master in chancery.

**Magister litis.** The master or person in control of the litigation.

**Magister navis.** The master of a ship.

**Magister rerum usus.** Use is the master of things.

**Magister rerum usus; magistra rerum experientia.** Use is the master of things; experience, the mistress.

**Magister societatis.** The manager of an association or partnership.

**Magisterial.** Relating to a magistrate.

**Magisterial precinct.** The precinct and jurisdiction of a justice of the peace. See 61 Fed. (U. S.) 191, 9 C. C. A. 442.

**Magistralia brevia.** Magisterial writs, drawn by masters in chancery.

**Magistrate.** A public officer clothed with some governmental power either by the constitution or the law; a justice of the peace; an inferior judge. See 30 Tex. App. 160, 28 Am. St. Rep. 899, 16 S. W. 903.

**Magistratus.** A magistrate.

**Magna assisa.** The grant assize. See Grand assize.

**Magna assisa eligenda.** A writ for the choosing of the grand assize. See Trial by grand assize.

**Magna avena.** Great cattle, bovine animals.

**Magna charta.** The great charter granted by King John in 1215, extending to his subjects many new rights and liberties.

**Magna charta and Charta de foresta** are called les deux grand charters. Magna charta and the Charter of the Forest are called the two great charters.

**Magna componere parvis.** To compare great things with little things.

**Magna culpa.** Gross negligence.

**Magna culpa dolus est.** Gross negligence or fault is equal to fraud. See 2 Spear (S. C.), 256.

**Magna negligentia culpa est; magna culpa dolus est.** Gross negligence is fault; gross fault is equal to fraud.

**Magna serjeantia.** Grand serjeanty, which see.

**Magnum cape.** Cape magnum, which see.

**Magnum concilium.** The great council, parliament.

**Magnus rotulus statutorum.** The great roll of statutes, being the magna charta and the statutes following through the reign of Edward III.

**Mahemium est homicidium inchoatum.** Mayhem is unfinished homicide.

**Maiden.** An instrument for beheading capital offenders.

**Maiden assize.** An assize which did not convict of a capital crime.

**Maiden rents.** A fine paid by the tenant to the lord for license to marry off his daughter.

**Maihem.** Same as mayhem.

**Maihematus.** Maimed.

**Maihemium.** Mayhem.

**Maihemium est inter crimina majora minimum, et inter minora maximum.** Mayhem is the least among the greater crimes and the grossest among the lesser ones.

**Maihemium est membri mutilatio, et dici poterit, ubi aliquis in aliqua parte sui corporis effectus sit inutilis ad pugnandum.** Mayhem is the mutilation of a limb and can be said to take place when anyone is so injured in any part of his body as to be rendered useless for fighting.

**Mail-matter.** Anything which may be transmitted in the mails. See 40 Fed. (U. S.) 636.

**Mail.** A portable receptacle in which mail matter is conveyed by post. See 26 Fed. Cas. (U. S.) 803; 9 Am. Law Reg. 145.

**Maile.** Rent money.

**Maim.** Same as mayhem. See 58 Ohio St. 417, 65 Am. Rep. 769, 51 N. E. 40.

**Main.** A hand.

**Main à main.** At once.

**Mainad.** Perjury, which see.

**Mainour.** Same as Backberend.

**Mainovre, or Mainoevre.** Hand work, manual labor.

**Mainpernable.** Bailable, which see.

**Mainpernors.** Sureties of mainprise. See Mainprise.

**Mainprise.** The taking into custody and giving security for his appearance by a friend of one who would otherwise be imprisoned.

**Mainsworn.** Perjured in swearing on the book.

**Maintainor.** One guilty of maintenance.

**Maintenance.** An unlawful taking in hand, or upholding of quarrels or sides; to the disturbance or hindrance of common right. See 21 Ky. 413, 17 Am. Dec. 81.

**Maintenant.** Now.

**Maintes fois.** Many times.

**Mainzie.** (Scotch) Mayhem.

**Maire.** A mayor.

**Mais.** But.

**Maisne.** Younger.

**Maison de Dieu.** House of God, a hospital.

**Majestas.** Majesty; royal power.

**Major.** The greater.

**Major annus.** The greater year, leap-year, with 366 days.

**Major continet in se minus.** The greater includes within itself the less.

**Major haereditas venit unicuique nostrum a jure et legibus quam a parentibus.** A greater heritage comes to each one of us from justice and the laws than from our parents.

**Major numerus in se continet minorem.** The greater number contains in itself the less.

**Majora regalia.** Greater royal privileges.

**Majorae summae minor est.** The lesser sum is included in the greater.

**Majore poena affectus quam legibus statuta est, non est infamis.** One undergoing a greater punishment than that established by law is not infamous.

**Majores.** Persons of consequence.

**Major-general.** An army officer above a brigadier general.

**Majori summae minor inest.** The less sum is included in the greater.

**Majority.** More than half. See 156 Ind. 104, 51 L. R. A. 722, 59 N. E. 359.

**Majus dignum trahit ad se minus dignum.** The more worthy appropriates to itself the less worthy.

**Majus est delictum seipsum occidere quam alium.** It is a greater crime to kill one's self than another.

**Majus jus.** A greater right.

**Make.** To execute an instrument; to sign; to collect money on an execution.

**Maker.** A signer of an instrument.

**Making his law.** Denying under oath.

**Mala.** Bad things; evil things.

**Mala fide.** In bad faith.

**Mala fides.** Bad faith.

**Mala grammatica non vitiat chartam; sed in expositione instrumentorum mala grammatica quoad fieri possit evitanda est.** Bad grammar does not vitiate a deed, but in the drawing of instruments bad grammar should, as far as possible, be avoided.

**Mala in se.** Plural of Malum in se.

**Mala praxis.** Malpractice, which see.

**Mala prohibita.** Acts forbidden by statute, but not otherwise wrong. See 114 Mass. 323, 19 Am. Rep. 362.

**Mala tolta.** A heavy tax.

**Malandrinus.** A robber.

**Malconduct.** Misconduct.

**Male.** Badly; wickedly,

**Male creditus.** Of bad reputation.

**Maledicta est expositio quae corrumpit textum.** It is an evil explanation which corrupts the text.

**Malediction.** A curse attached to grants to the church directed at

any who should interfere with their enjoyment.

**Malefactor.** A convict; a criminal.

**Malefactors in parcis.** See Statute of malefactors in parcis.

**Maleficia non debent remanere impunita, et impunitas continuum affectum tribuit delinquenti.** Evil deeds ought not to remain unpunished, for impunity offers constant encouragement to the delinquent.

**Maleficia propositis distinguuntur.** Evil deeds are distinguished from designs.

**Maleficium.** A wrongful act; a tort; a crime.

**Maleson, or Malison.** A curse or malediction.

**Malfeasance.** The doing of an act which one ought not to do at all. See 90 Wis. 225, 48 Am. St. Rep. 911, 28 L. R. A. 439, 63 N. W. 93.

**Malice.** In its legal sense, a wrongful act done intentionally, without just cause or excuse. See 34 Cal. 48, 91 Am. Dec. 672. The absence of legal justification, excuse or extenuation in the commission of an unlawful act. See 61 Am. St. Rep. 836, note. See, also, 134 Am. St. Rep. 729, note.

**Malice aforethought.** Malice existing for any time, however short, before the act. See 61 Am. St. Rep. 836, note.

**Malice in fact.** Such malice as indicates a desire to injure. See 66 Mich. 166, 33 N. W. 181.

**Malice in law.** The willful and wrongful doing of an act without reasonable or probable cause. See 107 Cal. 262, 40 Pac. 392.

**Malice prepense.** Malice aforethought, which see.

**Malicious.** With a wicked and perverse intent. See 50 Mass. 93, 43 Am. Dec. 373.

**Malicious abuse of process.** The use of the process of a court to accomplish some unlawful end, or to compel one against whom it is issued to do some collateral thing which he could not legally be compelled to do. See 96 Wis. 158, 65 Am. St. Rep. 40, 37 L. R. A. 580, 71 N. W. 119.

**Malicious act.** A wrongful act intentionally done, without legal justification or excuse. See 24 Tex. App. 542, 5 Am. St. Rep. 901, 7 S. W. 247, 249.

**Malicious arrest.** An arrest regularly made by authority of law, but without probable cause and with improper motive.

**Malicious mischief.** Any malicious or mischievous injury to the rights of another or to those of the public. See 32 Am. Dec. 662, note.

**Malicious prosecution.** The institution of a criminal proceeding against one without probable cause and with some improper motive. See 102 Ga. 264, 29 S. E. 459.

**Maliciously.** Willfully. See 5 Whart. (Pa.) 427, 34 Am. Dec. 565.

**Malignare.** To defame; to maim.

**Malingering.** Pretending to be ill.

**Malitia.** Malice.

**Malitia est acida; est mali animi affectus.** Malice is sour; it is an affection of an evil heart.

**Malitia implicita.** Implied malice.

**Malitia praecogitata.** Malice aforethought, which see.

**Malitia supplet aetatem.** Malice supplies age.

**Malo animo.** With bad intent.

**Malo sensu.** In a bad sense.

**Malpractice.** Such practice as involves ignorance, negligence, unskillfulness, or moral turpitude to

such a degree as is inconsistent with the character of a trustworthy physician. See 56 Miss. 808, 31 Am. Rep. 389; unprofessional conduct of an attorney in the practice of his profession. See 8 N. Y. Supp. 771.

Malum hominum est obviandum. Men's wickedness is to be overcome.

Malum in se. An act is malum in se which is naturally evil as adjudged by the sense of a civilized community. See 139 N. C. 588, 111 Am. St. Rep. 818, 1 L. R. A. (N. S.) 991, 4 Ann. Cas. 797, 51 N. E. 945.

Malum non habet efficientem, sed deficientem causam. Evil has not an efficient cause, but a deficient one.

Malum non praesumitur. Evil is not presumed.

Malum prohibitum. An act forbidden by statute, but not otherwise wrong. See 114 Mass. 323, 19 Am. Rep. 362.

Malum quo communius eo pejus. The more common an evil, the worse it is.

Malus usus abolenda est. A bad custom ought to be abolished.

Malus usus est abolendus. An evil custom should be abolished. See 71 Pa. 69.

Malveilles. Malevolence.

Malveis procurors. Men who packed juries. See Pack.

Malversation. Misconduct in office.

Man of straw. A dummy; an irresponsible bondsman. See Strawbond.

Manager. The head of a business; the cashier of a bank.

Managing owner of ship. One of the owners who acts as manager for them all.

Managium. A mansion, which see.

Manas mediae. Inferior persons.

Man-bote. Recompense for killing a man.

Manche present. A bribe.

Mancipare. To sell; to transfer.

Mancipation. (Roman Law) A sale attended with certain essential formalities.

Mancomunal. (Spanish) An undertaking to answer for another's obligation.

Mandamiento. (Spanish) A power of attorney.

Mandamus. A command issued from a court directed to some person, corporation or inferior court within the jurisdiction of the superior court requiring such person, corporation or inferior court to do some particular thing therein specified. See 7 Houst. (Del.) 338, 40 Am. St. Rep. 127, 32 Atl. 143.

Mandans. Commanding; committing.

Mandant. Same as Mandans.

Mandata licita strictam recipiunt interpretationem, sed illicita latam et extensam. Lawful commands receive a strict interpretation, but unlawful ones receive a broad and elastic one.

Mandatarius. A mandatary, which see.

Mandatarius terminos sibi positos transgredi non potest. A mandatary cannot transgress the limits of his powers.

Mandatary. One who agrees to perform certain acts gratuitously. See 141 U. S. 132, 35 L. Ed. 662, 11 Sup. Ct. Rep. 924.

Mandate. A gratuitous bailment for carriage of the goods or for doing work on them. See 35 Mo. 487, 88 Am. Dec. 122. Also, same as Mandamus, which see.

**Mandator.** The employer of a mandatary.

**Mandatory injunction.** A writ of injunction which, though restrictive in form, has the effect of compelling the performance of a substantive act. See 20 Am. Dec. 390, note.

**Mandatory statute.** A statute which plainly commands something, as distinguished from a directory statute which leaves a choice. See 69 Cal. 479, 11 Pac. 3.

**Mandatum.** A mandate; a command.

**Mandatum nisi gratuitum nullum est.** A mandate, unless gratuitous is not one.

**Mandavi ballivo.** I have commanded the bailiff—a form of return on an execution.

**Manens.** Remaining.

**Manerium dicitur a manendo, secundum excellentiam, sedes magna, fixa, et stabilis.** Manor is derived from "manendo," according to excellence, a great, fixed and stable abode.

**Manhood.** The age of 21. See 21 N. C. 584.

**Mania.** A general insane condition of the mind or a partial one confined to particular subjects. See 2 Abb. (U. S.) 507, 4 Sawy. 672, 11 Fed. Cas. (U. S.) 261.

**Mania a potu.** A temporary insanity induced by a long, steady course of overindulgence in intoxicating liquor. See Houst. C. C. (Del.) 28.

**Mania transitoria.** Emotional insanity, which see.

**Manifest.** A declaration of an entire cargo, as distinguished from a bill of lading which is a declaration of specific goods. See 125 Fed. (N. S.) 320.

**Manifesta probatione non indigent.** Manifest facts do not need proof.

**Manifesto.** A governmental statement of the reasons for the acts of one country toward another.

**Mannire.** A citation by an adverse party to appear in court.

**Mannopus.** Stolen goods taken from the thief.

**Manor.** The feudal estate of a lord.

**Manorial court.** Same as Court-baron.

**Manqueller.** A murderer.

**Manrent, or Manred.** A vassal's promise of fidelity for his lord's protection.

**Manse.** A dwelling.

**Manser.** A bastard.

**Mansion.** The dwelling-house and all within the curtilage thereof. See 60 Ga. 358. See, also, Curtilage.

**Manslaughter.** The unlawful killing of a human being, without malice, express or implied. See 134 Am. St. Rep. 727, note.

**Mansuetae naturae.** Domestic by nature; domesticated.

**Mansuetus.** Domesticated.

**Mansum capitale.** A manor house.

**Manu brevi.** With short hand, directly; briefly.

**Manu forti.** With strong hand, force.

**Manu longa.** With long hand, indirectly.

**Manucapere.** To act as a mainpernor. See Mainpernors.

**Manucaptio.** Mainprise, which see.

**Manucaptors.** Mainpernors, which see.

**Manumission.** The giving of liberty to one who has been in just servitude, with the power of acting,

except as restrained by law. See 9 Pet. (U. S.) 461, 9 L. Ed. 193.

**Manurable.** Tillable; corporeal; tangible

**Manure.** To cultivate or work on. See Mainovre.

**Manus.** A hand; an oath.

**Manus mortua.** Mortmain, which see.

**Manutenentia.** Maintenance, which see.

**Manworth.** The value of a man's head.

**Marauder.** A soldier or deserter who robs or steals.

**Marca.** Same as March.

**March** A boundary.

**Marchers.** Nobles of the marches exercising a petty sovereignty and making and enforcing their own laws.

**Marches.** Boundaries; frontiers.

**Marcheta.** (Scotch) The lord's customary right to spend the first night with the bride of a tenant. (English) Same as Maiden Rents.

**Marchioness.** A woman with a rank corresponding to that of a marquis. See Marquis.

**Mare.** The sea.

**Mare altum.** The high seas.

**Mare apertum.** The open sea.

**Maretum.** Overflowed marshes.

**Margin.** A deposit by a buyer in stocks with a seller as security to cover fluctuations in the market. See 192 Pa. 304, 73 Am. St. Rep. 812, 43 Atl. 793.

**Marinarius.** A mariner.

**Marine.** Pertaiuing or relating to the sea or to the navigation thereof.

**Marine contract.** See Maritime contract.

**Marine corps.** A military corps of the U. S. serving aboard ships and under the jurisdiction of the Navy Department. See 120 U. S. 249, 30 L. Ed. 667, 7 Sup. Ct. Rep. 507.

**Marine insurance.** The insurance of a ship, its freight or its cargo. See 78 U. S. 1, 20 L. Ed. 90.

**Marine interest.** Same as Maritime interest.

**Marine league.** Three geographical miles.

**Mariner.** Anyone, except the master, who aids in the navigation of a ship.

**Maris et foeminae conjunctio est de jure naturae.** The union of the male and the female is according to the law of nature.

**Maritagio amisso per defaltam.** A writ for the recovery of lands of which a tenant in frank-marriage had been disseised.

**Maritagium.** Marriage.

**Maritagium est aut liberum aut servitio obligatum: liberum maritagium dicitur ubi donator vult quod terra sic data quieta sit et libera ab omni seculari servitio.** Marriage is either frank-marriage or obligated with service; it is called frank-marriage when the giver wills it that land so given be secure and free from all secular service.

**Marital.** Pertaining to the marriage relation.

**Marital portion.** A widow's rightful portion of her dead husband's property.

**Marital rights.** Rights arising under the marriage contract. See 89 Cal. 46, 23 Am. St. Rep. 447, 26 Pac. 636.

**Maritima incrementa.** Lands reclaimed from the sea.

**Maritime.** Pertaining to the sea.

**Maritime contract** One relating to shipping or navigation. See 88 U. S. 532, 22 L. Ed. 487.

**Maritime court.** See Admiralty.

**Maritime hypothecation.** A bottomry mortgage. See Bottomry.

**Maritime interest.** Interest paid on a bottomry loan. See 34 Fed. (U. S.) 343.

**Maritime law.** The law applicable to cases arising on the seas. See 88 U. S. 558, 22 L. Ed. 654.

**Maritime lien.** A legal lien against a ship for supplies, wages, damage claims, etc. See 97 Ga. 15, 54 Am. St. Rep. 379, 33 L. R A. 806, 24 S. E. 814.

**Maritime loan.** A loan wherein the lender loses the whole of his loan in case of total loss of the security or pro rata in case of partial loss. See 2 Sum. 157, 7 Fed. Cas. (U. S.) 1032.

**Maritime state.** The officers and men of the English navy.

**Maritime tort.** A tort committed upon navigable waters. See 5 Fed. (U. S.) 75.

**Maritus.** A husband.

**Market.** A designated place in a town or city to which all persons can repair who wish to buy or sell articles there exposed to sale. See 26 Fla. 163, 23 Am. St. Rep. 558, 9 L. R. A. 69, 7 South. 885.

**Market overt.** An open, public and legally constituted market. See 25 Am. Dec. 607; 32 Ill. 411, 83 Am. Dec. 278.

**Market price.** A price fixed by buyer and seller in open market, in the usual and ordinary course of lawful trade and competition. See 88 Mich. 15, 13 L. R. A. 770, 49 N. W. 901.

**Market value.** The price at which goods are freely offered in the market to all the world. See 155 U. S. 240, 39 L. Ed. 135, 15 Sup. Ct. Rep. 77.

**Marketable title.** Such a title to land as assures to the purchaser the quiet and peaceable enjoyment of the property, free from encumbrance. See 112 Mich. 452, 67 Am. St. Rep. 432, 70 N. W. 1038.

**Marksman.** One unable to write his name.

**Marlbridge, Statute of.** See Statute of Marlbridge.

**Marque and reprisal.** See Letters of marque and reprisal.

**Marquis.** An English nobleman ranking next below a duke.

**Marriage.** A mutual agreement between a man and a woman, having sufficient capacity, to take each other for husband and wife. See 23 Am. St. Rep. 451, note. See, also, 103 Mo. 183, 23 Am. St. Rep. 869, 11 L. R. A. 587, 15 S. W. 325.

**Marriage articles.** An agreement in writing between parties engaged to marry as the basis of a marriage settlement. See 50 Am. Dec. 373, note. See, also, Marriage settlement.

**Marriage brokerage.** The practice of bringing about a marriage for a consideration. See 76 Ala. 251, 52 Am. Rep. 325.

**Marriage license.** A license required in many states as a prerequisite to solemnization of the marriage.

**Marriage portion.** The property which a woman brings with her upon her marriage. See 162 Mass. 22, 37 N. E. 784.

**Marriage, Promise of.** See Promise of marriage.

**Marriage settlement.** An agreement made by the parties in contemplation of marriage, by which the title to certain property is changed, and the property to some extent becomes inalienable. See 50 Am. Dec. 371, note.

**Marshal.** See Marshaling; Marshals.

**Marshal of the king's household.** Same as Knight marshal.

**Marshaling assets.** A practice in equity whereby creditors having the right to enforce their claims against either of two funds, only one of which is available to other creditors, must exhaust the other fund first. See 52 La. Ann. 1581, 28 South. 182.

**Marshaling securities.** An equity practice whereby secured creditors having liens on two funds or properties upon only one of which other secured creditors have liens, must exhaust the other fund or property first. See 23 Ky. Law Rep. 1759, 66 S. W. 1.

**Marshals.** The ministerial officers through whom the commands of the judicial department of the U. S. must be executed, and they belong to the executive department. See 135 U. S. 1, 34 L. Ed. 55, 10 Sup. Ct. Rep. 658.

**Marshalsea.** An old prison in London.

**Mart.** A market.

**Martial law.** That government and control which military commanders may lawfully exercise over the persons and property of citizens and individuals not engaged in the land or naval service. See 98 Am. St. Rep. 773, note.

**Mary.** Queen of England, 1553–1558.

**Massa.** Raw material.

**Master.** One who stands in such relation to another that he not only controls the result of the other's work, but may also direct the manner of the doing of it. See 214 Pa. St. 229, 112 Am. St. Rep. 739, 6 L. R. A. (N. S.) 544, 63 Atl. 792. Also a Master in chancery, which see.

**Master at common law.** A ministerial officer of an English superior court with functions corresponding to those of a master in chancery.

**Master in chancery.** An officer in courts of equity or chancery to whom are referred questions of fact by the court, and authorized to summon witnesses and to take their testimony. Originally he was the chief clerk. See 99 Ill. 501, 39 Am. Rep. 34.

**Master of a ship.** One to whom is committed the care and management of a ship. See 33 N. Y. Super. Ct. 246.

**Master of the crown office.** The prosecutor in the king's bench and the queen's coroner.

**Master of the rolls.** An assistant judge of the English chancery court, holding a court of his own next below that of the lord chancellor.

**Mate.** The first officer under the master of a ship. See 7 Conn. 239.

**Materfamilias.** The mother of a family.

**Materia.** Materials; material.

**Material allegation.** An allegation of facts on which an issue in the action could be made. See 7 Kan. 343.

**Material alteration.** An alteration of a written instrument made by a party to it and having the effect of changing the contract in a material particular. See 10 Am. Dec. 269, note.

**Materiality.** The substantial bearing of evidence as affecting the controversy. See 57 Fed. (U. S.) 980, 6 C. C. A. 661.

**Materialman.** One who furnishes materials to contractors or builders in the construction of buildings or other permanent structures.

See 108 Ky. 198, 94 Am. St. Rep. 350, 49 L. R. A. 255, 56 S. W. 147.

**Materna maternis.** An expression denoting that a maternal inheritance descends to maternal relatives. See 2 Bl. Comm. 236.

**Maternal.** Pertaining to or emanating from the mother.

**Maternal property.** Property coming from the maternal side of the family.

**Maternity.** Motherhood.

**Mathematical evidence.** Evidence established by computation or demonstration.

**Matima.** A godmother.

**Matricide.** The murder of one's mother; the murderer.

**Matricula.** A register of the members of an institution or association.

**Matrimonia debent esse libera.** Marriages ought to be free.

**Matrimonial causes.** Causes involving the marriage relation.

**Matrimonial cohabitation.** The living together of a man and a woman, ostensibly as husband and wife, with or without sexual intercourse between them. See 117 Ala. 103, 67 Am. St. Rep. 166, 41 L. R. A. 760, 23 South. 806.

**Matrimonium.** Matrimony; marriage.

**Matrimonium subsequens tollit peccatum praecedens.** Subsequent marriage obliterates precedent sin.

**Matrimony.** The state of being married.

**Matrix.** An original document, as distinguished from copies of it.

**Matrons, Jury of.** See Jury of matrons.

**Matter en ley ne serra mise en bouche del jurors.** A matter of law shall not be placed in the mouth of jurors.

**Matter in deed.** A matter contained in a sealed instrument.

**Matter in issue.** That matter upon which the plaintiff proceeds by his action, and which the defendant controverts by his pleading. See 15 N. H. 9, 41 Am. Dec. 675.

**Matter in pais.** A matter of fact, as opposed to a matter of law, or between the parties as distinguished from a matter in court.

**Matter of form.** Matters of formality or procedure as distinguished from matters of substance. See 109 U. S. 268, 27 L. Ed. 930, 3 Sup. Ct. Rep. 284.

**Matter of record.** Matters entered on the records of a court of record; matters recorded in the place and manner provided by law. See 9 Johns. (N. Y.) 287.

**Matter of substance.** A matter affecting one's substantial rights. See 10 Ind. App. 60, 35 N. E. 201, 37 N. E. 303. See, also, Matter of form.

**Maturiora sunt vota mulierum quam virorum.** The desires of women are earlier than those of men.

**Maturity.** The day fixed by the terms of a negotiable instrument for its payment See 62 Miss. 369, 52 Am. Rep. 190.

**Maxime ita dicta quia maxima est ejus dignitas et certissima auctoritas, atque quod maxime omnibus probetur.** A maxim is so called because its dignity is greatest and its authority is the most certain, and because it is approved most by all.

**Maxime pacis sunt contraria, vis et injuria.** The elements most opposed to peace are force and wrong.

**Maximus erroris populus magister.** The people are the greatest master of error.

**May.** Means "must" or "shall" only in cases where the public interest and rights are concerned; or where the public or third persons have a claim de jure that the power should be exercised; or where something is directed to be done for the sake of justice or the public good. See 5 Cow. (N. Y.) 188, 15 Am. Dec. 464.

**Mayhem.** The deprivation of the use of a limb or member of the body, by which one is rendered unable to defend himself or annoy his adversary. See 58 Ohio St. 417, 65 Am. St. Rep. 769, 51 N. E. 40.

**Mayhemavit.** He maimed.

**Maynover.** The product of hand labor.

**Mayor.** The chief executive of a municipality.

**Mayor's court.** A municipal court presided over by the mayor.

**Meal rent.** Rent paid in meal.

**Mean.** Same as Mesne.

**Meander line.** A survey line showing the location, sinuosities, courses and distances of a watercourse. See 10 Minn. 82, 88 Am. Dec. 59.

**Mease.** A house.

**Meason.** A house.

**Measure of damages.** A rule for arriving at the amount of the plaintiff's damages in a given case.

**Mechanic.** One skilled in the practical use of tools. See 156 N. C. 239, Ann. Cas. 1913A, 272, 36 L. R. A. (N. S.) 354, 72 S. E. 313.

**Mechanic's lien.** A lien upon a chattel in one's possession for the value of his labor bestowed upon it; the statutory lien upon land in favor of one erecting improvements thereon for the value of his labor, materials or both. See 24 Tex. Civ. App. 160, 58 S. W. 628.

**Medfee.** A bribe; a reward.

**Media annata.** Semi-annual profits.

**Media nox.** Midnight.

**Mediae et infirmae manus homines.** Men of ordinary and weak condition.

**Mediante altero.** A descent wherein another ancestor has intervened between the ancestor and the heir. See 6 Pet. (U. S.) 102, 8 L. Ed. 334.

**Mediante patre.** Through the medium of the father. See 6 Pet. (U. S.) 102, 8 L. Ed. 334.

**Mediate descent.** A descent is mediate or immediate in regard to the estate or right or in regard to the mediateness or immediateness of the degree or degrees of consanguinity. See 6 Pet. (U. S.) 102, 8 L. Ed. 334.

**Mediate powers.** Powers incidental to authority granted.

**Mediate testimony.** Same as Secondary evidence.

**Mediators of questions.** Persons appointed under an old English statute to settle disputes among merchants.

**Medical evidence.** Expert testimony of physicians and surgeons.

**Medical jurisprudence.** That part of the science of medicine which has to do with the law.

**Medietas linguae.** See Jury de medietate linguae.

**Medio tempore.** In the meantime.

**Meditatio fugae.** Intending to flee.

**Medium deferens.** The person through whom property descends in a mediate descent. See 6 Pet. (U. S.) 102, 8 L. Ed. 334.

**Medium filum.** Middle thread. See Filum aquae; Filum viae.

**Medius ancestor.** Same as Medium deferens.

**Medletum.** A medley.

**Medley.** A sudden fight. See Chaud-medley; Chance-medley.

**Medseat or Medscheat.** A bribe.

**Megbote.** Same as Maegbote.

**Meindre age.** Under age.

**Melancholia.** A form of insanity attended with morbid fancies concerning one's family, reputation, personal safety or like matters. See 86 Pa. 92, 27 Am. Rep. 689.

**Meldfeoh.** An informer's reward.

**Melior.** Better; more advantageous. preferable.

**Melior est causa possidentis.** The cause of the party in possession is the more advantageous.

**Melior est conditio defendentis.** The cause of the defendant is the more advantageous. See 4 Cush. (Mass.) 405.

**Melior est conditio possidentis et rei quam actoris.** The position of the party in possession and that of the defendant is more advantageous than that of the plaintiff.

**Melior est conditio possidentis, et rei quam actoris, ubi neuter jus habet.** The position of the party in possession and that of the defendant is more advantageous than that of the plaintiff, where neither has the right.

**Melior est conditio possidentis ubi neuter jus habet.** The position of the party in possession is the more advantageous where neither has a right.

**Melior est justitia vere praeveniens quam severe puniens.** Truly preventive justice is better than severe punishment.

**Meliorations.** Betterments; permanent improvements on land. See 21 U. S. 84, 5 L. Ed. 547.

**Meliorem conditionem ecclesiae suae facere potest praelatus, deteriorem nequaquam.** A prelate can make the condition of his own church better, but never worse.

**Meliorem conditionem suum facere potest minor, deteriorem nequaquam.** A minor can make his own condition better, but never worse.

**Melius est in tempore occurrere, quam post causam vulneratum remedium quaerere.** It is better to hasten to meet a thing in time than to seek a remedy after one's position has been assailed.

**Melius est jus deficiens quam jus incertum.** A deficient law is better than an uncertain one.

**Melius est omnia mala pati quam malo consentire.** It is better to suffer all ills than to consent to evil.

**Melius est petere fontes quam sectari rivulos.** It is better to seek the springs than to follow small brooks.

**Melius est recurrere quam malo currere.** It is better to recede than to rush into error.

**Melius inquirendum.** A writ ordering a further investigation.

**Member.** A limb or part of the body useful in fight. See Mayhem.

**Member of Congress.** A member of the House of Representatives of the U. S. Congress.

**Membrana.** Membrane, parchment.

**Membrum pro membro.** A limb for a limb, an old punishment for mayhem. See 50 N. Y. 598.

**Memorandum.** A note to aid the memory. See 58 Vt. 476, 56 Am. Rep. 565, 4 Atl. 231.

**Memorandum check.** A bank check with "memorandum" written across its face, indicating that it is not to be cashed but to be retained merely as evidence of the debt. See 84 U. S. 496, 21 L. Ed. 728.

**Memorandum of alteration.** A disclaimer of rights in an English patent, filed to prevent the loss of all right.

**Memorandum of association.** Articles signed by the organizers of a company.

**Memorial.** A brief memorandum or note of a court order to be subsequently entered fully on the records. See 73 Vt. 149, 50 Atl. 863.

**Memorial day.** May 30th.

**Memoriter.** From memory.

**Memory.** Often used synonymously with "mind"; e. g., sound memory. See 54 Barb. (N. Y.) 274.

**Memory, Time of.** See Time of memory.

**Men of straw.** See Man of straw.

**Menace.** A threat against one's character or person. See 93 Cal. 452, 27 Am. St. Rep. 207, 28 Pac. 1068.

**Menial.** A household servant. See 3 Serg. & R. (Pa.) 351.

**Mens.** Mind.

**Mens legislatoris.** The intention of the legislature.

**Mens rea.** Guilty mind; evil intent.

**Mens testatoris in testamentis spectanda est.** In wills, the intention of the testator is to be regarded.

**Mensa.** A table; board. See Divorce a mensa et thoro.

**Mensa et thoro.** From bed and board. See Divorce a mensa et thoro.

**Mensor.** A surveyor.

**Mensularius.** A money changer.

**Mensura.** A measure.

**Mensura domini regis.** The measure or standard of our Lord the king.

**Mental imbecility.** Childishness; dotage; approaching a condition of one non compos mentis. See 1 Bland's Ch. (Md.) 370, 17 Am. Dec. 311.

**Mentiri.** To lie; to falsify.

**Mentiri est contra mentem ire.** To lie is to go against the mind.

**Mentition.** A lie; a deceit.

**Mera noctis.** Midnight.

**Mercantile law.** Same as Law-merchant.

**Mercantile paper.** Negotiable instruments.

**Mercantile partnership.** A trading firm.

**Mercat.** A market.

**Mercative.** Pertaining to trade.

**Mercatum.** A market.

**Mercenarius.** A hired soldier or servant.

**Mercenlage.** Mercian laws, which see.

**Merces.** Wages.

**Merchandise.** All kinds of personal property which is bought and sold in the market. See 76 Cal. 212, 9 Am. St. Rep. 199, 18 Pac. 248.

**Merchandise marks act 1862.** An English statute protecting trademarks from infringement.

**Merchant.** One who buys and sells merchandise to make a profit by it. 11 Mart. (La.) 331, 13 Am. Dec. 352.

**Merchant seamen.** Those on private ships, as distinguished from those in the navy or public ships. See 43 Fed. (U. S.) 602.

**Merchantman.** A ship of commerce.

**Merchants, Statute of.** See De mercatoribus.

**Merchet.** Same as Marcheta.

**Merciament.** Same as Amercement.

**Mercian laws.** The old laws of the Welsh border. See 1 Bl. Comm. 65.

**Mercis appellatio ad res mobiles tantum pertinet.** The term "merx" pertains only to movable things.

**Mercis appellatione homines non continere.** The term "merx" does not apply to men.

**Mercy.** See Amercement.

**Mère.** A mother.

**Mere droit.** Same as Mere jus.

**Mere jus.** A bare right, without possession.

**Mere motion.** Of one's own free will.

**Mere right.** A bare right, without possession.

**Mere stone.** A stone marking a boundary.

**Meretricious.** Lewd; sexually immoral.

**Merger.** A consolidation into one of two or more corporations (see 21 Mont. 221, 45 L. R. A. 271, 53 Pac. 623); the loss of the identity of a lesser crime in a greater one.

**Merger of estates.** The annihilation of one estate in another, when a greater estate and a less coincide and meet in one and the same person without any intermediate estate. See 99 Am. St. Rep. 153, note.

**Meridies.** Noon.

**Merito beneficium legis amittit, qui legem ipsam subvertere intendit.** He justly loses the protection of the law who attempts to subvert it.

**Merits.** The legal rights of the parties as distinguished from matters of form and practice. See 86 Minn. 13, 89 N. W. 1124.

**Merits, Affidavit of.** See Affidavit of Merits.

**Mero motu.** See Ex mero moto; mere motion.

**Merton, Statute of.** See Statute of Merton.

**Merum.** Mere; naked.

**Merx est quidquid vendi potest.** Merchandise is whatever can be sold. See 3 Met. (Mass.) 367.

**Mesaventure.** Misadventure, which see.

**Mescroyant.** An unbeliever.

**Mese.** A house.

**Mesnality.** The manor of a mesne lord.

**Mesne.** Mean; intervening; intermediate. See 113 Ala. 418, 21 South. 403.

**Mesne conveyance.** A conveyance between the last and a prior one.

**Mesne encumbrance.** An encumbrance prior in right to one and subsequent to another.

**Mesne lord.** One under whom the tenant held and who himself held under a superior lord See 6 N. Y. 467, 57 Am. Dec. 470.

**Mesne process.** Any process issued in an action prior to execution. See 163 Mass. 530, 40 N. E. 853.

**Mesne profits.** Profits of land during a wrongful occupancy.

**Mesne, Writ of** See Writ of Mesne.

**Mesprison.** Same as Misprison.

**Mesque.** Unless; except.

**Messenger.** One who carries a message with no discretionary authority and without power to bind his superior. See 70 Cal. 169, 59 Am. Rep. 404, 11 Pac. 686.

**Messis sementem sequitur.** The crop follows the sower.

**Messuage.** A dwelling-house and its curtilage, garden and adjacent buildings. See 8 N. H. 465, 31 Am. Dec. 200.

**Meta.** A boundary.

**Metallum.** A metal.

**Metatus.** A residence.

**Metayer.** One who works a farm for half of the crops.

**Metecorn.** Corn paid out for labor.

**Metegavel.** Rent paid in victuals.

**Metes and bounds.** Boundaries and their corners.

**Methomania.** An irresistible thirst for intoxicating drink, followed by periodical sprees. See 89 Ala. 1, 7 L. R. A. 426, 7 South. 7, 183.

**Metropolitan.** An archbishop; pertaining to the city of London or to a metropolis.

**Mettre à large.** To set free.

**Metus.** Fear; apprehension.

**Meubles.** Movables.

**Meum est promittere, non dimittere.** It is mine to promise, not to discharge.

**Meum et tuum.** My property and yours.

**Meynour.** Same as Backberend.

**Michaelmas term.** An English term of court from November 2d to the 25th.

**Michelgemote.** A general assembly of the people anciently held in England.

**Michel-synod or Michel-synoth.** Same as Michelgemote.

**Michery.** Larceny; trickery.

**Middle lord.** A mesne lord holding directly from the king. See 6 N. Y. 467, 57 Am. Dec. 470.

**Middle thread.** See Filum aquae; Filum viae.

**Middleman.** An agent who introduces buyer and seller. See 2 Idaho, 122, 7 Pac. 82.

**Middlesex, Bill of.** See Bill of middlesex.

**Midwife.** A woman making a business of officiating at childbirths.

**Mieses.** (Spanish) Grain crops.

**Mileage.** An allowance paid to witnesses, officers and others for travel.

**Miles.** A soldier.

**Milieu.** Middle.

**Military causes.** Causes within the jurisdiction of military courts.

**Military courts.** See Court-martial.

**Military feuds.** Feuds held by knight-service.

**Military lands.** Lands granted by the U. S. for army service.

**Military law.** Those rules enacted by the legislative power for the government and regulation of the army and navy, and the militia when called into the active service of the U. S. See 98 Am. St. Rep. 733, note.

**Military offenses.** Infractions of military rules and regulations.

**Military state.** The army of the British government.

**Military tenures.** Tenure by knight service; Escuage, which see.

**Military testament.** Nuncupative will, which see.

**Milites.** Knights.

**Militia.** All persons who are by law liable to military duty. See 29 N. J. L. 232.

**Millbank prison.** A prison at Westminister for the temporary confinement of persons sentenced to be transported.

**Milled money.** Coined money.

**Mina.** A measure of weight.

**Minae.** Threats.

**Minare.** To mine.

**Minatur innocentibus qui parcit nocentibus.** He who spares the guilty menaces the innocent.

**Mind and memory.** Held to be synonymous terms. See 54 Barb. (N. Y.) 274.

**Minerals.** Anything mineral in character which can be got by mining. (See 147 N. Y. 495, 49 Am. St. Rep. 683, 42 N. E. 186);

all natural inorganic bodies. See 200 N. Y. 29, 140 Am. St. Rep. 618, 92 N. E. 1065.

**Minerator.** A miner.

**Minima poena corporalis est major qualibet pecuniaria.** The least bodily punishment is greater than any pecuniary one.

**Minime mutanda sunt quae certam interpretationem habuerunt.** Those things which have had a certain interpretation should be changed least. See 9 Mont. 452, 8 L. R. A. 629, 23 Pac. 1018.

**Miniments.** Same as Muniments.

**Minimum est nihilo proximum.** The least is next to nothing.

**Minimus.** The least.

**Mining claim.** A parcel of mineral land containing precious metals. See 15 Colo. 201, 22 Am. St. Rep. 388, 24 Pac. 1076.

**Mining district.** A mineral bearing country with defined boundaries in which the miners have prescribed local rules and regulations. See 11 Fed. (N. S.) 487, 8 Sawy. 100.

**Mining location.** The act of appropriating a mining claim upon the public domain, according to established law and rules. See 15 Colo. 201, 22 Am. St. Rep. 388, 24 Pac. 1076.

**Mining partnership.** A partnership legally resulting when several owners of a mine unite and cooperate in working it. See 23 Cal. 198, 83 Am. Dec. 96, and note.

**Minister.** One ordained under an organized Christian denomination. See 2 N. H. 268, 9 Am. Dec. 61, A high officer attached to the king in charge of a main branch of the government; a representative of a government in a foreign country.

**Ministerial act.** One which a person performs under a given state of facts, in a prescribed manner, in obedience to the mandate of legal authority, and without regard to or exercise of his own judgment upon the propriety of the act being done. See 25 Am. St. Rep. 342, note.

**Ministerial powers.** Powers requiring no exercise of judgment or discretion.

**Ministerial trust.** Same as Dry trust.

**Ministrant.** (Ecclesiastical law) A party who cross-examined a witness.

**Ministri regis.** Ministers of the king.

**Minor.** One not of age; an infant; less; younger. See Infant.

**Minor aetas.** Infancy; under age.

**Minor ante tempus agere non potest in casu proprietatis, nec etiam convenire.** A minor under age cannot act in the case of property, nor even agree.

**Minor jurare non potest.** A minor cannot make oath.

**Minor minorem custodire non debet; alios enim praesumitur male regere qui seipsum regere nescit.** A minor ought not to have custody of a minor; for he is presumed to control others badly who does not know how to control himself.

**Minor non tenetur respondere durante minori aetati; nisi in causa dotis, propter favorem.** A minor is not held responsible during his minority, unless, by reason of favor, in the matter of dower.

**Minor, qui infra aetatem 12 annorum fuerit, utlagari non potest, nec extra legem poni, quia ante talem aetatem, non est sub lege aliqua, nec in decenna.** A minor who is under the age of twelve

years cannot be outlawed, nor be placed outside the law, because before such age, he is not under any law nor in a decennary.

**Minor 17 annis, non admittitur fore executorem.** One under the age of seventeen, is not permitted to be an executor.

**Minora regalia.** The minor rights of the crown.

**Minority.** Infancy.

**Mintage.** A charge for coining money.

**Minus.** Less; not.

**Minus solvit, qui tardius solvit; nam et tempore minus solvitur.** He does not pay who pays too tardily, for he is not discharged by lapse of time.

**Minute tithes.** Small tithes. See Tithes.

**Minutes.** Memoranda of the transactions of a court made under its direction. See 147 Ind. 334, 47 N. E. 157. The entries in a minute book.

**Minute book.** A book in which the proceedings of a court are entered by the clerk; a book in which are entered the proceedings of corporation meetings by the secretary.

**Minutio.** Same as Diminution.

**Mis en escript.** Put in writing.

**Misa.** Mise, which see.

**Misadventure.** An accident.

**Misae.** Costs.

**Misallege.** To state or quote erroneously.

**Misappropriation.** The wrongful assumption of dominion over the property of another.

**Misbehavior.** Intentional wrongdoing. See 10 Wend. (N. Y.) 590, 25 Am Dec. 580.

**Miscarriage.** One's failure to succeed in a proposed business. See 173 Mo. 532, 73 S. W. 477. The bringing forth of a foetus before it is perfectly formed and capable of living; an abortion. See 13 Pa. 631.

**Miscasting.** A mistake in the audit of an account.

**Miscegenation.** The marriage of a white person and a negro.

**Mischief.** See Malicious mischief.

**Miscognizant.** Without knowledge of.

**Misconduct in office.** Any act involving moral turpitude, or any act which is contrary to justice, honesty, principle or good morals, if performed by virtue of authority of office. See 43 Mont. 389, Ann. Cas. 1912, 143, 117 Pac. 77.

**Miscontinuance.** A continuance improperly ordered.

**Miscreant.** A person entertaining principles subversive of moral obligation or religion. See 4 Bl. Comm. 44.

**Misdemeanant.** One guilty of a misdemeanor.

**Misdemeanor.** Any criminal offense less than a felony. See 65 Ill. 58, 16 Am. Rep. 569.

**Mise.** Costs; the general issue in a writ of right. See 3 Pet. (U. S.) 133, 7 L. Ed. 629.

**Misera est servitus, ubi lex est vaga aut incerta.** It is pitiable slavery where the law is vague and uncertain. See 8 U. S. 75, 2 L. Ed. 554.

**Miserabile depositum.** A deposit made under stress of necessity.

**Misericordia.** Amercement, which see.

**Misericordia communis.** A fine exacted of a community.

**Misfeasance.** The improper doing of an act one may lawfully do.

See 90 Wis. 225, 48 Am. St. Rep. 911, 28 L. R. A. 439, 63 N. W. 93.

**Misfortune.** Unlucky accident; ill fortune; calamity. See 64 Neb. 509, 97 Am. St. Rep. 662, 90 N. W. 243.

**Misjoinder.** An erroneous inclusion of parties to an action; an erroneous inclusion of several causes of action in one declaration. See 21 R. I. 556, 45 Atl. 546.

**Miskenning.** A mistake in stating or quoting.

**Misnomer.** A mistake in a name.

**Mispleading.** Pleading amiss or pleading wrongly. See 198 Ill. 462, 64 N. E. 1011.

**Misprision.** Mistake; misapprehension. See 28 Mont. 134, 72 Pac. 423.

**Misprison of felony.** The offense of failing to prevent a felony committed in one's presence (See 62 Ark. 286, 36 S. W. 900); the concealment of a past felony.

**Misrecital.** A misstatement of fact.

**Misrepresentation.** The concealment of the truth or the assertion of a falsity. See 51 Kan. 355, 32 Pac. 1110.

**Missing ship.** A ship presumed lost from being long unheard of.

**Missio.** A sending; a putting.

**Missio in bona.** Putting a creditor in possession of his debtor's goods under an execution.

**Missio judicum in consilium.** A sending out of the jury to decide upon their verdict.

**Missouri compromise.** The provisions in the act admitting Missouri to the Union in 1820, prohibiting slavery north of lat. 36° 30′ N., except in Missouri.

**Misstaicus.** A messenger.

**Mistake.** An intentional act or omission from ignorance, surprise, imposition or misplaced confidence. See 76 Ga. 674, 2 Am. St. Rep. 63.

**Mistake of fact.** One which occurs when some fact which really exists is unknown, or some fact is supposed to exist which really does not. See 55 Am. St. Rep. 495, note.

**Mistake of law.** Such an error as is committed by one who knows the state of the facts, but is ignorant of the legal consequence of his act. See 55 Am. St. Rep. 494, note.

**Mistery.** A trade, calling or business.

**Mistrial.** A trial in which there has been such an error as would be ground for an arrest of judgment. See 2 Ind. 36. A trial before a jury which has been discharged for failure to find a verdict. See 32 Fed. (U. S.) 425.

**Misuser.** The abuse of a right or franchise.

**Mitigation.** The reduction of damages or punishment by extenuating facts or circumstances.

**Mitior sensus.** See In mitiori sensu.

**Mitius imperanti melius paretur.** The more mildly one commands, the better he is obeyed.

**Mitter.** To put; to send.

**Mitter à large.** To permit to go at large.

**Mitter avant.** To set before; to produce.

**Mitter le droit.** To pass the right.

**Mitter l'estate.** To pass the estate.

**Mittere.** To send; to put.

**Mittere in confusum.** To put into hotchpot. See Hotchpot.

**Mittimus.** See Commitment.

**Mittomus.** Let us suppose.

**Mixed action.** An action to recover land and also damages. See 48 Me. 255.

**Mixed contract.** One in which the values of the considerations are unequal.

**Mixed government.** One with attributes of a democracy, a monarchy and an aristocracy

**Mixed jury.** A jury composed half of men of the same nationality as the foreigner who was a party to the action and the other half of Englishmen.

**Mixed larceny.** Aggravated larceny, such as from a house or a person. See 22 W. Va. 779, 46 Am. Rep. 550.

**Mixed presumptions.** Those which presume both law and fact.

**Mixed property.** Not altogether real, nor personal property, but a compound of both. See 62 N. J. Eq. 776, 90 Am. St. Rep. 480, 48 Atl. 586.

**Mixed tithes.** Tithes emanating indirectly from the soil, e. g., eggs.

**Mixed war.** A war between a nation and individuals. See 1 Hill (N. Y.) 377, 25 Wend. (N. Y.) 482, 37 Am. Dec. 328.

**Mixtion.** See Confusion.

**Moat.** A ditch filled with water surrounding a fortified town or castle.

**Mob.** A riotous assemblage. See 88 Am. Dec. 267, note. See, also, Riot.

**Mobilia.** Movables, which see.

**Mobilia non habent situm.** Movables have no situs. See 127 Mo. 242, 48 Am. St. Rep. 626, 27 L. R. A. 651, 29 S. W. 1010.

**Mobilia personam sequuntur; immobilia situm.** Movable property follows the person, immovable, their location. See 166 U. S. 185, 41 L. Ed. 965, 17 Sup. Ct. Rep. 604.

**Mobilia sequuntur personam.** Movable property follows the person. See 1 Ch. 847, 3 Brit. Rul. Cas. 198.

**Moderamen inculpatae tutelae.** The regulation of excusable protection, i. e., lawful self-defense.

**Moderata misericordia.** A writ to prevent excessive amercement.

**Moderate castigavit.** He moderately chastised, he used reasonable force.

**Moderator.** An elected town officer who presides at town meetings. See 180 Mass. 382, 62 N. E. 471.

**Modica circumstantia facti jus mutat.** A trifling circumstantial fact may change the law.

**Modius.** A measure.

**Modo et forma.** In manner and form.

**Modus.** Manner; method; measure; prescription.

**Modus dat legem donationi.** The form gives law to the gift.

**Modus de non decimando.** A prescription of not paying tithes.

**Modus de non decimando non valet.** A prescription of not paying tithes is void.

**Modus decimandi.** A method of tithing.

**Modus et conventio vincunt legem.** The form and the agreement control the law. See 25 Eng. Rul. Cas. 5.

**Modus habilis.** Proper manner.

**Modus legem dat donationi.** The form gives law to a gift.

**Modus operandi.** The method of operation.

**Modus tenendi.** The manner of holding, the character of the tenure.

**Modus transferrendi.** The manner of transferring.

**Modus vacandi.** The manner of vacating or relinquishing.

**Modus vivendi.** Mode of living.

**Moerda.** Murder.

**Moiety.** One half.

**Molendinum.** A mill.

**Molitura libera.** The liberty of having one's grain ground free at a mill.

**Molliter manu.** Gently with the hand.

**Molliter manus imposuit.** He gently laid hands upon him.

**Molutus.** Ground.

**Momentum.** A moment; an instant.

**Monarchy.** A government by one ruler.

**Monasterium.** A monastery.

**Moneta.** Money.

**Moneta est justum medium et mensura rerum commutabilium, nam per medium monetae fit omnium rerum conveniens, et justa aestimatio.** Money is the just medium and measure of merchantable goods, for through the medium of money a convenient and proper estimate of all things is made.

**Monetandi jus comprehenditur in regalibus quae nunquam a regio sceptro abdicantur.** The right of coinage is included among those royal prerogatives which are never renounced by the regal scepter.

**Money.** The whole volume of the medium of exchange, regardless of its character or denomination. See 167 Ala. 82, 140 Am. St. Rep. 19, 52 South. 652.

**Money claims.** Claims for money arising out of express or implied contracts.

**Money counts.** Common counts in assumpsit based on money demands. See Common counts.

**Money demand.** A demand arising out of contract which is ascertainable with certainty. See 120 Ala. 206, 24 South. 847.

**Money had and received.** One of the common counts for the recovery of money which the defendant has received and should pay over to the plaintiff. See Common counts.

**Money judgment.** A judgment which can be fully satisfied by a money payment. See 75 Fed. (U. S.) 694, 21 C. C. A. 505.

**Money lent.** Money advanced to another upon an agreement to return a like amount. See 7 Wyo. 22, 49 Pac. 403.

**Money made.** Money collected under an execution.

**Money of adieu.** Earnest-money.

**Money paid.** One of the common counts to recover paid out by the plaintiff for the plaintiff's use. See Common counts.

**Moneyed corporation.** A corporation dealing in and lending money. See 4 N. Y. 442.

**Monition.** A summons in admiralty and ecclesiastical courts.

**Monocracy.** A government with a single ruler.

**Monocrat.** The ruler of a monocracy.

**Monogamy.** The condition of having but one spouse at a time.

**Monomachy.** Single combat.

**Monomania.** A mania on one subject. See 31 Ill. 385, 83 Am. Dec. 231.

**Monomaniac.** One suffering from monomania.

**Monopolia dicitur, cum unus solus aliquod genus mercaturae universum emit, pretium ad suum libitum statuens.** A monopoly is said to exist when one person alone buys the whole of some sort of merchandise, fixing the price to his own fancy.

**Monopolium.** A monopoly.

**Monopoly.** An exclusive right, granted to a few, of something which was before of common right. See 11 Pet. (U. S.) 420, 9 L. Ed. 773. See, also, 74 Am. St. Rep. 236, note.

**Monroe doctrine.** A principle asserting the right of the United States to resist European interference with the government of American republics.

**Monster.** An animal or human being born a freak.

**Monstrans de droit.** Showing or proving the right.

**Monstrans de faits.** A showing of deeds; a profert of deeds. See Profert.

**Monstraverunt, Writ of.** See Writ of monstraverunt.

**Montes pietatis.** Pawn-shops.

**Month.** A month as designated in the calendar, without regard to the number of days it may contain. See 7 Wyo. 1, 75 Am. St. Rep. 870, 48 Pac. 839.

**Monument.** Boundary marks made upon natural or enduring objects. See 33 Pa. 124, 75 Am. Dec. 584.

**Monumenta quae nos recorda vocamus sunt veritatis et vetustatis vestigia.** Those monuments which we call records are the marks of truth and antiquity.

**Moonshine.** Intoxicating liquor unlawfully made or sold. See 131 N. C. 701, 42 S. E. 443.

**Moot case.** One not arising out of an actual controversy. See 21 R. I. 134, 44 L. R. A. 273, 42 Atl. 515.

**Moot court.** A practice court for students.

**Moot question.** An undecided point of law.

**Mora.** Delay.

**Mora reprobatur in lege.** Delay is disapproved in the law.

**Moral certainty.** Certainty beyond a reasonable doubt. See 75 Conn. 326, 96 Am. St. Rep. 203, 53 Atl. 731.

**Moral consideration.** A consideration good only in conscience.

**Moral fraud.** A fraud involving moral wrong.

**Moral obligation.** An obligation which is not necessarily a legal one and which, therefore, cannot necessarily be enforced. See 167 Pa. 569, 46 Am. St. Rep. 691, 31 Atl. 925.

**Moral turpitude.** Contrary to justice, honesty, principle or good morals. See 123 Cal. 522, 56 Pac. 448.

**Morandae solutionis causa.** For the sake of delaying payment.

**Morari.** To delay.

**Moratorium.** A governmental or legislative decree suspending liability for debt.

**Moratur in lege.** He demurs.

**Morbosus.** Dead.

**Morbus sonticus.** An illness incapacitating one for business.

**More colonico.** In husbandlike manner.

**Morganatic marriage.** A man's marriage to a woman of lower rank who does not share his rank nor enjoy full legal rights as a wife.

**Morgangiva, or Morgengeba.** A gift to a bride on the wedding morning.

**Mors.** Death.

**Mors dictur ultimum supplicium.** Death is called the extreme penalty.

**Mors omnia solvit.** Death dissolves everything.

**Mort.** Death.

**Mort civile.** Civil death, which see.

**Mort d'ancestor.** See Assize of.

**Mortality tables.** Same as Life tables.

**Morte donatis donatio confirmatur.** A gift is confirmed by the death of the donor.

**Mortgage.** A lien; a transfer of property as security for a debt. See 1 Pet. (U. S.) 386, 7 L. Ed. 189. See, also, 7 Am. St. Rep. 32, note.

**Mortgage of goods.** See Chattel mortgage.

**Mortgagee.** One to whom a mortgage is made.

**Mortgagor.** The maker of a mortgage.

**Morth.** Murder.

**Morthlaga.** A murderer.

**Morthlage.** Murder.

**Mortis causa.** Same as Causa mortis.

**Mortis momentum est ultimum vitae momentum.** The moment of death is the last moment of life. See 4 Bradf. (N. Y.) 245.

**Mortmain.** Alienation in mortmain was alienation of land to a corporation. See 65 U. S. 465, 16 L. Ed. 701.

**Mortmain acts.** English statutes enacted for the purpose of preventing land from going into the hands of religious corporations. See 9 Barb. (N. Y.) 324.

**Mortuary.** A corse-present, which see.

**Mortuary tables.** Same as Life tables.

**Mortuum vadium.** A mortgage.

**Mortuus.** Dead.

**Mortuus exitus non est exitas.** Born dead is not born.

**Mos pro lege.** Custom in place of law.

**Mos retinendus est fidelissimae vetustatis.** A custom of truest antiquity should be preserved.

**Mostrencos.** Estrays.

**Mote.** A court; a popular assembly.

**Motion.** A formal application to a court for its order, ruling, judgment or decree. See 28 Ind. App. 629, 63 N. E. 770.

**Motion day.** A day appointed by the court for the hearing of motions.

**Motion for judgment on the pleadings.** See Judgment on the pleadings.

**Motive.** See Intent.

**Mourant.** Dying.

**Movable rights.** Rights in personal property.

**Movables.** Such things as are not natural parts of the earth or sea but are on the one or in the other. See 86 Iowa, 71, 41 Am. St. Rep. 481, 17 L. R. A. 788, 52 N. W. 1124.

**Movent.** One who makes a motion; a moving party.

**Moyen.** Mesne, which see.

**Mr. Denman's act.** The statute 28 & 29 Vict. 18, permitting counsel to sum up evidence in criminal cases.

**Mulatto.** One too dark to be a white person and too dark to be a griff. See 126 La. 300, 139 Am. St. Rep. 514, 20 Ann. Cas. 1297, 52 South. 500. See, also, Griff.

**Mulct.** A penalty or fine. See 119 Iowa, 384, 104 Am. St. Rep. 283. 93 N. W. 378.

**Mulcta damnum famae non irrogat.** A fine does not inflict a ruin of one's reputation.

**Mulier.** A woman; a wife.

**Mulier puisné.** The eldest legitimate son.

**Multa conceduntur per obliquum quae non conceduntur de directo.** Many things are indirectly permissible which are not directly so.

**Multa fidem promissa levant.** Many promises weaken confidence. See 11 Cush. (Mass.) 350.

**Multa ignoramus quae nobis non laterent si veterum lectio nobis fuit familiaris.** We are ignorant of many things which would not be obscure to us if the reading of the ancients were familiar to us.

**Multa in jure communi contra rationem disputandi pro communi utilitate introducta sunt.** Many things have been introduced into the common law which are contrary to logical reason, for the sake of the common welfare.

**Multa multo exercitatione facilius quam regulis percipies.** You perceive many things much more easily by practice than by rule.

**Multa non vetat lex, quae tamen tacite damnavit.** There are many things the law does not forbid, which nevertheless it silently condemns.

**Multa transeunt cum universitate quae non per se transeunt.** Many things pass as a whole which do not pass by themselves.

**Multi multa; nemo omnia novit.** Many know many things; no one knows all.

**Multifariousness.** (In equity.) The objection to the maintenance of one suit against several defendants who claim under separate rights or titles. See 15 Am. Dec. 427, note.

**Multiple poinding.** A Scotch proceeding like interpleader.

**Multiplex et indistinctum parit confessionem; et questiones quo simpliciores, eo lucidiores.** Multiplicity and lack of distinctness produce confusion; the more simple questions are, the more lucid they are.

**Multiplicata transgressione crescat poenae inflictio.** The infliction of punishment should increase with the repetition of the offense.

**Multitudinem decem faciunt.** Ten make a multitude.

**Multitudo errantium non parit errori patrocinium.** A multitude of erring ones does not furnish protection for error.

**Multitudo imperitorum perdit curiam.** A multitude of unskilful barristers destroy a court.

**Multo utilius est pauca idonea effundere, quam multis inutilibus homines gravari.** It is much more useful to bring forth a few worthy things than that men should be burdened with many useless things.

**Multure.** A payment in grain for grinding grain.

**Mund.** Peace.

**Mundbrye.** Peace breach.

**Munera.** Plural of Munus.

**Municeps.** Qualified for office.

**Municipal.** Pertaining to a city or town. See 115 Ga. 15, 41 S. E. 259.

**Municipal aid.** The aid of a municipality given to a private enterprise to cause it to locate therein.

**Municipal corporation.** A body politic and corporate established by law to assist in the government of the state, with delegated authority to regulate and administer to the local and internal affairs of a city, town or district which is incorporated. See 7 Houst. (Del.) 44, 40 Am. St. Rep. 109, 30 Atl. 723.

**Municipal corporations acts.** General laws for the formation and government of cities and towns.

**Municipal courts.** Inferior courts the jurisdiction of which is confined to municipalities, principally police courts for the enforcement of municipal regulations.

**Municipal judge.** The judge of a municipal court.

**Municipal law.** The law of a state or nation.

**Municipal ordinance.** A regulation enacted by the governing body of a town or city.

**Municipal securities.** Bonds issued by cities and towns.

**Municipality.** Same as Municipal corporation.

**Municipia.** Plural of Municipium.

**Municipium.** A Roman town or city which enjoyed self-government. See 37 Iowa, 542.

**Muniments.** Deeds or writings evidencing title.

**Munus.** A gift; a feudal grant.

**Mur, or Mure.** A wall.

**Murage.** A payment of money in lieu of murorum operatio. See Murorum operatio.

**Mural monuments.** Those built in walls. See Monument.

**Murder.** The killing of a reasonable being with malice aforethought; express or implied. See 134 Am. St. Rep. 727, note.

**Murder in the first degree.** A statutory degree of murder differing in different states, usually punishable by death. See 58 Pa. 9.

**Murder in the second degree.** A statutory degree of murder differing in different states, usually punishable by life imprisonment. See 58 Pa. 9.

**Murdrare.** To murder.

**Murdre.** Murder.

**Murdritor.** A murderer.

**Murdrum.** Murder; a fine imposed on a county in the absence of Englishry. See Englishry.

**Murorum operatio.** A feudal service for the repair of walls or fortifications. See Murage.

**Murthrum.** Murder.

**Must.** Sometimes means "may." See 162 N. Y. 31, 47 L. R. A. 721, 56 N. E. 511. See, also, May.

**Muster-roll.** The roll or list of employees on a ship.

**Mustizo.** The child of a negro and an Indian. See Dud. (S. C.) 174.

**Mutatio nominis.** A change of name.

**Mutation.** A transfer; a conveyance.

**Mutation of libel.** An amendment of an admiralty libel.

**Mutatis mutandis.** Things change which should change.

**Mutato nomine de te fabula narratur.** The tale was narrated to you under a different name.

**Mute.** See Stand mute.

**Mutilation.** A physical act rendering an instrument imperfect, but not necessarily destroying it. See 76 Ind. 575, 40 Am. Rep. 269.

**Mutiny.** Used synonymously with insurrection. See 10 Rob. (La.) 202, 43 Am. Dec. 180. See, also, Insurection.

**Mutual.** Shared reciprocally. See 75 Cal. 1, 16 Pac. 345.

**Mutual accounts.** Accounts wherein demands on both sides exist at the same time. See 83 Am. Dec. 81, note. See, also, 79 N. Y. 1, 35 Am. St. Rep. 496.

**Mutual benefit society.** Same as Mutual insurance company, except where statute has created a difference. See 52 Ark. 201, 20 Am. St. Rep. 167, 12 S. W. 477.

**Mutual contract.** A contract binding on both parties. See 61 N. E. (Ind.) 12.

**Mutual covenant.** One the breach of which by either party will give the other a right of action against him. See 3 Ala. 330.

**Mutual credit.** A knowledge on both sides of an existing debt due to one party, and a credit by the other party, founded on, and trusting to such debt, as a means of discharging it. See 146 U. S. 499, 36 L. Ed. 1059, 13 Sup. Ct. Rep. 148.

**Mutual life insurance company.** An association insuring the lives of its members and assessing the survivors to pay losses. See 50 Miss. 662.

**Mutual mistake.** A mistake shared by both parties to a contract. See 54 N. J. Eq. 387, 55 Am. St. Rep. 577, 34 Atl. 1099.

**Mutual promises.** Promises each made as consideration for the other.

**Mutual will.** A will jointly executed by two or more persons making reciprocal testamentary provisions in favor of each other. See 136 Am. St. Rep. 593, note.

**Mutuality.** The state which exists when both parties to a contract are bound to do something. See 169 Mo. 137, 69 S. W. 384.

**Mutuant.** See Mutuum.

**Mutuari.** To borrow.

**Mutuary.** See Mutuum.

**Mutus.** Dumb.

**Mutus et surdus.** Deaf and dumb.

**Mutuum.** A lending by a mutuant to a mutuary of things to be consumed and returned to the lender in kind. See 29 N. Y. 146.

**My.** Half.

**Mynute.** Midnight.

**Mys.** Same as Mis.

**Mystery.** An occupation, business or calling. See 15 Me. 122.

**Mystic testament.** A will sealed before being attested.

# N

**N. E. I.** Non est inventus, which see.

**N. L.** Non liquet, which see.

**N. P.** Notary public, which see. Nisi prius, which see.

**Naam.** A distress; a taking.

**Naif.** A born slave; a villein.

**Naivitas.** Villeinage.

**Naked.** Bare; incomplete; not full.

**Naked confession.** An uncorroborated confession.

**Naked power.** A mere power to dispose of property with no interest therein. See 6 Conn. 559, 16 Am. Dec. 76.

**Naked trust.** Same as Dry trust.

**Nam.** For; a distress; a taking.

**Nam quo major vis est animi quam corporis, hoc sunt graviora ea, quam corpora.** For, as the power of the mind is greater than that of the body, so the sufferings of the mind are more severe than the pains of the body. See 107 N. C. 370, 22 Am. St. Rep. 883, 9 L. R. A. 669, 11 S. E. 1044.

**Namare.** To take; to distrain.

**Namato.** A distress.

**Name.** A person's full name consists of a Christian or given name and a surname or patronymic. See 132 Am. St. Rep. 563, note.

**Name and arms clause.** A clause in a will expressing a desire that a certain devisee assume the testator's name and crest.

**Namium.** A distress; a taking.

**Namium vetitum.** A wrongful taking under pretense of distress.

**Narr.** Narratio, which see.

**Narrare.** To allege in a declaration or count. See Declaration; Count.

**Narratio.** A declaration; a count thereof. See Declaration; Count.

**Narrator.** One who pleads narrs. See Serviens narrator.

**Narrow seas.** The seas off the coast of England.

**Nasciturus.** One to be born in the future.

**Nastre.** To be born.

**Natale.** Inherited.

**Nati et nascituri.** Born and to be born in the future.

**Natio.** A nation.

**Nation.** A society of men united together for their mutual safety and advantage by the joint efforts of their combined strength. See 97 U S. 454, 24 L. Ed. 1071.

**National banks.** Private banking corporations organized under U. S. statutes, and intended for public accommodation. See 91 Md. 175, 80 Am. St. Rep. 438, 50 L. R. A. 501, 46 Atl. 340.

**National corporations.** Those formed under acts of Congress.

**National domain.** Lands owned by the national government.

**National domicile.** One's domicile in respect to his nation as distinguished from his local domicile.

**Nationality.** One's natural allegiance. See 169 U. S. 649, 42 L. Ed. 890, 18 Sup. Ct. Rep. 456.

**Nativa.** A female villein.

**Native.** One born within the jurisdiction. See 169 U. S. 649, 42 L. Ed. 890, 18 Sup. Ct. Rep. 456.

**Nativi.** Villeins; vassals.

**Nativitas.** Villenage, which see.

**Nativo habendo.** A writ for the return of an escaped villein to a lord.

**Nativus.** A villein.

**Natura appetit perfectum, ita et lex.** Nature seeks perfection, and so does the law.

**Natura brevium.** An old collection of original writs.

**Natura fide jussionis sit strictissimi juris et non durat, vel extendatur de re ad rem, de persona ad personam, de tempore ad tempus.** The nature of a suretyship is one of strictest law and does not endure or suffer an extension from one thing to another, from one person to another or from one time to another.

**Natura non facit saltum, ita nec lex.** Nature does not make any leaps, neither does the law.

**Natura non facit vacuum; nec lex supervacuum.** Nature makes no vacuum, nor does the law do anything superfluous.

**Naturae vis maxima; natura bis maxima.** The force of nature is the greatest; nature is doubly strong.

**Natural.** Occurring according to the usual course of nature.

**Natural affection.** The affection which one's near relative is presumed to have for him.

**Natural boundary.** A boundary formed by natural objects.

**Natural children.** Bastards.

**Natural day.** The day between sunrise and sunset.

**Natural equity.** That arising from common honesty and right.

**Natural fool.** An idiot.

**Natural fruits.** See Fructus naturales.

**Natural heirs.** Blood relatives of their ancestor to whom his property descends.

**Natural infancy.** The condition of a child under seven.

**Natural law.** A rule which so necessarily agrees with the nature and state of man that without observing its maxims the peace and happiness of society can never be preserved. See 11 Ark. 519, 54 Am. Dec. 217.

**Natural liberty.** Freedom to act as one desires.

**Natural life.** Synonymous with life or lifetime. See 89 Mich. 70, 50 N. W. 792.

**Natural obligation.** An obligation resting in conscience and not enforceable by law.

**Natural persons.** Individuals, as distinguished from corporations.

**Natural presumptions.** A direct inference, founded upon experience, from a proved fact. See 13 N. J. L. 68, 23 Am. Dec. 711.

**Natural year.** 365¼ days.

**Natural-born citizen.** Same as Native.

**Naturale est quidlibet dissolvi eo modo quo ligatur.** It is natural that anything should be released in the same manner in which it is bound.

**Naturalization.** The investing of an alien with the rights of a citizen. See 143 U. S. 135, 36 L. Ed. 103.

**Naturalized citizen.** An alien upon whom naturalization has been conferred.

**Nauclerus.** A ship owner or master.

**Naufragium.** Shipwreck.

**Naught.** Defective.

**Naulage.** The freight of a ship's passengers.

**Naulum.** Freight.

**Nauta.** A sailor; a ship's charterer.

**Nautical assessors.** Experts in navigation called in to aid an admiralty court.

**Nautico foenere.** With foenus nauticum. See Foenus nauticum.

**Navagium.** The service of carrying the lord's goods by ship.

**Naval.** Relating to the navy.

**Naval courts.** Courts composed of naval officers and held in a foreign country to determine cases involving the loss of English ships or grievances of their masters or crews.

**Naval courts-martial.** Courts-martial held in the navy. See Court-martial.

**Naval law.** Navy rules and regulations.

**Navigable stream.** Such as is floatable or capable of valuable use in bearing the products of mines, forests and tillage to mills or markets. See 116 N. C. 731, 47 Am. St. Rep. 829, 21 S. E. 941.

**Navigable waters.** By the common law of England, the sea and only those rivers where the tide ebbs and flows, but in U. S., all waters which are in fact navigable. See 19 Am. St. Rep. 227, note.

**Navigation act.** A statute enacted under Charles II forbidding foreign trade with English colonies.

**Navis.** A ship.

**Navis bona.** A good ship.

**Nazeranna.** A voluntary payment to a government in recognition of a land grant or a public office.

**Ne.** Not; lest.

**Ne admittas.** A writ forbidding the admission of a clerk to a living pending a suit to determine his right.

**Ne baila pas.** He did not deliver.

**Ne deficiat justitia.** Lest justice fail.

**Ne disseise pas.** He was not disseised.

**Ne disturba pas.** He did not disturb, the general issue in quare impedit. See Quare impedit.

**Ne dona pas.** He did not give, the general issue in a writ of formedon. See Formedon.

**Ne exeat.** In England, a high prerogative writ issued for state or political purpose to forbid a subject to depart from the realm. In U. S., a process of a court of equity, issued upon cause shown, to restrain a party from leaving the state or the jurisdiction until he has given bail to perform its decree. See 118 Am. St. Rep. 389, note.

**Ne exeat regno.** A ne exeat in England. See Ne exeat.

**Ne exeat republica.** A ne exeat in the U. S. See Ne exeat.

**Ne gist en le bouche.** It is not for one to say.

**Ne luminibus officiatur.** A servitude protecting one's light from obstruction.

**Ne quis plus donasse praesumitur quam in donatione expresserit.** Lest anyone should be presumed to have given more than he expressed in his grant.

**Ne recipiatur.** Lest it should be received, a caveat instructing an officer not to receive the papers of an adverse party.

**Ne rector prosternet arbores.** An English statute against the felling of trees in churchyards by parsons.

**Ne relesse pas.** He was not released.

**Ne unques accouple.** Never married.

**Ne unques executor.** Never executor.

**Ne unques receivour.** Never receiver.

**Ne unques seisie que dower.** Never seized so that dower could attach.

**Ne unques son receiver.** Never his receiver.

**Ne varietur.** Lest it be changed, a notary's mark to identify a negotiable instrument.

**Neat.** Same as Net.

**Neat cattle.** Animals of the bovine species. See 9 N. M. 582, 58 Pac. 343.

**Neat profits.** Net profits.

**Nec curia deficeret in justitia exhibenda.** Nor should the court be lacking in showing justice.

**Nec tempus nec locus occurrit regi.** Neither time nor place bars the king.

**Nec veniam effuso sanguine, casus habet.** Nor is there any occasion for indulgence where there is bloodshed.

**Nec veniam, laeso numine, casus habet.** There is no occasion for indulgence where majesty has been affronted.

**Necation.** A killing.

**Necessaries.** Of a wife, food, clothing, articles of utility and of ornament, suitable to maintain her according to the estate and rank of her husband. See 47 Minn. 250, 28 Am. St. Rep. 362, 49 N. W. 981. Of an infant, whatever a court or jury may think in each case suitable and proper in reference to his condition and station in life. See 40 Neb. 195, 42 Am. St. Rep. 665, 26 L. R. A. 177, 58 N. W. 852.

**Necessarium est quod non potest aliter se habere.** That is necessary which cannot otherwise be.

**Necessarius.** Necessary.

**Necessary deposit.** A deposit thrust upon one's land by unavoidable cause.

**Necessary domicile.** One effected by law. See Voluntary domicile.

**Necessitas.** Necessity.

**Necessitas culpabilis.** Culpable necessity, which excuses one killing in self-defense. See 4 Bl. Comm. 187.

**Necessitas est lex temporis et loci.** Necessity is the law of time and place.

**Necessitas excusat aut extenuat delictum in capitalibus, quod non operatur idem in civilibus.** Necessity excuses or extenuates the offense in capital cases, but does not similarly operate in civil cases.

**Necessitas facit licitum quod alias non est licitum.** Necessity makes lawful what would otherwise be unlawful.

**Necessitas inducit privilegium.** Necessity invokes privilege. See 106 N. C. 722, 19 Am. St. Rep. 568, 8 L. R. A. 297, 11 S. E. 525.

**Necessitas inducit privilegium quoad jura privata.** Necessity invokes privilege in respect to a private right.

**Necessitas non habet legem.** Necessity has no law.

**Necessitas publica major est quam privata.** Public necessity is greater than private. See 141 N. C. 615, 7 L. R. A. (N. S.) 321, 54 S. E. 453.

**Necessitas, quod cogit, defendit.** Necessity defends that which it compels.

**Necessitas sub lege non continetur, quia quod alias non est licitum necessitas facit licitum.** Necessity is not restrained by law, because that which is not otherwise lawful necessity makes lawful.

**Necessitas vincit legem.** Necessity supersedes law.

**Necessitas vincit legem; legum vincula irridet.** Necessity supersedes law; it mocks the shackles of the law.

**Neck verse.** A verse by the reading of which a convict saved his neck through benefit of clergy.

**Née.** Born.

**Née vife.** Born alive.

**Nefas.** Wrongful.

**Negare.** To deny.

**Negatio conclusionis est error in lege.** The denial of a conclusion is an error in law.

**Negatio destruit negationem, et ambae faciunt affirmationem.** A negative destroys a negative, and both together make an affirmative.

**Negatio duplex est affirmatio.** A double negative is an affirmative.

**Negative condition.** One providing against the happening of an event.

**Negative covenant.** A covenant binding the covenantor to refrain from some specific act. See 163 Ill. 652, 45 N. E. 145.

**Negative easement.** One in which the owner of the servient tenement is by reason of the easement curtailed in the exercise of some of his rights, in respect of his lands in favor of the owner of the dominant tenement. See 136 Am. St. Rep. 683, note.

**Negative pregnant.** A negative statement implying an affirmative one. See 46 S. C. 79, 24 S. E. 74.

**Negatum.** Denied.

**Negligence.** The omission to do something which a reasonable man would do under the circumstances, or the doing of something which a prudent and reasonable man would not do. See 48 Neb. 563, 58 Am. St. Rep. 709, 33 L. R. A. 598, 67 N. W. 479.

**Negligent escape.** An escape occurring through the negligence of the officer. See 30 N. C. 147.

**Negligentia.** See Negligence.

**Negligentia semper habet infortuniam comitem.** Negligence always has misfortune as a comrade.

**Negotiability.** Capability of being transferred by indorsement and delivery so as to give the indorsee the right to sue on the contract in his own name. See 101 U. S. 557, 25 L. Ed. 892.

**Negotiable.** Transferable by indorsement and delivery so as to vest in the indorsee such a legal title as will enable him to sue on the instrument in his own name. See 15 Mo. 337, 55 Am. Dec. 147.

**Negotiate.** To transfer by indorsement and delivery. See 42 Md. 581, 20 Am. Rep. 95.

**Negotiation.** The act of negotiating a bill or note.

**Negotiorum gestor.** A self-appointed agent assuming the transaction of one's business.

**Negotium.** Business; a business transaction.

**Negro.** A black man; one of a race of black or very dark persons who inhabit the greater part of tropical Africa and distinguished by certain physical characteristics, not including octoroons, mulattoes and persons of mixed blood. See 126 La. 300, 139 Am. St. Rep. 514, 20 Ann. Cas. 1297, 52 South. 500.

**Neif.** Same as Naif.

**Nem. con.** Nemine contradicente, which see.

**Nemine contradicente.** No one contradicting.

**Neminem laedit qui jure suo utitur.** He who uses his own property lawfully, injures no one. See 47 La. Ann. 214, 49 Am. St. Rep. 366, 27 L. R. A. 416, 16 South. 806.

**Neminem oportet esse sapientiorem legibus.** No one ought to be wiser than the laws.

**Nemo.** No one.

**Nemo admittendus est inhabilitare seipsum.** No one is permitted to incapacitate himself.

**Nemo agit in seipsum.** No one acts against himself.

**Nemo alienae rei, sine satisdatione, defensor idoneus intelligitur.** No one is regarded as a favorable defender of the property of another, without security.

**Nemo alieno nomine lege agere potest.** No one can sue in the name of another.

**Nemo aliquam partem recte intelligere potest, antequam totum iterum atque iterum perlegerit.** No one can rightly understand any part before he has read over the whole again and again.

**Nemo allegans suam turpitudinem, audiendus est.** No one asserting his own baseness should be heard. See 95 Va. 570, 40 L. R. A. 240, 28 S. E. 953.

**Nemo bis punitur pro eodem delicto.** No one is twice punished for the same offense.

**Nemo cogitationis poenam patitur.** No one suffers punishment for his thoughts.

**Nemo cogitur rem suam vendere, etiam justo pretio.** No one is compelled to sell his property, even at a fair price.

**Nemo contra factum suum venire potest.** No one can go against his own deed.

**Nemo damnum facit, nisi qui id fecit quod facere jus non habet.** No one works harm except him who does what he has no right to do.

**Nemo dare potest quod non habet.** No one can give what he has not.

**Nemo dat qui non habet.** No one gives who has not.

**Nemo dat quod non habet.** No one can give that which he has not.

**Nemo de domo sua extrahi debet.** No one ought to be dragged out of his own house.

**Nemo debet aliena jactura locupletari.** No one ought to be enriched by another's loss.

**Nemo debet bis puniri pro uno delicto.** No one ought to be twice punished for one offense.

**Nemo debet bis vexari eadem causa.** No one ought to be twice harassed for the same cause. See 65 Conn. 265, 48 Am. St. Rep. 202, 27 L. R. A. 498, 30 Atl. 1110.

**Nemo debet bis vexari pro eadem causa.** No one ought to be twice molested for the same cause. See 201 Mo. 467, 10 L. R. A. (N. S.) 140, 100 S. W. 443.

**Nemo debet bis vexari pro una et eadem causa.** No one ought to be twice molested for one and the same cause. See 98 U. S. 61, 25 L. Ed. 93.

**Nemo debet bis vexari, si constat curiae quod sit pro una et eadem causa.** No one ought to be twice molested, if it appears to the court that it is for one and the same cause. See 99 Mass. 203, 96 Am Dec. 733.

**Nemo debet esse judex in propria causa.** No one ought to be a judge in his own case. See 111 N. Y. 1, 7 Am. St. Rep. 684, 2 L. R. A. 255, 18 N. E. 692.

**Nemo debet ex alieno damno lucrari.** No one ought to profit by the loss of another.

**Nemo debet immiscere se rei alienae ad se nihil pertinenti.** No one ought to mix himself up in the business of another of no concern to him.

**Nemo debet in communione invitus teneri.** No one ought to be kept in a partnership against his will. See 1 Johns. (N. Y.) 106.

**Nemo debet locupletari ex alterius incommodo.** No one ought to be enriched from the misfortune of

another. See 10 Barb. (N. Y.) 626.

**Nemo debet rem suam sine facto aut defectu suo amittere.** No one ought to lose his property without any act or fault of his own.

**Nemo duobus utatur officiis.** No one should occupy two offices.

**Nemo ejusdem tenementi simul potest esse haeres et dominus.** No one can at the same time be heir and lord of the same tenement.

**Nemo enim aliquam partem recte intelligere possit antequam totum iterum atque iterum perlegerit.** For no one can rightly understand any part until he has read over the whole again and again.

**Nemo est haeres viventis.** No one is the heir of one who is living. See 127 N. Y. 166, 24 Am. St. Rep. 438, 13 L. R. A. 46, 27 N. E. 959.

**Nemo est supra leges.** No one is above the laws.

**Nemo ex alterius facto praegravari debet.** No one ought to be oppressed by the act of another.

**Nemo ex consilio obligatur.** No one is rendered liable by advising.

**Nemo ex dolo suo proprio releventur, aut auxilium capiat.** No one is relieved from his own fraud, nor does he acquire any advantage.

**Nemo ex proprio dolo consequitur actionem.** No one acquires a right of action by his own fraud. See 77 N. J. L. 774, 23 L. R. A. (N. S.) 571, 73 Atl. 517.

**Nemo ex suo delicto meliorem suam conditionem facere potest.** No one can make his own condition better by his own wrong. See 145 N. C. 120, 12 L. R. A. (N S.) 1214, 58 S. E. 909.

**Nemo in propria causa judex esse debet.** No one ought to be a judge in his own cause. See 24 Eng. Rul. Cas. 30.

**Nemo in propria causa testis esse debet.** No one ought to be a witness in his own cause.

**Nemo inauditus condemnari debet, si non sit contumax.** No one ought to be condemned without a hearing, if he is not in contempt.

**Nemo invitus compellitur ad communionem.** No one should be compelled to enter a partnership against his will.

**Nemo jus sibi dicere potest.** No one can establish law for himself.

**Nemo militans deo implicetur secularibus negotiis.** No one doing military service for God should be bothered by secular business.

**Nemo nascitur artifex.** No one is born an artist, i. e., master of an art.

**Nemo patriam in qua natus est exuere, nec ligeantiae debitum ejurare possit.** No one can renounce his native country, nor abjure his obligation of allegiance. See 3 Pet. (U. S.) 155, 7 L. Ed. 617.

**Nemo plus commodi heredi suo relinquit quam ipse habuit.** No one leaves a greater advantage to his heir than he himself had.

**Nemo plus juris ad alienum transferre potest, quam ipse habet.** No one can transfer to another any greater right than he himself has. See 10 Pet. (U. S.) 161, 9 L. Ed. 382.

**Nemo plus juris ad alium transferre potest quam ipse habet.** No one can transfer to another any greater right than he himself has. See 105 Va. 744, 7 L. R. A. (N. S.) 1019, 54 S. E. 893.

**Nemo potest contra recordum verificare per patriam.** No one can prove by the country contrary to a record. See Per patriam.

**Nemo potest esse dominus et haeres.** No one can be both owner and heir.

**Nemo potest esse dominus et tenens.** No one can be both landlord and tenant.

**Nemo potest esse simul actor et judex.** No one can at the same time be both plaintiff and judge.

**Nemo potest esse tenens et dominus.** No one can be both tenant and landlord.

**Nemo potest facere per alium quod per se non potest.** No one can do through another what he cannot do by himself.

**Nemo potest facere per obliquum quod non potest facere per directum.** No one can do indirectly what he cannot do directly.

**Nemo potest mutare consilium suum in alterius injuriam.** No one can change his plans to the injury of another.

**Nemo potest plus juris ad alium transferre quam ipse habet.** No one can convey to another any greater right than he himself holds.

**Nemo potest sibi debere.** No one can owe to himself.

**Nemo praesens nisi intelligat.** No one is present unless he understands.

**Nemo praesumitur alienam posteritatem suae praetulisse.** No one is presumed to have preferred the posterity of another to his own.

**Nemo praesumitur donare.** No one is presumed to make a gift.

**Nemo praesumitur esse immemor suae aeternae salutis, et maxime in articulo mortis.** No one is presumed to be unmindful of his own eternal welfare, and especially at the point of death.

**Nemo praesumitur ludere in extremis.** No one is presumed to jest while dying.

**Nemo praesumitur malus.** No one is presumed to be wicked.

**Nemo prohibetur plures negotiationes sive artes exercere.** No one is prohibited from engaging in more businesses or arts.

**Nemo prohibetur pluribus defensionibus uti.** No one is prohibited from employing several defenses.

**Nemo prudens punit ut praeterita revocentur, sed ut futura praeveniantur.** No prudent person punishes that past transactions may be revoked, but that future acts may be prevented.

**Nemo punitur pro alieno delicto.** No one is punished for another's crime.

**Nemo punitur sine injuria, facto, seu defalto.** No one is punished without some wrong, act or fault.

**Nemo, qui condemnare potest, absolvere non potest.** No one who can convict, cannot acquit.

**Nemo sibi esse judex vel suis jus dicere debet.** No one ought to be his own judge or to lay down the law for his own family.

**Nemo sine actione experitur, et hoc non sine breve sive libello conventionali.** No one goes to trial without an action and this not without a writ or bill.

**Nemo tenetur ad impossibile.** No one is bound to the impossible.

**Nemo tenetur ad impossibilia.** No one is held to do impossible things.

**Nemo tenetur armare adversarium contra se.** No one is bound to arm his adversary against himself. See 34 Utah, 318, 23 L. R. A. (N. S.) 462, 97 Pac. 483.

**Nemo tenetur divinare.** No one is bound to prophesy.

**Nemo tenetur edere instrumenta contra se.** No one is bound to produce instruments against himself.

**Nemo tenetur informare qui nescit sed quisquis scire quod informat.**

No one is bound to inform who is ignorant, but everyone is bound to know that of which he informs.

**Nemo tenetur jurare in suam turpitudinem.** No one is bound to testify as to his own baseness.

**Nemo tenetur prodere seipsum.** No one is bound to betray himself. See 37 Fla. 1, 32 L. R. A. 133, 19 South. 652.

**Nemo tenetur seipsum accusare.** No one is bound to accuse himself. See 78 Vt. 364, 112 Am. St. Rep. 922, 6 Ann. Cas. 602, 4 L. R. A. (N. S.) 1144, 63 Atl. 225.

**Nemo tenetur seipsum infortuniis et periculis exponere.** No one is bound to expose himself to misfortunes and dangers.

**Nemo tenetur seipsum prodere.** No one is bound to betray himself. See 10 N. Y. 10.

**Nemo unquam judicet in se.** No one is ever a judge in his own case.

**Nemo unquam vir magnus fuit sine aliquo divino afflatu.** No one was ever a great man without some divine inspiration.

**Nemo videtur fraudare eos qui sciunt, et consentiunt.** No one is deemed to defraud those who know and consent.

**Nemy.** Not.

**Net.** That which remains after all deductions are made. See Gross. See, also, 89 U. S. 136, 22 L. Ed. 743.

**Nether House of Parliament.** The House of Commons.

**Neutrality.** Abstinence from participation in warfare toward belligerents. See 166 U. S. 1, 41 L. Ed. 897, 17 Sup. Ct. Rep. 495.

**Never indebted.** The general issue in an action of debt on simple contract.

**New assignment.** A repleading of the plaintiff's cause of action in different form to meet a plea which showed the declaration to be ambiguous. See 51 Minn. 183, 53 N. W. 461.

**New for old.** See One third new for old.

**New matter.** Facts in defense of an action which cannot be proved under a denial. See 127 N. Y. 376, 24 Am. St. Rep. 454, 28 N. E. 31.

**New promise.** A promise made after a cause of action is barred by limitation, to revive it, or before it is barred, to keep it alive. See 73 Iowa, 448, 5 Am. St. Rep. 693, 35 N. W. 516.

**New style.** The modern calendar, adopted in England in 1752.

**New trial.** The reinvestigation of the facts of a case or of the legal rights of the parties upon disputed facts. See 14 Am. Rep. 752, note.

**New work.** Erections on land; improvements, alterations or additions to such erections.

**Newly discovered evidence.** New and material facts discovered after the trial of an action. See 164 N. Y. 459, 58 N. E. 668.

**Newspaper.** A periodical publication, issued to be read by the general public. See 22 R. I. 51, 84 Am. St. Rep. 815, 46 Atl. 35.

**Nexi.** (Roman Law) Debtors held in bondage by their creditors.

**Next friend.** One who sues on behalf of an infant, a married woman, lunatic or other person who could not bring the action. See 134 U. S. 650; 33 L. Ed. 1047, 10 Sup. Ct. Rep. 638.

**Next of kin.** Relatives in blood. See 72 N. Y. 312, 28 Am. Rep. 155.

**Nexum.** A transfer of a chattel.

**Nichil.** Nothing.

**Niefe.** Feminine of Naif.

**Nient.** Not; nothing.

**Nient comprise.** Not included.

**Nient culpable.** Not guilty.

**Nient dedire.** Not to deny, to default.

**Nient le fait.** Not the deed.

**Nient seisi.** Not seised.

**Night.** See Night-time.

**Night-time.** As long as a man's face cannot be discerned by daylight. See 88 Wis. 163, 43 Am. St. Rep. 875, 59 N. W. 507.

**Night-walker** A woman guilty of night-walking.

**Night-walking.** Strolling of the streets at night by a woman for the unlawful purpose of picking up men for lewd intercourse, whether for gain or not. See 92 Ala. 73, 25 Am. St. Rep. 22, 9 South. 400.

**Nigrum nunquam excedere debet rubrum.** The black should never depart from the red, i. e., the black text should not include more than the red title.

**Nihil.** Nothing; not.

**Nihil aliud potest rex quam quod de jure potest.** The king can do nothing save what he can do lawfully.

**Nihil capiat per breve.** Let him take nothing by his writ.

**Nihil capiat per billam.** Let him take nothing by his bill.

**Nihil consensui tam contrarium est quam vis atque metus.** Nothing is so contrary to consent as force and fear.

**Nihil dat qui non habet.** He gives nothing who has nothing.

**Nihil de re accrescit ei qui nihil in re quando jus accresceret habet.** Nothing accrues to him in respect of a thing who when the right accrues has no interest in the thing.

**Nihil dicit.** He says nothing. See Judgment nihil dicit.

**Nihil est enim liberale quod non idem justum.** For there is nothing liberal which is not at the same time just.

**Nihil est magis rationi consentaneum quam eodem modo quodque dissolvere quo conflatum est.** Nothing is more agreeable with reason than to dissolve a thing in the same manner in which it was produced.

**Nihil facit error nominis cum de corpore constat.** An error of name is of no consequence when the thing is established in substance.

**Nihil habet.** He has nothing. See 164 Pa. 615, 30 Atl. 503.

**Nihil habet forum ex scena.** The forum holds nothing beyond the stage, i. e., has nothing to do with what is not before it.

**Nihil in lege intolerabilius est, eandem rem diverso jure censeri.** Nothing is more intolerable in law than that the same matter should be decided differently by the court.

**Nihil infra regnum subditos magis conservat in tranquilitate et concordia quam debita legum administratio.** Nothing better preserves the subjects of the realm in tranquillity and concord than the due administration of the laws.

**Nihil iniquius quam aequitatem nimis intendere.** Nothing is more unfair than to stretch equity too far.

**Nihil magis justem est quam quod necessarium est.** Nothing is more just than that which is necessary.

**Nihil nequam est praesumendum.** Nothing bad is to be presumed.

**Nihil perfectum est dum aliquid restat agendum.** Nothing is perfect while something remains to be done.

**Nihil peti potest ante id tempus, quo per rerum naturam persolvi possit.** Nothing can be demanded before the time when in the nature of things it can be paid.

**Nihil possumus contra veritatem.** We can do nothing against truth.

**Nihil praescribitur nisi quod possidetur.** There is no prescription except for that which is possessed.

**Nihil quod est contra rationem est licitum.** Nothing is lawful which is contrary to reason.

**Nihil quod est inconveniens est licitum.** Nothing which is inconvenient is lawful.

**Nihil simul inventum est et perfectum.** Nothing is discovered and perfected at the same time.

**Nihil tam conveniens est naturali aequitati quam unumquodque dissolvi eo ligamine quo ligatum est.** Nothing is so agreeable to natural equity as that each thing should be undone by means of the same bonds with which it was bound.

**Nihil tam conveniens est naturali aequitati, quam voluntatem domini volentis rem suam in alium transferre, ratam haberi.** Nothing is so agreeable to natural equity as that the will of an owner desiring to convey his property to another should have ratification.

**Nihil tam naturale est, quam eo genere quidque dissolvere, quo colligatum est.** Nothing is so natural as that anything should be released in the same fashion as it was contracted.

**Nihil tam proprium imperio quam legibus vivere.** Nothing is so agreeable to government as to live according to the laws.

**Nil.** Nothing.

**Nil agit exemplum litem quod lite resolvit.** An example does no good which settles a controversy with a controversy. See 15 Wend. (N. Y.) 44.

**Nil capiat per billam.** See Judgment of nil capiat per billam.

**Nil capiat per breve.** See Judgment of nil capiat per breve.

**Nil debet.** He owes nothing. Same as Never indebted.

**Nil facit error nominis si de corpore constat.** An error of name is of no consequence when the thing is established in substance.

**Nil habuit in tenementis.** He has no interest in the tenement.

**Nil sine prudenti fecit ratione vetustas.** Antiquity did nothing without a prudent reason.

**Nil temere novandum.** Nothing should be rashly changed.

**Nimia certitudo certitudinem ipsam destruit.** Too great certainty destroys certainty itself.

**Nimia subtilitas in jure reprobatur.** Too great subtlety is disapproved in law.

**Nimia subtilitas in jure reprobatur, et talis certitude certitudinem confundit.** Too great subtlety is disapproved in law, and such subtlety confuses certainty with certainty.

**Nimium altercando, veritas amittitur.** Truth is lost in too much altercation.

**Nimmer.** A thief.

**Nisi.** Unless; if not.

**Nisi feceris.** Unless you should do it.

**Nisi prius.** Unless before; a jury trial of issues of fact before a single judge; the court held by a judge on his circuit. See 3 Bl Comm. 58.

**Nisi prius roll.** The record of the proceedings in the court in which a case was begun made up for the nisi prius court.

**Nisi prius writ.** An old writ directing a sheriff to bring the jurors to Westminster unless before that time the justices of assize came into the county to try cases.

**Nixe.** A decoy letter; a letter addressed to a fictitious person or postoffice. See 35 Fed. (U. S.) 407.

**No award.** A form of plea denying that an award sued upon was made.

**No bill.** Same as Ignoramus.

**Nobiles magis plectuntur pecunia.** The nobles are more often punished in money.

**Nobiles magis plectuntur pecunia, plebes vero in corpore.** The nobles are more often punished in money, the common people, corporally.

**Nobiles sunt qui arma gentilitia antecessorum suorum proferre possunt.** The nobles are those who can produce the family arms of their ancestors.

**Nobiliores et benigniores presumptiones in dubiis sunt praeferendae.** The more noble and charitable presumptions are to be preferred in doubtful cases.

**Nobilitas est duplex—superior et inferior.** Nobility is twofold, superior and inferior.

**Nobility.** The English class of persons of rank and title, including barons, earls, dukes, etc. See 1 Bl. Comm. 396.

**Nocent.** Guilty.

**Nocere.** To harm; to damage.

**Noctanter.** Nocturnally; by night.

**Nocumentum.** A nuisance; damage.

**Nolens volens.** Willing or not willing.

**Nolle.** To be unwilling.

**Nolle prosequi.** A formal abandonment of a criminal prosecution by the prosecuting attorney, or of a civil action by the plaintiff. See 94 Mass. 214. See, also, Judgment of nolle prosequi.

**Nolo contendere.** A plea in a criminal prosecution of the same effect as a plea of guilty. See 71 N. H. 435, 52 Atl. 943.

**Nomen.** A name.

**Nomen collectivum.** A collective name.

**Nomen est quasi rei notamen.** A name is, as it were, the note of a thing.

**Nomen generale.** A general name.

**Nomen generalissimum.** A most general name.

**Nomen juris.** A law term.

**Nomen non sufficit si res non sit de jure aut de facto.** A name is not sufficient if the thing does not exist either in law or in fact.

**Nomina si nescis perit cognitio rerum.** If you do not know their names, the knowledge of things passes away.

**Nomina sunt mutabilia, res autem immobiles.** Names are mutable, but things are immutable.

**Nomina sunt notae rerum.** Names are the marks of things.

**Nomina sunt symbola rerum.** Names are the symbols of things.

**Nominal damages.** "A mere peg to hang costs on"; such as are awarded when judgment is for the plaintiff and no actual damages have been or can be shown. See 59 Conn. 272, 21 Am. St. Rep. 110, 22 Atl. 300.

**Nominal plaintiff.** A plaintiff who is not the real party in interest.

**Nominare.** To nominate.

**Nominate.** To name; to appoint; to recommend for appointment.

**Nominate contract.** One having a special designation or name, e. g., pledge, mandate.

Nominating and reducing. An English method of impaneling jurors.

Nomination. By name.

Nomine damni. Under the name or head of damages.

Nomine poenae. Under the name or head of a penalty.

Nominee. A candidate for an office. See 125 Ind. 207, 9 L. R. A. 170, 24 N. E. 1062.

Non. Not; no.

Non acceptavit. He did not accept.

Non accipi debent verba in demonstrationem falsam, quae competunt in limitationem veram. Words ought not to be taken in a false descriptive sense which are competent to describe a true limitation.

Non accrevit infra sex annos. It did not accrue within six years.

Non age. Not of age; infancy.

Non alio modo puniatur aliquis, quam secundum quod se habet condemnatio. One should not be punished in any other manner than according to that which the sentence provides.

Non aliter a significatione verborum recedi oportet quam cum manifestum est, aliud sensisse testatorem. The meaning of the words ought not to be departed from unless it is manifest that the testator intended otherwise.

Non assumpsit. The general issue in an action of assumpsit.

Non assumpsit infra sex annos. He did not promise within six years.

Non auditur perire volens. One desiring to perish is not to be listened to.

Non bis in idem. Not twice for the same. See Nemo debit bis, etc.

Non cepit modo et forma. He did not take in the manner and form (alleged).

Non claim. Same as Nonclaim.

Non compos mentis. One wholly bereft of memory and understanding. See 1 Whart. (Pa.) 52, 29 Am. Dec. 33.

Non concedantur citationes priusquam exprimatur super qua re fieri decit citatio. Citations ought not to be granted before it has been stated for what cause it is fitting that a citation should be made.

Non concessit. He did not grant.

Non consentit qui errat. He does not consent who errs.

Non constat. It is not certain; it does not appear.

Non cul. Non culpabilis, which see.

Non culpabilis. Not guilty.

Non damnificatus. Not injured, a plea to an action of debt on a bond equivalent to a plea setting up the defendant's fulfillment of his obligation. See 8 N. J. L. 1.

Non dat qui non habet. He does not give who has not. See 3 Gray (Mass.), 178.

Non debeo melioris conditionis esse, quam auctor meus a quo jus in me transit. I ought not to be in a better condition than my ancestor from whom the right passed on to me.

Non deberet alii nocere quod inter alios actum esset. That ought not to harm another which has transpired between others.

Non debet actori licere, quod reo non permittitur. That which is not allowed the defendant, ought not to be allowed the plaintiff.

Non debet adduci exceptio ejus rei cujus petitur dissolutio. A plea of the matter itself the determination of which is sought ought not to be interposed.

**Non debet alii nocere, quod inter alios actum est.** That which has transpired between others ought not to injure another.

**Non debet alteri per alterum iniqua conditio inferri.** An inequitable condition ought not to be imposed upon one by another.

**Non debet cui plus licet, quod minus est non licere.** One to whom a greater license is given ought not to be forbidden that which is less.

**Non debet dici tendere in praejudicium ecclesiasticae liberatatis quod pro rege et republica necessarium videtur.** That which is deemed to be necessary for the welfare of the king and the state ought not to be said to tend toward the prejudice of ecclesiastical liberty.

**Non debit fieri sed factum valet.** It ought not to be done, but when done it is valid.

**Non decet homines dedere causa non cognita.** No cause having been heard, it is unseemly to give men up. See 3 Wheel. C. C. (N. Y.) 473.

**Non decimando.** See De non decimando.

**Non decipitur qui scit se decipi.** He is not deceived who knows himself deceived.

**Non dedit.** He did not grant.

**Non definitur in jure quid sit conatus.** What is an attempt is not defined in the law.

**Non demisit.** He did not demise.

**Non detinet.** The general issue in an action of detinue. See 112 Ala. 488, 20 South. 418.

**Non differunt quae concordant re, tametsi non in verbis iisdem.** Those matters do not differ which agree in reality although not in the same words.

**Non dormientibus sed vigilantibus leges subveniunt.** The laws do not assist the slumberers, but the vigilant. See 9 Houst. (Del.) 1, 8 L. R. A. 337, 19 Atl. 576.

**Non dubitatur, etsi specialiter venditor evictionem non promiserit, re evicta, ex empto competere actionem.** It is not doubted that although the vendor has not specially promised, in case of an eviction, an action on the contract of sale is competent.

**Non efficit affectus nisi sequatur effectus.** An intention is not effective unless an effect follows.

**Non erit alia lex romae, alia athaenis; alia nunc, alia posthac; sed et omnes gentes, et omni tempore, una lex, et sempiterna, et immortalis continebit.** There will not be one law at Rome, another at Athens; one now and another afterward, but one law, eternal and immortal, shall bind all peoples together and for all time. See 3 Kent. Comm. 1.

**Non est arctius vinculum inter homines quam jusjurandum.** There is no closer tie among men than an oath.

**Non est certandum de regulis juris.** There is no disputing about the rules of the law.

**Non est disputandum contra principia negantem.** There is no disputing against one denying principles.

**Non est factum.** It is not (his) deed, a denial that the defendant executed the instrument sued upon. See 5 N. Y. 422, 55 Am. Dec. 350.

**Non est inventus.** He cannot be found, an officer's return on a process. See 38 Fed. (U. S.) 144.

**Non est justum aliquem antenatum post mortem facere bastardum, qui tota tempore vitae suae pro legi-**

timo habebatur. It is not just to make anyone a bastard after his death who during his whole lifetime was regarded as legitimate.

**Non est novum ut priores leges ad posteriores trahantur.** It is not novel that earlier laws give way to later ones.

**Non est recedendum a communi observanti.** There should be no departing from common observance.

**Non est regula quin fallat.** There is no rule which may not fail.

**Non est reus nisi mens sit rea.** There is no guilt unless the intent is guilty.

**Non est singulis concedendum, quod per magistratum publice possit fieri, ne occasio sit majoris tumultus faciendi.** That which can be done publicly through a magistrate is not to be conceded to individuals, lest it be the occasion of creating a greater disturbance.

**Non ex opinionibus singulorum, sed ex communi usu, nomina exaudiri debent.** Names ought to be understood not from individual opinions but from common usage.

**Non exemplis sed legibus judicandum est.** It should be judged not from the facts but by the laws.

**Non facias malum, ut inde veniat bonum.** You should not do evil that good may come of it.

**Non feasance.** Same as Nonfeasance.

**Non fecit.** He did not do it.

**Non fecit vastum contra prohibitionem.** He did commit waste contrary to the prohibition. See 5 Watts (Pa.), 155.

**Non impedit clausula derogatoria, quo minus ab eadem potestate res dissolvantur a quibus constituuntur.** A derogatory clause does not prevent the dissolution of things by the same power by which they were constituted.

**Non impedivit.** Same as Ne disturba pas.

**Non implacitando aliquem de libero tenemento sine brevi.** A writ to prevent officers of the law from interfering with a freehold without a writ.

**Non in legendo sed in intelligendo leges consistunt.** The laws consist not in the reading of them but in the understanding of them.

**Non infregit conventionem.** He did not break the contract.

**Non interfui.** I was not present.

**Non joinder.** Same as Nonjoinder.

**Non juridicus.** Nonjudicial.

**Non juror.** Same as Nonjuror.

**Non jus ex regula, sed regula ex jure.** The law does not come from the rule, but the rule from the law.

**Non jus, sed seisina facit stipitem.** Not right, but seizin makes a stock. See Stirps. See 58 Conn. 174, 7 L. R. A. 693, 20 Atl. 440.

**Non licet quod dispendio licet.** That is not permitted which can only be permitted with loss.

**Non liquet.** It is not clear.

**Non memini.** I do not remember.

**Non molestando.** A writ to protect one from unlawful molestation.

**Non nasci, et natum mori, paria sunt.** To be born dead and not to be born at all are the same.

**Non obligat lex nisi promulgata.** A law is not binding unless promulgated.

**Non observata forma, infertur adnullatio actus.** When the form is not observed, it is concluded that the act is a nullity.

**Non obstante.** Notwithstanding.

**Non obstante veredicto.** Notwithstanding the verdict. See Judgment non obstante veredicto.

**Non officit conatus nisi sequatur effectus.** An attempt does not injure unless a result follows.

**Non omne damnum inducit injuriam.** Not every loss represents the violation of a right.

**Non omne quod licet honestum est.** Not all that is permitted is honorable. See 4 Johns. (N. Y.) 121.

**Non omnium quae a majoribus nostris constituta sunt ratio reddi potest.** A reason cannot be given for all of those things which were established by our elders.

**Non pertinet ad judicem secularem** cognoscere de iis quae sunt mere spiritualia annexa. It does not belong to a secular judge to notice those matters which are merely spiritual.

**Non plevin.** Same as Nonplevin.

**Non ponendis in assisis et juratis.** A writ for one's discharge from jury service.

**Non possessori incumbit necessitas probandi possessiones ad se pertinere.** The necessity of proving that his possessions belong to him does not rest upon the possessor.

**Non potest adduci exceptio ejusdem rei cujus petitur dissolutio.** A plea of the matter itself the determination of which is sought, cannot be interposed.

**Non potest probari quod probatum non relevat.** That which when proved is not relevant cannot be proved.

**Non potest quis sine brevi agere.** No one can sue without a writ.

**Non potest rex gratiam facere cum injuria et damno aliorum.** The king cannot grant an indulgence attended with injury and loss to others.

**Non potest rex subditum renitentem onerare impositionibus.** The king cannot burden a protesting subject with impositions.

**Non potest videri deisse habere, qui nunquam habuit.** One who never had, cannot be deemed to have ceased to have.

**Non praestat impedimentum quod de jure non sortitur effectum.** That which is of no consequence in law offers no impediment.

**Non pros.** Non prosequitur, which see.

**Non prosequitur.** He does not prosecute. See Judgment of non pros.

**Non quod dictum est, sed quod factum est, inspicitur.** Not what is said, but what is done, is regarded. See 11 Cush. (Mass.) 536.

**Non refert an quis assensum suum praefert verbis, an rebus ipsis et factis.** It matters not whether anyone expresses his assent in words or by acts themselves and deeds.

**Non refert quid ex aequipollentibus fiat.** It does not matter which one of equivalent things is done.

**Non refert quid notum sit judici, si notum non sit in forma judicii.** It does not matter what is known to the judge, if it is not known to him in a judicial character, i. e., judicially.

**Non refert verbis an factis fit revocatio.** It does not matter whether a revocation is made by words or by acts.

**Non remota causa sed proxima spectatur.** Not the remote cause, but the proximate is regarded.

**Non respondebit minor, nisi in causa dotis, et hoc pro favore doti.** A minor shall not respond except in the case of dower, and this in favor of dower.

**Non reus nisi mens sit rea.** There is no guilt unless the mind is guilty.

**Non sanae mentis.** Not of sound mind.

**Non sane memory.** Unsound memory.

**Non sequitur.** It does not follow.

**Non solent quae abundant vitiare scripturas.** Those things which are superfluous are not wont to vitiate writings.

**Non solum quid licet, sed quid est conveniens considerandum, quia nihil quod inconveniens est licitum.** Not only that which is permitted, but that which is convenient is to be considered, because nothing which is inconvenient is lawful.

**Non submissit.** He did not submit.

**Non sui juris.** Not in his own right.

**Non suit.** Same as Nonsuit.

**Non sum informatus.** I am not informed. See Judgment non sum informatus.

**Non sunt longa ubi nihil est quod demere possis.** Those matters are not long wherein there is nothing which you can omit.

**Non temere credere, est nervus sapientae.** Not to believe rashly is the nerve of wisdom.

**Non tenuit.** He did not hold.

**Non tenure.** Same as Nontenure.

**Non term.** Same as Nonterm.

**Non user.** Same as Nonuser.

**Non valet confirmatio, nisi ille, qui confirmat, sit in possessione rei vel juris unde fieri debet confirmatio; et eodem modo, nisi ille cui confirmatio fit sit in possessione.** A confirmation is not valid unless he who confirms is in possession of the thing or of the right whereof confirmation is to be made, and in the same manner, unless he to whom the confirmation is to be made is in possession.

**Non valet exceptio ejusdem rei cujus petitur dissolutio.** A plea of the very matter the determination of which is sought is not valid.

**Non valet impedimentum quod de jure non sortitur effectum.** An impediment which in law has no effect will not avail.

**Non verbis sed ipsis rebus, leges imponimus.** We impose laws not upon words, but upon things themselves.

**Non videntur qui errant consentire.** Those who err are not deemed to consent. See 6 Allen (Mass.), 543.

**Non videntur rem amittere quibus propria non fuit.** They are not deemed to lose a thing to whom it did not belong.

**Non videtur consensum retinuisse si quis ex praescripto minantis aliquid immutavit.** Anyone who by the order of one threatening him has changed anything is not deemed to have withheld his consent.

**Non videtur perfecte cujusque id esse, quod ex casu auferri potest.** That which can upon occasion be taken away is not deemed to belong to one completely.

**Non videtur quisquam id capere, quod ei necesse est alii restituere.** Anyone is not deemed to acquire that which he is obliged to restore to another.

**Non videtur vim facere, qui jure suo utitur, et ordinaria actione experitur.** He is not deemed to use force who exercises his own right and litigates in an ordinary action.

**Nonability.** Legal incapacity.

**Nonaccess.** The absence of sexual intercourse between husband and wife.

**Nonae.** Nones, which see.

**Nonage.** Under age; infancy.

**Nonagium.** Nonage.

**Nonapparent easements.** Such as have no means specially constructed or appropriated to their enjoyment, and that are enjoyed at intervals, leaving between those intervals no visible sign of their existence. See 136 Am. St. Rep. 683, note.

**Nonclaim.** Failure to assert one's right against an adverse claimant.

**Nonconformists.** Dissenters from the forms of the English church.

**Noncontinuous easement.** Same as Nonapparent easement.

**Nones.** The 7th of March, May, July and October, the 5th day of the other months. See 46 N. C. 87.

**Nonfeasance.** The omission of an act which one ought to do. See 90 Wis. 225, 48 Am. St. Rep. 911, 28 L. R. A. 439, 63 N. W. 93.

**Nonissuable pleas.** A plea not going to the merits, e. g., a plea to the jurisdiction.

**Nonjoinder.** The failure to include therein necessary parties to an action.

**Nonjuror.** One who refused to make oath of governmental allegiance.

**Nonplevin.** A failure, prior to Magna Charta, to sue within fifteen days to recover land taken by the king, whereby the owner lost his seisin.

**Nonresidentio pro clerico regis.** A writ to prevent the ouster for nonresidence of a clergyman absent in the king's service.

**Nonsense.** Unintelligible matter in a writing.

**Nonsuit.** Judgment of nonsuit, which see.

**Nonsummons, Wager of law of.** See Wager of law of nonsummons.

**Nontenure.** A plea denying the defendant's tenancy.

**Nonterm.** A court vacation.

**Nonterminus.** Court vacation time.

**Nontrading partnership.** One limited to a single enterprise and not engaged in trade. See 48 Am. St. Rep. 441, note.

**Nonuser.** Failure to make use of.

**Norman conquest.** Conquest of England by William of Normandy, 1066.

**Northampton tables.** Life tables in use in England. See Life Tables.

**Noscitur a sociis.** One is known by his companions. See 166 U. S. 1, 41 L. Ed. 897, 17 Sup. Ct. Rep. 243.

**Noscitur ex socio, qui non cognoscitur ex se.** One is known from his companion, who may not be known from himself.

**Not found.** The indorsement of a bill by a grand jury upon their failure to indict.

**Not guilty.** The general issue in trespass and certain other civil actions; a plea denying the allegations of a criminal charge; the form of a verdict of acquittal. See 50 W. Va. 644, 88 Am. St. Rep. 909, 57 L. R. A. 428, 41 S. E. 190.

**Not possessed.** A plea in trover denying the plaintiff's possession.

**Not proven.** (Scotch) A verdict of acquittal yet leaving a suspicion upon the defendant.

**Nota.** A note; a memorandum.

**Notare infamia.** To mark or brand as a punishment for crime.

**Notarial.** Pertaining to a notary.

**Notarius.** A notary.

**Notary.** Same as Notary public.

**Notary public.** An officer who attests deeds or writings to make them authentic. See 7 Port. (Ala.) 529, 31 Am. Dec. 722; 107 Iowa, 543, 70 Am. St. Rep. 216, 44 L. R. A. 133, 78 N. W. 195.

**Note of a fine.** An abstract of the writ of covenant and the concord made and filed in proceedings to convey by fine. See Fine of land; Concord.

**Note of allowance.** A note entitling a party to prosecute a writ of error.

**Note of hand.** Any evidence of debt signed by the debtor and to be kept by his creditor. See 17 N. C. 488.

**Note of protest.** A note of the fact made on a negotiable instrument by a notary at the time of its protest.

**Nothus.** A bastard.

**Notice.** Direct information of a fact or a knowledge of circumstances that ought to induce suspicion of belief. See 62 Am. Dec. 320, note.

**Notice of appearance.** See Appearance.

**Notice of dishonor.** A notice to the indorser of negotiable paper that it has been dishonored. See Dishonor.

**Notice of judgment.** A notice of the entry of a judgment served upon the judgment debtor.

**Notice of lis pendens.** See Lis pendens.

**Notice of motion.** A notice by one party to an adverse party that a motion will be made before the court. See Motion.

**Notice of protest.** A notice in reference to a bill or note that it was duly presented for payment and that payment was refused. See 17 Miss. 476.

**Notice to plead.** Notice in writing of the time within which a defendant must plead served upon him by the plaintiff.

**Notice to produce papers.** A written notice served upon an adverse party to produce original papers in evidence, as a prerequisite to the introduction of copies of them, by the party so serving.

**Notice to quit.** A notice of the termination of a tenancy by the landlord to the tenant.

**Noting.** The making of a note of protest. See Note of protest.

**Notitia.** Notice; knowledge.

**Notitia dicitur a noscendo, et notitia non debet claudicare.** Notice is so called from being known, and notice ought not to be defective.

**Notorious.** Possessing such elements of notoriety of another's claim that one may be presumed to have notice of it and of its extent. See 33 Fla. 261, 39 Am. St. Rep. 139, 14 South. 805.

**Nova.** New.

**Nova constitutio futuris formam imponere debet, non praeteritis.** A new regulation ought to impose government for the future and not for the past. See 30 Md. 500, 96 Am. Dec. 613.

**Nova customa.** New and increased duties.

**Nova statuta.** The statutes of England beginning with the reign of Edward III, 1327.

**Novatio.** Novation, which see.

**Novatio non praesumitur.** A novation is not presumed.

**Novation.** A transaction whereby a debtor is discharged from liability to his original creditor by contracting a new obligation in favor of a new creditor by order of the original creditor. See 136 N. Y. 152, 32 Am. St. Rep. 704.

**Novel.** New.

**Novel assignment.** Same as New assignment.

**Novel disseisin.** See Assize of novel disseisin.

**Novellae constitutiones.** Same as Novels.

**Novels.** The laws promulgated by Justinian and his successors.

**Noverint universi per praesentes.** Know all men by these presents.

**Novi operis nunciatio.** An objection to a new work. See New work.

**Novigild.** A ninefold compensation for injury.

**Novitas non tam utilitate prodest quam novitate perturbat.** Novelty does not benefit so much by utility as it disturbs by novelty.

**Noviter ad notitiam perventa.** Things recently come to one's notice.

**Noviter perventa.** Same as Noviter ad, etc.

**Novodamus.** We grant anew.

**Novum judicium non dat novum jus, sed declarat antiquum.** A new judgment does not promulgate a new law, but declares the old.

**Novum opus.** New work, which see.

**Novus homo.** A new man, one pardoned of crime.

**Noxa.** An injury done by another's servant.

**Noxa sequitur caput.** An injury follows the source.

**Noxalis actio.** An action against one for injury done by his servant.

**Noxia.** Same as Noxa.

**Nubilis.** One old enough to marry.

**Nuda.** Bare; mere; naked.

**Nuda pactio obligationem non parit.** A bare promise does not effect an obligation.

**Nuda patientia.** Bare sufferance.

**Nuda possessio.** Naked or mere possession.

**Nuda ratio et nuda pactio non ligant aliquem debitorem.** Naked reason and naked promise do not bind any debtor.

**Nude.** Naked; bare.

**Nude pact.** A naked promise; a promise without consideration. See 42 N. Y. 493, 1 Am. Rep. 576.

**Nudum pactum.** A nude pact.

**Nudum pactum est ubi nulla subest causa propter conventionem, sed ubi subest causa, fit obligatio, et pārit actionem.** A nudum pactum is where there is no consideration on account of the promise, but where there is a consideration, an obligation is effected and it supports an action.

**Nudum pactum ex quo non oritur actio.** A bare promise is one from which no action arises.

**Nuisance.** Anything offensive to the sight, smell or hearing, erected or carried on in or near a public place where people dwell or pass, or have the right to pass, to their annoyance. See 168 Ind. 230, 120 Am. St. Rep. 366, 8 L. R. A. (N. S.) 471, 80 N. E. 411. See, also, 107 Am. St. Rep. 199, note.

**Nuisance, Assize of.** See Assize of nuisance.

**Nuisance per se.** A nuisance in itself either because of inherent qualities or manner of its use. See 116 Ala. 310, 67 Am. St. Rep. 119, 37 L R. A. 497, 22 South. 593.

**Nul.** No; no one.

**Nul agard.** No award, a plea denying that an award was made, in an action on an arbitration bond.

**Nul assets ultra.** No other assets.

**Nul disseisin.** Not disseised, the general issue in an assize of novel disseisin.

**Nul fait agard.** Same as Nul agard.

**Nul ne doit s'enrichir aux depens des autres.** No one ought to enrich himself at the expense of others.

**Nul prendra advantage do son tort demesne.** No one shall take advantage of his own wrong. See 112 La. 363, 65 L. R. A. 129, 36 South 414.

**Nul sans damage avera error ou attaint.** No one shall have error or attaint, without damage.

**Nul tiel agard.** No such award. See Nul agard.

**Nul tiel corporation.** No such corporation.

**Nul tiel record.** No such record, a plea denying the existence of a record forming the basis of an action.

**Nul tort.** No wrong, at one time the general issue in a real action.

**Nul waste.** No waste, the general issue in an action for waste.

**Nul waste fait.** No waste committed. Same as Nul waste.

**Null.** Nonexistent; void.

**Null and void.** Often means voidable. See 73 Mo. App. 271.

**Nulla bona.** No goods, the return of an officer on a writ of attachment or execution when he has found no goods upon which he could levy. See 146 Pa. 344, 28 Am. St. Rep. 798, 23 Atl. 245.

**Nulla curia quae recordum non habet potest imponere finem, neque aliquem mandare carceri, quia ista spectant tantummodo ad curias de recordo.** No court which has not a record can impose a fine, nor can it order anyone to be imprisoned, because those matters belong only to courts of record.

**Nulla emptio sine pretio esse potest.** There can be no sale without a price. See 4 Pick (Mass.) 189.

**Nulla impossibilia aut inhonesta sunt praesumenda; vera autem et honesta et possibilia.** No impossible or dishonest things are to be presumed, but true, honest and possible things, are.

**Nulla pactione effici potest ne dolus praestetur.** By no agreement can it be provided that fraud shall not be accounted for.

**Nulle regle sans faute.** There is no rule without fault.

**Nulle terre sans seigneur.** There is no land without a lord.

**Nulli enim res sua servit jure servitutis.** For no one can reserve for his own property a servitude therein.

**Nullity.** That which is without foundation or essentially defective. See 40 Wis. 363.

**Nullius filius.** The son of no one, a bastard.

**Nullius hominis auctoritas apud nos valere debet, ut meliora non sequeremur si quis attulerit.** The authority of no man ought to prevail upon us that we should not follow better things if anyone presents them.

**Nullius in bonis.** The goods of no one.

**Nullius juris.** Of no legal effect.

**Nullum arbitrium.** No award. See Nul agard.

**Nullum crimen majus est inobedientia.** No crime is greater than disobedience.

**Nullum exemplum est idem omnibus.** No example is the same for all things.

**Nullum iniquum est praesumendum in jure.** Nothing unjust is to be presumed in law.

**Nullum matrimonium, ibi nulla dos.** There is no marriage where there is no dower. See 41 Barb. (N. Y.) 192.

**Nullum simile est idem.** Nothing similar is the same thing. See 6 Binn. (Pa.) 506.

**Nullum simile quatuor pedibus currit.** Nothing similar runs upon four feet, i. e., is on all-fours with.

**Nullum tempus occurrit regi.** No time bars the king. See 160 Ill. 77, 52 Am. St. Rep. 306, 43 N. E. 382.

**Nullum tempus occurrit reipublicae.** No time bars the state. See 116 Ga. 313, 59 L. R. A. 101, 42 S. E. 466.

**Nullus commodum capere potest de injuria sua propria.** No one can take advantage of his own wrong. See 112 Iowa, 41, 84 Am. St. Rep. 323, 51 L. R. A. 141, 83 N. W. 800.

**Nullus debet agere de dolo, ubi alia actio subest.** Where another action exists, no one ought to sue in an action for fraud.

**Nullus dicitur accessorius post feloniam sed ille qui novit principalem feloniam fecisse, et illum receptavit et comfortavit.** No one is called an accessory after the felony but that one who knew that the principal had committed the felony and he received him and comforted him.

**Nullus dicitur felo principalis nisi actor, aut qui praesens est, abettans aut auxilians actorem ad feloniam faciendam.** No one is called a principal felon except the person committing, or one who is present abetting or aiding him in the commission of the felony.

**Nullus idoneus testis in re sua intelligitur.** No one is deemed to be a qualified witness in his own behalf.

**Nullus jus alienum forisfacere potest.** Another can forfeit no (one's) right

**Nullus recedat e curia cancellaria sine remedio.** No one departs from a court of chancery without a remedy.

**Nullus videtur dolo facere qui suo jure utitur.** No one is deemed to work a fraud, who exercises his own right. See 67 Conn. 91, 52 Am. St. Rep. 270, 32 L. R. A. 236, 34 Atl. 714.

**Numerata pecunia.** Money counted out.

**Numerus certus pro incerto ponitur.** A certain number is placed for an uncertain one.

**Nunc pro tunc.** Now for then. See Judgment nunc pro tunc.

**Nunciatio.** A protest; a proclamation.

**Nuncio.** A papal ambassador.

**Nuncius.** A messenger; a nuncio.

**Nuncupate.** To declare with solemnity.

**Nuncupative will.** One which is not written and whereby the testator without any writing declares his will orally before witnesses. See 67 Am. St. Rep. 572, note.

**Nundinae.** Fairs; a fair.

**Nunquam.** Never.

**Nunquam crescit ex post facto praeteriti delicti aestimatio.** The degree of a past offense never increases from a subsequent act.

**Nunquam decurritur ad extraordinarium sed ubi deficit ordinarium.** Resort is never made to the extraordinary until the ordinary fails.

**Nunquam fictio sine lege.** There is never a fiction without law.

**Nunquam indebitatus.** Never indebted.

**Nunquam nimis dicitur quod nunquam satis dicitur.** That which is never said sufficiently is never said too much.

**Nunquam praescribitur in falso.** Prescription never exists in case of fraud.

**Nunquam res humanae prospere succedunt ubi negliguntur divinae.** Human affairs never come to prosper when divine matters are neglected.

**Nuntius.** Same as Nuncius.

**Nuper obiit.** He recently died, a writ to recover possession for a coheiress dispossessed by her coparcener.

**Nuptiae.** Nuptials; marriage.

**Nuptiae secundae.** A second or subsequent marriage after the first.

**Nuptial.** Pertaining to a marriage or wedding.

**Nuptias non concubitus, sed consensus facit.** Not consummation, but consent makes a marriage.

**Nurture.** To educate.

**Nusance.** Same as Nuisance.

**Nutauntre, Nutander or Nuictander.** Nocturnally; by night.

**Nuyt, or Nute.** Night.

**Nymphomania.** A woman's insane desire for sexual intercourse. See Erotic mania.

# O

**O. c.** Ope consilio, which see.

**O. K.** A mark signifying the approval of the maker of it. See 149 Mass. 459, 14 Am. St. Rep. 439, 21 N. E. 765.

**Oath.** Includes every form of attestation by which the party signifies that he is bound in conscience to perform an act faithfully and truthfully. See 59 Minn. 6, 50 Am. St. Rep. 389, 60 N. W. 676.

**Oath decisory.** Same as Decisive oath.

**Oath ex officio.** An oath whereby an ecclesiastical officer could purge himself of crime. See 3 Bl. Comm. 101.

**Oath in litem.** (Civil Law) An oath which was deferred to the complainant as to the value of the thing in dispute.—Bouv. L. Dict.

**Oath of calumny.** (Civil Law) An oath of good faith required of a complainant.

**Oath purgatory.** See Purgation.

**Oath suppletory.** See Suppletory oath.

**Oathworthy.** Credible.

**Ob.** On account of; because of; by reason of.

**Ob causam aliquam a re maritima ortam.** By reason of some cause arising from a maritime matter.

**Ob continentiam delicti.** Because of connection with the tort or crime.

**Ob contingentiam.** Because of connection or relationship.

**Ob favorem mercatorum.** In favor of merchants.

**Ob infamiam non solet juxta legem terrae aliquis per legem apparentem se purgare, nisi prius convictus fuerit vel confessus in curia.** On account of ill repute it is not customary according to the law of the land for anyone to purge himself by lex apparens, unless he was convicted or confessed in court.

**Ob turpem causam.** For a base reason; for an immoral consideration.

**Obedientia est legis essentia.** Obedience is the essence of the law.

**Obit.** A funeral ceremony; a death anniversary.

**Obit sine prole.** He died without offspring.

**Obiter.** By the way; in passing.

**Obiter dictum.** A rule of law set forth in an opinion, but not involved in the case. See 159 Cal. 549, Ann. Cas. 1912C, 1244, 115 Pac. 210.

**Objection.** Sometimes synonymous with "exception," but an objection is made that a ruling of the court may be had and when the court acts, the error is preserved by an exception to the ruling. See 232 Mo. 444, Ann. Cas. 1912B, 1221, 134 S. W. 641.

**Objects of a power.** The persons of a class eligible as appointees of a power.

**Oblata.** Gifts to the crown.

**Oblatio.** A tender of payment of a debt.

**Obligacion.** Obligation.

**Obligatio.** An obligation.

**Obligation.** That which binds one to do or to refrain from doing

some act. See 96 U. S. 595, 24 L. Ed. 793.

**Obligation of contract.** The means which, at the time of its creation the law afforded for its enforcement. See 17 Wash. 611, 61 Am. St. Rep. 932, 50 Pac. 489.

**Obligatory writing.** See Writing obligatory.

**Obligee.** One to whom another is bound by an obligation.

**Obligor.** One who is bound by an obligation.

**Obliquus.** Collateral; indirect; circumstantial.

**Obliteration.** Synonymous with Cancellation. See 14 Colo. App. 377, 60 Pac. 186.

**Obloquy.** Blame; reprehension; that which exposes one to censure or reproach. See 70 Cal. 270, 11 Pac. 713.

**Obreptio.** Obreption.

**Obreption.** The fraudulent securing of escheated property by falsehood.

**Obrogare.** To alter or repeal a statute by a new one.

**Obrogation.** The alteration or repeal of a statute by a new one.

**Obscenity.** Indecency; that which tends to corrupt the morals.

**Observe.** To obey; to comply with. See 102 Iowa, 573, 69 N. W. 1146.

**Obsignare.** To seal.

**Obsolete.** Unrepealed, but not enforced.

**Obsta principiis.** To withstand or resist the beginnings. See 116 U. S. 635, 29 L. Ed. 753, 6 Sup. Ct. Rep. 524.

**Obstante.** Withstanding. See Non obstante.

**Obstriction.** An obligation.

**Obstructing officers.** The offense of hindering of an officer in the discharge of his duties. See 68 Mich. 655, 13 Am. St. Rep. 373, 36 N. W. 792.

**Obstruction.** A blocking up; filling with obstacles or impediments; impeding, embarrassing or opposing one's passage. See 81 Wis. 313, 29 Am. St. Rep. 898, 15 L. R. A. 553, 51 N. W. 560.

**Obstupare.** To stop up.

**Obstupavit et obstruxit.** He stopped up and obstructed.

**Obtemperandum est consuetudini rationabili tanquam legi.** Obedience is due to a reasonable custom as much as to the law.

**Obtulit se.** He offered himself, a form of record entry of one's appearance in court.

**Obventio.** (Civil Law) rent; revenue; profits.

**Occasio.** A feudal tribute exacted from tenants by the lord.

**Occasion.** An incidental causing circumstance not amounting to a cause. See 134 Ind. 226, 39 Am. St. Rep. 251, 33 N. E. 795. A sufficient reason for one's speech or act. See Privileged communication.

**Occasional contraband.** Goods not actually contraband, but treated so by a belligerent.

**Occision.** Killing.

**Occult crimes.** (Scotch) Secret offenses.

**Occultatio.** Concealment.

**Occultatio thesauri inventi fraudulosa.** The concealment of discovered treasure is fraudulent.

**Occupancy.** The taking possession of things which previously belonged to no one. See 86 Iowa, 71, 41 Am. St. Rep. 481, 17 L. R. A. 788, 52 N. W. 1124.

**Occupantis fiunt derelicta.** Abandoned goods go to the first taker.

**Occupare.** To occupy; to take possession of.

**Occupatio.** Occupation.

**Occupation.** That to which one's time and attention are habitually devoted. See 87 Neb. 349, 138 Am. St. Rep. 494, 127 N. W. 122.

**Occupavit.** A writ to recover land lost in war time.

**Ochlocracy.** A government by a mob.

**Octabis.** Octave, which see.

**Octave.** The eighth day after a feast day.

**Octo tales.** Eight such, i. e., eight more jurors.

**Oderunt peccare boni, virtutis amore; oderunt peccare mali, formidine poenae.** Good men hate to sin from their love of goodness; bad men hate to sin from their fear of punishment.

**Odhall right.** Same as Allodial.

**Odio et atia.** See De odió et atia.

**Odiosa et inhonesta non sunt in lege praesumanda.** Odious and dishonest things are not presumed in law.

**Odiosa non praesumuntur.** Odious things are not presumed.

**Oeconomicus.** An executor.

**Oeconomus.** An administrator.

**Oecumenical.** Same as Ecumenical.

**Oeps or Oes.** Use.

**Of counsel.** Associated with others as one of the attorneys in an action. See 9 Fed. (U. S.) 863.

**Of course.** As a matter of course; as a matter of right. See 29 Cal. 281.

**Of new.** Same as De novo.

**Offa execrata.** Corsned, which see.

**Offend.** To commit a public offense.

**Offense.** The transgression of the law. See 14 How. (U. S.) 13, 14 L. Ed. 306.

**Offer.** A proposal to do a thing. See 103 Am. St. Rep. 668, note, citing Bouv. L. Dict.

**Office.** An employment on behalf of the government in any station or public trust, not merely transient, occasional or incidental. See 63 Am. St. Rep. 181, note.

**Office copy.** An official copy; a copy made by a proper officer. See 57 N. J. L. 313, 30 Atl. 581.

**Office found.** The proceeding containing the finding of the fact of one's alienage upon an inquest held by a public officer at the instance of the government. See 22 Utah, 257, 83 Am. St. Rep. 786, 62 Pac. 893, 20 Morr. Min. Rep. 722.

**Office grant.** A conveyance by an officer in certain cases where the owner cannot or will not execute it.

**Officer.** A person in any public station or employment conferred by government. See 17 L. R. A. 243, note. See, also, Public officer.

**Officer de facto.** One in actual possession of an office under claim and color of an election or appointment, and in the exercise of its functions and the discharge of its duties. See 139 Ill. 658, 32 Am. St. Rep. 228, and note, 15 L. R. A. 418, 29 N. E. 689.

**Officer de jure.** One who has lawful right to the office, but who has either been ousted from or has never actually taken possession of the office. See 15 Or. 456, 3 Am. St. Rep. 176, 15 Pac. 778.

**Officia judicialia non concedantur antequam vacent.** Judicial offices

are not granted before they are vacant.

**Officia magistratus non debent esse venalia.** The offices of magistrates ought not to be subjects of sale.

**Official.** Pertaining to public office. See 58 Mich. 237, 24 N. W. 886.

**Official bond.** A bond given pursuant to statute. See 110 Ind. 463, 11 N. E. 472. A bond guaranteeing faithfulness of an officer in the performance of his official duties.

**Official use.** An active use.

**Officiariis non faciendis vel amovendis.** A writ to stay the installation or removal of an officer.

**Officina justitiae.** The workshop of a justice, i. e., his office. See 6 Johns. (N. Y.) 337.

**Officious will.** A will wherein one leaves his property to his family.

**Officit conatus si effectus sequatur.** An attempt works injury if the effect follows.

**Officium.** An office.

**Officium nemini debet esse damnosum.** An office ought to be no one's ruin.

**Offset.** Same as Setoff.

**Oir.** Same as Oyer.

**Old Bailey, The.** The main criminal court of England.

**Old natura brevium.** A list compiled under Edward III of the writs in common use.

**Old style.** The calendar in use prior to 1752. See New style.

**Oleomargarine.** A substitute for butter made of oil or fat. See 36 Minn. 69, 1 Am. St. Rep. 638, 30 N. W. 308.

**Oleron, Laws of.** See Laws of Oleron. See, also, 1 Bl. Comm. 418.

**Oligarchy.** A government by a few.

**Olograph.** Same as Holograph.

**Olographic will.** Same as Holographic will.

**Om, or Omme.** A man; anyone.

**Ome bueno.** (Spanish) A good or responsible man.

**Omissio.** Omission.

**Omissio eorum quae tacite insunt nihil operatur.** The omission of those things which are tacitly implied effects nothing.

**Omission.** The failure to perform some act or duty.

**Omissis omnibus aliis negotiis.** Putting aside all other business.

**Omne actum ab intentione agentis est judicandum.** Every act is to be judged by the intention of the doer.

**Omne crimen ebrietas et incendit et detegit.** Drunkenness both aggravates and discloses every crime.

**Omne jus aut consensus fecit, aut necessitas constituit, aut firmavit consuetudo.** Consent created, necessity enacted, or custom confirmed every right.

**Omne magis dignum trahit ad se minus dignum sit antiquius.** Every worthier thing draws to it the less worthy although it be older.

**Omne magnum exemplum habet aliquid ex iniquo, quod publica utilitate compensatur.** Every great example has something of unfairness, which is balanced by public advantage.

**Omne majus continet in se minus.** Every greater right holds within it the less.

**Omne majus dignum continet in se minus dignum.** Every more worthy thing holds within it the less worthy.

**Omne majus minus in se complectitur.** Every greater embraces in it the less.

**Omne principale trahit ad se accessorium.** Every principal thing draws to it the accessory. See 17 Mass. 425.

**Omne quod inaedificatur solo cedit.** Everything which is erected on the soil goes with it.

**Omne sacramentum debet esse de certa scientia.** Every sworn statement ought to be of certain knowledge.

**Omne testamentum morte consummatum est.** Every will is completed by death.

**Omnes actiones in mundo infra certa tempora habent limitationem.** All actions in the world have limitation within certain periods of time.

**Omnes homines aut liberi sunt aut servi.** All men are either freemen or slaves.

**Omnes licentiam habere his quae pro se indulta sunt, renunciare.** All are free to renounce those things which have been allowed for their benefit.

**Omnes prudentes, illa admittere solent quae probantur iis qui in arte sua bene versati sunt.** All prudent men are wont to accept those things which have been approved by those who are well versed in the art.

**Omnes sorores sunt quasi unus haeres de una haereditate.** All sisters are, as it were, one heir of one inheritance.

**Omni exceptione majores.** Above criticism or suspicion.

**Omnia delicta in aperto leviora sunt.** All offenses committed openly are less serious.

**Omnia performavit.** He has performed all things.

**Omnia praesumuntur contra spoliatorem.** All things are presumed against a suppressor of testimony. See 102 Ga. 319, 66 Am. St. Rep. 173, 40 L. R. A. 84, 29 S. E. 104.

**Omnia praesumuntur legitime facta donec probetur in contrarium.** All things are presumed to be lawfully done unless it is proved to the contrary. See 140 N. Y. 1, 37 Am. St. Rep. 522, 23 L. R. A. 481, 35 N. E. 320.

**Omnia praesumuntur rite esse acta.** All things are presumed to have been done rightly.

**Omnia praesumuntur rite et solemniter esse acta.** All things are presumed to have been done rightly and with due formality.

**Omnia praesumuntur rite et solemniter esse acta donec probetur in contrarium.** All things are presumed to have been done rightly and with due formality unless it is proved to the contrary. See 118 La. 1089, 12 L. R. A. (N. S.) 632, 43 South. 887.

**Omnia praesumuntur rite, legitime, solemniter esse acta.** All things are presumed to be done rightly, lawfully and with due formality.

**Omnia praesumuntur rite, legitime, solemniter esse acta, donec probetur in contrarium.** All things are presumed to be done rightly, lawfully and with due formality, until the contrary is proved.

**Omnia praesumuntur solemniter esse acta.** All things are presumed to have been done with due formality.

**Omnia quae jure contrahuntur, contrario jure pereunt.** All negotiations which are arranged under a law become void under a contrary law.

**Omnia quae sunt uxoris sunt ipsius viri.** All things which belong to the wife are the husband's.

**Omnia rite acta praesumuntur.** All things are presumed to have been regularly performed. See 63 Minn. 170, 56 Am. St. Rep. 464, 30 L. R. A. 586, 65 N. W. 351.

**Omnia rite praesumuntur.** All things are presumed to have been regularly performed. See 25 Md. 153, 89 Am. Dec. 773.

**Omnibus ad quos praesentes literae pervenerint, salutem.** To all to whom the present letters may come, greeting.

**Omnibus bill.** A legislative bill including matters of various character. See 14 Md. 184, 74 Am. Dec. 522.

**Omnis actio est loquela.** Every action is a complaint.

**Omnis conclusio boni et veri judicii sequitur ex bonis et veris praemissis et dictis juratorum.** Every conclusion of a good and true decision follows from good and true premises and the verdicts of jurors.

**Omnis consensus tollit errorem.** Every consent removes error.

**Omnis definitio in jure civili periculosa est, parum est enim ut non subverti possit.** Every definition in the civil law is dangerous, for there is little that cannot be subverted.

**Omnis definitio in jure periculosa.** Every definition in law is dangerous. 56 Cal. 350.

**Omnis definitio in jure periculosa est; parum est enim ut non subverti posset.** Every definition in law is dangerous, for there is little that cannot be subverted.

**Omnis definitio in lege periculosa.** Every definition in law is dangerous.

**Omnis exceptio est ipsa quoque regula.** Every exception is itself also a rule.

**Omnis indemnatus pro innoxis legibus habetur.** Every uncondemned person is regarded as innocent by the law.

**Omnis innovatio plus novitate perturbat quam utilitate prodest.** Every innovation confuses more by its novelty than it benefits by its usefulness.

**Omnis interpretatio si fieri potest ita fienda est in instrumentis, ut omnes contrarietates amoveantur.** Every interpretation of instruments should be so made, if it can be so made, that all contradictions may be removed.

**Omnis interpretatio vel declarat, vel extendit, vel restringit.** Every interpretation either declares, extends or restrains.

**Omnis nova constitutio futuris formam imponere debet, non praeteritis.** Every new rule ought to prescribe a form for future, not for past, acts.

**Omnis persona est homo, sed non vicissin.** Every person is a man, but not vice versa.

**Omnis privatio praesupponit habitum.** Every deprivation presupposes a prior possession.

**Omnis querela et omnis actio injuriarum limitat est infra certa tempora.** Every complaint and every action for injuries is limited within certain times.

**Omnis ratihabitio retrotrahitur et mandato priori aequiparatur.** Every ratification relates back and is equivalent to a command. See 40 Minn. 531, 12 Am. St. Rep. 754, 4 L. R. A. 196, 42 N. W. 467.

**Omnis regula suas patitur exceptiones.** Every rule is subject to its own exceptions.

**Omnium.** The aggregate value of the different stocks in which a loan is funded.

**Omnium bonorum.** Of all the goods.

**Omnium contributione sarciatur quod pro omnibus datum est.** That which is given in behalf of all is restored by the contribution of all.

**Omnium rerum quarum usus est, potest esse abusus, virtute solo excepta.** There can be abuse of all things of which there is use, virtue alone excepted.

**On account of whom it may concern, or For whom it may concern.** An insurance term used to include all persons having an insurable interest for whose benefit the policy was intended. See 7 Har. & J. (Md.) 417, 16 Am. Dec. 317.

**On approval.** Authority to sell to third parties if the goods meet their approval. See 114 N. Y. 190, 11 Am. St. Rep. 627, 4 L. R. A. 392, 21 N. E. 160.

**On call.** On demand; when demanded. See 83 Ala. 595, 4 South. 346.

**On condition.** See Estate upon condition.

**On demand.** When demanded.

**Once in jeopardy.** A plea of former jeopardy for the same offense. See 121 Pa. 109, 6 Am. St. Rep. 757, 1 L. R. A. 451, 15 Atl. 466. See, also, Jeopardy.

**One third new for old.** The deduction of a third of the cost of repairs in adjusting a marine insurance loss. See 21 Pick. (Mass.) 476, 32 Am. Dec. 271.

**Onerando pro rata portionis.** A writ for relief of a tenant who had to pay more than his share of rent.

**Onerari non.** Should not be burdened, a plea in an action of debt.

**Oneratio.** A ship's cargo.

**Oneris ferendi.** The easement of the support of a neighbor's structure.

**Onerous.** Burdensome; not without consideration.

**Onerous cause.** (Civil Law) A valuable consideration.

**Onerous contract.** A contract having a valid consideration.

**Onerous deed.** A deed executed for a valuable consideration.

**Onerous gift.** A gift imposing some obligation on the donee.

**Onerous title.** That by which we acquire anything, paying its value in money, or in any other thing, or in services, or by means of certain charges and conditions to which we are subjected. See 96 Am. St. Rep. 916, note.

**Onomastic.** Signed in a handwriting other than that of the instrument itself.

**Onroerende and vast staat.** (Dutch) Real estate. See 18 Wend. (N. Y.) 200.

**Onus probandi.** Burden of proof.

**Ope consilio.** By aid of counsel.

**Ope et consilio.** By aid and counsel.

**Open a credit.** To accept or pay the draft of a correspondent who has not furnished funds.

**Open a foreclosure.** To sue on the covenant to pay, which gives the mortgagor a new right to redeem after foreclosure of that right.—Cent. Dict.

**Open account.** An account consisting of an item or items which have not been adjusted by agreement of the parties. See 72 Ala. 254, 47 Am. Rep. 405.

**Open contract.** A contract for the sale of land with no conditions relieving the vendor from producing evidence of title.

**Open corporation.** One all of whose members may vote for its officers. See 3 Bland (Md.), 407.

**Open court.** A public session of the court as opposed to a judge in his chambers. See 56 N. J. L. 228, 28 Atl. 428.

**Open doors.** (Scotch) Process authorizing the breaking of doors if necessary to effect service.

**Open law.** Trial by battel; trial by ordeal.

**Open policy.** A policy not estimating the value of the property insured. See 3 Rich. (S. C.) 331, 45 Am. Dec. 771.

**Open theft.** Same as Furtum manifestum.

**Opening.** Beginning.

**Opening a commission.** Entering upon the duties to be performed under the commission.

**Opening a judgment.** Permitting a party to reopen a case after judgment, without vacating the judgment.

**Opening a rule.** The changing back of a rule absolute to a rule nisi. See Rule absolute; Rule nisi.

**Opening biddings.** The postponement of a mortgage foreclosure sale. See 2 Bland (Md.), 629.

**Opening statement.** The address of the plaintiff's counsel at the beginning of a trial.

**Operarius.** A tenant holding by manual labor.

**Operatio.** A day's labor.

**Operation of law.** A means of acquisition or loss of rights with no act done by the party.

**Operative.** A workman; a laborer.

**Operative words.** The effective words of an instrument, e. g., bargain and sell, remise and quitclaim. See 5 Whart. (Pa.) 131, 34 Am. Dec. 539.

**Operis novi nuntiatio.** (Civil Law) A protest against a new work. See New work.

**Opinio est duplex, scilicet, opinio vulgaris orta inter graves et discretios, et quae vultum veritati, habet et opinio tantum orta inter leves et vulgares homines absque specie veritatis.** Opinion is twofold, that is, common opinion arising among serious and discreet persons and which has the aspect of truth, and opinion arising among light-minded and ordinary men without the appearance of truth.

**Opinio quae favet testamento est tenenda.** An opinion which favors a will is to be upheld.

**Opinion.** An inference of fact from facts observed. See 75 Miss. 559, 23 South. 210. See, also, 98 U. S. 145, 25 L. Ed. 244. The reasons given by a court for its judgment. See 77 Miss. 194, 60 L. R. A. 33, 24 South. 317.

**Oportet.** It is necessary, fitting, or proper.

**Oportet quod certa res deducatur in donationem.** It is necessary that a thing certain be brought into the gift.

**Oportet quod certa res deducatur in judicium.** It is necessary that a thing certain be brought to judgment.

**Oportet quod certa sit res quae venditur.** It is necessary that anything sold should be certain.

**Oportet quod certae personae, terrae et certi status comprehendantur in declaratione usuum.** It is necessary that certain persons,

lands and estates should be included in a declaration of uses.

**Opp.** Obtulit se, which see.

**Oppidum.** A fortified town.

**Oppignerare.** To pledge.

**Opposita juxta se posita magis elucescunt.** Opposite things when placed next to one another shine out more clearly.

**Oppression.** Duress imposed under color of office.

**Optima enim est legis interpres consuetudo.** For custom is the best interpreter of law.

**Optima est lex quae minimum relinquit arbitrio judicis.** That law is best which leaves least to the decision of the judge.

**Optima est lex quae minimum relinquit arbitrio judicis; optimus judex qui minimum sibi.** That law is best which leaves least to the decision of the judge; that judge best who leaves least to himself.

**Optima statuti interpretatrix est ipsum statutum.** The best interpreter of a statute is the statute itself.

**Optima statuti interpretatrix omnibus particulis ejusdem inspectis ipsum statutum.** The best interpreter of a statute, looking into all of its particulars, is the statute itself.

**Optimam esse legem, quae minimum relinquit arbitrio judicis; in quod certitudo ejus praestat.** The law is best which leaves least to the decision of the judge; this is because the certainty of it is manifest.

**Optimus interpres rerum usus.** Usage is the best interpreter of things.

**Optimus interpretandi modus est sic leges interpretare ut leges legibus accordant.** The best manner of interpreting is so to interpret the laws that laws may accord with laws.

**Optimus judex, qui minimum sibi.** The best judge is he who takes least unto himself.

**Optimus legum interpres consuetudo.** Custom is the best interpreter of the laws.

**Option.** A contract by which the owner of property agrees with another that he shall have the right to buy it at a fixed price within a certain time. See 21 L. R. A. 128, note. An archbishop's privilege of nominating his bishop's clerk.

**Optional writ.** Same as Alternative writ.

**Optulit.** Same as Obtulit.

**Opus.** Work; labor; benefit.

**Opus locatum.** Work let out to another.

**Opus magnificium.** Same as Opus manificium.

**Opus manificium.** Manual labor.

**Opus novum.** New work, which see.

**Or.** Often means "and." See 26 Wash. 171, 90 Am. St. Rep. 733, 66 Pac. 423.

**Oraculum.** A Roman emperor's decision.

**Oral.** By word of mouth; spoken.

**Orator.** A petitioner.

**Oratrix.** A female petitioner.

**Orcinus libertus.** (Roman Law) A slave freed by a provision in the will of his owner.

**Ordain.** To constitute; to establish; to pass. See 40 Pa. 124.

**Ordeal.** An ancient form of trial by the judgment of God. See Fire ordeal; Hot water ordeal;

Water ordeal. See, also, 4 Bl. Comm. 342.

**Ordeal by fire.** See Fire ordeal.

**Ordenamiento.** (Spanish) A royal order.

**Order.** A written direction to one's debtor to pay to a third party. See 112 Mich. 192, 67 Am. St. Rep. 392, 70 N. W. 466. Any written direction of a court or judge and not included in a judgment or decree. See 4 N. D. 119, 28 L. R. A. 621, 59 N. W. 523.

**Order nisi.** An order of court to be effective unless cause is shown why it should not be so.

**Order of filiation.** A court order determining the paternity of a bastard child.

**Ordinance.** A legislative enactment of a county, or an incorporated city or town. See 146 Ind. 527, 58 Am. St. Rep. 375, 45 N. E. 700.

**Ordinandi lex.** Adjective law, which see.

**Ordinarius ita dicitur quia habet ordinariam jurisdictionem, in jure proprio, et non propter deputationem.** An ordinary is so called because he has ordinary jurisdiction in his own right and not by deputation.

**Ordinary.** An English judge who had jurisdiction of causes in his own right and not by deputation. See 1 Mill Const. (S. C.) 244.

**Ordinary care.** Such as a person of ordinary prudence, according to the standard of the usual and general experience of mankind, would exercise in the same situation and circumstances. See 98 Mo. 74, 14 Am. St. Rep. 617, 11 S. W. 310.

**Ordinary conveyance.** A deed without an assurance in a superior court of justice.

**Ordinary course of business.** According to the usages and customs of commercial transactions. See 5 N. D. 438, 32 L. R. A. 730, 67 N. W. 300.

**Ordinary diligence.** That degree of care commensurate with the danger involved. See 100 Am. St. Rep. 516, note.

**Ordinary negligence.** The absence of that degree of care which men of common prudence generally exercise in their own affairs. See 38 Kan. 216, 5 Am. St. Rep. 734, 16 Pac. 454.

**Ordinary skill.** The degree of skill which men engaged in the art in question usually employ. See 78 Md. 375, 44 Am. St. Rep. 304, 22 L. R. A. 690, 28 Atl. 279.

**Ordination.** Investing one with holy orders.

**Ordinatione contra servientes.** A writ against a servant who left service in violation of the statute.

**Ordinatum est.** It is ordered.

**Ordine placitandi servato, servatur et jus.** By observing the order of pleading, the law is observed.

**Ordinis beneficium.** Same as Beneficium ordinis.

**Ordinum fugitivi.** Members of religious orders who renounced them.

**Ordo attachiamentorum.** The order of attachments.

**Ordonnance.** A compilation of international prize law. See 13 Mass. 26.

**Ore.** A compound of metal and other substances. See 147 N. Y. 495, 49 Am. St. Rep. 683, 42 N. E. 186, 18 Morr. Min. Rep. 279.

**Ore tenus.** Orally; by word of mouth.

**Oredelfe.** The right to claim ore found in one's land.

**Oregon boot.** A heavy weight attached to the ankle of a prisoner to prevent his escape.

**Orfgild.** A compensation for or restoration of property taken away.

**Organic law.** Constitutional law. See 145 Mo. 466, 68 Am. St. Rep. 575, 42 L R. A. 686, 41 S. W. 1094, 46 S. W. 976.

**Original.** Pertaining to the beginning or origin; the first or primitive form of a thing. See 156 Pa. 201, 36 Am. St. Rep. 32, 22 L. R. A. 155, 27 Atl. 30.

**Original bill.** A bill relating to a matter not previously litigated, by the same parties in the same court. See 81 U. S. 69, 20 L. Ed. 762.

**Original bill in the nature of supplemental bill.** A bill in equity between new parties with new interests arising out of events transpiring since the filing of a suit involving the same matters. See 2 Ala. 406.

**Original charter.** One granted first to the vassal by the superior.

**Original conveyance.** One which creates an estate in the first instance, as distinguished from a secondary conveyance.

**Original jurisdiction.** A general term of limitation, contradistinguished from the term "appellate jurisdiction." See 4 Cal. 342.

**Original packages.** Bundles put up for transportation or commercial handling, and usually a number of things bound together conveniently for handling and conveyance. See 46 La. Ann. 145, 49 Am. St. Rep. 318, 15 South. 10.

**Original process.** The process by which jurisdiction of a defendant in an action is acquired. See 32 Conn. 353.

**Original writ.** The initiatory step or process in the commencement of an action. See 11 Vt. 85. See, also, Praecipe.

**Origine propria nominem posse voluntate sua eximi manifestum est.** It is manifest that no one can by his own wish free himself from his own origin.

**Origo rei inspici debet.** The origin of a thing ought to be regarded.

**Orphan.** A fatherless child. See 33 Pa. 9.

**Orphanage.** The share of the children which by the custom of London is not vested in them till the age of 21. See 2 Bl. Comm. 519.

**Orphanage part.** Same as Orphanage.

**Orphanotrophi.** (Civil Law) Persons in charge of orphan asylums.

**Orphans' court.** Same as Prerogative court; Probate court; Surrogate court. See 128 U. S. 53, 32 L. Ed. 415, 9 Sup. Ct. Rep. 30.

**Ostendit vobis.** It shows to you.

**Ostensible partner.** One held out to the world as a member of a firm. See 2 Har. & G. (Md.) 159.

**Ostensurus.** To show.

**Ostentum.** Monster, which see.

**Osteopathy.** A system of rubbing and kneading the body, applying hot or cold baths, and prescribing diet and exercise for the treatment, relief and cure of bodily infirmity or disease, without medicine, drugs or surgery. See 98 Am. St. 742, note.

**Oster.** Same as Ouster.

**Ostium ecclesiae.** The church door.

**Oswald's law.** The law introducing compulsory celibacy in the priesthood in the tenth century.

**Othesworthe.** Same as Oathworthy.

**Oultre le mere.** Beyond seas.

**Ouster.** The wrongful dispossession or exclusion of a party, who is entitled to possession, from real property. See 116 Am. St. Rep. 570, note.

**Ouster le main.** To remove the hand, the delivery to him of a ward's lands upon his attaining his majority. See 2 Bl. Comm. 68.

**Ouster le mer.** Beyond seas. See Essoin de ultra mare.

**Ousterlemain.** See Ouster le main.

**Out of time.** Overdue, as a ship.

**Outer bar.** The junior barristers or counsel who sit without the bar in English courts.

**Outer barrister.** One who pleads without the bar.

**Outer house.** (Scotch) The lower branch of the court of sessions.

**Outfangthef.** A thief taken outside the manor; a tenant arrested for larceny within a manor.

**Outfit.** An allowance made to ministers and ambassadors.

**Outhouse.** A house appurtenant to a dwelling and within the curtilage. See 88 N. C. 656.

**Outland.** The tenant's part of a manor.

**Outlaw.** One who by being so adjudged in a judicial proceeding held for that purpose, forfeited all rights to property and protection. See 37 Me. 389.

**Outlawed.** Barred by the statute of limitations; adjudged an outlaw. See 37 Me. 389.

**Outlawry.** A proceeding held for the purpose of adjudging one an outlaw. See 1 Dall. (U. S.) 86, 1 L. Ed. 47.

**Outparter.** A cattle-thief.

**Outrage.** Wanton injury to person or property. See 105 Iowa, 500, 75 N. W. 356.

**Outre.** Outside; beyond.

**Outrider.** A deputy sheriff who summoned persons at a distance to attend the county court; a highwayman.

**Outroper.** An auctioneer.

**Outstanding accounts.** The term has a particular meaning where the subject matter of a contract is the ascertainment of net profits for the purpose of paying in cash the value of a certain share. See 20 Or. 108, 10 L. R. A. 785, 25 Pac. 366.

**Outstanding term.** Same as Attendant term.

**Outsucken multures.** Payments for grinding at a mill at which the customer was not bound by his tenure to have it done.

**Ovel.** Same as Owel.

**Ovelty.** Same as Owelty.

**Over.** See Limitation over.

**Overcyted, or Overcyhsed.** Convicted.

**Overdraw.** To draw from a bank by check a larger sum than one has deposited in the account. See 24 N. J. L. 478.

**Overflowed lands.** Those covered by the non-navigable waters, or subject to such periodical or frequent overflows of fresh or salt water as to require drainage or levees or embankments to keep out the water, and thereby render the lands suitable for successful cultivation. See 56 Fla. 603, 22 L. R. A. (N. S.) 337, 47 South. 353.

**Overlord.** A feudal superior; a master.

**Overplus.** That which remains.

**Overreaching clause.** In a resettlement, a clause which saves the powers of sale and leasing annexed to the estate for life

created by the original settlement, when it is desired to give the tenant for life the same estate and powers under the resettlement.—Bouv. Law. Dict.

**Overrule.** To deny; to set at naught; to annul.

**Oversamessa.** A fine for contempt or for an escape.

**Overseers of highways.** Same as Commissioners of highways.

**Overseers of the poor.** Officers having the duty of caring for the poor.

**Oversman.** An umpire appointed to settle a controversy upon the failure of arbitrators to agree.

**Overt, Overte, or Ouverte.** Open; apparent; evident. See Market overt.

**Overt act.** An open act; in homicide, an open act indicating a present purpose to do immediate great bodily harm. See 125 Tenn. 420, Ann. Cas. 1913C, 261, 143 S. W. 1134.

**Oves.** Sheep.

**Ovesque.** With.

**Owel, or Owele.** Equal.

**Owelty.** Equality.

**Owing.** Unpaid, whether yet due or not.

**Owler.** One guilty of owling.

**Owling.** The crime of sending sheep or wool out of England.

**Owner.** When used alone, means absolute owner, or one who has complete dominion of the property, as the owner in fee of real property, but the meaning may be varied by the context. See 15 Colo. 201, 22 Am. St. Rep. 388, 24 Pac. 1076.

**Ownership.** The rights of an owner.

**Oxfild.** Restitution by a hundred for an injury done therein.

**Oxgang.** A quantity of land tillable by one ox; fifteen acres.

**Oyer.** To hear.

**Oyer and terminer.** To hear and determine. See Courts of oyer and terminer.

**Oyer et terminer.** See Oyer and terminer.

**Oyez.** Hear ye.

# P

**P. C.** Pleas of the crown; privy council.

**P. h. v.** Pro hac vice, which see.

**P. J.** Presiding judge.

**P. M.** Post-meridian, afternoon; postmaster.

**P. O.** Postoffice.

**P. P.** Propria persona, which see.

**P. S.** Public statutes.

**Paage.** Same as Pedage.

**Pacare.** To pay.

**Pacatio.** Payment.

**Pace.** Two and a half feet.

**Paceatur.** Let him be released.

**Paci sunt maxime contraria, vis et injuria.** Violence and injury are the greatest opponents of peace.

**Pack.** To deceive by false appearances. See, also, Packing.

**Package.** A bundle or bale made up for transporation. See 124 Mo. 436, 46 Am. St. Rep. 457, 27 S. W. 1102.

**Packet.** In United States postal laws, a written communication of four or more sheets. See 21 Ann. Cas. (U. S.) 699, 177 Fed. 352, 35 L. R. A. (N. S.) 1034, 101 C. C. A. 328.

**Packing a jury.** The use of improper or corrupt means in selecting a jury. See 12 Conn. 262.

**Pact.** An agreement; a compact.

**Pacta conventa, quae neque contra leges, neque dolo malo inita sunt, omni modo observanda sunt.** Agreements which are neither contrary to the laws nor entered into fraudulently should in every manner be observed.

**Pacta dant legem contractui.** The agreements give the law to the contract.

**Pacta privata juri publico derogare non possunt.** Private agreements cannot derogate from public right.

**Pacta privata non derogant juri communi.** Private agreements do not derogate from common right.

**Pacta quae contra leges constitutionesque vel contra bonos mores fiunt, nullam vim habere, indubitati juris est.** It is unquestionably the law that agreements which are made contrary to the laws and the statutes or against good morals have no force.

**Pacta quae turpem causam continent non sunt observanda.** Agreements which contain an immoral consideration are not to be kept. See 2 Pet. (U. S.) 539, 7 L. Ed. 508.

**Pactio.** Same as Pactum.

**Paction.** A pact; a contract.

**Pactis privatorum juri publico non derogatur.** Private agreements do not derogate from public right.

**Pactitious.** Settled by agreement.

**Pacto aliquod licitum est, quid sine pacto non admittitur.** By agreement a certain thing may be lawful which without the agreement would not be permitted.

**Pactum.** An agreement; a promise; a contract.

**Pactum constitutae pecuniae.** An agreement to pay money.

**Pactum de non petando.** An agreement not to sue.

**Pactum de quota litis.** (Civil Law) An agreement to collect a debt for a share of the collection.

**Pactum vestitum.** (Civil Law) An agreement without consideration, enforceable because of the formality of its execution. See 40 N. J. L. 446.

**Padder.** A footpad; a highwayman; a robber.

**Paddy.** An effigy of St. Patrick. See 4 Clark (Pa.), 17.

**Paga.** (Spanish) Payment.

**Pagus.** A county.

**Paine forte et dure.** Same as Peine forte et dure.

**Pains and penalties, Bill of.** See Bill of pains and penalties.

**Pairing.** A practice of opposing legislators in agreeing not to vote on a measure, the absence of the vote of each, offsetting that of the other who has paired with him.

**Pais.** The county; the jury. See In pais.

**Paix.** Peace.

**Palace court.** A court with jurisdiction in all personal actions arising within twelve miles of the king's palace.

**Palagium.** A duty to lords of manors for exporting and importing vessels of wine at any of their ports.—Jacob.

**Palam.** Openly.

**Palatine.** Relating to a palace. See County palatine.

**Palatine courts.** See Courts of counties palatine.

**Palatium.** A palace.

**Pallio cooperire.** A marriage by the parents of bastard children whereat they formally adopted the children.

**Pandects.** See Digests.

**Pander.** A pimp; a procurer.

**Panel.** A list of all those summoned for jury duty. See 89 Ill. 571.

**Panis.** A loaf; a loaf of bread.

**Pannellation.** The impaneling of a jury.

**Paper blockade.** A proclaimed blockade not effectively enforced.

**Paper days.** Tuesdays and Fridays, days for hearing arguments.

**Paper money.** Same as Greenbacks.

**Paper office.** An English office where state papers are kept.

**Paper title.** A title sufficiently evidenced by a chain of written conveyances, but which is not in fact valid.

**Paper-book.** A transcript of the record in a cause.

**Par.** Equal; equal to face value. See 156 N. Y. 363, 50 N. E. 973.

**Par delictum.** Equal wrong.

**Par in parem imperium non habet.** An equal has no dominion over an equal.

**Par of exchange.** The value of the money of one country in that of another. See 50 N. J. Eq. 214, 220, 24 Atl. 564.

**Par oneri.** Equal to the burden.

**Par value.** The value expressed on the face of the instrument. See 156 N. Y. 363, 50 N. E. 973.

**Parage.** Equality of rank or station.

**Paragium.** Equality; a bride's marriage portion.

**Paragraph.** Sometimes synonymous with Count. See 63 Fed. (U. S.) 488, 11 C. C. A. 304.

**Paramount.** Superior; above.

**Paranoia.** Same as Monomania. See 158 N. Y. 558, 53 N. E. 529.

**Parapherna.** Same as Paraphernalia.

**Paraphernal.** All property not declared to be brought in marriage by the wife, or to be given to her in case of the marriage, or to belong to her at the time of

the marriage. See 33 La. Ann. 246.

Paraphernalia. A wife's wearing apparel, bedding, etc., and her ornaments. See 28 Vt. 249.

Paratum habeo. I have him ready.

Paratus est verificare. He is ready to verify.

Paravail. See Tenant paravail.

Parcel. A part of an estate or tract of land; to divide.

Parcella terrae. A parcel of land.

Parcels, Bill of. See Bill of parcels.

Parcenary. A holding of an inheritable estate by two or more persons.

Parceners. Coparceners, which see.

Parchment. A document written on parchment.

Parco fracto. Pound breach.

Parcus. A park; a cattle pound.

Pardon. An act of grace proceeding from the power intrusted with the execution of the laws, which exempts the individual on whom it is bestowed from the punishment the law inflicts for a crime he has committed. See 7 Pet. (U. S.) 150, 8 L. Ed. 640.

Parens. A parent; a relative.

Parens est nomen generale ad omne genus cognationis. Parens is a general name for every sort of relationship.

Parens patriae. Parent of the country; the king; the people. See 69 Miss. 939; 30 Am. St. Rep. 599, 603, 16 L. R. A. 251, 11 South. 111.

Parentage. Those in a direct ascending line of relationship.

Parentum est liberos alere etiam nothos. It is due of parents to support children, even bastards.

Pares. Peers; equals.

Pares curiae. Peers of the court.

Pares regni. Peers of the realm.

Pari causa. With equal right.

Pari delicto. In equal wrong.

Pari materia. Of the same matter or subject.

Pari passu. Of the same grade.

Pari ratione. For like reason.

Paria copulantur paribus. Like unite with like.

Paribus sententiis reus absolvitur. A defendant is acquitted by equal opinions, i. e., for and against.

Parientes. (Spanish) Relatives.

Paries. A wall.

Paries communis. A party-wall.

Parish. A district of certain limits alterable without a legal enactment. See 50 Wis. 189, 36 Am. Rep. 840, 6 N. W. 607, quoting Webster. A corporation formed for the maintenance of public worship. See 18 Mass. 91.

Parish apprentice. A pauper's child apprenticed by the overseers of the poor.

Parish child. A pauper child.

Parish constable. A constable whose jurisdiction is within a parish.

Parish court. An inferior English court the jurisdiction of which did not extend beyond the parish.

Parish district. An ecclesiastical division of an English parish.

Parish officers. Constables, churchwardens and overseers.

Parium eadem est ratio idem jus. In similar matters, the reason is the same, the law the same.

Parium judicium. The judgment of one's peers, i. e., by a jury of one's peers.

Park. A piece of ground in or near a city or town, used for ornament, and as a place for the resort of the public for recreation and amusement. See 248 Ill. 299, 21 Ann. Cas. 127, 93 N. E. 910.

**Parle hill.** A hill where English courts were anciently held.

**Parliament.** The House of Lords and the House of Commons, the British legislature.

**Parliament of dunces.** The English parliament of 1404 from which all lawyers were excluded.

**Parliamentary agents.** Professional lobbyists in the employ of private persons whose functions, however, are lawful.

**Parliamentary law.** The system of rules adopted by a legislative or deliberative body for its own government. See 160 Ind. 479, 67 N. E. 189.

**Parliamentary taxes.** Taxes imposed by direct statutory act.

**Parliamentum indoctum.** Parliament of dunces, which see.

**Parliamentum insanum.** Mad parliament, which see.

**Paroche.** A parish.

**Parochia est locus quo degit populus alicujus ecclesiae.** A parish is a place in which the populace of a certain church resides.

**Parol.** Oral; not written.

**Parole.** A convict's release from prison on certain conditions to be observed by him, and a suspension of his sentence during the liberty thus granted. See 3 Okl. Crim. Rep. 350, 26 L. R. A. (N. S.) 110, 106 Pac. 549.

**Parols font plea.** Words make the plea.

**Parricide.** The murder of one's parent; one who murders his parent.

**Parricidium.** Parricide.

**Pars.** A part.

**Pars ejusdem negotii.** Part of the same transaction.

**Pars enitia.** See Enitia pars.

**Pars fundi.** Part of the soil.

**Pars gravata.** The aggrieved party.

**Pars judicis.** The part or duty of the judge.

**Pars pro toto.** A part for the whole.

**Pars rationabilis.** See De rationabili, etc.

**Pars rea.** A party defendant.

**Pars viscerum matris.** Part of the mother's body, i. e., unborn.

**Parson.** An ecclesiastical officer having charge of a parish.

**Parson imparsonee.** See Imparsonee.

**Parsonage tithes.** Tithes belonging to the rector of a parish.

**Part.** A purpart; a share. See Purpart.

**Part and pertinent.** (Scotch) Appurtenant.

**Part owners.** Joint owners, each of whom holds in a different manner and by a different tenure. See 129 Mass. 127.

**Parte inaudita.** Same as Ex parte.

**Parte non comparente.** A party not appearing, i. e., in default.

**Parte quacumque integrante sublata tollitur totum.** Any integral part having been removed, the whole is taken.

**Partem aliquam recte intelligere nemo potest antequam totum iterum atque iterum perlegerit.** No one can rightly understand any part until he has read over the whole again and again.

**Partes finis nil haberuut.** The parties to the fine had nothing.

**Partial acceptance.** An acceptance of a bill of exchange departing from the terms of the bill.

**Partial insanity.** That wherein the mind is clouded and weakened, but not incapable of remembering, reasoning and judging. See 50 N. H. 369, 9 Am. Rep. 242.

**Partial loss.** A loss of part of property insured.

**Particeps criminis.** A party to a crime; a party to an act contrary to good morals. See 2 Yerg. (Tenn.) 524, 24 Am. Dec. 502.

**Particeps plures sunt quasi unum corpus in eo quod unum jus habent et oportet quod corpus sit integrum, et quod in nulla parte sit defectus.** Many partners are as it were one body in this, that they have one right and it is necessary that the body be perfect and that there be no defect in any part.

**Particula.** A parcel of land.

**Particular average.** Any loss under a marine insurance policy less than a total one. See 44 N. Y. 204, 4 Am. Rep. 664.

**Particular averment.** An allegation of a particular fact.

**Particular custom.** One which prevails in some county, city, town, parish, or place, and whose existence is to be determined by a jury upon proof. See 23 Me. 90, 39 Am. Dec. 611.

**Particular estate.** An estate for life or for years. See 41 Kan. 424, 3 L. R. A. 690, 21 Pac. 288.

**Particular lien.** The right to retain particular property only for a charge for labor and services bestowed upon it. See 37 Am. Dec. 522, note.

**Particular malice.** Ill will; grudge; a desire for revenge against a specific person. See 117 N. C. 791, 23 S. E. 431.

**Particular power.** A power by which the donee is restricted to particular objects. See 3 Whart. (Pa.) 287, 31 Am. Dec. 502.

**Particular tenant.** The holder of a particular estate.

**Particulars.** See Bill of particulars.

**Parties.** All directly interested in the subject matter of an action and who have a right to make defense, control the proceedings, examine and cross-examine witnesses, and appeal from the judgment. See 133 N. Y. 187, 28 Am. St. Rep. 619, 30 N. E. 965, 31 N. E. 334.

**Partition.** The division of property held under a joint tenancy or tenancy in common, into interests to be held in severalty. See 91 Tenn. 532, 19 S. W. 757.

**Partner.** A member of a partnership.

**Partnership.** An association of two or more persons, each of whom acting as principal for himself and as agent for the others, combines his property, labor or skill in a lawful enterprise or business for the purpose of joint profit. See 115 Am. St. Rep. 406, note.

**Parturition.** Giving birth to a child.

**Partus.** Issue; a child.

**Partus ex legitimo thoro non certius noscit matrem quam genitorem suam.** The child of a legitimate bed does not know his mother any more certainly than his father.

**Partus sequitur ventrem.** The issue follows the body (of the mother). See 18 Pick. (Mass.) 222.

**Party.** One of two or more persons entering into a contract; one directly interested in the subject matter of an action, who has the right to defend or control the proceedings or appeal from the judgment. See 158 U. S. 478, 39 L. Ed. 1061, 15 Sup. Ct. Rep. 975.

**Party jury.** Same as Jury de medietate linguae.

**Party-wall.** A dividing wall between two buildings, to be used equally for all purposes of an ex-

terior wall by both parties, usually partly on the land of each, but not always. See 89 Am. St. Rep. 925, note.

**Parum cavet natura.** Nature takes little precaution.

**Parum cavisse videtur.** He seems to have taken little precaution.

**Parum differunt quae re concordant.** Things differ little which accord in substance.

**Parum est latam esse sententiam nisi mandetur executioni.** A sentence is not sufficiently comprehensive unless it is given execution.

**Parum proficit scire quid fieri debet, si non cognoscas quomodo sit facturum.** It profits little to know what ought to be done if you do not know how it ought to be done.

**Parva proditio.** Petty treason.

**Parva serjeantia.** Petit serjeanty, which see.

**Parvum cape.** Petit cape, which see.

**Pas.** Precedence.

**Pascha.** Easter.

**Pascua silva.** A wooded pasture.

**Pass.** To deliver with intent to put in circulation, as a note or coin. See 27 Fed. Cas. 80, 1 Abb. (U. S.) 135.

**Passage money.** The fare of a passenger with or without his baggage. See 3 Johns. (N. Y.) 335.

**Passagio.** A writ to compel port officers to pass one who had the king's permission to depart.

**Passagium.** A passage; a voyage.

**Passator.** One who had control of passage on a river.

**Pass-book.** The book of the buyer, customer or debtor, in which he allows the seller, banker or creditor to enter their mutual transactions. See 134 Am. St. Rep. 1021.

**Passenger.** One whom a common carrier has contracted to carry from one place to another, and has in the course of the performance of that contract received under his care either upon the means of conveyance or at the point of departure of that means of conveyance. See 61 Am. St. Rep. 75, note.

**Passive debts.** Debts which one owes.

**Passive trust.** Same as Dry trust. See, also, 118 Wis. 409, 62 L. R. A. 986, 95 N. W. 380.

**Passive use.** Same as Permissive use.

**Passport.** A document entitling one to pass through a country in time of war; a document issued by a neutral government permitting a vessel to sail on a proposed voyage. See 6 Wheat. (U. S.) 1, 5 L. Ed. 191.

**Past consideration.** A consideration paid or performed before a contract is made. See 7 Cow. (N. Y.) 358.

**Pastus.** Customary provision by the tenants for a lord on the occasion of his visit to the land.

**Pateat universis per praesentes.** Know all men by these presents.

**Patent.** A grant of an exclusive right to manufacture and sell a patented article under national protection. See 136 U. S. 313, 34 L. Ed. 455, 10 Sup. Ct. Rep. 862. A government conveyance of land. See 132 U. S. 239, 33 L. Ed. 327, 10 Sup. Ct. Rep. 83.

**Patent ambiguity.** An ambiguity arising when the instrument on its face, or aided by judicial construction, equally describes two or more persons or things. See 124 Ala. 508, 82 Am. St. Rep. 196, 27 South. 406.

**Patent of precedence.** Letters patent issued to English barristers entitling them to certain prerogatives.

**Patent right.** A privilege granted by the government to the first inventor of a new and useful discovery or mode of manufacture that he shall be entitled during a limited period to the exclusive use and benefit thereof. See 87 Md. 687, 67 Am. St. Rep. 371, 53 L. R. A. 417, 40 Atl. 1074.

**Patent rolls.** English records of letters patent.

**Patent writ.** An unsealed writ. Cf. Close writs.

**Pater.** A father.

**Pater est quem nuptiae demonstrant.** The father is he whom the marriage ceremonies indicate. See 107 N. C. 407, 22 Am. St. Rep. 897, 10 L. R. A. 662, 12 S. E. 453.

**Pater patriae.** Same as Parens patriae.

**Paterfamilias.** The father of a family.

**Paterna paternis.** Paternal property descends to paternal descendants.

**Paternal.** Belonging to or proceeding from the father.

**Paternal inheritance.** An inheritance from one's father.

**Paternal power.** The parental authority of a father over his children.

**Paternal property.** That which descended from the father or his stock.

**Paternity.** Fatherhood.

**Patibulated.** Hanged for crime.

**Patibulum.** A gallows.

**Patiens.** A patient, i. e., one who is passive. See Agent and patient.

**Patria.** The country; a jury.

**Patria laboribus et expensis non debet fatigari.** A jury ought not to be vexed with labor and expense.

**Patria potestas.** Paternal power.

**Patria potestas in pietate debet, non in atrocitate consistere.** Paternal power ought to have its footing in piety, not in atrocity.

**Patricide.** One who kills his father; the act of so doing.

**Patricius.** A noble; a patrician.

**Patrimonial.** Paternal; parental.

**Patrimonium.** (Civil Law) Inheritable property.

**Patrimony.** Property; an ancestral inheritance.

**Patrinus.** A godfather.

**Patrocinium.** (Roman Law) Patronage; protection.

**Patron.** One having the right of presentation to a benefice. See Advowson.

**Patronage.** A patron's right of presentation. See Advowson.

**Patronatus.** Patronage, which see.

**Patronum faciunt dos, aedificatio, fundus.** An endowment, a building and an estate make a patron.

**Patronymic.** A surname. See Name.

**Patroon.** (Dutch, N. Y.) The lord of a manor.

**Patruelis.** A paternal first cousin.

**Patruus.** A paternal uncle.

**Pauper.** One who has neither money nor estate. See 68 N. J. L. 666, 54 Atl. 839.

**Pauperis.** See In forma pauperis.

**Paviage.** A paving or highway tax.

**Pawn.** Same as pledge.

**Pawnbroker.** One engaged in lending money on interest and in taking goods in pledge as security therefor. See 33 Ark. 436.

**Pawnee.** One to whom goods are pledged or pawned.

**Pawnor.** One who transfers goods by way of pawn or pledge.

**Pax.** Peace.

**Pax ecclesiae.** The peace of the church.

**Pax regis.** The peace of the king.

**Payable.** To be paid. See 134 Ga. 486, 137 Am. St. Rep. 242, 30 L. R. A. (N. S.) 697, 68 S. E. 85.

**Payee.** One to whom money is payable.

**Payment.** The discharge in money of a sum due; the fulfillment of a promise; the performance of an agreement; the accomplishment of an obligation. See 100 Am. St. Rep. 393, note.

**Payment into court.** Payment of money to the clerk of the court when a tender is relied upon, to defeat the recovery of costs. See 96 Ala. 183, 11 South. 285.

**Payment under protest.** A formal statement accompanying a payment wherein the payer reserves all rights of suit to recover back the money paid. See 2 Daly (N. Y.) 497.

**Pays.** The country; the jury. See Pais; In pais.

**Peace, Bill of.** See Bill of Peace.

**Peace.** Quiet, orderly behavior of individuals toward one another and the government. See 10 Or. 139, 45 Am. Rep. 134.

**Peace officers.** Usually by statute includes sheriffs, constables and marshals, and their deputies and policemen.

**Peccata contra naturam sunt gravissima.** Offenses against nature are most serious.

**Peccatum.** An offense; a fault.

**Peccatum peccato addit qui culpae quam facit patrocinium defensionis adjungit.** One who connects with the protection of his defense a wrong which he has committed adds a crime to a crime.

**Pecora.** Plural of Pecus.

**Pecudes.** Plural of Pecus.

**Peculation.** Embezzlement of public moneys.

**Peculatus.** Embezzlement.

**Peculiar.** An English parish independent of the ordinary.

**Peculium.** (Roman Law) The personal effects of a wife, a child, or a slave.

**Peculium castrense.** A minor's property acquired by him as a soldier.

**Pecunia.** Property; money.

**Pecunia dicitur a pecus, omnes enim veterum divitiae in animalibus consistebant.** Pecunia is so called from pecus, for all of the wealth of our ancestors consisted of animals.

**Pecunia nonnumerata.** Money not paid.

**Pecunia numerata.** Money counted out or paid.

**Pecunia sepulchralis.** Money paid a priest for prayers at the opening of a grave.

**Pecunia trajectitia.** Bottomry, which see.

**Pecuniary.** Financial; pertaining to money.

**Pecuniary causes.** Such as arise from the withholding ecclesiastical dues, or doing or neglecting some act relating to the church, whereby the plaintiff is injured. See 3 Bl. Comm. 88.

**Pecuniary legacy.** A legacy payable out of the general assets of the estate when converted into money. See 52 Hun (N. Y.), 200, 5 N. Y. Supp. 164.

**Pecuniary loss.** Any element of injury which may be deemed to

have a pecuniary value. See 29 N. Y. 252, 86 Am. Dec. 297.

**Pecus.** A beast; a domestic animal.

**Pedage.** A toll paid by pedestrians.

**Pedagium.** Pedage.

**Pedaneus.** At the foot; inferior.

**Pedaulus.** A Roman judge of lower rank who tried trivial causes.

**Peddler.** One who goes about from house to house selling commodities. See 132 Ill. 380, 22 Am. St. Rep. 540, 8 L. R. A. 328, 24 N. E. 58.

**Pede pulverosus.** Dusty-foot. See Court of piepoudre.

**Pedem ponere.** To place the foot; to enter upon land.

**Pedigree.** The lineage, descent or succession of families. See 79 Tenn. 78, 47 Am. Rep. 277.

**Pedis abscissio.** The amputation of a foot, an ancient punishment for crime.

**Pedis positio.** The placing of the foot, i. e., as proof of possession.

**Pedis possessio.** Possession of the foot, actual possession.

**Pedlar.** Same as Peddler.

**Peer.** An equal; a member of the House of Lords; a baron; a nobleman of high rank.

**Peine.** Punishment.

**Peine forte et dure.** A punishment of a felony defendant who refused to plead, by torture, often resulting in death. See 4 Bl. Comm. 324.

**Pelex or Pellex.** A mistress; a concubine.

**Penal.** Imposing punishment for an offense; imposing liability beyond compensation for injury. See 117 Mass. 109, 19 Am. Rep. 400.

**Penal action.** An action allowed in pursuance of justice under particular laws. See 84 Ga. 408, 8 L. R. A. 189, 11 S. E. 396.

**Penal bill.** Same as Penal bond.

**Penal bond.** A bond exacting a penalty and not liquidated damages for its breach. See 82 Me. 516, 17 Am. St. Rep. 500, 9 L. R. A. 113, 20 Atl. 84.

**Penal Laws.** Laws imposing penalties for public offenses. See 146 U. S. 657, 36 L. Ed. 1123, 13 Sup. Ct. Rep. 224.

**Penal statute.** One imposing a penalty or forfeiture for transgression of its provisions, or for doing a thing prohibited. See 44 W. Va. 36, 67 Am. St. Rep. 757, 41 L. R. A. 669, 28 S. E. 754.

**Penal sum.** The amount of a penalty.

**Penalty.** An exaction in the nature of a punishment for the nonperformance of an act, or for the performance of an unlawful act; a punishment whether enforced by a civil or criminal proceeding. See 44 W. Va. 36, 67 Am. St. Rep. 757, 41 L. R. A. 669, 28 S. E. 754, See, also, 119 Mo. 383, 41 Am. St. Rep. 663, 24 S. W. 457.

**Penance.** Punishment.

**Pendency.** The condition of being undecided or pending.

**Pendens.** Pending.

**Pendente lite.** During the pendency of the action.

**Pendente lite nihil innovetur.** During the pendency of the action nothing should be changed. See 20 How. (U. S.) 106, 15 L. Ed. 833.

**Pendentes.** Hanging, unplucked crops.

**Pending.** Undecided. See 48 N. H. 207.

**Penetration.** The entering to that extent to which the defendant's person must enter that of his victim in the crime of rape.

**Penitentiary.** A prison for the confinement of persons convicted of crime; a state prison.

**Pensa.** A weight.

**Pensata.** Weighed.

**Pensio.** A payment for rent or hire.

**Pension.** The bounty of the government, which Congress has the right to give, withhold, distribute or recall, at its discretion. See 107 U. S. 64, 27 L. Ed. 352, 2 Sup. Ct. Rep. 39.

**Pensioner.** One who is supported by the bounty of another or by a pension.

**Pent road.** A road subject to being closed by gates or bars and not a highway. See 67 Vt. 132, 31 Atl. 33.

**Peon.** One bound in peonage.

**Peonage.** A status or condition of compulsory service based upon the indebtedness of the peon to the master. See 197 U. S. 207, 49 L. Ed. 726, 25 Sup. Ct. Rep. 429.

**Peonia.** (Spanish) A portion granted to a foot soldier of spoils taken or lands conquered in a war. See 12 Pet. (U. S.) 410, 9 L. Ed. 1137.

**People.** The state; the nation; any consolidated political body. See 166 U. S. 1, 41 L. Ed. 897, 17 Sup. Ct. Rep. 495.

**Peppercorn.** A pepper berry, used as a nominal consideration in contracts.

**Per.** By; through; in.

**Per aes et libram.** By the brass money and the scales, a Roman form used in certain sales.

**Per alluvionem.** By alluvion. See Alluvion.

**Per alluvionem id videtur adjici, quod ita paulatim adjucitur, ut intelligere non possumus quantum quoquo momento temporis adjiciatur.** That is deemed to be added by alluvion which is so added little by little that we cannot perceive how much is added at any certain moment of time.

**Per ambages.** By evasions.

**Per and cui.** One of the "degrees" in which a writ of entry may be brought in case there was a second alienation or descent, the form of the writ in that case being that the tenant had not entry, but by or under a prior alienee, to whom the intruder demised it. See 3 Bl. Comm. 181.

**Per annulum et baculum.** By ring and staff. See Annulus et baculus.

**Per annum.** By or for a year.

**Per autre vie.** For the life of another.

**Per aversionem.** A sale in bulk.

**Per bouche.** Through the mouth, orally.

**Per capita.** By heads; according to the number of persons.

**Per centum.** By the hundred.

**Per consequens.** In consequence.

**Per considerationem curiae.** By the consideration of the court.

**Per contra.** On the other hand.

**Per corpus.** By the body, i. e., by trial by battel. See Trial by battel.

**Per cur.** Per curiam.

**Per curiam.** By the court.

**Per curiam opinion.** One wherein all the judges are of one mind, and so clear that they do not deem it necessary to elaborate it by an extended discussion. See 146 Pa. St. 561, 28 Am. St. Rep. 821, 15 L. R. A. 127, 23 Atl. 248.

**Per defaltam.** By default.

**Per diem.** By the day; a daily expense or compensation allowance.

**Per equipollens.** By an equivalent.

**Per eundem.** By the same.

**Per expressum.** Expressly.

**Per extensum.** At length.

**Per extraneam personam nihil nobis acquiri potest.** Nothing can be inherited by us from a person outside the family. See 17 Pa. St. 286, 55 Am. Dec. 555.

**Per fas et nefas.** By right or wrong.

**Per formam doni.** By the form of the gift.

**Per fraudem.** By fraud.

**Per incuriam.** Throught inadvertence or lack of care.

**Per infortunium.** Accidentally.

**Per le gree ou sans le gree.** With consent or without it.

**Per legale judicium parium.** By the lawful judgment of his peers.

**Per legem angliae.** By the law of England.

**Per legem terrae.** By the law of the land; by due process of law. See 7 Ill. 473.

**Per medietatem linguae.** See Jury de medietate liguae.

**Per metas et bundas.** By metes and bounds.

**Per minas.** By threats.

**Per misadventure.** By misfortune.

**Per mitter le droit.** By the release of the right. See 19 N. Y. 384.

**Per mitter l'estate.** By the release of the estate. See 19 N. Y. 384.

**Per my et per tout.** By the half and by the whole. See 2 Bl. Comm. 182.

**Per omnes.** By all.

**Per patriam.** By the country, by means of a jury.

**Per proc.** Per procurationem, by proxy.

**Per procuration.** By proxy.

**Per quae servitia.** By which services, a writ by which the cognizee in a fine of lands could have the tenant attorn to him.

**Per quod.** By which.

**Per quod actio accrevit.** By which an action accrued.

**Per quod consortium amisit.** Through which he lost consortium. See Consortium.

**Per quod servitium amisit.** Through which he lost the services.

**Per rationes pervenitur ad legitimam rationem.** Through reasoning one arrives at the legal reason.

**Per rerum naturam, factum negantis nulla probatio est.** In the nature of things, one denying a fact is held to no proof.

**Per saltum.** By a leap or bound; quickly.

**Per se.** By, through, or of, itself.

**Per stirpem.** By representation. See Per stirpes.

**Per stirpes.** By roots; by representation; inheritance from a decedent by descendants of that to which he would have been entitled, had he lived. See 86 Md. 633, 39 Atl. 415.

**Per subsequens matrimonium.** By a subsequent marriage.

**Per testes.** By witnesses.

**Per tot' cur'.** Per totam curiam.

**Per totam curiam.** By the whole court.

**Per totum tempus praedictum.** During the whole of the said time.

**Per tout et non per my.** By the whole and not by the half.

**Per universitatem.** As a whole.

**Per usucaptionem.** By continuous use.

**Per vadium.** By pledge.

**Per vadium et salvos plegios.** By gage and safe pledges.

**Per varios actus, legem experientia facit.** By various acts, experience makes the law.

**Per verba de futuro.** By words of future import.

**Per verba de praesenti.** By words of present import.

**Per visum ecclesiae.** By the supervision of the church.

**Per visum juratorum.** By the view of the jury.

**Per vivam vocem.** by the living voice.

**Perambulation.** The custom of making the circuit of the boundary of a manor or parish in order to preserve the memory of its extent. See 57 N. H. 385.

**Perambulatione facienda, Writ de.** See De perambulatione facienda.

**Percennarius.** A parcener.

**Perception.** A taking possession.

**Percolating waters.** All subsurface flowage not in defined and known channels. See 67 Am. St. Rep. 669, note.

**Perdonatio utlagariae.** A pardon for one outlawed for contempt.

**Perduellio.** (Civil Law) Treason.

**Perdurable.** Everlasting.

**Peregrini.** (Civil Law) Foreigners; alien enemies; slaves.

**Peremptorius.** (Civil Law) That which permanently destroys.

**Peremptory.** Final; positive; conclusive.

**Peremptory challenge.** An arbitrary challenge or objection to a juror without stating any reason. See 146 U. S. 370, 36 L. Ed. 1011, 13 Sup. Ct. Rep. 136.

**Peremptory defense.** A defense denying the plaintiff's right to sue.

**Peremptory exception.** One which denies the ground of the action.

**Peremptory instruction.** A court's mandatory instruction to the jury, as one directing a verdict.

**Peremptory mandamus.** A mandatory writ to compel the performance of a public duty. See 40 Tex. 600.

**Peremptory nonsuit.** A judgment for the defendant rendered upon the failure of the plaintiff to es-establish a prima facie case. See 137 Pa. 428, 20 Atl. 802.

**Peremptory plea.** A plea setting up a peremptory defense. See Peremptory defense.

**Peremptory rule.** Same as Rule absolute.

**Peremptory writ.** See Peremptory mandamus.

**Peresewar.** Same as Pursuer.

**Perfect obligation.** One which gives to the opposite party the right of compulsion. See 120 Am. St. Rep. 471, note.

**Perfect right.** That which is accompanied by the right of compelling those who refuse to fulfill the correspondent obligation. See 120 Am. St. Rep. 471, note.

**Perfect title.** A title embracing unity of possession, a right thereto and a right of property. See 53 Ala. 411, 25 Am. Rep. 634.

**Perfect trust.** Same as Executed trust.

**Perfecting bail.** Same as Justifying bail.

**Perfectum est cui nihil deest secundum suae perfectionis vel naturae modum.** That is perfect which lacks nothing according to the measure of its perfection or nature.

**Perfidy.** A breach of faith or trust.

**Performance.** Fulfilment. See, also, Specific performance.

**Periculo petentis.** At the petitioner's risk.

**Periculosum est res novas et inusitatas inducere.** It is dangerous to introduce new and untried things.

**Periculosum existimo quod bonorum vivorum non comprobatur exemplo.** I believe that is dangerous which is not approved by the example of good men.

**Periculosus.** Dangerous.

**Periculum.** Danger; risk.

**Periculum rei venditiae, nondum traditae, est emptoris.** The risk of a thing sold and not yet delivered is that of the buyer.

**Peril.** Exposure to injury, loss or destruction. See 128 Ind. 542, 26 N. E. 178.

**Perils of the sea.** All perils, losses, and misfortunes of a marine character, or of a character incident to a ship as such. See 76 Cal. 145, 9 Am. St. Rep. 184, 18 Pac. 155; and 41 Am. Dec. 281, note.

**Perinde valere.** A papal dispensation admitting an unqualified clerk to a benefice.

**Periphrasis.** Circumlocution.

**Perishable goods.** Goods the keeping of which lessens their value.

**Perjuri sunt qui servatis verbis juramenti decipiunt aures eorem qui accipiunt.** They are perjured who by preserving the words of the oath deceive the ears of those who receive it.

**Perjury.** The willful giving under oath in a judicial proceeding or in a court of justice of false testimony material to the issue or point of inquiry. 91 Ky. 131, 15 S. W. 52.

**Permanent alimony.** Alimony to continue as long as both parties live.

**Permanent injunction.** An injunction which is to be effective until the end of the suit. See 96 Tex. 154, 71 S. W. 14.

**Permanent nuisance.** One of such character and existing under such circumstances that it will be presumed to continue indefinitely. See 75 Neb. 838, 5 L. R. A. (N. S.) 486, 106 N. W. 996.

**Permanent trespass.** The same act of trespass continuing from day to day.

**Permission.** Leave; license; sufferance.

**Permissive.** Permitted; allowed.

**Permissive use.** A use wherein the legal title was conveyed to one for the use of another, before the statute of uses.

**Permissive waste.** Willful or negligent suffering of injury to the premises. See 4 Har. & J. (Md.) 373, 7 Am. Dec. 674.

**Permit.** A permission; a license; a leave.

**Permutatio.** Permutation.

**Permutation.** Exchange; barter.

**Pernancy.** The receipt of rents or profits.

**Pernor.** A receiver; a taker.

**Pernor of profits.** One who enjoys the profits; a cestui que use.

**Pernour.** A taker.

**Perpetua lex est, nullam legem humanam ac positivam perpetuam esse; et clausula quae abrogationem excludit ab initio non valet.** The law is perpetual that no human and positive law is perpetual, and a clause which excludes abrogation is void from the beginning.

**Perpetual.** Enduring forever.

**Perpetual curacy.** One wherein all the titles are appropriated, and no vicarage endowed, but instead

thereof a perpetual curate is appointed by the appropriator. See 1 Bl. Comm. 394.

**Perpetual injunction.** An injunction ordered by the final decree of the court. See 96 Tex. 154, 71 S. W. 14.

**Perpetual lease.** A lease for years with a covenant for perpetual renewals. See 88 Mo. App. 434.

**Perpetuating testimony.** "If witnesses to a disputable fact are old and infirm, it is very usual to file a bill to perpetuate the testimony of those witnesses, although no suit is depending, for it may be, a man's antagonist only waits for the death of some of them to begin his suit."—3 Bl. Comm. 450.

**Perpetuity.** Any limitation or condition which may take away or suspend the absolute power of alienation for a period beyond the continuation of lives in being. See 108 Cal. 627, 49 Am. St. Rep. 97, 41 Pac. 772.

**Perpetuity of the king.** The attribute of absolute immortality in his political capacity, which the law of England ascribes to the king. See 1 Bl. Comm, 249.

**Perquirere.** To acquire.

**Perquisites.** Fees, allowances or privileges beyond the ordinary fees or compensation of an officer or employee. See 54 Mo. 385, 14 Am. Rep. 476.

**Perquisitio.** An acquisition; a purchase.

**Perquisitor.** Same as Purchaser.

**Perquisitum.** Purchase.

**Persecutio.** (Civil Law) Proceeding against one in a civil or criminal action.

**Person.** Includes bodies politic and corporate. See 10 Mont. 515, 24 Am. St. Rep. 67, 26 Pac. 1002.

**Persona.** A person.

**Persona conjuncta aequiparatur interesse proprio.** A person joined (by ties of blood) is equivalent to the person's own interest.

**Persona est homo, cum statu quodam consideratus.** A person is a man when considered as to a certain status.

**Persona impersonata.** Same as Parson imparsonee.

**Persona non grata.** A person not acceptable.

**Persona praedilecta.** A highly favored person.

**Persona standi in judicio.** Capacity to sue or to be sued.

**Personable.** Sui juris, which see.

**Personae vice fungitur municipium et decuria.** A town or a borough acts as a person. See 23 Wend. (N. Y.) 103.

**Personal.** Pertaining to the person or the body. See 21 Ind. App. 466, 52 N. E. 703.

**Personal action.** Any action excepting one for the recovery of lands, tenements or hereditaments. See 71 Me. 286.

**Personal assets.** Personal property of a decedent's or a bankrupt's estate.

**Personal chattel.** Same as Chattel personal.

**Personal contract.** A contract requiring one's personal performance, e. g., a contract to marry. See 59 Cal. 37.

**Personal covenant.** A covenant binding upon the covenantor and his personal representatives but not running with the land. See 23 N. J. L. 260.

**Personal estate.** That portion of one's estate which passes to his executor and not to his heirs.

**Personal injury.** An invasion of a personal right and pertaining to

the person. See 164 Mich. 26, Ann. Cas. 1912B, 654, 128 N. W. 1084.

**Personal knowledge.** Direct knowledge as distinguished from hearsay.

**Personal law.** The law which follows the person as distinguished from the law of the place where he may be.

**Personal liberty.** See Liberty. See, also, 122 Am. St. Rep. 904, note.

**Personal property.** All objects and rights capable of ownership, except freehold estates in land and incorporeal hereditaments. See 96 Ala. 144, 16 L. R. A. 729, 11 South. 393.

**Personal replevin.** A proceeding in use prior to the writ of habeas corpus and with the same purpose. See Habeas corpus.

**Personal representative.** The executor or administrator of a decedent. See 104 Mo. 514, 24 Am. St. Rep. 348, 16 S. W. 487.

**Personal rights.** All the rights one may have and all the wrongs he may suffer. See 76 Wis. 374, 20 Am. St. Rep. 79, 8 L. R. A. 420, 45 N. W. 522.

**Personal security.** A security not involving property. See 173 U. S. 131, 43 L. Ed. 640, 19 Sup. Ct. Rep. 360.

**Personal service.** Service of process by delivery of the papers to the person. See 1 N. D. 411, 48 N. W. 341. Cf. Constructive service.

**Personal servitudes.** Same as Servitude in gross.

**Personal statute.** A statute which follows and governs the person subject to it. See 5 Mart. (N. S.) (La.) 569, 16 Am. Dec. 212.

**Personal tithes.** Tithes from the products of manual labor or manufacture.

**Personalia personam sequuntur.** Personal things follow the person. See 10 Cush. (Mass.) 516.

**Personalis actio.** A personal action.

**Personaliter.** Personally.

**Personality.** The law appertaining to persons.

**Personalty.** Personal property, which see.

**Personam.** See In personam.

**Personation.** The false or fraudulent impersonation of another person, done with intent to deceive and defraud.

**Persone.** A parson.

**Personero.** (Spanish) An attorney.

**Perspicua vera non sunt probanda.** Evident truths are not to be proved. See 18 Pa. Dist. Rep. 638.

**Pertenencia.** A square of 200 varas or 550 feet. See 2 Black (U. S.), 1, 17 L. Ed. 360.

**Pertinens.** Appurtenant.

**Pertinent.** Having a tendency as evidence to support a pleading.

**Pertinentiae.** Appurtenances.

**Perturbation.** Disturbance.

**Perturbatrix.** A female breaker of the peace.

**Pervolvat quo planeta suum circulum annus mora motus est.** A year is the duration of the movement in which a planet revolves through its orbit.

**Pesage.** Toll charged for weighing.

**Pesquidor or Pesquisidor.** (Spanish) A coroner.

**Pessimi exempli.** Of the worst example.

**Petens.** A plaintiff; a demandant.

**Petere.** To seek; to sue; to petition; to demand.

**Peter's pence.** An English tax on each house.

**Petit.** Small; petty.

**Petit cape.** Same as Cape parvum.

**Petit judicium.** He demands judgment.

**Petit jury.** A trial jury.

**Petit larceny.** All larceny below the grade of grand larceny. See Grand larceny.

**Petit serjeanty.** A military tenure by annually rendering some article useful in fighting.

**Petit treason.** The killing of a master by a servant; of a husband by a wife; of a superior by an ecclesiastic.

**Petite assize.** A jury empaneled to try the fact of possession.

**Petitio.** A petition; a demand.

**Petition principii.** Begging the question.

**Petition.** A written request; a written application to a court. See 67 N. Y. 544, 23 Am. Rep. 138.

**Petition de droit.** A petition of right, by which property in the possession of the crown is recovered in chancery.

**Petition of rights.** A declaration by Parliament of popular liberties under Charles I. See, also, Petition de droit.

**Petitioning creditor.** One who institutes proceedings in bankruptcy against his debtor.

**Petitor.** A petitioner; a plaintiff.

**Petitory action.** A proceeding at law in the nature of ejectment wherein the plaintiff, to recover, must have a legal right to possession. See 10 How. (U. S.) 257, 13 L. Ed. 411.

**Petitory suit.** An admiralty suit to try title.

**Peto.** I seek; I pray; I demand.

**Pettifogger.** A shyster; one practicing law in an unprofessional manner.

**Pettifogging shyster.** A disreputable and unscrupulous member of the legal profession. See 40 Mich. 251.

**Petty average.** Necessary expenses, such as towage, laid out by the master of a ship.

**Petty bag office.** An office in the English chancery court where writs were issued for and against court officers. See 6 Johns. (N. Y.)367.

**Petty constable.** A subordinate or deputy constable.

**Petty jury.** Same as Petit jury.

**Petty larceny.** Same as Petit larceny.

**Petty sessions.** A justice's court of summary jurisdiction.

**Petty treason.** Same as Petit treason.

**Pew.** Inclosed seats in a church in which in England occupants held a mere easement, but in which in the United States the owner may have an exclusive right to possession. See 33 Vt. 593, 80 Am. Dec. 653.

**Physical fact.** A fact perceived by the senses.

**Physician.** One who practices the art of healing disease and preserving health. See 21 R. I. 288, 45 L. R. A. 269, 43 Atl. 366.

**Pia fraus.** Pious fraud, the defeat of the statutes of mortmain by the church.

**Picaroon.** A robber.

**Piccage.** A charge made for a booth concession at a fair.

**Pickery.** Petty larceny.

**Pickpocket.** A thief who secretly steals from persons' pockets.

**Pie.** A foot.

**Piedpoudre.** See Court of piepoudre.

**Pierage.** Toll for use of a pier.

**Pightel or Pigtle.** A small inclosed piece of land.

**Pignoratio.** A contract of pledge.

**Pignoratitia actio.** (Civil Law) An action founded upon a contract of pledge.

**Pignorative contract.** A contract of pledge.

**Pignori acceptum.** A bailment by way of pledge.

**Pignoris captio.** (Civil Law) The taking of a pledge to warrant payment of a demand.

**Pignus.** (Civil Law) A pledge wherein the goods were delivered to the pledgee.

**Pilfer.** To commit petty theft.

**Pillage.** The appropriation of the goods of enemy inhabitants by soldiers of a victorious army.

**Pillory.** A means of punishment consisting of a wooden bar, through which the head and hands of the culprit protruded, affixed across the top of an upright post.

**Pilot.** A ship's officer having charge of the helm and the route during the voyage; an officer, authorized by law, who is taken on board at a particular place for the purpose of conducting a ship through a river, road or channel, or from or into a port. See 34 Or. 173, 55 Pac. 92, quoting Bouvier L. Dict.

**Pilotage.** The compensation of a pilot. See 114 U. S. 196, 29 L. Ed. 158, 5 Sup. Ct. Rep. 826.

**Pimp.** A procurer; a pander. See 102 Ind. 156.

**Pimp tenure.** A tenure by rendering services as a procurer.

**Pin-money.** A husband's allowance to his wife for personal expenses.

**Pious uses.** Same as Charities.

**Pipe.** Same as Pipe-roll.

**Pipe-roll.** A treasury account kept in the English exchequer.

**Pipowder.** Same as Piepoudre.

**Piracy.** Robbery upon the sea. See 5 Wheat. (U. S.) 153, 5 L. Ed. 57. Also, same as Plagiarism.

**Pirata est hostis humani generis.** A pirate is the enemy of the human race.

**Pirate.** A sea robber.

**Piratical offenses.** Those which pirates are in the habit of perpetrating, whether for plunder, hatred or wanton abuse of power. See 2 How. (U. S.) 210, 11 L. Ed. 239.

**Piscary.** See Common of piscary.

**Pistareen.** A Spanish coin of the value of twenty cents. See 10 Pet. (U. S.) 618, 9 L. Ed. 556.

**Pit.** A place for drowning female thieves, instead of hanging them.

**Pix.** Same as Pyx.

**Pixis.** A box.

**Pix-jury.** A jury of goldsmiths formed to test the coinage in England.

**Place of business.** A place actually occupied either continually or at regular periods by a person, his clerks or employees. See 8 Port. (Ala.) 155, 33 Am. Dec. 281.

**Place of contract.** The place at which the final meeting of the minds of the contracting parties is conferred. See 94 Tex. 25, 86 Am. St. Rep. 813, 57 S. W. 635.

**Placer claim.** Ground that includes valuable deposits not fixed in rock but in a loose state. See 128 U. S. 673, 32 L. Ed. 571, 9 Sup. Ct. Rep. 195.

**Placer mines.** Those in which the mineral is generally found in the softer material which covers the earth's surface, and not in the rocks beneath. See 116 U. S. 687, 29 L. Ed. 774, 6 Sup. Ct. Rep. 601.

**Placita** Pleas; pleadings.

**Placita communia.** Common pleas, which see.

**Placita coronae.** Pleas of the crown; criminal actions.

**Placita juris.** Rules of law.

**Placita negativa duo exitum non faciunt.** Two negative pleas do not make an issue.

**Placitabile.** Pleadable.

**Placitamentum.** Pleading.

**Placitare.** To plead.

**Placitator.** A pleader.

**Placitum.** Singular of Placita.

**Plaga.** A wound.

**Plagiarism.** The adoption of another's literary composition or artistic production and publication thereof as an original composition or publication.

**Plagiarius.** A kidnapper; a slave thief.

**Plagium.** Kidnapping.

**Plaideur.** A pleader.

**Plain homage.** See Homagium planum.

**Plaint.** The first process of an inferior court. See 19 Wend. (N. Y.) 216.

**Plaintiff.** One who brings a suit, action, bill or complaint. See 1 Conn. 1.

**Plaintiff in error.** One who prosecutes a writ of error.

**Plant.** The fixtures and tools necessary to carry on any trade or mechanical business. See 77 Ga. 748, 1 S. E. 378.

**Plantation.** A farm; a place planted. See 38 Cal. 291.

**Plat.** A subdivision of land into lots, streets and alleys, marked upon the earth, and represented on paper. See 115 Cal. 481, 47 Pac. 367.

**Playing policy.** A form of lottery. See 45 Kan. 351, 23 Am. St. Rep. 727, 11 L. R. A. 430, 25 Pac. 984. See, also, Lottery.

**Plea.** A defense of matters of fact. See 6 Ind. App. 323, 33 N. E. 672.

**Plea in abatement.** See Abatement.

**Plea in bar.** A plea which virtually admits that a cause of action once existed, but insists that the plaintiff cannot and never can maintain his action for the cause alleged. See 21 Fed. (U. S.) 218.

**Plea in confession and avoidance.** A plea admitting the facts alleged but setting up new matter by way of excuse or justification.

**Plea of pregnancy.** A plea whereby the execution of a pregnant woman was sought to be stayed.

**Plea side.** The civil as distinguished from the criminal department of a court.

**Plea to the jurisdiction.** Any pleading setting up absence of jurisdiction of the court. See 1 Call (Va.), 382, 1 Am. Dec. 533.

**Plead over.** Pleading to a defective pleading with the effect of curing or waiving the defect.

**Pleader.** One who prepares a pleading or pleadings.

**Pleading.** The act of presenting one or more of the pleadings before the court; the science of preparing pleadings. See 36 Mo. App. 594.

**Pleading, Special.** See Special pleading.

**Pleadings.** The allegations made by the parties to a civil or criminal case, for the purpose of definitely presenting the issues to be tried. See 151 U. S. 164, 38 L. Ed. 112, 14 Sup. Ct. Rep. 299.

**Pleas of the crown.** English criminal actions.

**Pleas roll.** The record of a case containing the pleadings.

**Plebeian.** One of the common people, as distinguished from a patrician.

**Plebiscite.** (Roman Law) A popular vote on a proposed law.

**Plebiscitum.** (Roman Law) A law established by popular vote.

**Plebity.** (Roman Law) The plebes; the common people.

**Plebs.** A plebeian.

**Pledge.** A bailment of personal property as security for the performance of some obligation. See 4 Denio (N. Y.), 227, 47 Am. Dec. 248. Also, the property so pledged.

**Pledgee.** See Pledgor.

**Pledgeholder.** A third party to whom pledged goods are entrusted instead of to the pledgee.

**Pledgery.** A suretyship. See 27 Mass. 528.

**Pledges.** Sureties for a plaintiff who were liable to a merchant if the plaintiff lost.

**Pledges to restore.** Sureties on a redelivery bond in a replevin action.

**Pledgor.** One who pledges goods to a pledgee. See Pledge.

**Plee.** A plea; an action.

**Plegiabilis.** Property which may be pledged.

**Plegii ad prosequendum.** Same as Plegii de prosequendo.

**Plegii de prosequendo.** Pledges to prosecute. See Pledges.

**Plegii de retorno habendo.** Pledges to restore, which see.

**Plegiis acquietandis, Writ de.** See De plegiis acquietandis.

**Plena aetas.** Full age.

**Plena et celeris justitia fiat partibus.** Let full and speedy justice be done to the parties.

**Plena fides.** Full faith.

**Plena forisfactura.** A full forfeiture, i. e., of all one's property.

**Plena probatio.** Full proof.

**Plenarie.** Fully.

**Plenarty.** An occupied benefice.

**Plenary.** Full; complete.

**Plene administravit.** He has fully administered, a plea of an executor or administrator that he has no assets of the estate. See 93 U. S. 41, 23 L. Ed. 795.

**Plene administravit praeter.** He has no assets, excepting. See Plene administravit.

**Plene computavit.** He has fully accounted.

**Plenipotentiary.** Fully empowered.

**Plenum dominium.** Full ownership.

**Plenum rectum.** Full right.

**Plevina.** Security; the liability of a surety.

**Pl'it'm.** Placitum, which see.

**Plough silver.** Payment of money in lieu of ploughing service due from a tenant.

**Plough-land.** As much land as one plow could plough in a year.

**Plow-bote.** Estovers consisting of the timber necessary in making or repairing all instruments, tools, or implements used in husbandry. See 64 Am. Dec. 368, note.

**Plowman's fee.** An ancient customary descent in equal shares to the sons, varied by larger shares to the oldest or youngest son.

**Plumbum.** Lead.

**Plunderage.** Embezzlement aboard ship.

**Plural marriage.** A polygamous marriage.

**Pluralis numerus est duobus contentus.** The plural number is contained in two.

**Pluraliter.** Plurally.

**Plurality.** A larger number of votes cast for one candidate than for any other.

**Plures cohaeredes sunt quasi unum corpus, propter unitatem juris quod habent.** Several coheirs are one body, as it were, because they have unity of right.

**Plures participes sunt quasi unum corpus, in eo quod unum jus habent.** Several partners are one body, as it were, in this, that they have one right.

**Pluries.** A writ issued after an alias writ has been issued.

**Pluris petitio.** A demand for too much.

**Plus.** More.

**Plus exempla quam peccata nocent.** Examples harm more than offenses.

**Plus peccat auctor quam actor.** The author sins more than the doer.

**Plus petitio.** (Roman Law) A demand of too much, i. e., more than was due.

**Plus valet consuetudo quam concessio.** Custom is stronger than grant.

**Plus valet unus oculatus testis, quam auriti decem.** One eye-witness is worth more than ten ear-witnesses.

**Plus vident oculi quam oculus.** Eyes see more than an eye sees.

**Po. lo. suo.** Ponit loco suo, which see.

**Poaching.** Trespassing at night to kill game.

**Poblador.** (Spanish) One who undertook to bring together a certain number of families or settlers and build a town. See 15 Cal. 530, 538.

**Pocket judgment.** A bond given to secure an obligation; a statute merchant. See Statute merchant.

**Pocket sheriff.** A sheriff appointed by the king and not nominated by the judges. See 1 Bl. Comm. 342.

**Poena.** Punishment.

**Poena ad paucos, metus ad omnes perveniat.** Punishment for the few (signifies that) fear comes to all.

**Poena corporalis.** Corporal punishment.

**Poena ex delicto defuncti, haeres teneri non debet.** The heir ought not to be bound by a penalty for the crime of the deceased.

**Poena non potest, culpa perennis erit.** Punishment cannot be, sin will be, perpetual.

**Poena pilloralis.** Punishment in the pillory. See Pillory.

**Poena tolli potest, culpa perennis erit.** The punishment can be annulled, the sin will be perpetual.

**Poenae potius molliendae quam exasperandae sunt.** Punishments should rather be tender than savage.

**Poenae sint restringendae.** Punishments are to be restrained.

**Poenae suos tenere debet actores et non alios.** The doers ought to be punished and not others.

**Poenalis.** Penal.

**Poenitentia.** Repentance; altered intent. See Locus penitentiae.

**Poinding.** (Scotch) A distress; a proceeding similar to an attachment of goods.

**Point.** A proposition of law.

**Point reserved.** A point of law decided during a trial, but conditionally, and subject to reargument after the trial.

**Pole.** Five yards and a half.

**Pole raising.** See Liberty pole.

**Police.** See Policeman.

**Police court.** A municipal court for the summary trial of petty offend-

ers and violators of city ordinances.

**Police justice.** A justice of the peace with jurisdiction only in criminal cases. See 2 Cow. Cr. (N. Y.) 72.

**Police power.** That authority which resides in every sovereignty to pass all laws for the internal regulation and government of the state necessary for the public welfare. See 53 Am. St. Rep. 572, note. See, also, 104 Am. St. Rep. 638, note.

**Policeman.** A watchman, with the same power of making arrests for crimes as a sheriff or constable and covered therein by the same legal protection. See 84 Am. St. Rep. 680, note.

**Policy.** See Public policy. See, also, Playing policy, and see 74 Mich. 264, 16 Am. St. Rep. 640.

**Policy of insurance.** A contract of insurance. See 68 Ohio St. 9, 96 Am. St. Rep. 625, 64 L. R. A. 405, 67 N. E. 93.

**Policy of the law.** Same as Public policy. See 41 W. Va. 234, 23 S. E. 812.

**Politiae legibus, non leges politiis adaptandae.** Politics should be adapted to the laws, not the laws to politics.

**Political.** That which pertains to the government of a nation. See 16 Wis. 359.

**Political offenses.** Crimes against the government as distinguished from crimes against the people of the country; e. g., treason.

**Political offices.** Offices not immediately connected with the administration of justice, or the execution of the mandates of a superior officer. See 12 Ind. 569.

**Politics.** The science of government.

**Poll.** The number or aggregate of heads; a list or register of heads or individuals. See 49 La. Ann. 422, 37 L. R. A. 761, 21 South. 647. See, also, Deed-poll.

**Pollicitation.** (Civil Law) A contract arising from a promise without any acceptance or consent from the promisee. See 18 Mass. 278.

**Polls.** A voting-place at an election.

**Poll-tax.** A capitation tax. See Per capita.

**Polyandry.** The state of having more than one husband.

**Polygamia est plurium simul virorum exorumve connubium.** Polygamy is marriage with many husbands or wives at the same time.

**Polygamy.** The offense or practice of marrying by one who has a husband or wife living. See 98 U. S. 145, 25 L. Ed. 244.

**Polygarchy.** A government by several rulers.

**Pond.** A confined or stagnant body of fresh water. See 80 Me. 544, 1 L. R. A. 388, 15 Atl. 785.

**Ponderantur testes non numerantur.** Witnesses are weighed, not counted. See 14 Wend. (N. Y.) 105.

**Pondus.** Poundage, which see.

**Pondus regis.** The king's weight; standard weight.

**Pone.** See Writ of Pone.

**Pone per vadium.** See Pone per vadium et, etc.

**Pone per vadium et salvos plegios.** A writ issued after the return of the original writ and the non-appearance of the defendant, ordering the sheriff to attach or take sureties for his appearance. See 3 Bl. Comm. 210.

**Ponendum in ballium.** A writ to admit one to bail.

**Ponendum sigillum ad exceptionem.** A writ to compel the placing of the court seal upon exceptions to rulings made at a trial.

**Ponere.** To place; to put.

**Ponit loco suo.** He put him in his place or stead.

**Ponit se super patriam.** He puts himself out of the country.

**Pontage.** A tax levied for maintenance of a bridge; a toll charged for its use.

**Pontibus reparandis.** A writ directing the repair of a bridge.

**Pool.** A combination of a number of persons, each staking a sum of money on the success of a race, or a contestant in a game, the money to be divided among the successful betters according to the sum put in by each. See 93 Va. 159, 57 Am. St. Rep. 795, 31 L. R. A. 822, 24 S. E. 930. An association of persons engaged in buying or selling a certain commodity or commodities. See 103 U. S. 168, 26 L. Ed. 377.

**Poor debtor's oath.** An oath of poverty required of one imprisoned on an execution for debt as a prerequisite to his release.

**Pope.** The head of the Roman Catholic church.

**Popular action.** Same as Qui tam action.

**Popular courts.** Courts such as the hundred courts and the borough-courts.

**Popular government.** A government wherein the body of the nation keeps in its own hands the empire or right of command. See 1 Nott & McC. (S. C.) 387, 9 Am. Dec. 712.

**Populiscitum.** Same as Plebiscitum.

**Populus.** The people.

**Port.** A harbor; a place for loading and unloading ships. See 3 Bland (Md.), 361.

**Port of call.** A seaport where ships usually step on a given voyage or route.

**Port risk.** An insurance risk upon a vessel lying in port. See 71 N. Y. 459.

**Port toll.** A toll for landing goods.

**Portatica.** Port duties.

**Porter.** An English court officer who carried a white rod before the justices.

**Portgreve.** The chief magistrate of a seaport town.

**Portman.** An inhabitant of one of the Cinque Ports.

**Portmote.** An ancient court held in certain English seaports.

**Portoria.** Port duties.

**Portsales.** Auctions.

**Positive condition.** A condition which must happen to effect a right or a defeasance.

**Positive evidence.** Direct evidence; testimony to the precise fact in issue. See 59 Mass. 295, 52 Am. Dec. 711.

**Positive fraud.** An intentional or designed misrepresentation of a material fact or production of a false impression, made to mislead another, cheat him, or to obtain an undue advantage over him. See 33 Kan. 395, 52 Am. Rep. 533, 6 Pac. 575.

**Positive law.** Governmental law as distinguished from laws of nature or other laws.

**Positivi juris.** Of positive law.

**Posito uno oppositorum negatur alterum.** By the establishment of one of opposing propositions, the other is denied.

**Posse.** To be able; possibility. See In posse.

**Posse comitatus.** Power of the county, which see.

**Possessio.** Possession.

**Possessio bona fide.** Possession in good faith.

**Possessio bonorum.** The possession of goods.

**Possessio civilis.** Civil possession, i. e., under a claim of ownership.

**Possessio est quasi pedis positio.** Possession is, as it were, the position of the foot.

**Possessio fratris.** Possession of the brother.

**Possessio fratris de feodo simplici facit sororem esse haeredem.** The possession of the brother in fee simple makes the sister the heir. See 2 Bl. Comm. 227.

**Possessio fratris facit sororem esse haeredem.** The possession of the brother makes the sister the heir.

**Possessio naturalis.** Same as Nuda possessio.

**Possessio pacifica pour anns 60 facit jus.** Peaceful possession for sixty years establishes a right.

**Possession.** The detention of a thing which he who is master of it, or he who has reason to believe that he is so, has in his own keeping, or in that of another person by whom he possesses. See 1 Cal. 254.

**Possession in fact.** That possession which actual occupancy gives. See 5 Rich. (S. C.) 280, 57 Am. Dec. 744.

**Possession in law.** Possession which is not actual, but which is presumed by law to exist. See 5 Rich. (S. C.) 280, 57 Am. Dec. 744.

**Possession vaut titre.** Possession avails as much as title.

**Possession, Writ of.** See Writ of possession.

**Possessor bona fide.** See Bona fide possessor.

**Possessor in bad faith.** One who possesses as master, but who assumes this quality when he knows that he has no title, or that his title is defective. 24 How. (U. S.) 553, 16 L. Ed. 770.

**Possessory.** Affecting or dependent upon possession, as distinguished from petitory.

**Possessory action.** An action for the recovery of possession.

**Possessory judgment.** A judgment which entitles one who has uninterruptedly been in possession for seven years to continue until the question of right be decided in due course of law.—Bell Dict.

**Possibilitas.** Possibility.

**Possibility.** That kind of contingent benefit which is neither the object of a limitation, like an executory interest, nor is founded in any lost but recoverable seisin, like a right of entry. See 56 Am. St. Rep. 340, note.

**Possibility of reverter.** The estate of a reversioner.

**Possibility on a possibility.** See Double possibility.

**Post.** To attach a notice to a post or other conspicuous place; to mail a letter; after; afterward.

**Post conquestum.** After the Conquest. See Norman Conquest.

**Post diem.** After the day.

**Post disseisin or Post disseisinam.** After the disseisin.

**Post entry.** A customs entry made by an importer from weights and measurements to correct the original entry which was based upon mere estimates.

**Post facto.** After the fact. See Ex post facto.

**Post liminum.** See Postliminy.

**Post litem motam.** After the commencement of the action.

**Post mortem.** After death.

**Post notes.** Notes issued by banks to circulate as a part of the medium of exchange, and to become due at a specified future date. See 22 Pa. 479.

**Post nuptial.** After marriage.

**Post-nuptial marriage settlement.** A settlement of property by a husband for the benefit of his wife.

**Post obit.** After he has died; of an obligation to repay a loan upon the death of one from whose estate the obligor expects to receive a share. See 7 Mass. 112.

**Post prolem suscitatam.** After issue born.

**Post terminum.** After the term.

**Post-act.** See Post-factum.

**Post-date.** To place a future date on an instrument presently executed.

**Post-factum.** An act done afterward.

**Post-fine.** King's silver, which see.

**Post-mortem.** After death; an examination of a corpse.

**Post-natus.** After born.

**Post-terminal sittings.** Sessions of court held after the expiration of the term.

**Postea.** Afterward; an indorsement on the record made in the trial court, reciting all proceedings had therein after the cause was ready for trial. See 3 Bl. Comm. 386.

**Posteriora derogant prioribus.** Later things derogate from earlier.

**Posteriores.** (Roman Law) Descendants in a direct line beyond the sixth degree.

**Posteriority.** The condition of following in point of time.

**Posterity.** One's descendants. See 71 Ky. 523.

**Posthumous child.** A child born after his father's death.

**Posthumus pro nato habetur.** A posthumous child is regarded as born—before the death of the father.

**Postliminium.** Postliminy, which see.

**Postliminium fingit eum qui captus est in civitate semper fuisse.** Postliminy conceives him who was captured always to have been within the state.

**Postliminy.** The resumption by a prisoner of war of his civil rights after release. See 1 N. M. 34. The restoration of captured property to its owner after recapture.

**Postman.** A senior barrister in the English court of exchequer.

**Postnati.** Persons born after some event, e. g., the Declaration of Independence.

**Post-nuptial settlement.** See Post-nuptial marriage settlement.

**Postponement.** Same as Continuance. See 76 Mo. 630.

**Postremo geniture.** Same as Borough English.

**Postulatio.** (Roman Law) An application to the praetor for leave to accuse one of crime.

**Potentate.** A ruler; a sovereign.

**Potentia.** Power.

**Potentia debet sequi justitiam, non antecedere.** Power ought to follow justice, not to precede it.

**Potentia inutilis frustra est.** Useless power is vain.

**Potentia non est nisi ad bonum.** Power does not exist except for good.

**Potentia propinqua.** A near or common possibility, such as death without issue.

**Potential.** In possibility; not in fact; in efficacy, not in actuality. See 40 Kan. 220, 10 Am. St. Rep. 192, 19 Pac. 796.

**Potest quis renunciare pro se, et suis, jus quod pro se introductum est.** Anyone can renounce for himself and his (successors), a right which has been introduced in his behalf.

**Potestas.** Power; authority.

**Potestas stricte interpretatur.** Power is strictly interpreted.

**Potestas suprema seipsum dissolvare potest, ligare non potest.** Supreme power can dissolve itself, it cannot bind itself.

**Potior conditio defendentis.** The condition of the defendant is the stronger. See 21 Wall. (U. S.) 441, 22 L. Ed. 623.

**Potior est conditio defendentis.** The condition of the defendant is the stronger. See 15 Pet. (U. S.) 471, 10 L. Ed. 800.

**Potior est conditio possidentis.** The situation of the party in possession is the stronger. See 21 Pick. (Mass.) 140.

**Potwalloper.** Voters who were qualified in certain English boroughs because they prepared their own food.

**Poultry counter.** One of the old London prisons.

**Pound.** A place where impounded animals are confined, kept and fed. See 36 Vt. 341.

**Pound breach.** Driving impounded cattle out of a pound. See 18 N. H. 543.

**Poundage.** A sheriff's commissions on the money realized under an execution levy. See 2 Civ. Proc. R. (N. Y.) 232.

**Pour compte de qui il appartient.** For account of whom it may concern.

**Pour seisir terres.** A writ for the seizure of lands held in dower by a widow of a tenant in capite in case of her marriage without royal consent.

**Pourparler.** Negotiations leading up to an agreement.

**Pourparty.** Partition, which see.

**Pourpresture.** Same as Purpresture.

**Poursuivant.** A king's messenger.

**Pourveyor.** Same as Purveyor.

**Poustie.** Power. See Liege poustie.

**Poverty affidavit.** An affidavit made by a party pleading in forma pauperis. See In forma pauperis. See, also, 36 Kan. 263, 13 Pac. 275.

**Power.** An authority enabling one person to dispose of the interest which is vested in another. See 3 Whart. (Pa.) 287, 31 Am. Dec. 502.

**Power coupled with an interest.** A power which exists when the person to whom the power is given derives a present or future interest in the subject over which the power is to be exercised. See 31 Am. Dec. 508, note.

**Power of attorney.** A formal document authorizing some act binding on the maker. See 112 Mich. 192 67 Am. St. Rep. 392, 70 N. W. 466.

**Power of the county.** All persons over fifteen, except the peers and the clergy. See 1 Bl. Comm, 343.

**Poynding.** Same as Poinding.

**Poyning's laws.** A set of statutes of 10 Henry VII, restraining the power of the Irish parliament and making English statutes then in force effective in Ireland. See 1 Bl. Comm. 102, 103.

**Practical construction.** Interpretation sanctioned by usage or custom, as distinguished from judicial construction. See 36 Fla. 519, 51

Am. St. Rep. 44, 29 L. R. A. 507, 18 South. 444.

**Practical location.** Actual designation by the parties upon the ground of the monuments and bounds called for by the deed. See 47 N. H. 235, 90 Am. Dec. 575.

**Practice.** All relating to the manner and time in which a case shall be conducted and tried. See 5 Ind. 290, 61 Am. Dec. 90.

**Practice court.** A court attached to the king's bench.

**Practicks.** The decisions of the Scotch court of session, as evidence of the practice or custom of the country.—Bell Dict.

**Practitioner.** A lawyer or a physician engaged in the practice of his profession.

**Praebenda.** A Prebend, which see.

**Praeceptores.** Masters in chancery.

**Praecipe.** A command; a writ ordering one to do some act or show cause why he should not.

**Praecipe in capite.** A chancery writ for a tenant in capite who has been ejected.

**Praecipe quod reddat.** A writ employed in a common recovery commanding the defendant to restore possession. See Common recovery.

**Praecipitium.** A punishment by hurling one from a high place.

**Praeco.** A court crier; a herald.

**Praecognita.** Matters to be understood beforehand as necessary to the understanding of other matters.

**Praecognitum.** Singular of Praecognita.

**Praed.** Praedictus, which see.

**Praeda bellica.** Goods captured in war.

**Praedia.** Plural of Praedium.

**Praedia rustica.** Plural of Praedium rusticum.

**Praedia stipendiaria.** (Civil Law) Provincial lands belonging to the people.—Bouv. L. Dict.

**Praedia tributaria.** (Civil Law) Provincial lands of the emperor.—Bouv. L. Dict.

**Praedia volantia.** (Civil Law) Movable property which was classed as immovable. See 2 Bl. Comm. 428.

**Praedial.** From the soil.

**Praedial servitude.** A servitude in the land of another. See Servitude.

**Praedial tithes.** Tithes produced from land.

**Praedictus, Praedicta, or Praedictum.** Said, or aforesaid.

**Praedium.** Land; estate.

**Praedium dominans.** The dominant estate of an easement. See 20 Ohio 401, 55 Am. Dec. 464. See, also, Dominant tenement.

**Praedium rusticum.** (Civil Law) A rural estate.

**Praedium serviens.** The servient estate of an easement. See 20 Ohio, 401, 55 Am. Dec. 464. See, also, Servient tenement.

**Praedium servit praedio.** Land is subject to an easement in land.

**Praedium urbanum.** A city estate.

**Praef.** Praefatus, which see.

**Praefatus.** Said; aforesaid.

**Praefectus.** Prefect, which see.

**Praefine.** The fine due the king on commencing an action for levying a fine of lands. See 2 Bl. Comm. 350. See, also, Fine of lands.

**Praejudicialis.** Prejudged.

**Praejudicium.** Prejudice.

**Praejuramentum.** A preliminary oath.

**Praelatus.** A prelate.

**Praemissa.** The premises.

**Praemium.** Compensation; reward.

**Praemium pudicitiae.** The value of the loss of chastity.

**Praemunire.** The offense of obeying other authority than that of the crown.

**Praenomen.** The first of a Roman's three names.

**Praepositus.** A presiding officer, a sheriff.

**Praepositus ecclesiae.** A churchwarden.

**Praepositus villae.** A town constable.

**Praepropera consilia raro sunt prospera.** Precipitate counsels are rarely prosperous.

**Praerogativa regis.** The king's prerogative.

**Praescriptio.** Prescription.

**Praescriptio est titulus ex usu et tempore substantiam capiens ab auctoritate legis.** Prescription is title taking its essence from use and time by authority of law.

**Praescriptio et executio non pertinent ad valorem contractus, sed ad tempus et modum actionis instituendae.** Prescription and execution do not affect the validity of a contract, but the time and manner of instituting an action.

**Praescriptio fori.** An objection to the forum or jurisdiction.

**Praesens in curae.** Present in court.

**Praesentare nihil aliud est quam praesto dare seu offerre.** To present is nothing other than to give or offer forthwith.

**Praesentia corporis tollit errorem nominis et veritas nominis tollit errorem demonstrationis.** The presence of the person cures an error in his name and the truth of the name cures an error of description.

**Praeses.** A Roman governor.

**Praestare.** To be responsible as surety; to perform; to fulfill.

**Praestat cautela quam medala.** Caution is better than cure.

**Praesumatur pro justitia sententiae.** A presumption exists in favor of the justice of a sentence.

**Praesumitur pro legitimatione.** A presumption exists in favor of legitimacy.

**Praesumitur pro negante.** A presumption exists in favor of one denying.

**Praesumptio, ex eo quod plerumque fit.** A presumption (arises) from that which usually occurs. See 22 Wend. (N. Y.) 425.

**Praesumptio fortior.** A stronger presumption.

**Praesumptio hominis.** A human or natural presumption.

**Praesumptio juris.** A presumption of law (as to fact), a rebuttable presumption.

**Praesumptio juris et de jure.** A presumption of law as to the law, an irrebuttable presumption.

**Praesumptio juris plena probatio.** A presumption of law is full proof.

**Praesumptio valet in lege.** A presumption avails in law.

**Praesumptio violenta, plena probatio.** A violent presumption (is) full proof.

**Praesumptio violenta valet in lege.** A violent presumption prevails in law.

**Praesumptiones sunt conjecturae ex signo verisimili ad probandum assumptae.** Presumptions are conjectures from probable indication assumed for proving.

**Praetextu liciti non debet admitti illicitum.** An unlawful thing

ought not to be admitted under a pretext of legality.

**Praetor.** One of two high Roman officers who performed judicial functions.

**Praetor fidei commissarius.** (Civil Law) A praetor appointed to decide cases involving trusts.

**Praevaricator.** (Civil Law) One guilty of breach of trust.

**Pragmatic.** Pertaining to the civil or ecclesiastical affairs of a community.

**Prava consuetudo.** An evil custom.

**Praxis judicum est interpres legum.** The practice of the judges is the interpreter of the laws.

**Pray in aid.** See Aid prayer.

**Prayer.** That part of a complaint, declaration, bill or petition which designates and asks for the relief sought.

**Preamble.** The introductory clause of a statute explaining the reasons for its enactment. See 147 Ind. 624, 62 Am. St. Rep. 477, 37 L. R. A. 294, 47 N. E. 19.

**Preappointed evidence.** Evidence, the form and character of which are prescribed.

**Preaudience.** The right to a hearing ahead of others by reason of rank or precedence. See 3 Bl. Comm. 28, note.

**Prebend.** An office subordinate to that of a bishop, and filled by the king's appointment or that of the bishop or by an election by the prebendaries themselves. See 1 Bl. Comm. 383.

**Prebendary.** The incumbent of a prebendary. See Prebend.

**Precariae.** Day's work performed as an incident to certain tenures.

**Precarious right.** A right revocable at the will of the grantor.

**Precarium.** A bailment terminable at the will of the bailor.

**Precatory trust.** A trust created in a devisee or legatee by precatory words in a will. See 106 Am. St. Rep. 500, note. See, also, Precatory words.

**Precatory words.** Expressions in a will praying or requesting that a thing be done. See 106 Am. St. Rep. 500, note, quoting Bouv. L. Dict.

**Prece partium.** By the prayer of the parties.

**Precedence, Patent of.** See Patent of precedence.

**Precedent condition.** Same as Condition precedent.

**Precedents.** Previous decisions relied upon as authority.

**Precept.** Process. See 67 Mass. 51.

**Precept of clare constat.** (Scotch) A superior's deed confirming title in a deceased vassal's heir.

**Precept of sasine.** A superior's order that seisin be given his vassal.

**Preces.** Same as Precariae.

**Precinct.** An election district. See 50 Wis. 189, 36 Am. Rep. 840, 6 N. W. 607.

**Precipe.** Same as Praecipe.

**Precium.** Same as Pretium.

**Precludi non debet.** He ought not to be barred.

**Precognition.** (Scotch) A preliminary examination of witnesses by the prosecuting attorney before trial.

**Precognosce.** To pre-examine.

**Preconceived malice.** Same as Malice aforethought.

**Precontract.** A contract by which one is incapacitated from entering into a second contract.

**Predecessor.** One who precedes another in a state position or office. See 65 Fed. (U. S.) 597.

**Predial servitude.** See Praedial servitude.

**Predial tithes.** See Praedial tithes.

**Predicate.** To use as a basis or ground of action, defense or argument.

**Pre-emption.** A buying before another person.

**Pre-emption right.** The right to enter lands at the minimum price, in preference to any other person, upon complying with the laws. See 112 U. S. 129, 28 L. Ed. 675, 5 Sup. Ct. Rep. 70.

**Prefect.** A powerful Roman judicial and administrative officer. The office was revived in France in 1800. See 168 U. S. 208, 42 L. Ed. 438, 18 Sup. Ct. Rep. 53.

**Preference.** Favorable consideration over others. See 186 Pa. 443, 65 Am. St. Rep. 865, 40 Atl. 1000. An insolvent's paying or securing one or more of his creditors to the exclusion of the rest. See 80 Me. 580, 16 Atl. 248.

**Preference shares.** Same as Preferred stock.

**Preferential assignment.** An assignment for the benefit of creditors wherein certain of them are preferred.

**Preferred creditor.** A creditor to whom an insolvent has given a preference. See Preference.

**Preferred stock.** Ordinary corporate stock with a right to a dividend before any should be made upon the common stock. See 73 Am. St. Rep. 227, note.

**Pregnancy, Plea of.** See Plea of pregnancy.

**Pregnant.** The state of a woman from conception until the expulsion of the foetus. See 32 Vt. 380.

**Prejudice.** Judgment formed beforehand without examination. See 2 Ga. 173.

**Prejudiced.** Aggrieved in a legal sense by the invasion of one's legal right by an act complained of or the direct affection of one's pecuniary interest by a decree or judgment. See 259 Ill. 332, Ann. Cas. 1914C, 119, 102 N. E. 763.

**Prelate.** An ecclesiastical officer who did not act vicariously.

**Preliminary act.** A document stating the time and place of a collision between vessels, the names of the vessels, and other particulars required to be filed by each solicitor in actions for damage by such collisions.—Whart. L. Dict.

**Preliminary examination.** A magistrate's examination of one charged with crime to ascertain whether the crime has been committed, and upon finding in the affirmative to enforce his presence at the trial court. See 65 Neb. 223, 91 N. W. 201.

**Preliminary injunction.** Same as Injunction pendente lite.

**Premeditated.** Thought of beforehand, any time, however short. See 95 Mo. 97, 6 Am. St. Rep. 26, 8 S. W. 237.

**Premeditation.** A thinking of beforehand for any time, however short. See 171 Mo. 523, 71 S. W 1003.

**Premises.** All that part of a deed which precedes the habendum. See 21 N. H. 528, 53 Am. Dec. 223.

**Premium.** A bonus, which see; the consideration for an insurance policy. See 68 Ohio St. 9, 96 Am. St. Rep. 635, 64 L. R. A. 405, 67 N. E. 93.

**Premium pudicitiae.** Same as Praemium pudicitiae.

**Premium pudoris.** Same as Praemium pudicitiae.

**Premunire.** Same as Praemunire.

**Prender.** See In prender.

**Prender de baron.** Taking a husband; marriage.

**Prenomen.** A given name.

**Preparation.** All acts leading up to an attempt to commit crime. See 8 Sawy. (U. S.) 116, 12 Fed. 52.

**Prepense.** Aforethought.

**Preponderance of evidence.** Not a majority in number of witnesses but the weight, credit, and value of the aggregate evidence on either side. See 100 Tenn. 524, 66 Am. St. Rep. 761, 45 S. W. 781.

**Prerogative.** A privilege not enjoyed by others. See 37 Wis. 400.

**Prerogative court.** Same as Probate court. See 128 U. S. 53, 32 L. Ed. 415.

**Prerogative law.** The law of royal prerogative.

**Prerogative writ.** A writ issued in cases of public right and those affecting the sovereignty of the state, its franchises and prerogatives, or the liberties of its people. See 1 N. D. 88, 26 Am. St. Rep. 609, 8 L. R. A. 282, 45 N. W. 33.

**Pres.** See Cy pres.

**Presbyter.** An elder in the church; a priest.

**Prescribable.** Capable of being acquired by prescription.

**Prescription.** A title acquired by use and time and allowed by law. See 2 McCord (S. C.), 445, 13 Am. Dec. 741.

**Prescription act.** A statute fixing prescriptive periods.

**Present.** A gift; to make a gift.

**Present estate.** An estate which is presently vested.

**Present use.** An existing use immediately subject to the statute of uses. See Statute of uses.

**Presentation.** The offer of one having the right to present his nominee for a benefice, to do so. See Advowson.

**Presentee.** The person presented. See Presentation.

**Presently.** At once; now.

**Presentment.** Anything which amounts to a notification of the holding of a bill with a request to accept accompanied by the bill. See 4 How. (Miss.) 567, 35 Am. Dec. 408. A notice or accusation of crime by a grand jury not preceded by any bill but subsequently reduced to a formal indictment. See 109 Cal. 445, 42 Pac. 444.

**Presentment of Englishry.** See Englishry.

**Presents.** The instrument itself, e. g., these presents.

**President.** The chief executive of the United States; the chief officer of a corporation; a presiding judge.

**Presidential electors.** Persons elected in the several states to elect the President.

**Presiding judge.** He of the judges of a court who presides.

**Press.** A piece of parchment.

**Press to death.** See Peine forte et dure.

**Pressing of seamen.** See Impressment. See, also, 1 Bl. Comm. 419.

**Prest.** Ready.

**Presumitur pro reo.** It is presumed in favor of the defendant. 4 Okl. Cr. Rep. 103, 140 Am. St. Rep. 668, 31 L. R. A. (N. S.) 1166, 111 Pac. 679.

**Presumptio.** Presumption, which see.

**Presumption.** That which may be assumed or taken for granted, without proof. See 66 Conn. 227, 50 Am. St. Rep. 80, 33 Pac. 902.

**Presumptive evidence.** Evidence which shows the existence of one fact by proof of the existence of others from which it may be inferred. See 62 Kan. 221, 61 Pac. 805.

**Presumptive heir.** Same as Heir apparent.

**Presumptive title.** The most imperfect degree of title; actual occupation without apparent right. See Bouv. L. Dict., "Title."

**Presumptive trust.** Same as Resulting trust.

**Pretensed, or Pretenced.** Pretended.

**Pretensed title statute.** The statute 32 Henry VIII, c. 9, that no one shall sell or purchase any pretended right or title to land unless the vendor hath had the profits thereof for one year. See 4 Bl. Comm. 136.

**Pretenses.** See False pretense.

**Preterition.** A testator's failure to provide in his will for one who would succeed to a legitime. See Legitime.

**Pretermission.** Same as Preterition.

**Pretium.** Price; value.

**Pretium affectionis.** Sentimental valuation of property.

**Pretium periculi.** The compensation or charge for a risk.

**Pretium succedit in locum rei.** The price takes the place of the thing.

**Pretor.** Same as Praetor.

**Pretorium.** The official residence of the praetor; a courtroom.

**Prevarication.** (Civil Law) Breach of trust.

**Prevention.** (Civil Law) The right of a judge to take cognizance of an action over which he has concurrent jurisdiction with another judge.—Bouv. L. Dict.

**Pride gavel.** Tribute.

**Prima facie.** At first appearance; on a first view or consideration.

**Prima facie case.** A case made out by proper and sufficient testimony. See 28 Minn. 216, 9 N. W. 698.

**Prima facie evidence.** Such evidence as in law sufficient to establish the fact, and, if not rebutted, remains sufficient for the purpose. See 6 Pet. (U. S.) 622, 8 L. Ed. 523.

**Prima facie presumption.** A rebuttable presumption

**Prima pars aequitatis aequalitas.** The prime feature of equity is equality.

**Prima tonsura.** The first cutting, the right to the first crop.

**Primae impressionis.** Of novel impression; lacking a precedent.

**Primage.** Compensation paid to a shipmaster for his care of goods, which he is entitled to retain in the absence of an agreement with the owners to the contrary. See 4 Md. Ch. 375.

**Primariae preces.** (Civil Law) An imperial prerogative of naming a successor to the first prebend that became vacant in every church in the empire. See 1 Bl. Comm. 381.

**Primary conveyance.** The instrument by which an estate is first created. Cf. Mesne conveyance.

**Primary election.** An election held for the purpose of electing candidates for an office. See 125 Ind. 207, 9 L. R. A. 170, 24 N. E. 1062.

**Primary evidence.** Evidence sufficient to establish a fact until contradicted by other evidence. See 17 Or. 84, 21 Pac. 47.

**Primary obligation.** One imposed by law by one's voluntary undertaking, or by the law on the grounds

of public policy or utility, e. g., to perform one's contract, to refrain from trespass. See Secondary obligation. See, also, 8 Harv. Law Rev. 200.

**Primary powers.** Main or principal powers as distinguished from incidental or mediate powers.

**Primate.** A presiding archbishop.

**Prime serjeant.** The king's first serjeant. See 3 Bl. Comm. 28, note.

**Primer election.** First choice or selection.

**Primer fine.** A fine of 1/10 of the land's annual value due the king upon the suing out of the præcipe in a fine of lands. See 2 Bl. Comm. 350.

**Primer seisin.** The king's right to a year's profit from an heir of a tenant in capite if the heir was of age and in possession, or to half a year's profit if the lands were in reversion expectant on a life estate. See 2 Bl. Comm. 66.

**Primitiae.** First-fruits.

**Primo excutienda est verbi vis, ne sermonis vitio obstruatur oratio, sive lex sine argumentis.** The force of a word should be weighed in the beginning, lest the sentence be stifled by the fault of expression or the law be without reason.

**Primo venienti.** To the first comer.

**Primogeniture.** The condition or state of the first born; descent to the eldest son.

**Primogenitus.** The first born.

**Primum decretum.** (Admiralty) A provisional decree.

**Primus inter pares.** First among one's equals.

**Prince.** A ruler; a sovereign.

**Prince consort.** The husband of a queen.

**Princeps.** A chief; a leader; the emperor.

**Princeps et respublica ex justa causa possunt rem meam auferre.** The king and the state can take away my property within a justifiable case.

**Princeps legibus solutus est.** The ruler is exempt from the laws.

**Principal.** The amount of a debt, excluding interest; one represented by an agent; one present aiding or abetting the commission of a crime. See 116 Iowa, 219, 89 N. W. 984. The principal debtor in a suretyship or guaranty.

**Principal challenge.** Challenge for cause, which see. See, also, 98 N. S. 145, 25 L. Ed. 244.

**Principal contract.** One entered into by principals themselves.

**Principal fact.** The main fact at issue in a cause.

**Principal in the first degree.** One who actually commits a crime.

**Principal in the second degree.** One who is present, aiding and abetting in the commission of a crime.

**Principal obligation.** The obligation of a principal as distinguished from that of his surety or guarantor; an indebtedness, as distinguished from a promise to pay it. See 120 Cal. 220, 65 Am. St. Rep. 179, 52 Pac. 583.

**Principalis.** A principal.

**Principalis debet semper excuti antequam perveniatur ad fideijussores.** The principal should always be exhausted before resort is made to the sureties.

**Principia data sequuntur concomitantia.** The principles being given, the concomitants follow.

**Principia probant, non probantur.** Principles prove, they are not proved.

**Principiis obsta.** Oppose beginnings.

**Principiorum non est ratio.** A reason for principles does not exist.

**Principium.** The beginning.

**Principium est potissima pars cujusquo rei.** The beginning is the strongest part of anything.

**Principle.** A fundamental truth; an original cause; a motive. See 22 Fed. Cas. (U. S.) 207.

**Prior in tempore, potior in jure.** First in time, superior in right.

**Prior petens.** The first applicant.

**Prior possessio cum titulo posteriore melior est priore titulo sine possessione.** Prior possession with subsequent title is better than prior title without possession.

**Prior tempore, potior jure.** Prior in time, prior in right. See 9 Wheat. (U. S.) 24, 6 L. Ed. 23.

**Priority.** The state of being first in point of time.

**Prisage.** The king's right to share in a prise; his right to a portion of each cargo of imported wine.

**Prisal en auter lieu.** A taking in another place.

**Prise.** The capture, seizure or detention of a ship at sea. See 88 Mass. 373.

**Priso.** A prison; a prisoner of war.

**Prison.** A place of involuntary imprisonment or confinement.

**Prison bounds.** Same as Gaol liberties.

**Prison breach.** The crime of breaking out of prison. See 53 N. J. L. 488, 22 Atl. 46.

**Prisoner.** One deprived of his liberty by lawful process. See 15 Utah, 401, 49 Pac. 290.

**Prisoner of war.** One captured by hostile troops while engaged in warfare.

**Prist.** Ready.

**Prius vitiis laboravimus, nunc legibus.** We labored first with the vices, now with the laws.

**Privacy.** See Right of privacy.

**Private.** Belonging to private persons as distinguished from belonging to the public.

**Private act.** A statute which operates only upon specific persons and private concerns. See 59 Cal. 6, 43 Am. Rep. 231.

**Private banker.** An unincorporated person or firm doing a banking business without special privileges or authority from the state. See 116 N. Y. 441, 23 N. E. 21.

**Private bill office.** An office in the British parliament where private acts are framed.

**Private carrier.** Any carrier for hire not a common carrier. See 77 Ky. 698, 29 Am. Rep. 435.

**Private corporation.** See Corporation.

**Private easement.** An easement conferring a benefit only upon certain persons.

**Private international law.** The laws of nations as applied to the dealings and relations between their subjects.

**Private nuisance.** A nuisance wherein the danger is to an individual, as distinguished from the public. See 116 Ala. 310, 67 Am. St. Rep. 119, 37 L. R. A. 497, 22 South. 593. See, also, Nuisance.

**Private person.** One not acting officially.

**Private property.** That which is one's own or which belongs or inhere's exclusively in an individual person. See 179 U. S. 141, 45 L. Ed. 126, 21 Sup. Ct. Rep. 48. See, also, 29 Miss. 21, 64 Am. Dec. 126.

**Private rights.** Such rights of property as one may possess, unconnected with and not essentially affecting the public interest, or growing out of a public institu-

tion or society. See 6 Or. 231, 25 Am. Rep. 513.

**Private statute.** Same as Private act.

**Private way.** One's right to go over another's ground. See 98 Pa. 1, 42 Am. Rep. 608.

**Private wrongs.** Synonymous with Civil injury. See 70 N. H. 90, 85 Am. St. Rep. 604, 51 L. R. A. 381, 47 Atl. 82.

**Privateer.** A privately owned ship acting under letters of marque and reprisal. See Letters of marque and reprisal.

**Privatio praesupponit habitur.** A deprivation presupposes that the thing was possessed.

**Privatis pactionibus non dubium est non laedi jus caeterorum.** There is no doubt that the right of others is not injured by private agreements.

**Privatorum conventio juri publico non derogat.** An agreement of private persons cannot derogate from public right.

**Privatorum pacta non derogant juri communi.** The agreements of private persons cannot derogate from common right.

**Privatum commodum publico cedit.** Private convenience yields to public welfare.

**Privatum incommodum publico bono pensatur.** Private inconvenience is compensated by public good. See 139 N. C. 219, 3 L. R. A. (N. S.) 997, 51 S. E. 992.

**Privement enceinte.** Pregnant in the first stages.

**Privies.** Persons connected together or having mutual interest in the same action or thing by some relation other than that of actual contract between them. See 31 Mont. 448, 107 Am. St. Rep. 435, 78 Pac. 774.

**Privignus.** A step-son.

**Privilege.** Special enjoyment of a good, or exemption from an evil or burden. See 28 Okl. 546, Ann. Cas. 1912D, 356, 34 L. R. A. (N. S.) 755, 118 Pac. 999.

**Privilege, Writ of.** See Writ of privilege.

**Privileged communication.** One made when the occasion on which the communication was made rebuts the inference prima facie arising from a statement prejudicial to the character of the plaintiff and puts it upon him to prove that there was malice in fact. See 104 Am. St. Rep. 112, note.

**Privileged copyholds.** Those copyholds which are held according to the custom of the manor and not according to the will of the lord. —Bouv. L. Dict.

**Privileged debts.** Preferred claims against the estate of a bankrupt or a decedent.

**Privileged villeinage.** Villein socage, which see.

**Privilegium.** Privilege, which see.

**Privilegium clericale.** Benefit of clergy, which see.

**Privilegium contra rempublicam non valet.** Privilege as against the state is of no avail.

**Privilegium est beneficium personale et extinguitur cum persona.** A privilege is a personal benefit and is extinguished with the person.

**Privilegium est quasi privata lex.** A privilege is, as it were, a private law.

**Privilegium non valet contra rempublicam.** A privilege is not valid as against the state.

**Privity.** Mutual or successive relationship to the rights of property, comprising privity in blood, priv-

ity in law, and privity in estate. See 24 Nev. 407, 77 Am. St. Rep. 820, 56 Pac. 93.

**Privy.** A privity in estate; a property right acquired from a lessee by contract or inheritance. See 119 N. C. 450, 56 Am. St. Rep. 678, 26 S. E. 33. One bearing a relationship of privity toward another. See 85 Iowa, 432, 52 N. W. 358.

**Privy council.** The king's principal council composed of his appointees. See 1 Bl. Comm. 229.

**Privy seal.** A seal which is affixed to English grants and letters patent which are to pass the great seal. See 2 Bl. Comm. 347.

**Privy signet.** The seal which is affixed to English grants and letters patent before they pass the privy seal. See 2 Bl. Comm. 347.

**Privy verdict.** A verdict delivered privately by the jury, to the judge out of court. See 187 Pa. 227, 44 L. R. A. 432, 40 Atl. 1008.

**Prize.** Fruits of naval warfare.

**Prize court.** A division of the admiralty court with jurisdiction over prizes taken from a foreign power in time of war. See 18 Johns. (N. Y.) 257, 9 Am. Dec. 210.

**Prizefight.** A fight for a reward with an intent to do bodily harm. See 96 Mich. 576, 21 L. R. A. 287, 56 N. W. 27.

**Pro.** On behalf of.

**Pro bono et malo.** For good and evil.

**Pro bono publico.** For the public good.

**Pro concilio.** For advice.

**Pro confesso.** By confession, i. e., by failure to appear.

**Pro defectu emptorum.** For want of buyers.

**Pro defectu exitus.** For failure of issue.

**Pro defectu haeredis.** For want of an heir.

**Pro defectu justitiae.** For defect of justice.

**Pro defendente.** For the defendant.

**Pro derelicto.** For abandoned.

**Pro dignitate regali.** Because of royal dignity.

**Pro diviso.** As divided, in severalty.

**Pro domino.** As master.

**Pro donato.** By way of gift.

**Pro dote.** As or by way of dowry.

**Pro emptore.** As a purchaser.

**Pro eo quod.** For this, that.

**Pro et durante.** For and during.

**Pro facti.** As a fact.

**Pro falso clamore suo.** For his false claim. See Amercement.

**Pro forma.** As a matter of form.

**Pro hac vice.** For this occasion. See 53 N. J. L. 617, 26 Am. St. Rep. 441, 23 Atl. 687.

**Pro illa vice.** For that occasion.

**Pro indefenso.** As undefended.

**Pro indiviso.** As undivided.

**Pro interesse suo.** In proportion to his interest.

**Pro laesione fidei.** For breach of faith.

**Pro legato.** As a legacy.

**Pro lucrari.** For the sake of gain.

**Pro majori cautela.** For greater caution.

**Pro misis et custagiis.** For costs and charges.

**Pro non scripto.** As though not written.

**Pro omni servitio.** In lieu of all service.

**Pro opere et labore.** For work and labor.

**Pro posse suo.** According to his ability.

**Pro possessione praesumitur de jure.** From possession a presumption of law arises.

**Pro possessore.** As a possessor.

**Pro possessore habetur qui dolo injuriave desiit possidere.** He is held to be a possessor who has been dispossessed by fraud or injury.

**Pro quer.** Pro querente, which see.

**Pro querente.** For the plaintiff.

**Pro rata.** Proportionally. See 58 Cal. 387.

**Pro re nata.** For the occasion as it happens.

**Pro rege.** For the crown.

**Pro retorno habendo.** That he have a return. See Judgment pro retorno habendo.

**Pro salute animae.** For the soul's welfare.

**Pro se.** For himself.

**Pro socio.** For a partner.

**Pro solido.** As a bulk.

**Pro suo.** As his own.

**Pro tanto.** For so much.

**Pro tem.** Pro tempore.

**Pro tempore.** For the time; in the absence of the regular officer. See 3 Me. 38.

**Pro termino vitarum suarum.** For the term of their lives.

**Probability.** Likelihood; appearance or resemblance of truth. See 130 Cal. 1, 62 Pac. 297.

**Probable.** With more evidence for the fact than against it. See 74 Iowa, 545, 7 Am. St. Rep. 499, 38 N. W. 405.

**Probable cause.** In malicious prosecution, such facts and circumstances as would excite the belief in a reasonable mind, acting on the facts within the knowledge of the prosecutor, that the person charged was guilty of the crime for which he was prosecuted. See 93 Ala. 565, 30 Am. St. Rep. 79, 9 South. 308. In matters of prize, such circumstances as would warrant a reasonable ground of suspicion that the vessel was engaged in an illegal traffic. See 3 Wall (U. S.) 155, 19 L. Ed. 55. In privileged communications, such reasonable ground of suspicion, supported by circumstances sufficient to warrant a cautious man in believing that the party is guilty of the offense. See 4 Pa. Super. Ct. 253.

**Probable evidence.** Same as Presumptive evidence.

**Probandi necessitas incumbit illi qui agit.** The necessity of proving lies upon him who sues.

**Probate.** A proceeding to establish the validity of a will. See 119 Pa. 133, 12 Atl. 860.

**Probate courts.** Courts having jurisdiction of the establishment of wills, and the administration of the estates of persons dying with or without wills. See 128 U. S. 53, 32 L. Ed. 415, 9 Sup. Ct. Rep. 30.

**Probate judge.** The judge of a probate court.

**Probate matters.** The settlement of estates, including granting of letters testamentary or of administration, the collection of assets, allowance of claims, payment of debts, the sale of real estate, if necessary, and the distribution of the estate to devisees or heirs. See 248 Ill. 520, 21 Ann. Cas. 251, 94 N. E. 120.

**Probate of a will.** See Probate.

**Probatio.** Proof.

**Probatio mortua.** Dead proof; i. e., by writings or things.

**Probatio plena.** Full proof.

**Probatio semi-plena.** (Civil Law) Half proof, e. g., by one witness.

**Probatio viva.** Live proof, i. e., by living witnesses.

**Probation.** Proof; trial.

**Probation officer.** An officer intrusted with the care of minor delinquents.

**Probationes debent esse evidentes, id est, perspicuae et faciles intelligi.** Proofs ought to be evident, that is plain and easily understood.

**Probatis extremis, praesumitur media.** The extremes having been proved, matters between are presumed.

**Probative.** Having a tendency to prove.

**Probative fact.** An evidentiary fact. See Evidentiary.

**Probator.** Approver, which see.

**Probi et legales homines.** Honorable and lawful men, i. e., jurymen.

**Probus et legalis homo.** A good and lawful man, i. e., as a juror or witness.

**Procedendo.** An order remitting a cause back from a superior to an inferior court whence it came, directing further proceedings therein. See 6 Johns. (N. Y.) 337.

**Procedendo de loquela.** A king's writ directing the court to proceed in a real action in response to an aid prayer. See Aid prayer.

**Procedendo on aid prayer.** See Procedendo de loquela.

**Procedure.** All that is included in "pleading," "evidence" and "practice." See 107 U. S. 221, 27 L. Ed. 506, 2 Sup. Ct. Rep. 443.

**Proceeding.** The forms of law or the modes in which judicial transactions are conducted. See 14 How. Pr. (N. Y.) 498.

**Proceres.** Municipal magistrates.

**Proces verbal.** A detailed account of proceedings before a public officer, attested by him.

**Process.** Any means of acquiring jurisdiction. See 108 Mo. 588, 32 Am. St. Rep. 624, 18 S. W. 286.

**Process in rem.** The method of enforcing a jus in re or proprietary right in the thing itself existing by virtue of maritime law, or by statutes relating to maritime subjects. See 39 La. Ann. 499, 4 Am St. Rep. 274, 2 South. 37.

**Process of garnishment.** See Garnishment.

**Process of law.** See Due process of law.

**Process roll.** A record wherein process was entered to interrupt the running of the statute of limitations.

**Processioning.** A survey of lands in the presence of all parties interested, after notice given, to establish boundaries.

**Processum continuando.** A writ to continue process in effect.

**Processus legis est gravis vexatio, executio legis coronat opus.** The process of the law is a serious vexation, the execution of the law crowns the work.

**Prochein.** Next.

**Prochein ami.** Same as Prochein amy.

**Prochein amy.** Next friend, which see.

**Prochein avoidance.** The next vacancy.

**Procheyn heire.** The next heir.

**Proclamare.** To proclaim; to warn.

**Proclamation.** A notice publicly given of anything whereof the king thinks fit to advise his subjects. See 84 U. S. 191, 21 L. Ed. 606.

**Proclamation of exigents.** In outlawry proceedings, the sheriff's proclamation that defendant will

be outlawed if he does not surrender. See 4 Bl. Comm. 419.

**Proclamation of rebellion.** A proclamation issued against one who refused to obey a subpoena or an attachment in chancery. See 3 Bl. Comm. 444.

**Proctor.** An officer of the admiralty or ecclesiastical court performing functions similar to those of an attorney in a law court. See 3 Bl. Comm. 25.

**Procul dubio.** Without doubt.

**Procuracy.** The written authority of a procurator.

**Procurador del comun.** (Spanish) The officer appointed to make inquiry, put a petitioner in possession of land prayed for, and execute the lieutenant-governor's orders. See 52 U. S. 115, 13 L. Ed. 627.

**Procuratio.** An attorney; a letter of attorney.

**Procuration.** Every power given to another by means of a writing. See 125 U. S. 397, 31 L. Ed. 778, 8 Sup. Ct. Rep. 933.

**Procuration money.** Charges of scriveners and brokers for procuring loans. See 4 Bl. Comm. 156.

**Procurations.** Annual payments by parish priests to the bishops or archdeacons.

**Procurator.** The donee of a procuration; a proctor. See Procuration.

**Procurator fiscal.** A public prosecutor.

**Procurator litis.** (Civil Law) One who performed services in a litigation corresponding to those of an attorney.

**Procuratorium.** The written authority or proxy of a proctor.

**Procurator negotiorum.** A business manager; an attorney in fact.

**Prodigal.** One of age whose property is under guardianship for his want of capacity to care for it himself. See 1 Bl. Comm. 305.

**Prodigus.** A prodigal.

**Prodition.** Treason.

**Proditor.** A traitor, one guilty of treason.

**Proditorie.** Traitorously.

**Producent.** A party who offers a witness.

**Productio sectae.** Production of suit, which see.

**Production of suit.** The production by the plaintiff of testimony to prove his case.

**Profane.** Importing an imprecation of divine vengeance or implying divine condemnation. See 75 Tenn. 410, 40 Am. Rep. 64.

**Profaneness or Profanity.** Profane speech. See Profane.

**Profectitium peculum.** The acquisition of property by children by making it out of the property of their father. See 40 Tex. 693.

**Profectitus.** Inherited property.

**Profer.** An offer; a profert.

**Profert.** An allegation formally made in a pleading where a party alleges a deed that he shows in court, it being in fact in his own custody. See 67 Fed. 597, 14 C. C. A. 561.

**Profert ad curiam.** Same as Profert.

**Profert in curia.** Same as Profert.

**Profession.** An employment involving professional attainment in special knowledge as distinguished from mere skill. See 163 U. S. 258, 41 L. Ed. 151, 16 Sup. Ct. Rep. 998.

**Profit à prendre.** A right to take something out of the soil of another, as a right of common. See

15 Or. 208, 3 Am. St. Rep. 152, 14 Pac. 523.

**Profit à rendre.** That which the tenant had to yield up from his soil to another.

**Profits.** The gain which comes in or is received from any business or investment where both receipts and payments are to be taken into account. See 79 Me. 411, 1 Am. St. Rep. 330, 10 Atl. 328.

**Prohibetur ne quis faciat in suo quod nocere possit alieno.** It is prohibited that one shall do on his own premises that which may harm another. See 64 W. Va. 176, 16 L. R. A. (N. S.) 1129, 61 S. E. 44.

**Prohibitio de vasto, directa parti.** A writ to prohibit the tenant from committing waste pending suit.

**Prohibition.** A writ to prevent an inferior tribunal from usurping a jurisdiction with which it is not legally vested. See 111 Am. St. Rep. 930, note.

**Prohibitive impediments.** Impediments to marriage which do not avoid it but render the parties punishable.

**Prohibitory injunction.** An injunction forbidding the doing of some act.

**Proinde.** Therefore.

**Projectio.** Same as Alluvio.

**Projet.** A draft of a proposed treaty.

**Proles.** Issue; offspring.

**Proles sequitur sortem paternam.** The child follows the lot of the father. See 1 Sand. (N. Y.) 583.

**Proletarius.** A person who paid taxes only on his children.

**Prolicide.** The killing of one's offspring. See Foeticide; Infanticide.

**Prolixity.** Superfluity of facts alleged in a pleading.

**Prolocutor.** The presiding officer of a convocation. See Convocation.

**Prolongation.** An extension of time.

**Promise.** To agree; to pledge one's self; to engage; to pledge by contract. See 90 Pa. 118, 35 Am. Rep. 641.

**Promise of marriage.** An engagement to marry another. See 34 Minn. 285, 25 N. W. 642.

**Promisee.** One to whom a promise is made.

**Promisor.** One who makes a promise.

**Promissory note.** A written promise by one to pay to another therein named or order a certain sum of money at all events and at a time specified therein, or at a time which must certainly arrive. See 142 Ill. 589, 34 Am. St. Rep. 99, 18 L. R. A. 428, 32 N. E. 495.

**Promoter.** One who brings about the incorporation and organization of a corporation. 89 Va. 455, 37 Am. St. Rep. 879, 16 S. E. 360.

**Promulgation.** A making known.

**Promutuum.** A quasi contract to repay money paid under mistake.

**Proof.** That quantity of evidence which produces a reasonable assurance of the existence of an ultimate fact. See 137 Am. St. Rep. 719, note.

**Proof of loss.** Such a statement of facts, reasonably verified, as, if established in court, would prima facie require payment of the claim under a policy of insurance. See 137 Am. St. Rep. 719, note.

**Proof per testes.** Proof of disputed will by witnesses.

**Proper feud.** See Feodum propriuni.

**Property.** Every species of valuable right and interest, including things

real and personal, easements, franchises, and other incorporeal hereditaments. See 2 Gray (Mass.), 35. The free use, enjoyment, and disposition by a person of all his acquisitions, without control or diminution, save by the laws of the land. See 2 Ark. 291, 35 Am. Dec. 72.

**Property per industriam.** That qualified property which one may have in reclaimed animals ferae naturae. See 2 Bl. Comm. 391.

**Property propter impotentiam.** That qualified property which one may have in animals ferae naturae too young to stray. See 2 Bl. Comm. 394.

**Property propter privilegium.** That qualified property which one may have in animals ferae naturae by reason of his exclusive right to hunt them. See 2 Bl. Comm. 394.

**Property ratione soli.** The common-law right of every land owner to kill and take animals ferae naturae found on his land. See 75 Vt. 335, 55 Atl. 656.

**Propiedades.** (Mexican) Property of any kind. See 1 N. M. 583.

**Propinquior excludit propinquum; propinquus remotum; et remotus remotiorem.** The one nearer excludes the one who is near; the near, the remote; and the remote, the more remote.

**Propinquity.** Relationship; consanguinity.

**Propinquus.** Near; next of kin; a kinsman.

**Propios.** (Spanish) Productive lands set apart by cities or towns to aid their financial support. See 15 Cal. 530.

**Propone.** To propound; to offer; as a will for probate; to make a motion.

**Proponent.** One who alleges; one who offers a will for probate; one who makes a motion.

**Proportum.** Purport; meaning.

**Proposal.** An offer; an introduction of a legislative bill; an expression of intention. See 113 N. C. 340, 18 S. E. 504.

**Proposition.** An offer. See 67 N. H. 291, 68 Am. St. Rep. 668, 33 Atl. 731.

**Propositum indefinitum aequipollet universali.** An indefinite proposition is equivalent to a general one.

**Propositus.** One proposed.

**Propound.** See Propone.

**Propria manu.** By his own hand.

**Propria persona.** See In propria persona.

**Propriedad.** (Spanish) Property.

**Proprietary.** An owner; a proprietor; subject to ownership or proprietorship. See 117 U. S. 482, 29 L. Ed. 979, 6 Sup. Ct. Rep. 861.

**Proprietas.** Property.

**Proprietas nuda.** Bare property, i. e., title without use.

**Proprietas plena.** Full property, i. e., title and use.

**Proprietas totius navis carinae causum sequitur.** The property of the whole ship follows the case of the keel. See 6 Pick. (Mass.) 220.

**Proprietas verborum est salus proprietatum.** The aptness of words is the safety of property.

**Proprietate probanda.** See De proprietate probanda.

**Proprietates verborum observandae sunt.** The proprieties of words should be observed.

**Proprietor.** One who has the legal right or exclusive title to a thing.

See 83 Tex. 218, 15 L. R. A. 262, 18 S. W. 578.

**Proprio jure.** In his own right.

**Proprio nomine.** In his own name.

**Proprio vigore.** Of its own force.

**Proprios.** Same as Propios.

**Propter.** On account of; by reason of.

**Propter adulterium.** By reason of adultery.

**Propter affectum.** See Challenge propter affectum.

**Propter commodum curiae.** For the convenience of the court.

**Propter curam et culturam.** For care and cultivation.

**Propter defectum.** For failure or want of.

**Propter defectum sanguinis.** By reason of lack of heirs, a cause for escheat.

**Propter delictum.** On account of a crime.

**Propter delictum tenentis.** On account of the crime of the tenant.

**Propter honoris respectum.** See Challenge propter honoris respectum.

**Propter majorem securitatem.** For greater security.

**Propter rem ipsam non habitum.** Because he could not recover the thing itself.

**Propter saevitiam.** By reason of cruelty.

**Prorogation.** Postponement; Prolongation, which see.

**Proscribed.** (Civil Law) Outlawed; sentenced to civil death.

**Prosecute.** To proceed with an action or suit; to sue; to institute or carry on a criminal proceeding in court.

**Prosecutio legis est gravis vexatio; executio legis coronat opus.** The prosecution of the law is a serious vexation; the execution crowns the work.

**Prosecutor.** A prosecuting witness; a district or prosecuting attorney.

**Prosequi.** To pursue; to prosecute. See Nolle prosequi.

**Prospective.** Looking to the future.

**Prospective damages.** Damages reasonably expected to follow after the commencement of an action.

**Prostitute.** A strumpet; to offer freely to a lewd use, or to indiscriminate lewdness. See 54 Me. 24, 89 Am. Dec. 716.

**Prostitution.** Common, indiscriminate, illicit intercourse. See 54 Me. 24, 89 Am. Dec. 716.

**Protectio trahit subjectionem, subjectio protectionem.** Protection attracts subjection, subjection attracts protection. See 169 U. S. 649, 42 L. Ed. 890, 18 Sup. Ct. Rep. 456.

**Protection.** A king's writ suspending one's liability in civil actions.

**Protection order.** An order of court for the protection of a wife's property upon her husband's desertion of her.

**Protectorate.** Government by a protector; the extending of aid by a stronger state to a weaker one to prevent interference by other states in the affairs of the weaker state.

**Protectory.** An institution for the education and care of destitute or homeless boys. See 83 Fed. (U. S.) 244.

**Protest.** The taking of such steps as are required to charge the indorser of a negotiable instrument. See 106 Pa. St. 531, 51 Am. Rep. 536. See, also, Payment under protest.

**Protestando.** A notice or statement by which a party preserves the right of disputing the fact pro-

tested against in some other suit or proceeding. See 40 N. H. 367.

**Protestation.** So pleading as to avoid an implied admission of a fact, which cannot with propriety or safety be positively affirmed or denied. See 3 Bl. Comm. 311.

**Prothonotary.** A chief clerk or register of a court in certain states. See 46 Hun (N. Y.), 469.

**Protocol.** A record; a register.

**Protocollum.** (Civil Law) A notary's memorandum of an official transaction.

**Protocolo.** (Spanish) The original draft of a document which is held by the notary.

**Protutor.** (Civil Law) A self-appointed tutor, legally unauthorized. See Tutor.

**Prout.** As; as charged.

**Prout moris est.** As is the custom.

**Prout patet per recordum.** As it appears by the record.

**Prove.** To produce sufficient evidence to raise a reasonable doubt. See 125 Cal. 325, 57 Pac. 1067.

**Prover.** Approver, which see.

**Province.** The circuit of an archbishop's jurisdiction. See 1 Bl. Comm. 111.

**Provisional.** That which is temporary and for the occasion, excluding the idea of permanency. See 5 Wall. (U. S.) 599, 18 L. Ed. 681.

**Provisional assignees.** A temporary assignee in bankruptcy.

**Provisional government.** One temporarily established in anticipation of and to exist until another shall be instituted and organized in its stead. See 22 Tex. 504.

**Provisional injunction.** Same as Injunction pendente lite.

**Provisional remedy.** A collateral proceeding, permitted only in connection with a legal action and as one of its incidents. See 36 Kan. 106, 12 Pac. 522.

**Provisione legis.** By provision of law.

**Provisione viri.** By provision of the husband.

**Provisions of Oxford.** Enactments of parliament to prevent Henry III from interfering with the enforcement of the Magna Charta.

**Proviso.** A word suggesting prevision. "Look out for it. See that the general words of the enacting clause shall not have a particular effect." See 59 Cal. 483. See, also, Trial by proviso.

**Proviso est providere præsentia et futura, non præterita.** A proviso is to provide for the present and the future, not the past.

**Provisor.** A candidate for a living nominated by the pope before there was a vacancy. See 4 Bl. Comm. 111.

**Provocation.** That treatment of another which arouses anger or passion. See 52 S. C. 480; 30 S. E. 482. Excepting words or gestures. See Add. (Pa.) 155.

**Provost.** The chief executive officer of certain corporations.

**Provost marshal.** An army officer with duties in the army corresponding to those of a chief of police.

**Prox'.** Proximus, which see.

**Prox' seq'.** Proximus sequente, which see.

**Proximate cause.** A cause of which the injury is a natural and probable consequence. See 36 Am. St. Rep. 809, note.

**Proximity.** Relationship.

**Proximus.** The next; the nearest.

**Proximus est cui nemo antecedit; supremus est quem nemo sequitur.**

He is next whom no one precedes; he is last whom no one follows.

**Proximus haeres.** The next heir.

**Proximus sequente.** The next following.

**Proxy.** An authority or power to do a certain thing. See 149 Pa. 70, 15 L. R. A. 665, 24 Atl. 88.

**Prudenter agit qui praecepto legis obtemperat.** He acts prudently who is obedient to the precept of the law.

**Puberty.** The age at which one might marry, fixed at 12, in females by the common law, which nevertheless permitted the fact to be proved by inspection. See 44 Ark. 265.

**Public.** That which concerns a multitude of persons. See 1 Doug. (Mich.) 546. Sometimes means international, national, state. See 46 Vt. 773, 14 Am. Rep. 640.

**Public act.** An act concerning the whole community.

**Public administrator.** An officer who administers the estates of intestates dying without heirs.

**Public auction.** See Auction.

**Public bridge.** A bridge forming a part of a public highway. See 30 Or. 420, 35 L. R. A. 141, 45 Pac. 781.

**Public building.** Buildings used in the public business.

**Public carrier.** Same as Common carrier.

**Public charity.** A gift to a general public use. See 121 Iowa, 80, 100 Am. St. Rep. 310, 95 N. W. 411.

**Public corporation.** Same as Municipal corporation.

**Public debt.** A state or national obligation.

**Public domain.** Same as Public lands. See 181 U. S. 481, 45 L. Ed. 963, 21 Sup. Ct. Rep. 690.

**Public easement.** A right of passage over the surface of a highway, and of so using and occupying the land within it as to facilitate such passage. See 62 N. J. L. 733, 72 Am. St. Rep. 666, 42 Atl. 583.

**Public enemy.** An enemy of the state or government with which it is at war. See 7 Houst. (Del.) 389, 8 Atl. 258.

**Public house.** A house open to the public, either for business, pleasure, religious worship, the gratification of curiosity, or the like. See 28 Tex. App. 536, 19 Am. St. Rep. 856, 13 S. W. 859.

**Public international law.** That law governing nations in their dealings and relations with each other. See Private international law.

**Public lands.** Such lands as are open to sale or other disposition under general laws. See 145 U. S. 535, 36 L. Ed. 806, 12 Sup. Ct. Rep. 856.

**Public law.** International law; criminal law.

**Public ministers.** The representations of a country at a foreign court, excepting consuls.

**Public notice.** Notice given by posting in a public place or by publication in a newspaper.

**Public nuisance.** A nuisance wherein the danger is to the public. See 116 Ala. 310, 67 Am. St. Rep. 119, 37 L. R. A. 497, 22 South. 593. See, also, Nuisance.

**Public offense.** A crime or misdemeanor whether statutory or common law.

**Public officer.** Any man having any duty concerning the public. See 63 Am. St. Rep. 182, note.

**Public passage.** The right of the public to pass over a body of water.

**Public peace.** "That invisible sense of security which every man feels so necessary to his comfort and for which all governments are instituted." See 11 Vt. 236, 34 Am. Dec. 688.

**Public place.** A place where the public has a right to go and to be. See 31 Am. Rep. 135, note.

**Public policy.** That principle of law which holds that no person can lawfully do that which has a tendency to be injurious to the public and against the public good. See 142 Ind. 560, 51 Am. St. Rep. 193, 41 N. E. 1048.

**Public prosecutor.** A district or prosecuting attorney; a quasi-judicial officer retained by the public for the prosecution of persons accused of crime. See 43 Wis. 344.

**Public record.** A record required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done. See 175 Ind. 132, Ann. Cas. 1913B, 1271, 93 N. E. 666.

**Public river.** A navigable river. See Navigable waters.

**Public sale.** An auction or other sale of which public notice has been given, inviting the public.

**Public schools.** Schools which are established, maintained and regulated under the statute law of the state. See 12 R. I. 19, 34 Am. Rep. 597.

**Public seal.** An impression made of some device by means of a piece of metal or other hard substance, kept and used by public authority. See 7 Port. (Ala.) 529, 31 Am. Dec. 722.

**Public stocks.** Government or municipal bonds or obligations.

**Public trial.** A trial open to the public, as opposed to a secret one. See 28 Am. St. Rep. 308, note.

**Public use.** Public benefit. See 2 S. & P. (Ala.) 199, 23 Am. Dec. 307; 1 Sax. Ch. (N. J.) 694, 23 Am. Dec. 756.

**Public utility.** Any person, firm or corporation engaged in the business of rendering some service to the general public, e. g., common carrier, water, gas and telephone companies.

**Public verdict.** The verdict of a jury announced publicly in open court. See 3 Bl. Comm. 377.

**Public war.** War in which at least two nations are parties. See 25 Wend. (N. Y.) 483, 1 Hill, 377, 37 Am. Dec. 328.

**Public way.** Same as Highway. See 57 Am. St. Rep. 744, note.

**Public worship.** Worship conducted by voluntary societies, constituted according to their own notions of ecclesiastical authority and ritual propriety, opening their places of worship and admitting to their religious services such persons and upon such terms and subject to such regulations as they may choose to designate and establish. See 80 Mass. 586.

**Public wrong.** Same as Public offense.

**Publican.** (Civil Law) A tax collector.

**Publicanus.** Publican.

**Publication.** The act of publishing or making known. See 21 Nev. 378, 19 L. R. A. 134, 32 Pac. 190.

**Publici juris.** Of public right.

**Publicum jus.** (Civil Law) Public law.

**Publisher.** One who makes anything known.

**Pudicity.** Chastity.

**Pueblo.** A town; a political division of the state. See 85 Cal. 448, 24 Pac. 818.

**Puer.** A boy; a child.

**Pueri sunt de sanguine parentum, sed pater et mater non sunt de sanguine puerorum.** Children are of the blood of the parents, but the father and mother are not of the blood of the children.

**Puerility.** The condition of boys from 7 to 14, inclusive, and of girls from 7 to 12.

**Pueritia.** Childhood from 7 to 14.

**Puffer.** One who attends an auction sale for the purpose of inflating the bidding. See 110 Ga. 72, 78 Am. St. Rep. 93, 48 L. R. A. 345, 35 S. E. 334.

**Puffing.** By-bidding, which see.

**Puis, Puys, Pues, Pus, or Puz.** After; since.

**Puis darrein continuance.** A common-law pleading setting up a defense arising after plea, and before replication, or after issue joined. See 97 Tenn. 514, 37 S. W. 280.

**Puis que.** After that.

**Puisne.** Younger; junior in point of time, right or rank.

**Puisne judge.** An associate judge.

**Puissance.** Power.

**Punctum temporis.** A point of time; a moment.

**Pundbrech.** Same as Pound breach.

**Punishment.** Synonymous with Penalty. See 119 Mo. 383, 41 Am. St. Rep. 663, 24 S. W. 457.

**Punitive damages.** Same as exemplary damages. See 59 Ky. 146, 74 Am. Dec. 406.

**Pupil.** (Civil Law) A minor; a ward.

**Pupillaris substitutio.** (Civil Law) The nomination of another besides his son as pupil to succeed, if the son should not be able or inclined to accept the inheritance or should die before he came of age to make a will.—Bouv. L. Dict.

**Pupillarity.** The age of a child's puerility. See Puerility.

**Pupillus pati posse non intelligitur.** A ward is not considered to be able to suffer prejudice.

**Pur.** For.

**Pur autre vie.** See Estate pur autre vie.

**Pur cause de vicinage.** See Common pur cause de vicinage.

**Pur ceo que.** For as much as.

**Pur moyen.** By means of.

**Pur tant que.** Because.

**Purchase.** All modes of acquiring property except by descent and includes a devise. See 9 Cow. (N. Y.) 437, 18 Am. Dec. 516.

**Purchase money.** Money paid for the land, or the debt created by the purchase. See 37 Ill. 438, 87 Am. Dec. 254.

**Purchase money mortgage.** A mortgage executed simultaneously with a deed to the land to secure the purchase price. See 26 Tex. 629, 84 Am. Dec. 591.

**Purchase on margin.** A purchase wherein a sum of money, or its equivalent, is placed in the hands of a broker by the purchaser as security to the broker against any loss to which he may be exposed by reason of a subsequent depression in the market value of the stock. See 74 Am. St. Rep. 470, note.

**Purchase, Words of.** See Words of purchase.

**Purchaser.** The buyer of that which is sold; one who acquires by purchase. See Purchase.

**Purchaser of a note or bill.** One who buys it without the seller's indorsement of it.

**Pure chance.** The entire absence of all means of calculating results. See 103 Am. St. Rep. 712, note, quoting Black L. Dict.

**Pure obligation.** An obligation with no remaining unperformed condition precedent.

**Pure plea.** A plea in equity setting up matters not referred to in the bill. See 40 Fla. 418, 24 South. 911.

**Pure villeinage.** Tenure by whatever service the landlord may require.

**Purgation.** The act of clearing one's self of a criminal charge by denial under oath or by compurgators. See Compurgation.

**Purge by the hot iron.** See Fire ordeal.

**Purge by water.** See Hot-water ordeal.

**Purgery.** A room where hogsheads of sugar are placed standing to drain them. See 41 La. Ann. 1000, 6 South. 899.

**Purging a tort.** Assuming responsibility for a tort committed by another.

**Purlieu.** Land near a forest and once a part of it.

**Purloin.** To steal.

**Purpart.** That part of an estate which, having been held in common, is by partition allotted to one of the parties. See 141 Pa. 93, 21 Atl. 514, citing Bouv. L. Dict.

**Purparty.** Same as Pourparty.

**Purport.** Apparent meaning; design; import.

**Purpresture.** The inclosure or making several to one's self that which ought to be common to many. See 107 Am. St. Rep. 204, note.

**Purprisum.** An inclosure.

**Purq.** Purquoi, which see.

**Purquoi.** Wherefore; why.

**Purser.** A ship's officer representing the owners as fiscal agent. See 14 Hun (N. Y.), 100.

**Pursue.** To cause one's prosecution.

**Pursuer.** The complainant in an ecclesiastical suit.

**Purus.** Pure; clear.

**Purveyance.** An English crown prerogative of buying necessaries for the royal household at appraised valuations. See 62 Vt. 27, 9 L. R. A. 195, 20 Atl. 107.

**Purveyor.** A provider.

**Purview.** The enacting part of a statute, the body or subject of it, as distinguished from the preamble, the saving and the proviso. See 15 U. S. 132, 4 L. Ed. 202.

**Put.** The privilege among stockbrokers of delivering or not delivering the thing sold. See 113 Ill. 228, 55 Am. Rep. 414.

**Put in suit.** To bring an action upon.

**Put in ure.** To put into use or practice.

**Put to answer.** Held for trial.

**Put upon.** To submit to.

**Putative.** Reputed; supposed.

**Putative marriage.** A marriage, null by reason of a dissolving cause, which is sustained because of the good faith of the parties and their ignorance of the dissolving cause. See 1 Tex. 621, 46 Am. Dec. 121.

**Pykerie.** Same as Pickery.

**Pyromania.** An insane desire to burn property.

**Pyx.** A receptacle in a mint where sample coins are placed for testing.

# Q

**Q. B.** Queen's bench, which see.

**Q. C.** Queen's counsel, which see.

**Q. c. f.** Quare clausum fregit, which see.

**Q. v.** Quod vide, which see.

**Q'd.** Quod, which see.

**Qua.** As; in the office or capacity of; e. g., qua guardian.

**Qua supra.** As appears above.

**Quack.** A pretended physician. See 115 Wis. 385, 91 N. W. 973.

**Quacunque via data.** Whichever way it is considered.

**Quadragesima.** The first Sunday in Lent.

**Quadragesms.** Vol. III of the Year-Books.

**Quadrans.** A quarter part.

**Quadrantata terrae.** A fourth of an acre.

**Quadripartite.** Being in four parts; having four parties.

**Quadroon.** One distinctly whiter than a mulatto. See 126 La. 300, 139 Am. St. Rep. 514, 20 Ann. Cas. 1297, 52 South. 500; the issue of a white person and one half black.

**Quadruplication.** A surrebutter. See Surrebutter.

**Quae ab hostibus capiuntur, statim capientium fiunt.** Whatever things are taken from enemies immediately become the property of the captors.

**Quae ab initio inutilis fuit institutio, ex post facto convalescere non potest.** An institution which was void from the beginning cannot be cured by a subsequent act.

**Quae ab initio non valent, ex post facto convalescere non possunt.** Those things which are not valid in the beginning cannot be cured by a subsequent act.

**Quae accessionum locum obtinent, extinguuntur cum principales res peremptae fuerint.** When the principal things have been annihilated, those things which hold the position of incidents to them are extinguished.

**Quae ad unum finem locuta sunt, non debent alium detorqueri.** Things which have been said to one purpose ought not to be twisted to another.

**Quae cohaerent personae a persona separari nequeunt.** Those things which are connected with the person ought not to be separated from the person.

**Quae communi lege derogant stricte interpretantur.** Those (statutes) which derogate from the common law are strictly interpreted.

**Quae contra rationem juris introducta sunt, non debent trahi in consequentiam.** Those things which have been introduced contrary to the reason of the law ought not to be drawn into precedent.

**Quae dubitationis causa tollendae inseruntur communem legem non laedunt.** Those things which are introduced for the purpose of removing doubt do not offend the common law.

**Quae dubitationis tollendae causa contractibus inseruntur, jus commune non laedunt.** Those matters which are inserted in contracts for the purpose of removing doubt do not offend the common law.

**Quae est eadem.** Which is the same matter.

**Quae fieri non debent, facta valent.** Those things which ought not to be done, when done, may be valid.

**Quae in curia acta sunt rite agi praesumuntur.** Those things which are done in court are presumed to be done rightly.

**Quae in curia regis acta sunt rite agi praesumuntur.** Those things which are done in the king's court are presumed to be rightly done.

**Quae in partes dividi nequeunt solida a singulis praestantur.** Those things which cannot be divided into parts are performed by each one as a whole.

**Quae in testamento ita sunt scripta ut intelligi non possint, perinde sunt ac si scripta non essent.** Things which are so written in a will that they cannot be understood are just as if they had not been written.

**Quae incontinenti vel certo fiunt inesse videntur.** Those things which are done forthwith and also certainly are deemed to be included.

**Quae inter alios acta sunt nemini nocere debent, sed prodesse possunt.** Things which are done between others are bound to injure no one, but can benefit him.

**Quae legi communi derogant non sunt trahenda in exemplum.** Those things which derogate from the common law are not to be drawn into precedent.

**Quae legi communi derogant stricte interpretantur.** Those things which derogate from the common law are strictly construed.

**Quae mala sunt inchoata in principio vix bono perguntur exitu.** Things which are bad in the beginning are rarely completed with good in the end.

**Quae nihil frustra.** Which (requires) nothing in vain.

**Quae non fieri debent, facta valent.** Things which ought to be done are valid when done.

**Quae non valent singula juncta juvant.** Things which are void severally may be valid jointly.

**Quae plura.** A writ ordering an escheator to ascertain what more land the decedent held at his death.

**Quae praeter consuetudinem. et morem majorem fiunt neque placent neque recta videntur.** Those things which are done contrary to custom and the manner of our ancestors neither please nor seem right.

**Quae propter necessitatem recepta sunt, non debent in argumentum trahi.** Those things which are recognized by reason of necessity ought not to be drawn into precedent.

**Quae rerum natura prohibentur nulla lege confirmata sunt.** No things which are prohibited in the nature of things are confirmed by any law.

**Quae singula non prosunt, juncta juvant.** Things which are of no consequence severally may be valid jointly.

**Quae sunt minoris culpae sunt majoris infamiae.** The things which are less culpable may be more infamous.

**Quaecunque intra rationem legis inveniuntur intra legem ipsam esse judicantur.** Whatever comes within the reason of the law is adjudged to be within the law itself.

**Quaelibet concessio domini regis capi debet stricte contra dominum regem, quando potest intelligi duabus viis.** Every grant of our



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lord the king ought to be taken strictly against our lord the king, when it can be understood in two ways.

**Quaelibet concessio fortissime contra donatorem interpretanda est.** Every grant is construed most strongly against the grantor. See 7 Met. (Mass.) 516.

**Quaelibet jurisdictio cancellos suos habet.** Every jurisdiction has its own limits.

**Quaelibet pardonatio debet capi secundum intentionem regis, et non ad deceptionem regis.** Every pardon ought to be taken according to the intention of the king and not to the king's deception.

**Quaelibet poena corporalis, quamvis minima, major est qualibet poena pecuniaria.** Every corporal punishment, even the least, is greater than any pecuniary punishment.

**Quaeras de dubiis legem bene discere si vis.** You should inquire concerning doubtful matters if you wish to understand the law well.

**Quaere.** Query; it is a question.

**Quaere de dubiis, quia per rationes pervenitur ad legitimam rationem.** Inquire concerning matters of doubt, because through reasonings the legal reason is arrived at.

**Quaerens.** A plaintiff.

**Quaerens nihil capiat per billam.** Let the plaintiff take nothing by his bill.

**Quaerens non invenit plegium.** The plaintiff has not found security.

**Quaerere dat sapere quae sunt legitima vere.** Inquiry gives knowledge as to what things are truly lawful.

**Quaeritur.** It is doubted.

**Quaesta.** Indulgence, which see.

**Quaestio.** (Roman Law) An inquest or investigation by a commission into an alleged offense. (Mediaeval Law) Inquisition by torture.

**Quaestiones perpetuae.** (Roman Law) Permanent commissions established to investigate crimes. See Quaesto.

**Quaestor.** A Roman magistrate.

**Quaestus.** An estate acquired by purchase.

**Quale jus.** A writ ordering an investigation of a judgment in a clerk's favor to prevent evasion of the statutes of mortmain.

**Qualification.** Fitness; capacity; installation into an office. See 71 U. S. 277, 18 L. Ed. 356.

**Qualified.** Possessing fitness or capacity; installed into office. See 74 Md. 443, 28 Am. St. Rep. 261, 22 Atl. 8.

**Qualified acceptance.** A partial or conditional acceptance of a bill of exchange.

**Qualified elector.** One qualified to vote at an election. See 127 Cal. 86, 59 Pac. 312.

**Qualified fee.** Same as Base fee. See 11 Wend. (N. Y.) 259.

**Qualified indorsement.** An indorsement of a negotiable instrument in some manner qualifying the liability of the indorser; e. g., Indorsement without recourse, which see.

**Qualified property.** Property in which the owner's title is qualified, e. g., animals wild by nature.

**Qualified voter.** Same as Qualified elector.

**Qualitas quae inesse debet, facile praesumitur.** A quality which ought to be included is easily presumed.

**Quam longum debet esse rationabile tempus, non definitur in lege, sed pendet ex discretione justiciariorum.** How long a reasonable time

ought to be is not defined in law, but depends upon the discretion of the judges.

Quamdiu. As long as.

Quamdiu se bene gesserit. As long as he shall behave well; during his good behavior.

Quamvis aliquid per se non sit malum, tamen si sit mali exempli non est faciendum. Although anything may not be evil in itself, yet if it is of bad example, it is not to be done.

Quando abest proviso partis, adest provisio legis. When the provision of the party is lacking, the provision of the law supplies it.

Quando acciderint. When they shall come in. See Judgment quando acciderunt.

Quando aliquid conceditur, conceditur in sine quo illud fieri non possit. When anything is granted that without which it cannot be effective is also granted. See 10 Barb. (N. Y.) 354.

Quando aliquid mandatur, mandatur et omne per quod pervenitur ad illud. When anything is commanded, everything by which it can be accomplished is also commanded.

Quando aliquid per se non sit malum, tamen si sit mali exempli, non est faciendum. When anything is not evil in itself, yet if it is of bad example, it is not to be done.

Quando aliquid prohibetur ex directo, prohibetur et per obliquum. When anything is prohibited directly, it is also prohibited indirectly.

Quando aliquid prohibetur, prohibetur omne per quod devenitur ad illud. When anything is prohibited, everything by which the thing is accomplished is also prohibited. See 147 Ind. 466, 33 L. R. A. 221, 44 N. E. 593.

Quando aliquis aliquid concedit, concedere videtur et id sine quo res uti non potest. When anyone grants anything, he is also deemed to grant also that without which the thing cannot be used.

Quando charta continet generalem clausulam posteaque descendit ad verba specialia quae clausulae generali sunt consentanea, interpretanda est charta secundum verba specialia. When a deed contains a general clause, and afterward decends to special words which are consistent with the general clause, the deed is to be construed according to the special words.

Quando de una et eadem re, duo onerabiles existunt, unus pro insufficientia alterius, de integro onerabitur. When two are chargeable with one and the same thing, one of them is chargeable with the whole thing, upon the failure of the other.

Quando dispositio referri potest ad duas res, ita quod secundum relationem unam vitiatur et secundum alteram utilis sit, tum facienda est relatio ad illam ut valeat dispositio. When a disposition can refer to two things so that according to one relation it would be void and according to the other it would be valid, then the relation must be made so that the disposition will be valid.

Quando diversi desiderantur actus ad aliquem statum perficiendum, plus respicit lex actum originalem. When different acts are needed to perfect a certain estate, the law regards the original act as most important.

Quando duo jura concurrunt in una persona, aequum est ac si essent in diversis. When two rights con-

cur in one person, it is just as if they were in different persons.

Quando jus domini regis et subditi concurrunt, jus regis praeferri debet. When a right of our lord the king and that of a subject clash, the right of the king ought to be preferred.

Quando lex aliquid alicui concedit, concedere videtur id sine quo res ipsa esse non potest. When the law bestows anything upon anyone, it is deemed to bestow also that without which the thing itself cannot be.

Quando lex aliquid alicui concedit, conceditur et id sine quo res ipsa esse non potest. When the law bestows anything upon anyone, that is also bestowed without which the thing cannot be. See 15 Barb. (N. Y.) 153.

Quando lex aliquid alicui concedit, omnia incidentia tacite concedunt-tur. When the law bestows anything upon anyone, all things incident thereto are tacitly bestowed.

Quando lex est specialis, ratio autem generalis, generaliter lex est intelligenda. When a law is special, but the reason for it general, the law is to be understood generally.

Quando licit id quod majus, videtur licere id quod minus. When that which is greater is allowed, that which is less is deemed to be allowed.

Quando plus fit quam fieri debet, videtur etiam illud fieri quod faciendum est. When more is done than ought to be done, certainly that will be deemed to have been done which ought to have been done.

Quando quod ago non valet ut ago, valeat quantum valere potest. When that which I do is not valid as I do it, let it have as much validity as it can have. See 16 Johns. (N. Y.) 172.

Quando res non valet ut ago, valeat quantum valere potest. When the thing is not valid as I do it, let it have as much validity as it can have. See 78 Pa. 219.

Quando verba et mens congruunt, non est interpretationi locus. When the words and the intention agree, there is no place for interpretation.

Quando verba statuti sunt specialia, ratio autem generalis, generaliter statutum est intelligendum. When the words of the statute are special, yet the reason for it general, the statute is to be understood generally.

Quandocunque. Whenever.

Quantes fois. How many times.

Quantum. How much; the total amount. See 100 Va. 51, 93 Am. St. Rep. 919, 56 L. R. A. 663, 40 S. E. 618.

Quantum damnificatus. The submission of the question of the amount of damages to a jury in an equity suit.

Quantum meruit. One of the common counts for services rendered. See 72 Tenn. 494. See, also, Common counts.

Quantum valebant. As much as they were worth; one of the common counts for goods sold and delivered. See Common counts. See, also, 3 Bl. Comm. 163.

Quarantine. A widow's common-law right to tarry in the mansion forty days after her husband's death. See 41 Ala. 571. A confinement of persons inflicted with a contagious disease in a given place apart from the public to prevent the spread of the disease.

See 113 Ga. 570, 54 L. R. A. 292, 38 S. E. 980.

**Quare.** Wherefore; why.

**Quare clausum fregit.** Because he broke the close. See Trespass quare clausum fregit.

**Quare ejicit infra terminum.** Because he ejected him during the term; an action by a lessee against a lessor for such injury. See 3 Bl. Comm. 207.

**Quare impedit.** An action to recover an advowson. See Advowson. See, also, 3 Bl. Comm. 246.

**Quare incumbravit.** A writ or action for a patron against a bishop to recover the presentation and for damages for admitting a clerk pending a quare impedit. See 3 Bl. Comm. 248.

**Quare non admisit.** A writ for a patron against a bishop for damages for not admitting a clerk upon a writ ad admittendum clericum. See 3 Bl. Comm. 250.

**Quare non permittit.** A writ against a patron for refusal to present a nominated clerk.

**Quare obstruxit.** A writ against one obstructing a way.

**Quarter.** A square ¼ of a section of land; 160 acres. See 101 Cal. 252, 35 Pac. 766. Also, 91 days; ⅛ of a bushel.

**Quarter days.** Those days in England when quarterly rent generally falls due and when leaseholds begin and expire, March 25th, June 24th, Sept. 29th and Dec. 25th.

**Quarter seal.** A seal kept in the Scotch chancery which makes the impression of a quarter segment of the great seal.

**Quarter sessions.** See Court of.

**Quarter year.** Ninety-one days.

**Quartering.** A punishment by hitching a team of horses to each of the victim's arms and legs and thus pulling them apart.

**Quarterone.** The issue of a white person and a tercerone. See 19 Ark. 121. See, also, Tercerone.

**Quarteroon.** Same as Quarterone.

**Quarto die post.** The day following the third day of grace allowed for appearance.

**Quash.** To set aside; to annul.

**Quasi.** As; as if; as it were; relating to or having the character of. See 60 Ill. 390.

**Quasi affinity.** The sort of relationship existing between one who is engaged to marry and the relatives of his or her affianced.

**Quasi agnum lupo committere ad devorandum.** As a sheep given to a wolf to be devoured. 3 Wend. 626.

**Quasi in rem.** The sort of a suit brought against the person in respect of the res. See 66 N. J. Eq. 150, 57 Atl. 554.

**Quasi-contract.** An obligation raised by law and wherein there was no meeting of the minds, e. g., the obligation to pay a third party for necessaries furnished a wife or child. See 65 Ohio St. 104, 61 N. E. 152.

**Quasi-corporation.** A body exercising functions of a corporate character, but not created a corporation by any statute, general or special. See 103 U. S. 707, 26 L. Ed. 601.

**Quasi-delict.** A nonmalicious tort.

**Quasi-deposit.** A sort of bailment resulting from a finding of goods.

**Quasi-derelict.** A vessel whose crew is disabled by sickness or other cause. See Newb. 449, 23 Fed. Cas. (U. S.) 333.

**Quasi-easement.** Where the owner of an entire tract, or of two or more adjoining parcels, so employs a part thereof as to create a seeming servitude in favor of another portion to which the use becomes appurtenant, such use is tantamount to an easement at will so long as the unity of ownership continues, and such servitude is a quasi-easement. See 136 Am. St. Rep. 684, note.

**Quasi-entail.** See Quasi-estate tail.

**Quasi-estate tail.** An estate tail of less than a fee, e. g., an estate tail pur autre vie.

**Quasi-estoppel.** A term applied to legal bars analagous to estoppel in pais, but differing therefrom. It includes the doctrine of "election," the principle which precludes a party from asserting to another's disadvantage a right inconsistent with a position previously taken by him, and certain forms of waiver. See 32 R. I. 246, Ann. Cas. 1912D, 906.

**Quasi-fee.** An estate gained by wrong.—Wharton.

**Quasi-judicial.** The sort of authority or discretion vested in an officer wherein his acts partake of a judicial character. See 60 Conn. 448, 25 Am. St. Rep. 337, 22 Atl. 494.

**Quasi-partners.** Tenants in common.

**Quasi-public corporation.** A private corporation operating a public utility. See 3 Bland (Md.), 407.

**Quasi-realty.** Movable property, such as title deeds and heirlooms, which pass to the heir.

**Quasi-tenant.** A subtenant allowed by the reversioner to hold over after the end of the tenant's lease.

**Quasi-trustee.** One who benefits from a breach of trust.

**Quater cousin.** Same as Cater cousin.

**Quatuor pedibus currit.** It runs on all-fours with; it exactly corresponds.

**Quayage.** Wharfage.

**Que est le mesme.** Which is the same.

**Que estate.** Which estate; whose estate.

**Quean.** A lewd woman.

**Queen.** A female sovereign; a king's consort.

**Queen consort.** The wife of a king.

**Queen dowager.** A king's widow.

**Queen mother.** A sovereign's mother who is also dowager queen.

**Queen regent.** A queen ruling in her own right. See 1 Bl. Comm. 218.

**Queen regnant.** Same as Queen regent.

**Queen-gold.** A royal revenue belonging to every queen consort during her marriage with the king. See 1 Bl. Comm. 219.

**Queen's bench.** See Court of.

**Queen's counsel.** Same as King's counsel.

**Queen's evidence.** Same as King's evidence.

**Queen's prison.** A prison formed of a union of the queen's bench prison, the Fleet and the Marshalsea.

**Queen's silver.** Same as King's silver.

**Quem redditum reddit.** Let it be rendered to whom it should be rendered; an action to compel tenants to attorn to a new lessee.

**Quemadmodum ad quaestionem facti non respondent judices, ita ad quaestionem juris non respondent juratores.** Just as judges do not

answer questions of fact, so jurors do not answer questions of law.

**Quer'.** Querens, which see.

**Querela.** A complaint; a suit.

**Querens.** A plaintiff.

**Questa.** An inquisition; an inquest.

**Question.** Same as Quaestio.

**Questus.** Same as Quaestus.

**Questus est nobis.** A writ of nuisance against one who had acquired land with a nuisance thereon.

**Qui.** Who.

**Qui abjurat regnum ammittit regnum, sed non regem; patriam, sed non patrem patriae.** He who abjures the realm, leaves the realm, but not the king; the country, but not the father of the country.

**Qui accusat integrae famae sit et non criminosus.** Let him who accuses be of honest reputation and not criminal.

**Qui acquirit sibi acquirit haeredibus.** He who acquires for himself acquires for his heirs.

**Qui adimit medium dirimit finem.** He who takes away the means destroys the end.

**Qui aliquid statuerit parte inaudita altera, aequum licet dixerit, haud aequum fecerit.** He who decides anything without having heard the other side, though he may decide rightly, by no means has acted justly.

**Qui alterius jure utitur, eodem jure uti debet.** One who uses the right of another ought to enjoy the same right.

**Qui approbat non reprobat.** He who ratifies cannot repudiate.

**Qui bene distinguit, bene docet.** He who distinguishes well, teaches well.

**Qui bene interrogat, bene docet.** He who questions well, teaches well.

**Qui cadit a syllaba cadit a tota causa.** He who loses by a syllable loses by a whole cause.

**Qui concedit aliquid, concedere videtur et id sine quo concessio est irrita, sine quo res ipsa esse non potuit.** He who grants anything is deemed to grant also that without which the grant is idle, without which the thing itself cannot be.

**Qui confirmat nihil dat.** He who confirms gives nothing.

**Qui contemnit praeceptum, contemnit praecipientem.** He who contemns a precept, contemns the preceptor.

**Qui cum alio contrahit, vel est vel debet esse non ignarus conditionis ejus.** He who contracts with another is not or ought not to be ignorant of his condition.

**Qui dat finem, dat media ad finem necessaria.** He who gives an end, gives the means necessary to the end. See 3 Mass. 129.

**Qui destruit medium destruit finem.** He who destroys the means destroys the end.

**Qui doit inheriter al père, doit inheriter al finz.** He who ought to inherit from the father ought to inherit from the son. See 2 Bl. Comm. 250.

**Qui evertit causam, evertit causatum futurum.** He who averts a cause, averts its future effect.

**Qui ex damnato coitu nascuntur, inter liberos non computentur.** Those who are born of an unlawful union, are not counted among children.

**Qui facit id quod plus est, facit id quod minus est, sed non convertitur.** He who does that which is more does that which is less, but it cannot be turned around.

**Qui facit per alium, facit per se.** He who acts through another, acts through or by himself. See 82 Va. 33, 3 Am. St. Rep. 77. See, also, 20 Wis. 408, 91 Am. Dec. 425.

**Qui habet jurisdictionem absolvendi, habet jurisdictionem ligandi.** He who has jurisdiction to free, has jurisdiction to bind.

**Qui haeret in litera, haeret in cortice.** He who clings to the letter clings to the rind. See 115 N. Y. 506, 12 Am. St. Rep. 819, 5 L. R. A. 340, 22 N. E. 188.

**Qui ignorat quantum solvere debeat, non potest improbus videre.** He who does not know how much he ought to pay cannot appear dishonest (if he refuses).

**Qui in jus dominiumve alterius succedit jure ejus uti debet.** He who succeeds to the right or ownership of another ought to enjoy the rights of the other.

**Qui in utero est, pro jam acto nato habetur quoties de ejus commodo quaeritur.** One who is in the womb is regarded as actually born whenever his advantage is sought. See 1 Bl. Comm. 130.

**Qui jure suo utitur neminem laedit.** One who enjoys his own right injures no one. See 120 Fed. 766, 57 C. C. A. 70, 66 L. R. A. 444.

**Qui jure suo utitur nullum damnum facit.** He who enjoys his own right works harm to no one. See 55 Fed. 895, 14 U. S. App. 336, 20 L. R. A. 733.

**Qui jussu judicis aliquod fecerit non videtur dolo malo fecisse, quia parere necesse est.** He who does anything by order of a judge is not deemed to have acted deceitfully, because it is necessary to obey.

**Qui male agit, odit lucem.** He who does wrong hates the light.

**Qui mandat ipse fecissi videtur.** He who orders is deemed to have acted himself.

**Qui melius probat, melius habet.** He who proves more has more in consequence.

**Qui molitur insidias in patriam id facit quod insanus nauta perforans navem in qua vehitur.** He who lays snares against his country acts as did the insane sailor who bored holes in the ship in which he sailed.

**Qui nascitur sine legitimo matrimonio, matrem sequitur.** He who is born out of lawful wedlock falls to the share of the mother.

**Qui non cadunt in constantem virum, vani timores sunt aestimandi.** Fears are considered groundless which do not affect a firm man.

**Qui non habet, ille non dat.** He who has not, gives not. See 189 N. Y. 267, 12 L. R. A. (N. S.) 1083, 82 N. E. 127.

**Qui non habet in aere luat in corpore, ne quis peccetur impune.** He who has no money must pay the penalty with his body, lest someone may offend without punishment.

**Qui non habet in crumena luat in corpore.** He who has nothing in his purse must pay the penalty with his body.

**Qui non habet potestatem alienandi habet necessitatem retinendi.** One who has not the power of alienating is under the necessity of retaining.

**Qui non improbat, approbat.** He who does not disapprove, approves.

**Qui non libere veritatem pronunciat proditor est veritatis.** He who does not speak the truth freely is a traitor of truth.

**Qui non negat, fatetur.** He who does not deny, admits.

**Qui non obstat quod obstare potest facere videtur.** He who does not prevent what he can prevent is deemed to do the act.

**Qui non prohibet quod prohibere potest, assentire videtur.** He who does not forbid what he can forbid, is deemed to assent.

**Qui non propulsat injuriam quando potest, infert.** He who does not repel an injury when he can, causes it.

**Qui obstruit aditum, destruit commodum.** One who obstructs an approach, destroys a convenience.

**Qui omne dicit, nihil excludit.** He who says all, excludes nothing.

**Qui parcit nocentibus innocentes punit.** He who spares the guilty, punishes the innocent.

**Qui peccat ebrius, luat sobrius.** He who offends while drunk, pays the penalty while sober.

**Qui per alium facit per seipsum facere videtur.** He who acts through another is deemed to do it himself.

**Qui per fraudem agit, frustra agit.** He who acts fraudulently, acts vainly.

**Qui potest et debet vetare, tacens, jubet.** He who can and ought to forbid, and is silent, orders. See 1 Johns. Ch. (N. Y.) 244.

**Qui primum peccat ille facit rixam.** He who offends first makes the quarrel.

**Qui prior est in tempore, potior est in jure.** He who is prior in time is stronger in law. See 42 Miss. 18, 97 Am. Dec. 429.

**Qui prior est tempore potior est jure.** He who is prior in time is stronger in right. See 165 Ill. 592, 56 Am. St. Rep. 275, 36 L. R. A. 640, 46 N. E. 631.

**Qui prior in tempore, potior in jure.** He who is prior in time is stronger in right.

**Qui pro me aliquid facit, mihi fecisse videtur.** He who does anything in my behalf is deemed to have rendered it to me.

**Qui providet sibi, providet haeredibus.** He who provides for himself, provides for his heirs.

**Qui rationem in omnibus quaerunt, rationem subvertunt.** He who seeks a reason for all things subverts reason.

**Qui sciens solvit indebitum donandi consilio id videtur fecisse.** One who knowingly pays that which is not due is deemed to have done it with the intention of donating. See 17 Mass. 388.

**Qui semel actionem renunciaverit, amplius repetere non potest.** One who once renounces an action cannot assert it again.

**Qui semel malus, semper praesumitur esse malus in eodem genere.** One who has once been bad is always presumed to be bad in the same way.

**Qui sentit commodum sentire debet et onus.** One who gains an advantage ought to assume the burden also. See 18 Wis. 155, 86 Am. Dec. 751.

**Qui sentit onus, sentire debet et commodum.** One who assumes the burden ought also to gain the advantage. See 47 N. J. Eq. 569, 24 Am. St. Rep. 419, 11 L. R. A. 589, 21 Atl. 297.

**Qui tacet consentire videtur.** He who is silent is deemed to consent.

**Qui tacet consentire videtur ubi tractatur de ejus commodo.** He who is silent is deemed to consent when his advantage is drawn into question. See 38 Fla. 169, 20 South. 938.

**Qui tacet non utique fatetur, sed tamen verum est eum non negare.** He who is silent certainly does not confess, but it is nevertheless true that he does not deny.

**Qui tam action.** A statutory action brought by an informer to recover a penalty for infraction of the law. See 73 N. Y. 473.

**Qui tardius solvit, minus solvit.** He who pays too tardily, pays less (than he owes).

**Qui timent cavent et vitant.** They who fear take care and avoid.

**Qui totum dicit nihil excipit.** Who tells all excepts nothing.

**Qui vult decipi, decipiatur.** Let him be deceived who wishes to be deceived. See 43 Cal. 110.

**Quia.** Because.

**Quia datum est nobis intelligi.** Because it is given to us to understand.

**Quia dominus remisit curiam.** Because the lord has remitted his court, used of a writ of right sued out in the king's court instead of that of the manor. See 3 Bl. Comm. 195.

**Quia dominus rerum non apparet ideo cujus sunt incertum est.** Where it is not apparent who is the owner of goods, on that account it is not certain they are his.

**Quia emptores.** The statute 18 Edward I, c. 1, abrogating subinfeudation. See 2 Bl. Comm. 91.

**Quia erronice emanavit.** Because it issued erroneously.

**Quia eventus est qui ex causa sequitur, et dicuntur eventus quia ex causis eveniunt.** For the event is that which follows from the cause and they are called events because they come out of the causes.

**Quia quando aliquid prohibetur, prohibetur et id per quod pervenitur ad illud.** Because when anything is prohibited, that by which it is reached is also prohibited. See 5 Har. & J. (Md.) 317, 9 Am. Dec. 534.

**Quia timet.** See Bill quia timet.

**Quick with child.** The state of a pregnant woman when the embryo gives the first physical proof of life. See 52 N. J. L. 52, 51 Am. Dec. 248.

**Quicquid acquiritur servo, acquiritur domino.** Whatever is acquired by the servant is acquired by the master.

**Quicquid demonstratae rei additur satis demonstratae frustra est.** Whatever is added to the description of a thing which is sufficiently described is without effect.

**Quicquid est contra normam recti est injuria.** Whatever is contrary to the rule of right is wrong.

**Quicquid in excessu actum est, lege prohibetur.** Whatever is done in excess is forbidden by law.

**Quicquid judicis auctoritati subjicitur, novitati non subjicitur.** Whatever is subject to judicial authority is not subject to novelty.

**Quicquid plantatur solo, solo cedit.** Whatever is planted in the soil belongs to the soil. See 74 N. J. L. 810, 12 Ann. Cas. 1086, 14 L. R. A. (N. S.) 439, 68 Atl. 162.

**Quicquid recipitur, recipitur secundum modum recipientis.** Whatever is received is applied according to the wish of the recipient.

**Quicquid solvitur solvitur secundum modum solventis.** Whatever is paid is applied according to the wish of the payer.

**Quicquid solvitur, solvitur secundum modum solventis; quicquid recipi-**

tur, recipitur secundum modum recipientis. Whatever is paid is applied according to the wish of the payer; whatever is received is applied according to the wish of the recipient.

Quicunque habet jurisdictionem ordinariam est illius loci ordinarius. Whoever has ordinary jurisdiction is the ordinary of that place.

Quicunque jussu judicis aliquid fecerit non videtur dolo malo fecisse, quia parere necesse est. Whoever does anything by order of a judge is not deemed to have acted with evil design, because it is necessary to obey.

Quid. What.

Quid juris clamat. A writ to compel the holder of the particular estate to attorn to the grantee of the reversion or remainder.

Quid pro quo. What for what, a fair return or consideration.

Quid sit jus, et in quo consistit injuria, legis est definire. What is a right and in what an injury consists it is for the law to define.

Quid turpi ex causa promissum est non valet. A promise based upon an immoral consideration is not valid.

Quidquid enim sive dolo et culpa venditoris accidit in eo venditor securus est. For as to anything which happens without the deceit or fault of the vendor, as to that the vendor is secure. See 4 Pick. (Mass.) 198.

Quiet enjoyment. See Covenant for.

Quieta clamantia. Quitclaim, which see.

Quieta non movere. Not to disturb that which is quiescent. See 28 Barb. (N. Y.) 9.

Quietantia. An acquittance.

Quitare. To acquit; to exonerate.

Quiete clamare. Same as Quietum clamare.

Quieti reditus. Quitrents, which see.

Quietum clamare. To quitclaim. See Quitclaim.

Quietus. A process for the discharge of an administrator by the probate court. See 140 Mass. 351, 54 Am. St. Rep. 473, 4 N. E. 606.

Quietus redditus. Singular of Quieti redditus.

Quilibet ignem suum salve. Let each one guard his own fire. See 139 Fed. (U. S.) 528, 1 L. R. A. (N. S.) 533.

Quilibet potest renunciare juri pro se introducto. Anyone. can .renounce a right introduced in his behalf. See 213 Pa. 456, 110 Am. St. Rep. 554, 5 Ann. Cas. 476, 3 L. R. A. (N. S.) 1079, 63 Atl. 186.

Quinque portus. Cinque ports, which see.

Quinquepartite. Five-sided; having five parts or parties.

Quinterones. The issue of a white person and a quarterone. See 19 Ark. 121. See, also, Quarterone.

Quinto exactus. In outlawry process, the sheriff's return after the fifth proclamation or summons. See 3 Bl. Comm. 283.

Quisquis est qui velit jurisconsultus haberi, continuet studium, velit a quocunqe doceri. Anyone who wishes to be regarded as learned in the law should continue his study and should wish to be taught by whomsoever.

Quisquis praesumitur bonus; et semper in dubiis pro reo respondendum. Everyone is presumed to be honest; and in doubtful cases it should be resolved in favor of the defendant.

**Quit.** Exonerated. See, also, Notice to quit. See, also, Go quit.

**Quitclaim.** A conveyance of only the grantor's right, title and interest in property, as distinguished from the property itself. See 74 Tex. 453, 15 Am. St. Rep. 850, 12 S. W. 67.

**Quitclaim deed.** Same as Quitclaim.

**Quitrents.** Same as Chief rents.

**Quittance.** Discharge; release.

**Quivis praesumitur bonus donec probetur contrarium.** Anyone is presumed honest until the contrary is proved.

**Quo animo.** With what intent.

**Quo jure.** By what right.

**Quo ligatur, eo dissolvitur.** By that by which it is bound it is released.

**Quo minus.** By which not. A technical term representing inability to pay one's debt to the king, by which fiction the plaintiff secured jurisdiction in the exchequer. See 3 Bl. Comm. 46.

**Quo modo quid constituitur, dissolvitur.** In that manner in which it is created, it may be destroyed.

**Quo modo quid constituitur eodem modo dissolvitur.** By the means by which it is constituted, it is by the same means dissolved.

**Quo warranto.** A writ issuable by the state at will and of right, and is a demand made by it upon an individual, to show by what right he exercises a franchise which cannot lawfully be exercised, except by virtue of some grant or authority emanating from it. See 3 Ark. 570, 36 Am. Dec. 460.

**Quoad hoc.** As to this matter.

**Quocumque modo velit, quocumque modo possit.** In whatever way he wishes, in whatever way he can.

**Quocunque modo velit, quocunque modo possit.** In whatever way he wishes, in whatever way he can. See 14 Johns. (N. Y.) 484.

**Quod a quoque poenae nomine exactum est id eidem restituere nemo cogitur.** No one is compelled to restore that which has been exacted as a penalty.

**Quod ab initio non valet, in tractu temporis non convalescet.** What is not valid in the beginning is not cured by lapse of time. See 5 Pick. (Mass.) 27.

**Quod ad jus naturale attinet, omnes homines aequales sunt.** It holds good according to natural right that all men are equal.

**Quod aedificatur in area legata cedit legato.** That which is erected upon a devised lot goes with the devise.

**Quod alias bonum et justum est, si per vim vel fraudem petatur, malum et injustum efficitur.** That which is otherwise good and just, becomes wicked and unjust if sought by fraud or force.

**Quod alias non fuit licitum necessitas licitum facit.** Necessity makes lawful that which would not otherwise be lawful.

**Quod approbo non reprobo.** What I ratify I cannot repudiate.

**Quod attinet ad jus civile, servi pro nullis habetur, non tamen et jure naturali, quod ad jus naturale attinet, omnes homines aequali sunt.** As it pertains to the civil law, slaves are regarded as nobodies, not so, however, by natural law, for as it pertains to natural law, all men are equal.

**Quod billa cassetur.** That the bill be quashed.

**Quod breve cassetur.** That the bill be quashed.

**Quod cepit et asportavit.** Because he took and carried away. See 6 Hill (N. Y.), 144.

**Quod computet.** That he account. See Judgment quod computet.

**Quod concessum fuit.** Which was conceded.

**Quod constat clare, non debet verificari.** That which clearly appears need not be proved.

**Quod constat curiae opere testium non indiget.** That which is clear to the court does not require the trouble of witnesses.

**Quod contra juris rationem receptem est, non est producendum ad consequentias.** That which has been received contrary to the reason of the law should not be drawn into a precedent.

**Quod contra legem fit, pro infecto habetur.** That which is done contrary to law is regarded as not done.

**Quod cum.** That whereas.

**Quod curia concessit.** Which the court granted.

**Quod datum est ecclesiae, datum est Deo.** That which is given to the church is given to God.

**Quod demonstrandi causa additur rei satis demonstratae, frustra fit.** That which is added by way of description to a thing, already sufficiently described, is superfluous.

**Quod dubitas, ne feceris.** Do not do that which you have doubt about.

**Quod ei deforceat.** Because he deforces him.

**Quod enim ante nullius est, id naturali ratione occupanti conceditur.** For that which previously belonged to no one becomes by natural reason the property of an occupant. See 74 Me. 452, 43 Am. Rep. 600.

**Quod enim semel aut bis existit, praetereunt legislatores.** Legislators ignore that which has only happened once or twice.

**Quod est ex necessitate nunquam introducitur nisi quando necessarium.** That which exists from necessity is never introduced excepting when necessary.

**Quod est inconveniens, aut contra rationem non permissum est in lege.** That which is inconvenient or against reason is not permitted in law.

**Quod est necessarium est licitum.** That which is necessary is lawful.

**Quod factum est, cum in obscuro sit, ex affectione cujusque capit interpretationem.** When it is doubtful what act was intended, it should take its construction from the disposition of him who did it.

**Quod fieri debet facile praesumitur.** What ought to be done is easily presumed.

**Quod fieri non debet, factum valet.** That which ought not to be done is valid when done.

**Quod fieri potest.** As much as possible.

**Quod fuit concessum.** Which was granted.

**Quod in jure scripto "jus" appellatur, id in lege Angliae "rectum" esse dicitur.** That which in the civil law is called "jus," is called "rectum" in the law of England.

**Quod in minori valet, valebit in majori; et quod in majori non valet, nec valebit in minori.** That which avails in the less will avail in the greater; and that which does not avail in the greater will not avail in the less.

**Quod in uno similium valet, valebit in altero.** That which is valid in one of two similar things is valid in the other.

**Quod inconsulto fecimus, consultius revocemus.** That which we do without consideration, we should revoke upon further consideration.

**Quod initio non valet, tractu temporis non valet.** That which is not valid in the beginning does not become valid by lapse of time.

**Quod initio vitiosum est non potest tractu temporis convalescere.** That which is void in the beginning cannot gain strength by lapse of time.

**Quod ipsis, qui contraxerunt, obstat, et successoribus eorum obstabit.** That which bars those who have contracted, themselves, will bar their successors also.

**Quod jussu alterius solvitur pro eo est quasi ipsi solutum esset.** That which is paid by the order of another is as to him just as if it had been paid to himself.

**Quod meum est sine facto meo vel defectu meo amitti vel in alium transferri non potest.** That which is mine cannot be transferred to another without either my act or my default.

**Quod meum est, sine facto sive defectu meo amitti seu in alium transferri non potest.** That which is mine cannot be transferred to another without either my act or default.

**Quod meum est sine me auferri non potest.** That which is mine cannot be taken away without me.

**Quod minus est in obligationem videtur deductum.** That which is the lesser sum is deemed to be incorporated in the contract.

**Quod naturalis ratio inter omnes homines constituit, vocatur jus gentium.** That which natural reason has established among all men is called the law of nations.

**Quod necessarie intelligitur id non deest.** That which is necessarily understood is not lacking.

**Quod necessitas cogit, defendit.** Necessity protects that which it compels.

**Quod non apparet non est, et non apparet judicialiter ante judicium.** That which appears not is not, and nothing appears judicially prior to judgment.

**Quod non capit Christus, capit ficus.** The treasury takes what the church does not take.

**Quod non fuit negatum.** Which was not denied.

**Quod non habet principium non habet finem.** That which has no beginning has no end.

**Quod non legitur, non creditur.** That is not believed which is not read.

**Quod non valet in principali, in accessorio seu consequenti non valebit; et quod non valet in magis propinquo, non valebit in magis remoto.** That which is not valid as to the principal matter is not valid as to the accessory or consequential matter; and that which is not valid as to the more proximate matter is not valid as to the more remote matter.

**Qui non obstat quo obstare potest, facere videtur.** He who does not prevent that which he can prevent, is deemed to do the act.

**Qui non prohibet cum prohibere possit jubet.** He who does not forbid when he can, orders.

**Quod nota.** Which note; of which take notice.

**Quod nullius esse potest, id ut alicujus fieret nulla obligatio valet efficere.** No agreement is effective to bring it about that that which can belong to no one shall become the property of someone.

**Quod nullius est, est domini regis.** That which belongs to no one is the property of our lord the king.

**Quod nullius est, id ratione naturali occupanti conceditur.** That which belongs to no one, by natural reason is yielded to the occupier thereof.

**Quod nullum est, nullum producit effectum.** That which is a nullity, produces no effect.

**Quod omnes tangit, ab omnibus debet supportari.** That which affects all ought to be supported by all.

**Quod partes replacitent.** See Judgment quod partes, etc. See, also, Repleader.

**Quod partitio fiat.** That a partition be made. See Judgment quod partitio fiat.

**Quod pendet, non est pro eo, quasi sit.** That which is pending just as if it were nonexistent.

**Quod per me non possum, nec per alium.** That which I cannot do myself, I cannot do through another.

**Quod per recordum probatum, non debet esse negatum.** That which is proved by the record ought not to be denied.

**Quod permittat.** A writ commanding the defendant to permit the plaintiff to enjoy his common as he ought. See 3 Bl. Comm. 240.

**Quod permittat prosternere.** A writ to cause one to permit the abatement of a nuisance.

**Quod populus postremum jussit, id jus ratum esto.** What the people have last commanded, let that be the settled law. See 12 Allen (Mass.), 434.

**Quod primum est intentione ultimum est in operatione.** What is first in intention is last in operation.

**Quod principi placuit, legis habet vigorem.** That which pleases the ruler has the force of law. See 71 Kan. 206, 70 L. R. A. 971, 80 Pac. 571.

**Quod principi placuit, legis habet vigorem, ut pote cum lege regia, quae de imperio ejus lata est, populus ei et in eum omne suum imperium et potestatem conferat.** That which pleases the prince has the force of law; since by the royal law, which has been promulgated concerning his supreme power, the people have conferred upon him all of its authority and power.

**Quod prius est verius est; et quod prius est tempore potius est jure.** That which is prior is the more true, and that which is prior in time is more powerful in law.

**Quod pro minore licitum est, et pro majore licitum est.** That which is lawful in respect to a less thing, is lawful as to a greater.

**Quod prostravit.** A judgment ordering the abatement of a nuisance.

**Quod pure debetur praesenti die debetur.** That which is entirely due is due on the present day.

**Quod quis ex culpa sua damnum sentit, non intelligitur damnum sentire.** Anyone who incurs loss from his own fault is deemed not to have incurred loss.

**Quod quis sciens indebitum dedit hac mente, ut postea repeteret, repetere non potest.** That which anyone has given, knowing that it is not due, with the intent that he shall afterward recover it, he cannot recover

**Quod quisquis norit in hoc se exerceat.** Let each employ himself in that which he understands.

**Quod recuperet** That he recover. See Judgment **quod recuperet.**

**Quod redeat inde quietus in perpetuum, et quaerens in misericordia.** That he go thence exonerated forever and that the plaintiff be in mercy.

**Quod remedio destituitur ipsa re valet si culpa absit.** That which lacks a remedy is valid in itself if there is no fault.

**Quod salvum fore receperint.** Which they received for safe keeping.

**Quod semel aut bis existit praetereunt legislatores.** Legislators ignore that which has happened but once or twice.

**Quod semel meum est amplius meum esse non potest.** That which is once mine cannot be mine more completely.

**Quod semel placuit in electione, amplius displicere non potest.** That which has once satisfied one in making his election he cannot thereafter be displeased with.

**Quod si contingat.** Which, if it happens.

**Quod solo inaedificatur solo cedit.** That which is built into the soil goes with the soil. See 16 Mass. 449.

**Quod stet prohibitio.** That the prohibition stand.

**Quod sub certa forma concessum vel reservatum est, non trahitur ad valorem vel compensationem.** That which is granted or reserved under a certain form cannot be twisted into a valuation or compensation.

**Quod subintelligitur non deest.** That which is understood is not lacking.

**Quod tacite intelligitur deese non videtur.** That which is silently understood is not deemed to be lacking.

**Quod vanum et inutile est, lex non requirit.** The law does not require what is vain and useless.

**Quod vero contra rationem juris receptum est, non est producendum ad consequentias.** That which has in truth been received against the reason of the law, is not to be twisted into a precedent.

**Quod vide.** Which see, abbreviated q. v.

**Quod voluit non dixit.** What he desired to say, he did not say.

**Quodcunque aliquis ob tutelam corporis sui fecerit jure id fecisse videtur.** Whatever anyone has done for the protection of his body is deemed to have been rightly done.

**Quodque dissolvitur eodem modo quo ligatur.** A thing is released in the same manner in which it is bound.

**Quomodo quid constituitur eodem modo dissolvitur.** In that manner in which it is created, in the same manner it may be destroyed.

**Quomodo quo quid constituitur, dissolvitur.** In that manner in which it is created, it may be destroyed.

**Quorum.** Usually a majority, at least, of the individuals constituting a board or body. See 7 Cow. (N. Y.) 402, 17 Am. Dec. 525.

**Quota.** The whole number of men assigned to a district for military duty. See 59 Hun (N. Y.), 627, 14 N. Y. Supp. 211.

**Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit.** Whenever the construction of liberty is doubtful, it shall be resolved in favor of liberty.

**Quotiens idem sermo duas sententias exprimit, ea potissimum accipiatur, qui rei gerendae aptior est.**

Whenever the same language expresses two meanings, that is to be accepted as preferable which is more apt for carrying out the plan.

**Quotient verdict** One arrived at by dividing by 12 the sum of the amount estimated by each juror. See Misc. Rep. 322, 23 N. Y. Supp. 23.

**Quoties in stipulationibus ambigua oratio est, commodissimum est id accipi quo res de quo agitur in tuto sit.** Whenever in stipulations the language is ambiguous, it is most correct to accept it in that sense by which the matter with which it deals may be in safety.

**Quoties in verbis nulla est ambiguitas, ibi nulla expositio contra verba expressa fienda est.** Whenever there is no ambiguity in words, then no explanation contrary to the expressed words should be made.

**Quousque.** Until.

**Quovis modo.** In whatever way.

**Quum.** When.

**Quum de lucro duorum quaeratur, melior est conditio possidentis.** When the advantage of one of two persons is sought, the condition of the one in possession is the better.

**Quum in testamento ambigue aut etiam perperam scriptum est, benigne interpretari et secundum id quod credible est cogitatem credendum est.** When in a will, it is written ambiguously or even incorrectly, it is to be construed liberally and according to what is believed to be the presumable intent.

**Quum principalis causa non consistit ne ea quidem quae sequuntur locum habent.** When the principal cause does not stand neither do those which follow it have a place.

**Quum quod ago non valet ut ago, valeat quantum valere potest.** When what I do is not valid as I do it, let it be valid to such an extent as it can be.

# R

**R.** Range, which see.

**R. G.** Regulae generales, which see.

**Rachater.** To redeem; to ransom.

**Rachetum.** Redemption; ransom.

**Rack.** An instrument upon which the body of the victim was stretched by degrees for the purpose of extorting a confession from him.

**Rack rent.** The full value of land as rent.

**Radmans.** Same as Redmen.

**Raencon.** A ransom.

**Raffle.** A game of even chance. See 21 Tex. 692.

**Railroad.** A graded road or way on which rails of iron or steel are laid for the wheels of cars to run upon, carrying heavy loads, usually propelled by steam. See 61 Minn. 435, 52 Am. St. Rep. 608, 29 L. R. A. 208, 63 N. W. 1099.

**Railroad commission.** A state board with the power and duty of regulating railroad rates. See 78 Fed. (U. S.) 236.

**Railway.** Synonymous with Railroad. See 147 Pa. St. 579, 30 Am. St. Rep. 763, 23 Atl. 884.

**Raise.** To produce; to present.

**Raise a rate.** To levy a tax.

**Ran.** Robbery.

**Range.** In U. S. land surveys, one of a series or tier of townships in a row parallel to and east or west of a given prime meridian. See Township.

**Rank.** Station; honor; dignity.

**Ransom.** Sum paid to release a person or property captured in war; a heavy fine; a sum paid for a pardon.

**Ransom-bill.** A contract to pay for property captured in war at sea and providing for its safe conduct.

**Rape.** The carnal knowledge of a female, forcibly and against her will. See 53 Ark. 425, 22 Am. St. Rep. 229, 14 S. W. 645.

**Rape of the forest.** Forcible trespass within a park or forest.

**Rapina.** Robbery.

**Raptor.** A ravisher.

**Raptu haeredis.** See De raptu haeredis.

**Raptus.** Rape.

**Rapuit.** He ravished.

**Rascal.** A term conveying the idea of moral turpitude. See 2 Mill Const. (S. C.) 235.

**Rasura.** An erasure.

**Rasure.** An erasure.

**Rasus.** Erased.

**Ratable polls.** Taxable persons.

**Ratably.** Pro rata, which see.

**Ratam rem habere.** To consider the matter as ratified.

**Rate.** A tax; an assessment.

**Rate of exchange.** The actual value there of a bill drawn on a foreign country.

**Rate tithes.** Tithes charged ratably on the property within the parish.

**Ratification.** The adoption of a previously formed contract, relating back and rendering it obligatory from the outset. See 83 Va. 26, 1 S. E. 395.

**Ratify.** To give validity to the act of another, implying that the ratifier has at the time power to do the act ratified. See 118 U. S. 425, 30 L. Ed. 178, 6 Sup. Ct. Rep. 1121.

**Ratihabitation.** Ratification.

**Ratihabitio.** Ratification.

**Ratihabitio mandato aequiparatur.** Ratification is equivalent to a command. See 20 Pick. (Mass.) 95.

**Ratihabitio mandato comparatur.** Ratification is held to be the equivalent of a command. See 154 Mass. 330, 26 Am. St. Rep. 249, 13 L. R. A. 219, 28 N. E. 279.

**Ratihabitio priori mandato aequiparatur.** Ratification is equivalent to a previous command. See 5 N. Y. Super. Ct. 137.

**Rating.** The classification of a vessel as a marine insurance risk. See 68 U. S. 456, 17 L. Ed. 505.

**Ratio.** Relative amount; proportion. See 30 App. Div. 24, 51 N. Y. Supp. 897. Reason; plan.

**Ratio decidendi.** The ground of the decision.

**Ratio est formalis causa consuetudinis.** Reason is the molding cause of custom.

**Ratio est legis anima; mutata legis ratione mutatur et lex.** Reason is the spirit of the law; by a change in the reason of the law, the law is also changed.

**Ratio est radius divini luminis.** Reason is a ray of divine light.

**Ratio et auctoritas duo clarissima mundi lumina.** Reason and authority are the two most shining lights of the world.

**Ratio impertinens.** An impertinent reason; and argument not pertaining to the question. See 90 Fed. (U. S.) 33.

**Ratio in jure aequitas integra.** Reason in law is impartial equity.

**Ratio legis.** The reason of the law.

**Ratio legis est anima legis.** The reason of the law is the spirit of the law.

**Ratio non clauditur loco.** Reason is not confined to place.

**Ratio pertinens.** A pertinent reason; one pertaining to the question. See 90 Fed. (U. S.) 33.

**Ratio potest allegari deficiente lege, sed vera et legalis et non apparens.** The law being deficient, reason can be alleged, but it must be true and legal and not merely apparent.

**Rationabili parte bonorum.** See De rationabili parte bonorum.

**Rationabilis.** Reasonable.

**Rational.** Sane.

**Rational doubt.** Reasonable doubt, which see.

**Rational intent.** One founded on reason, as a faculty of the mind, and opposed to an irrational purpose. See 198 Ill. 365, 64 N. E. 1058.

**Rationalibus divisis.** See De rationalibus divisis.

**Ratione contractus.** By reason of the contract.

**Ratione impotentiae.** By reason of impotence.

**Ratione loci.** By reason of locality.

**Ratione materiae.** By reason of the matter in hand.

**Ratione personae.** By reason of the person concerned.

**Ratione privilegii.** By reason of privilege.

**Ratione soli.** On account of the soil, i. e., the ownership of it.

**Ratione tenurae.** By reason of tenure.

**Rationes.** Pleadings.

**Rattening.** Concealing a workman's tools to force him into a union.

**Ratum.** Rated as valid; deemed valid.

**Raunsom, or Raunsome.** Ransom.

**Ravish.** To rape. See 74 Mass. 489, 69 Am. Dec. 264.

**Ravishment.** Rape; abduction of a woman or a ward.

**Ravishment de gard.** The abduction of a ward.

**Re.** In the case of; in the matter of.

**Re. fa. lo.** Recordari facias loquelam, which see.

**Re, verbis, scripto consensu, traditione, junctura vestes sumere pacta solent.** Compacts are wont to take their clothing from the subject matter, from the words, the writing, the consent and the delivery.

**Read law.** To take up the study of law with the purpose of being admitted to the bar and practicing the profession. See 169 Pa. 602, 32 Atl. 654.

**Ready money.** Cash.

**Real.** Regal; royal.

**Real action.** An action in which the title to real estate is actually brought into question. See 16 Mass. 448.

**Real advancement.** An advancement of a portion of the parent's real estate. See 3 Rand. (Va.) 559. See, also, Advancement.

**Real assets.** Property which goes to the heir and not to the executor. See 2 Bl. Comm. 244.

**Real chattel.** Same as Chattel interest.

**Real chymin.** A royal road.

**Real composition.** Same as Composition of tithes.

**Real contract.** A contract concerning realty; in the Civil Law, a contract having some specific thing for its subject matter.

**Real covenant.** One whereby a man binds himself to pass real property; one which runs with the land. See 47 Am. Dec. 569, note.

**Real estate.** Real property, which see.

**Real estate broker.** One who for commission or other compensation is engaged in the selling of, or negotiating sales of, real estate belonging to others. See 50 Minn. 195, 36 Am. St. Rep. 637, 16 L. R. A. 423, 52 N. W. 385.

**Real evidence.** Evidence consisting of exhibits physically brought into court.

**Real injury.** An injury by an act, not by words.

**Real party in interest.** One who is entitled to the avails of a suit. See 22 Neb. 681, 35 N. W. 869.

**Real property.** Lands; tenements; hereditaments; any interest in land. See 137 Cal. 354, 70 Pac. 459.

**Real release.** One wherein the creditor declares that he considers the debt as acquitted, an equivalent of payment. See 8 Gratt. (Va.) 560.

**Real representative.** One's representative as to his real property. See Representative.

**Real security.** Security on property, as distinguished from personal security. See 173 U. S. 131, 43 L. Ed. 640, 19 Sup. Ct. Rep. 360.

**Real services.** Such as one estate owes to another, or the right of doing something or of having a privilege in one man's land for the advantage of the owner of another's land. See 20 Ohio, 401, 55 Am. Dec. 464.

**Real servitude.** One which the owner of an estate enjoys on a neighboring estate for the benefit of his own.

**Real statute.** One which controls things and does not extend beyond the limits of the country from which it derives its authority. See 5 Mart. (N. S.) (La.) 569, 16 Am. Dec. 212.

**Real things.** Real property.

**Real wrong.** An injury to real property.

**Reality.** Having actuality or a bona fide existence, as a claim. See 43 N. J. Eq. 377, 12 Atl. 369.

**Realm.** A state; a sovereignty. See 96 Mo. 149, 9 Am. St. Rep. 328, 8 S. W. 907.

**Realty.** Same as Real property.

**Ream linguam non facit nisi mens rea.** The tongue is not guilty unless the mind is guilty.

**Reasonable and probable cause.** Same as Probable cause.

**Reasonable belief.** One begotten by attendant circumstances fairly creating it, and honestly entertained. See 110 Ala. 92, 20 South. 365.

**Reasonable care.** That degree of care which a person of ordinary prudence would exercise under a given state of facts in doing or refraining from doing the act or omission in question. See 127 Tenn. 154, Ann. Cas. 1914B, 1020, 153 S. W. 1120.

**Reasonable cause.** The existence of a reasonable ground of presumption that a charge is or may be well founded. See 16 Pet. (U. S.) 342, 10 L. Ed. 987.

**Reasonable compensation.** Just compensation. See 159 U. S. 380, 40 L. Ed. 188, 16 Sup. Ct. Rep. 43.

**Reasonable creature.** A human being, including a lunatic, an idiot, an unborn child, or a slave. See Walk. (Miss.) 83.

**Reasonable diligence.** Such as an ordinarily prudent and diligent person would exercise under similar circumstances. See 31 Tex. Civ. App. 662, 73 S. W. 857.

**Reasonable doubt.** A doubt which is agreeable or conformable to reason. See 48 Am. St. Rep. 567, note.

**Reasonable part.** The portion of a man's goods which by law went to his wife and children at his death.

**Reasonable provocation.** Adequate, sufficient, lawful, or legal provocation. See 74 Mo. 207.

**Reasonable prudence.** Same as Ordinary care.

**Reassurance.** Same as Reinsurance.

**Reattachment.** An attachment of a defendant's person following a release from a prior one in the same action.

**Rebate.** To abate or deduct from; to make a discount from for prompt payment. See 83 Me. 261, 22 Atl. 164, quoting Webster.

**Rebel.** One who participates in a rebellion.

**Rebellion.** Such an insurrection against lawful authority as is void of all appearance of justice. See 10 R. I. 244.

**Rebellion, Commission of.** See Commission of rebellion.

**Rebouter.** To rebut; to repel; to bar.

**Rebus sic stantibus.** While things thus stand.

**Rebut.** To deny; to contradict; to avoid.

**Rebuttable presumption.** A presumption which becomes conclusive unless contradicted by evidence.

**Rebuttal.** Testimony addressed to evidence produced by the opposite party. See 69 Cal. 255, 10 Pac. 674.

**Rebutter.** A defendant's pleading answering a surrejoinder. See Surrejoinder.

**Rebutting evidence.** Evidence contradicting that of the opposite side, or denying some affirmative fact which the answering party is trying to prove. See 51 La. Ann. 228, 25 South. 109.

**Recall.** To set aside; to vacate; to remove an officer by popular vote.

**Recaption.** The retaking of goods by one who has been wrongfully dispossessed of them. See 41 U. S. 539, 10 L. Ed. 1060.

**Recapture.** The capture of captured goods by troops friendly to the owner.

**Receditur a placitis juris potius quam injuriae et delicta maneant impunita.** Settled law will be departed from rather than that wrongs and crimes remain unpunished.

**Receipt.** An acknowledgment of payment or delivery. See 9 Mo. 193.

**Receipt in full.** One containing a declaration of the payment of a certain sum in full of all claims of a certain kind, or of all demands. See 48 N. Y. 204, 8 Am. Rep. 539.

**Receiptor.** One to whom attached goods are intrusted by the officer making the levy.

**Receiver.** An indifferent person between the parties to a cause, appointed by the court to receive and preserve the property or fund in litigation, and receive its rents, issues and profits, and apply or dispose of them at the direction of the court, when it does not seem reasonable that either party should hold them. See 71 Am. St. Rep. 353, note.

**Receiver general of the public revenue.** An English county tax collector.

**Receiver of stolen property.** One who receives into his possession or under his control, with felonious intent, any stolen goods or chattels with knowledge that they have been stolen. See 204 Ill. 233, 68 N. E. 563.

**Receiver pendente lite.** One appointed to take charge of a fund or property to which the receivership extends while the case remains undecided. See 71 N. Y. 396, 27 Am. Rep. 60.

**Receiver's certificates.** Certificates of debt issued by a receiver by order of court, for money advanced to carry on the business and representing a first lien on the property in his hands. See 97 U. S. 146, 24 L. Ed. 895.

**Receiving stolen goods.** The crime of receiving stolen goods with knowledge of their character as such.

**Recens insecutio.** Same as Recens secta.

**Recens secta.** Fresh pursuit, which see.

**Receptus.** An arbitrator.

**Recession.** A granting back.

**Recessus.** An exit; egress.

**Recessus maris.** Receding of the sea. See Reliction.

**Recetour.** One who received or harbored a felon or an outlaw.

**Recettement.** The receiving or harboring of a felon or an outlaw.

**Recettour.** Same as Recetour.

**Rechate.** Ransom.

**Rechater.** To ransom.

**Recidive.** The condition of a recidivist.

**Recidivist.** One who has been convicted previously of a similar crime.

**Reciprocal contract.** Same as Bilateral contract.

**Reciprocal demands.** Mutual accounts. See 79 N. Y. 1, 35 Am. Rep. 496.

**Reciprocal will.** Same as Mutual will.

**Recital.** A statement of introductory matter in a written instrument or a pleading.

**Reckless.** Simple negligence; want of due care; more than heedlessness or negligence. See 114 Ala. 492, 62 Am. St. Rep. 116, 22 South. 279.

**Reclaim.** To claim again; to demand; to domesticate an animal fera naturae.

**Reclaimed animals.** Domesticated animals which are wild by nature.

**Reclusion.** Incarceration under a sentence to undergo an infamous punishment, with civil degradation. See 47 La. Ann. 367, 16 South. 952.

**Recognition.** Ratification; adoption.

**Recognition of belligerency.** An accordance by a foreign government of belligerent rights to another mass or body of people engaged in civil war, by which such people are granted the rights of civilized warfare and assume the burdens thereof. See 25 Fed. (U. S.) 408.

**Recognitors.** Jurors impaneled on an assize. See 17 Serg. & R. (Pa.) 174.

**Recognizance.** An obligation of record. See 37 Fed. (U. S.) 470, 2 L. R. A. 229. A bond. See 70 Conn. 557, 40 Atl. 531. The verdict of an assize.

**Recognize.** To try a question of fact; to ratify; to become bound by a recognizance.

**Recognizee.** The promisee in a recognizance.

**Recognizor.** The promisor in a recognizance.

**Recommendatory.** Same as Precatory.

**Recommit.** To commit one to prison again.

**Recompense.** Reward; compensation; remuneration.

**Recompense of recovery in value.** The matter recovered in a common recovery after the vouchee has disappeared and judgment is given for the demandant. See 2 Bouvier Inst. n. 2093.

**Reconduction.** (Civil Law) A renewal of a lease.

**Reconsideration.** The taking up for consideration anew that which has been passed or acted on previously. See 48 App. Div. 428, 63 N. Y. Supp. 317.

**Reconstruction.** Work done on a structure which has been demolished as a whole or in part. See 50 La. 378, 69 Am. St. Rep. 436, 23 South. 373. See, also, Repairs.

**Recontinuance.** The recovery back of an incorporeal hereditament tortiously divested.

**Reconvenire.** To plead a cross-demand.

**Reconventio.** (Civil Law) A cross-demand.

**Reconvention.** A statutory cross-demand more extensive than either setoff or recoupment. See 132 U. S. 531, 33 L. Ed. 450, 10 Sup. Ct. Rep. 166. See, also, Setoff; Recoupment.

**Recoop.** Same as Recoupe.

**Record.** That on which a cause is submitted to an appellate court, and may include the transcript of all papers on file in the case and all entries in the record book, but not the evidence. See 143 Iowa, 578, 21 Ann. Cas. 231, 121 N. W. 685. A written history of the proceedings in a cause from the beginning to the end. See 147 U. S. 695, 37 L. Ed. 335, 13 Sup. Ct. Rep. 479. To recite; to repeat; to transcribe. See 126 Ala. 425, 85 Am. St. Rep. 42, 51 L. R. A. 396, 28 South. 497. To file for record in a public office where the document is entitled to be recorded. See 1 Rand. (Va.) 102. See, also, Court of record; Public record.

**Record, Conveyance by.** See Conveyance by record.

**Record, Debt of.** See Debt of record.

**Record of nisi prius.** A transcript of the pleadings and the issue.

**Record title.** A title appearing by the recorded conveyances to be valid.

**Record, Trial by.** See Trial by record.

**Recorda sunt vestigia vetustatis et veritatis.** Records are the vestiges of posterity and truth.

**Recordari.** A substitute for an appeal from a judgment of a court not of record, where the appeal has been lost by fraud or accident. See 64 N. C. 262.

**Recordari facias loquelam.** Let the complaint be recorded. See 3 Bl. Comm. 34.

**Recordatur.** Let it be entered of record.

**Recorder.** A county officer in charge of the public records; the judge of the municipal court in many small towns; in New York city, the chief judge of the criminal courts.

**Recordum.** A record.

**Recount.** A counting over again in an election contest of the ballots cast.

**Recoupe.** To set up a recoupment in defense.

**Recoupment.** A defense which has the effect of summing up the grievances on each side, instead of the plaintiff's side only, strikes a balance, and gives the difference to the plaintiff, if it is in his favor. See 40 Am. Dec. 322, note.

**Recourse.** See Indorsement without recourse.

**Recourse.** Recaption.

**Recover.** To acquire by litigation; to receive; to come into possession of. See 254 Ill. 524, Ann. Cas. 1913C, 65, 40 L. R. A. (N. S.) 529, 98 N. E. 963.

**Recoverable.** Susceptible of being regained. See 50 C. C. A. 260, 55 L. R. A. 344, 112 Fed. 311.

**Recoveree.** One who suffered a common recovery. See Common recovery.

**Recoverer.** A demandant who has recovered a judgment in a common recovery.

**Recovery.** The award of a judgment in one's favor. See, also, Common recovery.

**Recovery by double voucher.** A form of common recovery wherein the writ was brought against one to whom a conveyance was made as a matter of form and who vouched the real tenant, the latter vouching the common vouchee.

**Recreant.** A coward.

**Recrimination.** A showing by a defendant of any cause of divorce against the plaintiff in bar of the plaintiff's cause of divorce. See

74 Cal. 489, 5 Am. St. Rep. 460, 16 Pac. 248.

**Recte.** Rightly.

**Rectifier.** One who purifies spirits in any manner, or who mixes them with anything else and sells them under any name. See 20 Fed. Cas. (U. S.) 107.

**Rectify.** To correct; to amend; to refine by distillation; to sublimate. See 64 Pa. 100.

**Recto.** See De recto.

**Recto de advocatione.** See De recto de advocatione.

**Recto de dote.** See De recto de dote.

**Recto de rationabili parte.** See De rationabili parte.

**Recto patens.** See De recto patens.

**Recto sur disclaimer.** An old writ which the lord had against his tenant upon the latter's disclaimer. See Disclaimer of tenure.

**Rector.** A church officer who presided over a parsonage.

**Rector provinciae.** A Roman provincial governor.

**Rectoral tithes.** Same as Great tithes.

**Rectory.** A glebe, tithes and oblations established for the maintenance of a parson or rector. See 13 U. S. 292, 3 L. Ed. 735.

**Rectum.** Right.

**Rectum esse.** To be right.

**Rectum ragare.** To pray or petition for right.

**Rectum, Stare ad.** See Stare ad rectum.

**Rectus in curia.** Right in court; exonerated.

**Recuperatio, i. e., ad rem injuriam extortam sive detentam, per sententiam judicis restitutio.** Recovery, that is, restitution through the judgment of a court of a thing wrongfully extorted or detained.

**Recuperatores.** Roman judges.

**Recurrendum est ad extraordinarium quando non valet ordinarium.** Recourse must be had to the extraordinary when the ordinary does not succeed.

**Recurrent insanity.** Insanity which returns from time to time. See 22 Tex. App. 279, 58 Am. Rep. 638, 3 S. W. 539.

**Recusable.** See Irrecusable.

**Recusant.** One who refused to admit the ecclesiastical supremacy of the king or to attend the English church.

**Recusatio testis.** (Civil Law) The rejection of a witness.

**Recusation.** An exception to the qualification of a judge to try the cause or to that of a witness to testify.

**Red book of the exchequer.** A very old record of the exchequer.

**Red tape.** Order carried to fastidious excess. See 55 Ga. 431.

**Reddendo singula singulis.** Each word should be interpreted distributively. See 101 Va. 537, 63 L. R. A. 920, 44 S. E. 904.

**Reddendum.** The clause in a deed or other conveyance whereby the grantor creates a reservation in himself. See Reservation.

**Reddere.** To return; to render.

**Reddidit se.** An indorsement on a bail piece when the proper officer has certified that the defendant is in custody.

**Redditarium.** Rent.

**Reddition.** A surrender; a restoration.

**Redditus siccus.** Same as Reditus siccus.

**Redeem.** To purchase back; to retain, as mortgaged property, by paying what is due; to receive back by paying the obligation. See 47 Ohio St. 141, 24 N. E. 496.

**Redelivery bond.** A bond filed by a defendant in an attachment or a replevin case to obtain the release of his property from the custody of the officer pending the action. See 24 Or. 198, 33 Pac. 563.

**Redemption.** A redeeming. See Redeem; Equity of redemption; Right of redemption.

**Redemption, Equity of.** See Equity of redemption.

**Redemptioner.** One who holds a right of redemption. See Right of redemption.

**Redemptiones.** Redemptions; ransomings; briberies; heavy fines.

**Red-handed.** In the act of committing the crime.

**Redhibition.** (Civil Law) The return of a damaged article after purchase.

**Redhibitory defect.** Such a defect in the article as would warrant the vendee in returning it.

**Redhibitory vice.** Same as Redhibitory defect.

**Rediscounted note.** One held by a bank, which it indorses and procures another bank to discount. See 41 C. C. A. (U. S.) 652, 101 Fed. 746.

**Redisseisin.** A disseisor's repeated disseisin.

**Reditu.** Rents; revenue; income.

**Reditus albi.** White rents, which see.

**Reditus assisus.** A fixed rent.

**Reditus capitales.** Chief rents, which see.

**Reditus nigri.** Black rents, which see.

**Reditus quieti.** Quit rents, which see.

**Reditus siccus.** Rent seck, which see.

**Redmans.** Same as Redmen.

**Redmen.** Tenants who rendered customary service of riding with or for the lord.

**Redobatores.** Thieves who dyed cloth to conceal their larceny of it.

**Redraft.** The drawing of a new bill of exchange on the drawer or indorser of a protested one by the holder of the latter bill.

**Redraw.** To make a redraft.

**Redress.** Remedy; indemnity; reparation.

**Redubbers.** Same as Redobatores.

**Reduce to possession.** To change a chose in action into a tangible possession.

**Redundancy.** Needless repetition; superfluity. See 58 Wis. 666, 17 N. W. 300.

**Re-enter.** To make or effect a reentry.

**Re-entry.** The resumption of possession pursuant to a right reserved when the former possession was parted with. See 169 N. Y. 381, 62 N. E. 425. See Writ of Entry.

**Reeve.** See Borough-reeve; Shire-reeve; Tithing-reeve.

**Re-exchange.** The expense incurred by a bill of exchange being dishonored in a foreign country, in which it was payable, and returned to the country in which it was made or indorsed and there taken up. See 5 Me. 174.

**Refalo.** Same as Re. fa. lo.

**Refection.** Restoration; restitution.

**Refer.** To submit a cause to a reference. See **Reference.** See, also, 22 Me. 34.

**Referee.** An officer of the court appointed for a specific purpose, as to take testimony. See 1 S. D. 182, 46 N. W. 193.

**Referee in bankruptcy.** A judicial officer with jurisdiction to hear and determine bankruptcy causes.

**Referee in case of need.** A person named by the drawer or indorser of a bill to whom the holder may resort in case of need.

**Reference.** The sending of any matter by the court of chancery to a master, or by a law court to a prothonotary, to examine it. See 7 Ind. 49.

**Referendarius.** A Roman officer who laid the causes of petitioners before the emperor.

**Referendo singula singulis.** The words or expressions should be construed distributively.

**Referendum.** An ambassador's submission to his government of a proposition in reference to which he requires further authority in order to act; the submission to popular vote of a proposed measure to become a law if ratified at the election.

**Refinement.** Verbiage in an indictment which sets forth what is not essential to the constitution of the offense. See 24 N. C. 372.

**Reform.** To exercise the power of the court in reducing an instrument to the terms agreed upon by the parties. See 70 Vt. 487, 41 Atl. 437.

**Reform school.** See Reformatory.

**Reformation.** The equitable remedy of correcting a written instrument which fails to express the real agreement of the parties. See 76 Wis. 66, 44 N. W. 839.

**Reformatory.** A substitute for a jail or penitentiary for the punishment and reformation of the youth of both sexes who have committed minor offenses. See 105 Tenn. 399, 58 S. W. 483.

**Refresh the memory.** To refer to something connected with the subject matter in order to bring it back to the mind of the witness.

**Refresher.** One of a series of fees paid to a barrister at intervals during the progress of a litigation.

**Refuge.** A place to which a fugitive from justice has fled. See 25 Tex. App. 372, 8 Am. St. Rep. 440, 8 S. W. 645.

**Refund.** A repayment or restoration of money previously paid; to refinance a debt, such as a bonded debt or a public debt.

**Refuse.** To fail to comply with a demand. See 72 Mass. 224.

**Reg. gen.** Regula generalis, which see; Regulae generalis, which see.

**Reg. Jud.** Register of judicial writs.

**Reg. lib.** The Register Book of the English chancery court.

**Reg. Orig.** The register of original writs.

**Regal fishes.** Same as Royal fishes.

**Regalia.** (Spanish) The right of a sovereign over anything which a subject has a right or property or propriedad. See 15 Cal. 530.

**Regalia majora.** Royal prerogatives inseparable from sovereignty. See 1 Bl. Comm. 241.

**Regalia minora.** Royal prerogative of collecting revenue. See 1 Bl. Comm. 241.

**Regard.** See Court of regard.

**Regardant.** Annexed to the manor. See 2 Bl. Comm. 93.

**Rege inconsulto.** A writ to stay proceedings which might affect the king's interests, until he could be advised.

**Regency.** The authority of one governing in the name and place of the monarch during the latter's inability or incapacity to act.

**Regent.** One governing under a regency.

**Regia dignitas est indivisibilis, et quaelibet alia derivativa dignitas est similiter indivisibilis.** Royal power is indivisible, and whatever other power is derived from it is likewise indivisible.

**Regia via.** A royal road.

**Regicide.** One who killed a king or queen; the act of so doing.

**Regidores.** See Regimiento.

**Regimiento.** (Spanish) A municipal council composed of not to exceed twelve regidores or members. See 12 Pet. (U. S.) 442, note, 9 L. Ed. 1137, 1150.

**Register.** To enter in a register; to record formally and distinctly; to enroll; to enter in a list. See 54 Hun, 637, 7 N. Y. Supp. 492. An official record. Id. The lists of electors qualified to vote. See 119 N. Y. 175, 23 N. E. 533.

**Registered bond.** A certificate of indebtedness payable at a date named, with interest at days named to a particular payee, whose name is entered on the debtor's books as the registered owner. See 55 N. J. Eq. 260, 36 Atl. 668.

**Registered tonnage.** The capacity of a ship as entered on some official record. See 54 Hun, 637, 7 N. Y. Supp. 492.

**Register's court.** (Pa.) A court with probate jurisdiction.

**Registrarius.** A notary.

**Registration.** The method of proof prescribed for ascertaining the electors who are qualified voters. See 119 N. Y. 175, 23 N. E. 523.

**Registrum omnium brevium.** A register of such writs as were suable out of the king's courts. See 3 Bl. Comm. 183.

**Registry.** Filing for record; the recording of an instrument in the proper office.

**Regnal years of British sovereigns:**

| FROM. | UNTIL. |
|---|---|
| **William I.** | |
| Oct. 14, 1066. | Sept. 9, 1087. |
| **William II.** | |
| Sept. 26, 1087. | Aug. 2, 1100. |
| **Henry I.** | |
| Aug. 5, 1100. | Dec. 1, 1135. |
| **Stephen.** | |
| Dec. 26, 1135. | Oct. 25, 1154. |
| **Henry II.** | |
| Dec. 19, 1154. | July 6, 1189. |
| **Richard I.** | |
| Sept. 23, 1189. | Apr. 6, 1199. |
| **John.** | |
| May 27, 1199. | Oct. 19, 1216. |
| **Henry III.** | |
| Oct. 28, 1216. | Nov. 16, 1272. |
| **Edward I.** | |
| Nov. 20, 1272. | July 7, 1307. |
| **Edward II.** | |
| July 8, 1307. | Jan. 25, 1327. |
| **Edward III.** | |
| Jan. 25, 1327. | June 21, 1377. |
| **Richard II.** | |
| June 22, 1377. | Sept. 30, 1399. |
| **Henry IV.** | |
| Sept. 30, 1399. | Mar. 20, 1413. |
| **Henry V.** | |
| Mar. 21, 1413. | Aug. 31, 1422. |
| **Henry VI.** | |
| Sept. 1, 1422. | Mar. 4, 1461. |

Regnal years of British sovereigns—Continued:

| FROM. | UNTIL. |
|---|---|
| **Edward IV.** | |
| Mar. 4, 1461. | Apr. 9, 1483. |
| **Edward V.** | |
| Apr. 9, 1483. | June 26, 1483. |
| **Richard III.** | |
| June 26, 1483. | Aug. 22, 1485. |
| **Henry VII.** | |
| Aug. 22, 1485. | Apr. 21, 1509. |
| **Henry VIII.** | |
| Apr. 22, 1509. | Jan. 28, 1547. |
| **Edward VI.** | |
| Jan. 28, 1547. | July 6, 1553. |
| **Mary.** | |
| July 6, 1553. | Nov. 17, 1558. |
| **Elizabeth.** | |
| Nov. 17, 1558. | Mar. 24, 1603. |
| **James I.** | |
| Mar. 24, 1603. | Mar. 27, 1625. |
| **Charles I.** | |
| Mar. 27, 1625. | Jan. 30, 1649. |
| **The Commonwealth.** | |
| Jan. 30, 1649. | May 29, 1660. |
| **Charles II.** | |
| May 29, 1660. | Feb. 6, 1685. |
| **James II.** | |
| Feb. 6, 1685. | 1688. |
| **William III and Mary.** | |
| Feb. 13, 1689. | Mar. 8, 1702. |
| **Anne.** | |
| Mar. 8, 1702. | Aug. 1, 1714. |
| **George I.** | |
| Aug. 1, 1714. | June 11, 1727. |
| **George II.** | |
| June 11, 1727. | Oct. 25, 1760. |
| **George III.** | |
| Oct. 25, 1760. | Jan. 29, 1820. |

Regnal years of British sovereigns—Continued:

| FROM. | UNTIL. |
|---|---|
| **George IV.** | |
| Jan. 29, 1820. | June 26, 1830. |
| **William IV.** | |
| June 26, 1830. | June 20, 1837. |
| **Victoria.** | |
| June 20, 1837. | Jan. 22, 1901. |
| **Edward VII.** | |
| Jan. 22, 1901. | May 7, 1910. |
| **George V.** | |
| May 7, 1910. | |

**Regnant.** Same as Regent.

**Regnum ecclesiasticum.** The ecclesiastical kingdom.

**Regnum non est divisibile.** The kingdom is not divisible.

**Regrant.** To grant again property which has come back to the grantor by operation of law since his prior grant.

**Regrating.** The buying of grain or other dead victual in any market and selling it again in the same market. 121 Tenn. 25, 130 Am. St. Rep. 748, 16 Ann. Cas. 1028, 113 S. W. 381.

**Regress.** The right of a lessee to return.

**Regula.** A rule.

**Regula. catoniana.** (Roman Law) The rule of Cato governing testamentary disposition.

**Regula est, juris quidem ignorantiam cuique nocere, facti vero ignorantiam non nocere.** The rule is, that one's ignorance of law may render him guilty, but that ignorance of fact will not.

**Regula generalis.** Singular of Regulae generales.

**Regula pro lege, si deficit lex.** In default of the law, the maxim

rules. See 202 Mo. 605, 119 Am. St. Rep. 822, 10 L. R. A. (N. S.) 1205, 100 S. W. 1090.

**Regulae generales.** General rules and orders of the English courts.

**Regulae juris.** Rules of law.

**Regular.** Agreeable to an established rule, law or principle, to a prescribed mode, or according to established customary forms. See 4 How. Pr. (N. Y.) 83.

**Regular clergy.** The clergy who belonged to some monastery or religious house, as distinguished from the secular clergy who did not.

**Regular deposit.** One contemplating the return of the very thing deposited. Cf. Irregular deposit.

**Regular election.** A general election or one provided for by law, as distinguished from a special one. See 4 Tex. 400.

**Regular indorsement.** One whereby a payee, acquiring a note from the maker indorses it to convey title to another, who, in turn, transfers the note by placing his name upon it. See 50 La. Ann. 1278, 69 Am. St. Rep. 475, 24 South. 295.

**Regular meeting.** Such as the law requires to be held. See 20 Ohio St. 288.

**Regular panel.** The jury panel drawn from the wheel, whether for the particular case or for the term or for some stated time. See 121 Mo. 22, 25 S. W. 562.

**Regular process.** That which has been lawfully issued by a court or magistrate having competent jurisdiction.—Bouv. L. Dict.

**Regular session.** A session required by law to be held, or an adjournment thereof. See 59 Me. 80.

**Regular term.** A term of court begun at the time fixed by law and continued to such time as the court may appoint, consistent with the law. See 20 Ala. 446.

**Regulariter.** Regularly; according to rule.

**Regulariter non valet pactum de re mea non alienanda.** Regularly, an agreement that I shall not alienate my property is not valid.

**Regulars.** Persons attached to and following the rites of some religious order.

**Regulate.** Held not synonymous with prohibit. See 61 Mich. 285, 1 Am. St. Rep. 578, 28 N. W. 101.

**Regulation.** A qualification, restriction of limitation modifying or destroying the original act with which it is connected. See 163 Cal. 668, Ann. Cas. 1914A, 152, 126 Pac. 875.

**Rehabere facias seisinam.** A writ to compel a sheriff to repossess a plaintiff after having seised the defendant of more than he should under a habere facias seisinam.

**Rehabilitate.** To restore one to his full rights and privileges after his undergoing sentence.

**Rehabilitation.** The act by which one is rehabilitated.

**Rehearing.** A new hearing and a new consideration of the case by the court in which the suit was originally heard, and upon the pleadings and depositions already in the case. See 43 N. J. Eq. 211, 6 Am. St. Rep. 877, 10 Atl. 385.

**Rei.** Plural of Reus.

**Rei interventus.** Intervening circumstances; circumstances creating an estoppel.

**Rei turpis nullum mandatum est.** A mandate of a base thing is a nullity.

**Reimburse.** To repay; to restore; to pay back. See 40 Neb. 85i, 25 L. R. A. 774, 59 N. W. 755.

**Reine.** Queen.

**Reinstate.** To restore to a state or office from which one has been removed. See 86 Ky. 186, 5 S. W. 567.

**Reinsurance.** A contract whereby an insured, for prudential or other reasons, relieves himself of liability and transfers it to a new insurer. See 45 Am. St. Rep. 442, note.

**Reinsurance reserve.** A fund at all times equal in amount to the aggregate policy liabilities at their then present value. See 73 Conn. 480, 47 Atl. 760.

**Reinsurance.** To effect a reinsurance.

**Reipublicae interest voluntates defunctorum effectum sortiri.** It is of interest to the state that the wishes of the dead should receive their effect.

**Reissuable notes.** Bank notes capable of reissue for circulation after they have once been paid.

**Reissued patent.** One which secures to the inventor more definitely, in some particular, those rights wherein the original patent was defective. See 104 Fed. (U. S.) 682.

**Reject.** To challenge; to disallow; to refuse. See 94 Ky. 295, 22 S. W. 318.

**Rejoinder.** A defendant's pleading in answer to a replication. See 3 Bl. Comm. 310. See, also, Replication.

**Rejoining gratis.** Filing a rejoinder without notice or demand from the plaintiff.

**Related.** Connected by ties of blood.

**Relatio est fictio juris et intenta ad unum.** Relation is a fiction of law and is intended for one purpose.

**Relatio semper fiat ut valeat dispositio.** Reference should always be so made that a (testamentary) disposition may be effective.

**Relation.** A fiction of law whereby an act or instrument is from necessity, and for the advancement of justice, permitted to take effect, at least to some intent, at a time prior to its performance or execution. See 15 Am. Dec. 246, note.

**Relations.** Usually means those related by consanguinity and not those related by affinity. See 47 N. J. Eq. 563, 24 Am. St. Rep. 416, 14 L. R. A. 342, 22 Atl. 1055.

**Relative.** One related by blood. See 83 Me. 197, 13 L. R. A. 37, 22 Atl. 115.

**Relative fact.** A circumstance; a fact relating to another fact.

**Relative impediment.** A bar to the marriage of certain related persons, because of their relationship.

**Relative powers.** Powers relating to land.

**Relative rights.** One's rights with respect to those of others.

**Relativorum cognito uno, cogniscitur et alterum.** One of related things being known, the other is also known.

**Relator.** The complaint upon the relation or information of whom a quo warranto or information is filed. See 5 Mass. 231, 4 Am. Dec. 50.

**Relatrix.** A female relator.

**Relaxare.** To release.

**Relaxatio.** A release.

**Relaxavi.** I have released.

**Release.** The abandonment of a claim or right to him against whom the claim exists or the right is to be enforced. See 50 S. W. (Tex.) 1081. A sort of convey-

ance of one's right in lands to another who has some former estate in possession. See 21 N. J. L. 347. To discharge from custody or from a lien. See, also, Real release.

**Released.** A word which indorsed on the face of a bill of lading signifies the exemption of the carrier from his common-law liability as an insurer. See 121 N. C. 514, 61 Am. St. Rep. 679, 28 S. E. 474.

**Releasee.** One to whom a release is made.

**Releasor.** One who executes a release.

**Relegatio.** (Civil Law) Exile with retention of civil rights.

**Relegation.** Temporary banishment.

**Relet.** A new letting to the lessee for a fixed and definite term such as that created by the original lease. See 138 Mass. 81.

**Relevamen.** Relief, which see.

**Relevancy.** The character or quality of being relevant.

**Relevant.** That quality of testimony which directly touches upon the issue made by the pleadings. See 58 Cal. 163.

**Relevium.** Relief, which see.

**Relict.** A surviving spouse. See 40 Ohio St. 100. A widow.

**Relicta.** The defendant's abandonment of his plea or defense to an action.

**Relicta verificatione.** A confession of judgment after having filed a plea.

**Reliction.** Land made by the recession of the water by which it was previously covered. See 186 Ill. 235, 78 Am. St. Rep. 274, 57 N. E. 867.

**Relief.** An incident to every feudal tenure, by way of fine or composition with the lord for taking up the estate, lapsed or fallen by the death of the last tenant. See 2 Bl. Comm. 65. The remedy sought by a bill in equity.

**Religio sequitur patrem.** The religion (of the child) follows (that of) the father.

**Religion.** Some system of faith and practice resting on the idea of the existence of one God, the Creator and Ruler, to whom His creatures owe obedience and love. See 159 Pa. 500, 28 Atl. 303.

**Religious assembly.** An assembly of religious persons. See 25 N. C. 111.

**Religious corporation.** A corporation created for religious purposes. See 171 N. Y. 256, 63 N. E. 1109.

**Religious denomination.** See Religious sect.

**Religious liberty.** Freedom in religious belief and worship, uncontrolled by the state.

**Religious men.** Men who lived in monasteries; monks.

**Religious principles.** Those sentiments concerning the relations between God and man which may influence human conduct. See 51 N. J. L. 432, 14 Am. St. Rep. 693, 17 Atl. 969.

**Religious sect.** People believing in the same religious doctrines who are more or less closely associated or organized to advance such doctrines and increase the number of believers therein. See 76 Wis. 177, 20 Am. St. Rep. 41, 7 L. R. A. 330, 44 N. W. 967.

**Religious society.** An incorporated society created and maintained for the support of public worship. See 99 Mo. App. 601, 74 S. W. 409.

**Religious uses.** See Charitable uses.

**Religious worship.** The act of assembling for the purpose of performing acts of adoration to the Supreme Being, or of performing religious service in the recognition of God as an object of worship, love and obedience. See 42 Tex. Cr. 416, 56 S. W. 915.

**Relinquishment.** Abandonment.

**Reliqua.** A balance of account.

**Relocatio.** (Civil Law) The renewal of a lease without change in its terms.

**Rem.** See In rem; Ad rem.

**Rem domino vel non domino vendente duobus, in jure est potior venditione prior.** One, whether owner or not, having sold a thing to two persons, he to whom it was sold first is the stronger in right.

**Remainder.** A remnant of an estate in lands or tenements expectant on a particular estate created together with the same at one time. See 7 Me. 210, 22 Am. Dec. 191. The term may include an executory devise of any kind of subsequent interest on the limitation thereof. See 183 Mo. 238, 105 Am. St. Rep. 471, 67 L. R. A. 97, 81 S. W. 1162.

**Remainder limited by way of use.** A use so qualified that it will take effect as a remainder.

**Remainderman.** One entitled to a remainder upon the expiration of the particular estate.

**Remand.** To order a prisoner's return to custody; to send a cause back to the court whence it came for further proceedings therein.

**Remanent pro defectu emptorum.** They remain for want of purchasers, i. e., goods offered for sale by a sheriff.

**Remanentia.** Remainder, which see.

**Remanere.** To demur.

**Remanet.** A cause ready for trial but which must await the next term of court.

**Remedial act.** Same as Remedial statute.

**Remedial action.** One brought by the party injured. See 14 Or. 55, 12 Pac. 74.

**Remedial cases.** Only those cases wherein the remedy is afforded summarily through certain extraordinary writs, such as prohibition, mandamus, certiorari and quo warranto. See 35 Minn. 222, 28 N. W. 245.

**Remedial statute.** One made to supply defects in the existing law arising from the inevitable imperfection of legislation, mistake or otherwise. See 20 Neb. 557, 57 Am. Rep. 843, 31 N. W. 76.

**Remedy.** The means by which the obligation or the corresponding action is effectuated. See 132 Cal. 421, 84 Am. St. Rep. 63, 64 Pac. 705.

**Remedy over.** One's right of action to recover from a third party a sum which he has been compelled to pay.

**Remise, release and quitclaim.** Operative words of conveyance sufficient to pass all title to the land of which the grantor had not previously divested himself. See 19 Or. 334, 24 Pac. 515.

**Remission.** A release; a pardon; an exoneration.

**Remissius imperanti melius paretur.** One who commands the more gently is the better obeyed.

**Remit.** To pardon; to remand for a new trial; to transmit.

**Remittance.** Money sent by one merchant to another, either in specie, bill of exchange, draft, or otherwise.—Bouv. L. Dict.

**Remittee.** One to whom a remittance is sent.

**Remitter.** One who remits; one who procures a foreign bill of exchange. See 183 Mass. 140, 97 Am. St. Rep. 426, 66 N. E. 646. The doctrine whereby one who hath a right to lands, but is out of possession, hath afterward the freehold cast upon him by some subsequent defective title, and enters by virtue of that title. See 3 Bl. Comm. 189, 190.

**Remittere.** To release; to relinquish.

**Remittit damna.** He remits damages, a plaintiff's record entry of a remission or waiver of a part of the damages awarded by the jury.

**Remittitur.** A proceeding resembling a discontinuance and governed by the same rules. See 39 La. Ann. 269, 1 South. 792. The remanding of a record from a higher court for further proceedings in the lower court.

**Remittitur damnum.** A plaintiff's formal relinquishment of record of the difference between the amount found due by the verdict and that set forth in his declaration. See 4 Conn. 109, 10 Am. Dec. 102.

**Remittitur damna.** Same as Remittitur damnum.

**Remittitur of record.** See Remittitur.

**Remittor.** Same as Remitter.

**Remnants and surpluses.** The residue of the proceeds of the sale of ships after the satisfaction of claims for bottomry bonds, salvage services and supplies of materialmen. See 142 N. Y. 90, 40 Am. St. Rep. 576, 36 N. E. 874.

**Remonstrance.** A formal protest petitioning a board, council or legislature against a proposed measure.

**Remote cause.** That which may have happened, and yet no injury have occurred, notwithstanding that no injury could have occurred if it had not happened. See 99 N. C. 298, 6 Am. St. Rep. 521, 6 S. E. 77.

**Remote damages.** Loss which is too remote from a legal cause to be recoverable.

**Remoto impedimento, emergit actio.** The impediment being removed, the action arises.

**Removal.** Departure to and settlement in a foreign country. See 20 How. (U. S.) 8, 15 L. Ed. 805.

**Removal of a cause.** A term usually applied to the removal of a cause from a state to a U. S. court.

**Remover.** A transfer of a cause to another court by error, certiorari, review, etc.

**Renant.** Denying.

**Rencounter.** A sudden fight, not deliberate.

**Render.** See In render.

**Rendition of judgment.** The announcement of the judgment by the court, not its entry. See 81 Cal. 244, 22 Pac. 657.

**Renegade.** A deserter from a cause, faith or party.

**Renew.** To substitute for an old obligation a new one of the same nature. See 27 Misc. Rep. 532, 58 N. Y. Supp. 235.

**Renewal.** The confirmation of the contract of an infant or of a person of unsound mind. See 8 Ind. App. 539, 36 N. E. 173.

**Reniant.** Same as Renant.

**Renounce.** To relinquish a right.

**Renounce probate.** To decline to act as executor.

**Renovare.** To renew.

**Rent.** A comprehensive term embracing the compensation, either in money, provisions, chattels, or labor, received by the owner of the soil from the occupant thereof. See 9 N. D. 224, 81 Am. St. Rep. 562, 50 L. R. A. 254, 83 N. W. 238.

**Rent charge.** A holding under a lease containing a clause reserving the right to distrain. See 11 Colo. 393, 18 Pac. 342.

**Rent roll.** See Rental.

**Rent seck.** A rent reserved by deed, but without any clause of distress. See 7 Wend. (N. Y.) 463.

**Rent service.** So called because it hath some corporeal service incident to it. See 2 Bl. Comm. 42.

**Rental.** The amount charged the tenant for rent; a rent roll or list of tenants and their leases.

**Rental agent.** An agent who rents real estate and collects rents. See 84 Minn. 138, 86 N. W. 893.

**Rental value.** The value of the use of the land. See 59 Iowa, 572, 13 N. W. 714.

**Rents and profits.** Annual income from land.

**Renunciation.** The refusal of an executor or trustee to act as such.

**Reo absente.** The defendant being absent.

**Reorganization.** The formation of a new company to take over the property and business of an existing one. See 60 Fed. (U. S.) 830.

**Repairs.** Reconstruction of a damaged structure. See 50 La. Ann. 378, 69 Am. St. Rep. 436, 23 South. 373. See, also, Reconstruction.

**Reparable injury.** One the damage of which is merely in the nature of pecuniary loss, and can be exactly and fully repaired by compensation in money. See 39 La. Ann. 901, 34 Am. St. Rep. 242, 2 South. 801.

**Reparation.** Amends for an injury; redress.

**Reparatione facienda.** See De reparatione facienda.

**Repartiamento.** (Spanish) A proceeding for the partition of common property. See 30 Cal. 498.

**Repatriation.** Restoration to citizenship.

**Repave.** To replace a pavement by a new one. See 65 Hun, 194, 20 N. Y. Supp. 157.

**Repay.** To return or restore money or property. See 19 Kan. 388, 27 Am. Rep. 125.

**Repeal.** The recall or revocation of a statute by a statute. See 69 Cal. 479, 11 Pac. 3.

**Repedditur a sacramento infamis.** He who is infamous is denied the oath.

**Repellitur exceptione cedendarum actionum.** He is defeated in his plea of actions assigned.

**Repetito namio.** A second or reciprocal distress in lieu of a first which was eloigned. See 3 Bl. Comm. 148.

**Repetition.** (Civil Law) A claim and demand to recover back a payment made under mistake on a condition not performed.

**Repetundarum crimen.** (Roman Law) Bribery; extortion by an officer.

**Repleader.** A pleading over again which the court ordered when by failure to plead properly an immaterial or insufficient issue was made by the pleadings. See 3 Bl. Comm. 395.

**Replegiare.** To receive back by way of pledge; to replevy.

**Replegiare de averiis.** A writ to replevin distrained cattle.

**Replegiare facias.** A writ of replevin.

**Repleviable.** Subject to an action of replevin.

**Replevin.** A possessory action for the recovery of the possession of goods or chattels wrongfully taken or detained. See 158 Pa. 137, 27 Atl. 873.

**Replevin bond.** A bond filed to indemnify the sheriff and the defendant or the party in custody of the goods against loss or damage upon their delivery to the plaintiff. See 8 Colo. 90, 5 Pac. 803.

**Replevin in the cepit.** Replevin for taking goods, not for keeping them.

**Replevisor.** The plaintiff in a replevin action.

**Replevy.** To secure possession by means of a replevin action.

**Repliant.** A plaintiff who files a replication.

**Replicatio.** Replication.

**Replication.** A pleading filed by the plaintiff in reply to a defendant's plea. See 3 Bl. Comm. 310.

**Reply.** The plaintiff's answer to the defendant's defense; a replication; the plaintiff's argument following that of the defendant.

**Report.** The findings of law and fact of a referee. See 13 Fla. 585. The statement of an executor, administrator, guardian, trustee or receiver, accompanying his account, setting forth the facts and circumstances of his administration. See 138 Cal. 216, 94 Am. St. Rep. 39, 71 Pac. 180.

**Reportare.** To report.

**Reposition of the forest.** Reincluding a purlieu in a forest. See Purlieu.

**Represent.** To stand in the place of. See 88 Tex. 218, 53 Am. St. Rep. 742, 30 S. W. 1049.

**Representation.** A statement of a past or present fact relating to the subject matter of a contract made as an inducement to the other party to enter into the contract. See 16 Am. Dec. 463, note. The status or condition of the representatives of a decedent. See Personal representatives; Representative.

**Representative.** One who stands in another's place, or succeeds to his rights and liabilities. See 39 Barb. (N. Y.) 516. A member of the lower house of Congress.

**Representative action.** An action in behalf of the plaintiff and others similarly situated.

**Representative capacity.** The character or status of one acting in behalf of another and not for himself. See 8 S. D. 96, 76 N. W. 984.

**Representative democracy.** A government by representatives elected by the people.

**Representative peers.** Such members of the House of Lords as are elected to represent Scotland and Ireland.

**Reprieve.** A temporary suspension to a definite day of the execution of a sentence. See 97 Ind. 373. Cf. Suspension.

**Reprisal.** See Letters of marque and reprisal.

**Reprises.** Deductions necessary to be made from a gross fund to show a net result or clear profit. See 196 Pa. 102, 46 Atl. 375.

**Reproach.** Censure; obloquy. See 70 Cal. 270, 11 Pac. 713.

**Reprobata pecunia liberat solventem.** Money refused releases the one paying, i. e., tendering.

**Reprobatur.** A Scotch action to convict of perjury.

**Republic.** Same as Republican government.

**Republican form of government.** Only such a government as is under the control of the people, or a representative government. See 62 Wash. 312, Ann. Cas. 1912C, 994, 113 Pac. 775.

**Republican government.** One constructed on the principle that the supreme power resides in the body of the people. See 2 U. S. 419, 1 L. Ed. 440.

**Republication of a will.** The revival of a revoked will. See 76 Am. St. Rep. 249, note.

**Repudiation.** A denial of responsibility or obligation. See 91 Iowa, 490, 59 N. W. 282.

**Repudium.** (Roman Law) The breach of a contract to marry.

**Repugnance.** Inconsistency. See 3 Wyo. 151, 9 Pac. 931.

**Reputable.** Worthy of repute; held in esteem. See 123 Ill. 227, 13 N. E. 201.

**Reputatio est vulgaris opinio ubi non est veritas.** Reputation is common opinion where there is no actual fact.

**Reputation.** The right to enjoy the good opinion of others. See 87 Ga. 79, 13 S. E. 250. See, also, General credit.

**Reputed owner.** One who by supposition or opinion derived from outward appearances appears to be the owner. See 5 Cal. Unrep. 260, 43 Pac. 599.

**Request.** The expression of a desire that one shall do or perform some act; a demand.

**Request, Letters of.** See Letters of Request.

**Request note.** A notice requiring one having dutiable goods to obtain a permit for their removal.

**Requests, Courts of.** See Courts of requests.

**Required.** Demanded, as a matter of right, rather than needed. See 59 Wash. 171, Ann. Cas. 1912A, 1229, 109 Pac. 597.

**Requisition.** A request of an executive for troops. See 19 Johns. (N. Y.) 7. An application to an executive for the final warrant for the surrender of a fugitive from justice. See 16 Fed. (U. S.) 93.

**Requisitions on title.** Objections indicated by the vendee's solicitor to apparent flaws in the vendor's title.

**Rerum ordo confunditur, si unicuique jurisdictio non servitur.** The order of things is confused if everyone does not heed his own jurisdiction.

**Rerum progressu ostendunt multa, quae in initio praecaveri seu praevideri non possunt.** In the progress of things many matters appear which could not be prevented or provided for in the beginning.

**Rerum suarum quilibet est moderator et arbiter.** Each one is the manager and arbiter of his own affairs.

**Res.** A thing; a matter; property; business; an affair. See Ad rem; In re; In rem.

**Res accendent lumina rebus.** Things shed light upon things. See 4 Johns Ch. (N. Y.) 149.

**Res accessoria.** An accessory thing.

**Res accessoria non ducit, sed sequitur suum principale.** The accessory thing does not lead, but follows the principal thing.

**Res accessoria sequitur rem principalem.** The accessory thing follows the principal thing.

**Res adjudicata.** That which is definitely settled by a judicial decision. See 145 Mo. 162, 46 S. W. 1099.

**Res aliena.** The property of another.

**Res caduca.** Escheated property.

**Res communes.** Common property.

**Res controversa.** The matter in controversy.

**Res coronae.** The property of the crown.

**Res corporales.** Corporeal property.

**Res denominatur a principaliori parte.** A thing is named after its principal part.

**Res derelicta.** (Civil Law) Property from which the mind has withdrawn affection, and which has thus fallen back into the natural state of res nullius, and is again susceptible of becoming the property of the occupant. See 27 Tex. 304, 84 Am. Dec. 631.

**Res est misera ubi jus est vagum et incertum.** It is a sorry state when the law is vague and uncertain.

**Res fungibles.** Fungible things. See Fungible.

**Res furtivae.** Stolen goods.

**Res generalem habet significationem, quia tam corporea, quam incorporea, cujuscunque sunt generis naturae sive speciei, comprehendit.** Thing has a general meaning, because it includes the corporeal as well as the incorporeal, of whatever kind, nature or species the things may be.

**Res gestae.** The circumstances, facts and declarations which grow out of the main fact, are contemporaneous with it, and serve to illustrate its character. See 64 Conn. 545, 42 Am. St. Rep. 209, 30 Atl. 762.

**Res immobiles.** Immovable property, which see.

**Res integra.** An untouched matter; a point without a precedent; a case of novel impression.

**Res inter alios.** The acts of strangers.

**Res inter alios acta.** The acts and declarations either of strangers, or of one of the parties to the action in his dealings with strangers. See 211 Ill. 446, 71 N. E. 1050.

**Res inter alios acta alteri nocere non debet.** Things done between others (third parties) ought not to prejudice another. See 57 N. H. 369.

**Res inter alios judicatae nullum aliis praejudicium faciunt.** Matters adjudged as between others effect no prejudice as to others (than themselves).

**Res ipsa loquitur.** The matter speaks for itself, a doctrine in the law of negligence that if an accident occurs while the thing is under the management of the defendant or his servants, it is incumbent on the defendant to explain matters to clear the imputation of negligence. See 12 S. D. 397, 48 L. R. A. 157, 81 N. W. 725.

**Res judicata.** Same as Res adjudicata.

**Res judicata facit ex albo nigrum, ex nigro album, ex curvo rectum, ex recto curvum.** A thing adjudged makes black from white; white from black; straight from crooked; crooked from straight.

**Res judicata pro veritate accipitur.** a thing adjudged is taken as true.

**Res judicata pro veritate habetur.** A thing adjudged is regarded as truth. See 9 Mont. 452, 8 L. R. A. 629, 23 Pac. 1018.

**Res mancipi.** (Roman Law) Things capable of being sold.

**Res mobiles.** Movables, which see.

**Res nova.** A new matter; a matter without a precedent.

**Res nullius.** The property of no one.

**Res nullius naturaliter fit primi occupantis.** The property of no one naturally bocomes that of the first occupant.

**Res per pecuniam aestimatur, et non pecunia per res.** Property is valued by standard of money, and not money by standard of property.

**Res periit domino.** A thing destroyed is lost to its owner. See 162 Ind. 278, 102 Am. St. Rep. 203, 1 Ann. Cas. 460, 65 L. R. A. 111, 70 N. E. 264. See, also, 9 Harv. L. Rev. 106.

**Res periit domino suo.** A thing destroyed is lost to its owner.

**Res privatae.** Private property, which see.

**Res propria est quae communis non est.** A thing is one's own which is not common. See 8 Paige (N. Y.), 261.

**Res publica.** The republic; the government; the state.

**Res quae intra praesidia perductae nondum sunt, quanquam ab hostibus occupatae, ideo postliminii non egent, quia dominum nondum mutarunt ex gentium jure.** Things which have not yet been brought into camp, although in the enemy's possession, do not require postliminy on that account, because by the law of nations they have not yet changed ownership.

**Res quotidianae.** Common, everyday matters.

**Res religiousae.** Religious matters; cemeteries.

**Res sacra non recipit aestimationem.** A sacred thing does not admit of valuation.

**Res sacrae.** Consecrated things.

**Res sanctae.** Sacred things.

**Res sua nemini servit.** No one can have a servitude in his own land.

**Res transit cum suo onere.** The property passes with its burden.

**Res universitatis.** City or municipal property.

**Resceit.** The permitting of one not a party to come into an action and plead a right of his own.

**Resceu.** Same as Rescue.

**Rescind.** To cancel; to terminate. See 2 Misc. Rep. 361, 22 N. Y. Supp. 371.

**Rescissio.** Rescission.

**Rescission.** The cancellation, avoidance, unmaking or termination of contract. See 153 U. S. 540, 38 L. Ed. 814, 14 Sup. Ct. Rep. 876. An equitable remedy to have a contract canceled.

**Rescissory action.** An action to rescind a contract or other written instrument.

**Rescous.** Same as Rescue.

**Rescript.** A written statement by a court of its decision or conclusions of law; a Roman emperor's decision on a doubtful point submitted to him.

**Rescue.** The wrongful setting at liberty of one under lawful arrest or imprisonment. See 82 Ga. 535. The wrongful setting at liberty or taking of cattle distrained, impounded or while being impounded. See 17 Mass. 342.

**Rescussit.** He rescued.

**Rescussor.** A rescuer.

**Rescussus.** Rescue, which see.

**Rescutere.** To rescue.

**Rescyt.** Receiving or harboring a felon.

**Reservatio non debet esse de proficuis ipsis quid ea conceduntur, sed de redditu novo extra proficua.** A reservation ought not to be of the profits themselves, because they

are granted, but of new rent aside from the profits.

**Reservation.** Something to be deducted from the estate granted, narrowing and limiting what would otherwise pass by the general words of the grant. See 9 Met. (Mass.) 395, 43 Am. Dec. 399.

**Reserve.** To appropriate; to set aside. See 13 U. S. 11, 3 L. Ed. 639.

**Reserve an exception.** To cause an objection to be entered of record during the progress of a trial or other proceeding in court.

**Reserve fund.** A fund reserved by an insurance company to meet the cost of reinsuring its risks if necessary. See 117 Wis. 106, 94 N. W. 78.

**Reset.** The receiving or harboring of an outlaw.

**Resiance.** Residence.

**Resiant.** Residing.

**Residence.** Inhabitancy; citizenship; domicile. See 48 Am. St. Rep. 711, note.

**Resident alien.** An alien who has come in with the purpose of abandoning his residence abroad and of making his home here. See 2 Neb. 7.

**Resident freeholder.** A resident of the place who owns a freehold interest in lands therein. See 29 Wis. 419.

**Residuary clause.** The clause in a will disposing of the residuary estate.

**Residuary devisee.** One entitled to the residuary real estate, or a portion of it.

**Residuary estate.** That part of an estate which goes to the residuary legatees after the payment of debts, legacies and devises. See 56 Hun, 313, 9 N. Y. Supp. 753.

**Residuary legacy.** A legacy embracing that which remains after all the bequests and devises in the will are discharged. See 8 Am. St. Rep. 720, note.

**Residuary legatee.** One entitled by the will to the residuary legacy or a portion of it.

**Residue.** That which remains after taking away some part of it. See 48 Fed. (U. S.) 3, 9 L. R. A. 540, quoting Bouvier. That which remains of an estate after the payment of all expenses, debts, legacies and devises. See 19 R. I. 30, 31 Atl. 429.

**Residuum.** Same as Residue.

**Residuum of the residuum.** That which remains of a testator's estate after the payment of a specifically devised portion of the residuary estate. See 9 Misc. Rep. 653, 30 N. Y. Supp. 453.

**Resignatio est juris proprii spontanea refutatio.** A resignation is a spontaneous giving up of one's own right.

**Resignation.** An officer's formal offer to the proper authority to give up the office, followed by an acceptance of the offer. See 67 N. J. L. 23, 50 Atl. 661.

**Resignee.** One in whose favor another tenders his resignation.

**Resilire.** To refuse to contract.

**Resist.** To oppose with force or show of force. See 37 Wis. 196.

**Resisting an officer.** The obstruction of an officer in the performance of his official duty by assaulting or beating him. See 26 Ohio St. 196.

**Resolution.** In municipal corporations, an order somewhat less formal than an ordinance, being generally a mere expression of the opinion of the council as to some matter of administration. See

149 Iowa, 87, Ann. Cas. 1912C, 940, 127 N. W. 1091.

**Resolutive.** Same as Resolutory.

**Resoluto jure concedentis, resolvitur jus concessum.** By the extinction of the right of the grantor, the right granted is extinguished.

**Resolutory.** Determinative.

**Resolutory condition.** Same as Condition subsequent.

**Reson.** Right; justice; reason.

**Resort.** To go once. See 15 Nev. 27, 37 Am. Rep. 454. A place of frequent assembly, a haunt. See 73 Cal. 142, quoting Webster.

**Resorter.** To return.

**Respectus.** Respite; delay.

**Respiciendum est judicanti, nequid aut durius aut remissius constituatur quam causa deposcit; nec enim aut severitatis aut clementiae gloria affectanda est.** It should be observed by one adjudicating that nothing should be construed either more harshly nor more mildly than the cause warrants, for neither the glory of severity nor clemency should be affected.

**Respite.** An agreed forbearance or delay by one's creditors; a suspension of the execution of a sentence for crime for an indefinite time.

**Respondeat ouster.** Let him answer again. See Judgment of respondeat ouster.

**Respondeat raptor, qui ignorare non potuit quod pupillum alienum abduxit.** Let the ravisher answer, he who could not be ignorant of the fact that he has traduced another's ward.

**Respondeat superior.** The superior is responsible, i. e., the employer is responsible for the act of his employee. See 119 Mo. 325, 24 S. W. 737.

**Respondent.** A defendant in a suit in equity. See 6 Ind. App. 323, 33 N. E. 672. A party adverse to an appellant; a defendant.

**Respondentia.** A contract by which a cargo, or some part thereof, is hypothecated as security for a loan, the repayment of which is dependent on maritime risks. See 26 U. S. 386, 7 L. Ed. 189.

**Respondera son soveraigne.** His superior shall answer.

**Respondes oustre** Same as Respondeat ouster.

**Responsa prudentum.** The opinions of learned lawyers. See 1 Bl. Comm. 80.

**Responsalis.** One who answers; an attorney.

**Responsibility.** Liability; obligation; bounden duty. See 66 Vt. 269, 29 Atl. 147.

**Reponsible.** Held to mean more than pecuniary ability and to include judgment, skill, ability, capacity and integrity, when applied to bidders. See 16 Mont. 145, 50 Am. St. Rep. 476, 28 L. R. A. 298, 40 Pac. 210.

**Responsio.** An answer; a witness' response to a question.

**Responsio unius non omnino auditur.** The testimony of one (alone) is not to be heard at all.

**Resseiser.** The retaking of possession of land of which one had been disseised.

**Rest, residue and remainder.** Words used in a will to devise and bequeath all of the testator's property not specifically devised or bequeathed. See 57 App. Div. 320, 68 N. Y. Supp. 30.

**Restitutio in integram.** Restitution of a thing in its entirety.

**Restitution.** A common-law remedy the object of which was to restore to an appellant the specific thing,

or its equivalent, of which he had been deprived by the enforcement of the judgment against him during the pendency of the appeal. See 132 N. Y. 363, 28 Am. St. Rep. 589, 15 L. R. A. 588, 30 N. E. 963.

**Restitution of conjugal rights.** An ecclesiastical suit to compel a deserting spouse to live with the one deserted.

**Restitutione temporalium.** A writ for the restitution to a bishop of his temporalities. See Temporalities.

**Restore.** To bring back; to redeliver. Also, synonymous with Repair. See 80 Ind. 478, 41 Am. Rep. 821.

**Restrain.** To prohibit; to limit; to confine; to abridge. See 62 Fed. (U. S.) 828.

**Restraining order.** Distinguishable from an injunction, in that it is intended only as a restraint upon the defendant until the propriety of granting an injunction, temporary or perpetual, can be determined, and it merely restrains the proceedings meantime. See 25 Mont. 135, 63 Pac. 1043.

**Restraint of alienation.** See Perpetuity.

**Restraint of marriage.** A condition in a gift or deed the effect of which is to restrict or prohibit one's marriage. See 97 Ind. 570, 49 Am. Rep. 478.

**Restraint of trade.** Restriction of competition. See 166 U. S. 290, 41 L. Ed. 1007, 17 Sup. Ct. Rep. 540.

**Restrictive covenant.** A covenant which runs with the land. See 52 Hun, 610, 5 N. Y. Supp. 99.

**Restrictive indorsement.** One which limits the negotiability of the bill. See 1 Biss. 325, 15 Fed. Cas. (U. S.) 151.

**Restrictive prescription.** Prescription by which a remedy or right lapses.

**Rests.** The striking of balances at certain intervals, that accrued interest might be added to the principal and bear interest.

**Resulting power.** A power or authority fairly deducible from one or more specified powers. See 79 U. S. 457, 20 L. Ed. 287.

**Resulting trust.** One arising when the legal estate in property is disposed of, conveyed or transferred, but the intent appears, or is inferred from the terms of the disposition or from the accompanying facts and circumstances, that the beneficial interest is not to go or be enjoyed with the legal title. A trust then is implied or results in favor of the person for whom the equitable interest is assumed to have been intended and whom equity deems to be the real owner. See 51 Am. Dec. 752, note.

**Resulting use.** See Resulting trust.

**Resummons.** A second summons. See Alias summons.

**Resumption.** The taking again by the crown of land or tenements, which, on false suggestion had been granted by letters patent.—Whart. Dict.

**Resurrender.** The reconveyance of copyhold land to the mortgagor on payment of the debt.

**Retail.** To sell in small quantities and not in gross. See 33 Tex. Cr. 367, 47 Am. St. Rep. 35, 26 S. W. 835.

**Retain.** To hire; to employ.

**Retainer.** The employment of one as an attorney, solicitor or counselor. See 84 Ala. 502, 4 South. 672. The notice by which an attorney apprises an adverse party or his attorney of his retainer.

**Retainer fee.** A fee paid to an attorney upon retaining him.

**Retaining lien.** Same as Attorney's lien.

**Retaking.** See Recaption.

**Retaliation.** Reprisal; retorsion.

**Retallia.** Retail.

**Retare.** To charge one with crime; to accuse.

**Retaxation of costs.** The new or amended taxation of costs at the instance of the party dissatisfied with the original taxation. See 3 Misc. Rep. 512, 23 N. Y. Supp. 5.

**Retire.** To take up negotiable paper by one of the parties liable thereon, either with intent to withdraw it from circulation or to hold it and retain his remedies against prior parties.

**Retonsor.** A clipper of coins.

**Retorna brevium.** The return of writs; the term day for such return.

**Retorno habendo.** A writ for the restoration of goods. See 3 Bl. Comm. 149.

**Retorsion.** Retaliation in kind by one nation toward another in return for discourtesy.

**Retortion.** Same as Retorsion.

**Retour sans frais.** To return without charges; a drawer's instruction in the event of the bill's dishonor.

**Retour sans protet.** To return without protest; a drawer's instruction in the event of the bill's dishonor.

**Retractation.** The withdrawing of a renunciation. See Renunciation.

**Retraction.** Same as Retractation.

**Retractus aquae.** The ebbing of the tide.

**Retrahere.** To withdraw.

**Retraxit.** Same as Judgment of retraxit, which see.

**Retreat to the wall.** An expression in the law of self-defense denoting one's duty to avail himself of any apparently reasonable avenue of escape to avoid his own danger, and the necessity of slaying his assailant. See 57 Cal. 115.

**Retroactive law.** Same as Retrospective law.

**Retrocession.** (Civil Law) A grant back to the grantor.

**Retrospective law.** One giving a right where none before existed, and by relation back giving the party the benefit of it. See 1 Tex. 250, 46 Am. Dec. 100.

**Rettare.** To accuse.

**Rette.** Same as Rettum.

**Rettum.** An accusation.

**Return.** An official written statement by an officer describing his acts under a command from superior authority or explaining why he has done nothing. See 61 Conn. 287, 14 L. R. A. 657, 23 Atl. 186.

**Return day.** The day appointed by law upon which writs are to be returned and filed. See 111 Iowa, 324, 82 N. W. 779. The day upon which an election board meets to canvass the election returns. See 111 Cal. 129, 43 Pac. 583.

**Returnable.** Required by law to be returned. See 7 Colo. 430, 4 Pac. 57.

**Returnable process.** Process upon which the officer is bound to certify his return. See 9 Abb. Pr. (N. Y.) 385.

**Returns.** The lists, tally sheets and other documents required by law to be turned over by election officers to the clerk of the city or county or other officer. See 59 Minn. 106, 60 N. W. 1080.

**Reus.** A defendant; one guilty of an offense.

**Reus criminis majestatis, et pereat unus ne pereant omnes.** He is guilty of treason and one should die lest all perish.

**Reus excipiendo fit actor.** The defendant by his pleading becomes the plaintiff.

**Reus laesae majestatis punitur, ut pereat unus ne pereant omnes.** One guilty of treason should be punished, so that one shall die lest all perish.

**Reus promittendi.** (Civil Law) A promisor.

**Reus stipulandi.** A promisee.

**Reve.** Same as Reeve.

**Reve mote.** The court of the shire-reeve or sheriff.

**Revendication.** (Civil Law) An unpaid vendee's right to recover goods remaining intact in the hands of his insolvent vendee. See 12 Ohio St. 515.

**Revenge.** A malicious injury inflicted in return for an injury. See 2 Idaho, 76, 3 Pac. 688.

**Revenue.** Government income arising from taxation, excise and the like. See 4 Kan. 261. Profit; income; reward. See 74 Cal. 224, 15 Pac. 732.

**Reversal.** An annulment or setting aside.

**Reverse.** To overthrow, set aside, make void, annul, repeal, or revoke, as a judgment, sentence or decree, or to change to the contrary, or to a former condition. See 139 Cal. 298, 96 Am. St. Rep. 115, 73 Pac. 196.

**Reversed.** Set aside; annulled; vacated. See 7 Kan. 254.

**Reversed and remanded.** Words used by an appellate court denoting that the judgment of the lower court is set aside and the cause sent back for a new trial. See 68 Cal. 162, 8 Pac. 809.

**Reverser.** A reversioner.

**Reversible error.** Such an error as would warrant the appellate court in reversing the judgment. See 6 N. M. 611, 30 Pac. 901.

**Reversion.** The residue of an estate left in the grantor, to commence in possession after the determination of some particular estate granted out by him. See 16 Or. 33, 8 Am. St. Rep. 251, 16 Pac. 863.

**Reversionary.** In reversion; pertaining to a reversion.

**Reversionary lease.** A lease to begin at a future time.

**Reversioner.** One who is entitled to a reversion.

**Revert.** The return of property to a former owner who parted with possession or title by vesting another with an estate in it. See 101 Ga. 395, 29 S. E. 276.

**Reverter.** See Possibility of reverter.

**Revest.** To return or fall back into the possession of the donor or former proprietor. See 124 Ind. 560, 9 L. R. A. 176, 24 N. E. 734, quoting Worcester.

**Review.** See Bill of review; Writ of review.

**Revise.** To review or re-examine for correction. See 5 Iowa, 1.

**Revision.** A review; a re-examination; a looking at again. See 92 Me. 355, 42 Atl. 785.

**Revival.** The resumption by heirs of a suit which has abated or become defective by the death of their ancestor. See 57 N. J. Eq. 142, 41 Atl. 755. The restoration to existence of a former will by the cancellation or destruction of a later one. See 2 Dall. (U. S.) 266, 1 L. Ed. 375.

**Revive.** To give life to again; to create. See 153 Ind. 460, 47

L. R. A. 489, 53 N. E. 950. To restore the existence of a debt by admission of it and thus to remove the bar of the statute of limitations. See 7 N. M. 561, 37 Pac. 1103. To renew a judgment.

**Revivor.** See Bill of Revivor.

**Revocation.** Withdrawal; recall; annulment.

**Revocatur.** It is recalled or set aside.

**Revoke.** To withdraw; to annul; to recall.

**Revolt.** The endeavor of a crew of a vessel, or any one or more of them, to overthrow the legitimate authority of her commander, with intent to remove him from his command, or against his will to take possession of her by assuming the government and navigation of her, or by transferring their obedience from the lawful commands to some other person. See 11 Wheat. (U. S.) 417, 6 L. Ed. 509.

**Revolution.** The overthrow of an established political system.

**Reward.** A recompense or premium offered by the government or an individual in return for special or extraordinary services to be performed. See 118 Wis. 537, 99 Am. St. Rep. 1012, 95 N. W. 969.

**Rex.** King.

**Rex debet esse sub lege quia lex facit regem.** The king ought to be under the law because the law makes the king.

**Rex est caput et salus reipublicae, et a capite bona valetudo transit in omnes.** The king is the head and the safety of the state, and from a worthy head prosperity comes to all.

**Rex est legalis et politicus.** The king is both a legal and a political person.

**Rex est lex vivens.** The king is the living law.

**Rex est major singulis; minor universis.** The king is greater than any single person, less than all of them.

**Rex hoc solum non potest facere quod non potest injuste agere.** The king this thing alone cannot do, that is, he cannot do an injustice.

**Rex non debet esse sub homine sed sub Deo et lege.** The king should not be subordinate to man but to God and the law.

**Rex non potest fallere nec falli.** The king cannot deceive nor be deceived.

**Rex non potest peccare.** The king cannot commit wrong.

**Rex nunquam moritur.** The king never dies. See 1 Bl. Comm. 249.

**Rhodian law.** An ancient compilation of maritime law.

**Ribaldus.** A vagrant.

**Riband.** A vagrant.

**Rider.** A new and unrelated provision attached to a legislative appropriation bill. See 199 Pa. 161, 55 L. R. A. 882, 48 Atl. 976.

**Richard I.** King of England, 1189–1199.

**Richard II.** King of England, 1377–1399.

**Richard III.** King of England, 1483–1485.

**Ridgeling.** The male of any beast, half gelt. See 89 Iowa, 40, 48 Am. St. Rep. 353, 56 N. W. 271.

**Riding.** A district; a part of a county.

**Rien.** Nothing; not.

**Rien culp.** Not guilty.

**Rien dit.** He says nothing. See Nihil dicit.

**Rien en arrere.** Nothing in arrears.

**Rien luy doit.** He owes him nothing. See Nil debet.

**Rien passa par le fait.** Nothing passed by the deed.

**Riens.** Same as Rien.

**Riens en arriere.** Nothing in arrears.

**Riens lour deust.** Not their debt. See Nil debet.

**Riens per descent.** Nothing by descent.

**Right.** Property; interest; power; prerogative; immunity; privilege. See 57 Or. 192, Ann. Cas. 1913A, 63, 109 Pac. 584.

**Right ad rem.** A right against a thing. See In rem.

**Right and wrong test.** The ability to distinguish right from wrong as an insanity test. See 50 N. H. 369, 9 Am. Rep. 242.

**Right by prescription.** See Prescription.

**Right heirs.** Before the abolition of estate's-tail, the term was used to distinguish the preferred heir, to whom the estate was limited, from the heirs in general, but since such abolition the term is equivalent to "heirs." See 168 N. Y. 225, 61 N. E. 250.

**Right in action.** Same as Chose in action.

**Right in personam.** See In personam.

**Right in rem.** See Jura in rem.

**Right of action.** The present right to commence and maintain an action. See 56 N. H. 155, 22 Am. Rep. 442.

**Right of common.** See Common.

**Right of conquest.** The right of discovery. See 1 Stew. & P. (Ala.) 327.

**Right of conscience.** Liberty in religious belief and observance. See 33 Mo. 263.

**Right of dower.** See Dower.

**Right of drainage.** One's right or easement to bring down water through or from the land of another. See 108 N. Y. 453, 15 N. E. 739.

**Right of drip.** The easement of permitting rain-water to drip from a roof to the land of a neighbor.

**Right of election.** The privilege of the eldest heir of taking the whole estate, if indivisible, and paying the others an equivalent in money. See 60 Md. 573.

**Right of eminent domain.** The power to oblige an individual to sell and convey when the public necessities require it. See 6 Cranch (U. S.), 87, 3 L. Ed. 162.

**Right of entry.** The right of possession of land. See 44 W. Va. 659, 30 S. E. 216.

**Right of fishery.** Same as Fishery.

**Right of habitation.** The right to occupy the house of another without charge.

**Right of homestead.** A quality annexed to land whereby an estate is exempt from execution sale for debt. See 77 N. C. 379.

**Right of pre-emption.** See Pre-emption right.

**Right of privacy.** A right founded upon one's claim to pass through the world, if he wills, without having his picture published, his business enterprises discussed, his successful experiments written up for the benefit of others, or his eccentricities commented upon either in handbills, circulars, catalogues, periodicals, or newspapers, whether comment be favorable or otherwise. See 171 N. Y. 538, 89 Am. St. Rep. 828, 59 L. R. A. 478, 64 N. E. 442.

**Right of property.** The free use, enjoyment and disposal of all ac-

quisitions, without control or diminution, save by the law of the land. See 160 Pa. 209, 28 Atl. 702.

**Right of redemption.** The statutory right to redeem property from judicial sale. See 62 Kan. 69, 61 Pac. 406.

**Right of search.** The right of a belligerent to search a neutral ship at sea, or its papers, for contraband or enemy subjects.

**Right of suffrage.** See Suffrage.

**Right of suit.** Same as Right of action.

**Right of support.** The rights of children to be supported by their parents and parents by their children and of one spouse by the other. See Right to lateral support.

**Right of way.** The right or easement of passing over the land of another. See 2 McCord (S. C.), 445, 13 Am. Dec. 741.

**Right of way in gross.** A personal right of way which is not assignable and is not appurtenant to other land. See 38 Cal. 111, 99 Am. Dec. 354.

**Right to alluvion.** See Alluvion.

**Right to lateral support.** The right of a land owner to have his soil, either in its natural state, or, in certain cases, with the additional weight of the buildings or other structures thereon, sustained by the soil of the adjoining proprietors, or in a more special sense, his right to have those buildings or structures sustained by adjacent buildings or structures upon which they lean. See 33 Am. St. Rep. 446, note.

**Right to redeem.** See Right of redemption.

**Right, Writ of.** See Writ of right.

**Rightful.** By right; lawful.

**Rights ad rem.** Rights against a thing. See In rem.

**Rigor juris.** The strictness of the law.

**Ring.** A combination for illegal or otherwise improper purposes. See 132 Cal. 224, 64 Pac. 290.

**Ring dropping.** A sort of larceny by trick.

**Ring fight.** See Prize fight.

**Ringing the change.** The offense of persuading a buyer that he had given a bad coin and thereby securing from him another good one.

**Riot.** A tumultuous disturbance of the public peace by an unlawful assembly of three or more persons in the execution of some private object. See 88 Am. Dec. 267, note.

**Rioter.** One who inflames people's minds and induces them by violent means to accomplish an illegal object. See 122 Ill. 1, 3 Am. St. Rep. 320, 12 N. E. 898, 17 N. E. 898.

**Riotose.** Riotously.

**Riotous assembly.** The unlawful assembly of twelve or more persons in breach of the peace and not dispersing on command. See 4 Bl. Comm. 142.

**Ripa.** The shore of a river.

**Riparia.** A river.

**Riparian.** Pertaining to the banks or shores of a stream or other body of water. See 126 Cal. 135, 77 Am. St. Rep. 158, 58 Pac. 442.

**Riparian proprietor.** One whose land is bounded by a navigable stream. See 109 U. S. 672, 27 L. Ed. 1070, 3 Sup. Ct. Rep. 445, 4 Sup. Ct. Rep. 15. Or a lake or other watercourse. See 92 Iowa, 218, 59 N. W. 263, 60 N. W. 618.

**Riparian rights.** The rights of a riparian proprietor, such as access to the water, the right to make a landing, wharf or pier. See 85 Cal. 219, 20 Am. St. Rep. 217, 24 Pac. 645.

**Riparum usus publicus est jure gentium sicut ipsius fluminis.** Public use of the banks is, by the law of nations, just the same as that of the river itself.

**Ripe.** Ready; in condition, e. g., ripe for judgment. See 161 Mass. 173, 36 N. E. 835.

**Risicum.** Risk; hazard.

**Rising of court.** The court's final adjournment; the last day of the term. See 11 Neb. 163, 8 N. W. 385.

**Risk.** Insurance hazard.

**Rite.** Rightly; with due formality; properly.

**River thread.** The thread or center line of a river.

**Riviation.** The use of rivers for fishing.

**Rixa.** A dispute; a quarrel.

**Rixatrix.** A scold.

**R'na.** Regina.

**Road.** A highway; a street; a lane.

**Roadbed.** The bed or foundation upon which the superstructure of a railroad rests. See 63 Cal. 467, 49 Am. Rep. 98.

**Roadway.** Whatever space a railroad company is allowed by law in which to construct its roadbed and lay its tracks. See 63 Cal. 467, 49 Am. Rep. 98.

**Rob.** To commit robbery. See Robbery.

**Robaria.** Robbery.

**Robator.** A robber.

**Robber.** One guilty of robbery.

**Robbery.** The felonious and violent taking of any money or goods from the person of another, putting him in fear. See 135 Am. St. Rep. 475, note.

**Robbour.** A robber.

**Roberia.** Robbery.

**Robour.** A robber.

**Rochdale companies.** Co-operative societies maintaining stores for the benefit of their members who are usually stockholders in the corporation.

**Rogare.** (Roman Law) To ask for the enactment of a proposed law; to demand.

**Rogatio.** (Roman Law) A request for the enactment of a proposed law; a demand.

**Rogatio testium.** A request made of bystanders to witness an oral or nuncupative will.

**Rogation-week.** A week each year when the boundaries of parishes and manors were surveyed.

**Rogationes, questiones, et positiones debent esse simplices.** Demands, questions and claims ought to be simple.

**Rogatory.** See Letters rogatory.

**Rogo.** I ask; I request.

**Roiaume.** Realm.

**Roigne.** Queen.

**Roll.** A parchment; a record. See Judgment-roll; Process roll; Tax roll; Patent rolls.

**Rolling credit.** A continuous and ever-extending credit up to a certain limit. See 59 Tex. 80.

**Rolling stock.** The cars, locomotives and their attachments, of a railroad. See 96 Ill. 443.

**Rolls, Master of the.** See Master of the Rolls.

**Roman Catholic.** A Christian who admits the authority of the pope of Rome. See 53 N. H. 9, 55, 16 Am. Rep. 82.

**Roman Law.** The system of jurisprudence established by the Emperor Justinian; the Civil Law.

**Romescot.** Peter's pence, which see.

**Rondo.** A game of chance.

**Root.** See Stock of descent.

**Root of title.** The conveyance or instrument which begins a chain of title.

**Roster.** A register; a list of qualified voters; a list of the officers of a regiment, brigade or division. See 25 Me. 157.

**Rota.** A court.

**Rotten boroughs.** Small English boroughs which, notwithstanding their decline, returned members to parliament.

**Roturier.** One not of the nobility.

**Round robin.** A paper signed by names written within the segments of a circle, to avoid giving precedence to any one of them.

**Round trip.** A voyage to a point and return to the starting point.

**Round up.** An annual gathering of all the cattle on a range for the purpose of branding calves, and separating the cattle of respective owners. See 55 N. J. Eq. 18, 36 Atl. 122.

**Roup.** An auction sale.

**Rout.** The moving forward in the execution of their purpose of three or more persons unlawfully assembled for a riot. See 11 Daly (N. Y.) 1.

**Roy.** King.

**Roy est l'original de touts franchises.** The king is the origin of all franchises.

**Roy n'est lie per ascun statute, si il ne soit expressement nosme.** The king is not bound by any statute unless he is expressly mentioned.

**Royal fishery.** The right of fishery in a navigable river where the sea ebbed and flowed. See 6 N. J. L. 1, 10 Am. Dec. 356.

**Royal fishes.** Whales and sturgeons, which were the king's by prerogative. See 6 N. J. L. 1, 10 Am. Dec. 356.

**Royal mines.** Gold and silver mines, which under the English law belonged to the king.

**Royal prerogatives.** Rights, privileges and immunities peculiar to the crown.

**Royal river.** A navigable river where the tide ebbed and flowed. See 6 N. J. L. 1, 10 Am. Dec. 356.

**Royalty.** Rent based upon the amount of mineral or oil taken from the ground; a sum paid to the patentee for use or manufacture and sale of a patented article. See 125 Fed. 342, 60 C. C. A. (U. S.) 220.

**Rubrics.** The red titles of acts of parliament.

**Rule.** A regulation prescribing a guide to conduct. See 25 Fla. 40, 23 Am. St. Rep. 506, 3 L. R. A. 733, 5 South. 633. See, also, Rule of court.

**Rule absolute.** See Rule nisi.

**Rule absolute for a new trial.** Equivalent to, "Judgment vacated, verdict set aside, and new trial granted." See 185 Pa. 602, 40 Atl. 97.

**Rule against perpetuities.** "No interest subject to a condition precedent is good, unless the condition must be fulfilled, if at all, within twenty-one years after some life in being at the creation of the interest." See 49 Am. St. Rep. 118, note, quoting Gray on Perpetuities.

**Rule day.** The day upon which a defendant served with summons must appear. See 18 Fla. 634.

**Rule in Shelley's Case.** See Shelley's Case.

**Rule nisi.** An ex parte order or rule directing the other party to show cause why it should not be made absolute and to becomo a rule absolute unless such cause is shown.

**Rule of court.** An order of court directing the permanent or temporary officers of the court in the conduct of its proceedings. See 14 Rich. (S. C.) 46. An order generally made by a court having competent jurisdiction. See 49 Neb. 515, 68 N. W. 636, citing Bouvier.

**Rule of evidence.** The mode and manner of proving the competent facts and circumstances on which a party relies to establish a disputed fact. See 51 Hun (N. Y.), 36, 3 N. Y. Supp. 601.

**Rule to plead.** An order of court requiring a party to plead within a time stated.

**Rule to show cause.** A rule or order issued by a court ex parte citing an adverse party to appear and show cause, if he can, why a certain thing shall not be done.

**Rulers of England.** See Regnal years.

**Rules of the prison.** Limits outside a prison within which civil prisoners might live upon giving bond against escape.

**Rules of the road.** Same as Law of the road.

**Ruling.** A settlement or decision of a point of law arising from the trial of a cause, usually without the force or effect of a judgment or order, e. g., a ruling excluding certain evidence. See 18 Mont. 1, 43 Pac. 1091, 44 Pac. 399.

**Ruling Case Law.** A clear, concise statement of the law under its 400 main titles arranged in alphabetical order. Under each statement of a principle of law it does not cite great masses of cases of widely varying value and meaning, but confines itself to the great representative, fundamental cases, the source cases which established that principle.

**Rump parliament.** The English parliament from 1648–1660. See Long parliament.

**Run into money.** A term used of matured notes which were payable in chattels. See 22 Vt. 301.

**Run with the land.** See Running with the land.

**Running accounts.** Mutual accounts and reciprocal demands, remaining open and unsettled, between merchants. See 1 Ind. 333.

**Running days.** Consecutive days.

**Running policy.** One contemplating successive insurances and providing that the object of the policy may from time to time be defined by additional statements or indorsements. See 44 Cal. 397.

**Running with the land.** See Covenant running with the land.

**Rushing.** Assaulting a person by pushing those standing to the rear of him into him. See 95 Mich. 236, 35 Am. St. Rep. 558, 20 L. R. A. 55, 54 N. W. 763.

**Rusticum judicium.** Same as Rusticum jus.

**Rusticum jus.** The practice of equally dividing damages from collision caused by mutual fault. See 68 Fed. 395, 15 C. C. A. (U. S.) 490.

**Ruta.** Things dug out of the land, as rock, coal.

# S

S. Scilicet, which see.

S. C. Same case; scilicet.

S. P. Sine prole, which see.

S. V. Sub voce, which see.

Sabbatum. Sunday.

Sac. The jurisdiction or privilege of holding a manor court. See Court-baron.

Sacaburth. One who went in fresh pursuit of his stolen goods.

Saccabor. Same as Sacaburth.

Sacculariі. (Civil Law) Cutpurses. See 4 Bl. Comm. 242.

Sack. A corruption fund. See 99 Cal. 431, 37 Am. St. Rep. 70, 34 Pac. 128.

Sacquier. An arrameur.

Sacra. The right of a Roman to join in sacred celebrations.

Sacramentales. Compurgators, which see.

Sacramentum. An oath.

Sacramentum decisionis. (Civil Law) Same as Decisive oath.

Sacramentum fidelitatis. Oath of fealty. See Fealty.

Sacramentum habet in se tres comites, veritatem, justitiam et judicium; veritas habenda est in jurato, justitia et judicium in judice. An oath has in it three concomitants, truth, justice, judgment; truth in the person swearing, and justice and judgment in the judge.

Sacramentum si fatuum fuerit, licet falsum, tamen non committit perjurium. A foolish oath, although false does not convict one of perjury.

Sacrifice. The destruction of property to save other property from impending peril. See 46 Fed. (U. S.) 297.

Sacrilege. The larceny of sacred things.

Sacrilegium. Sacrilege, which see.

Sacrilegus. A sacrilegious man.

Sacrilegus omnium praedonum cupiditatem et scelerem superat. A sacrilegious man exceeds the cupidity and wickedness of all robbers.

Sacristan. A sexton.

Sadism. A mental disease in which the sexual instinct is abnormal or perverted. See 32 Nev. 384, Ann. Cas. 1912D, 223, 108 Pac. 934.

Saepe constitutum est, res inter alios judicatas aliis non praejudicare. It has often deen decided that a thing adjudged as between others does not prejudice (still) others.

Saepe viatorem nova non vetus orbita fallit. Often the new road, not the old, deceives the traveler.

Saepenumero ubi proprietas verborum attenditur, sensus veritatis amittitur. Very often when the propriety of language is given attention, the true meaning is lost.

Saepius requisitus. Often requested.

Saevitia. Cruelty.

Safe bill. Such a bill as would be honored and paid by the drawee on using proper diligence. See 1 N. J. L. 84.

Safe-conduct. See Letters of safe-conduct.

Safe port. One which a vessel may enter or depart from without legal restraint and without incurring

more than the ordinary perils of the sea. See 2 Ben. 381; 2 Fed. Cas. (U. S.) 78.

Safeguard. See De salva guardia.

Safe-keeping. The term is held to imply a special deposit. See 62 Ala. 340, 34 Am. Rep. 24. See, also, Special deposit.

Safe-pledge. A surety for one's appearance.

Sages de la ley. Persons learned in the law.

Said. Aforesaid; before mentioned.

Sairement. An oath.

Saisina. Seisin.

Saladin's tenth. A tax to raise funds for the crusade of Richard I against Saladin, the Sultan of Egypt.

Salarium. Wages; allowance for provisions.

Salary. A fixed compensation paid at stated times. See 54 Ala. 47.

Sale. A contract to give and to pass rights of property for money which the buyer pays or promises to pay to the seller for the thing bought and sold. See 94 Am. St. Rep. 209, note.

Sale and exchange. A sale whereof the proceeds are to be reinvested in another estate of the same character and to be settled to the same uses. See 22 Miss. 176.

Sale and return. A sale with a reservation of a right on the part of the buyer to return the article at his option within some period. See 38 W. Va. 312, 45 Am. St. Rep. 859, 18 S. E. 591.

Sale at auction. See Auction.

Sale by sample. A sale wherein the seller warrants all the goods to be similar in nature and quality to those exhibited. See 5 N. Y. 95, 55 Am. Dec. 321.

Sale for payment of debt. A judicial sale, in the nature of an execution, of property of a decedent to pay his debts. See 3 Watts (Pa.), 490.

Sale in gross. The sale of a bulk of personal property or land, without any estimate of quantity. See 83 Va. 1, 1 S. E. 387.

Sale notes. Same as Bought and sold notes.

Sale on execution. A sale conducted by an officer under a writ of execution. See Execution.

Sale on trial. A sale wherein the buyer is to try the article before the purchase shall take full effect. See 38 W. Va. 312, 45 Am. St. Rep. 859, 18 S. E. 591.

Sale or return. A contract whereby title passes to the buyer subject to his option to retain it or return it to the seller. See 150 U. S. 312, 37 L. Ed. 1093, 14 Sup. Ct. Rep. 99.

Sale per aversionem. (Roman Law) A sale of land in bulk. See 46 La. Ann. 656, 15 South. 531.

Sales guaranteed. An expression denoting an agreement to permit the return of the goods with credit therefor, if not sold by the buyer. See 17 Mont. 389, 43 Pac. 180.

Salic law. The earliest barbarian code, in use by a German tribe in the 5th century.

Salique law. Same as Salic law.

Saloon. A place where intoxicating liquors are retailed. See 103 Ga. 110, 68 Am. St. Rep. 80, 29 S. E. 602.

Salt meadow. Meadows overflowed by the sea at unusually high tides. See 34 Conn. 421.

Salus. Health; safety; welfare.

Salus populi est suprema lex. The welfare of the people is the high-

est law. See 82 Neb. 254, 130 Am. St. Rep. 671, 23 L. R. A. (N. S.) 1287, 117 N. W. 768.

Salus populi suprema lex. The welfare of the people is the highest law. See 126 N. C. 999, 78 Am. St. Rep. 691, 49 L. R. A. 588, 35 S. E. 459.

Salus populi suprema lex esto. Let the welfare of the people be the highest law.

Salus reipublicae suprema lex. The welfare of the state is the highest law. See 28 R. I. 41, 9 L. R. A. (N. S.) 193, 65 Atl. 641.

Salus ubi multa consilia. There is safety in many counsels.

Salutem. Greeting.

Salva gardia. Safeguard, which see.

Salvage. The compensation allowed to persons by whose voluntary assistance a ship at sea or her cargo or both have been saved in whole or in part from impending sea peril, or in recovering such property from actual peril or loss. See 101 U. S. 384, 25 L. Ed. 982.

Salvage service. Services in saving property on the sea or wrecked on the coast.

Salvage loss. A loss which would have been total in the absence of salvage. See 61 App. Div. (N. Y.) 390, 70 N. Y. Supp. 654.

Salvian interdict. See Interdictum salvianum.

Salvo. Saving; excepting.

Salvo jure cujuslibet. Saving the rights of each one, i. e., without prejudice.

Salvo me et haeridibus meis. Excepting me and my heirs.

Salvor. One who, without any particular relation to a ship in distress, proffers useful service, and gives it as a voluntary adventurer, without any pre-existing covenant that connected him with the duty of employing himself for the preservation of the ship. See 10 Pet. (U. S.) 108, 9 L. Ed. 363.

Salvus plegius. A safe-pledge; a surety.

Sample. An article or a portion taken from a large quantity as a fair representative of the whole; a specimen. See 22 Tex. 270, 73 Am. Dec. 264.

Sanae mentis. Of sound mind.

Sanctio. Sanction; that part of a statute which prescribed a penalty for its violation.

Sanctio justa, jubens honesta et prohibens contraria. A just sanction, ordering the right and forbidding the contrary.

Sanction. Sacredness; authority.

Sanctuary. A place where one was immune from arrest.

Sane. Of sufficient mentality to understand the nature of one's act and to know right from wrong in respect to that act. See 114 Wis. 160, 89 N. W. 826. Of sound and healthy mind. See 62 Me. 369, 16 Am. Rep. 473.

Sanguinem emere. A redemption by villeins, of their blood or tenure, in order to become freemen.—Bouv. L. Dict.

Sanguinis conjunctio benevolentia devincit homines et caritate. The bond of blood overcomes men through benevolence and affection.

Sanguis. Related by blood; consanguinity.

Sanis. A punishment among the Greeks by fastening the culprit to a piece of wood.

Sanitary. Pertaining to the public health. See 90 Wis. 301, 63 N. W. 288.

Sanity. Soundness of mind.

**Sans.** Without.

**Sans ceo que.** Without this, that.

**Sans impeachment de wast.** Same as Absque impetitione vasti.

**Sans jour.** Without day. See Sine die.

**Sans nombre.** Without number. See Sine numero.

**Sans recours.** Without recourse. See Indorsement without recourse.

**Sanus.** Sane; whole; sound; healthy in mind or body. See 5 N. J. L. 589.

**Sapiens incipit a fine, et quod primum est intentione, ultimum est in executione.** A wise man begins at the end, and that which is first in intention is last in execution.

**Sapiens omnia agit cum consilio.** A wise man does all things with consideration.

**Sapientia legis nummario pretio non est aestimanda.** The wisdom of the law is not to be estimated in money value.

**Sapitentis judicis est cogitare tantum sibi esse permissum, quantum commissum et creditum.** A wise judge should only permit himself to think in so far as a matter is committed and intrusted to him.

**Sart.** Woodland converted into arable land.

**Sasine.** Seisin, which see.

**Satisdare.** (Civil Law) To give satisdatio.

**Satisdatio.** (Civil Law) Security to pay whatever judgment may be rendered.

**Satisfaction.** See Accord and satisfaction. See, also, 100 Am. St. Rep. 452, note.

**Satisfaction piece.** An instrument signed by the attorneys in an action filed therein and acknowledging satisfaction.

**Satisfactory.** The buyer is the sole judge and the thing must be satisfactory to him if the matter involves personal taste or feeling, otherwise the word means reasonably satisfactory. See 21 R. I. 65, 79 Am. St. Rep. 774, 41 Atl. 891.

**Satisfactory evidence.** Such proof as will satisfy an unprejudiced mind beyond a reasonable doubt. See 1 S. D. 326, 9 L. R. A. 824, 47 N. W. 146.

**Satisfactory indorser.** One satisfactory to the payee. See 48 N. Y. Super. Ct. 470.

**Satisfactory title.** One valid and reasonably free from any doubt which would interfere with its market value. See 157 N. Y. 201, 45 L. R. A. 666, 52 N. E. 1.

**Satius est petere fontes quam rivulos.** It is more satisfying to seek the springs than the little rivers.

**Satius est petere fontes quam sectari rivulos.** It is more satisfactory to seek the springs than to follow the little rivers. See 25 R. I. 600, 65 L. R. A. 236, 57 Atl. 771.

**Sault.** An assault.

**Sauvement.** Safely.

**Savanna.** A natural open meadow. See 24 N. C. 311.

**Save harmless.** To indemnify. See 42 Conn. 244.

**Save the statute.** To keep the statute of limitations from running against one's cause of action by suing in time.

**Savin.** Same as Juniperus sabina.

**Saving clause.** An exception of a special thing out of general things mentioned in a statute. See 174 Mo. 125, 61 L. R. A. 593, 73 S. W. 623.

**Savings bank.** An institution for receiving and investing savings

and paying interest on the savings so deposited at stated intervals, the interest being dependent as to rate on the bank's profit from loaning the deposits. See 105 Am. St. Rep. 729, note.

Sc. Scilicet, which see.

Scab. An opprobrious epithet used contemptuously of a nonunion workman or one refusing to strike. See 31 Misc. Rep. 324, 64 N. Y. Supp. 285.

Scaccarium. A cloth resembling a checker-board, used in accounting in the exchequer.

Scale. To cut down to proportion.

Scalped ticket. A railroad ticket purchased from a ticket broker. See 45 Minn. 53, 47 N. W. 312.

Scalper. A broker in the business of buying and selling whole and partly used railroad tickets. See 110 La. 414, 34 South. 585.

Scan. mag. Scandalum magnatum, which see.

Scandal. A crime in respect to which one is protected from making answer to a bill of discovery. See 8 Coun. 528, 21 Am. Dec. 691. A slander. See 2 Binn. (Pa.) 514.

Scandalous matter. Matter in a pleading or decision which is both immaterial and reproachful. See 1 Johns. Ch. (N. Y.) 103.

Scandalum magnatum. The old common-law offense of slandering persons of high rank or office. See 177 Mo. 205, 99 Am. St. Rep. 624, 76 S. W. 79.

Schedule in bankruptcy. A debtor's inventory of his property and credits.

Scheme. A plan or artifice.

Schireman. A sheriff.

Schism. A division in a church or ecclesiastical body.

School district. A quasi municipal corporation organized for educational purposes and having such authority as statute confers. See 93 Cal. 414, 28 Pac. 1067.

School lands. Lands granted to the state for the free public common schools. See 19 Idaho, 268, Ann. Cas. 1912B, 1344, 113 Pac. 447.

Sci. fa. Scire facias, which see.

Sciant praesentes et futuri. Men present and future may know.

Sciendum est. It should be known.

Sciens et prudens. Knowing and intending.

Scienter. The knowledge or reasonable cause to know on the part of the owner or keeper of a vicious animal of the animal's vicious propensities.

Scienti et volenti non fit injuria. An injury is not done to one who knows and consents to the act.

Scienti non fit injuria. No injury is done to one who has knowledge of the facts. See 77 Ark. 367, 7 Ann. Cas. 430, 4 L. R. A. (N. S.) 837, 92 S. W. 244.

Scientia sciolorum est mixta ignorantia. The knowledge of the superficial is mixed ignorance.

Scientia utrinque par pares contrahentes facit. Knowledge on each side makes the contracting parties equal.

Scientia utriusque par pares contrahentes facit. Knowledge on both sides makes the contracting parties equal.

Scil. Scilicet, which see.

Scilicet. To wit; that is to say. See SS.

Scintilla juris. A particle of right.

Scintilla of evidence. The least particle of evidence, trifling with-

out further evidence. See 175 Ill. 472, 51 N. E. 651.

**Scire debes cum quo contrahis.** You ought to know the person with whom you contract.

**Scire et scire debere aequiparantur in jure.** To know and to be bound to know are equivalent in law.

**Scire facias.** A writ founded on some matter of record, as a recognizance, judgment, etc., on which it lies to obtain execution or for other purposes, as to repeal letters patent, hear errors, etc. See 122 Am. St. Rep. 70, note.

**Scire facias, quare restitutionem habere non debet.** A process in the nature of an order to show cause. See 132 N. Y. 363, 28 Am. St. Rep. 589, 15 L. R. A. 588, 30 N. E. 963.

**Scire feci.** I have given notice.

**Scire fieri inquiry.** A writ to inquire into the disposition by the defendant of his goods.

**Scire leges non hoc est verba earum tenere, sed vim et potestatem.** To know the laws is not to grasp their words alone, but their force and power.

**Scire proprie est rem ratione et per causam cognoscere.** To know properly is to know the thing by reason and through the cause of it.

**Sciregemot.** A county court.

**Scite.** Situation; site.

**Scold.** See Common scold.

**Scope of authority.** The authority appropriate to the act or that usually conferred in such a matter. See 38 Ga. 391, 95 Am. Dec. 400.

**Scope of employment.** Course of duty. See 131 N. C. 250, 42 S. E. 604.

**Scot and lot.** Same as Lot and scot.

**Scotch peers.** Scotch members of the House of Lords.

**Scrambling possession.** A gaining of possession by means of a physical struggle without resort to the courts. See 54 Cal. 176.

**Scramming.** Mining in a mine or pit which has been opened and mined before. See 93 Mich. 491, 24 L. R. A. 357, 53 N. W. 625.

**Scrawl.** See Scroll.

**Scribere est agere.** To write is to act.

**Scrip.** A city or county treasury warrant; a credit entered in a public land office entitling the holder or his assignee to select and appropriate a certain number of acres of public land in a given locality. See 87 Mich. 353, 49 N. W. 600.

**Script.** An original, as distinguished from a duplicate.

**Scriptae obligationes scriptis tolluntur, et nudi consensus obligatio contrario consensu dissolvitur.** Written obligations are released by writings and an obligation of naked consent is dissolved by a contrary consent.

**Scriptum.** A writing.

**Scriptum indentatum.** An indenture.

**Scriptum obligatorium.** A bond.

**Scrivener.** A copyist; a scribe; a clerk; a conveyancer.

**Scroll.** An escrow; a writing rolled or to be rolled up; a scrawl or flourish intended as a seal.

**Scrutator.** An officer who guarded the king's rights in flotsam, jetsam, wreck, and the like.

**Scutage.** Same as Escuage.

**Scutagio habendo.** See De scutagio habendo.

**Scutagium.** Scutage.

**Scutifer.** A knight's attendant.

**Scutum.** A shield.

**Se.** Himself; themselves; itself.

**Se defendendo.** In self-defense.

**Sea battery.** A battery on a seaman at sea.

**Sea brief.** Same as Sea letter.

**Sea letter.** The manifest of a neutral ship.

**Seal.** Any mark clearly appearing to have been intended by the person using it to be his seal. See 50 Am. St. Rep. 156, note.

**Seal, Privy.** See Privy seal.

**Sealed.** Having a seal affixed; under seal.

**Sealed verdict.** One delivered privately to the judge out of court. See 4 Neb. 86.

**Seaman.** One other than the master or mate employed in navigating a ship. See 100 Fed. (U. S.) 125.

**Search.** An examination of public records and files, particularly in following a chain of title.

**Search, Right of.** See Right of search.

**Search-warrant.** A written authority in writing from the state, signed by a magistrate, and directed to an officer, commanding him to examine a designated place for articles alleged to be concealed there contrary to law. See 101 Am. St. Rep. 330.

**Seashore.** See Shore.

**Seat of justice.** Same as County seat.

**Seated land.** Land used for a residence or farm, cultivated, occupied or revenue producing land. See 105 Pa. 562.

**Seaworthy.** In a fit state, as to repairs, equipment and crew, and in all other respects to encounter the ordinary perils of the voyage insured at the time of sailing upon it. See 58 Am. Dec. 672, note.

**Sebastomania.** Religious mania.

**Sec.** See Rent sec.

**Seck.** Without right of distress.

**Seclusion.** Voluntary confinement. See 38 La. Ann. 547. Cf. Reclusion.

**Second deliverance.** Statute restrained a plaintiff in replevin when nonsuited from suing out a fresh replevin, but allowed him a writ of second deliverance whereby he could again secure possession by giving security. See 3 Bl. Comm. 150.

**Second distress.** A new distress levied when the first was insufficient to satisfy the demand.

**Second mortgage.** One over which another one has priority.

**Second of exchange.** See First of exchange. See, also, 63 U. S. 96, 16 L. Ed. 323.

**Second surcharge.** A writ against one who has surcharged a common after there has been an admeasurement of pasture. See 3 Bl. Comm. 239.

**Second-hand evidence.** Hearsay. Cf. Secondary evidence.

**Secondarily liable.** Not liable until recourse against one primarily liable has been exhausted.

**Secondary conveyance.** A deed or conveyance which confirms, modifies or enlarges a prior one.

**Secondary easement.** An easement appurtenant or incident to the principal or primary one. See 121 Cal. 662, 54 Pac. 69.

**Secondary evidence.** Oral testimony or a copy admitted to prove the contents of a lost original document or one which the other party can and will not produce. See 50 Kan. 436, 38 Pac. 496.

**Secondary franchises.** All those franchises of a corporation other than its right or franchise to be a corporation, which is the primary one. See 22 Colo. 429, 37 L. R. A. 711.

**Secondary liability.** See Secondarily liable.

**Secondary obligation.** One arising from the breach of a primary obligation, e. g., to pay damages. See Primary obligation. See, also, 8 Harv. Law Rev. 200.

**Seconds.** Those who assist the combatants in a duel.

**Secret assault.** One so made that the victim is prevented from seeing or repelling it. See 104 N. C. 774, 10 S. E. 249.

**Secret partnership.** One wherein the existence of certain persons as partners is not avowed or made known to the public by any of the partners. See 5 Pet. (U. S.) 529, 8 L. Ed. 216.

**Secret process.** See Trade secret.

**Sect.** Persons adhering to a certain religious creed. See 53 N. H. 9, 16 Am. Rep. 82.

**Secta.** A suit; service.

**Secta ad curiam.** A writ against one refusing to perform his suit at the county court or court-baron.—Cowell.

**Secta ad molendinum.** The service of bringing one's corn to a certain mill to be ground; a writ for not doing so.

**Secta curiae.** Attendance at court, as an incident to certain feudal tenure.

**Secta est pugna civilis, sicut actores armantur actionibus, et quasi accinguntur gladiis, ita rei (e contra) muniuntur exceptionibus, et defenduntur quasi clypeis.** A suit is a civil fight, and just as the plaintiffs are armed with actions and, as it were, girdled with swords, so the defendants are, on the other hand, fortified with pleas and defended, as it were, by shields.

**Secta quae scripto nititur a scripto variari non debet.** A suit which is founded upon a writing ought not to vary from the writing.

**Sectarian.** Pertaining to a religious sect.

**Sectator.** A suitor; a tenant of whom secta curiae was due. See Secta curiae.

**Section.** A governmental land measure, a square containing 640 acres; a square mile.

**Sectores.** The bidders at an auction.

**Secular.** Temporal or worldly; opposed to spiritual.

**Secular clergy.** See Regular clergy.

**Secundum.** According to; in accordance with; in favor of.

**Secundum aequum et bonum.** According to justice and right.

**Secundum allegata et probata.** According to the pleadings and proof.

**Secundum consuetudinum manerii.** According to the custom of the manor.

**Secundum formam chartae.** According to the form of the deed.

**Secundum formam doni.** According to the form of the gift.

**Secundum formam statuti.** According to the form of the statute.

**Secundum legem communem Angliae.** According to the common law of England.

**Secundum naturam.** According to nature.

**Secundum naturam est, commoda cujusque rei eum sequi, quem se-**

quentur incommoda. It is according to nature that he who has the benefit of the thing should have the burden.

**Secundum normam legis.** According to the rule of law.

**Secundum regulam.** According to rule.

**Secundum subjectam materiam.** According to the subject matter.

**Secure.** To give security, as by mortgage or pledge.

**Secured creditor.** A creditor with a lien upon property of the debtor or with a right to resort to third parties who hold such a lien for their reimbursement.

**Securitas.** A surety.

**Securitate pacis.** A writ to cause one to give security to keep the peace.

**Security.** A right over property by virtue of which the enforcement of a liability or promise is facilitated. See 78 Iowa, 575, 6 L. R. A. 92, 43 N. W. 536. As applied to persons, means the obligation to stand for the sum absolutely unless discharged by the obligor's negligence after notice. See 16 Pa. St. 9, 55 Am. Dec. 479.

**Security for costs.** A bond required of a party conditioned upon his payment of costs in cases of defeat.

**Security for good behavior.** Security to keep the peace.

**Securius expediuntur negotia commissa pluribus, et plus vident oculi quam oculus.** Affairs committed to many are expedited the more surely, and eyes see more than an eye sees.

**Securus.** Safe; secure.

**Secus.** Otherwise.

**Sed.** But; however.

**Sed non allocatur.** But it is not allowed.

**Sed per curiam.** But by the court (it was held).

**Sed vide.** But see.

**Sedato animo.** With settled intent.

**Sedente curia.** The court sitting; during a session of the court.

**Sedurunt.** (Scotch) A court session.

**Sedes.** See, which see.

**Sedition.** Speaking or writing against the character of the government, or seeking unlawfully to change it. See 177 Mo. 205, 99 Am. St. Rep. 624, 76 S. W. 79.

**Sedo.** (Mex.) I grant.

**Seduction.** The statutory offense of debauching an unmarried female by means of deception or promise of marriage. See 8 Am. St. Rep. 870, note.

**See.** The jurisdiction of a bishop.

**Seen.** A word written by the drawee of a bill, signifying his acceptance. See 30 N. H. 256, 64 Am. Dec. 290.

**Seigneur.** A lord; a master.

**Seigniory.** Lordship; a manor.

**Seigniory in gross.** A lordship unattached to any manor.

**Seised.** Invested with seisin. See Seisin.

**Seised in his demesne as of fee.** Seised in fee simple.

**Seisi.** Seised.

**Seisin.** The possession of a freehold estate, created at common law by livery of seisin. See 5 Rich. (S. C.) 280, 57 Am. Dec. 744. In the U. S., the term means, generally, ownership. See 16 Wall. (U. S.) 352, 21 L. Ed. 341. See, also, Livery of seisin.

**Seisin by hasp and staple.** Investiture of seisin by the feoffee's taking hold of the hasp of the house door and then bolting himself in.

**Seisin in deed.** Actual possession. See 11 Hun (N. Y.), 351.

**Seisin in fact.** Same as Seisin in deed.

**Seisin in fee.** Actual possession with a fee-simple estate.

**Seisin in law.** The legal right to possession, as distinguished from actual possession. See 11 Hun (N. Y.), 351.

**Seisin, Livery of.** See Livery of seisin.

**Seisina facit stipitem.** Seisin makes the stock. See 235 Ill. 178, 126 Am. St. Rep. 189, 18 L. R. A. (N. S.) 624, 85 N. E. 267.

**Seizin.** Same as Seisin.

**Seizing in transitu.** See Stoppage in transitu.

**Seizing of heriots.** Taking one's heriot on the death of the tenant. See Heriot.

**Seizure.** As to property capable of manual delivery, the physical taking into custody. See 9 Wall. (U. S.) 103, 19 L. Ed. 602.

**Selecti judices.** Same as Judices selecti.

**Self-defense.** The resistance of force, or seriously threatened force, either actually pending or reasonably apparent, by force sufficient to repel the actual or apparent danger and no more. See 96 Ala. 81, 38 Am. St. Rep. 85, 11 South. 250.

**Self-executing.** Indicating principles, without laying down rules by means of which those principles may be given the force of law. See 13 Wash. 17, 42 Pac. 625.

**Self-disserving evidence.** Self-regarding evidence against the party offering it.

**Self-regarding evidence.** Evidence resulting from the conduct or language of the party offering it or that of his witness.

**Self-serving evidence.** Self-regarding evidence in favor of the party offering it.

**Seller.** One who sells personalty.

**Selling short.** See Short sale.

**Semb.** Semble, which see.

**Semble.** It seems; a dictum holds.

**Semblement.** Similarly.

**Semel civis semper civis.** Once a citizen always a citizen.

**Semel malus semper praesumitur esse malus in eodem genere.** Once bad, he is always presumed to be bad in the same way.

**Semestria.** Collected decisions of the Roman emperors.

**Semi-matrimonium.** (Civil Law) Concubinage.

**Semi-plena probata.** (Civil Law) Half full proof, a presumption.

**Semper.** Always.

**Semper in dubiis benigniora praeferenda sunt.** In doubtful matters the more liberal constructions should always be preferred.

**Semper in dubiis id agendum est, ut quam tutissimo loco res sit bona fide contracta, nisi quum aperte contra leges scriptum est.** In doubtful matters it should always be arranged so that a bona fide contract is in the safest situation, excepting when the writing is plainly contrary to law.

**Semper in obscuris quod minimum est sequimur.** In obscure matters we always follow that which is least so.

**Semper in stipulationibus et in caeteris contractibus id sequimur quod actum est.** In stipulations and in other contracts we always follow that which has been agreed upon.

**Semper ita fiat relatio ut valeat dispositio.** A reference should always be made so that the disposition will be valid.

**Semper necessitas probandi incumbit ei qui agit.** The burden of proof always lies with him who alleges.

**Semper paratus.** Always ready.

**Semper praesumitur pro legitimatione puerorum, et filiatio non potest probari.** A presumption always exists in favor of the legitimacy of children, for filiation cannot be proved.

**Semper praesumitur pro matrimonio.** A presumption always arises in favor of marriage. See 25 Utah, 129, 95 Am. St. Rep. 821, 58 L. R. A. 723, 69 Pac. 660.

**Semper praesumitur pro negante.** A presumption always exists in favor of one who denies.

**Semper praesumitur pro sententia.** A presumption always exists in favor of a judgment.

**Semper qui non prohibet pro se intervenire, mandare creditur.** One who does not forbid an intervention in his behalf is always regarded as authorizing it.

**Semper sexus masculinus etiam femininum continet.** The masculine sex always includes the feminine also.

**Semper specialia generalibus insunt.** Special expressions are always included in general ones.

**Senate.** The upper house of the U. S. Congress, composed of two senators from each state.

**Senator.** A member of a senate.

**Senatores sunt partes corporis regis.** Senators are parts of the king's body.

**Senatus consultum.** A public act of the Roman senate. See 1 Bl. Comm. 80.

**Senatus decreta.** Private acts of the Roman senate. See 1 Bl. Comm. 86.

**Senescallus.** Seneschal, which see.

**Seneschal.** A manor steward.

**Senile dementia.** Insanity marked by weakness indicating a mental breaking down in advance of bodily decay. See 36 W. Va. 563, 15 S. E. 146.

**Senility.** The mental condition of an aged person.

**Senior.** Higher in rank; prior in force or effect; longer in service.

**Senior mortgage.** One having priority as a lien.

**Sensu honestu.** By or according to its innocent or proper meaning.

**Sensus verborum est anima legis.** The meaning of the words is the spirit of the law.

**Sensus verborum est duplex, mitis et asper, et verba semper accipienda sunt in mitiore sensu.** The meaning of words is twofold, mild and harsh, and words should always be taken in their milder sense.

**Sensus verborum ex causa dicendi accipiendus est, et sermones semper accipiendi sunt secundum subjectam materiam.** The meaning of words is to be taken from the occasion of their speaking, and discourses should always be understood according to their subject matter.

**Sentence.** The final judgment of a criminal or admiralty court. See 158 Pa. 88, 27 Atl. 867.

**Sententia.** A sentence; a judgment; meaning; sense.

**Sententia a non judice lata nemini debet nocere.** A judgment rendered by one not a judge ought to harm no one.

**Sententia contra matrimonium nunquam transit in rem judicatam.** A decision against marriage never passes into a thing adjudged.

**Sententia facit jus, et legis interpretatio legis vim obtinet.** A judgment makes law, for the interpretation of the law has the force of law.

**Sententia facit jus, et res judicata pro veritate accipitur.** A judgment makes law, and a thing adjudged is received as the truth.

**Sententia interlocutoria revocari potest, definitiva non potest.** An interlocutory judgment can be revoked, a final one cannot.

**Sententia non fertur de rebus non liquidis.** A judgment is not rendered concerning matters which are not clear.

**Separate estate.** See Separate property.

**Separate examination.** A notary's questioning of a wife apart from her husband upon taking her acknowledgment.

**Separate general verdict.** A verdict upon separate issues in favor of either party. See 83 Ky. 21.

**Separate maintenance.** The status of a wife living apart from her husband under judicial decree, and supported by him, but without divorce.

**Separate property.** An estate held, both in its use and in its title for the exclusive benefit of either husband or wife. See 76 Am. Dec. 492, note.

**Separatim.** Separately; severally.

**Separation.** See Judicial separation.

**Separatists.** A sect which seceded from the Church of England.

**Sepulchre.** A burial place.

**Sequamur vestigia patrum nostrorum.** Let us follow in the footsteps of our fathers.

**Sequela.** A suit; a process; a prosecution.

**Sequela curiae.** Suit of court. See Suit.

**Sequester.** To renounce. See Renounce. To seize under a sequestration.

**Sequestrari facias.** A writ of execution against a beneficed rector, whereby the bishop was ordered to withhold the profits and income of the benefice for the plaintiff.

**Sequestration.** An equity writ or process against the defendant's property issued to enforce his obedience to an order of the court. See 147 Mass. 81, 9 Am. St. Rep. 666, 17 N. E. 75. An attachment of property in an equity suit. See 13 Fed. (U. S.) 567.

**Sequestrator.** The bailee in a sequestration.

**Sequi debet potentia justitiam, non praecedere.** Power ought to follow justice, not to precede it.

**Serf.** One who was bound to the soil of his birth-place to perform menial service, under feudal tenure.

**Sergeant.** Same as Serjeant.

**Sergeant-at-arms.** An officer of a legislature appointed to enforce its rules and orders of procedure.

**Serial association.** A building and loan association whose stock is divided into series maturing by series at different times. See 104 Ga. 814, 30 S. E. 911.

**Serial bonds.** Bonds maturing in different classes or series.

**Seriatim.** Successively; in succession; severally.

**Seriaunt.** Serjeant, which see.

**Serjeant.** The highest rank attainable in the profession of the common law.

**Serjeant-at-law.** See Serjeant.

**Serjeants' Inn.** An inn of court of which the serjeants at law were members. See Inns of court.

**Serjeanty.** See Grand serjeanty; Petit serjeanty.

**Sermo index animi.** Discourse is the index of the mind.

**Sermones semper accipiendi sunt secundum subjectam materiam, et conditionem personarum.** Discourse is always to be taken according to the subject matter and the condition of the persons.

**Servage.** The service of furnishing one or more workmen for the lord.

**Servanda est consuetudo loci ubi causa agitur.** The custom of the place where the action is brought should be observed.

**Servant.** One engaged to render personal services to his employer otherwise than in the pursuit of an independent calling and who in such service is wholly under the latter's control. See 214 Pa. St. 229, 112 Am. St. Rep. 739, 6 L. R. A. (N. S.) 544, 63 Atl. 792.

**Serve.** To make a service. See Service.

**Servi.** (Roman Law) Persons employed in husbandry and manufactures. See 5 Binn. (Pa.) 167.

**Service.** Notice given or delivered in the manner prescribed by law. See 164 U. S. 81, 41 L. Ed. 357, 17 Sup. Ct. Rep. 28. See, also, Knight-service; Socage; Substituted service.

**Service by publication.** Service of process by the publication thereof in a newspaper. See Substituted service.

**Service in aumone.** A gift of lands for church services for the donor's soul.

**Service real.** (Civil Law) A service which one estate owes to another; the right of doing something or having a privilege in one man's estate for the benefit of the owner of another estate. See 18 Iowa, 352.

**Servidumbre.** (Spanish) A servitude. See 26 Cal. 88.

**Serviens ad legem.** A serjeant at law.

**Serviens narrator.** A serjeant at law.

**Servient estate.** Same as Servient tenement.

**Servient tenement.** The one which bears the burden of a servitude or easement. See 128 Ala. 67, 86 Am. St. Rep. 74, 29 South. 588.

**Servile est expilationis crimen; sola innocentia libera.** The crime of plundering is servile; innocence alone is free.

**Servile labor.** Secular, every-day business. See 6 Conn. 49, 16 Am. Dec. 33.

**Servitia personalia sequuntur personam.** Personal services follow the person.

**Servitium.** Service.

**Servitium foedale et praediale.** A personal service due on account of land held in fee.

**Servitium forinsecum.** Service due the king.

**Servitium in lege Angliae, regulariter accipitur pro servitio quod per tenentes dominis suis debetur ratione feodi sui.** Service is regularly taken in the law of England

to mean the service which is due their lord from the tenants by reason of their fee.

**Servitium intrinsecum.** Service due the chief lord from the tenant.

**Servitium liberum.** The service of freemen, as distinguished from that of serfs or vassals.

**Servitium militare.** Knight-service, which see.

**Servitium regale.** Service due the king in the exercise of his prerogative rights.

**Servitium scuti.** Knight-service, which see.

**Servitium sokae.** Socage, which see.

**Servitude.** The right of one proprietor to some profit, benefit or beneficial use in the land of another. See 8 Cush. (Mass.) 145, 54 Am. Dec. 744.

**Servitude in gross.** A personal servitude imposed on land for the benefit of a person and not for the benefit of other land. See 65 Cal. 46, 2 Pac. 880.

**Servitus.** An easement; a servitude; slavery; bondage.

**Servitus actus.** Same as Servitus itineris.

**Servitus altius non tollendi.** The servitude of not building any higher than one's neighbor.

**Servitus aquae ducendae.** Same as Aqua ductus.

**Servitus aquae hauriendae.** Same as Aquae haustus.

**Servitus cloacae mittendae.** The right of sewering through a neighbor's land.

**Servitus fumi immittendi.** The right to convey smoke through a neighbor's chimney or over his land.

**Servitus itineris.** The right to pass over on horseback or by carriage.

**Servitus luminum.** The right to have the light to a certain part of one's premises unobstructed.

**Servitus ne luminibus officiatur.** A servitude not to obstruct light.

**Servitus non ea natura est, ut aliquid faciat quis, sed ut aliquid patiatur aut non faciat.** It is not the nature of a servitude that one should do something, but that he should suffer something or should not do it.

**Servitus oneris ferendi.** The servitude of support for a neighbor's building.

**Servitus pascendi.** The right to pasture on a neighbor's land.

**Servitus pecoris ad aquam adpulsam.** The right to drive cattle to water on a neighbor's land.

**Servitus praedii urbani.** Urban servitude, which see.

**Servitus praediorum.** Same as Praedial servitude.

**Servitus projiciendi.** The right of projecting one's building over the land of one's neighbor.

**Servitus servitutis esse non potest.** There cannot be an easement upon an easement.

**Servitus stillicidii.** The right of eaves-drip. See Eaves-drip.

**Servitus tigne immittendi.** The right of inserting a beam in one's neighbor's wall.

**Servitus viae.** A right of way.

**Servus.** A slave; a servant.

**Servus facit ut herus det.** The servant works that the master may give.

**Sess.** An assessment or tax.

**Sessio.** A session.

**Session laws.** Statutes passed at a session of the legislature.

**Sessions of the peace.** An English court of record held before two or more justices of the peace for

the execution of the authority given them by their commission and by statute. See 14 Abb. Pr. (N. Y.) 91, quoting Jacob L. Dict.

**Set aside.** To annul; to make void.

**Set for trial.** To enter a court's order fixing a certain day on or after which the case may be called for final disposition or trial. See 112 Ind. 484, 14 N. E. 466.

**Set of exchange.** See First of exchange.

**Set out.** To recite; to state in full. See 58 Neb. 639, 79 N. W. 556.

**Setoff.** A money demand by the defendant against the plaintiff, arising on contract and constituting a debt independent of and unconnected with the cause of action set forth in the complaint. See 61 Or. 502, Ann. Cas. 1914B, 115, 123 Pac. 392.

**Settle.** To effect a mutual adjustment of accounts between different parties and an agreement on the balance. 53 Or. 190, 18 Ann. Cas. 119, 96 Pac. 866, 99 Pac. 935.

**Settled insanity.** Delirium tremens, which see.

**Settlement.** One's domicile, residence or home. See 3 Mass. 160, 3 Am. Dec. 105. The place of the location of public lands. See 23 N. C. 174.

**Settlement, Act of.** See Act of settlement.

**Settlement, Equity to a.** See Equity to a settlement.

**Settlement in pais.** An adjustment of differences out of court.

**Sever.** To compel or permit one of two or more defendants to plead separately.

**Severable contract.** A contract the consideration of which is expressly or impliedly apportionate, e. g., a contract for a year's service at a fixed sum per month. See 4 Atl. (Pa.) 828.

**Several.** See Joint and several.

**Several actions.** Separate, as distinguished from joint, actions.

**Several covenant.** One severally binding on the parties.

**Several fishery.** An exclusive right to fish. See 140 U. S. 371, 35 L. Ed. 428, 11 Sup. Ct. Rep. 838.

**Several inheritance.** An inheritance wherein the heirs take severally in equal parts.

**Several ownership.** Ownership by a single person.

**Severally liable.** Liable personally and separately. See 21 N. Y. 300.

**Severalty.** See Estate in severalty; Tenants in severalty.

**Severance.** The separating of coplaintiffs or codefendants so that they plead severally; the carving or creation of an estate in severalty from a joint tenancy; the separation from the freehold of what is annexed to or part of it. See 156 Pa. 400, 27 Atl. 297.

**Sextery lands.** Lands given to a church for maintenance of a sexton.—Cowell.

**Severance of a statute.** The separation by judicial construction of constitutional from unconstitutional provisions and striking the latter from the statute. See 81 Miss. 507, 95 Am. St. Rep. 476, 62 L. R. A. 407, 34 South. 533.

**Sexual intercourse.** Ordinary and complete intercourse, not imperfect or partial. See 28 Am. Dec. 448, note.

**Shackles.** Iron bands fastened on the ankles of a prisoner and joined by a chain.

**Sham answer.** One that is false. See 70 Am. Dec. 635, note.

**Sham defense.** One which is so clearly false in fact that it does not in reality involve any matter of substantial litigation. See 70 Am. Dec. 635, note.

**Sham pleading.** One good in form, but false in fact; one entered for delay and concerning matter which the pleader knows to be false. See 14 Colo. 65, 20 Am. St. Rep. 253, 23 Pac. 90.

**Share and share alike.** Entitled each to an equal share. See 29 N. Y. 39.

**Share of stock.** The right which its owner has in the management, profits and ultimate assets of the corporation. See 99 Ala. 1, 42 Am. St. Rep. 17, 14 South. 490.

**Share warrant.** A corporation's certificate reciting the holder's right to receive a certain number of paid-up shares of stock.

**Shareholder.** See Stockholder.

**Shave.** To deceive; to defraud. See 10 Barb. (N. Y.) 406.

**Shelley's Case, Rule in.** In any instrument, if a freehold be limited to the ancestor for life, and the inheritance to his heirs, either mediately or immediately, the first taker takes the whole estate; if it be limited to the heirs of a class of persons to take in succession from generation to generation, the limitation to the heirs entitles the ancestors to the whole estate. See 11 Am. St. Rep. 100, note.

**Sheriff.** In England, the immediate officer of the king within the shire, conservator of the peace, within the county, keeper of the county jail and commander of the posse comitatus and served and enforced the processes of the state. In the U. S. his functions are similar, and he is the chief executive officer of the state in his county. See 4 Mo. App. 347.

**Sheriffalty.** Same as Shrievalty.

**Sheriff's certificate.** A certificate of sale issued by a sheriff when he has conducted a sale of property under an execution.

**Sheriff's deed.** A deed executed by a sheriff and delivered to the purchaser of land at an execution sale, upon the expiration of the period of redemption.

**Sheriff's jury.** A jury summoned by a sheriff to hold an inquest of office or an inquest.

**Sheriff's sale.** A sale by a sheriff under a writ of execution of property of the judgment debtor. See 2 Vt. 168, 19 Am. Dec. 707.

**Sheriffwick.** Same as Shrievalty.

**Shewer.** Persons appointed by the court to conduct a viewing by the jury.

**Sherman anti-trust law.** An act of Congress passed July 2, 1890, forbidding combinations or trusts in restraint of trade between the states or with foreign countries.

**Shifting use.** A use by which an estate takes effect in derogation of a preceding estate, whereas a springing use arises from the seisin of the grantor with no estate preceding it. See 90 N. C. 284.

**Ship.** To deliver goods to a carrier for transportation from one point to another. See 147 Iowa, 561, 140 Am. St. Rep. 330, 126 N. W. 698.

**Ship broker.** One who negotiates the buying, selling and freighting of ships. See 33 Ark. 436.

**Ship master.** See Master of a ship.

**Ship receipt.** A written acknowledgment by the mate of the receipt of the goods on board,

describing them by their marks. See 4 Park. Cr. R. (N. Y.) 245.

**Shipped.** Loaded for transportation. See 147 Iowa, 561, 140 Am. St. Rep. 330, 126 N. W. 698.

**Ship's bill.** A copy of a bill of lading retained by the ship merely for its own information and convenience. See 81 U. S. 98, 20 L. Ed. 804.

**Ship's husband.** An agent who purchases the ship's stores, disburses money for her use and accounts for these transactions to his principals, the ship's owners. See 1 Cow. (N. Y.) 290, 13 Am. Dec. 533.

**Ship's papers.** Papers required to be on every ship to show the nationality of the registry and cargo and her compliance with the laws of her country.

**Shire.** A division of an English county.

**Shire clerk.** The clerk of an English county court.

**Shire-mote.** An English county court.

**Shire-reeve.** A sheriff, which see.

**Shop steward.** A labor union officer who keeps a list of all nonunion men at the place or factory and offers their names for membership. See 67 Vt. 690, 32 Atl. 814.

**Shoot.** Held synonymous with kill. See 102 Minn. 186, 120 Am. St. Rep. 613, 112 N. W. 1065.

**Shoplifting.** The larceny of goods from a store or shop.

**Shore.** Land usually overflowed by neap or ordinary tides. See 79 Am. Dec. 162, note.

**Short cause.** A cause the trial of which will presumably be brief.

**Short cause calendar.** A special court calendar for the trials of short causes.

**Short order.** A court order the time for serving which has been shortened by the court.

**Short sale.** Selling before one has title. See 192 Pa. St. 304, 73 Am. St. Rep. 812, 43 Atl. 973.

**Short summons.** A summons wherein the time for the defendant's appearance has been made shorter than usual.

**Show cause.** To comply with a rule to show cause by offering law and facts to influence the court in its decision of the point before it.

**Shrievalty.** The office of a sheriff; the duration thereof.

**Shunpike.** A road used to evade a toll-gate. See 36 S. W. (Tenn.) 979.

**Shyster.** A dishonest practitioner of the law; one who adopts unprofessional methods in his practice. See Pettifogging shyster.

**Si.** Same as Ci. Also, If; although.

**Si a jure discedas, vagus eris et eurunt omnia omnibus incerta.** If you depart from the law, you will be a wanderer and everything will be uncertain to everyone.

**Si alicujus rei societas sit et finis negotio impositus est, finitur societas.** If a matter is a partnership affair, when the business is concluded, the partnership is at an end. See 16 Johns. (N. Y.) 438.

**Si aliquid ex solemnibus deficiat, cum aequitas poscit subveniendum est.** If anything is lacking from formal requisites, when equity requires it, it will be supplied.

**Si assuetis mederi possis nova non sunt tentanda.** If you can be cured by customary means, new remedies should not be tried.

**Si constet de persona.** If it appears certain as to the person.

**Si contingat.** If it happens.

**Si duo in testamento pugnantia reperientur, ultimum est ratum.** If in a will two repugnant clauses are found, the last is regarded.

**Si fecerit te securum.** If he shall have given you security.

**Si ita est.** If it is so.

**Si judicas, cognosce.** If you judge, understand.

**Si meliores sunt quos ducit amor, plures sunt corrigit timor.** Though love leads the better ones, fear corrects more.

**Si non appareat quid actum est, erit consequens ut id sequamur quod in regione in qua actum est frequentatur.** If it is not apparent what was done, the consequence will be that we shall follow that which is commonly done in the locality in which it was done.

**Si non omnes.** A writ to assemble the justices whereunder two or more can act, if all are not present.

**Si nulla sit conjectura quae ducat alio, verba intelligenda sunt ex proprietate, non grammatica sed populari ex usu.** If there is no conjecture which leads to a different conclusion, words are to be understood according to their proper sense; not according to a grammatical usage but according to a popular one.

**Si plures conditiones ascriptae fuerunt donationi conjunctim, omnibus est parendum; et ad veritatem copulative requiritur quod utraque pars sit vera, si divisim, quilibet vel alteri eorum satis est obtemperare; et disjunctivis, sufficit alteram partem esse veram.** If several conditions of a gift are written in the conjunctive, they must all be performed, and as to their truth, it is required that each part shall be true taken jointly; if they are separately written, it is sufficient to comply with any one or other of them, and as they are disjunctive, it is sufficient if either part be true.

**Si plures sint fidejussores, quotquot erunt numero, singuli in solidum tenentur.** If there are many sureties, however great their number, each one is jointly bound.

**Si prius.** If before.

**Si quid universitati debetur singulis non debetur, nec quod debet universitas singuli debent.** If anything is owed to a corporation, it is not owed to the individuals, nor do the individuals owe that which the corporation owes.

**Si quidem in nomine, cognomine, praenomine, agnomine legatarii testator erraverit, cum de persona constat, nihilominus valet legatum.** If any testator has erred in the name, cognomen, praenomen or title of a legatee, the legacy will nevertheless be valid when the person intended is made clear.

**Si quis.** If anyone.

**Si quis cum totum petiisset partem petat, exceptio rei judicatae vocet.** If anyone sue for a part when he should have sued for the whole, the judgment is res adjudicata. See 2 Mart. O. S. (La.) 83.

**Si quis custos fraudem pupillo fecerit, a tutela removendus est.** If any guardian commits a fraud against his ward, he should be removed from his guardianship.

**Si quis praegnantem uxorem reliquit, non videtur sine liberis decessisse.** If anyone has left his wife pregnant, he is not deemed to have died without children.

**Si quis sine liberis decesserit.** If anyone shall have died without issue.

Si quis unum percusserit, cum alium percutere vellet, in felonia tenetur. If anyone kill one man when he intended to kill another, he is held for felony.

Si suggestio non sit vera, literae patentes vacuae sunt. If the suggestion is not true, the letters patent are void.

Si te fecerit securum. If he shall have made you secure.

Sic. So; thus.

Sic enim debere quem meliorem agrum suum facere, ne vicini deteriorem faciat. Each one ought so to improve his own land that he does no injury to his neighbor.

Sic hic. So here.

Sic interpretandum est ut verba accipiantur cum effectu. An expression should be so construed that the words may have an effect.

Sic jubeo. I so order.

Sic subscribitur. It is so subscribed.

Sic utere tuo ut alienum non laedas. So use your own that you do not injure that of another. See 44 Minn. 395, 20 Am. St. Rep. 584, 46 N. W. 768.

Sic volo. I so will it.

Sicut alias. As on another occasion.

Sicut me Deus adjuvet. So help me God.

Sicut natura nil facit per saltum, ita nec lex. Just as nature does nothing by a leap, so neither does the law.

Side. See Equity side; Law side.

Side judge. An associate judge.

Side lines of a mining claim. The boundary lines of the claim which do not cross the lode. See 58 Am. St. Rep. 267, note.

Siens. Scions; descendants.

Sight. A term signifying the date of the acceptance or of the protest for nonacceptance of a bill, e. g., ten days after sight.

Sigillare. To seal.

Sigillum. A seal.

Sigillum est cera impressa, quia cere sine impressione non est sigillum. A seal is an impressed wax wafer, for the wax without the impression is not a seal.

Sigla. (Roman Law) Abbreviations.

Sign. See Signature; Signed.

Sign manual. The king's signature on instruments such as letters patent.

Signa. (Civil Law) Evidence addressed to the senses, as by exhibits.

Signare. To sign; to seal.

Signatorius annulus. A seal ring.

Signature. A person's name signed by him as he ordinarily signs it: the mark or cross made by one who cannot write his name, witnessed by one who signs his own name as a witness thereto. See 49 Ark. 18, 4 Am. St. Rep. 17, 3 S. W. 883.

Signed. Executed. See 35 W. Va. 15, 29 Am. St. Rep. 774, 12 S. E. 1078.

Signet, Privy. See Privy signet.

Significavit. Same as De excommunicato capiendo.

Signum. A sign; a seal; a mark.

Silent leges inter arma. Laws are silent among arms.

Silva caedua. Wood preserved for annual cutting.

Silver certificates. Certificates issued by the U. S. to circulate as money and secured by silver in the treasury.

Similiter. The acceptance of or concurrence in, an issue by the party to whom it is tendered. See 57 N. H. 163. See, also, Joinder in demurrer; Joinder in issue.

**Similiter dicere.** To say the like. See 104 La. 524, 29 South. 232. See, also, Homologation.

**Similitudo legalis est casuum diversorum inter se collatorum similis ratio; quod in uno similium valet, valebit in altero. Dissimilium dissimilis est ratio.** Legal similarity is a similar reason of different cases compared with one another, and what prevails in one similar case prevails in another. The reason of dissimilar cases is dissimilar.

**Simonia.** Simony, which see.

**Simony.** The crime of buying or selling ecclesiastical preferment, or the corrupt presentation of anyone to an ecclesiastical benefice for money or reward. See 40 Neb. 158, 24 L. R. A. 68, 58 N. W. 728.

**Simple assault.** An assault not followed by a battery. See 43 S. C. 114, 20 S. E. 975.

**Simple average.** Same as Particular average.

**Simple blockade.** A blockade established by naval officers without instructions therefor from their government. See 69 U. S. 135, 17 L. Ed. 796.

**Simple bond.** An obligation whereby the obligor bound his heirs, executors and administrators to pay a certain sum of money to a named obligee on demand or on a day certain. See 170 Mo. 531, 62 L. R. A. 427, 71 S. W. 337.

**Simple confession.** A plea of guilty. See 71 Conn. 293, 41 Atl. 820.

**Simple contract.** A contract, written or oral, not under seal. See 11 N. J. L. 174, 19 Am. Dec. 388.

**Simple interest.** Interest computed at the agreed percentage rate from the time when it is agreed to begin to the time when it is agreed to be paid. See 3 Dak. 449, 22 N. W. 594. Cf. Compound interest.

**Simple larceny.** That unattended with circumstances aggravating the offense, as in larceny from the person. See 85 Ky. 597.

**Simple license.** A gratuitous license revocable at will, save when the licensee has incurred expense in improving it. See 19 Ark. 23, 68 Am. Dec. 190.

**Simple obligation.** See Simplex obligatio.

**Simple socage.** Same as Free socage.

**Simple trust.** One giving the cestui a right to the possession, control and disposal of the property. See 98 Am. Dec. 356, note.

**Simplex.** Simple.

**Simplex commendatio non obligat.** A simple recommendation is not binding. See 147 N. C. 515, 17 L. R. A. (N. S.) 240, 61 S. E. 384.

**Simplex dictum.** A mere allegation.

**Simplex et pura donatio dici poterit, ubi nulla est adjecta conditio nec modus.** A gift can be said to be pure and simple when no condition or modification is annexed to it.

**Simplex justitiarius.** Simple justice.

**Simplex loquela.** A mere allegation or matter of complaint.

**Simplex obligatio.** An unconditional bond.

**Simplex peregrinatio.** Simple pilgrimage.

**Simplicitas est legibus amica, et nimia subtilitas in jure reprobatur.** Simplicity is a friend to the law and too much subtlety is disapproved in the law.

**Simpliciter.** Simply.

**Simul cum.** Together with.

**Simul et simul.** Together and simultaneously.

**Simulated.** Counterfeited; feigned; pretended.

**Simulatio latens.** Simulated or feigned illness.

**Sine.** Without.

**Sine animo remanendi.** Without intent to remain.

**Sine animo revertendi.** Without the intent or disposition to return.

**Sine assensu capituli.** A writ for a church corporation to recover its lands wrongfully conveyed.

**Sine consideratione curiae.** Without being passed upon by the court.

**Sine cura.** Charged with no duty.

**Sine decreto.** Without any judicial sanction.

**Sine die.** Without day, finally.

**Sine hoc quod.** Without this, that.

**Sine liberis.** Without children.

**Sine numero.** Without number or limit.

**Sine possessione usucapio procedere non potest.** Without possession prescription cannot exist.

**Sine prole.** Without issue.

**Sine qua non.** Without which not; an indispensable requisite.

**Sine vi aut dolo.** Without force or fraud.

**Sinecure.** A benefice without cure of souls. See Cure of souls.

**Single.** Unmarried. See 85 Tex. 335, 119 S. W. 162.

**Single adultery.** That committed by an unmarried person with a married one. See 1 Pinn. (Wis.) 91, 39 Am. Dec. 277.

**Single bill.** A bond without condition, differing only from a promissory note in that it is under seal. See 20 Or. 318, 11 L. R. A. 833, 25 Pac. 1021.

**Single bond.** An unconditional bond.

**Single combat.** A duel; a battel.

**Single original.** An instrument not in duplicate.

**Singulariter.** Singly.

**Singuli in solidum tenentur.** Each one is bound for the whole.

**Sinking fund.** One arising from particular taxes, imposts or duties, which is appropriated toward the payment of the interest due on a public loan and for the payment of the principal. See 162 Pa. 123, 24 L. R. A. 781, 29 Atl. 387, quoting Bouv. L. Dict.

**Sit.** To preside as a judge.

**Sit in bank.** See In bank.

**Sit in camera.** See In camera.

**Sitio.** (Spanish) A land measure. See 3 Ariz. 100, 21 Pac. 177.

**Sitio ganado mayor.** (Spanish and Mexican) A section or township in the surveys of the U. S. See 3 Ariz. 100, 21 Pac. 177.

**Sitting in bank.** See In bank.

**Sitting of court.** Term of court. See 1 Or. 308.

**Situs.** Location; place of jurisdiction over property. See 96 Ala. 144, 16 L. R. A. 729, 11 South. 393.

**Sive tota res evincatur, sive pars, habet regressum emptor in venditorem.** Whether evicted altogether or partly, the vendee has his remedy against the vendor.

**Six carpenters' case.** A celebrated case holding that refusal to pay for refreshment at a public tavern would not render a patron liable in an action of trespass as for an unlawful entry, because he had committed no trespass. 8 Coke, 146a. See Trespass ab initio.

**Six clerks.** The six clerks of the English Court of Chancery.

**Skeleton bill.** A settled bill of exceptions which has not been incorporated in the record of the cause.

See 77 Iowa, 73, 3 L. R. A. 184, 41 N. W. 575.

**Slander.** Oral defamation published without legal excuse. See 72 Am. Dec. 426, note.

**Slander of title.** The false and malicious disparagement of one's title to realty or personalty causing special damage to him. See 90 Cal. 532, 25 Am. St. Rep. 151, 13 L. R. A. 707, 27 Pac. 527.

**Slight care.** That care which every man of common sense, however inattentive he may be, takes of his own property. 93 Ga. 503, 44 Am. St. Rep. 182, 21 S. E. 55.

**Slaughter-house cases.** Cases bearing on the interpretation of the fourteenth amendment to the U. S. Constitution. See 16 Wall. (U. S.) 36, 21 L. Ed. 394.

**Slight diligence.** Such as those of less than common prudence or those of any prudence exercise in their own affairs. See 7 N. Y. 438, 57 Am. Dec. 534.

**Slight negligence.** The failure to exercise great or extraordinary care. See 36 Kan. 565, 14 Pac. 1.

**Small tithes.** Praedial tithes, other than great tithes, and also mixed tithes and personal tithes.

**Smart-money.** Damages sought by way of punishment, in addition to fair compensation for the injury. See 92 Mich. 233, 31 Am. St. Rep. 580, 52 N. W. 465.

**Smuggling.** The secret introduction of goods to a country with intent to avoid the payment of duty. See 25 Fed. Cas. (U. S.) 433, 13 Blatchf. 178.

**Socage.** Land tenure by nonmilitary service.

**Socer.** A father-in-law.

**Societas.** A partnership.

**Societe anonyme.** An association the liability of the members of which is limited.

**Society of a wife.** Such capacity for usefulness, aid and comfort as she is possessed of. See 102 Mo. 669, 22 Am. St. Rep. 800, 15 S. W. 315.

**Socii mei socius meus socius non est.** The partner of my partner is not my partner.

**Socman.** A tenant in socage.

**Sodomy.** Connection per anum between two human beings of male sex. See 10 Ind. 355, 71 Am. Dec. 331.

**Soit baile aux commons.** Let it be delivered to the commons.

**Soit droit fait al partie.** Let right be done to the party.

**Sola ac per se senectus donationem, testamentum aut transactionem non vitiat.** Old age alone does not of itself vitiate a gift, a will or a transaction. See 5 Johns. Ch. (N. Y.) 148.

**Solar day.** From sunrise to sunset.

**Solar month.** A calendar month.

**Solares.** (Spanish) City or town lots. See 15 Cal. 530.

**Solatium.** Compensation or damages for sorrow, mental anguish or wounded feelings. See 95 Cal. 510, 29 Am. St. Rep. 143, 17 L. R. A. 71, 30 Pac. 603.

**Sold.** May mean contracted to be sold. See 3 Wend. (N. Y.) 112, 20 Am. Dec. 670.

**Sold notes.** See Bought and sold notes.

**Sole.** Only; exclusive.

**Sole corporation.** See Corporation sole.

**Solemn oath.** Same as Corporal oath.

**Solemnitas.** Solemnity; formality.

**Solemnitates juris sunt observandae.** The solemnities of the law should be observed.

**Solicitation.** The offense of inciting another to commit a crime which especially affects public society. See 6 Pa. Super. Ct. 405.

**Solicitor.** An attorney at law in England, a member of the bar, but not permitted to practice in the superior courts. See 66 N. H. 207, 24 L. R. A. 740, 29 Atl. 559.

**Solidum.** The whole.

**Solido.** See In solido.

**Solo cedit quod solo implantatur.** That which is planted in the soil belongs to the soil.

**Solo cedit quod solo inaedificatur.** That which is built into the soil belongs to the soil.

**Solum rex hoc non facere potest, quod non potest injuste agere.** This alone the king cannot do, he cannot act unjustly.

**Solum.** Soil; ground.

**Solus Deus haeredem facit.** God alone makes an heir.

**Solutio.** Payment; settlement.

**Solutio indebiti.** A payment of what is not owed.

**Solutio pretii emptionis loco habetur.** The payment of the price is regarded as taking the place of a sale. See 161 Fed. 822, 88 C. C. A. (U. S.) 640, 23 L. R. A. (N. S.) 1167.

**Solutus.** Free; freed; released.

**Solvency.** One's possession of sufficient property to pay his debts. See 154 N. Y. 648, 61 Am. St. Rep. 645, 49 N. E. 56.

**Solvendo esse nemo intelligitur nisi qui solidum potest solvere.** No one is regarded as solvent except him who can pay all he owes.

**Solvent.** The quality of having property enough to pay one's debts. See 154 N. Y. 648, 61 Am. St. Rep. 645, 49 N. E. 56.

**Solvere.** To pay; to release.

**Solvit.** He paid.

**Solvit ad diem.** He paid at the day.

**Solvitur adhuc societas etiam morte socii.** A partnership is also dissolved by the death of a partner.

**Solvitur eo ligamine quo ligatur.** One is released by the means by which he is bound. See 4 Johns. Ch. (N. Y.) 582.

**Sommersett's case.** A celebrated English case (1772) holding a negro slave to be a freeman on English soil.

**Somnambulism.** The act or habit of walking in one's sleep.

**Somnolentia.** The lapping over of a profound sleep into the domain of apparent wakefulness. See 78 Ky. 183, 39 Am. Rep. 213.

**Son assault.** Same as Son assault demesne.

**Son assault demesne.** His own assault, a plea of self-defense.

**Sortitio.** A casting lots.

**Soul-scot.** Same as Corse present.

**Sound and disposing mind and memory.** Same as Sound mind and memory.

**Sound health.** A state of health free from any disease or ailment that affects the general soundness or healthfulness of the system seriously. See 10 Am. St. Rep. 244, note.

**Sound mind and memory.** Sufficient mental capacity to make one's will. See 183 Ill. 269, 55 N. E. 671.

**Sounding in damages.** Capable of being accurately measured in money; for damages only, as an action.

**South Sea Bubble.** A ten million pound scheme for monopolizing the trade of England with Spanish-America, which failed in 1720.

**Souvent.** Often.

**Sovereign.** A ruler; a king; the supreme power in a government.

**Sovereign right.** A right exclusively vested in the state or government. See 45 Minn. 387, 48 N. W. 17.

**Sovereignty.** That public authority which commands in civil society, and orders and directs what each citizen is to perform to obtain the end of its institution. See 101 Am. St. Rep. 158, note.

**Spado.** (Civil Law) One without capacity to reproduce; an impotent.

**Spadones.** Plural of Spado.

**Sparsim.** Sparsely.

**Spe recuperandi.** In the hope of recovering.

**Speaking demurrer.** One which relies upon facts not alleged. See 65 Mich. 194, 31 N. W. 786.

**Speaking order.** One which contains matter explanatory and illustrative of the mere direction which is given by it. See 101 Cal. 1, 35 Pac. 437.

**Special acceptance.** Acceptance of a bill of exchange specifying the place of payment.

**Special action.** A statutory action.

**Special action on the case.** See Action on the case.

**Special administration.** That which is had by a special administrator.

**Special administrator.** An administrator appointed pending the appointment of an executor or general administration of a decedent's estate to collect and preserve the property. See 4 Lans. (N. Y.) 90.

**Special agent.** An agent authorized to act only in a specific transaction. See 157 Ill. 554, 48 Am. St. Rep. 341, 41 N. E. 888.

**Special appearance.** One which is not general, made for the purpose of objecting to the court's jurisdiction or some other specific matter. See 59 Neb. 170, 80 N. W. 484. See, also, General appearance.

**Special assessment.** One levied for a public improvement on land lying along a frontage or within a district to be benefited thereby. See 155 Ill. 262, 40 N. W. 611.

**Special assumpsit.** See Assumpsit.

**Special bail.** Bail taken in a civil action.

**Special bastard.** A child before its parents' marriage.

**Special benefits.** Special benefits which are to be considered in making just compensation for property damaged by, but not taken for, a public use, are such benefits from the proposed public work as appreciably enhance the value of the particular tract. See 258 Ill. 133, Ann. Cas. 1914B, 473, 101 N. E. 247.

**Special case.** Same as Case reserved.

**Special cases.** Those created by statute and the proceedings under which are unknown to the framework of the courts of common law and equity. See 63 Am. Dec. 78, note.

**Special constable.** A civilian sworn in to aid a constable in preserving the peace.

**Special contract.** Same as Specialty.

**Special damages.** Those which are the natural but not the necessary consequence of the act complained of. See 6 Wall. (U. S.) 578, 18

L. Ed. 791. Actual loss as distinguished from presumed loss.

**Special demurrer.** One specifying some defect in a pleading other than its failure to state facts sufficient to constitute a cause of action or a defense.

**Special deposit.** One wherein the depositor is entitled to the return of the identical thing deposited. See 19 Am. Dec. 418, note.

**Special guaranty.** One limited to the person to whom it is addressed, usually contemplating a trust or reposing a confidence in some one. See 101 Wis. 193, 70 Am. St. Rep. 907, 77 N. W. 182.

**Special guardian.** Every guardian who is not a general one. See General guardian.

**Special imparlance.** An imparlance reserving exceptions and objections. See Imparlance.

**Special indorsement.** Same as Indorsement in full.

**Special injunction.** An injunction prohibiting some act of the defendant.

**Special issue.** An issue raised by a specific denial; the plea itself. See 55 Vt. 95.

**Special jury.** A jury of men of a certain class or business.

**Special laws.** See Special legislation.

**Special legislation.** Any legislation which is arbitrary, which deals with particular persons or things of a class, or which confers privileges or burdens on towns or cities, while other cities or towns in like situation are excepted from its operation. See 21 Am. St. Rep. 788, note.

**Special letters of administration.** The letters granted to a special administrator. See Special administrator.

**Special lien.** A lien to secure payment of a claim arising out of the property itself, the purchase price of it or for labor or services bestowed upon it or in respect to it. See 23 N. Y. Super. Ct. 77.

**Special lien for services.** The common-law lien to which an artisan or tradesman who had contributed to enhance the value of goods delivered to his custody, by bestowing his labor thereupon was entitled, for his reasonable charges. See 37 Am. Dec. 522, note.

**Special partnership.** One in which a member's liability and control of the business are limited; one which is formed for a particular venture. See 1 Cliff. 28, 3 Fed. Cas. (U. S.) 349.

**Special pleading.** Pleading in excuse or justification; a plea in confession and avoidance.

**Special proceeding.** Any civil remedy other than an ordinary action.

**Special property.** A right in property less than ownership of it, as the right of a bailee. See 72 N. Y. 334.

**Special sessions.** See Sessions of the peace.

**Special traverse.** A denial accompanied with matter explaining or qualifying the denial. See 175 Ill. 125, 64 L. R. A. 366, 51 N. E. 664.

**Special trust.** One wherein the trustee's duty is active, he being an agent to execute the donor's will. See 98 Am. Dec. 356, note.

**Special venire.** An order of court for the summoning of the number of jurors named therein to serve in a particular case. See 28 Tex. App. 146, 12 S. W. 739.

**Special verdict.** One whereby the jury finds the facts only, leaving the judgment to the court. See

93 Wis. 470, 57 Am. St. Rep. 935, 33 L. R. A. 654, 67 N. W. 16, 1132.

**Specialty.** An instrument under seal. See 124 Ill. 32, 7 Am. St. Rep. 331, 14 N. E. 863.

**Specie.** Gold or silver dollars of the coinage of the U. S. See 12 Wall. (U. S.) 687, 20 L. Ed. 460.

**Species facti.** The kind or character of the act.

**Specific criminal intent.** The specific state of mind of the defendant which is an essential ingredient in certain crimes; e. g., in larceny, intent to steal; in burglary, an intent to commit a felony.

**Specific deposit.** A deposit for some specific purpose, as for collection. See 120 Iowa, 389, 98 Am. St. Rep. 365, 94 N. W. 947.

**Specific intent.** See Specific criminal intent.

**Specific legacy.** A bequest of a specific article of the testator's estate, distinguished from all others of the same kind; e. g., a particular horse. See 8 Am. St. Rep. 720, note.

**Specific performance.** The actual accomplishment of a contract by the party bound to fulfill it; a suit in equity to compel such performance. See 128 Am. St. Rep. 383, note.

**Specific traverse.** A denial of a single essential fact.

**Speculative damages.** Damages in excess of compensation. See 7 Colo. 541, 49 Am. Rep. 366, 4 Pac. 48, 5 Pac. 814.

**Speedy trial.** One conducted according to fixed rules, regulations and proceedings of law, free from vexatious, capricious and oppressive delays, created by the ministers of justice. See 2 Smedes & M. (Miss.) 497, 41 Am. Dec. 601.

**Spendthrift trust.** A trust created to provide for one's support and to guard against his improvidence. See 66 Ill. App. 28.

**Spes.** Hope.

**Spes accrescendi.** The hope of surviving.

**Spes est vigilantis somnium.** Hope is the dream of the vigilant one.

**Spes impunitatis continuum affectum tribuit delinquendi.** The hope of impunity offers a constant temptation to delinquency.

**Spiritual corporation.** A church or ecclesiastical corporation, such as a bishop.

**Spiritual courts.** Ecclesiastical courts.

**Spiritualities.** A bishop's income or revenue.

**Spirituous liquors.** Those composed in part or fully of alcohol extracted by distillation. See 26 W. Va. 422, 53 Am. Rep. 79.

**Spoliation.** Mutilation of an instrument by a stranger to it. See 8 Mo. 235, 40 Am. Dec. 135.

**Spoliatus debet ante omnia restitui.** One who has been despoiled ought to have restitution before all things.

**Spoliatus episcopus ante omnia debet restitui.** A bishop who has been despoiled ought to have restitution before all things.

**Spondeo.** I promise.

**Spondet peritiam artis.** He promises the skill of his art.

**Sponging-house.** A house where persons arrested for debt were kept for a day that their friends might keep them from going to prison by paying the debts.

**Sponsalia.** Mutual promises to marry.

**Sponsio judicialis.** (Roman Law) A feigned issue. See Feigned issue.

**Sponte oblata.** A gift to the king.

**Sponte virum fugiens mulier et adultera facta doti sua careat, nisi sponsi sponte retracta.** A woman running away from her husband and committing adultery loses her dower unless voluntarily taken back by her husband.

**Spousals.** Mutual promises to marry.

**Spouse.** A husband or wife.

**Spouse-breach.** Adultery.

**Springing use.** See Shifting use.

**Spurious bill.** A bill otherwise genuine, signed with fictitious or unauthorized names or a counterfeit bill so signed, but not a forged bill. See 1 Ohio St. 185.

**Spurius.** A bastard.

**Squatter.** A mere intruder who is in possession with no claim to the land. See 43 W. Va. 470, 27 S. E. 255.

**SS.** Scilicet, that is to say: In designating the venue, the old form was, for example:

State of California, ss.
City and County of San Francisco,

meaning, In the State of California, more specifically, in the City and County of San Francisco. Now, it has come to be written

State of California,
City and County of San Francisco, } ss.

**Stabit praesumptio donec probetur in contrarium.** A presumption stands until there is proof to the contrary. See 15 Mass. 90.

**Stable-stand.** Standing ready as evidence of intent to kill a deer in a forest.

**Stagnum.** A pool. See 72 Mass. 107.

**Stakeholder.** A depositary of money for two parties with authority to deliver it to one of them on the happening of a contingency. See 53 Mass. 397.

**Stale claims.** Time alone is not the test of staleness; the question must be determined by the facts and circumstances of each case, and according to right and justice. See 2 Am. St. Rep. 795, note.

**Stallage.** A liberty of maintaining a market stall.

**Stand mute.** To refuse to plead to a felony charge; to refuse to go to trial after pleading not guilty.

**Stand seised to uses.** See Covenant to stand seised to uses.

**Stands by.** As applied to the equitable principle of estoppel one stands by not merely by being actually present but with knowledge under such circumstances as render it his duty to communicate it. See 33 R. I. 177, Ann. Cas. 1913B, 407, 80 Atl. 415.

**Stannary court.** Courts established for the tinners of Devonshire and Cornwall.

**Staple.** See Statute-staple.

**Stapula.** Staple. See Statute-staple.

**Star-chamber.** See Court of star-chamber.

**Stare ad rectum.** To stand trial; to abide by the court's judgment.

**Stare decisis.** The doctrine or principle that the decisions of the courts should stand as precedents for further guidance. See 133 N. Y. 79, 28 Am. St. Rep. 600, 15 L. R. A. 618, 30 N. E. 654.

**Stare decisis et non quieta movere.** To stand by the decisions and not to disturb settled matters. See 21 Colo. 350, 52 Am. St. Rep. 239, 29 L. R. A. 608, 41 Pac. 826.

**Stare in judicio.** To stand in judgment; to submit to the jurisdiction of the court.

**Stat pro ratione voluntas.** The will stands for the reason. See 16 Barb. (N. Y.) 514.

**Stat pro ratione voluntas populi.** The will of the people stands for the reason. See 25 Barb. (N. Y.) 344.

**State.** The territory within the jurisdiction of a state; the government or governmental agencies appointed to carry out the will of the people; the people in their sovereign capacity. See 101 Am. St. Rep. 160, note.

**State aid.** Support or assistance furnished by the state to institutions, organizations or individuals, for a public purpose, or for the support of its needy citizens. See 85 Conn. 344, Ann. Cas. 1913B, 946, 82 Atl. 1030.

**State tax.** In one sense, any tax levied under a general state law; in another, any such tax levied for general state purposes and not for local purposes. See 32 Mich. 406, 20 Am. Rep. 655.

**Stated account.** Same as Account stated.

**Stated case.** Same as Case agreed.

**State's evidence.** The evidence of an accomplice who testifies for the prosecution in the hope of being released or punished more lightly.

**Statim.** Immediately.

**Stating part.** That part of a bill in equity which states the facts of the complainant's case. Cf. Charging part.

**Status.** State; estate; condition.

**Status quo.** See In statu quo.

**Statuta pro publico commodo late interpretantur.** Statutes providing for the public welfare should be liberally construed.

**Statuta suo clauduntur territorio, nec ultra territorium disponunt.** Statutes are confined to their own territory; they do not govern outside their territorial limits. See 9 Ariz. 105, 7 L. R. A. (N. S.) 306, 79 Pac. 231.

**Statute.** A legislative enactment.

**Statute de donis.** Same as Statute de donis conditionalibus.

**Statute de donis conditionalibus.** A statute of Edward I, establishing fees-tail, its purpose being to strengthen the power of the barons.

**Statute de mercatoribus.** See De mercatoribus.

**Statute of Acton Burnell.** See Acton Burnell.

**Statute of distribution.** A statute regulating the disposition of the estates of intestate decedents.

**Statute of enrolment.** An English statute, 1535, providing that no title passed by bargain and sale without enrolment.

**Statute of entail.** Same as Statute de donis conditonalibus.

**Statute of fines.** An English statute of 1540, providing for the barring of an entail by levying a fine.

**Statute of frauds.** The statute 29 Charles II, c. 3, requiring certain contracts or memoranda thereof to be in writing, signed by the party to be charged.

**Statute of Gloucester.** A statute of 1278 providing for court costs, creating the writ of cessavit, providing damages in actions to recover possession of land, and many other matters.

**Statute of hue and cry.** The statute 13 Edw. I, cc. 1, 2, by which

the inhabitants of a hundred were liable for the loss unless they produced the robber.

**Statutes of laborers.** English statutes concerning laborers, servants and apprentices.

**Statute of limitations.** A statute limiting the time within which an action can be brought.

**Statute of malefactors in parcis.** A statute for the protection of game preserves against poachers.

**Statute of Marlbridge.** The statute 52 Henry III (1267), confirming Magna Charta and Charta de Foresta and regulating certain tenures and matters of procedure.

**Statute of merchants.** See De mercatoribus.

**Statute of Merton.** The statute 20 Henry III, (1253), regulating dower, usury and other matters.

**Statute of mortmain.** An English statute the purpose of which was to prevent lands from coming into the hands of religious corporations. See 3 Barb. (N. Y.) 324.

**Statute of quia emptores.** See Quia emptores.

**Statute of uses.** The statute 27 Henry VIII, c. 10, enacted to prevent the evils sought to be remedied by the statutes of mortmain, by vesting the legal title in the cestui que use, but, this statute was also circumvented. See 1 Smith (N. H.), 327.

**Statute of wills.** The statute 32 Henry VIII, c. 1, regulating devises of lands.

**Statute quia emptores.** See Quia emptores.

**Statute-merchant.** A conveyance of a merchant's lands to his creditor to secure his debt out of the rents and profits thereof.

**Statutes of mortmain.** See Mortmain acts.

**Statute-staple.** A conveyance made by a trader to his creditor for the same purpose as a statute-merchant. See Statute-merchant.

**Statutory.** Created or existing by virtue of a statute.

**Statutory dedication.** That effected by a compliance with the statutory formalities. See 27 Am. Dec. 559, note.

**Statutum affirmativum non derogat communi legi.** An affirmative statute does not derogate from the common law.

**Statutum generaliter est intelligendum quando verba statuti sunt specialia, ratio autem generalis.** When the words of a statute are special, but the reason is general, the statute is to be understood generally.

**Statutum speciale statuto speciali non derogat.** A special statute does not derogate from a special statute.

**Stay.** To stop further proceedings, usually temporarily; an order restraining further proceedings.

**Stay of execution.** An order prohibiting the issue of the writ. See 54 N. J. Eq. 167, 33 Atl. 936.

**Steal.** To commit larceny. See Larceny.

**Stellionate.** Fraud in contracting.

**Stephen.** King of England, 1135–1154.

**Stet processus.** An entry of dismissal of an action voluntarily made by the plaintiff.

**Sticker.** A slip of paper, with the name of a person for whom a voter desires to vote printed thereon, pasted by the voter on his ballot. See 146 Pa. St. 529, 28

Am. St. Rep. 814, 15 L. R. A. 771, 24 Atl. 185.

**Still-born.** Born dead.

**Stillicidium.** A servitude of eaves-drip. See Eaves-drip.

**Stint.** Limit.

**Stipend.** Same as Salary.

**Stipulate.** To enter into a stipulation.

**Stipulated damages.** Same as Liquidated damages.

**Stipulatio sponsalitia.** Same as Sponsalia.

**Stipulation.** An agreement between the parties to an action made during its pendency; any material provision of an agreement; an admiralty bond to secure a defendant's appearance. See 3 Bl. Comm. 108.

**Stirps.** Stock of descent. See Per stirpes.

**Stock.** See Capital stock; Share of stock.

**Stock corporation.** One the capital stock of which is divided into shares. See 43 N. Y. 346.

**Stock in trade.** Everything necessary for carrying on the business. See 17 N. Y. 194.

**Stock of descent.** An ancestor in whom a succession of inheritance begins.

**Stockholder.** One who holds shares on the books of the corporation and not merely the holder of a stock certificate. See 1 N. D. 435, 26 Am. St. Rep. 639, 12 L. R. A. 781, 48 N. W. 347.

**Stockholder's liability.** A stockholder's statutory liability for obligations incurred by the corporation.

**Stocks.** A contrivance for the discipline or punishment of a prisoner, consisting of a board through holes in which his feet and arms protruded.

**Stoppage in transitu.** The right of stoppage in transitu is the right of the vendor to resume possession of the goods sold while they are in transit to the vendee, who is insolvent or in embarrassed circumstances. See 49 Ohio St. 41, 34 Am. St. Rep. 531, 29 N. E. 1124.

**Storm.** A wind blowing sixty to eighty miles an hour. See 24 Fed. (U. S.) 292.

**Strait-jacket.** An instrument of discipline consisting of a stout, tight jacket with long sleeves, the ends of which are tied together.

**Straddle.** The double privilege of a "put" and "call," securing to the holder the right to demand of the seller at a certain price within a certain time a certain number of shares of specified stock, or to require him to take, at the same price within the same time, the same shares of stock. See 83 N. Y. 92, 38 Am. Rep. 398.

**Stranger.** One not privy to the transaction. See 118 N. Y. 156, 23 N. E. 455.

**Straw bail.** Bail owning no realty; fictitious bail. See 3 Park. Cr. R. (N. Y.) 143.

**Straw-bond.** A bond signed by irresponsible or fictitious sureties.

**Stray.** Same as Estray.

**Street railway.** Differs from other railroads in that it transports passengers and not freight. See 61 Minn. 435, 52 Am. St. Rep. 608, 29 L. R. A. 208, 63 N. W. 1099.

**Street-walking.** The offense of a common prostitute offering herself for sale on the streets at unusual or unreasonable hours, endeavoring to induce men to follow her for the purpose of prostitu-

tion. See 78 Mich. 573, 18 Am. St. Rep. 473, 7 L. R. A. 507, 44 N. W. 579.

**Strict construction.** Literal interpretation.

**Strict foreclosure.** A proceeding the purpose of which is to cut off the mortgagor's right to redeem. See 186 Ill. 510, 58 N. E. 221.

**Strict settlement.** Entail, which see.

**Stricti juris.** In strict law.

**Strike.** A combination among laborers employed by others, to compel an increase of wages, a change in the hours of labor, some change in the mode and manner of conducting the business of the principal, or to force some particular policy in the character or number of the men employed. See 61 Am. St. Rep. 706, note.

**Strike out.** To expunge, by ruling of the court from a record or pleading, immaterial or superfluous matter.

**Striking a docket.** The entry of the petition, bond and affidavit of a creditor in bankruptcy.

**Striking a jury.** See Struck jury.

**Strip.** Estrepement, which see.

**Strong hand.** With an unusual number of people, with weapons or menaces, or with circumstances of actual violence calculated to intimidate. See 18 Am. Dec. 142.

**Struck jury.** One selected from a panel of 48, each party striking off 12.

**Struck off.** Sold to a bidder at an auction.

**Stuff a ballot-box.** Fraudulently to place ballots which had not been voted in a ballot-box at an election. See 100 U. S. 371, 25 L. Ed. 717.

**Stultify.** To make it appear that one is mentally incompetent.

**Stuprum.** The debauching or rape of a previously chaste woman.

**Sua sponte.** Spontaneously.

**Suapte natura.** In its own nature.

**Sub.** Under; subordinate to.

**Sub bois.** Underwood.

**Sub colore officii.** Under color of office.

**Sub conditione.** Subject to condition.

**Sub cura mariti.** Under the care of the husband.

**Sub disjunctione.** In the disjunctive.

**Sub judice.** Before the court.

**Sub modo.** Subject to a modification or qualification.

**Sub potestate.** Under the protection.

**Sub salvo et securo conducto.** Under safe and secure conduct.

**Sub sigillo.** Under seal.

**Sub silentio.** Silently.

**Sub spe reconciliationis.** In the hope of reconciliation.

**Sub suo periculo.** At his own risk.

**Sub voce.** Under the word or title.

**Subinfeudation.** The carving out of small estates to tenants by inferior lords to be held of themselves. See 2 Bl. Comm. 91.

**Subjacent support.** The right to have one's soil intact as against the excavations of his neighbor.

**Subject.** A person domiciled in a country and enjoying the protection of its sovereign. See 2 Wheat. (U. S.) 227, 4 L. Ed. 226.

**Subject matter of suit.** The nature of the cause of action and the relief sought. See 105 Mo. 85, 24 Am. St. Rep. 366, 16 S. W. 595.

**Sublata causa tollitur effectus.** By removing the cause the effect is removed.

**Sublata veneratione magistratuum, respublica ruit.** The state is ruined by the taking away of respect for magistrates.

**Sublato fundamento, cadit opus.** With the removal of the foundation, the structure falls.

**Sublato principali, tollitur adjunctum.** By the removal of the principal thing, the adjunct is removed.

**Sublease.** A subletting by the lessee wherein he retains a reversion in himself. See 10 Am. St. Rep. 558, note.

**Subletting.** See Sublease.

**Suborn.** To commit subornation.

**Subornation.** The procuring another to commit a crime.

**Subornation of perjury.** The crime of procuring another to commit perjury. See 118 Ga. 705, 98 Am. St. Rep. 145, 45 S. E. 630.

**Subpoena.** A writ or process by which a witness is brought into court to testify; an equity writ serving the purpose performed by a summons in an action at law. See 12 Miss. 439.

**Subpoena ad testificandum.** A subpoena for one to give his testimony.

**Subpoena duces tecum.** A subpoena ordering the witness to bring with him certain books, documents or other evidence described therein.

**Subpoena ticket.** A ticket issued by a prosecuting attorney by which a witness is summoned to testify in a criminal prosecution.

**Subreption.** The fraudulent securing of escheated property by concealment of the truth.

**Subrogation.** The substitution of one person in place of another, whether as a creditor or as the possessor of any other rightful claim, so that he who is substituted succeeds to the right of the other in relation to the debt or claim, and its rights, remedies or securities. See 99 Am. St. Rep. 476, note.

**Subrogation by convention.** That in favor of one interested in the property who pays at the request of either the debtor or the lienor upon the understanding that he is to be subrogated. See 56 N. J. Eq. 547, 39 Atl. 536.

**Subscribe.** To sign beneath.

**Subscribing witness.** One who as a witness formally attests its execution. See 77 Am. St. Rep. 460, note.

**Subscription.** A signature appended to a document; an agreement to contribute toward a fund.

**Subsequent condition.** See Condition subsequent.

**Subsequent purchaser for valuable consideration.** A subsequent bona fide purchaser for valuable consideration. See 17 Wend. (N. Y.) 25, 31 Am. Dec. 280.

**Substantive law.** The law dealing with rights, duties and liabilities as distinguished from adjective law. See Adjective law.

**Substitute.** (Civil Law) One to whom an "institute" appointed by will is by the will directed to transfer property by the will devised to him. See Heir institute.

**Substituted service.** Service of process or notice by publication or upon some other person than the one to be personally served in case he cannot be served personally.

**Substitutionary executor.** One nominated by the will to act in case of

the death or inability of one first named.

**Subtenant.** A lessee of a lessee of all or part of the premises or for the whole or a part of the term. See 86 Tex. 647, 26 S. W. 481.

**Subterranean stream.** Underground waters flowing in a distinct, well-defined and permanent channel. See 37 Fla. 586, 53 Am. St. Rep. 262, 33 L. R. A. 376, 20 South. 780.

**Subtraction.** The unlawful detention or withholding of a chattel.

**Succession.** Acquisition by inheritance or operation of law, as distinguished from purchase or gift. See 87 Tenn. 308, 3 L. R. A. 170, 10 S. W. 505.

**Succession tax.** An excise or duty upon the right of a person or corporation to receive property by devise or inheritance from another. See 143 Mo. 287, 65 Am. St. Rep. 653, 40 L. R. A. 280, 45 S. W. 245.

**Sucurritur minori; facilis est lapsus juventutis.** Assistance should be given to a minor; the lapse of youth is easy.

**Sucesión legitima.** Issue. See 201 U. S. 371, 50 L. Ed. 792, 26 Sup. Ct. Rep. 475.

**Sue.** To bring an action or special proceeding.

**Sue out.** To cause process to issue and to be placed in a proper officer's hands for service or levy. See 30 Tex. 494.

**Suertes.** (Spanish) Small lots or plots in a city for use as gardens. See 15 Cal. 530.

**Suffer.** To permit; to authorize.

**Sufferance.** See Estate at sufferance.

**Sufficient deed.** See Good and sufficient deed.

**Sufficient evidence.** Evidence satisfactory to the purpose. See 94 Ga. 804, 22 S. E. 142.

**Suffragan.** An assistant bishop.

**Suffrage.** The right or privilege of voting.

**Suggestio falsi.** A false statement.

**Sui generis.** Of its own kind; peculiar to itself.

**Sui juris.** In his own right.

**Suicide.** Self-destruction.

**Suit.** An action; a proceeding in equity; service of a feudal tenant consisting of attendance on the lord.

**Suitors' fund.** A fund in the English chancery court made up of sums paid in as costs.

**Suits pro laesione fidei.** Suits for breach of contract.

**Summa caritas est facere justitiam singulis et omni tempore quando necesse fuerit.** The greatest charity is to do justice to everyone and at every time when it may be necessary.

**Summa est lex quae pro religione facit.** The highest law is that which makes for religion.

**Summa ratio est quae pro religione facit.** The highest reason is that which makes for religion.

**Summam esse rationem quae pro religione facit.** The highest reason is that which makes for religion.

**Summary proceedings.** Proceedings in which many formalities are dispensed with, usually statutory; proceeding without resort to the courts, as in the abatement of a nuisance. See 113 Ga. 537, 54 L. R. A. 294, 38 S. E. 996.

**Summary trial.** A criminal trial without a jury.

**Summing up.** Instructions of the court to the jury at the close of the testimony.

**Summoneas.** Summons, which see.

**Summons.** A writ or process issued and served for the purpose of securing the defendant's appearance.

**Summum jus.** Strictest, most rigid law.

**Summum jus summa injuria.** Rigid law is the greatest injustice. See 210 Mo. 17, 124 Am. St. Rep. 717, 14 Ann. Cas. 314, 16 L. R. A. (N. S.) 494, 108 S. W. 533.

**Sumptuary laws.** Statutes restraining extravagant living. See 4 Bl. Comm. 170.

**Suo nomine.** In his own name.

**Suo periculo.** At his own risk.

**Super.** Above; upon.

**Super altum mare.** On the high seas.

**Super se susceperunt.** They supported, defended, or undertook.

**Super visum corporis.** Upon a view of the body.

**Supercargo.** One employed by an exporter to take charge of the cargo and sell it in the foreign market to the best advantage, and to purchase a new and appropriate cargo for the return voyage. See 66 Am. Dec. 325, note.

**Superconception.** Conception during pregnancy.

**Superficies.** Erections on the surface.

**Superficies solo cedit.** Erections on the land belong to it.

**Superflua non nocent.** Superfluous things do no harm.

**Superfoetation.** Same as Superconception.

**Superhuman cause.** Act of God, which see. See, also, 93 Cal. 253, 27 Am. St. Rep. 198, 16 L. R. A. 188, 26 Pac. 1099, 28 Pac. 943.

**Superior court.** Any court of general jurisdiction. See 7 Wall. (U. S.) 523, 19 L. Ed. 285.

**Superonerare.** To surcharge. See Surcharge.

**Superoneratio.** Surcharge, which see.

**Supersedeas.** The setting aside, annulling or preventing of an act; a writ directed to an officer commanding him to desist from enforcing the execution of another writ which he was about to execute, or which might come into his hands. See 67 Am. St. Rep. 714.

**Supersedere.** To supersede; to stay.

**Superstitious uses.** Uses such as those providing for masses which were held not to be strictly charitable uses. See 2 Bl. Comm. 273. See, also, 59 Kan. 1, 40 L. R. A. 721, 51 Pac. 883.

**Supplemental bill.** An addition to an original bill in equity to supply some defect in it. See 39 Fla. 243, 22 South. 697.

**Supplemental complaint.** One stating facts arising after the filing of the original complaint. See 132 Ind. 327, 30 N. E. 880.

**Supplementary complaint.** Same as Supplemental complaint.

**Suppletory oath.** An oath administered to a party testifying in his own behalf. See 3 Bl. Comm. 370.

**Supplicatio.** Same as Duplicatio.

**Supplicavit.** A writ whereby one was ordered to furnish sureties to keep the peace.

**Supplicium.** The death penalty.

**Support.** Maintenance; subsistence; an income sufficient for the support of a family. See 93 N. C. 327, 53 Am. Rep. 458. See, also, Right to lateral support; Subjacent support.

**Suppress.** To abate; to extinguish. See, also, Suppression.

**Suppressio veri.** Suppression of the truth. See 70 Fed. (U. S.) 631, 17 C. C. A. 300.

**Suppressio veri, expressio falsi.** The suppression of truth is the expression of falsehood. See 11 Wend. (N. Y.) 374.

**Suppressio veri, suggestio falsi.** The suppression of truth is the suggestion of falsehood. See 23 Barb. (N. Y.) 521.

**Suppression of a deposition.** The prohibition of the use of a deposition as testimony by an order of court by reason of some irregularity. See 111 Ala. 468, 20 South. 428.

**Supra.** Above; above mentioned.

**Supra dictus.** As stated above.

**Supra protest.** See Acceptor supra protest.

**Suprema voluntas.** The last will.

**Supreme court.** The highest court of the U. S. government; the highest court in the majority of the states; a trial court in N. Y.

**Sur.** Upon.

**Surcharge.** To pasture more cattle than the common would accommodate. See 3 Bl. Comm. 237. To enter an omitted debit or credit item in an account. See 37 S. C. 174, 15 S. E. 922.

**Surety.** One who, at the request of another and for the purpose of securing him a benefit, becomes responsible for the performance by the latter of some act in favor of a third person, or hypothecates property as security therefor. See 112 Cal. 31, 53 Am. St. Rep. 155, 44 Pac. 305.

**Surety company.** Any corporation organized for the purpose of carrying on the business of becoming a surety on bonds and undertakings. See 162 Cal. 588, Ann. Cas. 1913D, 712, 123 Pac. 808.

**Surety of the peace.** A bond to keep the peace.

**Suretyship.** A written contract to answer for the debt, default or miscarriage of another.

**Surface water.** Stagnant or casual water on the surface of the land, not flowing in any defined channel. See 61 S. C. 548, 39 S. E. 752.

**Surplusage.** Superfluous matter in a pleading or written instrument.

**Surplusagium non nocet.** Surplusage does no harm.

**Surpluses.** See Remnants and surpluses.

**Surprise.** The condition in which one finds himself contrary to his reasonable expectation, through no fault of his and to his probable injury. See 129 Mo. 392, 31 S. W. 800.

**Surrebutter.** The plaintiff's pleading in reply to a defendant's rebutter.

**Surrejoinder.** A plaintiff's pleading in reply to a defendant's rejoinder. See 3 Bl. Comm. 310.

**Surrender.** A yielding of the estate to the landlord, so that the leasehold interest becomes extinct by agreement. See 94 U. S. 382, 24 L. Ed. 173. The usual method of transfer of copyholds. See 2 Bl. Comm. 365.

**Surrender by bail.** The turning over by his bondsmen of a prisoner released on bail to the custody of the law.

**Surrender in deed.** A surrender effected by a deed.

**Surrender in law.** One implied in or presumed by law, as where the lessee, before the expiration of his term, delivered up possession to the lessor who leased the premises to another. See 11 Mass. 494.

**Surrenderee.** One to whom a surrender of copyhold is made. See 2 Bl. Comm. 366.

**Surrogate.** A deputy chancellor who presided in ecclesiastical courts; the judge of a probate court in certain states.

**Surrogate court.** A court with jurisdiction in guardianship and probate matters. See Guardianship; Probate matters. See, also, 128 U. S. 53, 32 L. Ed. 415, 9 Sup. Ct. Rep. 30.

**Sursisa.** Negligence; default.

**Sursumredditio.** The surrender of copyhold lands.

**Survey.** A description, in words and figures of located lands. See 1 Saxt. Ch. (N. J.) 369, 22 Am. Dec. 529.

**Survivor.** One who outlives another or others.

**Sus per coll.** Suspendatur per collum, which see.

**Suspendatur per collum.** Let him be hanged by the neck.

**Suspension.** The indefinite postponement of the execution of a sentence. See 146 N. Y. 264, 40 N. E. 883.

**Suspensive condition.** Same as Condition precedent.

**Suum cuique tribuere.** Unto each one shall be rendered that which is his. See 103 Tenn. 421, 76 Am. St. Rep. 682, 56 L. R. A. 316, 53 S. W. 955.

**Suus.** His own.

**Swearing the peace.** Making oath of facts warranting the granting of a supplicavit. See Supplicavit.

**Sweating.** The practice of abusing prisoners to force them to confess or divulge information.

**Sweinmote courts.** Forest courts held three times a year. See 3 Bl. Comm. 72.

**Swindling.** The word has no legal or technical meaning. See 104 Ala. 160, 53 Am. St. Rep. 27, 16 South. 68.

**Syb and som.** Peace and security.

**Syllabus.** Same as Head-note.

**Sylva.** A wood.

**Sylva caedua.** Same as Silva caedua.

**Symbolic delivery.** Delivery by a token, as by a warehouse receipt, a key or a twig.

**Syndic.** A bankrupt's assignee.

**Syndicate.** An association of one or more individuals formed for the purpose of conducting and carrying out some particular business transaction, ordinarily of a financial character, in which the members are mutually interested. See 84 Md. 456, 40 L. R. A. 216, 36 Atl. 597.

**Syngraph.** Same as Chirograph.

**Synod.** An ecclesiastical conclave or council.

# T

**T.** Teste, which see. Termino, which see.

**T. R. E.** Tempus regis Edwardi, which see.

**Taberna.** A tavern.

**Tabernaculum.** A tavern.

**Table rents.** Rents which were collected to supply the bishop's table.

**Tabularius.** A notary.

**Tacit.** Silent; implied.

**Tacit hypothecation.** One implied by law to secure a creditor.

**Tacit law.** Law arising out of the silent consent and custom of the people.

**Tacita quaedam habentur pro expressis.** Certain tacit matters are regarded as expressed.

**Tacite.** Tacitly.

**Tacking.** Adding together the times of two or more successive adverse possessions, the holders of which were in privity, in computing the statutory period of limitation. See 11 N. D. 300, 91 N. W. 692.

**Tail.** See Estate-tail.

**Tail after possibility of issue extinct.** See Estate-tail after, etc.

**Tail female.** See Estate-tail female.

**Tail general.** See Estate-tail general.

**Tail male.** See Estate-tail male.

**Tail special.** See Estate-tail special.

**Tailzie.** Tail; an entail. See Entail.

**Taini.** Freeholders.

**Taint.** Attainder.

**Take.** To abduct; to seize; to assume possession and carry away, as in larceny. See, also, Taking.

**Take testimony.** Officially to receive the evidence of sworn witnesses.

**Taking.** In eminent domain, means a taking of property altogether, and not a mere consequential injury. See 6 Whart. (Pa.) 25, 36 Am. Dec. 202.

**Tale.** A court of a declaration. See 3 Bl. Comm. 293.

**Tales.** Such; so many; a supply of such men as are summoned on the first panel in order to make up a deficiency. See 106 N. C. 576, 19 Am. St. Rep. 547, 11 S. E. 665.

**Tales de circumstantibus.** As many jurors as the panel may require.

**Tales juror.** A juror added to supply a deficiency in a panel. See 64 Miss. 738, 2 South. 360.

**Talesman.** Same as Tales.

**Talio.** (Civil Law) A punishment in kind, on the principle, "An eye for an eye," etc.

**Talis interpretatio semper fienda est, ut evitetur absurdum, et inconveniens, et ne judicium sit illusorium.** Such interpretation should always be made that absurdity and inconvenience are avoided, and lest the judgment be illusory.

**Talis non est eadem, nam nullum simile est idem.** That which is like is not the same, for nothing similar is the same.

**Talis qualis.** As much as.

**Taliter.** Thus.

**Taliter processum est.** Thus it proceeds.

**Tallagium.** A tax; a tribute. See 61 N. J. L. 228, 39 Atl. 716.

**Talliage.** Taxes, which see.

**Tallies of loan.** Bills of credit issued by the officers of the English exchequer when a temporary loan is necessary to meet the exigencies of government. See 36 U. S. 257, 9 L. Ed. 928, 931.

**Taltarum's Case.** An old English case out of which common recoveries arose.

**Talzie.** Same as Tailzie.

**Tam.** So. See Qui tam action.

**Tam quam.** As much as.

**Tam facti quam animi.** As much in deed as in intent.

**Tamen.** Yet; nevertheless.

**Tangible.** That which can be touched or perceived with the senses.

**Tamper with.** To interfere with, improperly, but not necessarily criminally. See 92 Me. 151, 42 Atl. 345.

**Tanistry.** An Irish tenure wherein land descended to the oldest and worthiest man of blood and fame.

**Tanquam prescriptum quod possessum.** Prescription extends as far as possession.

**Tantum bona valent, quantum vendi possunt.** Goods are worth as much as they can be sold for.

**Tantum habent de lege, quantum habent de justitia.** Matters possess weight in law according as they possess justice.

**Tantus.** As much; so much.

**Tantum bona valent quantum vendi possunt.** Goods are worth only so much as they can be sold for.

**Tarde.** An officer's return stating that he received the process too late for service or levy.

**Tare.** An allowance of weight made for the wrapping or container of goods in computing duties. See 5 Blatchf. 191, 17 Fed. Cas. (U. S.) 1149.

**Tariff.** A schedule or tabulated rate list.

**Tauri liberi libertas.** A bull for the free and common use of the tenants of the manor.

**Tavern.** A house licensed to sell liquors in small quantities, to be drunk on the spot. See Cheves' Law (S. C.), 220, 34 Am. Dec. 593.

**Taverner.** A tavern-keeper.

**Tax.** See Taxes.

**Tax certificate.** A certificate of sale for land sold for unpaid delinquent taxes. See 35 Minn. 408, 29 N. W. 121.

**Tax collector.** A public officer authorized by law to collect and to enforce the payment of taxes.

**Tax deed.** A deed conveying to the purchaser land sold for taxes.

**Tax levy.** The establishment or fixing of a rate of taxation by a competent board or body.

**Tax list.** The official list or book containing the descriptions of property and names of persons who are liable to assessment. See 55 Vt. 446.

**Tax-rolls.** The original extensions of the levies made by the proper authorities, including state, county, township and school taxes. See 66 Kan. 139, 71 Pac. 249.

**Tax sale.** A sale of property for nonpayment of taxes.

**Tax title.** A title under a tax deed. See Tax deed.

**Taxable costs.** Such costs as a successful party is lawfully entitled to recover. See 183 Mass. 360, 67 N. E. 347.

**Taxable property.** Property not exempt from taxation.

**Taxatio.** (Civil Law) An order reducing the amount of damages claimed by the plaintiff.

**Taxatio expensarum.** Taxation of costs, which see.

**Taxation.** An approximate compensation rendered by the inhabitants of a commonwealth or the owners of property situated within its borders for the protection afforded their persons or property by the government. See 56 Am. Dec. 523, note.

**Taxes.** The enforced proportional contributions from persons and property, levied by the state, by virtue of its sovereignty, for the support of the government, and for all public needs. See 8 Am. St. Rep. 506, note.

**Taxpayer.** One who owns property within a municipality, and who pays a tax or is subject to and liable for a tax. See Ann. Cas. 1914C, 1057, note.

**Technical error.** An abstract and harmless error. See 102 Ind. 539.

**Teinds.** Tithes, which see.

**Telegraph.** Held to include telephone. See 48 Ohio St. 390, 29 Am. St Rep. 559, 12 L. R. A. 534, 27 N. E. 890.

**Teller.** One appointed to count votes cast.

**Telltale.** A row of wire strands hung over a railroad track so as to touch and warn train hands on top of the cars of a bridge or tunnel ahead. See 63 Hun (N. Y.), 632.

**Temere.** Rashly.

**Templars.** An order of religious knights organized in the 12th century.

**Temporal lords.** English peers not connected with the church.

**Temporalis actio.** An action which must be brought within a limited time, if at all.

**Temporalities.** The revenues of the Catholic church from pew rents, collections, school fees and donations. See 86 Md. 23, 37 Atl. 720.

**Temporary alimony.** Same as Alimony pendente lite.

**Temporary injunction.** Same as Injunction pendente lite.

**Temporary insanity.** A mental state produced directly by voluntary intoxication whereby the person becomes incapable of knowing his act is wrong. See 31 Tex. Cr. 318, 37 Am. St. Rep. 811, 18 L. R. A. 421, 20 S. W. 744.

**Temporary loan.** One to be paid with and by the taxes of the current fiscal year. See 31 App. Div. 603, 52 N. Y. Supp. 781.

**Temporary restraining order.** One which contemplates a further hearing. See 62 Neb. 840, 88 N. W. 124.

**Temporary statute.** One with a time limit fixed for its operation. See 70 Ill. 388.

**Temporis exceptio.** A plea setting up lapse of time as a defense.

**Tempus.** Time.

**Tempus continuum.** (Civil Law) A time period uninterrupted by holidays, absences, or other causes.

**Tempus enim modus tollendi obligationes et actiones, quia tempus currit contra desides et sui juris contemptores.** For time is a means of dissipating obligations and actions, because time runs against the slothful and those careless of their own right.

**Tempus exceptio.** A plea setting up lapse of time.

**Tempus regis Edwardi.** In the time of King Edward, i. e., Edward the Confessor, king of the West Saxons, 1042–1066.

**Tempus utile.** A time of advantage.

**Tenancy.** The relation created by a letting of real estate to one who is to hold of him as landlord. See 24 Mich. 279, 9 Am. Rep. 124.

**Tenant.** The lessee in a tenancy. See Tenancy.

**Tenant at sufferance.** One that comes into possession of land by lawful title, but holdeth over by wrong, after the determination of his interest. See 42 Am. Dec. 130, note.

**Tenant at will.** The holder of an Estate at will, which see.

**Tenant by elegit.** A judgment creditor in possession of his debtor's land under an execution.

**Tenant by entirety.** One of the holders of an estate by entireties. See Estate by entireties.

**Tenant by the courtesy.** A widower as the holder of an estate by the courtesy. See Estate by the courtesy.

**Tenant for life.** The holder of a life estate in land. See Life estate.

**Tenant for years.** The holder of an estate for a fixed time.

**Tenant from year to year.** The holder of an estate from year to year. See Estate from year to year.

**Tenant in common.** See Tenants in common.

**Tenant in dower.** A widow as the holder of land by virtue of her dower. See Dower.

**Tenant in fee.** The holder of a fee simple. See Fee simple.

**Tenant in severalty.** The holder of an interest or estate as sole owner thereof.

**Tenant paravail.** The tenant of a tenant. See 2 Bl. Comm. 60.

**Tenant right.** A tenancy wherein the tenant had the right to renew his lease.

**Tenant to the praecipe.** The defendant in a writ of praecipe. See Praecipe.

**Tenants in common.** Two or more persons who are entitled to land in such manner that they have an undivided possession, but several freeholds. See 96 Mich. 459, 35 Am. St. Rep. 617, 56 N. W. 16.

**Tender.** A production in money of the precise sum due a creditor accompanied by an offer then and there to deliver it to him in payment of the debt. See, also, Legal tender.

**Tender of issue.** The concluding phase of a plea offering to submit the controversy to the court or to a jury.

**Tenement.** Any interest or estate in land which may be held; in a more restricted sense, a house or building. See 84 Iowa, 407, 15 L. R. A. 296, 51 N. W. 18.

**Tenementum.** A tenement.

**Tenemental lands.** Lands distributed by the lords among their tenants.

**Tenendum.** To hold, the clause in a deed following the habendum signifying the tenure by which the estate granted was to be held. See 2 Bl. Comm. 298.

**Tenens.** A tenant.

**Tener.** To hold; to keep.

**Tenere.** To hold.

**Teneri.** The part of a bond wherein the maker states that he is held and firmly bound, etc.

**Tenet.** The tenant of a freehold.

**Tenor.** An exact copy. See Ann. Cas. 1914B, 660, note.

**Tenor est qui legem dat feudo.** It is the tenor which gives law to the fee. See 2 Bl. Comm. 310.

**Tenor of a bill.** The time and manner of its payment. See 76 Iowa, 629, 14 Am. St. Rep. 254, 2 L. R. A. 709, 41 N. W. 381.

**Tenor of a will.** The will's purport and effect. See 139 Ind. 382, 47 Am. St. Rep. 274, 38 N. E. 812.

**Tenore praesentium.** By the tenor of these presents.

**Tenths.** Temporary aids issuing out of personal property, and granted to the king by parliament. See 1 Bl. Comm. 308. Decimae. See 1 Bl. Comm. 284.

**Tenure.** The kind or character of a tenant's holding; the service due from the tenant to the landlord; the estate which one holds in land. See 2 Ky. 168. Term of office. See 9 Wend. (N. Y.) 58.

**Tenure by divine service.** A service tenure wherein the tenants performed religious services.

**Tenure in capite.** Holding directly from the crown or from the chief lord.

**Tenure in chief.** Tenure directly of the king.

**Terce.** (Scotch) Dower.

**Tercerone.** The issue of a white person and a mulatto. See 19 Ark. 121.

**Term.** An actual session of court, having a place, time, judge and jury, at which a trial can be had. See 56 L. R. A. 531, note. An interest or estate in land. See 71 Cal. 46, 11 Pac. 813. The duration period of a patent. See 65 Fed. (U. S.) 803. The duration period of an office. See 88 Md. 691, 41 Atl. 1087.

**Term of court.** See Term.

**Term of office.** See Term.

**Termino.** A term.

**Terminum qui praeteriit, Writ of entry ad.** See Writ of entry ad terminum, etc.

**Terminus.** A boundary; an end; a limit.

**Terminus a quo.** The end from which. See 18 Or. 367, 17 Am. St. Rep. 742, 23 Pac. 249.

**Terminus ac foedum non possunt constare simul in una eademque persona.** A term and the fee cannot at the same time vest in one and the same person.

**Terminus ad quem.** The end of a private right of way. See 19 Ill. 558.

**Terminus annorum certus debet esse et determinatus.** A term of years ought to be certain and determinate.

**Terminus juris.** The time within which an appeal could be had in ecclesiastical courts.

**Terra.** Land.

**Terra affirmata.** Farmed land.

**Terra culta.** Cultivated land.

**Terra debilis.** Barren land.

**Terra excultabilis.** Ploughable land.

**Terra frisca.** Uncultivated land.

**Terra hydata.** Land subject to hidage. See Hidage.

**Terra lucrabilis.** Reclaimed land.

**Terra manens vacua occupanti conceditur.** Land remaining vacant is granted to the occupant.

**Terra normanorum.** Land of Norman tenure.

**Terra nova.** New land, i. e., cleared land.

**Terra putura.** Forest land held by the service of victualing the keepers.

**Terra sabulosa.** Sandy land.

**Terra testamentalis.** Land transferable by will.

**Terra transit cum onere.** Land passes with its burdens.

**Terra vestita.** Seeded land.

**Terra wainabilis.** Tillable land.

**Terra warrenata.** Land having free warren. See Free warren.

**Terrae dominicales.** Demesne lands.

**Terrae dominicales regis.** Demesne lands of the crown, which see.

**Terrae tenementales.** Boc land, which see.

**Terre.** Land.

**Terre-tenant.** A purchaser of an estate mediately or immediately from the debtor while it was bound by a judgment lien. See 13 Pa. St. 38, 53 Am. Dec. 441.

**Territorial jurisdiction.** The space or district within which judicial or other authority may be lawfully exercised. See 26 Kan. 780.

**Tertia.** A third; dower.

**Testable.** Possessed of testamentary capacity. See Testamentary capacity.

**Testacy.** The condition of a decedent who made his will.

**Testament.** Same as Will.

**Testamenta latissiman interpretationem habere debent.** Wills ought to have the broadest construction.

**Testamentary capacity.** "Exists where the testator has an understanding of the nature of the business he is engaged in, and the kind and value of the property devised, and of the persons who were the natural objects of his bounty, and the manner in which he desires it to be distributed." 151 Ill. 156, 37 N. E. 698.

**Testamentary disposition.** The disposition of property by will or otherwise so that it shall not take effect unless nor until the grantor dies. See 186 Pa. 333, 65 Am. St. Rep. 860, 40 Atl. 486.

**Testamentary guardian.** A guardian appointed by will.

**Testamentary instrument.** Any instrument whereby the maker undertakes to make a testamentary disposition of his property. See 117 Wis. 455, 94 N. W. 306.

**Testamentary trustee.** A trustee, nominated in the will or not, appointed to execute a trust created by a will. See 51 Hun, 201, 4 N. Y. Supp. 701.

**Testamentum est voluntatis nostrae justa sententia, de eo quod quis post mortem suam fieri velit.** A will is the just expression of our wishes, concerning that which anyone may wish to be done after his death. See 2 Bl. Comm. 499.

**Testamentum inofficiousum.** Unofficious will, which see.

**Testamentum omne morte consummatum.** Every will is consummated by death.

**Testate.** A decedent who has left a will.

**Testation.** Attestation, which see.

**Testator.** One who made his will.

**Testatoris ultima voluntas est perimplenda secundum veram intentionem suam.** The last will of a testator is to be fulfilled according to his true intent.

**Testatrix.** A female testator.

**Testatum.** Testified.

**Testatum capias.** A writ issued for the arrest of a defendant when the return of a previous one showed his absence.

**Testatus.** Testate; a testator.

**Teste.** Bear witness; the attestation clause of an instrument.

**Teste meipso.** I, myself bear witness.

**Tested.** Witnessed; attested.

**Testes ponderantur, non numerantur.** Witnesses are weighed, not counted.

**Testes, Trial per.** See Trial per testes.

**Testibus deponentibus in pari numero dignioribus est credendum.** The witnesses testifying in equal numbers (on each side), the more worthy of them should have credence.

**Testify.** To give testimony under oath as a witness.

**Testimonia.** Testimony; evidence.

**Testimonia ponderanda sunt, non numeranda.** Testimony should be weighed, not counted.

**Testimonio.** The first copy of the expediente of a Mexican grant. The expediente is a complete statement of every step taken in the proceedings. See 161 U. S. 208, 40 L. Ed. 673, 16 Sup. Ct. Rep. 544.

**Testimonium clause.** An attestation clause.

**Testimony.** Oral statements by witnesses when testifying. See 57 Minn. 493, 47 Am. St. Rep. 630, 59 N. W. 631.

**Testis.** A witness.

**Testis de visu praeponderat aliis.** An eye-witness outweighs the others.

**Testis nemo in sua causa esse potest.** No one can be a witness in his own cause.

**Testis oculatus unus plus valet quam auriti decem.** One eye-witness is worth more than ten ear-witnesses.

**Testmoignes ne poent testifié le negative mes l'affirmative.** Witnesses cannot testify to a negative, but they may to an affirmative.

**Thalweg.** The middle of the deepest channel of a river. See 147 U. S. 1, 37 L. Ed. 55, 13 Sup. Ct. Rep. 239.

**Theft.** Larceny. But by statute it includes other crimes in Texas. See Pen. Code Tex. 1895, art. 858.

**Theft-bote.** The return of the stolen goods or other amends in consideration of an agreement not to prosecute. See 44 N. H. 14.

**Thegn.** A tenant in capite. See Tenant in capite.

**Theocracy.** A government recognizing God as its ruler.

**Theolonium.** Toll.

**Therapy.** The treatment of disease. See 55 Minn. 20, 56 N. W. 256.

**Thesaurus inventus.** Treasure-trove.

**Thesmothete.** A law giver.

**Thief.** One who has committed larceny.

**Thing appendant.** See Appendant.

**Thing in action.** Same as Chose in action.

**Things personal.** Personal property, which see.

**Things real.** Same as Real things.

**Third degree.** The practice of sweating a prisoner to force him to confess or to inform.

**Third possessor.** A vendee who does not assume to pay a subsisting mortgage on the land. See 50 La. Ann. 751, 23 South. 913.

**Thirlage.** (Scotch) The service of payment for the grinding of corn.

**Tholonium.** Toll.

**Thoroughfare.** A passage or street open at each end. See 20 Minn. 144.

**Thread of stream.** The mean center line of the main channel of a stream or river. See 123 Ill. 535, 5 Am. St. Rep. 545, 17 N. E. 439.

**Threats.** Words or acts calculated and intended to cause an ordinary person to fear an injury to his person, business or property. See 77 Conn. 227, 107 Am. St. Rep. 28, 58 Atl. 769.

**Thrithing.** A riding. See Riding.

**Thrown into bankruptcy.** Adjudicated a bankrupt. See 45 Mich. 280, 7 N. W. 892.

**Ticket.** See Subpoena ticket.

**Ticket broker.** See Scalper.

**Ticket of leave.** Probation granted a convict under which he is entitled to go at large.

**Tickler.** Same as Telltale.

**Tide lands.** Lands covered and uncovered by the tides. See 118 Cal. 160, 50 Pac. 277.

**Tide waters.** Waters raised or lowered by the rise and fall of the tide. See 108 Mass. 436, 11 Am. Rep. 380.

**Tie.** An equal number of votes at an election. See 64 Conn. 340, 25 L. R. A. 694, 30 Atl. 144.

**Tiel.** Such.

**Tiempo inhabil.** (Spanish) Insolvent.

**Tierce.** Same as Terce.

**Tiers.** Same as Terce.

**Tigni immittendi.** (Civil Law) The servitude of having a right to project the beams of one's building into the wall of a neighbor.

**Tignum.** Building material.

**Tillage.** Land cultivation.

**Timber.** Wood suitable for constructive or manufacturing purposes. See 160 Mich. 186, 136 Am. St. Rep. 428, 19 Ann. Cas. 1049, 125 N. W. 37.

**Timber culture entry.** A settlement on public lands under the "Act to encourage the growth of timber on western prairies. See 22 C. C. A. (U. S.) 30, 76 Fed. 157.

**Time immemorial.** See Legal memory.

**Time of memory.** See Legal mem ory.

**Time option.** An option for a specified time.

**Time out of mind.** See Legal memory.

**Time policy.** A marine policy insuring a vessel for a stated time irrespective of her voyages. See 30 Ohio St. 317, 27 Am. Rep. 455.

**Timores vani sunt aestimandi qui non cadunt constantem virum.** Fears are to be deemed groundless which do not affect a steady man.

**Tippling-house.** That which we now call a saloon or barroom. See 103 Ga. 110, 68 Am. St. Rep. 80, 29 S. E. 602.

**Tipstaff.** A bailiff.

**Tithe rent-charge.** A rent-charge substituted by statute 6 & 7 William IV, c. 71, for tithes.

**Tithes.** A tenth part of the income or produce of land due the church from the inhabitants of the parish.

**Tithing.** The tenth of a hundred. See Hundred.

**Tithing-man.** Same as Tithing-reeve.

**Tithing-reeve.** The chief or constable of a tithing.

**Title.** The evidence of the owner's right or of the extent of his interest; the means whereby he is enabled to assert or maintain his possession; his right considered either with reference to the man-

ner in which it has been acquired, or its capacity of being actually transferred. See 129 Ind. 217, 15 L. R. A. 68, 26 N. E. 899, 29 N. E. 781.

**Title bond.** An executory written contract for the sale of realty. See 22 Ark. 192.

**Title by accession.** See Accession.

**Title by adverse possession.** The ripening of adverse possession by lapse of time. See Adverse Possession.

**Title by alluvion.** See Alluvion.

**Title by descent.** Title acquired by an inheritance. See 106 Ind. 341, 6 N. E. 909.

**Title by limitation.** Same as Title by prescription.

**Title by prescription.** See Prescription.

**Title by purchase.** Title acquired in any other manner than by inheritance. See 34 Kan. 532, 9 Pac. 271.

**Title in fee.** Same as Fee simple.

**Title of record.** A title from the state. See 111 Ky. 715, 64 S. W. 620.

**Titulus est justa causa possidendi id quod nostrum est.** Title is the just cause of possessing that which is ours.

**To wit.** That is to say; namely.

**Toft.** A site where a house once stood.

**Toftum.** Toft, which see.

**Token.** A sign; a mark; anything bearing a semblance of public authority, as weights or measures. See Dud. (S. C.) 285.

**Toll.** A tax is a demand of sovereignty; a toll is a demand of proprietorship. See 15 Wall. (U. S.) 232, 21 L. Ed. 146. To lead by enticement, as an animal; to bar; to defeat.

**Toll road.** Same as Turnpike Road. See 17 Ann. Cas. 804, note.

**Toll the entry.** To bar or defeat the right of entry.

**Toll the statute.** To stop the running of the statute of limitations.

**Toll thorough.** Toll charged on a public highway, ferry or bridge.

**Toll turn.** Toll charged for unsold cattle returning from market.

**Tollage.** Toll; payment of toll.

**Tolle voluntatem et erit omnis actus indifferens.** Take away the will and every act will be indifferent.

**Tollere.** To elevate; to lift.

**Toll-traverse.** A toll charged for passing over private property. See 36 U. S. 420, 582, 9 L. Ed. 773, 938.

**Tolnetum.** Toll.

**Tolt.** A writ to remove a cause from a court baron to a county court.

**Tolta.** A wrong.

**Tonnage.** A ship's carrying capacity designated in tons. See 130 N. Y. 160, 29 N. E. 137.

**Tonnage duties.** Duties on vessels in proportion to their capacity. See 94 U. S. 238, 24 L. Ed. 118.

**Tonsura.** Tonsure.

**Tonsure.** The shaving of the hair from the crown of the head.

**Tontine company.** One whereof the members received life rents or annuities for life and the survivors prorated each deceased member's share among them.

**Tontine insurance.** Life insurance issued by a company which divides its surplus earnings among surviving policy-holders.

**Tornado.** See Hurricane.

**Tort.** An injury or wrong committed with or without force, by nonfeasance, malfeasance or misfeasance, upon the person or property of another. See 129 Ill. 582, 16 Am. St. Rep. 292, 22 N. E. 516.

**Tort-feasor.** One who commits a tort; a wrongdoer.

**Tortious.** Unlawful.

**Tortious conveyance.** One purporting to convey a larger estate than the grantor has.

**Tot.** A word written opposite an item in an account to indicate approval of it.

**Tota curia.** The whole court.

**Total destruction.** In insurance, same as Total loss.

**Total disability.** An accident insurance, a condition wherein one's injuries are such that common care and prudence require him to desist from transacting any business pertaining to his occupation in order to effect a cure, as well as actual disability to do so. See 69 Minn. 14, 65 Am. St. Rep. 542, 38 L. R. A. 537, 71 N. W. 696.

**Total loss.** Such damage to a building that it no longer exists as a building. See 66 Tex. 103, 59 Am. Rep. 613, 18 S. W. 337. A vessel so damaged that a prudent uninsured owner would not undertake to rebuild her. See 90 Tex. 170, 59 Am. St. Rep. 797, 35 L. R. A. 672, 37 S. W. 1068.

**Toted.** Approved by a tot. See Tot.

**Totidem verbis.** In so many words.

**Toties quoties.** As often as it shall happen.

**Toto genere.** In all of its kind.

**Totum praefertur unicuique parti.** The whole is preferred to any one part.

**Toujours et uncore prist.** Now and always ready.

**Tous mes effets.** All my effects and property. See 55 U. S. 400, 14 L. Ed. 472.

**Tout ce que la boi ne defend pas est permis.** Everything which the law does not prohibit is permitted.

**Tout temps prist.** Always ready.

**Tout un sound.** All one sound. See Idem sonans.

**Towage.** Services rendered in towing a vessel.

**Town.** A collection of houses; a hamlet between a village or city; a civil corporation of larger territory; a civil and territorial subdivision. See 50 Wis. 189, 36 Am. Rep. 840, 6 N. W. 607.

**Town board.** The governing body of a town.

**Town council.** Same as Town board.

**Town pauper** A pauper supported by a town. See 50 Conn. 544.

**Town site.** Land set apart from the public domain as a site or locality for a town. See 28 Colo. 519, 66 Pac. 894.

**Township.** An involuntary or quasi corporation, a subdivision of a county. See 19 Colo. 104, 41 Am. St. Rep. 208, 34 Pac. 947. A subdivision of U. S. public lands containing 36 sections. See Section.

**Toxicology.** The branch of medicine dealing with poisons.

**Tp.** Township, which see.

**Tractent fabrilia fabri.** Let smiths do smithcraft.

**Tradas in ballium.** A writ to admit to bail one found under a writ de odio et atia to be maliciously imprisoned. See De odio et atia.

**Trade.** Dealings with members of the same community. See 4 Denio (N. Y.), 349, 47 Am. Dec. 258. An honest and lawful occupation. See 2 Fed. Cas. (U. S.) 394, 1 MacA. Pat. Cas. 90.

**Trade fixtures.** Fixtures used by a tenant in his business which he has the right to remove at the end of his term. See 37 App. Div. (N. Y.) 257, 55 N. Y. Supp. 924.

**Trade secret.** A plan or process, tool, mechanism or compound, known only to its owner, and those of his employees to whom it is necessary to confide it in order to apply it to the uses for which it is intended. See 133 Am. St. Rep. 760, note.

**Trade trust.** A contract, combination, confederation or understanding, express or implied, written or oral, between two or more persons, to control the price of a commodity or services for the benefit of the parties thereto, and to the injury of the public, and which tends to create a monopoly. See 60 W. Va. 508, 116 Am. St. Rep. 901, 9 Ann. Cas. 667, 10 L. R. A. (N. S.) 268, 56 S. E. 264.

**Trademark.** A symbol, device, word, or mark adopted and exclusively used by a maker or vendor of goods, or other articles, to distinguish them from goods or articles of the same kind made or sold by others. See 47 Am. Dec. 284, note.

**Trade name.** A name under which a person, firm or corporation has carried on a business, trade or occupation.

**Trader.** One who makes it his business to buy merchandise, goods or chattels, to sell at a private sale. See 80 Conn. 327, 125 Am. St. Rep. 121, 15 L. R. A. (N. S.) 288, 68 Atl. 250.

**Tradidi.** I have leased.

**Trading.** The carrying of freight or passengers by a vessel. See 11 U. S. 100, 3 L. Ed. 282. See, also, Trade.

**Traditio brevis manus.** The delivery of goods by consent, with no physical act.

**Traditio clavium.** The delivery of the keys. See Symbolic delivery.

**Traditio loqui facit chartam.** Delivery gives voice to a deed.

**Traditio nihil amplius transferre debet vel potest ad eum qui accipit, quam est apud eum qui tradit.** Delivery ought to, and can transfer nothing more to him who receives than is in the possession of him who delivers.

**Traditio rei.** The delivery of the thing.

**Tradition.** Knowledge, belief, or practices transmitted orally from father to son or from ancestor to posterity. See 68 Vt. 366, 35 L. R. A. 794, 35 Atl. 77.

**Traditor.** A traitor.

**Traditur in ballium.** He is delivered up on bail.

**Trahens.** A drawer.

**Trahere.** To draw.

**Traitor.** One guilty of treason.

**Tramp corporation.** One incorporated in a state other than the state or states where it is intended to transact the business. See 112 N. C. 34, 19 L. R. A. 485, 17 S. E. 10.

**Transcript.** A copy.

**Transeat in exemplum.** Let it pass into a precedent.

**Transfer.** The conveyance of title to or a right in property from one to another. See 1 Ala. 660.

**Transfer by indorsement.** The indorsement and delivery of a nego-

tiable instrument to the indorsee. See 17 Conn. 511.

**Transferor.** The maker of a transfer.

**Transferee.** One to whom a transfer is made.

**Transgressione multiplicita, crescat poenae inflictio.** Upon the multiplication of transgression, let the infliction of punishment increase.

**Transgressive trust.** A trust which by its terms violates the rule against perpetuities. See 89 Me. 359, 36 Atl. 635.

**Transhipment.** The removal of goods from ship to ship.

**Transire.** A customs permit for the passage of goods.

**Transit in rem judicatum.** It passes into a judgment. See 11 Pet. (U. S.) 100, 9 L. Ed. 642.

**Transit terra cum onere.** Land passes with its encumbrance. See 124 N. Y. 212, 11 L. R. A. 646, 26 N. E. 611.

**Transitory action.** One based upon a cause of action which might have arisen anywhere. See 22 Am. St. Rep. 22, note. An action which may be maintained wherever the defendant can be found. See 64 Barb. (N. Y.) 212.

**Transitu.** See Stoppage in transitu.

**Transitus.** Transit; conveyance.

**Translado.** (Spanish) A transcript.

**Trap.** Any very dangerous construction or condition designedly arranged to do injury. See 174 Mass. 311, 54 N. E. 850.

**Trassatus.** A drawee of a bill.

**Travail.** The condition of a woman in giving birth to a child from the beginning of pains until delivery. See 5 Pick. (Mass.) 63.

**Traverse.** A pleading denying matters alleged in a pleading of an adverse party.

**Traverse jury.** Same as Trial jury.

**Treason.** A breach of allegiance by one who owes allegiance, perpetual or temporary. See 5 Wheat. (U. S.) 76, 5 L. Ed. 37. Under the United States constitution, levying war against the United States, or adhering to their enemies, giving them aid and comfort. See 4 Sawy. 457, 2 Abb. (U. S.) 364, 26 Fed. Cas. (U. S.) 18. See, also, Petit treason.

**Treasure-trove.** Gold or silver money found hidden in the earth with no known owner, dead or alive. See 74 Me. 452, 43 Am. Rep. 600.

**Treasury note.** A bill circulating as money by authority of the federal government. See 120 Ala. 342, 25 South. 182.

**Treaty.** A compact between independent nations, depending for the enforcement of its provisions on the honor and the interests of the governments which are parties to it. See 81 Am. Dec. 536, note.

**Treaty of Guadalupe Hidalgo.** See Guadalupe Hidalgo Treaty.

**Treble costs.** Common costs, plus half thereof, plus half of the latter. See 2 N. J. L. 108.

**Treble damages.** Three times actual loss.

**Trebucket.** Same as Ducking-stool.

**Tres.** Three.

**Tres faciunt collegium.** Three (may) form a corporation. See 1 Bl. Comm. 469.

**Tresor trouvé.** Treasure-trove, which see.

**Trespass.** Any unlawful interference or exercise of dominion with

respect to personal property, by which the owner is damnified. 30 Am. St. Rep. 485, note. An unlawful entry upon the land of another. See 6 Ind. App. 259, 33 N. E. 253. Any forcible and unlawful interference with one's person. See 76 Tex. 210, 7 L. R. A. 618, 13 S. W. 59. An action to recover for a trespass. Id.

**Trespass ab initio.** A trespass from the time of one's entry by reason of a trespass committed subsequently thereto in case the entry was by special license of law and not by license or permission of the tenant. See 59 Vt. 437, 9 S. E. 601. See, also, Six Carpenters' Case.

**Trespass de bonis asportatis.** A common-law action for taking and carrying away the goods of another. See 18 Or. 178, 22 Pac. 601.

**Trespass de uxore abducto.** An action of trespass for the abduction of the plaintiff's wife.

**Trespass on the case.** See Action on the case.

**Trespass per quod consortium amisit.** See Per quod consortium amisit.

**Trespass per quod servitium amisit.** See Per quod servitium amisit.

**Trespass quare clausum.** Same as Trespass quare clausum fregit.

**Trespass quare clausum fregit.** A common-law action for interference with one's possession of real property. See 92 Me. 214, 42 Atl. 394.

**Trespass vi et armis.** An action for injury committed by the direct application of force to one's person or property. See 70 Fed. (U. S.) 967.

**Tret.** A deduction for dust in weighing a commodity. Cf. Tare.

**Triable.** Within the court's jurisdiction.

**Trial.** The examination before a competent tribunal, according to the law of the land, of the facts or law put in issue in a cause for the purpose of determining such issue. See 67 Cal. 330, 7 Pac. 746.

**Trial anew.** Same as Trial de novo.

**Trial at nisi prius.** See Nisi prius.

**Trial by battel.** A sort of trial by physical combat between the parties which could be resorted to in appeals of felony. See Appeal of felony.

**Trial by fire.** See Fire ordeal.

**Trial by grand assize.** A trial by a jury or grand assize of sixteen knights, which a defendant could elect in lieu of a trial by battel. See 3 Bl. Comm. 351.

**Trial by inspection.** A trial by the judges, without a jury, of some single matter obvious to sight. See 29 Hun (N. Y.), 154.

**Trial by jury.** A trial before an impartial and indifferent (as between the parties) jury of twelve men whose verdict must be unanimous. See 65 Minn. 196, 60 Am. St. Rep. 450, 33 L. R. A. 437, 68 N. W. 53.

**Trial by ordeal.** See Ordeal.

**Trial by proviso.** A proceeding whereby the defendant undertakes to bring a cause to trial on the failure of the plaintiff to do so.

**Trial by purgation.** See Purgation.

**Trial by record.** The trial of an issue arising on the record, without a jury and without taking testimony.

**Trial by the iron.** See Fire ordeal.

**Trial by water.** See Hot-water ordeal.

**Trial de novo.** A second trial in an appellate court of a case previously tried in a lower court. See 8 Houst. (Del.) 163, 32 Atl. 225.

**Trial judge.** The judge presiding at the trial of a cause.

**Trial jury.** A jury, usually of twelve men, impaneled to try questions of fact submitted to them by the court and to render their verdict thereon.

**Trial per pais.** A jury trial.

**Trial per testes.** A trial before a judge without a jury.

**Triare.** To try.

**Triatio.** A trial.

**Triatio ibi semper debet fieri, ubi** juratores meliorem possunt habere notitiam. A trial ought always to be had, where the jurors can have the better knowledge.

**Tribute.** A tax imposed by a sovereign upon his subjects or by one nation upon another.

**Triers.** Persons appointed by the court to try a challenge for favor. See Challenge for favor.

**Trigamus.** One thrice married.

**Trina admonitio.** A third demand or warning before the infliction of peine forte et dure. See Peine forte et dure.

**Trinity term.** An English court term, May 22d–June 12th.

**Trinoda necessitas.** The threefold necessity under Saxon tenure, the service of bridge repairing, castle repairing and repelling invasions.

**Triors.** Same as Triers.

**Tripartite.** In three parts; having three parties.

**Triplication.** (Civil Law) Same as Surrejoinder. (Ecclesiastical Law) Same as Rejoinder.

**Trithing.** Same as Riding.

**Tronage.** Toll charged for wool weighing.

**Trove.** Found. See Treasure-trove.

**Trover.** The common-law remedy to recover damages for the conversion of personal property. See Conversion.

**Truce.** An agreement between belligerents temporarily to cease hostilities.

**True bill.** An indictment when returned by a grand jury.

**True cash value.** The value which property has as used, by reason of this use. See 154 U. S. 421, 38 L. Ed. 1031, 14 Sup. Ct. Rep. 1114.

**Trunk line.** A commercial railway whose main line connects towns, cities, counties or other points within the state or in different states, and has the legal capacity of constructing, purchasing and operating branch lines or feeders connecting with its main stem or trunk. See 117 Ky. 146, 111 Am. St. Rep. 230, 4 Ann. Cas. 445, 63 L. R. A. 637, 77 S. W. 674.

**Trunk railway.** Same as Trunk line.

**Trust.** An obligation upon a person, arising out of confidence reposed in him, to apply property faithfully and according to such confidence. See 6 How. (Miss.) 143, 38 Am. Dec. 433. See, also, Activo trust; Passive trust; Trusts.

**Trust deed.** A conveyance in trust to secure a debt, subject to a condition of defeasance. See 136 U. S. 223, 34 L. Ed. 341, 10 Sup Ct. Rep. 1013.

**Trust estate.** The estate of a trustee; the estate of a cestui que trust. See 5 N. J. Eq. 9.

**Trust ex maleficio.** A trust arising by presumption of law from a

wrongful acquisition. See 166 Pa. 314, 31 Atl. 95.

**Trust for value.** A trust created in return for a valuable and adequate consideration.

**Trust in invitum.** See Constructive trust.

**Trustee.** One in whom property is vested in trust for others. See 59 Am. Rep. 468, note.

**Trustee de son tort.** One assuming without authority the control of property beneficially belonging to another. See 1 W. Va. 256, 91 Am. Dec. 386.

**Trustee ex maleficio.** Same as Trustee de son tort.

**Trustee process.** A Massachusetts proceeding in the nature of a garnishment. See 52 W. Va. 450, 62 L. R. A. 178, 44 S. E. 300. See, also, Garnishment.

**Trustor.** The grantor of a trust.

**Trusts.** Combinations of corporations or capitalists for the purpose of controlling the price of articles of prime necessity or the charges of transportation for the public. See 86 Tex. 250, 22 L. R. A. 483, 24 S. W. 397. See, also, Trade trust.

**Tulit.** He brought.

**Tumbrel.** Same as Ducking-stool.

**Tumult.** Same as Brawl.

**Tunc.** Then. See Nunc pro tunc.

**Turbary.** See Common of turbary.

**Turnpike road.** A public highway established by public authority for public use, and made at the expense of individuals initially, the cost of construction and maintenance being reimbursed by a toll levied by public authority for the purpose. See 16 Pick. (Mass.) 175, 26 Am. Dec. 654.

**Turnpike.** A toll-gate.

**Turpis.** Bad; base; immoral.

**Turpis est pars quae non convenit cum suo toto.** The part is bad which does not correspond with its whole.

**Turpitude.** See Moral turpitude.

**Turris.** A tower.

**Tuta.** Safe.

**Tuta est custodia quae sibimet creditur.** That guarding is safe which trusts only itself.

**Tutela.** A guardianship.

**Tutius erratur ex parte mitiori.** It is safer to err on the side of leniency.

**Tutius semper est errare in acquietando, quam in puniendo; ex parte misericordia quam ex parte justitia.** It is always safer to err in acquitting than in punishing, on the side of mercy than on the side of justice.

**Tutor.** (Civil Law) One who had charge of the maintenance and education of an infant. See 69 App. Div. (N. Y.) 502, 75 N. Y. Supp. 229.

**Tutrix.** A female tutor.

**Twice in jeopardy.** See Jeopardy.

**Twyne's Case.** A famous English case involving conveyances in fraud of creditors. 8 Coke, 80.

**Tymbrella.** Same as Ducking-stool.

**Tyrrel's Case.** Held, a use on a use would not be sustained. Dwyer, 155a.

# U

**Uberrima fides.** The utmost good faith.

**Ubi aliquid conceditur, conceditur et id sine quo res ipsa esse non potest.** When anything is granted, that is also granted without which the thing itself cannot exist.

**Ubi aliquid impeditur propter unum, eo remoto, tollitur impedimentum.** When anything is impeded by reason of one thing, with the removal of that, the impediment is removed.

**Ubi cessat remedium ordinarium ibi decurritur ad extraordinarium.** When an ordinary remedy is idle, then resort must be made to an extraordinary one.

**Ubi culpa est, ibi poena subesse debet.** Where the fault is, there the punishment ought to be visited.

**Ubi damna dantur, victus victori in expensis condemnari debet.** When damages are given, the unsuccessful party ought to be adjudged to pay the successful party's costs.

**Ubi eadem ratio, ibi idem jus; et de similibus idem est judicium.** When the reason is the same, the law is the same, and in similar cases the judgment is the same.

**Ubi est dantis et accipientis turpitudo versatur, non posse repeti dicimus; quotiens autem accipientis turpitudo versatur, repeti posse.** When there is turpitude in both the giver and the receiver, we say the thing cannot be recovered, but that whenever the turpitude is in the receiver only, it can be recovered. See 17 Mass. 562.

**Ubi est forum, ibi ergo est jus.** Where the forum is, there the law is accordingly.

**Ubi factum nullum, ibi fortia nulla.** Where there is no act there is no force.

**Ubi jus ibi remedium.** Where there is a right there is a remedy (for its violation). See 122 Ga. 190, 106 Am. St. Rep. 104, 2 Ann. Cas. 561, 69 L. R. A. 101, 50 S. E. 68.

**Ubi jus incertum, ubi jus nullum.** When the law is uncertain, there is no law.

**Ubi lex aliquem, cogit, ostendere causam, necesse est quod causa sit justa ea legitima.** When the law compels anyone to show cause, it is necessary that the cause be just and legal.

**Ubi lex est specialis, et ratio ejus generalis generaliter accipienda est.** When the law is special and the reason of it is general, it should be construed generally.

**Ubi lex non distinguit, nec nos distinguere debemus.** When the law does not distinguish we ought not to distinguish.

**Ubi major pars est, ibi totum.** Where is the greater part, there is the whole.

**Ubi matrimonium, ibi dos.** Where there is marriage, there is dower.

**Ubi non adest norma legis, omnia quasi pro suspectis habenda sunt.** Where there is no rule of law, everything should be regarded with suspicion.

**Ubi non est annua renovatio, ibi decimae non debent solvi.** Where there is no annual renovation, there tithes ought not to be paid.

**Ubi non est condendi auctoritas, ibi non est parendi necessitas.** Where there is no authority to order, there is no need of obeying.

**Ubi non est directa lex, standum est arbitrio judicis, vel procedendum ad similia.** When there is no direct law, the decision of the judge is to be supported, or reference made to similar cases.

**Ubi non est lex, ibi non est transgressio quoad mundum.** Where there is no law, there is no transgression as far as worldly matters are concerned.

**Ubi non est manifesta injustitia, judices habentur pro bonis viris, et judicatum pro veritate.** Where there is no manifest injustice, judges ought to be regarded as honest men, and their judgment as truth. See 1 Johns. Cas. (N. Y.) 341.

**Ubi non est principalis, non potest esse accessorius.** Where there is no principal, there can be no accessory.

**Ubi nulla est conjectura quae ducat alio, verba intelligenda sunt ex proprietate non grammatica sed populari ex usu.** Where there is no inference which would lead to another conclusion, words are to be understood according to their proper sense, not their grammatical meaning, but according to popular usage.

**Ubi nullum matrimonium, ibi nulla dos.** Where there is no marriage, there is no dower.

**Ubi periculum, ibi et lucrum collocatur.** Where the risk is, there the profit should lie.

**Ubi pugnantia inter se in testamento juberentur, neutrum ratum est.** When directions repugnant to one another are given in a will, neither is valid.

**Ubi quid generaliter conceditur, inest haec exceptio, si non aliquid sit contra jus fasque.** Where anything is granted generally, this exception is implied, that nothing shall be contrary to law and right.

**Ubi quis delinquit ibi punietur.** Where one offends, there he is punished.

**Ubi revera.** Where, in truth.

**Ubi verba conjuncta non sunt, sufficit alterutrum esse factum.** Where words are not in the conjunctive it suffices that either of them be executed.

**Ubicunque est injuria, ibi damnum sequitur.** Wherever there is a wrong, there damage follows.

**Ubicunque fuerimus in Anglia.** Wherever we may be in England.

**Udal.** Allodial, which see.

**Ukase.** An imperial order of the Russian czar.

**Ullage.** The amount of wine short of a full cask ascertained by gauging.

**Ulnage.** Same as Alnage.

**Ulterius concilium.** Further consideration.

**Ultima ratio.** The last reason or resort.

**Ultima voluntas.** A last will.

**Ultima voluntas testatoris est perimplenda secundum veram intentionem suam.** The last will of a testator is to be fulfilled according to his true intent.

**Ultimate fact.** The principal fact in an issue, as distinguished from facts which are purely evidentiary, and which should not be pleaded.

**Ultimatum.** A final proposition.

**Ultimum supplicium.** The extreme punishment; the death penalty.

**Ultimum supplicium esse mortem solam interpretamur.** We consider

death alone to be the extreme punishment.

**Ultimum tempus pariendi.** The extreme period of gestation.

**Ultimus haeres.** The last heir; the lord; the king.

**Ultra.** Beyond; outside.

**Ultra fines mandati.** Beyond the scope of authority.

**Ultra mare.** Beyond the sea.

**Ultra petita.** Beyond that prayed for.

**Ultra posse non potest esse et vice versa.** That which is beyond possibility cannot be, and vice versa.

**Ultra reprises.** Net; after deductions.

**Ultra vires.** Acts of a corporation are ultra vires which are not within the powers conferred upon the corporation by the act of its creation. See 70 Am. St. Rep. 158.

**Umpirage.** An umpire's decision.

**Umpire.** A third arbitrator chosen to decide by two who had been selected by the parties and who could not agree.

**Un ne doit prise advantage de son tort demesne.** One ought not to take advantage of his own wrong.

**Una cum.** Together with.

**Una cum omnibus aliis.** Together with all other things.

**Una persona vix potest supplere vices duarum.** One person can hardly supply the places of two.

**Una voce.** With one accord.

**Unalienable.** Inalienable, which see.

**Unavoidable accident.** Synonymous with Act of God and with Inevitable accident. See 2 Ga. 349, 46 Am. Dec. 393.

**Unconditional heirs.** Heirs in Louisiana who inherit without any reservation, or without making any inventory.

**Unconscionable.** Dishonest.

**Unconstitutional.** In violation of a provision of the constitution.

**Uncontrollable impulse.** Same as Irresistible impulse.

**Uncore.** Again; now.

**Uncore prist.** Now ready.

**Uncuth.** Unknown; a stranger.

**Unde.** Whence; whereof.

**Unde nihil habet.** Whence he has nothing. See Dower unde, etc.

**Unde petit judicium.** Whereof he demands judgment.

**Undefended.** Lacking any defense, as when a defendant is in default.

**Under sheriff.** An officer appointed by a sheriff to perform nearly all the duties of the sheriff's office. See 1 Bl. Comm. 345.

**Under tenant.** One holding under an underlease.

**Underlease.** A lessee's transfer of the whole of his leasehold.

**Underletting.** Same as Underlease.

**Undertaking.** A promise to do some act; a bond; a recognizance.

**Underwriter.** An insurer.

**Undique.** In all directions.

**Undivided.** Not segregated; the nature of the title held by a tenant in common or a joint tenant.

**Undres.** Minors.

**Undue influence.** Whatever destroys free agency and constrains the person to do what is against his will and what he would not do if left to himself, whether the control be by force, threats, importunity or any other sort of mental or physical coercion. See 123 Mo. 1, 45 Am. St. Rep. 505, 25 S. W. 359.

**Ungeld.** An outlaw.

**Uniform tax.** One operating with the same effect in all places where

the subject is found. See 112 U. S. 580, 28 L. Ed. 798, 5 Sup. Ct. Rep. 247.

**Uniformity of process act.** An English statute, 2 William IV, c. 39, making original process uniform for the courts of Westminster.

**Unilateral.** One-sided.

**Unilateral contract.** One wherein the promisee is not bound, but the promisor is bound as soon as the promisee fully performs.

**Unintelligible.** Not to be understood.

**Unitas personarum.** The merger of two legal persons into one.

**United Kingdom.** Great Britain and Ireland.

**United States Circuit Court.** A United States court of original jurisdiction abolished in 1911.

**United States Circuit Court of Appeals.** A United States court created 1891, having three judges, and hearing appeals from the United States district courts.

**United States District Court.** See District courts.

**United States notes.** Contracts to pay coined dollars of the United States. See 7 Wall. (U. S.) 26, 19 L. Ed. 60.

**Unity of interest.** Identity of duration.

**Unity of possession.** Exists where each tenant is seized of all the land.

**Unity of seisin.** The merger of one seisin in another, as when the owner of a servient tenement acquires the dominant tenement also.

**Unity of time.** Exists when title vested all the tenants at once.

**Unity of title.** Exists where the title of all the owners was created by a single act, as in a joint tenancy.

**Unius omnino testis responsio non audiatur.** The testimony of one witness should not be heard at all. See 3 Bl. Comm. 370.

**Uniuscujusque contractus initium spectandum est et causa.** The beginning and consideration of every contract should be scrutinized.

**Universal agent.** One empowered to do every act which an agent can lawfully do for his principal.

**Universal partnership.** One to which each partner has contributed all he has.

**Universalia sunt notiora singularibus.** Universal matters are better known than particular ones.

**Universitas.** A corporation.

**Universitas bonorum.** All of the goods; all of one's estate.

**Universitas vel corporatio non dicitur aliquid facere nisi id sit collegialiter deliberatum, etiamsi major para id faciat.** A university or a corporation is said not to do anything unless it is deliberated upon collectively, even though a majority of the members should act upon it.

**Universum jus.** An entire right; sole ownership.

**Universus.** All; the whole.

**Unkouth.** Unknown.

**Unlage.** An unjust law.

**Unlaw.** (Scotch) A property qualification required of witnesses.

**Unlawful.** Wrong; not authorized by law; unpermitted but not necessarily forbidden.

**Unlawful assembly.** A disturbance of the peace by persons assembling together with an intent to do a thing which, if executed, would

make them rioters, but neither executing it nor making any motion toward its execution. See 128 N. Y. 108, 26 Am. St. Rep. 458, 27 N. E. 970.

**Unlawful detainer.** A detention of real property, without the express or implied consent of the landlord or other person entitled to possession, by one who, having come lawfully into possession either under a lease or other grant or letting for a definite or indefinite period, continues to hold possession after his lease or right to hold, either from lapse of time or some other cause, terminates, and with it, his right to remain in possession. See 120 Am. St. Rep. 34, note.

**Unlawfully.** Without lawful cause; otherwise than lawfully.

**Unlearned parliament.** Same as Parliament of dunces.

**Unliquidated damages.** Damages, the amount of which is to be found by the court or the jury.

**Unnatural offense.** Crime against nature, which see.

**Unmarried.** The state or condition of never having been married. See 15 L. R. A. 292, note.

**Uno absurdo dato, infinita sequuntur.** One absurdity granted, an infinite number follow.

**Uno actu.** By one act.

**Uno flatu.** In one breath.

**Unofficious will.** A will cutting off one's family.

**Unques.** Yet; still; always.

**Unques prist.** Always ready.

**Unreasonable searches and seizures.** The meaning of the term is determined by reference to contemporary history of controversies on the subject. See 116 U. S. 616, 29 L. Ed. 746, 6 Sup. Ct. Rep. 524.

**Unseated.** Unsettled; wild.

**Unsolemn admissions.** Those which have been acted upon, or have been made to influence the conduct of others, or to derive some advantage to the party, and which cannot afterward be denied without a breach of good faith. See 3 Wyo. 513, 31 Am. St. Rep. 122, 31 Pac. 407.

**Unsolemn war.** One wherein there has been no formal declaration of war.

**Unsound mind.** See Sound mind.

**Untenantable.** Wholly unfit for occupation. See Ann. Cas. 1913A, 1101, note.

**Unthrift.** A prodigal.

**Unumquodque dissolvitur eodem ligamine quo ligatur.** Anything is dissolved in the same way in which it is bound.

**Unumquodque eodem modo que colligatum est dissolvitur.** In the same way in which anything is bound, it is dissolved.

**Unumquodque est id quod est principalius in ipso.** Anything which is the principal part is the thing itself.

**Unumquodque ligamen dissolvitur eodem ligamine quo et ligatur.** Every obligation is dissolved in the same way in which it is bound. See 12 Barb. (N. Y.) 366.

**Unumquodque principiorum est sibimet ipsi fides; et perspicua vera non sunt probanda.** Every principle is its own proof and plain truths need not be proved.

**Upper house.** The United States Senate; the house of lords.

**Urban servitude.** Any servitude appropriate to a city estate.

**Urbs.** A city; a fortified city.

**Ure.** Use; operation.

**Usage.** A local or trade custom. See 100 U. S. 686, 692, 25 L. Ed. 766, 769.

**Usance.** The customary time allowed for the payment of bills of exchange.

**Use.** A mere confidence in a friend, before the statute of uses, that the feoffees to whom the lands were given should permit the feoffor and his heirs, and such other persons as he might designate, to receive the profits of the land. See 3 Md. 505, 56 Am. Dec. 762.

**Use and occupation.** The nature of a tenancy with no lease.

**User.** Use; actual possession and enjoyment.

**User de action.** The institution or bringing of an action.

**Uses, Statute of.** See Statute of uses.

**Usque.** Until.

**Usual covenants.** Those of seisin, quiet enjoyment, further assurance, warranty and against encumbrances, usually inserted in a deed.

**Usuarius.** Usury, which see.

**Usuary.** A bailee who had the bare use of a thing.

**Usucapio constituta est ut aliquis litium finis esset.** Prescription was instituted that there might be some end to litigation.

**Usufruct.** Same as Usufructuary right.

**Usufructuary right.** The right to use and enjoy the profits of another's property without impairing its substance. See 79 Cal. 6, 21 Pac. 377.

**Usura.** Usury, which see. Interest.

**Usura manifesta.** Unconcealed usury.

**Usura maritima.** Maritime interest, which see.

**Usura veleta.** Veiled or concealed usury, as by adding interest to principal.

**Usurare.** To pay interest.

**Usurped power.** An invasion of the kingdom by foreign enemies to give laws and usurp the government, or an internal armed force in rebellion, assuming the power of government, by making laws, and punishing for not obeying those laws. See 21 Wend. (N. Y.) 367, 34 Am. Dec. 258.

**Usury.** The taking of more for the use of money then the law allows. See 55 Am. Dec. 392, note.

**Usus.** Use; a use.

**Usus bellici** Uses for warfare.

**Usus est dominium fiduciarium.** A use is a fiduciary ownership.

**Usus fori.** The practice of the court.

**Usus fructus.** Usufruct, which see.

**Ut.** In order that; that; as; so.

**Ut antiquum.** As in ancient times.

**Ut audivi.** As I have heard.

**Ut credo.** As I believe.

**Ut currere solebat.** As it is wont to flow.

**Ut de feodo.** As of fee.

**Ut poena ad paucos, metus ad omnes perveniat.** That punishment may overtake a few, the fear of it comes to all.

**Ut res magis valeat quam pereat.** That the thing may rather have effect than be null. See 97 Mo. 231, 3 L. R. A. 299, 10 S. W. 836.

**Ut supra.** As above stated.

**Utas.** Octave, which see.

**Uterine brother.** One born of the same mother.

**Utero gestation.** Pregnancy.

**Utfangthefe.** Same as Outfangthef.

**Uti.** As.

**Uti possidetis.** As you possess, signifying in a treaty that the nation parties may retain property captured.

**Utile per inutile non vitiatur.** That which is useful is not vitiated by that which is useless. See 32 W. Va. 348, 3 L. R. A. 705, 9 S. E. 245.

**Utilis.** Useful; advantageous.

**Utitur jure auctoris.** He enjoys the right of his assignor.

**Utlagatas.** An outlaw.

**Utlage.** An outlaw.

**Utlagh.** An outlaw.

**Utter.** To circulate; to put into circulation; to publish; outer.

**Utter bar.** See Outer bar.

**Utter barrister.** Same as Outer barrister.

**Uttol.** See Intol and uttol.

**Uxor.** A wife.

**Uxor et filius sunt nomina naturae.** Wife and son are names of nature.

**Uxor non est sui juris, sed sub potestate viri.** A wife is not in her own right, but under the power of her husband.

**Uxor non est sui juris, sed sub potestate viri, cui in vita contradicere non potest.** A wife is not in her own right but under the power of her husband, whom she cannot in their lifetime gainsay.

**Uxor sequitur domicilium viri.** The wife follows the domicile of her husband.

**Uxoricide.** A husband's killing of his wife.

# V

**V.** Vide, which see. Versus, which see.

**Vacant succession.** An unclaimed inheritance, the heirs of which are unknown.

**Vacantia bona.** Unclaimed goods.

**Vacare.** To be empty or vacant.

**Vacate.** To annul; to set aside.

**Vacatio.** Immunity; exemption.

**Vacation.** The time between terms of court.

**Vacatur.** It is vacated.

**Vadari.** To hold to bail; to give bail.

**Vades.** Pledges; sureties.

**Vadiare.** To wage.

**Vadiare duellum.** To engage in combat; to wage battel. See Wager of battel.

**Vadiare legem.** To wage law. See Wager of law.

**Vadiatio legis.** Wager of law, which see.

**Vadium.** A pledge; a surety.

**Vadium mortuum.** A dead pledge; a mortgage. See Mortgage.

**Vadium ponere.** To take bail; to take pledges.

**Vadium vivum.** A pledge wherein the profits or income from the property were applied to the payment of the debt secured. See 88 Cal. 437, 22 Am. St. Rep. 314, 13 L. R. A. 137, 26 Pac. 203. See, also, Welsh mortgage.

**Vadlet.** The king's oldest son.

**Vagabond.** A vagrant.

**Vagabundum nuncupamus eum qui nullibi domicilium contraxit habitationis.** We call him a vagabond who has nowhere acquired a domicile of residence.

**Vagrant.** An idle wanderer with no apparent, honest means of support.

**Vagueness.** Uncertainty.

**Vail' q' vail' purr.'** Valeat quantum valere potest, which see.

**Vale.** (Spanish) A promissory note.

**Valeat quantum valere potest.** Let it have effect to such extent as it can have effect.

**Valentia.** Value.

**Valid.** Effective; operative.

**Valor beneficiorum.** The value of a church living.

**Valor maritagii.** Value of the marriage, which see.

**Valuable consideration.** Something of actual value capable in estimation of law of pecuniary measurement, the parting with money or money's worth, or an actual change of the purchaser's legal position. See 2 L. R. A. 530, note.

**Value.** The price a thing would bring in the open market. See 163 Mich. 511, Ann. Cas. 1912A, 894, 128 N. W. 756.

**Value of the marriage.** As much as a jury would assess, or anyone would bona fide give to the guardian for a marriage with his ward. See 2 Bl. Comm. 70.

**Valued policy.** An insurance policy wherein the parties agree on the value of the property insured. See 3 Rich. (S. C.) 331, 45 Am. Dec. 771.

**Valvasor.** A vassal.

**Vana est potentia quae nunquam venit in actum.** A power or authority is a vain one which is never exercised.

**Vani timores sunt aestimandi, qui non cadunt in constantem virem.** Those fears are to be reckoned as idle which do not affect a man of ordinary firmness.

**Vani timoris justa excusatio non est.** An idle fear is not a lawful excuse.

**Vara.** (Spanish) A land measure 33 inches. See 98 U. S. 428, 25 L. Ed. 251.

**Variance.** A substantial discrepancy between a pleading and the evidence offered in support of it. See 11 N. J. L. 293.

**Vas.** (Civil Law) A surety or pledge.

**Vassal.** A tenant or landholder under the feudal system. See 2 Bl. Comm. 53.

**Vassalus.** A vassal.

**Vastitas.** A waste.

**Vastum.** Waste.

**Vauderie.** Witchcraft.

**Vavasor.** A vassal.

**Vectigal.** A tax or tribute.

**Vectura.** Freight.

**Veins or lodes.** Lines or aggregations of metal embedded in quartz or other rock in place. See 128 U. S. 673, 32 L. Ed. 571, 9 Sup. Ct. Rep. 195.

**Vel.** Whether; or.

**Velle.** To be willing; to consent.

**Velle non creditur qui obsequitur imperio patris vel domini.** He is not deemed to consent who obeys the command of his father or master.

**Venales.** Things to be sold; perishable goods to be sold to avoid loss. See 19 N. Y. Super. Ct. 123.

**Venaria.** Hunted animals.

**Venatio.** Hunting.

**Vendee.** A purchaser of property.

**Vendens eandem rem duobus falsarius est.** One selling the same thing to two persons is fraudulent.

**Vender.** A seller.

**Vendit et defendit vim et injuriam.** He comes and denies the force and injury.

**Vendition.** A sale.

**Venditioni exponas.** A writ in the nature of an alias writ of execution, directing the completion of an execution on realty already begun. See 161 U. S. 104, 40 L. Ed. 636, 16 Sup. Ct. Rep. 532.

**Venditor regis.** The king's salesman of goods seized to pay a debt due the king.

**Vendor.** A seller.

**Vendor's lien.** A seller's right to retain possession of goods until their price is paid, in the absence of any other agreement. See 83 Am. St. Rep. 451, note.

**Vendue.** An auction.

**Venia aetatis.** The privilege of age, i. e., of one entitled to act in his own right.

**Veniae facilitas incentivum est delinquendi.** Facility of pardon is an encouragement to crime.

**Venire.** A writ summoning persons to court to act as jurors; popularly used as meaning the body of names thus summoned. See 73 Ala. 490.

**Venire facias.** Same as Venire.

**Venire facias ad respondendum.** A writ ordering a defendant to answer a misdemeanor charge.

**Venire facias de novo.** A writ to summon another jury for a new trial. See 18 Ind. 44.

**Venire facias judicationis.** Same as Venire.

**Venire facias tot matronas.** A venire to summon a jury of matrons. See Jury of matrons.

**Venireman.** One summoned by venire.

**Venit et dicit.** He comes and says.

**Vente à réméré.** An agreement by which a vendor reserves the right of taking back the thing sold by returning the price paid. See 36 U. S. 351, 9 L. Ed. 746.

**Ventre inspiciendo.** See De ventre, etc.

**Venue.** The county where a cause is to be tried. See 86 Mich. 7, 13 L. R. A. 556, 48 N. W. 646.

**Veracity.** Truthfulness; honesty. See 99 Ind. 290, 50 Am. Rep. 94.

**Veray.** True.

**Verba accipienda sunt secundum subjectam materiam.** Words are to be taken according to their subject matter.

**Verba accipienda ut sortiantur effectum.** Words should be so taken that they may be productive of effect.

**Verba aequivoca ac in dubio sensu posita, intelligentur digniori et potentiori sensu.** Equivocal words and those used in a doubtful sense are to be understood according to their more worthy and effective meaning.

**Verba aliquid operari debent—debent intelligi ut aliquid operentur.** Words ought to be effective in some way—they ought to be understood as they in some way operate.

**Verba aliquid operari debent, verba cum effectu sunt accipienda.** Words ought to be operative in some way, words should be taken so as to have effect.

**Verba artis ex arte.** Words of art should be interpreted by the art.

**Verba chartarum fortius accipiuntur contra proferentum.** Words of deeds are to be taken more strongly against the party tendering them.

**Verba cum effectu accipienda sunt.** Words should be taken so as to have effect.

**Verba currentis monetae tempus solutionis designant.** The words "current money" refer to the time of payment.

**Verba debent intelligi cum effectu.** Words ought to be understood so that they may have effect.

**Verba debent intelligi ut aliquid operentur.** Words ought to be so understood that they may have some effect.

**Verba dicta de persona, intelligi debent de conditione personae.** Words spoken concerning a person ought to be understood as referring to the condition of the person.

**Verba generalia generaliter sunt intelligenda.** General words ought to be understood generally.

**Verba generalia restringuntur ad habilitatem rei vel aptitudinem personae.** General words should be confined to the character of the thing or the aptitude of the person.

**Verba generalia restringuntur ad habilitatem rei vel personae.** General words should be confined to the character of the thing or the person.

**Verba illata (relata) inesse viden tur.** Words referred to are deemed included.

**Verba in differenti materia per prius, non ver posterius, intelligenda sunt.** Words concerning a different matter are to be understood by the matter preceding, not by that following.

**Verba intelligenda sunt in casu possibili.** Words are to be understood as referring to a possible case.

**Verba intentioni debent inservire.** Words ought to serve intention. See 66 N. H. 434, 28 L. R. A. 328, 31 Atl. 900.

**Verba intentioni, et non e contra, debent inservire.** Words ought to serve intention and not the contrary. See 6 Allen (Mass.), 324.

**Verba ita sunt intelligenda, ut res magis valeat quam pereat.** Words should be so understood that thing should have effect rather than be null. See 2 Bl. Comm. 380.

**Verba mere aequivoca, si per communem usum loquendi in intellectu certo sumuntur, talis intellectus praeferendus est.** The words being merely equivocal, if by common usage of speech they take a certain meaning, such meaning is to be preferred.

**Verba nihil operari melius est quam absurde.** It is better that words have no effect than to have an absurd one.

**Verba non tam intuenda, quam causa et natura rei, ut mens contrahentium ex eis potius quam ex verbis appareat.** Words are not to be regarded as much as the cause and nature of the thing, because the intent of the contracting parties may appear from these rather than from the words.

**Verba offendi possunt, imo ab eis recedere licet, ut verba ad sanum intellectum reducantur.** Words can be stricken out, nay, rather it is proper to depart from them, so that they may be reduced to a sensible meaning.

**Verba ordinationis quando verificari possunt in sua vera significatione, trahi ad extraneum intellectum non debent.** When the words of an ordinance can be verified in their true signification, they ought not to be twisted into a foreign meaning.

**Verba posteriora propter certitudinum addita, ad priora certitudine indigent, sunt referenda.** Subsequent words added for the sake of certainty ought to be referred to prior ones lacking in certainty.

**Verba precaria.** Precatory words, which see.

**Verba pro re et subjectu materia accipi debent.** Words ought to be taken favorably to the thing and the subject matter.

**Verba quae aliquid operari possunt non debent esse superflua.** Words which can have any effect ought not to be regarded as superfluous.

**Verba quantumvis generalia ad aptitudinem restringuntur, etiamsi nullam aliam paterentur restrictionem.** Words, however general, are confined to fitness, although they disclose no other restriction.

**Verba relata hoc maxime operantur per referentiam, ut in eis inesse videntur.** Words incorporated by reference have as great effect through reference, as they are deemed to be included in them.

**Verba relata inesse videntur.** Words incorporated by reference are deemed included. See 11 Cush. (Mass.) 137.

**Verba restringuntur ad habilitatem rei vel personam.** Words are confined according to the character of the thing or the person.

**Verba secundum materiam subjectam, intelligi nemo est qui nescit.** There is no one who does not know that words are to be understood according to their subject matter.

**Verba semper accipienda sunt in mitiori sensu.** Words should always be taken in their milder sense.

**Verba strictae significationis ad latam extendi possunt, si subsit ratio.** Words of strict significance can be extended to a broad meaning, if reason requires.

**Verba sunt indices animi.** Words are the indices of the mind.

**Verbal.** Oral; parol.

**Verbal process.** "A true relation in writing in due form of law of what has been done and said verbally in the presence of a public officer, and what he himself does on that occasion." 11 Tex. 526, quoting Bouv.

**Verbis standum ubi nulla ambiguitas.** When there is no ambiguity the words are to be adhered to.

**Verbum imperfecti temporis rem adhuc imperfectam significat.** A verb in the imperfect tense signifies an uncompleted matter.

**Verdict.** The answer of a jury given to the court concerning the matters of fact committed to them for trial. See 41 N. J. L. 55. See, also, General verdict; Special verdict.

**Verdict.** A verdict.

**Veredicto non obstante.** Notwithstanding the verdict.

**Veredictum, quasi dictum veritatis; ut judicium, quasi juris dictum.** A verdict is, as it were, the expression of the truth, as a judgment is, as it were, the expression of the law.

**Verge.** The space included within twelve miles of the king's residence.

**Verge of the court.** Same as Verge.

**Vergens ad inopiam.** Declining toward poverty.

**Verification.** A written statement under oath appended to a pleading that the facts therein set forth are true. See 6 App. Div. (N. Y.) 127, 40 N. Y. Supp. 581. The concluding part of a pleading wherein the pleader states that he is willing to verify that which precedes.

**Veritas.** Truth.

**Veritas demonstrationis tollit errorem nominis.** Truth in description cures error of name.

**Veritas habenda est in jurator; justitia et judicium in judice.** Truth should be possessed by a juror, justice and judgment by a judge.

**Veritas nihil veretur nisi abscondi.** Truth fears nothing except concealment.

**Veritas nimium altercando amittitur.** Truth is lost by too much altercation.

**Veritas nominis tollit errorem demonstrationis.** Truth of name cures error in description. See 2 Jones Eq. (N. C.) 72.

**Veritatem qui non libere pronunciat, proditor est veritatis.** He who does not express the truth freely is a traitor to the truth.

**Vers.** Against.

**Versari.** To be vested in; to be employed.

**Versus.** Against.

**Vert.** Green; green growth.

**Verus.** True.

**Vest.** To give an immediate right of present or future enjoyment. See 56 N. H. 25, 22 Am. Rep. 408.

**Vested estate.** One which there is a person in being who will take if the precedent estate terminates. See 43 N. Y. (4 Keyes) 569, 4 Abb. Dec. 218.

**Vested future estate.** One which exists when there is a person in being who would have an immediate right of possession upon the termination of the intermediate or precedent estate. See 52 Hun (N. Y.), 468, 6 N. Y. Supp. 46.

**Vested in interest.** The quality of an estate when there is a present, fixed right of future enjoyment. See 103 Ill. 332.

**Vested in possession.** Having a right of present enjoyment. See 157 Mo. 254, 80 Am. St. Rep. 625, 57 S. W. 1065.

**Vested interest.** One wherein there is an immediate fixed right of present or future enjoyment. See 101 Va. 537, 63 L. R. A. 920, 44 S. E. 904.

**Vested legacy.** A legacy of a substantive bequest or gift of a sum of money to be paid at a future time. See 4 Rawle (Pa.), 113.

**Vested remainder.** A fixed interest, to take effect in possession after a particular estate is spent. See 20 Ill. 193, 71 Am. Dec. 260. See, also, Particular estate.

**Vested right.** The power one has to do certain acts, or to possess certain things, according to the law of the land. See 4 Harr. (Del.) 389, 44 Am. Dec. 593.

**Vested water rights.** See Accrued water rights.

**Vestigium.** A trace; a scintilla.

**Vestimentum.** Investiture; seisin.

**Vesting order.** A decree transferring title.

**Vestire.** Vest, which see.

**Vestura terrae.** Same as Vesture.

**Vesture.** Corn, grass, underwood and the like. See 4 N. H. 301.

**Vetera statuta.** Ancient statutes, those enacted from the time of Magna Charta through the reign of Edward II.

**Veteres enim haeredes pro dominis appellabant.** For the ancients called heirs, owners or masters. See 64 Cal. 529, 2 Pac. 418.

**Vetitum namium.** A forbidden taking, a remedy by distress for a wrongful distress. See 3 Bl. Comm. 148.

**Veto.** I forbid.

**Vetustas.** Antiquity.

**Vexata quaestio.** A moot question.

**Vi.** With force.

**Vi aut clam.** By force or fraud.

**Vi, clam, aut precario.** By force, fraud or chance. See 43 N. J. L. 605.

**Vi et armis.** With force and arms, with actual violence. See 25 Tenn. 285.

**Via.** A way; a highway. See 79 N. C. 539.

**Via alta.** A highway.

**Via antiqua via est tuta.** The old way is the safe way. See 1 Johns. Ch. (N. Y.) 527.

**Via amicabili.** In a friendly way.

**Via publica.** A public way.

**Via regia.** The king's highway.

**Via trita est tutissima.** The beaten road is the safest.

**Via trita, via tuta.** The beaten road is the safe road. See 5 Pet. (U. S.) 223, 8 L. Ed. 92.

**Viability.** The capability of a newborn infant to live.

**Viaggio.** A voyage.

**Viagium.** A voyage.

**Vicar.** The parson or other functionary who has the cure of the parish as principal.

**Vicarious.** Through or by means of a representative, agent or servant.

**Vicarius non habet vicarium.** A substitute cannot appoint a substitute.

**Vice.** As a substitute for; instead of.

**Vice-commercial agent.** Same as Vice-consul.

**Vice-consul.** A substitute consular officer temporarily filling the office of a consul. See 83 Tex. 83, 18 S. W. 484.

**Vice-president.** An officer next below the president. See 6 Kan. App. 718, 50 Pac. 973.

**Vice-principal.** A middleman appointed by the master with power to discharge those under him and with full control of the work over which he is placed. See 20 Am. St. Rep. 504, note.

**Vicecomes.** A sheriff.

**Vicecomes non misit breve.** The sheriff has not sent the writ.

**Vicinage.** Vicinity; neighborhood.

**Vicinetum.** Same as Vicinage.

**Vicini viciniora praesumuntur scire.** Neighbors are presumed to know neighborhood matters.

**Vicontiel.** Pertaining to a sheriff.

**Victoria.** Queen of England, 1837–1901.

**Victus.** Means of living or support.

**Vicus.** A village.

**Vide.** See.

**Videlicet.** The words "To wit." See 47 Ill. 175.

**Videtur qui surdus et mutus ne poet faire alienation.** One who is deaf and dumb is deemed not to be deemed able to make an alienation. See 4 Johns. Ch. (N. Y.) 441.

**Vidimus.** We have seen.

**Vidua.** A widow.

**Vidua regis.** A widow of the king, the widow of a tenant in capite.

**Viduity.** Widowhood.

**View.** To inspect; to examine; to inspect, investigate and inquire. See 37 Neb. 328, 21 L. R. A. 394, 55 N. W. 950.

**View of frank-pledge.** An inspection by the sheriff of the frank-pledges in the district.

**Vigilantibus et non dormientibus æquitas subvenient.** Equity comes to the aid of the vigilant, but not the slumbering. See 67 Ark. 325, 77 Am. St. Rep. 116, 48 L. R. A. 334, 55 S. W. 137.

**Vigilantibus, et non dormientibus servat lex.** The law serves the vigilant, but not the slumbering. See 116 Wis. 392, 67 L. R. A. 705, 89 N. W. 538, 92 N. W. 246.

**Vigilantibus non dormientibus jura subveniunt.** The laws come to the aid of the vigilant and not the sleeping ones. See 58 Pa. St. 168, 98 Am. Dec. 255.

**Vigilia.** A guard; a watch.

**Vigore cujus.** By force of which.

**Viis et modis.** By ways and means, by substituted service. See Substituted service.

**Vill.** A hamlet or village.

**Villa.** (Spanish) A village.

**Villanus.** A villein.

**Villein in gross.** A body servant bound to one's person and not attached to any land.

**Villein regardant.** A villein who was annexed to a manor. See 2 Bl. Comm. 93.

**Villein socage.** Tenure by uncertain menial service.

**Villeinage.** The tenure or condition of a villein.

**Vim vi repellere licet.** It is lawful to repel force with force. See 141 N. C. 741, 5 L. R. A. (N. S.) 1016, 53 S. E. 720.

**Vim vi repellere licet, modo fiat moderamine inculpatae tutelae, non ad sumendam vindictam, sed ad propulsandam injuriam.** It is lawful to repel force with force, but let it be done in the moderate manner of blameless self-defense, not to take revenge but to repel injury.

**Vinculum.** A chain; a bond.

**Vinculo matrimonii.** See Divorce a vinculo matrimonii.

**Vindictive damages.** Same as exemplary damages.

**Vinous.** Productive of alcohol by fermentation. See 38 Fed. (U. S.) 570.

**Vintner.** A wine seller.

**Vinum.** Wine.

**Violate.** To ravish. See 79 Iowa, 737, 45 N. W. 292. The failure to observe a statute, either by commission or omission. See 53 Mo. 246.

**Violence.** Force; physical force. See 40 Tex. Cr. 395, 49 S. W. 229, 50 S. W. 716.

**Violent presumption.** A very strong and forcible one, but not necessarily conclusive. See 75 Ala. 411.

**Viperina est expositio quae corrodit viscera textus.** It is a snake-like explanation which gnaws away the bowels of the text.

**Vir.** A man; a husband.

**Vir et uxor consentur in lege una persona.** Husband and wife are considered in law as one person.

**Vires acquirit eundo.** It gains strength by continuing. See 1 Johns. Ch. (N. Y.) 231.

**Virgata regia.** Same as Verge of the court.

**Virilia.** Testicles.

**Viripotens.** Capable of performing the sexual act.

**Virtue.** Effect; tenor.

**Virtute cujus.** By virtue of which.

**Virtuti officii.** By virtue of office.

**Vis armata.** Armed force.

**Vis divina.** Same as Vis major.

**Vis et metus.** Force and fear.

**Vis fluminis.** The force of the current.

**Vis impressa.** Immediate or proximate force.

**Vis inermis.** An unarmed force.

**Vis laica.** A lay force.

**Vis legibus est inimica.** Force is the enemy of law.

**Vis major.** Act of God; an event which, as between the parties and for the purpose of the matter in hand, cannot be definitely seen or controlled. See 162 Ind. 278, 102 Am. St. Rep. 203, 1 Ann. Cas. 460, 65 L. R. A. 111, 70 N. E. 264.

**Vis proxima.** Same as Vis impressa.

**Visitorial power.** Power to control and arrest abuses and enforce due observance of the statutes. See 61 Or. 551, Ann. Cas. 1914B, 153, 123 Pac. 712.

**Visne.** Vicinage; county. See 36 W. Va. 84, 32 Am. St. Rep. 831, 15 L. R. A. 226, 14 S. E. 436.

**Visnetum.** Same as Vicinage.

**Visores.** Viewers. See View.

**Visus.** View, which see.

**Visus franci plegii.** View of frankpledge, which see.

**Vita.** Life.

**Vitium.** Vice; error.

Vitium clerici. A clerk's error; a clerical error.

Vitium clerici nocere non debet. Clerical errors ought not to prejudice.

Vitium est quod fugi debet, ne, si rationem non invenias, mox legem sine ratione esse clames. It is a fault which ought to be avoided, that if you cannot discover the reason, you presently exclaim that the law is without reason.

Vitium scriptoris. A copyist's error.

Viva aqua. Flowing water.

Viva voce. Orally; by acclamation.

Vivum vadium. See Vadium vivum.

Vix. Scarcely; hardly.

Vix ulla lex fieri potest quae omnibus commoda sit, sed si majori parti prospiciat, utilis est. Scarcely any law can be made which is convenient to all, but if it provides for the majority, it is of advantage.

Viz. Videlicet, which see.

Vocabula artis. Words of art; technical terms.

Vocabula artium explicanda sunt secundum definitiones prudentium. Technical terms should be explained according to the definitions of experienced persons.

Vocans. A voucher.

Vocare. To call.

Vocat.' Called.

Vocatus. A vouchee.

Vociferatio. Hue and cry.

Void. Often means voidable. See 108 U. S. 143, 27 L. Ed. 682, 2 Sup. Ct. Rep. 408.

Void judgment. One which is neither erroneous nor irregular, but which is without any legal effect. See 123 N. C. 19, 68 Am. St. Rep. 815, 31 S. E. 265.

Void marriage. One which is good for no legal purpose. See 44 Am. Dec. 54, note.

Void process. Such as the court has no power to issue, or has not acquired jurisdiction to issue in the particular case. See 103 N. Y. 84, 8 N. E. 251.

Voidance. Vacancy.

Voir dire. The preliminary examination of a juror touching his qualifications.

Volenti non fit injuria. No wrong is done to him who consents. See 99 Ala. 359, 20 L. R. A. 457, 13 South. 8.

Volo. I will; I wish.

Voluit sed non dixit. He wished but said nothing.

Volumus. We will; we wish.

Voluntarius daemon. One voluntarily mad; an intoxicated person.

Voluntary appearance. An appearance and waiver of service of summons or notice. See 87 Md. 671, 40 Atl. 897.

Voluntary assignment. A transfer without compulsion of the law, by a debtor of his property to an assignee in trust to apply the same, or the proceeds thereof, to the payment of his debts, and to return the surplus, if any, to the debtor. See 133 Ill. 45, 24 N. E. 74.

Voluntary bankruptcy. Bankruptcy proceedings instituted by the debtor himself.

Voluntary confession. One not induced nor obtained under the influence of hope or fear. See 136 Ala. 85, 33 South. 878.

Voluntary conveyance. One without consideration.

Voluntary deed. One without consideration.

**Voluntary deposit.** One made with the mutual consent of the parties.

**Voluntary discontinuance.** A dismissal of his action by the plaintiff.

**Voluntary domicile.** One which a person voluntarily acquires.

**Voluntary manslaughter.** Intentional homicide without malice. See 96 Ga. 653, 23 S. E. 827.

**Voluntary nonsuit.** A throwing up of his case by a plaintiff and his consent to a judgment against him for costs. See 86 Tex. 682, 26 S. E. 933.

**Voluntary payment.** One made on a just or unjust demand, with full knowledge of the facts and without fraud or duress. See 54 Am. Dec. 719, note.

**Voluntary stranding.** The stranding of his ship by the master to save ship and cargo from the greater expense which her sinking then imminent would cause. See 79 U. S. 102, 20 L. Ed. 281.

**Voluntary transfer.** Same as Voluntary assignment.

**Voluntary trust.** A gift requiring all of the essentials of a plain gift to sustain it. See 88 Me. 122, 51 Am. St. Rep. 382, 32 L. R. A. 377, 33 Atl. 836.

**Voluntary validity.** A tacit or implied consent to continue in force a compact which one of the parties has breached.

**Voluntas.** Will; intent.

**Voluntas donatoris in charta doni sui manifeste expressa observetur.** The will of the donor clearly expressed in a deed of gift should be observed.

**Voluntas et propositum distinguunt maleficia.** The intent and the proposed act distinguish offenses.

**Voluntas facit quod in testamento scriptum valeat.** The intention is that which makes valid the writing in a will.

**Voluntas in delictis non exitus spectatur.** In crimes the intent and not the result is regarded.

**Voluntas reputatur pro facto.** The intent is taken for the act. See 4 Mass. 439.

**Voluntas testatoris ambulatoria est usque ad mortem.** The will of a testator is changeable until his death.

**Voluntas testatoris habet interpretationem latam et benignam.** The intention of a testator should have a broad and liberal interpretation.

**Voluntas ultima testatoris est perimplenda secundum veram intentionem suam.** The last will of a testator should be fulfilled according to his true intention.

**Volunteer.** One who makes a voluntary payment. See Voluntary payment. One who voluntarily assists, with no employment, express or implied. See 84 Ga. 320, 20 Am. St. Rep. 362, 10 S. E. 922.

**Vote.** A ballot; an expression in the proper manner of the will of the voter at an election.

**Voter.** One who votes; one possessing all qualifications entitling him to vote. See 156 Ind. 104, 51 L. R. A. 722, 59 N. E. 359.

**Voting precinct.** See Precinct.

**Vouch.** To testify to having signed an instrument as an attesting witness. See 1 Root (Conn.), 224. To request a warrantor to defend the title.

**Vouchee.** One called upon to defend the title under a warranty.

**Voucher.** A receipt or other written evidence of disbursement or

payment. See 107 Ill. 494. The calling of a person to vouch.

**Vox Dei.** The voice of God.

**Vox emissa volat—litera scripta manet.** Speech flies away—written letters endure.

**Voyage.** A vessel's journey from one place to another. See 126 Mass. 70, 30 Am. Rep. 654.

**Vs.** Versus, which see.

**Vulgar purgation.** Common purgation, by ordeal, not by oath. See Ordeal; Purgation.

**Vulgaris opinio.** Common opinion.

**Vulgaris purgatio.** Vulgar purgation, which see.

**Vulgo concepti.** Bastards.

# W

**Wadia.** Same as Guadia.

**Wager.** A contract in which the parties in effect stipulate that they shall gain or lose upon the happening of an uncertain event, in which they have no interest except that arising from the possibility of such gain or loss. See 37 Am. St. Rep. 697, note.

**Wager of battel.** Same as Trial by battel.

**Wager of law.** A kind of trial wherein the defendant having given pledges that he would appear, made oath and was supported therein by his compurgators. See Compurgation.

**Wager of law of nonsummons.** A form of plea in a real action.

**Wager policy.** An insurance policy on a risk wherein the insured has no insurable interest. See 66 Mo. 63, 27 Am. Rep. 321.

**Wagering contract.** Same as Wager.

**Wages.** Usually restricted to sums paid as hire to those employed in manual occupations. See 239 Ill. 352, 130 Am. St. Rep. 234, 28 L. R. A. (N. S.) 1108, 88 N. E. 152.

**Waif.** An article abandoned by a thief in flight. See 36 N. J. L. 235.

**Wainable.** Tillable.

**Wainage.** Carts, wagons and tools of husbandry.

**Wain-bote.** Timber to be used for the repair of wagons and carts.

**Waive.** To relinquish voluntarily. See 90 Cal. 393, 27 Pac. 302.

**Waiver.** An intentional relinquishment of a known right. See 66 Conn. 227, 50 Am. St. Rep. 80, 33 Atl. 902.

**Waiver by election.** A defense which arises when the remedies are inconsistent and when a party has waived one of them by a decisive act of affirmance or disaffirmance. See 155 U. S. 13, 39 L. Ed. 53, 15 Sup. Ct. Rep. 4.

**Waiver of exemption.** A relinquishment of one's right to assert the exemption of certain property from execution. See 90 Me. 36, 60 Am. St. Rep. 238, 37 Atl. 325.

**Waiver of protest.** An indorser's act dispensing with a demand of the maker and notice of nonpayment to the indorser. See 1 N. Y. 186.

**Waiver of tort.** The relinquishment of his right to sue in tort by electing to sue in contract, by a plaintiff who has such election, e. g., suing in assumpsit for conversion of goods.

**Wallia.** A wall; a seawall.

**Wampum.** The bead money of the North American Indians.

**Want of consideration.** Absence of any consideration for a promise or an act.

**Want of issue.** Failure of issue; childlessness.

**Want of ordinary care.** See Ordinary care.

**Want of probable cause.** Absence thereof. See Probable cause.

**Want of prosecution.** Failure or neglect to pursue an action or proceeding.

**Wantage.** Same as Ullage.

**Wanton.** Without regard to the rights of others. See 121 N. C. 519, 27 S. E. 991.

**Wanton negligence.** An act or omission by one conscious of his conduct, and, though having no intent to injure, conscious, from his knowledge of surrounding circumstances, that his conduct will naturally or probably result in injury. See 114 Ala. 492, 62 Am. St. Rep. 116, 22 South. 279.

**Wantonly.** With a willful, wicked purpose. See 97 N. C. 465, 2 S. E. 445.

**Wapentake.** A district in the northeastern counties of England corresponding to a hundred. See Hundred.

**War.** The exercise of force by bodies politic against each other for the purpose of coercion. See 46 Tenn. 368, 98 Am. Dec. 454.

**Warantia.** Warranty, which see.

**Warantus.** A warrantor.

**Ward.** One over whom or over whose property a guardian is appointed; a municipal district; in English cities, a municipal district under the supervision of an alderman; the service of guarding a castle.

**Ward in chancery.** A child under the chancellor's supervision.

**Warda.** A ward; a guard.

**Warden.** A care-taker; a keeper; the superintendent of a prison.

**Ward-holding.** (Scotch) Tenure by military service.

**Ward-note.** A London ward court.

**Wardship.** The lord's right under military tenure to receive and retain, as guardian of the person and estate, the profits of the lands of an infant male heir until 21 years old and of a female until 16. In socage tenure the guardian was the heir's nearest relative, to whom the inheritance could not descend, was accountable for profits and ceased to be guardian when the ward was 14. See 2 Bl. Comm. 67, 71, 97.

**Wardship in chivalry.** The lord's right of wardship in knight-service or military tenure. See Wardship.

**Wardship in copyhold.** In copyhold tenure the lord was guardian of infant heirs. See 2 Bl. Comm. 67.

**Ward-wit.** Exemption or immunity from service of ward. See Ward.

**Warectare.** To plow land with the intention of allowing it to lie fallow.

**Warehouse.** A building or place for the storage of goods. See 25 Or. 178, 35 Pac. 32.

**Warehouse receipt.** A written contract between the owner of goods and a warehouseman whereby the latter is to store the goods and the former is to pay for the service. See 29 Wis. 482, 9 Am. Rep. 603.

**Warehouseman.** One who, for hire, receives goods for storage, and whose duty is that of custody rather than carriage. See 24 Am. Dec. 145, note.

**Warehouseman's lien.** His right to retain possession of another's goods, stored with him, until the satisfaction of some charge imposed upon them. See 42 Am. Dec. 257.

**Warenna.** A warren.

**Warentare.** To warrant.

**Warning.** Notice. See 29 Mass. 206.

**Warrandice.** Warranty.

**Warrant.** An order authorizing a payment by another person to a third person. See 2 Kan. 115. To defend; to guarantee; to enter into an obligation of warranty. See Warrant of arrest; Warrant

of distress; Search-warrant; Warranty.

**Warrant in bankruptcy.** An order directing the marshal to take possession of the bankrupt's property and notify his creditors.

**Warrant in deed.** A written warrant under seal. See 73 Vt. 149, 50 Atl. 863.

**Warrant in law.** Authority of law. See 73 Vt. 149, 50 Atl. 863.

**Warrant of arrest.** A magistrate's written order, stating the substance of a complaint, directed to a proper officer, and commanding him to arrest the defendant.

**Warrant of attorney.** Written authority of an attorney to appear in an action on behalf of the maker of the warrant. See 51 C. C. A. (U. S.) 522, 113 Fed. 892.

**Warrant of commitment.** Same as Commitment.

**Warrant of distress.** A judicial writ in the nature of an execution. See 20 Me. 178.

**Warrant officers.** Certain noncommissioned U. S. naval officers holding rank under a written warrant.

**Warrant to sue and defend.** A warrant from the crown specially authorizing one to appoint an attorney to sue and defend in his behalf.

**Warrantee.** One to whom a warranty is made.

**Warrantia chartae.** A writ for a tenant of the freehold supplementary to and in lieu of voucher. See 2 Rand (Va.) 132.

**Warrantia custodiae.** A writ under which the plaintiff contested a lord's right to guardianship in chivalry of the heir's lands where the land had been warranted free thereof.

**Warrantia Diei.** See De warrantia Diei.

**Warrantor.** The obligor in a warranty.

**Warranty.** An express or implied statement of something which the party undertakes shall be a part of the contract, and, though part of the contract, collateral to the express object of it. See 118 N. Y. 260, 16 Am. St. Rep. 753, 23 N. E. 372. The obligation by which one contracts to defend another in some action which may be instituted. See 105 U. S. 718, 26 L. Ed. 1217.

**Warranty deed.** A deed containing the usual covenants of seisin and against encumbrances. See 28 Vt. 382.

**Warren.** Private grounds for the keeping of game and wild fowl.

**Wash sale.** An affirmation that a buyer is paying a certain price for a certain lot of stock, made to cause persons to buy. See 14 N. Y. St. Rep. 707.

**Waste.** Spoil or destruction in houses, gardens, trees, or other corporeal hereditaments, to the disherison of the reversioner or remainderman in fee simple; whatever is done which tends to the destruction or impairment of value of the inheritance. See Busbee's Law (N. C.) 91, 57 Am. Dec. 574. See, also, Equitable waste; Voluntary waste.

**Waste, Writ of.** See Writ of waste.

**Waste-book.** A book of original entry of accounts in which all transactions are entered; a blotter.

**Wastors.** Thieves.

**Watching and warding.** Watching at night and guarding by day.

**Water-bailiff.** A port officer who searched ships.

**Watercourse.** A river, stream or natural body of flowing water.

**Water craft.** A vessel designed or used for navigation. See 107 Mich. 74, 61 Am. St. Rep. 314, 64 N. W. 951, holding the term not to include a dredge.

**Water ordeal.** Whereby if the suspect sank in a pool of water into which he was cast, he was acquitted, but if he floated without swimming, he was deemed guilty. See, also, Hot-water ordeal.

**Water rate.** A tax for water supply. See 111 N. C. 615, 20 L. R. A. 743, 16 S. E. 857.

**Water right.** The legal right to the use of water. See 5 Cal. 445, 63 Am. Dec. 140. See, also, Accrued water rights.

**Watered stock.** Corporate stock not fully paid up, but purporting to be. See 71 Ark. 379, 74 S. W. 518.

**Waters of the United States.** Waters within the U. S. which are navigable for commercial purposes. See 1 Brown Adm. 193, 6 Fed. Cas. (U. S.) 1161.

**Waterscape.** An aqueduct.

**Waveson.** Goods which have floated from a wreck.

**Way.** The right of one man to pass over the land of another in some particular line. See 100 Am. Dec. 115, note.

**Way by dedication.** A way created by the gift of the owner and an acceptance by the public authorities. See 128 Mass. 63.

**Way by prescription.** One established by adverse, continuous and public use for 20 years or more. See 108 Cal. 589, 41 Pac. 448.

**Way ex vi termini.** A right of passing in a particular line. See 22 Mass. 485, 16 Am. Dec. 415.

**Way in gross.** One which is not attached to a dominant estate. See 226 Ill. 590, 117 Am. St. Rep. 261, 11 L. R. A. (N. S.) 457, 80 N. E. 1071.

**Way of necessity.** An easement founded on a grant; a right of way over the grantor's land in favor of the grantee implied by law when a grantor sells land entirely surrounded by his own, or partly by his own and partly by that of a stranger, so that the grantee can have no access to it except over the grantor's or the stranger's land. See 35 Am. Dec. 464, note.

**Way reserved.** A way newly created by a reservation by the grantor. See 42 Minn. 398, 54 N. W. 958.

**Way-bill.** A written list of the passengers or freight carried.

**Way-going crop.** A crop sown by the tenant before but maturing after the end of his term. See 5 Binn. (Pa.) 285, 6 Am. Dec. 411.

**Wayleave.** A right of way for the carriage the product of a mine or quarry over another's land.

**Waynagium.** Wainage, which see.

**Waywardens.** Road supervisors.

**Weald.** A wood.

**Wealreaf.** Larceny from a buried corpse.

**Weapon.** An instrument of offensive or defensive combat; something to fight with. See 81 Wis. 239, 29 Am. St. Rep. 891, 51 N. W. 437.

**Wear.** Same as Weir.

**Wear and tear.** In a lease, means any injury arising without the fault of the tenant. See 13 Ann. Cas. 96, note.

**Wearing apparel.** In exemption statutes, means garments or cloth-

ing generally designed for wear of the debtor and his family. See 15 Ann. Cas. 159, note. Generally, clothing protecting the person from exposure. See 103 Iowa, 695, 64 Am. St. Rep. 202, 38 L. R. A. 847, 72 N. W. 773.

**Wedlock.** Matrimony.

**Weighage.** Duty or toll imposed for weighing merchandise. See 34 N. J. L. 172, citing Bouv. L. Dict.

**Weight of evidence.** Its effect in inducing belief. See 179 Pa. 47, 36 Atl. 155.

**Weights of auncel.** See Auncel weight.

**Weir.** A dam across a river. See 6 N. J. L. 1, 10 Am. Dec. 356.

**Well and truly.** In a bond, the words include both honesty and reasonable skill and diligence. See 1 Pet (U. S.) 46, 7 L. Ed. 47.

**Welsh mortgage.** A mortgage whereunder the mortgagee enters and takes the rents instead of interest, has no action for the recovery of the principal, but reconveys when it is paid. See 2 Woodb. & M. 426, 3 Fed. Cas. (U. S.) 244.

**Wera, or Were.** The price of a man; the price to be paid the relatives of a decedent for killing him.

**Weregild, or Wergild.** The sum or price paid for killing a man, part of which went to the king and part to the near relatives. See 4 Bl. Comm. 188, 313, 413.

**Westminster.** A London suburb where the courts were once held.

**Westminster the second.** The Statute de donis. See De donis.

**Westminster the third.** The Statute of Quia emptores. See Quia emptores.

**Wether.** A castrated ram.

**Whaler.** A whaling ship.

**Wharf.** A structure adjacent to navigable water of sufficient depth to float vessels, affording convenient accommodation for the loading and unloading of vessels. See 93 N. Y. 129.

**Wharfage.** A rent or charge for the use of a wharf. See 107 U. S. 691, 27 L. Ed. 584, 2 Sup. Ct. Rep. 732.

**Wharfinger.** One who keeps a wharf for receiving goods for hire. See 32 Pa. 111, 72 Am. Dec. 775.

**Wheel.** An instrument of punishment upon which the victim was put to death by tearing his limbs apart.

**Whipping-post.** A post to which offenders were tied and then whipped.

**Whisky.** A spirit distilled from grain.

**Whisky Ring.** A conspiracy formed in 1872 between U. S. revenue officers and distillers to defraud the government of internal revenue.

**Whiteacre.** A name for a supposititious parcel of land.

**White bonnet.** A by-bidder. See By-bidding.

**White farm.** Rent payable in silver.

**White meats.** Milk, eggs or any product thereof.

**White person.** One of the Caucasian race. See 4 Cal. 399.

**White rent.** Rent payable in silver.

**Whole blood.** That of children who have both of their parents in common. Cf. Half blood.

**Whole truth.** So much of the truth as may be competent evidence. See 1 Leg. Gaz. R. 182.

**Wholesale.** Implies the selling in or by unbroken parcels, as by the barrel, pipe or cask. See 2 Wis. 237.

**Whom it may concern.** See On account of whom it may concern.

**Whore.** A woman who has unlawful sexual intercourse with men, usually one who does so for hire. See 43 Iowa, 183, 22 Am. Rep. 236.

**Whorehouse.** A bawdy-house; a house of ill fame. See 36 Barb. (N. Y.) 438.

**Wick.** A town; a village; a castle.

**Widow.** A woman who has lost her husband by death and has not remarried. See 13 Misc. Rep. (N. Y.) 480, 35 N. Y. Supp. 481. See, also, King's widow.

**Widow-bench.** A widow's share in her deceased husband's estate, exclusive of any jointure.

**Widower.** A man who has lost his wife by death and has not remarried.

**Widow's chamber.** A widow's clothing and bed chamber furnishings, which the custom of London gave her. See 2 Bl. Comm. 518.

**Widow's quarantine.** See Quarantine.

**Widow's terce.** Dower.

**Widow's third.** Same as Dower.

**Wifa.** A notice indicating that the land upon which it is posted is in the exclusive possession of the occupant.

**Wife.** One who was united by marriage with a husband and continues to be so united. See 20 Ind. App. 168, 50 N. E. 401.

**Wife-beating.** An ancient privilege of a husband, no longer indulged. See 46 Ala. 143.

**Wife's equity.** See Equity to a settlement.

**Wild animals.** Animals wild by nature. See 14 Wend. (N. Y.) 42.

**Wild land.** Land in its natural state.

**Wild train.** One running off schedule. See 43 Minn. 423, 45 N. W. 722.

**Wild-cat engine.** A locomotive running unattended. See 54 Hun (N. Y.), 625, 8 N. Y. Supp. 107.

**Wild's Case.** Held: A devise by A to B and his children or issue, if B had no issue at the time of the devise, created an estate-tail, but if he had, B and his children took joint estates for life. See 6 Coke, 16b.

**Will.** Any instrument, executed with the formalities required by law, whereby one makes a disposition of his property to take effect after his death. See 167 Ind. 101, 119 Am. St. Rep. 475, 77 N. E. 805.

**Will, Estate at.** See Estate at will.

**Willful.** Ordinarily means intentional as distinguished from accidental or involuntary, but in penal statutes it means with evil intent or legal malice, or without reasonable ground to believe the act lawful. See 55 Tex. Cr. 164, 131 Am. St. Rep. 809, 115 S. W. 597.

**Willful injury.** One accompanied by a design, purpose, and intent to do wrong and inflict the injury. See 114 Ala. 492, 62 Am. St. Rep. 116, 22 South. 279.

**William I.** King of England, 1066-1087.

**William II.** King of England, 1087-1100.

**William III.** King of England, 1689-1702.

**William the Conqueror.** William I, which see.

**Wills, Statute of.** See Statute of wills.

**Winding up.** The dissolution of a corporation or partnership.

**Window tax.** An English tax on windows.

**Wisby, Laws of.** A 14th century maritime code.

**Wista.** Half a hide of land. See Hide.

**Wit.** To know. See To wit; Videlicet.

**Witchcraft.** Communication with evil spirits.

**Witenagemote.** An ancient assembly of the Saxon witans, great and wise men, to aid and advise the king.

**With child.** Pregnant.

**With force and arms.** See Vi et armis.

**With interest.** Bearing interest at the statutory rate. See 95 N. Y. 428, 47 Am. Rep. 64.

**With strong hand.** With force.

**Withdrawing record.** The plaintiff's withdrawal of the trial record, before trial, to prevent trial.

**Withernam.** See In withernam.

**Without day.** Without naming a special day.

**Without due process of law.** See Due process of law.

**Without grace.** See Days of grace.

**Without impeachment of waste.** See Absque impetitione vasti.

**Without prejudice.** Without the loss or relinquishment of any right or remedy; without waiver; without liability for contempt upon the renewal of a denied motion or application. See 170 N. Y. 278, 63 N. E. 350; 9 Mont. 399, 24 Pac. 22.

**Without protest.** See Waiver of protest.

**Without recourse.** See Indorsement without recourse.

**Without stint.** Without any limit or restriction.

**Without this, that.** See Absque hoc.

**Witness.** One with sufficient knowledge of a matter to testify in regard to it. See 13 Misc. Rep. (N. Y.) 298, 34 N. Y. Supp. 1120.

**Wolf's head.** An outlaw.

**Woman suffrage.** The right of women to vote at elections. See 148 Ind. 38, 62 Am. St. Rep. 487, 37 L. R. A. 644, 46 N. E. 339.

**Wood-corn.** Corn paid for the liberty of picking up wood.

**Wood-geld.** A payment for taking wood from a forest.

**Wood-street compter.** An old London prison.

**Words of art.** Technical terms.

**Words of limitation.** Such words as mark or limit the period which is to determine an estate. See 109 Ind. 506, 9 N. E. 582. See, also, Rule in Shelley's Case.

**Words of procreation.** Words essential to the creation of an estate-tail, as an estate to A "and the heirs of his body."

**Words of purchase.** Such words as give an estate originally to the heirs and not through the inheritance of, or by descent from, the ancestor. See 6 Rand. (Va.) 73. See, also, Rule in Shelley's Case.

**Wool-sack.** The lord chancellor's seat in the house of lords.

**Work.** Effort directed to an end. See 204 Mass. 18, 134 Am. St. Rep. 645, 25 L. R. A. (N. S.) 957, 90 N. E. 394.

**Work of necessity.** All work that is indispensable to be done on Sunday in order to secure attainment of whatever is more important to the community than its day of rest, as feeding the hungry, nursing the sick, burying the dead. 119 Ind. 379, 12 Am. St. Rep. 419, 21 N. E. 1082.

**Workhouse.** A place where paupers and convicts are confined at work.

**Workmanlike manner.** In the customary way in the particular locality. See 102 Wis. 450, 78 N. W. 562.

**Workshop.** See Officina justitiae.

**Worldly goods.** Personal property. See 78 Mo. 212, 47 Am. Rep. 107.

**Worship.** See Religious worship.

**Wound.** Any injury breaking or cutting the skin. See 12 Ann. Cas. 183, note.

**Wreck.** A ship when, in consequence of injuries received, she is rendered absolutely unnavigable, or unable to pursue her voyage, without repairs exceeding half her value. See 6 Mass. 479, 4 Am. Dec. 163.

**Writ.** Process in a civil action, a warrant in a criminal one. See 23 Conn. 238. See, also, Process; Warrant. See, also, many different sorts of writs beginning with the prefix De, following De admensuratione donis.

**Writ de communicato capiendo.** An English chancery writ to aid in carrying out a sentence of excommunication. See 18 Vt. 511.

**Writ of assistance.** A summary proceeding the object of which is to put a person who purchases at judicial sale into possession of the premises. See 50 Am. Dec. 152.

**Writ of assize.** A writ calculated to try the mere possessory title to an estate in real property. See 11 N. J. L. 262.

**Writ of attachment.** See Attachment.

**Writ of audita querela.** See Audita querela.

**Writ of certiorari.** See Certiorari.

**Writ of consultation.** A writ by which a cause which had been removed to the king's court was sent back to the ecclesiastical court.

**Writ of covenant.** A writ to recover damages for breach of a covenant.

**Writ of debt.** A writ against one who owed the plaintiff a certain sum of money by obligation or by bargain for a thing sold, or by contract. See 1 Add. (Pa.) 58.

**Writ of deceit.** A writ against one who acted in another's name and deceived and injured him.

**Writ of delivery.** A writ to enforce the delivery of chattels under a judgment.

**Writ of detinue.** The writ in an action of detinue. See Detinue.

**Writ of dower.** See Dower unde nihil habet.

**Writ of ejectment.** The writ in an action of ejectment. See Ejectment.

**Writ of entry.** A real action to regain possession of land for a tenant who has been wrongfully dispossessed.

**Writ of entry, ad terminum qui praeteriit.** A writ for an owner who admitted a tenant to have gained a tortious freehold. See 3 Bl. Comm. 175.

**Writ of error.** See Error.

**Writ of execution.** See Execution.

**Writ of extent.** See Extent.

**Writ of false judgment.** See False judgment.

**Writ of formedon.** See Formedon.

**Writ of garnishment.** See Garnishment.

**Writ of habeas corpus.** See Habeas corpus.

**Writ of injunction.** See Injunction.

**Writ of inquiry.** A writ issued after a defendant's default directing the sheriff to inquire by a jury of 12 men into the amount of the damages and make return. See 57 Conn. 583, 19 Atl. 334.

**Writ of mainprize.** A writ for mainprize. See Mainprize.

**Writ of mandamus.** See Mandamus.

**Writ of mandate.** Same as Writ of mandamus.

**Writ of mesne.** A writ for a tenant paravail against a mesne lord for permitting a distress to be levied by the lord paramount for the mesne lord's default, to the damage of the plaintiff.

**Writ of monstraverunt.** A writ for a tenant who was distrained for duties or services which were not incumbent upon him.

**Writ of ne exeat.** See Ne exeat.

**Writ of partition.** See Partition.

**Writ of pone.** See Pone per vadium, etc.

**Writ of possession.** A writ to enforce a judgment which entitled the plaintiff to possession of land.

**Writ of praecipe.** See Praecipe.

**Writ of prevention.** A writ to prohibit the bringing of a suit.

**Writ of privilege.** A writ for the release of a member of parliament arrested on civil process.

**Writ of proclamation.** A writ commanding the sheriff to post notices of intention to adjudge one an outlaw. See 3 Bl. Comm. 284.

**Writ of prohibition.** See Prohibition.

**Writ of protection.** A writ for the release of one in the queen's service arrested on civil process.

**Writ of quare impedit.** See Quare impedit.

**Writ of quo warranto.** See Quo warranto.

**Writ of quod permittat prosternere.** See Quod permittat prosternere.

**Writ of recaption.** See Recaption.

**Writ of replevin.** See Replevin.

**Writ of restitution.** A writ for the restitution of property on the reversal of a judgment. See, also, Restitution.

**Writ of review.** A statutory writ to correct errors in judgments rendered on verdicts. See 7 Mass. 342.

**Writ of right.** A real action which lay to recover lands in fee simple unjustly withheld from the owner, for a less period than 60 years. See 50 Am. Dec. 172, note.

**Writ of scire facias.** See Scire facias.

**Writ of sequestration.** See Sequestration.

**Writ of subpoena.** See Subpoena.

**Writ of summons.** See Summons.

**Writ of supersedeas.** See Supersedeas.

**Writ of tolt.** See Tolt.

**Writ of venditioni exponas.** A writ to compel a sheriff, when guilty of laches, to sell property after the return day of a fieri facias where he has levied on the property before that time. See 76 Am. Dec. 83, note.

**Writ of waste.** A writ against a tenant who committed waste.

**Writ, Original.** See Original writ.

**Writing.** The expression of ideas by visible letters made on paper or parchment. See 84 Pa. St. 510, 24 Am. Rep. 227. Held to include a received telegram. See 56 Iowa, 588, 41 Am. Rep. 121, 9 N. W. 894.

**Writing obligatory.** A bond.

**Written law.** Statute law. See 1 Bl. Comm. 62.

**Wrong.** A tort; an injury; the violation of a legal right.

**Wyte.** Immunity from amercement. See Amercement.

# Y

**Year-books.** The first of the English reports, beginning with Edward II.

**Year, day and waste.** The king's prerogative of taking the profits for a year and a day of the lands of one attainted and of committing waste thereon.

**Year to year, Estate from.** See Estate from year to year.

**Years, Estate for.** See Estate for years.

**Yield.** To perform, as services incident to tenure.

**York, Custom of.** The rule of descent peculiar to York whereby the estate of an intestate was divided in thirds between the widow, the children and the administrator. See 2 Bl. Comm. 518.

# APPENDIX

CONTAINING

A LIST OF ABBREVIATIONS OF LAW BOOKS WITH THEIR MEANING, AN EXPLANATION OF WORDS AND SYMBOLS USED IN LAW PUBLICATIONS, AND A TABLE SHOWING HOW TO ASCERTAIN THE DATE OF AN ENGLISH DECISION.

# REPORTS AND THEIR ABBREVIATIONS.

## A

A.—Atlantic Reporter.
A. & E.—Adolphus and Ellis Reports, Eng. Q. B.
A. & E. Anno.—American and English Annotated Cases.
A. & E. Cas.—American and English Annotated Cases.
A. & E. Corp. Cas.—American and English Corporation Cases.
A. & E. Corp. Cas. (N. S.)—American and English Corporation Cases, New Series.
A. & E. Ency. Law—American and English Encyclopedia of Law.
A. & E. N. S.—Adolphus and Ellis Reports, New Series, cited as Q. B.
A. & E. P. & P.—American and English Pleading and Practice.
A. & E. R. R. Cas.—American and English Railroad Cases.
A. & E. R. R. Cas. (N. S.)—American and English Railway Cases, New Series.
Abb. Adm.—Abbott's Admiralty Reports.
Abb. App. Dec.—Abbott's Appeal Decisions, New York.
Abb. Dec.—Abbott's Decisions, New York.
Abb. N. C.—Abbott's New Cases, New York.
Abb. Pr.—Abbott's Practice Reports, New York.
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Act. or Acton—Acton's Prize Cases, English.
A. D.—American Decisions.
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**Ala. App.**—Alabama Appeals.
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**Ala. Sel. Cas.**—Alabama Select Cases.
**Alaska**—Alaska Reports.
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**Am. L. T. Rep., N. S.**—American Law Times Reports, New Series.
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**Am. Neg. Cas.**—American Negligence Cases.
**Am. Neg. Rep.**—American Negligence Reports.
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**Am. Railw. Cas.**—American Railway Cases, Smith and Bates.
**Am. Railw. Rep.**—American Railway Reports.
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**Am. St. Rep.**—American State Reports.
**Am. Tr. M. Cas.**—American Trademark Cases.
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# B

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**Bloom. Man. Cas.**—Bloomfield's Manumission Cases, New Jersey.
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**Bomb. H. Ct.**—Bombay High Ct. Reports.
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Bradw.—See Bradwell.
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**Burf.**—Burford's Reports, vols. 6–18 Oklahoma.

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# C

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Cai. T. R.—Caines' Term Reports, New York Supreme Court.
Cain. or Caines—Caines, New York; Caines' Reports, New York Supreme Court.
Caines Cas.—Caines' Cases, Court of Errors, New York.
Cal.—California Reports; Calthrop's English King's Bench Reports; Caldecott's English Settlement Cases.
Cal. App.—California Appellate Reports.
Cal. Jur.—California Jurisprudence.
Cal. Rep.—California Reports; Calthrop's English King's Bench Reports.
Cal. S. D. A.—Calcutta Sudder Dewanny Adawlut Reports.
Cal. Ser.—Calcutta Series Indian Law Reports.
Cal. Unrep.—California Unreported Cases.
Cald.—Caldwell's Reports, vols. 25–36 West Virginia.
Cald. or Cald. J. P. or Cald. M. Cas. or Cald. S. C.—Caldecott's English Magistrate's (Justice of the Peace) and Settlement Cases.
Cald. Sett. Cas.—Caldecott's Settlement Cases.
Call—Call's Reports, Virginia.
Calth.—Calthorpe's Reports, English King's Bench.
Cam.—Cameron's Reports, Upper Canada Queen's Bench.
Cam. & N. or Cam. & Nor.—Cameron & Norwood's Reports, North Carolina Conference Reports, vol. 3.
Camp—Camp's Reports, vol. 1 North Dakota; Campbell's English Nisi Prius Reports; Campbell's Reports, vols. 27–58 Nebraska.
Camp. Dec. or Campt. Dec.—Campbell's Reports of Taney's Decisions, U. S. Circuit Court; Campbell's Decisions.
Camp. N. P.—Campbell's Reports, English Nisi Prius.
Campbell—Campbell's English Nisi Prius Reports; Campbell's Reports of Taney's United States Circuit Court Decisions; Campbell's Legal Gazette Reports, Pennsylvania; Campbell's Reports, vols. 27–58 Nebraska.
Can. Exch.—Canada Exchequer Reports.
Can. S. C. Rep.—Canada Supreme Court Reports.
Cane & L.—Cane & Leigh's Crown Cases Reserved.
Car., H. & A.—Carrow, Hamerton & Allen's New Sessions Cases, English.

**Car. & K. or Car. & Kir.**—Carrington & Kirwan's English Nisi Prius Reports.

**Car. & M. or Car. & Mar.**—Carrington & Marshman's English Nisi Prius Reports.

**Car. & P.**—Carrington & Payne's Reports, English Nisi Prius.

**Carp.**—Carpenter's Reports, California.

**Carp. P. C.**—Carpmael's English Patent Cases.

**Carpenter**—Carpenter's Reports, vols. 52–53 California.

**Carr. Cas.**—Carran's Summary Cases, India.

**Carr., Ham. & Al.**—Carrow, Hamerton & Allen's New Sessions Cases, English.

**Carr. & K.**—Carrington & Kirwan's Reports, English Nisi Prius.

**Cart.**—Cartwright's Cases, Canada; Carter's Reports, English Common Pleas.

**Cart. (Ind.)**—Carter's Reports, Indiana.

**Carter**—Carter's English Common Pleas Reports, same as Orlando Bridgman; Carter's Reports, vols. 1, 2, Indiana.

**Carth.**—Carthew's Reports, English King's Bench.

**Cary.**—Cary's Reports, English Chancery.

**Cas.**—Casey's Reports, vols. 25–36 Pennsylvania State.

**Cas. B. R.**—Cases Banco Regis tempore William III. (12 Modern Reports.)

**Cas. Ch.**—Cases in Chancery, English; Cases in Chancery (9 Modern Reports).

**Cas. C. L.**—Cases in Crown Law.

**Cas. Ch. 1, 2, 3**—Cases in Chancery temp. Car. II.

**Cas. Eq.**—Cases in equity, Gilbert's Reports.

**Cas. Eq. Abr.**—Cases in Equity Abridged, English.

**Cas. F. T.**—Cases tempore Talbot, by Forrester, English Chancery.

**Cas. H. L. or Cas. H. of L.**—Cases in the English House of Lords.

**Cas. K. B.**—Cases in King's Bench (8 Modern Reports).

**Cas. K. B. t. H. or Cas. K. B. t. Hardw.**—Cases temp. Hardwicke, W. Kelynge's Reports, English King's Bench.

**Cas. L. & Eq.**—Cases in Law and Equity (10 Modern Reports); Gilbert's Cases in Law and Equity, English.

**Cas. Pr.**—Cases of Practice in the Court of the King's Bench, from Eliz. to 14 Geo. III.

**Cas. Pr. or Cas. Pr. C. P. (Cooke)**—Cook's Practice Cases, English Common Pleas.

**Cas. Pr. K. B.**—Cases of Practice, English King's Bench.

**Cas. R.**—Casey's Reports, Pennsylvania State Reports, vols. 25–36.

**Cas. S. C. (Cape of G. H.).**—Cases in the Supreme Court, Cape of Good Hope.

**Cas. Sett.**—Cases of Settlement, King's Bench.

**Cas. Six Cir.**—Cases in the Six Circuits, Ireland.

**Cas. t. Ch. II.**—Cases temp. Charles II, in vol. 3 of Reports in Chancery.

**Cas. t. F.**—Cases tempore Finch, English Chancery.

**Cas. t. Geo. I.**—Cases tempore George I, English Chancery, Modern Reports, vols. 8 and 9.

**Cas. t. H.** or **Cas. t. Hardwicke**—Cases tempore Hardwicke, English King's Bench (Ridgway, Lee, or Annaly); West's Chancery Reports, tempore Hardwicke.

**Cas. t. Holt** or **Cas. t. H.**—Cases tempore Holt, English King's Bench; Holt's Reports.

**Cas. t. K.**—Select Cases tempore King, English Chancery (edited by Macnaghten); Moseley's Chancery Reports, tempore King.

**Cas. t. Lee (Phillimore's)**—Cases temp. Lee, English Ecclesiastical.

**Cas. t. Mac.**—Cases tempore Macclesfield, Modern Reports, vol. 10, Lucas Reports.

**Cas. t. Nap.**—Cases tempore Napier, by Drury, Irish Chancery.

**Cas. t. North.**—Cases temp. Northington (Eden's English Chancery Reports).

**Cas. t. Plunk.**—Cases tempore Plunket, by Lloyd & Gould, Irish Chancery.

**Cas. t. Q. A.**—Cases tempore Queen Anne, Modern Reports, vol. 11.

**Cas. t. Sugd.**—Cases tempore Sugden, Irish Chancery.

**Cas. t. Tal.**—Cases tempore Talbot, English Chancery, Forrester's Reports.

**Cas. t. Wm. III.**—Cases tempore William III, Modern Reports, vol. 12.

**Cas. Tak. & Adj.**—Cases Taken and Adjudged (first edition of Reports in Chancery).

**Cas. Wm. I**—Bigelow's Cases, William I to Richard I.

**Casey**—Casey's Reports, Pennsylvania State Reports, vols. 25–36.

**Centr. Cr. C. R.**—Central Criminal Court Reports, English.

**[1891] Ch.**—English Chancery Cases; Law Reports, 1st Series, 1891.

**[1892] Ch.**—Same for 1892, etc.

**Ch. App. Cas.**—Chancery Appeal Cases, English Law Reports.

**Ch. Ch.** or **Ch. Cham. (Ont.)**—Chancery Chambers Reports, Ontario.

**Ch. D.**—Chancery Division English Law Reports.

**Ch. Dig.**—Chaney's Digest, Michigan Reports.

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**Ch. R.** or **Ch. Repts.**—Reports in Chancery.

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**Cham.** or **Chamb.**—Chamber Reports, Upper Canada.

**Chamb. Rep.**—Chancery Chamber Reports, Ontario.

**Chamber**—Chamber Reports, Upper Canada.

**Chan.**—Chaney's Reports, vols. 37–58 Michigan; Chancellor; Chancery (see Ch.).

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**Chand. N. H.**—Chandler's Reports, New Hampshire, vols. 20 and 38–44.
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**Chit. B. C.**—Chitty's Bail Court Reports, English.
**Chit. Rep.**—Chitty's Reports, English Bail Court.
**Chitt.**—Chitty's Reports, English Bail Court.
**Chr. Rep.**—Chamber Reports, Upper Canada.
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**Cl. & Fin. N. S.**—Clark & Finnelly's Reports, New Series, English House of Lords.
**Clark**—Clark's Appeal Cases, English House of Lords.
**Clark (Ala.)**—Clark's Reports, Alabama Reports, vol. 58.
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**Clarke (Mich.)**—Clarke's Reports, vols. 19–22 Michigan.
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**Clarke Ch. or Clarke Ch. R.**—Clarke's New York Chancery Reports.
**Clayt.**—Clayton's Reports, English York Assize.
**Clem.**—Clemens' Reports, vols. 57–59 Kansas.

Clerk Home.—Clerk Home's Decisions, Scotch Court of Session.
Clif.—Clifford's United States Circuit Court Reports.
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Clif. & St.—Clifford & Stephens' English Locus Standi Reports.
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Co. Ct. Cas.—County Court Cases, English.
Co. Ct. Rep.—County Court Reports, Pa.
Co. G.—Reports and Cases of Practice in Common Pleas tempore Anne, Geo. I, and Geo. II, by Sir G. Coke.
Co. P. C.—Coke's Pleas of the Crown (3d Inst.); Coke's Reports, English King's Bench.
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Co. Rep.—Coke's Reports, English King's Bench.
Co. R. N. S.—Code Reporter, New Series.
Cobb—Cobb's Reports, vols. 4–20 Georgia; Cobb's Reports, vol. 121 Alabama.
Cochr.—Cochran's Nova Scotia Reports; Cochrane's Reports, vols. 3–10 North Dakota.
Cocke—Cocke's Reports, vols. 16–18 Alabama; Cocke's Reports, vols. 14, 15 Florida.
Cocke (Fla.)—Cocke's Reports, Florida Reports, vols. 14, 15.
Code Rep.—Code Reporter, New York.
Code Rep. N. S. or Code R. N. S.—Code Reports, New Series.
Coffey Prob. Dec.—Coffey's Probate Decisions.
Coke—Coke's English King's Bench Reports (cited by parts and not by volume).
Col.—Colorado Reports; Coldwell's Reports, Tennessee; Coleman's Reports, vols. 99, 101–106, 110–142, Alabama.
Col. App.—Colorado Appeals.
Col. Cas.—Coleman's Cases (of Practice), New York.
Col. C. C.—Collyer's English Chancery Cases.
Col. L. Rep.—Colorado Law Reporter.
Col. & Cai. or Col. & Cai. Cas.—Coleman & Caines' Cases, New York.
Cold. or Coldw.—Coldwell's Tennessee Reports.
Cole—Cole's edition of Iowa Reports; Coleman's Reports, vols. 99, 101–106, 110–142 Alabama.
Cole. & C. Coleman & Caines' Cases, New York.
Coll. or Coll. C. C.—Collyer's English Chancery Cases.
Coll. P. C. or Coll. Parl. Cas.—Colles' English Parliamentary (House of Lords) Cases.
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Colles—Colles' English Parliamentary Cases.
Colly.—Collyer's English Vice-Chancellors' Reports.
Colo.—Colorado Reports.

**Colq.**—Colquit's Reports (1 Modern Reports).

**Colq. R.**—Colquit's Reports (1 Modern).

**Colt.**—Coltman, Reg. App. Cas.

**Colt. Reg. Ca.** or **Colt. Reg. Cas.**—Coltman's Registration Cases.

**Colvil**—Colvil's Manuscript Decisions, Scotch Court of Session.

**Com.**—Comyn's Reports, English King's Bench; Comberbach's English King's Bench Reports; Comstock's Reports, vols. 1–4 New York Court of Appeals.

**Com. B.**—English Common Bench Reports.

**Com. B. N. S.**—English Common Bench Reports, New Series.

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**Com. P. Div.**—Common Pleas Division, English Law Reports.

**Com. Pl.**—Common Pleas, English Law Reports.

**Com. Pl. Div.**—Common Pleas Division, English Law Reports.

**Com. P. Reptr.**—Common Pleas Reporter, Scranton, Penna.

**Comb.**—Comberbach's Reports, English King's Bench.

**Comp. Dec.**—Comptroller's Decisions.

**Coms.**—Comstock's Reports, New York Ct. of Appeals Reports, vols. 1–4.

**Comst.**—Comstock's Reports, New York Court of Appeals, vols. 1–4.

**Comyn**—Comyn's Reports, English King's Bench and Common Pleas.

**Con.**—Conover's Reports, Wisconsin; Continuation of Rolle's Reports (2 Rolle).

**Con. Cus.**—Conroy's Custodian Reports.

**Con. & Law.**—Connor & Lawson's Reports, Irish Chancery.

**Cond. Ch. R.** or **Cond. Eng. Ch.**—Condensed English Chancery Reports.

**Cond. Eccl.** or **Cond. Ecc. R.**—Condensed Ecclesiastical Reports.

**Cond. Eng. Ch.**—Condensed English Chancery Reports.

**Cond. Exch. R.** or **Cond. Ex. R.**—Condensed Exchequer Reports.

**Cond. Rep. U. S.**—Peter's Condensed United States Reports.

**Conf.**—Cameron & Norwood's Conference Reports, North Carolina.

**Conn.**—Connecticut Reports; Connoly, New York, Surrogate Reports.

**Conover**—Conover's Reports, vols. 16–153 Wisconsin.

**Conr.**—Conroy's Custodian Reports, Irish.

**Consist.** or **Consist. Rep.**—English Consistorial Reports, by Haggard.

**Const.**—Constitutional Reports, South Carolina, by Mill; Constitutional Reports, South Carolina, by Treadway; Constitutional Reports, vol. 1 South Carolina.

**Const. N. S.**—Constitutional Reports (Mill), South Carolina, New Series.

**Const. S. C.**—Treadway's Constitutional Reports, South Carolina.

**Const. (N. S.) S. C.**—Mill's Constitutional Reports, New Series, South Carolina.

**Coo. & Al.**—Cooke & Alcock's Irish King's Bench Reports.

**Cook V. Adm.**—Cook's Vice-Admiralty Reports, Nova Scotia.

Cooke—Cooke's Cases of Practice, English Common Pleas; Cooke's Reports, Tennessee.

Cooke (Tenn.)—Cooke's Reports, Tennessee.

Cooke Pr. Cas.—Cooke's Practice Reports, English Common Pleas.

Cooke & Al. or Cooke & Alc.—Cooke & Alcock's Reports, Irish King's Bench.

Cooley—Cooley's Reports, vols. 5–12 Michigan.

Coop.—Cooper's Tennessee Chancery Reports; Cooper's Reports, vols. 21–24 Florida; Cooper's English Chancery Reports tempore Eldon; Cooper's English Chancery Reports tempore Cottenham; Cooper's English Chancery Reports tempore Brougham; Cooper's English Practice Cases, Chancery.

Coop. (Tenn.)—Cooper's Reports, Tennessee.

Coop. C. C. or Coop. Cas.—Cooper's Chancery Cases temp. Cottenham.

Coop. C. & P. R.—Cooper's Chancery and Practice Reporter, Upper Canada.

Coop. Ch.—Cooper's Tennessee Chancery Reports.

Coop. Pr. Cas.—Cooper's Practice Cases, English Chancery.

Coop. t. Br. or Coop. t. Brough.—Cooper's Reports temp. Broughman, English Chancery.

Coop. t. Cott. or Coop. t. Cotten.—Cooper's Cases tempore Cottenham, English Chancery.

Coop. t. Eld.—Cooper's Reports temp. Eldon, English Chancery.

Coop. Tenn. Ch.—Cooper's Tennessee Chancery Reports.

Cooper—Cooper's Reports English Chancery temp. Eldon.

Cope—Cope's Reports, vols. 63–72 California.

Corry.—Corryton's Reports, Calcutta.

Cory.—Coryton's Reports, Calcutta.

Cou.—Couper's Justiciary Reports, Scotland.

County Ct. Rep.—County Court Reports, English.

County Ct. Rep. N. S.—County Court Reports, New Series, English.

County Cts. & Bankr. Cas.—County Courts and Bankruptcy Cases.

Coup. or Coup. Just.—Couper's Justiciary Reports, Scotland.

Court Cl.—U. S. Court of Claim Reports.

Court Sess. Ca. or Court Sess. Cas.—Court of Sessions Cases, Scotch.

Court. & Macl.—Courteney and Maclean's Scotch Appeals (6–7 Wilson and Shaw).

Cow.—Cowen's New York Reports; Cowper's English King's Bench Reports.

Cow. Cr. or Cow. Cr. Rep.—Cowen's Criminal Reports, New York.

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Cowp.—Cowper's Reports, English King's Bench.

Cowp. Cas.—Cowper's Cases (in the third volume of Reports in Chancery).

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**Craw.**—Crawford's Reports, vols. 53–69, 72–101 Arkansas.

**Craw. & D.**—Crawford and Dix's Reports, Irish Circuit Cases.

**Craw. & D. Abr. C.**—Crawford and Dix's Abridged Cases, Ireland.

**Creasy (Ceylon)**—Creasy's Ceylon Reports.

**Cress. Ins. Cas. or Cressw. Ins. Cas.**—Cresswell's English Insolvency Cases

**Crim. Rec.**—Criminal Recorder, vol. 1 Wheeler's New York Criminal Reports

**Cripp Ch. Cas. or Cripp's Ch. Cas.**—Cripp's Church Cases.

**Cripp Ecc. L.**—Cripp's Ecclesiastical Law.

**Critch.**—Critchfield's Reports, vols. 5–21 Ohio State.

**Cro.**—Croke's English King's Bench Reports; Keilway's English King's Bench Reports by Serj. Croke.

**Cro. Car.**—Croke's Reports temp. Charles I (3 Cro.).

**Cro. Eliz.**—Croke's Reports temp. Elizabeth (1 Cro.).

**Cro. Jac.**—Croke's English King's Bench Reports tempore James (Jacobus) I (2 Cro.).

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**Crosw. Pat. Ca.**—Crosswell's Patent Cases.

**Crounse**—Crounse's Reports, vol. 3 Nebraska.

**Crowth. or Crowther (Ceylon)**—Crowther's Ceylon Reports.

**Crumrine**—Crumrine's Reports, vols. 116–146 Pennsylvania.

**Ct. App. N. Z.**—Court of Appeals Reports, New Zealand.

**Cummins**—Cummins' Reports, Idaho.

**Cun. or Cunn.**—Cunningham's Reports, English King's Bench.

**Cunn. or Cunningham**—Cunningham's English Bench Reports.

**Cur.**—Curtis' United States Circuit Court Reports.

**Cur. Dec.**—Curtis' Decisions, United States Supreme Court.

**Cur. Law**—Current Law.

**Cur. Ov. Ca.**—Curwen's Overruled Cases, Ohio.

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**Curt.**—Curtis' United States Circuit Court Reports; Curteis' English Ecclesiastical Reports.

**Curt. C. C.**—Curtis' United States Circuit Court Decisions.

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**Cushing**—Cushing's Massachusetts Reports.

**Cushm. or Cushman**—Cushman's Reports, Mississippi Reports, vols. 23–29.

**Cust. Rep.**—Custer's Ecclesiastical Reports.

**Cyc.**—Cyclopedia of Law and Procedure.

# D

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**Dalrymple**—(Sir Hew) Dalrymple's Scotch Session Cases; Sir David Dalrymple of) Hailes' Scotch Session Cases; (Sir James Dalrymple of) Stair's Scotch Session Cases.

**Daly.**—Daly's Reports, New York Common Pleas.

**Dan.**—Daniell's Exchequer and Equity Reports; Dana's Kentucky Reports; Danner's Reports, vol. 42, Alabama.

**Dan. & Ll. or Dan. & Lld.**—Dauson & Lloyd's Mercantile Cases.

**Dana**—Dana's Reports, Kentucky.

**Dann**—Dann's Arizona Reports; Danner's Reports, vol. 42 Alabama; Dann's California Reports.

**Danner**—Danner's Reports, Alabama Reports, vol. 42.

**Dans. & L. or Dans. & Lld.**—Danson & Lloyd's English Mercantile Cases.

**Das.**—Dasent's Bankruptcy and Insolvency Reports; Common Law Reports, vol. 3.

**Dauph. Co. Rep.**—Dauphin County Reporter, Pennsylvania.

**Dav.**—Daveis' United States District Court Reports; Davy's or Davies' Irish King's Bench and Exchequer Reports; Davies' English Patent Cases; Davis' Reports (Abridgment of Sir Edward Coke's Reports); Davis' Reports, vol. 2 Hawaii; Davis' United States Supreme Court Reports.

**Dav. Coke**—Davis' Abridgment of Coke's Reports.

**Dav. Ir. or Dav. Ir. K. B.**—Davies' Reports, Irish King's Bench.

**Dav. Pat. Cas.**—Davies' Patent Cases, English Courts.

**Dav. Rep.**—Davies' (Sir John) Reports, King's Bench, Ireland.

**Dav. (U. S.)**—Daveis' Reports, U. S. Dist. of Maine.

**Dav. & M. or Dav. & Mer.**—Davison & Merivale's Reports, English Queen's Bench.

**Daveis**—Daveis' United States District Court Reports.

**Davidson**—Davidson's Reports, vols. 92–111, North Carolina.

**Davies**—Davies' Irish King's Bench Reports.

**Davis**—Davis' Hawaiian Reports; Davies' Irish King's Bench Reports; Davis' Reports, vols. 108–176 United States Supreme Court.

**Davis (J. C. B.)**—Davis' United States Supreme Court Reports.

**Davis Rep.**—Davis' Reports, Sandwich Island.

**Day**—Day's Connecticut Reports.

**Dayt. Term Rep.**—Dayton Term Reports, Dayton, Ohio.

**De G.**—De Gex's Reports, English Bankruptcy.

**De G. F. & J.**—De Gex, Fisher & Jones' Reports, English Chancery.

**De G. F. & J. B. App. or De G. F. & J. By.**—De Gex, Fisher & Jones' Bankruptcy Appeals, English.

**De G. J. & S.**—De Gex, Jones & Smith's Reports, English Chancery.

**De G. J. & S. Bankr. or De G. J. & S. By.**—De Gex. Jones & Smith's Bankruptcy Appeals, English.

**De G. M. & G.**—De Gex, Macnaghten & Gordon's English Bankruptcy Reports; De Gex, Macnaghten & Gordon's English Chancery Reports.

**De G. M. & G. Bankr. or De G. M. & G. By.**—De Gex, Macnaghten & Gordon's Bankruptcy Appeals, English.

**De G. & J.**—De Gex & Jones' Reports, English Chancery.

**De G. & J. Bankr. or De G. & J. By.**—De Gex & Jones' English Bankruptcy Appeals.

**De G. & Sm.**—De Gex & Smale's Reports, English Chancery.

**De Gex**—De Gex's English Bankruptcy Reports.

**De Gex, M. & G.**—De Gex, Macnaghten & Gordon's Reports, English.

**Dea.**—Deady's United States District Court Reports.

**Dea. & Chit.**—Deacon & Chitty's English Bankruptcy Reports.

**Dea. & Sw.**—Deane & Swabey's Reports, English Ecclesiastical Courts; Deane & Swabey's Reports, Probate and Divorce.

**Deac.**—Deacon's Reports, English Bankruptcy.

**Deac. & C. or Deac. & Chit.**—Deason & Chitty's English Bankruptcy Reports.

**Deady**—Deady's Reports, U. S. Dist. of Oregon.

**Deane**—Deane (& Swabey's) English Probate and Divorce Reports; Deane's Reports, vols. 24–26, Vermont.

**Deane Ecc. or Deane Ecc. Rep.**—Deane & Swabey's English Ecclesiastical Reports.

**Deane & Sw.**—Deane & Swabey's English Ecclesiastical Reports.

**Dears. or Dears. C. C. or Dears. & B. or Dears. & B. C. C.**—Dearsley's & Bell's English Crown Cases Reserved.

**Deas & And.**—Deas & Anderson's Scotch Court of Session Cases.

**Dec. Com. Pat.**—Decisions of the Commissioner of Patents.

**Dec. O.**—Ohio Decisions.

**Dec. t. H. & M.**—Decisions in Admiralty tempore Hay & Marriott.

**Del.**—Delaware Reports; Delane's English Revision Cases.

**Del. Ch.**—Delaware Chancery Reports, by Bates.

**Del. Co.**—Delaware County Reports, Pennsylvania.

**Del. Cr. Cas.**—Delaware Criminal Cases.

**Delehanty**—Delehanty's New York Miscellaneous Reports.

**Dem. or Dem. Surr.**—Demarest's New York Surrogate Reports.

**Den.**—Denio's New York Reports; Denis' Reports, vols. 32–46, Louisiana Annual.

**Den. or Denio**—Denio's Reports, New York.

**Den. C. C.**—Denison's English Crown Cases.

**Den. & P.**—Denison & Pearce's English Crown Cases, vol. 2 Denison.

**Denio**—Denio's New York Reports.

**Denis**—Denis' Reports, vols. 32–46 Louisiana.

**Des., Dess., or Dessaus or Desaus. Eq.**—Dessaussure's Reports, South Carolina.

**Dev.**—Devereux's North Carolina Law Reports; Devereux's Reports, United States Court of Claims.

**Dev. C. C. or Dev. Ct. Cl.**—Devereux's Reports, United States Court of Claims.

**Dev. Eq.**—Devereux's Equity Reports, North Carolina, vols. 16–17.

**Dev. L. or Dev. (N. C.)**—Devereux's Law Reports, North Carolina, vols. 12–15.

**Dev. & B. Eq. or Dev. & Bat. Eq.**—Devereux & Battle's Equity Reports, North Carolina.

**Dev. & B. L. or Dev. & Bat.**—Devereux & Battle's Law Reports, North Carolina.

**Dew.**—Dewey's Reports, vols. 60–70, Kansas; Dewey's Kansas Court of Appeals Reports.

**De Witt**—De Witt's Reports, vols. 24–42, Ohio State.

**Di. or Dy.**—Dyer's English Reports, King's Bench.

**Dico (Ind.)**—Dice's Reports, vols. 71–99, Indiana.

**Dick.**—Dickens' English Chancery Reports; Dickinson's Reports, vols. 46–59 New Jersey Equity.

**Dil. or Dill.**—Dillon's United States Circuit Court Reports.

**Dirl.**—Dirleton's Decisions, Scotch Court of Session.

**Dis. or Disn.**—Disney's Superior Court Reports, Cincinnati, Ohio

**Dod. or Dods.**—Dodson's English Admiralty Reports.

**Dod. Adm.**—Dodson's Reports, English Admiralty Courts.

**Dods.**—Dodson's Reports, English Admiralty Courts.

**Donaker**—Donaker's Reports, vol. 154 Indiana.

**Donn.**—Donnelly's Reports, English Chancery; Donnelly's Irish Land Cases.

**Dor. Q. B. or Dorion Quebec**—Dorion's Quebec Queen's Bench Reports.

**Doug.**—Douglas' Michigan Reports; Douglas' English King's Bench Reports.

**Dow**—Dow's House of Lords (Parliamentary) Cases, same as Dow's Reports; Dowling's English Practice Cases.

**Dow N. S.**—Dow & Clark's English House of Lords Cases.

**Dow P. C.**—Dow's Parliamentary Cases; Dowling's English Practice Cases.

**Dow & C.**—Dow & Clark's English House of Lords Cases.

**Dow. & L.**—Dowling & Lowndes' English Bail Court Reports.

**Dow. & Ry.**—Dowling & Ryland's English King's Bench Reports; Dowling & Ryland's English Nisi Prius Cases.

**Dow. & Ry. M. C.**—Dowling & Ryland's English Magistrates' Cases.

**Dow. & Ry. N. P.**—Dowling & Ryland's English Nisi Prius Cases.

**Dowl.**—Dowling's English Bail Court Cases.

**Dowl. N. S.**—Dowling's English Bail Court Reports, New Series.

**Dowl. P. C. or Dowl. Pr. C.**—Dowling's English Bail Court (Practice) Cases.

**Dowl. Pr. C. N. S.**—Dowling's Reports, New Series, English Practice Cases.

**Dowl. & L. or Dowl. & Lownd.**—Dowling & Lowndes' English Bail Court and Practice Cases.

**Dowl. & R. or Dowl. & Ry. or Dowl. & Ryl.**—Dowling & Ryland's English King's Bench Reports.

**Dowl. & Ry. M. C. or Dowl. & Ryl. M. C.**—Dowling & Ryland's Magistrate Cases, English.

**Dowl. & Ry. N. P. or Dowl. & Ryl. N. P.**—Dowling & Ryland's Nisi Prius Cases, English.

**Dr.**—Drewry's English Vice-Chancellor's Reports; Drury's Irish Chancery Reports tempore Sugden; Drury's Irish Chancery Reports tempore Napier.

**Dr. R. t. Nap.**—Drury's Irish Chancery Reports tempore Napier.

**Dr. R. t. Sug.**—Drury's Irish Chancery Reports tempore Sugden.

**Dr. & Sm.**—Drewry & Smale's English Vice-Chancellors' Reports.

**Dr. & Wal.**—Drury & Walsh's Irish Chancery Reports.

**Dr. & War.**—Drury & Warren's Irish Chancery Reports.

**Draper**—Draper's Upper Canada King's Bench Reports, Ontario.

**Drew.**—Drewry's English Vice-Chancellors' Reports; Drew's Reports, vol. 13, Florida.

**Drew. & S. or Drew. & Sm. or Drewry & Sm.**—Drewry & Smale's Reports, English Chancery.

**Drewry.**—Drewry's Reports, English Chancery.

**Drink. or Drinkw.**—Drinkwater's English Common Pleas Reports.

**Dru. or Drury.**—Drury's Irish Chancery Reports tempore Sugden.

**Dru. t. Nap.**—Drury's Irish Chancery Reports tempore Napier.

**Drury t. Sug.**—Drury's Irish Chancery Reports tempore Sugden.

**Dru. & Wal.**—Drury & Walsh's Irish Chancery Reports.

**Dru. & War.**—Drury & Warren's Reports, Irish Chancery.

**Dud. or Dud. Ga.**—Dudley's Reports, Georgia.

**Dud. Ch. or Dud. Eq. (S. C.)**—Dudley's Equity Reports, South Carolina.

**Dud. L. or Dud. S. C.**—Dudley's Law Reports, South Carolina.

**Duer**—Duer's Reports, New York Superior Court, vols. 8–13.

**Dunl.**—Dunlop, Bell & Murray's Reports, Scotch Court of Session (Second Series, 1838–62).

**Dunl. B. & M.**—Dunlop, Bell & Murray's Reports, Scotch Court of Session (Second Series, 1838–62).

**Dunlop or Dunl. B. & M.**—Dunlop, Bell & Murray's Reports, Second Series, Scotch Session Cases.

**Dunn.**—Dunning's English King's Bench Reports.

**Durf. (R. I.)**—Durfee's Reports, vol. 2 Rhode Island.

**Durie or Durie Sc.**—Durie's Scottish Court of Session Cases.

**Durn. & E. or Durnf. & E.**—Durnford & East's English King's Bench Reports (Term Reports).

**Dutch.**—Dutcher's Reports, New Jersey Law.

**Duv.**—Duvall's Kentucky Reports; Duval's Reports, Canada Supreme Court.

**Duv. (Can.)**—Duvall's Canada Supreme Court Reports.

**Duval**—Duval's Reports, Canada Supreme Court.

**Dwight**—Dwight's Charity Cases, English.

**Dy. or Dyer**—Dyer's English King's Bench Reports.

# E

**E.**—East's Reports, English King's Bench.
**E. B. & E.**—Ellis, Blackburn, and Ellis' Reports, English Queen's Bench.
**E. B. & S.**—(Ellis) Best & Smith's English Queen's Bench Reports.
**E. C.**—English Chancery Reports.
**E. C. L.**—English Common Law Reports.
**E. D. S. or E. D. Smith (N. Y.)**—E. D. Smith's Reports, New York Common Pleas.
**E. E.**—English Exchequer Reports.
**E. E. R.**—English Ecclesiastical Reports.
**E. L. & Eq.**—English Law and Equity Reports.
**E. R.**—East's King's Bench Reports.
**E. R. C.**—English Ruling Cases.
**E. & A.**—Spink's Ecclesiastical and Admiralty Reports; Upper Canada Error and Appeal Reports.
**E. & A. R.**—Error and Appeal Reports, Ontario.
**E. & A. W. C.**—Grant's Error and Appeal Reports, Ontario.
**E. & B.**—Ellis & Blackburn's Reports, English Queen's Bench.
**E. & E.**—Ellis & Ellis' Reports, English Queen's Bench.
**E. & I.**—English and Irish Appeals, House of Lords.
**Ea.**—East's English King's Bench Reports.
**East**—East's King's Bench Reports; Eastern Reporter.
**East. Rep.**—Eastern Reporter.
**Ebersole**—Ebersole's Reports, vols. 59–80, Iowa.
**Ec. & Ad.**—Spink's Ecclesiastical and Admiralty Reports.
**Eccl. R. or Eccl. Rep.**—English Ecclesiastical Reports.
**Eccl. & Ad.**—Spink's Ecclesiastical and Admiralty Reports.
**Ed.**—Eden's English Chancery Reports.
**Ed. Bro.**—Eden's edition of Brown's English Chancery Reports.
**Ed. Cr.**—Edwards' New York Chancery Reports.
**Eden**—Eden's Reports, High Court of Chancery, England.
**Edg.**—Edgar's Reports, Scotch Court of Session.
**Edw.**—Edwards' New York Chancery Reports; Edwards' English Admiralty Reports; Edwards' Reports, vols, 2, 3, Missouri.
**Edw. Abr.**—Edwards' Abridgment of Cases in Privy Council; Edwards' Abridgment of Prerogative Court Cases.
**Edw. Adm.**—Edwards' Admiralty Reports, English.
**Edw. Ch.**—Edwards' Chancery Reports, New York.
**Edw. Lead. Dec.**—Edwards' Leading Decisions in Admiralty; Edwards' Admiralty Reports.
**Edw. (Mo.)**—Edwards' Reports, Missouri.
**Edw. Pr. Cas.**—Edwards' Prize Cases (English Admiralty Reports).

**Edw. Pr. Ct. Cas.**—Edwards' Abridgment of Prerogative Court Cases.
**Edw. (Tho.)**—Edwards' English Admiralty Reports.
**Efird**—Efird's Reports, vols. 45–61 South Carolina.
**El.**—Elchies' Decisions, Scotch Court of Session.
**El. B. & E.**—Ellis, Blackburn & Ellis' Reports, English Queen's Bench.
**El. B. & S.**—Ellis, Best & Smith's Reports, English Queen's Bench.
**El. & B.** or **El. & Bl.**—Ellis & Blackburn's Reports, English Queen's Bench.
**El. & El.**—Ellis & Ellis' Reports, English Queen's Bench.
**Ell. Bl. & Ell.**—Ellis, Blackburn & Ellis' English Queen's Bench Reports.
**Ell. & Bl.**—Ellis & Blackburn's English Queen's Bench Reports.
**Ell. & Ell.**—Ellis & Ellis' English Queen's Bench Reports.
**Els. W. Bl.**—Elsley's Edition of Wm. Blackstone's English King's Bench Reports.
**Ency. of Forms**—Encyclopedia of Forms and Precedents.
**Eng.**—English Reports, vols. 6–13 Arkansas; English Reports by N. C. Moak.
**Eng. Ad.**—English Admiralty Reports.
**Eng. Adm. R.**—English Admiralty Reports.
**Eng. C. C.**, or **Eng. Cr. Cas.**—English Crown Cases.
**Eng. Ch.**—English Chaucery Reports; Condensed English Chancery Reports.
**Eng. C. L.** or **Eng. Com. L. R.**—English Common-Law Reports.
**Eng. Ecc. R.**—English Ecclesiastical Reports.
**Eng. Eccl.**—English Ecclesiastical Reports.
**Eng. Exch.**—English Exchequer Reports.
**Eng. Ir. App.**—English Law Reports, English and Irish Appeal Cases.
**Eng. Jud.** or **Eng. Judg.**—Scotch Court of Session Cases, decided by the English Judges.
**Eng. L. & Eq.** or **Eng. L. & Eq. R.**—English Law and Equity Reports.
**Eng. Re.**—English Reports, Full Reprint.
**Eng. Rep.**—Moak's English Reports; English's Reports, vols. 6–13 Arkansas; English Reports.
**Eng. Rep. R.**—English Reports.
**Eng. Ru. Ca.**—English Ruling Cases.
**Eng. Sc. Ecc.**—English and Scotch Ecclesiastical Reports.
**Eng. & Ir. App.**—Law Reports, English and Irish Appeal Cases.
**English**—English's Reports, vols. 6–13 Arkansas.
**Eq. Cas.**—Equity Cases, vol. 9, Modern Reports.
**Eq. Cas. Abr.**—Equity Cases Abridged (English).
**Eq. Rep.**—Gilbert's Equity Reports; Harper's South Carolina Equity Reports; Equity Reports, English Chancery and Appeals from Colonial Courts.
**Err. & App.**—Error and Appeals Reports, Upper Canada.
**Ersk. Dec.**—Erskine's United States Circuit Court, etc., Decisions, in vol. 35 Georgia.
**Esp.** or **Esp. N. P.**—Espinasse's English Nisi Prius Reports.
**Evans**—Evans' Reports, Washington Territory.

Ex.—Exchequer Reports, English.
Ex. C. R.—Exchequer Court of Canada Reports.
Ex. D. or Ex. Div.—Exchequer Division, English Law Reports.
Exch.—Exchequer Reports (Welsby, Hurlstone & Gordon); English Law Reports, Exchequer; English Exchequer Reports.
Exch. Can.—Exchequer Reports, Canada.
Exch. Cas.—Exchequer Cases, Scotland.
Exch. Div.—Exchequer Division, English Law Reports.
Exch. Rep.—Exchequer Reports.
Eyre—Eyre's Reports, English King's Bench, temp. William III.

# F

F.—Federal Reporter.
F. & F.—Foster and Finlason's Reports, English Nisi Prius.
F. & J. Bank. De Gex—Fisher & Jones' English Bankruptcy Reports.
F. & S.—Fox and Smith's Reports, Irish King's Bench.
Fairf. or Fairfield—Fairfield's Reports, vols. 10–12, Maine.
Falc.—Falconer's Reports, Scotch Court of Session.
Falc. & Fitz.—Falconer and Fitzherbert's English Election Cases.
Far.—Farresley's Reports, English King's Bench, Modern Reports, vol. 7.
Farresley—Farresley's Reports, vol. 7, Modern Reports; Farresley's Cases in Holt's King's Bench Reports.
Fed.—Federal Reporter.
Fed. Ca. or Fed. Cas.—Federal Cases.
Fed. R. or Fed. Rep.—The Federal Reporter, all U. S. C. C. & D. C. and C. C. A. Cases, District, Circuit and Circuit Court of Appeals Reports.
Fent. (New Zealand)—Fenton's New Zealand Reports.
Fent. N. Z.—Fenton's New Zealand Reports.
Ferg. or Ferg. Cons.—Fergusson's Reports, Scotch.
Ferg. Ry. Cas.—Ferguson's Five Years' Railway Cases.
Fergusson—(Fergusson of) Kilgerran's Scotch Session Cases.
Fin.—Finch's English Chancery Reports; Finlason (see Finl.).
Finch—English Chancery Reports tempore Finch.
Fish.—Fisher's United States Patent Cases; Fisher's United States Prize Cases.
Fish. Cas.—Fisher's Cases, United States District Courts.
Fish. Pat. or Fish. Pat. Cas.—Fisher's United States Patent Cases.
Fish. Pat. Rep.—Fisher's Patent Reports, U. S. Supreme and Circuit Courts.
Fish. Pr. Cas. or Fish. Prize—Fisher's Prize Cases, U. S. Courts, Pennsylvania.
Fitzg.—Fitzgibbon's English King's Bench Reports.
Fl. & K. or Fl. & Kel.—Flanagan & Kelly's Irish Rolls Court Reports.
Fla.—Florida Reports.
Flan. & K. or Flan. & Kel.—Flanagan and Kelly's Reports, Irish Rolls Court.
Flip. or Flipp.—Flippin's United States Circuit Court Reports.
Flor.—Florida Reports.
Fogg—Fogg's Reports, vols. 32–37, New Hampshire.
Fonb. N. R.—Fonblanque's New Reports, English Bankruptcy.
Fonbl.—Fonblanque's New Reports, English Bankruptcy.
Fonbl. R.—Fonblanque's English Cases (or New Reports) in Bankruptcy.
For.—Forrest's Exchequer Reports; Forrester's Chancery Reports (Cases tempore Talbot).
Forb.—Forbes' Decisions, Scotch Court of Session.

**Form.**—Forman's Reports, Illinois.

**Forman**—Forman's Reports, Illinois.

**Forr. or Forrest**—Forrest's English Exchequer Reports; Forrester's English Chancery Cases.

**For. Cas. & Op. or Fors. Cas. & Op.**—Forsyth's Cases and Opinions on Constitutional Law.

**Fort. or Forcs.**—Fortescue's English King's Bench Reports.

**Fost.**—Foster's English Crown Law or Crown Cases; Foster's New Hampshire Reports, vols. 19 and 21–31; Foster's Legal Chronicle Reports, Pennsylvania; Foster's Reports, vols. 5, 6 and 8, Hawaii.

**Fost. (N. H.)**—Foster's Reports, New Hampshire, vols. 19 and 21–31.

**Fost. & Fin.**—Foster and Finlason's Reports, English Nisi Prius Cases.

**Foster**—Foster's New Hampshire Reports.

**Fount.**—Fountainhall's Reports, Scotch Court of Session.

**Fox**—Fox's Decisions, Circuit and District Court, Maine (Haskell's Reports); Fox's Reports, English.

**Fox Reg. Ca. or Fox Reg. Cas.**—Fox's Registration Cases.

**Fox & Sm.**—Fox & Smith's Reports, Irish King's Bench.

**Fr.**—Freeman's English King's Bench and Chancery Reports.

**Fr. Ch.**—Freeman's English Chancery Reports; Freeman's Mississippi Chancery Reports.

**France**—France's Reports, vols. 3–11 Colorado.

**Fraz. or Frac. Adm.**—Frazer's Admiralty Cases, Scotland.

**Free.**—Freeman's English King's Bench Reports, vol. 1 Freeman's King's Bench Reports and vol. 2 Freeman's Chancery Reports.

**Free. Ch.**—Freeman's English Chancery Reports; Freeman's Mississippi Chancery Reports.

**Freem. C. C. or Freem. Ch.**—Freeman's Reports, English Chancery. (2d Freeman.)

**Freem. (Ill.)**—Freeman's Reports, Illinois.

**Freem. K. B.**—Freeman's Reports, English King's Bench.

**Freem. (Miss.)**—Freeman's Chancery Reports, Mississippi.

**French**—French's Reports, New Hampshire.

**Fuller**—Fuller's Reports, vols. 59–105 Michigan.

**Fult. or Fulton**—Fulton's Reports, Bengal.

# G

**G.**—Gale's Reports, English Exchequer.
**G. Coop. or Cooper**—G. Cooper's English Chancery.
**G. Gr.**—George Greene's Reports, Iowa.
**G. M. Dudl.**—G. M. Dudley's Reports, Georgia.
**G. & D.**—Gale & Davison's Reports, English Exchequer; Gale & Davison's English Queen's Bench Reports.
**G. & G.**—Goldsmith & Guthrie, Missouri Reports.
**G. & J.**—Gill & Johnson's Maryland Reports; Glyn & Jameson's English Bankruptcy Reports.
**Ga.**—Georgia Reports.
**Ga. Dec.**—Georgia Decisions, Superior Courts.
**Ga. L. Rep.**—Georgia Law Reporter.
**Ga. Supp.**—Lester's Supplement, vol. 33 Georgia.
**Gal.**—Gallison's Reports, United States Circuit Courts.
**Galb.**—Galbraith's Reports, Florida Reports, vols. 9–12.
**Galb. & M.**—Galbraith & Meek's Reports, Florida Reports, vol. 12.
**Galbraith**—Galbraith's Reports, vols. 9–12 Florida.
**Gale**—Gale's Reports, English Exchequer.
**Gale & Dav.**—Gale & Davison's Queen's Bench Reports.
**Gall. or Gallis.**—Gallison's Reports, United States Circuit Courts.
**Gall. Cr. Cas.**—Gallick's Reports of French Criminal Cases.
**Gard. N. Y. Rept.**—Gardenier's New York Reporter.
**Garden. or Gardenhire**—Gardenhire's Reports, Missouri.
**Gaspar**—Gaspar's Small Cause Reports, Bengal.
**Gay. (La.)**—Gayarré's Louisiana Reports.
**Gayarré**—Gayarré's Reports, vols. 25–28 Louisiana Annual.
**Gaz. & B. C. Rep. or Gaz. & Bank. Ct. Rep.**—Gazette & Bankrupt Court Reporter, New York.
**Geld. & M.**—Geldart & Maddock's Engilsh Chancery Reports, vol. 6 Maddock's Reports.
**Geld. & O. or Geld. & Ox. (Nova Scotia)**—Geldert and Oxley's Decisions, Nova Scotia.
**Geld. & R.**—Geldert & Russell, Nova Scotia Reports.
**Geldart**—Geldart & Maddock's English Chancery Reports, vol. 6 Maddock's Reports.
**Gen. Abr. Cas. Eq.**—General Abridgment of Cases in Equity (Equity Cases Abridged).
**Geo.**—Georgia Reports.
**Geo. Coop.**—George Cooper's English Chancery Cases, temp. Eldon.
**Geo. Dec.**—Georgia Decisions.
**George**—George's Reports, Mississippi.

**Gib. Dec.**—Gibson's Scottish Decisions.

**Gibbs**—Gibbs' Reports, Michigan.

**Gibs.**—Gibson's Decisions, Scotland.

**Gibson**—(Gibson of) Durie's Decisions, Scotch Court of Session.

**Gif. or Giff.**—Giffard's English Vice-Chancellor's Reports.

**Giff.**—Giffard's Reports, English Chancery.

**Giff. & H.**—Giffard and Hemming's Reports, English Chancery.

**Gil.**—Gilfillan's Edition, vols. 1–20 Minnesota; Gilman's Reports, vols. 6–10 Illinois; Gilmer's Virginia Reports; Gilbert's English Chancery Reports; Gilbert's English Cases in Law and Equity.

**Gil. & Fal.**—Gilmour & Falconer's Scotch Session Cases.

**Gilb.**—Gilbert's Reports, English Chancery.

**Gilb. Cas.**—Gilbert's Cases in Law and Equity, English Chancery and Exchequer.

**Gilb. Ch.**—Gilbert's Reports, English Chancery.

**Gilb. Eq.**—Gilbert's English Equity or Chancery Reports.

**Gilb. Rep.**—Gilbert's Reports, English Chancery.

**Gild. (N. M.)**—Gildersleeve's New Mexico Reports.

**Gilfillan**—Gilfillan's Edition of Minnesota Reports.

**Gill**—Gill's Reports, Maryland.

**Gill & J. or Gill & Johns. (Md.)**—Gill & Johnson's Reports, Maryland.

**Gilm.**—Gilman's Reports, vols. 6–10 Illinois; Gilmer's Reports, Virginia; Gilmour's Reports, Scotch Court of Session.

**Gilm. (Ill.)**—Gilman's Reports, Illinois.

**Gilm. (Va.)**—Gilmer's Reports, Virginia.

**Gilm. & Fal. or Gilm. & Falc.**—Gilmour and Falconer's Reports, Scotch Court of Session.

**Gilp.**—Gilpin's United States District Court Reports.

**Gl. & J.**—Glyn & Jameson's English Bankruptcy Reports.

**Glas. or Glasc.**—Glascock's Reports in all the Courts of Ireland.

**Glenn**—Glenn's Reports, Louisiana Annual.

**Glyn & Jam.**—Glyn and Jameson's Bankruptcy Cases, English.

**Godb.**—Godbolt's Reports, English King's Bench.

**Gold. or Goldes.**—Goldesborough's or Gouldsborough's English King's Bench Reports.

**Gold. & G.**—Goldsmith & Guthrie's Reports, vols. 36–67 Missouri Appeals.

**Goldes.**—Goldesborough's Reports, English King's Bench.

**Gordon**—Gordon Reports, vols. 24–26 Colorado and vols. 10–13 Colorado. Appeals.

**Gosf.**—Gosford's Manuscript Reports, Scotch Court of Session.

**Gould.**—Gouldsborough's English King's Bench Reports.

**Gouldsb.**—Gouldesborough's Reports, English King's Bench.

**Gow or Gow. N. P.**—Gow's Nisi Prius Cases, English.

**Gr.**—Grant's Cases, Pennsylvania; Green's New Jersey Reports; Greenleaf's Maine Reports; Grant's Cases, Canada; Grant's Chancery Reports, Ontario.

**Gr. Ca. or Gr. Cas.**—Grant's Cases, Pennsylvania.

**Gr. Ch. or Gr. Eq.**—(H. W.) Green's New Jersey Equity Reports.

**Gra.**—Grant (see Grant); Graham's Reports, vols. 98–139 Georgia.

**Grang. or Granger**—Granger's Reports, vols. 22, 23 Ohio State.

**Grant**—Grant's Upper Canada Chancery Reports Ontario; Grant's Pennsylvania Cases; (Grant of) Elchies' Scotch Session Cases; Grant's Jamaica Reports.

**Grant. Cas.**—Grant's Cases, Pennsylvania Supreme Court.

**Grant Ch.**—Grant's Upper Canada Chancery Reports.

**Grant E. & A.**—Grant's Error and Appeal Reports, Ontario.

**Grant (Jamaica)**—Grant's Jamaica Reports.

**Grant Pa.**—Grant's Cases, Pennsylvania Supreme Court.

**Grant U. C.**—Grant's Upper Canada Chancery Reports.

**Grat. or Gratt.**—Grattan's Virginia Reports.

**Gray**—Gray's Massachusetts Reports; Gray's Reports, vols. 112–122 North Carolina.

**Green**—Green's New Jersey Law or Equity Reports; Green's Reports, vols. 11–17 Rhode Island; G. Greene's Iowa Reports; Greenleaf's Reports, vols. 1–9 Maine; Green's Reports, vol. 1 Oklahoma.

**Green C. E.**—C. E. Green's Reports, New Jersey Equity, vols. 16–27.

**Green Ch or Green Eq.**—Green's Chancery Reports, New Jersey Equity, vols. 2–4.

**Green Cr. L. Rep.**—Green's Criminal Law Reports, U. S.

**Green L. or Green N. J.**—Green's Law Reports, New Jersey Law, vols. 13–15.

**Green. Ov. Cas.**—Greenleaf's Overruled Cases.

**Green (R. I.)**—Green's Reports, Rhode Island, vol. 11.

**Green Sc. Cr. Cas.**—Green's Criminal Cases, Scotland.

**Greene**—G. Greene's Iowa Reports; C. E. Green's New Jersey Equity Reports, vols. 16–27 New Jersey Equity; Greene's Reports, vol. 7 New York Annotated Cases.

**Greene G.**—Greene's Iowa Reports.

**Greenl.**—Greenleaf's Reports, vols. 1–9 Maine.

**Greenl. Ov. Cas.**—Greenleaf's Overruled Cases.

**Gren. or Gren. (Ceylon)**—Grenier's Ceylon Reports.

**Griffith**—Griffith's Reports, vols. 1–5 Indiana Appeals and vols. 117–132 Indiana.

**Grisw. (O.)**—Griswold's Reports, Ohio.

**Guth. Sh. Cas.**—Guthrie's Sheriff Court Cases, Scotland.

**Guthrie**—Guthrie's Reports, vols. 33–83 Missouri Appeals.

**Guthrie**—Guthrie's Sheriff Court Cases, Scotland.

# H

**H.**—Howard's United States Supreme Court Reports; Hill's New York Reports.

**H. Bl. or H. Bla.**—Henry Blackstone's English Common Pleas Reports.

**H. C. R.**—High Court Reports, India.

**H. C. R. N. W. P.**—High Court Reports, Northwest Provinces, India.

**H. L. C. or H. L. Cas.**—House of Lords Cases (Clark's).

**H. L. Rep.**—Clark and Finnelly's House of Lords Reports, New Series.

**H. W. Gr.**—H. W. Green's New Jersey Equity Reports.

**H. & B.**—Hudson & Brooke's Irish King's Bench Reports.

**H. & C.**—Hurlstone & Coltman's English Exchequer Reports.

**H. & D.**—Lalor's Supplement to Hill and Denio's Reports, New York.

**H. & G.**—Harris & Gill's Maryland Reports; Hurlstone & Gordon's English Reports.

**H. & H.**—Horn & Hurlstone's English Exchequer Reports; Harrison & Hodgin's Municipal Reports, Upper Canada.

**H. & J.**—Harris & Johnson's Maryland Reports; Hayes & Jones' Exchequer Reports, Ireland.

**H. & J. Ir.**—Hayes and Jones' Reports, Irish Exchequer.

**H. & M.**—Hening & Munford's Virginia Reports; Hemming & Miller's English Vice-Chancellors' Reports.

**H. & M. Ch.**—Hemming & Miller's English Vice-Chancellors' Reports.

**H. & McH.**—Harris & McHenry's Maryland Reports.

**H. & N.**—Hurlstone and Norman's Reports, English Exchequer.

**H. & R.**—Harrison & Rutherford's English Commons Pleas Reports.

**H. & S.**—Harris and Simrall's Mississippi Reports.

**H. & T.**—Hall and Twell's Reports, English Chancery.

**H. & W.**—Harrison & Wollaston's English King's Bench Reports; Hurlstone & Walmsley's English Exchequer Reports.

**Ha.**—Hare's Chancery Reports.

**Ha. & Tw.**—Hall and Twell's Reports, English Chancery.

**Had.**—Haddington; Hadley's Reports, vols. 45–48 New Hampshire.

**Hadd. or Haddington**—Haddington's Reports, Scotch Court of Session.

**Hadl.**—Hadley's Reports, vols. 45–48 New Hampshire.

**Hadley**—Hadley's Reports, vols. 45–48 New Hampshire.

**Hag. Adm.**—Haggard's English Admiralty Reports.

**Hag. Con.**—Haggard's English Consistory Reports.

**Hag. Ecc.**—Haggard's English Ecclesiastical Reports.

**Hag. (Utah)**—Hagan's Utah Reports.

**Hag. (W. Va.)**—Hagan's Reports, West Virginia.

**Hagan**—Hagan's Reports, vols. 1–2 Utah.

**Hagans**—Hagans' Reports, vols. 1–5 West Virginia.
**Hagg.**—See Hag.
**Hagg. Adm.**—Haggard's Admiralty Reports, English.
**Hagg. Con. or Hagg. Consist.**—Haggard's Consistory Reports, English.
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**Hagn. & M. (Md.)**—Hagner and Miller's Maryland Reports.
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**Hal. Law**—Halsted's New Jersey Law Reports.
**Halc. Cas. or Halc. Min. Cas.**—Halcomb's Mining Cases, London, 1826.
**Hale**—Hale's Reports, vols. 33–37 California.
**Hale Ecc.**—Hale's Ecclesiastical Reports, English.
**Hall**—Hall's New York Superior Court Reports; Hall's Reports, vols. 56, 57 New Hampshire; Hallett's Reports, vols. 1, 2 Colorado.
**Hall. (Col.)**—Hallett's Colorado Reports.
**Hall (N. H.)**—Hall's New Hampshire Reports.
**Hall & Tw.**—Hall and Twell's Reports, English Chancery.
**Hallett**—Hallett's Reports, Colorado Reports, vols. 1–2.
**Hals. or Halst. or Halst. L.**—Halsted's New Jersey Law Reports, vols. 6–12.
**Halst. Ch. or Halst. Eq.**—Halsted's Chancery Reports, New Jersey Equity.
**Ham.**—Hamond's Reports, vols. 1–9 Ohio; Hamilton's Reports, Scotch Court of Session.
**Ham. A. & O.**—Hammerton, Allen & Otter, English Magistrates' Cases, vol. 3 New Sessions Cases.
**Hamilton**—(Hamilton of) Haddington's Manuscript Cases, Scotch Court of Session; Hamilton, American Negligence Cases.
**Hamlin**—Hamlin's Reports, vols. 81–99 Maine.
**Hamm. A. & O.**—Hamerton, Allen & Otter's Magistrate Cases, English Courts, vol. 3 New Session Cases.
**Hamm. (Ga.)**—Hammond's Reports, Georgia.
**Hamm. (Ohio)**—Hammond's Reports, Ohio.
**Hamm. & J.**—Hammond and Jackson's Reports, Georgia, vol. 45.
**Hammond**—Hammond's Reports, vols. 1–9 Ohio; Hammond's Reports, vols. 36–45 Georgia.
**Hammond & Jackson**—Hammond & Jackson's Reports, vol. 45 Georgia.
**Han.**—Handy's Ohio Reports; Hannay's Reports, New Brunswick.
**Han. (N. B.)**—Hannay's Reports, vols. 12, 13, New Brunswick.
**Hand**—Hand's Reports, vols. 40–45 New York; Handy's Ohio Reports.
**Handy**—Handy's Ohio Reports.
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Har. & Ruth.—Harrison & Rutherford's English Common Pleas Reports.
Har. & W. or Har. & Woll.—Harrison and Wollaston's Reports, English King's Bench.
Harc.—Harcase's Decisions, Scotch Court of Session.
Hard.—Hardres' Reports, English Exchequer.
Hard. or Hardin (Ky.)—Hardin's Reports, Kentucky.
Hardes.—Hardesty, Delaware Term Reports.
Hardr. or Hardres—Hardres' English Exchequer Reports.
Hardw.—Cases tempore Hardwicke, by Ridgeway; Cases tempore Hardwicke, by Lee.
Hare—Hare's Reports, English Chancery.
Hare & W. or Hare & Wal. L. C.—American Leading Cases, Hare & Wallace.
Harg.—Hargrave's State Trials; Hargrove's Reports, vols. 68–75 North Carolina.
Hargrove—Hargrove's Reports, vols. 68–75 North Carolina.
Harm.—Harman's Reports, vols. 13–15 California; Harman's Upper Canada Common Pleas Reports.
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Harr.—Harrison's Reports, New Jersey Law; Harrignton's Reports, Delaware; Harrington's Chancery Reports, Michigan; Harris' Reports, vols. 13–24 Pennsylvania; Harrison's Reports, vols. 15–17 and 23–29 Indiana.
Harr. Ch.—Harrison's Chancery Reports, Michigan.
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Harr. Dig.—Harrison's Digest of English Common Law Reports.
Harr. (Ind.)—Harrison's Reports, Indiana.
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**Harris & Simrall.**—Harris & Simrall's Reports, vols. 49–52 Mississippi.

**Harrison**—Harrison's Reports, vols. 15–17 and 23–29 Indiana.

**Hart.**—Hartley's Reports, vols. 4–10 Texas; Hartley's Digest of Texas Laws.

**Hartley**—Hartley's Reports, vols. 4–10 Texas.

**Hartley & Hartley**—Hartley & Hartley's Reports, vols. 11–21 Texas.

**Hask.**—Haskell's Reports, United States Courts, Maine (Fox's Decisions).

**Hast.**—Hastings' Reports, vols. 69, 70 Maine.

**Hav. Ch. Rep.**—Haviland's Chancery Reports, Prince Edward Island.

**Hav. P. E. I.**—Haviland's Reports, Prince Edward Island.

**Haw.**—Hawkins (see Hawk.); Hawaiian Reports; Hawley's Reports, vols. 10–20 Nevada.

**Haw. Am. Cr. Rep. or Haw. Cr. Rep.**—Hawley's American Criminal Reports.

**Hawaii or Hawaiian Rep.**—Hawaii (Sandwich Islands) Reports.

**Hawk.**—Hawkin's Reports, Louisiana Annual.

**Hawkins**—Hawkins' Reports, vols. 19–24 Louisiana Annual.

**Hawks**—Hawks' North Carolina Reports.

**Hawl. Cr. R.**—Hawley's American Criminal Reports.

**Hawl. or Hawley (Nev.)**—Hawley's Nevada Reports and Digest.

**Hawley Cr. R.**—Hawley's American Criminal Reports.

**Hay.**—Haywood's North Carolina Reports; Haywood's Tennessee Reports; Haye's Irish Exchequer Reports; Hayes' Reports, Calcutta; Hay's Scotch Decisions.

**Hay (Calc.)**—Hay's Reports, Calcutta.

**Hay. Exch.**—Hayes' Reports, Irish Exchequer.

**Hay P. L.**—Hay's Poor Law Decisions.

**Hay. & H. or Hay. & Haz.**—Hayward & Hazelton's United States Circuit Court Reports.

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**Hayes or Hayes Exch.**—Hayes' Irish Exchequer Reports.

**Hayes & Jo. or Hayes & Jon.**—Hayes & Jones Irish Exchequer Reports.

**Hayw.**—Haywood's North Carolina Reports; Haywood's Tennessee Reports.

**Hayw. (N. C.)**—Haywood's Reports, North Carolina.

**Hayw. (Tenn.)**—Haywood's Reports, Tennessee.

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**Head**—Head's Reports, Tennessee.

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**Hedges**—Hedges' Reports, vols. 2–6 Montana.

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**Heming. (Miss.)**—Hemingway's Mississippi Reports.

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**Hempst.**—Hempstead's U. S. Circuit Ct. Reports.

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**Hen. Man. Cas.**—Henry's Manumission Cases.

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**Hepb.**—Hepburn's Reports, vols. 3, 4 California.

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**Hibb.**—Hibbard's Reports, vol. 67 New Hampshire.

**High Ct.** or **High Ct. R.**—High Court Reports, Northwest Provinces of India.

**Hight**—Hight's Reports, vols. 57, 58 Iowa.

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**Hill Ch.**—Hill's Chancery Reports, South Carolina.

**Hill Eq.**—Hill's Equity, South Carolina Reports.

**Hill (N. Y.)**—Hill's Reports, New York.

**Hill S. C.**—Hill's South Carolina Reports (Law or Equity).

**Hill & D.** or **Hill & Den. (N. Y.)**—Hill and Denio's New York Reports.

**Hill & Den. Sup.** or **Hill & Den. Supp.**—Lalor's Supplement to Hill and Denio's Reports, New York.

**Hillyer.**—Hillyer's Reports, California Reports.

**Hilt.**—Hilton's Reports, Common Pleas, New York.

**Hines**—Hines' Reports, vols. 83–98 Kentucky.

**Ho. Lord Cas.**—House of Lords Cases (Clark's).

**Hob.**—Hobart's Reports, English Common Pleas and Chancery.

**Hod.**—Hodge's Reports, English Common Pleas.

**Hodg.**—Hodges' English Common Pleas Reports.

**Hoff.**—Hoffman's Land Cases, United States District Court; Hoffman's New York Chancery Reports.

**Hoff. Ch.**—Hoffman's New York Chancery Reports.

**Hoff. Land** or **Hoff. Land Ca.** or **Hoff. L. C.**—Hoffman's Land Cases, U. S. Dist. Ct. of California.

**Hoff.** or **Hoff. Ch. (N. Y.)**—Hoffman's Chancery Reports, New York.

**Hoffm. Ch.**—Hoffman's New York Chancery Reports.

**Hog.**—Hogan's Irish Rolls Court Reports; Harcarse's Scotch Session Cases.

**Hogue**—Hogue's Reports, Florida.

**Holl.** or **Hollinshead (Minn.)**—Hollinshead's Minnesota Reports.

**Holm.** or **Holmes**—Holmes' United States Circuit Court Reports; Holmes' Reports, vols. 15–17 Oregon.

**Holt**—Holt's English King's Bench Reports; Holt's English Nisi Prius Reports; Holt's English Equity Reports.

**Holt Adm. or Holt Adm. Cas.**—Holt's Admiralty Cases.
**Holt Eq. or Holt Eq. Rep.**—Holt's English Equity Reports.
**Holt K. B.**—Holt's English King's Bench Reports.
**Holt N. P.**—Holt's Nisi Prius Reports, English Courts.
**Holt R. of R. or Holt Rule of R.**—Holt's Rule of the Road Cases.
**Home or Home H. Dec.**—Home's Manuscript Decisions, Scotch Court of Session.
**Hook. or Hooker**—Hooker's Reports, Connecticut
**Hoon. or Hoonahan**—Hoonahan's Sind Reports, India.
**Hop. & C.**—Hopwood & Coltman's English Registration Appeal Cases.
**Hop. & Ph.**—Hopwood & Philbrick's English Registration Appeal Cases.
**Hope**—Hope (of Kerse) Manuscript Decisions, Scotch Court of Session.
**Hopk. Adm.**—Hopkinson's Pennsylvania Admiralty Judgments.
**Hopk. Adm. Dec.**—Admiralty Decisions of Hopkinson in Gilpin's Reports.
**Hop. Ch.**—Hopkins' Chancery Reports, New York.
**Hopk. Judg.**—Hopkinson's Pennsylvania Admiralty Judgments.
**Hopw. & C. or Hopw. & Colt.**—Hopwood and Coltman's English Registration Appeal Cases.
**Hopw. & P. or Hopw. & Phil.**—Hopwood and Philbrick's English Registration Appeal Cases.
**Horn & H.**—Horn and Hurlstone's Reports, English Exchequer.
**Horner**—Horner's Reports, vols. 11–28 South Dakota.
**Horw. Y. B. (Horwood's)**—Year-Books of Edward I.
**Hoskins**—Hoskins' Reports, vol. 2 North Dakota.
**Houghton**—Houghton's Reports, vol. 97 Alabama.
**Hous.**—Houston's Delaware Reports.
**House of L.**—House of Lords, House of Lords Cases.
**Houst.**—Houston's Reports, Delaware.
**Houst. Cr. Cas.**—Houston's Criminal Cases, Delaware.
**Hov.**—Hovenden's Supplement to Vesey, Jr., English Chancery Reports.
**Hov. Sup. or Hov. Sup. Ves.**—Hovenden's Supplement to Vesey, Jr., English Chancery Reports.
**How.**—Howard's United States Supreme Court Reports; Howard's Mississippi Reports; Howard's New York Practice Reports; Howell's Reports, vols. 22–26 Nevada.
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**Hubb.**—Hubbard's Reports, Maine.
**Hubbard**—Hubbard's Reports, Maine.
**Hud. & B. or Hud. & Br.**—Hudson and Brooke's Reports, Irish King's Bench.
**Hugh.**—Hughes' United States 4th Circuit Court Reports; Hughes' Kentucky Reports.
**Hugh. (Ky.)**—Hughes' Reports, Kentucky.
**Hughes**—Hughes United States Circuit Court Reports.
**Hum. (Tenn.)**—Humphrey's Tennessee Reports.
**Hume**—Hume's Decisions, Scotch Court of Session.
**Humph. (Tenn.)**—Humphrey's Reports Tennessee.
**Hun**—Hun's New York Supreme Court Reports, also Appellate Division Supreme Court, New York.
**Hurl. & C. or Hurl. & Colt.**—Hurlstone & Coltman's English Exchequer Reports.
**Hurl. & Gord.**—Hurlstone & Gordon's Reports, vols. 10, 11 English Exchequer.
**Hurl. & N. or Hurl. & Nor.**—Hurlstone & Norman's English Exchequer Reports.
**Hurl. & Walm.**—Hurlstone & Walmsley's English Exchequer Reports.
**Hurlst. & C.**—Hurlstone and Coltman's Reports, English Exchequer.
**Hurlst. & G.**—Hurlstone and Gordon's Reports, English Exchequer.
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**Hurlst. & W.**—Hurlstone and Walmsley's Reports, English Exchequer.
**Hut.**—Hutton's Reports, English Common Pleas.
**Hutch.**—Hutcheson's Reports, vol. 81 Alabama.
**Hutt.**—Hutton's English Common Pleas Reports.
**Hyde**—Hyde's Reports, India.

# I

I. C. L. R.—Irish Common Law Reports.
I. C. R.—Irish Chancery Reports; Irish Circuit Reports.
I. E. R.—Irish Equity Reports.
I. J. C. or I. J. Cas.—Irvine's Justiciary Cases, Scotch Justiciary Court.
I. R.—Irish Reports.
I. R. C. L.—Irish Reports, Common Law Series.
I. R. Eq.—Irish Reports, Equity Series.
I. T. R.—Irish Term Reports, by Ridgway, Lapp and Schoales.
Ia. Iowa; Iowa Reports.
Ida. or Idaho—Idaho Reports.
Iddings T. R. D.—Iddings' Dayton Term Reports.
Ill.—Illinois Reports.
Ill. App.—Illinois Appellate Court Reports.
Ind.—Indiana Reports.
Ind. App.—Law Reports, Indian Appeals; Indiana Appeals.
Ind. Jur.—Indian Jurist, Calcutta; Indian Jurist, Madras.
Ind. L. R.—(East) Indian Law Reports.
Ind. L. R. All. or Ind. L. R. Alla.—Allahabad Series of Indian Law Reports.
Ind. L. R. Bomb.—Indian Law Reports, Bombay Series.
Ind. L. R. Calc.—Indian Law Reports, Calcutta Sesies.
Ind. L. R. Mad.—Indian Law Reports, Madras Series.
Ind. L. Rep.—Indiana Law Reporter.
Ind. Rep.—Indiana Reports.
Ind. Super.—Indiana Superior Court Reports (Wilson's).
Ind. T.—Indian Territory Reports.
Inst. Com. Com.—Interstate Commerce Commission Reports.
Int. Com. Rep.—Interstate Commerce Reports.
Iowa—Iowa Reports.
Ir.—Iredell's North Carolina Law or Equity Reports.
Ir. Ch. or Ir. Ch. N. S.—Irish Chancery Reports.
Ir. Cir. or Ir. Cir. Rep.—Irish Circuit Reports.
Ir. C. L. or Ir. Com. Law Rep. or Ir. L. N. S.—Irish Common Law Reports.
Ir. Eccl.—Irish Ecclesiastical Reports, by Milward.
Ir. Eq.—Irish Equity Reports.
Ir. L.—Irish Law Reports.
Ir. L. N. S.—Irish Common Law Reports.
Ir. L. R.—Irish Law Reports; The Law Reports, Ireland.
Ir. Law Rec.—Irish Law Recorder.
Ir. Law Rep.—Irish Law Reports.
Ir. Law Rep. N. S.—Irish Common Law Reports.
Ir. L. T. Rep.—Irish Law Times Reports.

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**Ir. Law & Eq.**—Irish Law and Equity Reports, Old Series.
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**Ir. R. Eq.**—Irish Reports, Equity Series.
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**Ir. Rep. Reg. & L.**—Irish Reports, Registry and Land Cases.
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**Ir. T. R.** or **Ir. Term Rep.**—Irish Term Reports (by Ridgeway, Lapp & Schoales).
**Ired.**—Iredell's North Carolina Law Reports.
**Ired. Eq.**—Iredell's Equity Reports, North Carolina.
**Ired. L.**—Iredell's Law Reports, North Carolina.
**Irv.**—Irvine's Justiciary Cases, Scotch Justiciary Court.
**Ir. R. 1894**—Irish Law Reports for year 1894.

# J

J.—Johnson's New York Reports.
J. C.—Johnson's Cases, New York Supreme Court.
J. Ch. or J. C. R.—Johnson's New York Chancery Reports.
J. J. Mar. or J. J. Marsh. (Ky.)—J. J. Marshall's Reports, Kentucky.
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J. R.—Johnson's New York Reports.
J. S. Gr. (N. J.)—J. S. Green's New Jersey Reports.
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J. & S.—Jones & Spencer's New York Superior Court Reports.
J. & S. Jam.—Judah & Swan's Jamaica Reports.
J. & W.—Jacob and Walker's Reports, English Chancery.
Jac.—Jacob's English Chancery Reports.
Jac. & W. or Jac. & Walk.—Jacob & Walker's English Chancery Reports.
Jack.—Jackson's Reports, Georgia.
Jack. Tex. App.—Jackson's Texas Court of Appeals Reports.
Jackson—Jackson's Reports, vols. 43–66, Georgia; Jackson's Reports, vols. 1–29; Texas Court of Appeals.
Jackson & Lumpkin (Ga.)—Jackson & Lumpkin's Georgia Reports.
James—James' Reports, Nova Scotia.
James (N. Sc.)—James' Reports, Nova Scotia.
Jebb or Jebb C. C. or Jebb Cr. Cas. or Jebb Ir. Cr. Cas.—Jebb's Irish Crown Cases.
Jebb Cr. & Pr. Cas.—Jebb's Irish Crown and Presentment Cases.
Jebb & B.—Jebb and Bourke's Reports, Irish Queen's Bench.
Jebb & S. or Jebb & Sym.—Jebb and Symes' Reports, Irish Queen's Bench.
Jeff.—Jefferson's Reports, Virginia.
Jenks—Jenks' Reports, vol. 58, New Hampshire.
Jenn.—Jennison's Reports, vols. 14–18, Michigan.
Jo. T.—Sir T. Jones' Reports.
Jo. & La. T.—Jones and La Touche's Reports, Irish Chancery.
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Johns.—Johnson's Reports, New York Supreme Court; Johnson's Reports of Chase's Decisions; Johnson's Maryland Chancery Decisions; Johnson's English Vice-Chancellors' Reports.
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**Jon.**—Thos. Jones' Reports, English King's Bench and Common Pleas; Wm. Jones' Reports, English King's Bench and Common Pleas.

**Jon. (Ala.)**—Jones' Reports, Alabama, 62.

**Jon. B. & W.**—Jones, Barclay and Whittelsey's Reports, Missouri, vol. 31

**Jon. Eq.**—Jones' Equity Reports, North Carolina.

**Jon. Exch.**—Jones' Irish Exchequer Reports.

**Jon. Ir. Exch.**—Jones' Reports, Irish Exchequer.

**Jon. (Mo.)**—Jones' Reports, Missouri.

**Jon. (N. C.)**—Jones' Law Reports, North Carolina.

**Jon. (N. C.) Eq.**—Jones' Equity Reports, North Carolina.

**Jon. (Pa.)**—Jones' Reports, Pennsylvania.

**Jon. T.**—Thos. Jones' Reports, English King's Bench and Common Pleas.

**Jon. (U. C.)**—Jones' Reports, Upper Canada.

**Jon. W.**—Wm. Jones' Reports, English King's Bench and Common Pleas.

**Jon. & C. or Jon. & Car.**—Jones and Cary's Reports, Irish Exchequer.

**Jon. & L. or Jon. & La T.**—Jones and La Touche's Reports, Irish Chancery.

**Jon. & S.**—Jones and Spencer's Reports, New York City Superior Court, vols. 33–46.

**Jones**—Jones' Reports, vols. 43–48, 52–57, 61, 62 Alabama; Jones' Reports, vols. 11, 12, Pennsylvania; Jones' Reports, vols. 22–31, Missouri; Jones' Law or Equity Reports, North Carolina; Jones' Irish Exchequer Reports; Jones' Upper Canada Common Pleas Reports; Jones & Spencer's New York Superior Court Reports; Sir Thomas Jones' English King's Bench Reports; Sir William Jones' English King's Bench Reports; See Jon.

Jones, Barclay & Whittelsey or Jones, B. & W. (Mo.)—Jones, Barclay and Whittelsey's Reports, Missouri Supreme Court (31 Missouri).
Jones Eq.—Jones' North Carolina Equity Reports.
Jones Ir.—Jones' Irish Exchequer Reports.
Jones Law or Jones N. C.—Jones' North Carolina Law Reports.
Jones (Pa.)—Jones' Reports, vols. 11, 12, Pennsylvania.
Jones U. C.—Jones' Reports, Upper Canada.
Jones W.—Sir William Jones' English King's Bench Reports.
Jones & C.—Jones & Cary's Irish Exchequer Reports.
Jones & La T.—Jones & La Touche's Irish Chancery Reports.
Jones & McM. (Pa.)—Jones & McMurtrie's Pennsylvania Supreme Court Reports.
Jones & Spen.—Jones & Spencer's New York Superior Court Reports.
Josephs—Joseph's Reports, vol. 21, Nevada.
Jud. & Sw. (Jamaica)—Judah and Swan's Reports, Jamaica.
Judd—Judd's Reports, vol. 4, Hawaii.
Juta—Juta's Cape of Good Hope Reports.

# K

K.—Keyes' New York Court of Appeals Reports Kenyon's English King's Bench Reports, Kansas (see Kan.).

K. B. or [1901] K. B.—Law Reports, King's Bench Division, from 1901 onward.

K. B. (U. C.)—King's Bench Reports, Upper Canada.

K. C. R.—Reports tempore King, English Chancery.

K. & F. N. S. W.—Knox & Fitzhardinge's New South Wales Reports.

K. & G. R. C.—Keane & Grant's English Registration Appeal Cases.

K. & J.—Kay & Johnson's English Vice-Chancellors' Reports.

Kam. or Kam. Dec.—Kames' Decisions, Scotch Court of Session.

Kan. (or Kans.)—Kansas Reports.

Kans. App.—Kansas Appeals Reports.

Kay—Kay's English Vice-Chancellors' Reports.

Kay & J. or Kay & Johns.—Kay and Johnson's Reports, English Chancery.

Ke.—Keen's English Rolls Court Reports.

Keane & G. R. C. or Keane & Gr.—Keane and Grant's English Registration Appeal Cases.

Keb. or Keble—Keble's Reports, English King's Bench.

Keen—Keen's Reports, English Rolls Court.

Keil. or Keilw.—Keilway's Reports, English King's Bench.

Kel. 1—Sir John Kelyng's English Crown Cases.

Kel. 2—William Kelynge's English Chancery Reports.

Kel. Ga.—Kelly's Reports, Georgia Reports, vols. 1–3.

Kel. J. or 1 Kel.—Sir John Kelyng's Reports, English Crown Cases.

Kel. W. or 2 Kel.—W. Kelynge's Reports, English Chancery and King's Bench.

Kel. & C.—Kelly and Cobb's Reports, Georgia.

Kellen—Kellen's Reports, vols. 146–155, Massachusetts.

Kelly—Kelly's Reports, vols. 1–3, Georgia.

Kelly & C. or Kelly & Cobb—Kelly & Cobb's Reports, vols. 4, 5, Georgia.

Kelyng, J.—Kelyng's English Crown Cases.

Kelynge, W.—Kelynge's English Chancery Reports.

Ken.—Kenyon English King's Bench Reports.

Ken. Dec.—Kentucky Decisions, by Sneed.

Kenan—Kenan's Reports, vols. 76–91, North Carolina.

Keny. C. H. (or 3 Keny.)—Chancery Reports, at the end of 2 Kenyon.

Kern—Kern's Reports, vols. 100–116, Indiana; Kernan's Reports, vols. 11–14, New York Court of Appeals.

Kerr—Kerr's Reports, Indiana; Kerr's New Brunswick Reports; Kerr's Reports; J. M. Kerr's Reports, vols. 27–29, New York Civil Procedure.

Kerr (N. B.)—Kerr's Reports, New Brunswick.

Kerse—Kerse's Manuscript Decisions, Scotch Court of Session.
Key. or Keyes—Keyes' Reports, New York Ct. of Appeals.
Keyl.—Keilwey's (or Keylway's) English King's Bench Reports.
Kilk.—Kilkerran's Reports, Scotch Court of Session.
King—King's Reports, vols. 5, 6, Louisiana Annual.
Kir. (Kirb. or Kirby)—Kirby's Connecticut Reports.
Kn. or Kn. A. C. or Knapp or Knapp A. C.—Knapp's Appeal Cases (English Privy Council).
Kn. N. S. W.—Knox, New South Wales Reports.
Kn. & M. or Kn. & Moo. or Knapp & M.—Knapp and Moore's Reports, vol. 3 Knapp's English Privy Council.
Knapp—Knapp's Privy Council Reports, England.
Knowles—Knowles' Reports, vol. 3, Rhode Island.
Knox—Knox, New South Wales Reports.
Kolze—Transvaal Reports by Kolze.
Kreider—Kreider's Reports, vols. 1–23, Washington.
Kress—Kress' Reports, vols. 166–194, Pennsylvania; Kress' Pennsylvania Superior Court.
Kulp—Kulp's Luzerne Legal Register Reports, Pennsylvania.
Ky.—Kentucky Reports.
Ky. Dec.—Kentucky Decisions, Sneed's Reports.

# L

**L.**—Lansing's Supreme Court Reports, New York.
**L. A.**—Lawyers' Reports Annotated.
**L. C. R.**—Lower Canada Reports.
**L. D. or L. Dec.**—Land Office Decisions, United States.
**L. Ed.**—Lawyers' Edition Supreme Court Reports.
**L. J. or L. J. O. S.**—Law Journal Reports.
**L. J. Adm.**—Law Journal Reports, New Series, English Admiralty.
**L. J. App.**—Law Journal Reports, New Series, English Appeals.
**L. J. Bank. or L. J. Bankr. or L. J. Bk.**—Law Journal Reports, New Series, English Bankruptcy (1831 onward).
**L. J. C. or L. J. C. P.**—Law Journal Reports, New Series, English Common Pleas.
**L. J. C. C. R.**—Law Journal, New Series, Crown Cases Reserved.
**L. J. Chan.**—Law Journal Reports, New Series, English Chancery Division (1831 on).
**L. J. C. P. or L. J. C. P. D.**—Law Journal, New Series, Common Pleas Decisions.
**L. J. Ecc.**—Law Journal Reports, New Series, Ecclesiastical (1831 on).
**L. J. H. L.**—Law Journal Reports, New Series, English House of Lords.
**L. J. P. D. & A.**—Law Journal Reports, New Series, English Probate, Divorce and Admiralty.
**L. J. Q. B.**—Law Journal Reports, New Series, English Queen's Bench (1831 on).
**L. J. Rep.**—Law Journal Reports.
**L. J. Rep. N. S.**—Law Journal Reports, New Series (1831 onward).
**L. N.**—Law Notes.
**L. R.**—Law Reports (English); Law Reporter (Law Times Reports, New Series) Law Review; (Irish) Law Recorder, Reports in all the Irish Courts; Louisiana Reports.
**L. R. A.**—Lawyers Reports Annotated.
**L. R. A. (N. S.)**—Lawyers Reports Annotated, New Series.
**L. R. A. & E.**—English Law Reports, Admiralty and Ecclesiastical (1866–1875).
**L. R. App. or L. R. App. Cas.**—English Law Reports, Appeal Cases, House of Lords.
**L. R. Burm.**—Law Reports, British Burmah.
**L. R. C. C. or L. R. C. C. R.**—English Law Reports, Crown Cases Reserved (1866–1875).
**L. R. C. P.**—English Law Reports, Common Pleas (1866–1875).
**L. R. C. P. D.**—Law Reports, Common Pleas Division, English Supreme Court of Judicature.
**L. R. Ch.**—English Law Reports, Chancery Appeal Cases (1866–1875).

**L. R. Ch. D. or L. R. Ch. Div.**—Law Reports, Chancery Division, English Supreme Court of Judicature.

**L. R. E. & I. App. or L. R. E. & Ir. App.**—English Reports, English and Irish Appeals.

**L. R. Eq.**—English Law Reports, Equity (1866–1875).

**L. R. Ex. or L. R. Exch.**—English Law Reports, Exchequer (1866–1875).

**L. R. Ex. D. or L. R. Ex. Div.**—Law Reports, Exchequer Division, English Supreme Court of Judicature.

**L. R. H. L.**—Law Reports, English and Irish Appeal Cases, House of Lords.

**L. R. H. L. Sc.**—English Law Reports, House of Lords, Scotch and Divorce Appeal Cases (1866–1875).

**L. R. Ind App.**—English Law Reports, Indian Appeals.

**L. R. Ir.**—Law Reports, Ireland (1879–1893).

**L. R. Misc. D.**—Law Reports, Miscellaneous Division.

**L. R. N. S.**—Irish Law Recorder, New Series.

**L R. N. S. W.**—Law Reports, New South Wales.

**L. R. P. C.**—English Law Reports, Privy Council, Appeal Cases (1866–1875).

**L. R. Q. B.**—Law Reports, Queen's Bench (1866–1875).

**L. R. Q. B. Div.**—Law Reports, Queen's Bench Division.

**L. R. P. Div. or L. R. P. & D.**—Law Reports, Probate, Divorce and Admiralty Division, English Supreme Court.

**L. R. P. & M.**—Law Reports, Probate and Matrimonial (1866–1875).

**L. R. S. A.**—Law Reports, South Australia.

**L. R. Sc. Div. App. Cas. or L. R. Sc. & D.**—English Law Reports, Scotch and Divorce Cases, before the House of Lords.

**L. R. Sess. Cas.**—English Law Reports, Session Cases.

**L. R. Stat.**—English Law Reports, Statutes.

**L. Rep. (Mont.)**—Law Reporter (Montreal).

**L. T. B.**—American Law Times Bankruptcy Reports.

**L. T. N. S. or L. T. R. N. S. or L. T. Rep. N. S.**—Law Times (New Series) Reports, London; American Law Times Reports.

**L. &. C. or L. & C. C. C.**—Leigh & Cave's English Crown Cases, Reserved.

**L. & E.**—English Law and Equity Reports, Boston Edition.

**L. & E. Rep.**—Law and Equity Reporter, New York.

**L. & G. t. Plunk.**—Lloyd and Goold's Cases tempore Plunkett, Irish Chancery.

**L. & G. t. Sug.**—Lloyd and Goold temp. Sugden, Irish Chancery.

**L. & M.**—Lowndes & Maxwell's English Practice Cases, Bail Court.

**L. & T.**—Longfield and Townsend's Reports, Irish Exchequer.

**L. & W. or L. & Welsb.**—Lloyd and Welsby's Mercantile Cases, English Courts.

**La.**—Lane's Reports, English Exchequer; Louisiana Reports; Lane's English Exchequer Reports.

**La. An.**—Louisiana Annual Reports Lawyers' Reports, Annotated.

**La. Ann.**—Louisiana Annual Reports.
**La. T. R.**—Martin's Louisiana Term Reports, vols. 2–12.
**Lab.**—Labatt's Reports, U. S. District Ct., California.
**Ladd**—Ladd's Reports, vols. 59–64, New Hampshire.
**Lalor**—Lalor's Supplement to Hill and Denio's Reports, New York.
**Lamar**—Lamar's Reports, vols. 25–42, Florida.
**Lamb**—Lamb's Reports, Wisconsin.
**Land Com. Rep.**—Land Commissioners Reports, Ireland.
**Lane**—Lane's Reports, English Exchequer.
**Lans.**—Lansing's Reports, New York Supreme Court Reports, vols. 1–7.
**Lans. Ch. or Lans. Sel. Cas.**—Lansing's Select Chancery Cases, New York.
**Lat. or Latch.**—Latch's Reports, English King's Bench.
**Lath.**—Lathrop's Reports, vols. 115–145, Massachusetts.
**Lauder**—(Lauder of) Fountainhall's Scotch Session Cases.
**Laur. H. C. Ca.**—Lauren's High Court Cases (Kimberly).
**Law J. R., Q. B.**—Law Journal Reports, English Queen's Bench.
**Law Rec.**—Law Recorder, Reports in all the Irish Courts.
**Law Rep. A. & E.**—Law Reports, Admiralty and Ecclesiastical.
**Law Rep. App. Cas.**—Law Reports, Appeal Cases.
**Law Rep. C. C.**—Law Reports, Crown Cases.
**Law Rep. C. P. or Law Rep. C. P. D.**—Law Reports, Common Pleas Division.
**Law Rep. Ch.**—Law Reports, Chancery Appeal Cases.
**Law Rep. Ch. D.**—Law Reports, Chancery Division.
**Law Rep. Eq.**—Law Reports, Equity Cases.
**Law Rep. Ex. or Law Rep. Ex. D.**—Law Reports, Exchequer Division.
**Law Rep. H. L.**—Law Reports, House of Lords, English and Irish Appeal Cases.
**Law Rep. H. L. Sc.**—Law Reports, Scotch and Divorce Appeal Cases, House of Lords.
**Law Rep. Ind. App.**—Law Reports, Indian Appeals.
**Law Rep. Ir.**—Law Reports, Irish.
**Law Rep. Misc. D.**—Law Reports, Miscellaneous Division.
**Law Rep. P. C.**—Law Reports, Privy Council, Appeal Cases.
**Law Rep. P. & D.**—Law Reports, Probate and Divorce Cases.
**Law Rep. Q. B. or Law Rep. Q. B. D.**—Law Reports, Queen's Bench Division.
**Law Times or Law Times N. S. or Law Times Rep. N. S.**—Law Times Reports, New Series, English Courts, with Irish and Scotch Cases.
**Lawr. or Lawrence**—Lawrence's Reports, vol. 20, Ohio.
**Lawrence Comp. Dec.**—Lawrence's First Comptroller's Decisions.
**Lay**—Lay's Reports, English Chancery.
**Ld. Ken.**—Lord Kenyon's English King's Bench Reports.
**Ld. Raym.**—Lord Raymond's English King's Bench Reports.

**Lea** or **Lea B. J.**—Lea's Tennessee Reports.
**Leach** or **Leach C. C.**—Leach's Crown Cases, English Courts.
**Leach C. L.**—Leach, Cases in Crown Law.
**Lead. Cas. Am.**—American Leading Cases, by Hare & Wallace.
**Lee**—Lee's English Ecclesiastical Reports; Lee's Reports, vols. 9–12, California.
**Lee (Cal.)**—Lee's Reports, California.
**Lee Cas. Ecc.**—Lee's Cases, English Ecclesiastical Courts.
**Lee Cas. t. H.** or **Lee & H.**—Lee's Cases tempore Hardwicke, English King's Bench.
**Lee G.**—Sir George Lee's English Ecclesiastical Reports.
**Leese**—Leese's Reports, vol. 26, Nebraska.
**Leg. Gaz.** or **Leg. Gaz. R.** or **Leg. Gaz. Rep. (Pa.)**—Legal Gazette Reports, Pennsylvania.
**Leg. Rec. Rep.**—Legal Record Reports.
**Legg.**—Leggett's Reports, Sind, India.
**Legge**—Legge's Supreme Court Cases, New South Wales.
**Leigh**—Leigh's Reports, Virginia.
**Leigh. & C.**—Leigh and Cave's Crown Cases, English Courts.
**Leo.** or **Leon.**—Leonard's Reports, English King's Bench.
**Lest. P. L.** or **Lest. P. L. C.**—Lester's Decisions in Public Land Cases, U. S. 1860–70.
**Lester**—Lester's Reports, vols. 31–33, Georgia.
**Lester Supp.** or **Lest. & But.** or **Lester & B.**—Lester & Butler's Supplement to Lester's 33d Georgia Reports.
**Lev.**—Levinz's Reports, English King's Bench.
**Lew.**—Lewin's English Crown Cases Reserved; Lewis, Missouri; Lewis' Reports, Nevada.
**Lew. C. C.**—Lewin's Crown Cases, English Courts.
**Lewis**—Lewis' Reports, vols. 29–35 Missouri Appeals; Lewis' Reports, vol. 1 Nevada; Lewis' Kentucky Law Reporter.
**Ley**—Ley's English Kings Bench Reports; Ley's Reports, English Court of Wards and other Courts.
**Lib. Ass.**—Liber Assisarum (Part 5 of the Year-books).
**Lil.**—Lilly's Reports on Entries, English Court of Assize.
**Lit.** or **Litt.**—Littell's Kentucky Reports; Littleton's English Common Pleas and Exchequer Reports.
**Litt. (Ky.).**—Littell's Reports, Kentucky.
**Littell**—Littell's Kentucky Reports.
**Littleton**—Littleton's English Common Pleas and Exchequer Reports.
**Liv. Cas.**—Livingston's Cases in Error, New York.
**Liz. Sc. Exch.**—Lizars' Scotch Exchequer Cases.
**Ll. & G. t. P.**—Lloyd & Goold's Irish Chancery Reports tempore Plunkett.
**Ll. & G. t. S.**—Lloyd & Goold's Irish Chancery Reports tempore Sugden.

**Ll. & W. or Lloyd & W.**—Lloyd & Welsby's English Mercantile Cases.

**Llo. & G. t. P.**—Lloyd and Goold's Reports, tempore Plunkett, Irish Chancery.

**Llo. & G. t. S.**—Lloyd and Goold's Reports, tempore Sugden, Irish Chancery.

**Llo. & W., Lloyd & W., or Llo. & W. Mer. Cas.**—Lloyd and Welsby's Mercantile Cases, English King's Bench.

**Lock. Rev. Ca. or Lock. Rev. Cas.**—Lockwood's Reversed Cases, New York.

**Locus Standi**—Locus Standi Reports, English.

**Lofft**—Lofft's Reports, English King's Bench.

**Long Q. or Long Quint.**—Long Quinto (Year-books, Part X).

**Longf. & T. or Long. & Town.**—Longfield & Townsend's Irish Exchequer Reports.

**Lorenz (Ceylon)**—Lorenz's Ceylon Reports.

**Low. or Low. Dis.**—Lowell's Decisions, U. S. Dist. of Massachusetts.

**Low. Can. or Low. Can. R.**—Lower Canada Reports.

**Low. Can. Repts.**—Lower Canada Reports.

**Low. C. Seign. or Low. Can. Seign.**—Lower Canada Seignorial Reports.

**Lowell**—Lowell's United States District Court Reports.

**Lown. M. & P.**—Lowndes, Maxwell and Pollock's Bail Court Reports, English.

**Lown. & M.**—Lowndes and Maxwell's Bail Court Reports, English.

**Luc. or Lucas**—Lucas' Reports, Part X Modern Reports.

**Ludd. or Ludden**—Ludden's Reports, vols. 43, 44 Maine.

**Lumpkin**—Lumpkin's Reports, vols. 59–77 Georgia.

**Lush. or Lush. Adm.**—Lushington's Admiralty Reports, English.

**Lut.**—Lutwyche's Reports, English Common Pleas.

**Lut. R. C.**—Lutwyche's English Registration Appeal Cases.

**Lutw. E.**—Lutwyche's English Common Pleas Reports.

**Lyne**—Lyne's Reports, Irish Chancery.

# M

**M. A.**—Missouri Appeals.

**M. C. C.**—Moody's English Crown Cases, Reserved.

**M. D. & D.** or **M. D. & De G.**—Montague, Deacon and DeGex's Reports, English Bankruptcy.

**M. G. & S.**—Manning, Granger and Scott's Reports, English Common Pleas, Common Bench Reports, vols. 1–8.

**M. & A.** or **M. & Ayr.**—Montagu & Ayrton's English Bankruptcy Reports.

**M. & B.**—Montagu and Bligh's Reports, English Bankruptcy.

**M. & C.**—Mylne & Craig's English Chancery Reports; Montagu & Chitty's English Bankruptcy Reports.

**M. & C. Bankr.** or **M. & Cht. Bankr.**—Montagu and Chitty's Bankruptcy Reports, English.

**M. & G.**—Manning & Granger's English Common Pleas Reports; Maddock & Geldart's English Chancery Reports, vol. 6 Maddock's Reports.

**M. & Gel.**—Maddock & Geldart's English Chancery Reports, vol. 6 Maddock's Reports.

**M. & Gord.**—Macnaghten & Gordon's English Chancery Reports.

**M. & H.**—Murphy and Hurlstone's Exchequer Reports.

**M. & K.**—Mylne and Keen's Reports, English Chancery.

**M. & M.**—Moody and Malkin's Reports, English Nisi Prius.

**M. & McA.**—Montague and McArthur's Reports, English Bankruptcy.

**M. & P.**—Moore and Payne's Reports, English Common Pleas and Exchequer.

**M. & R.**—Manning & Ryland's English King's Bench Reports; Moody & Robinson's English Nisi Prius Reports; Maclean & Robinson's Scotch Appeal Cases.

**M. & R. M. C.**—Manning and Ryland's Magistrate Cases, English King's Bench.

**M. & Rob.**—Moody and Robinson's Nisi Prius Cases, English Courts.

**M. & S.**—Maule & Selwyn's English King's Bench Reports; Moore & Scott's English Common Pleas Reports; Manning & Scott's Reports, vol. 9 Common Bench.

**M. & Scott**—Moore and Scott's Reports, English Common Pleas.

**M. & W.**—Meeson and Welsby's Reports, English Exchequer.

**M. & Y.**—Martin and Yerger's Reports, Tennessee.

**Mac.**—Macnaghten's English Chancery Reports.

**MacAr.**—MacArthur's District of Columbia Reports; MacArthur's Patent Cases.

**MacAr. Pat. Cas.**—MacArthur's Patent Cases.

**MacAr. & M.** or **MacAr. & Mackey.**—MacArthur and Mackey, Reports of District of Columbia Supreme Court.

**MacArth. or MacArthur**—MacArthur's District of Columbia Reports, Mac Arthur's Patent Cases.

**MacArth. Pat. Cas.**—MacArthur, Patent Cases, District of Columbia.

**Mac. N. Z.**—Macassey's New Zealand Reports.

**Mac. Pat. Cas.**—Macrory's Patent Cases.

**Mac. & G.**—Macnaghten & Gordon's English Chancery Reports.

**Mac. & Rob.**—Maclean & Robinson's Scotch Appeal Cases.

**Macas.**—Macassey's Reports, New Zealand.

**Maccl.**—Macclesfield's Reports, 10 Modern Reports.

**Maccles.**—Macclesfield's Reports (10 Modern).

**Macd. Jam.**—Macdougall's Jamaica Reports.

**Macf. or Macfar.**—Macfarlane's Reports, Jury Courts, Scotland.

**Mackey**—Mackey's Supreme Court Reports, District of Columbia.

**Macl.**—McLean's United States Circuit Court Reports; Maclaurin's Scotch Criminal Decisions.

**Macl. Dec.**—Maclaurin's Decisions, Scotch Courts.

**Macl. & R.**—Maclean and Robinson's Scotch Appeals.

**Macn.**—W. H. Macnaghten's Reports, India.

**Macn. F. or Macn. (Fr.)**—Sir Francis Macnaghten's Bengal Reports.

**Macn. N. A. Beng.**—Macnaghten's Nizamut Adawlut Reports, Bengal.

**Macn. S. D. A. Beng.**—(W. H.) Macnaghten's Sudder Dewanny Adawlut Reports, Bengal.

**Macn. & G.**—Macnaghten and Gordon's Reports, English Chancery.

**Macph.**—Macpherson, Lee & Bell's (Third Series) Scotch Court of Session Cases.

**Macq. H. L. Cas.**—Macqueen's Scotch Appeal Cases (House of Lords).

**Macr. & H.**—Macrae and Hertslet's Insolvency Cases.

**Mad.**—Maddock's English Chancery Reports; Maddox's Reports, vols. 9–19, Montana.

**Mad. H. C. or Mad. H. Ct. Rep.**—Madras High Court Reports.

**Mad. S. D. A. R. or Mad. S. D. R.**—Madras Sudder Dewanny Adawlut Reports.

**Mad. Ser.**—Madras Series (East) India Law Reports.

**Mad. & B.**—Maddox & Bach's Reports, vol. 19, Montana.

**Mad. & Gel.**—Maddock & Geldart's English Chancery Reports, vol. 6 Maddock's Reports.

**Madd.**—Maddock's English Chancery Reports; Maddox's Reports, vols. 9–18, Montana.

**Madd. & G.**—Maddock and Geldart's Reports, English Chancery (vol. 6, Maddock's Reports).

**Mag. (Md.)**—Magruder's Reports, Maryland, vols. 1, 2.

**Magr. or Magruder**—Magruder's Reports, vols. 1, 2 Maryland.

**Maine**—Maine Reports.

**Maitland**—Maitland's Manuscript Scotch Session Cases.

**Malloy**—Malloy's Irish Chancery Reports.

**Malone**—Vols. 6, 9 and 10, Heiskell's Tennessee Reports.

**Man.**—Manning's Reports (English Court of Revision); Manning's Reports, vol. 1 Michigan; Manson's English Bankruptcy Cases.

**Man. Gr. & S.**—Manning, Granger and Scott's Reports, English Common Pleas.

**Man. L. R.**—Manitoba Law Reports.

**Man. & G.**—Manning and Granger's Reports, English Common Pleas.

**Man. & R. or Man. & Ry.**—Manning and Ryland's Reports, English King's Bench.

**Man. & R. Mag. Cas. or Man. & Ry. Mag. Cas.**—Manning and Ryland's Magistrate Cases, English King's Bench.

**Man. & S.**—Manning & Scott's Reports, vol. 9 Common Bench.

**Manb. Coke**—Manby's Abridgment of Coke's Reports.

**Manitoba**—Armour's Queen's Bench and County Court Reports tempore Wood, Manitoba; Manitoba Law Reports.

**Mann.**—Manning's Reports, Michigan Reports, vol. 1.

**Manning**—Manning's Unreported Cases, Louisiana; Manning's Reports, vol. 1 Michigan.

**Manning, La.**—Unreported Cases, Louisiana.

**Mans.**—Mansfield's Reports, vols. 49–52 Arkansas; Manson, English Bankruptcy Cases.

**Manson**—Manson's English Bankruptcy Cases.

**Mar.**—March's English King's Bench Reports; Marshall's United States Circuit Court Reports; Marshall's Kentucky Reports; Martin's Louisiana Reports; Martin's North Carolina Reports; Marshall's Reports, Bengal.

**Mar. L. C. or Mar. L. Cas. or Mar. L. Rep.**—Maritime Law Cases (Crockford's), English.

**Mar. L. C. N. S. or Mar. L. Cas. N. S. or Mar. L. Rep. N. S.**—Maritime Law Reports, New Series (Aspinall's), English.

**Mar. La.**—Martin's Louisiana Reports.

**Mar. N. C.**—Martin's North Carolina Reports.

**Mar. N. S.**—Martin's Louisiana Reports, New Series.

**Mar. R.**—English Maritime Law Reports.

**March**—March's Translation of Brooke's New Cases, King's Bench.

**March N. C.**—March's New Cases, English King's Bench.

**Marks & Sayre**—Marks & Sayre's Reports, vol. 108 Alabama.

**Marr.**—Marriott's English Admiralty Decisions; Marrack's European Assurance Cases.

**Marr. Adm.**—Marriott's Reports, English Admiralty.

**Mars.**—Marsden's English Admiralty Reports.

**Marsh.**—Marshall's United States Circuit Court Decisions; Marshall's English Common Pleas Reports; Marshall's Bengal Reports; Marshall, Kentucky; Marshall's Reports, vol. 4 Utah.

**Marsh. (A. K.)**—A. K. Marshall's Kentucky Reports.
**Marsh. Beng.**—Marshall's Reports, Bengal.
**Marsh. C. P.**—Marshall's English Common Pleas Reports.
**Marsh. Calc.**—Marshall's Reports, Calcutta.
**Marsh. Ceylon.**—Marshall's Ceylon Reports.
**Marsh. Dec.**—Marshall's United States Circuit Court Decisions (Brockenbrough).
**Marsh. J. J.**—J. J. Marshall's Reports, Kentucky.
**Marsh. (Ky.) or Marsh A. K.**—A. K. Marshall's Reports, Kentucky.
**Mart. or Mart. (La.)**—Martin's Reports, Louisiana.
**Mart. Cond. La.**—Martin's Condensed Louisiana Reports.
**Mart. Dec.**—United States Decisions in Martin's North Carolina Reports.
**Mart. (Ga.)**—Martin's Reports, Georgia.
**Mart. (Ind.)**—Martin's Reports, Indiana.
**Mart. (La.)**—Martin's Louisiana Reports.
**Mart. (N. C.)**—Martin's Reports North Carolina.
**Mart. N. S. or Mart. (La.) N. S.**—Martin's Reports, New Series, Louisiana.
**Mart. O. S. (L. A.)**—Martin's Louisiana Reports, Old Series.
**Mart. U. S. C. C.**—Martin's United States Circuit Court Reports.
**Mart. & Y. or Mart. & Yeag.**—Martin and Yeager's Reports Tennessee.
**Martin**—Martin's Louisiana Reports; Martin's North Carolina Reports; Martin's Reports, vols. 21–30 Georgia; Martin's Reports, vols. 54–70, Indiana.
**Marv.**—Marvel's Reports, Delaware.
**Maryland**—Maryland Reports.
**Mas. or Mason (U. S.)**—Mason's United States Circuit Court Reports.
**Mass.**—Massachusetts Reports.
**Mast.**—Master's Reports, vols. 25–28 Canada Supreme Court.
**Mathews**—Mathews' Reports, vols. 6–9, West Virginia.
**Mats. or Matson**—Matson's Reports, vols. 22–24 Connecticut.
**Matth. (W. Va.)**—Matthews' Reports, West Virginia Reports, vol. 6.
**Matthews**—Matthews' Reports, vol. 75, Virginia.
**Mau. & Sel.**—Maule & Selwyn's Reports English King's Bench.
**Maul. & Sel. or Maule & S.**—Maule & Selwyn's English King's Bench Reports.
**Mayn.**—Maynard's Reports, Edward II. (Year Books, Part I).
**McAl. or McAll.**—McAllister's United States Circuit Court Reports.
**McArth.**—McArthur's Reports, Dist of Columbia.
**McBride**—McBride's Reports, vol. 1 Missouri.
**McCah. or McCahon**—McCahon's Reports, Supreme Court of Kansas and U. S. Courts, Dist. of Kansas.
**McCar. or McCart.**—McCarter's New Jersey Equity Reports, vols. 14, 15; McCarty's New York Civil Procedure Reports.
**McCl.**—McClelland's English Exchequer Reports.
**McCl. & Y.**—McClelland & Younge's English Exchequer Reports.
**McClel.**—McClelland's Reports, English Exchequer.

McClel. & Y.—McClelland and Younge's Reports, English Exchequer.
McCook—McCook's Reports, vol. 1 Ohio State.
McCord—McCord's Law Reports, South Carolina.
McCord Ch. or McCord Eq.—McCord's Equity Reports, South Carolina.
McCork. or McCorkle—McCorkle's Reports, North Carolina, vol. 65.
McCr.—McCrary's United States Circuit Court Reports.
McCrary—McCrary, United States Circuit Court Reports.
McDevitt—McDevitt's Land Commissioner's Reports, Ireland.
McFar.—McFarlane's Reports (Scotch Jury Court).
McGill or McGill Sc. Sess.—McGill's Manuscript Decisions Scotch Court of Session.
McGl. or McGloin—McGloin's Louisiana Reports.
McL. or McLean—McLean's United States Circuit Court Reports.
McL. & R.—McLean & Robinson's Scotch Appeal Cases.
McMul. or McMull.—McMullan's South Carolina Law Reports.
McMul. Eq. or McMull. Ch. or McMull. Eq.—McMullan's South Carolina Equity Reports.
McPherson—McPherson, Lee & Bell's (Third Series) Scotch Session Cases.
McWillie—McWillie's Reports, vols. 73–76 Mississippi.
Md.—Maryland Reports; Harris & McHenry's Maryland Reports.
Md. Ch.—Maryland Chancery Decisions, by Johnson.
Mo.—Maine Reports.
Means—Means' Kansas Reports.
Medd.—Meddaugh's Reports, vol. 13 Michigan.
Mees. & Ros.—Meeson & Roscoe's English Exchequer Reports.
Mees. & W. or Mees. & Wels.—Meeson & Welsby's English Exchequer Reports.
Meigs—Meigs' Reports, Tennessee.
Menken—Menken's Reports, vol. 30 New York Civil Procedure Reports.
Menz.—Menzies' Reports, Cape of Good Hope.
Mer.—Merivale's Reports, English Chancery.
Meriv.—Merivale's English Chancery Reports.
Met. or Metc.—Metcalf's Massachusetts Reports; Metcalfe's Kentucky Reports; Metcalf's Reports, vol. 3 Rhode Island.
Metc. (Ky.)—Metcalfe's Reports, Kentucky.
Metc. (Mass.)—Metcalf's Reports, Massachusetts Reports, vols. 42–54.
Mich.—Michigan Reports.
Mich. N. P.—Michigan Nisi Prius Cases (Brown's).
Mil.—Miles' Pennsylvania Reports.
Miles—Miles' District Court Reports, City and County of Philadelphia.
Mill—Mill's South Carolina Constitutional Reports; Miller's Reports, vols. 1–5. Louisiana; Miller's Reports, vols. 3–18, Maryland; Miller's Decisions, United States.
Mill, Const. (S. C.)—Mill's South Carolina Constitutional Reports.

**Mill. Dec. or Mill. Dec. (U. S.)**—Miller's Decisions (Woolworth's Reports) United States Circuit Court; Miller's Decisions United States Supreme Court Reports, Condensed.

**Mill. La.**—Miller's Reports, vols. 1–5 Louisiana.

**Mill. Md.**—Miller's Reports, vols. 3–18 Maryland.

**Mill. Op.**—Miller's Decisions, U. S. Circuit Court (Woolworth's Reports).

**Miller**—Miller's Reports, vols. 1–5 Louisiana; Miller's Reports, vols. 3–18 Maryland.

**Min.**—Minor's Alabama Reports.

**Minn.**—Minnesota Reports.

**Min. & Wat. Cas. Ann.**—Mining and Water Cases Annotated.

**Minor**—Minor's Alabama Reports.

**Misc. R. or Miscel.**—Miscellaneous Reports, New York.

**Miss.**—Mississippi Reports; Missouri.

**Miss. Dec.**—Mississippi Decisions, Jackson.

**Miss. St. Ca. or Miss. St. Cas.**—Mississippi State Cases.

**Mister**—Mister's Reports, vols. 17–32 Missouri Appeals.

**M'Mul. Ch. (S. C.)**—M'Mullan's South Carolina Equity Reports.

**M'Mul. L. (S. C.)**—M'Mullans South Carolina Law Reports.

**Mo.**—Missouri Reports; Moore's English King's Bench Reports; Moore's English Common Pleas Reports; Moore's English Privy Council Reports; Modern Reports, English; Moore's Indian Appeal Cases; J. B. Moore's Reports, English Common Pleas.

**Mo. App.**—Missouri Appeal Reports.

**Mo. (F.)**—Sir Francis Moore's English King's Bench Reports.

**Mo. I. A.**—Moore's Indian Appeals.

**Mo. (J. B.)**—J. B. Moore's English Common Pleas Reports.

**Mo. P. C.**—Moore's English Privy Council Reports.

**Mo. & P.**—Moore & Payne's English Common Pleas Reports.

**Mo. & R.**—Moody & Robinson's English Nisi Prius Reports.

**Mo. & S.**—Moore & Scott's English Common Pleas Reports.

**Moak Eng. Rep.**—Moak's English Reports.

**Mod.**—Modern Reports, English King's Bench, etc.

**Mod. Cas. L. & Eq.**—Modern Cases in Law and Equity (8 and 9 Modern Reports).

**Mod. Cas.**—Modern Cases (6 Modern Reports).

**Mod. Cas. per Far. or t. Holt.**—Modern Cases tempore Holt, by Farresley, vol. 7 Modern Reports.

**Mod. Rep.**—The Modern Reports, English King's Bench, etc.; Modern Reports by Style (Style's King's Bench Reports).

**Mol. or Moll.**—Molloy's Irish Chancery Reports.

**Moly.**—Molyneaux's Reports, English Courts, temp. Car. I.

**Mon.**—T. B. Monroe's Kentucky Reports; Ben Monroe's Kentucky's Reports; Monaghan's Unreported Cases Supreme Court of Pennsylvania.

**Mon. B.**—Ben Monroe's Reports, Kentucky.

**Mon. (T. B.)**—T. B. Monroe's Kentucky Reports.

**Monagh. or Monaghan**—Monaghan's Unreported Cases, S. C. of Pennsylvania; Monaghan's Reports, vols. 147–165, Pennsylvania.

**Monr.**—T. B. Monroe's Reports, Kentucky.

**Mont.**—Montana Reports; Montagu's English Bankruptcy Reports; Montriou's Bengal Reports.

**Mont. B. C. or Mont. Bank. Rep.**—Montagu's Reports, English Bankruptcy.

**Mont. Cond. Rep.**—Montreal Condensed Reports.

**Mont. D. & De G.**—Montagu, Deacon and De Gex's Reports, English Bankruptcy.

**Mont. L. R.**—Montreal Law Reports, Queen's Bench; Montreal Law Reports, Superior Court.

**Mont. L. R. Q. B.**—Montreal Law Reports, Queen's Bench.

**Mont. L. R. S. C. or Mont. L. Rep. Super Ct.**—Montreal Law Reports, Superior Court.

**Mont. & A. or Mont. & Ayr.**—Montagu and Ayrton's Reports, English Bankruptcy.

**Mont. & B. or Mont. & Bl.**—Montagu and Bligh's Reports, English Bankruptcy.

**Mont. & C.**—Montagu and Chitty's Reports, English Bankruptcy.

**Mont. & MacA.**—Montagu & MacArthur's English Bankruptcy Reports.

**Montg. Co. L. Rep. or Montg. Co. Law Rep'r (Pa.)**—Montgomery County Law Reporter.

**Montr.**—Montriou's Reports, Bengal; Montriou's Supplement to Morton's Reports.

**Montr. L. R.**—Montreal Law Reports.

**Moo.**—Francis Moore's English King's Bench Reports; J. M. Moore's English Common Pleas Reports; Moody's English Crown Cases.

**Moo. A.**—Moore's Reports, English.

**Moo. C. C. or Moo. C. Cas. or Moo. Cr. C.**—Moody's English Crown Cases Reserved.

**Moo. C. P.**—J. B. Moore's Reports, English Common Pleas.

**Moo. I. App. or Moo. Ind. App.**—Moore's Reports, English Privy Council, Indian Appeals.

**Moo. J. B.**—J. B. Moore's Reports, English Common Pleas.

**Moo. K. B.**—Moore's English King's Bench Reports.

**Moo. P. C. or Moo. P. C. Cas.**—Moore's Privy Council Cases, Old and New Series.

**Moo. P. C. Cas. N. S.**—Moore's Privy Council Cases, New Series, English.

**Moo. & M. or Moo. & Mal.**—Moody & Malkin's English Nisi Prius Reports.

**Moo. & P. or Moo. & Pay.**—Moore and Payne's Reports, English Common Pleas.

**Moo. & R. or Moo. & Rob.**—Moody and Robinson's Nisi Prius Cases, English Courts.

**Moo. & Sc.**—Moore and Scott's Reports, English Common Pleas.

**Mood. or Moody**—Moody's English Crown Cases, Reserved.

**Mood. & Malk.**—Moody & Malkin's English Nisi Prius Reports.

**Mood. & R.** or **Mood. & Rob.**—Moody & Robinson's English Nisi Prius Reports.

**Moody, Cr. Cas.**—Moody's English Crown Cases.

**Moody & M.**—Moody & Mackin's English Nisi Prius Reports.

**Moon**—Moon's Reports, vols. 133–144, Indiana, and vols. 6–14 Indiana Appeals.

**Moore**—Moore's English King's Bench Reports; Moore's English Common Pleas Reports; Moore's English Privy Council Reports; Moore's Reports, vols. 28–34, Arkansas; Moore's Reports, vol. 67 Alabama; Moore's Reports, vols. 22–24 Texas.

**Moore (A.)**—A. Moore's Reports.

**Moore (Ark.)**—Moore's Reports, Arkansas.

**Moore C. P.**—Moore's English Common Pleas Reports.

**Moore E. I.**—Moore's East Indian Appeals.

**Moore K. B.**—Sir F. Moore's English King's Bench Reports.

**Moore P. C.**—Moore's English Privy Council Reports.

**Moore P. C. N. S.**—Moore's English Privy Council Reports, New Series.

**Moore & P.**—Moore & Payne's English Common Pleas Reports.

**Moore & S.**—Moore & Scott's English Common Pleas Reports.

**Moore & W.** or **Moore & Walker**—Moore and Walker's Reports, Texas, vols 22–24.

**Mor. Ia.**—Morris' Iowa Reports.

**Mor. Min. Rep.**—Morrison's Mining Reports.

**Morr.**—Morris' Iowa Reports; Morrow's Reports, vols. 23–36 Oregon; Morrell's English Bankruptcy Reports.

**Morr. (Bomb.)**—Morris' Reports, Bombay.

**Morr. (Cal.)**—Morris' Reports, California.

**Morr. Jam. (Jamaica)**—Morris' Jamaica Reports.

**Morr. M. R.**—Morrison's Mining Reports.

**Morr. (Miss.)**—Morris' Reports, Mississippi.

**Morrell**—Morrell's Bankruptcy Cases.

**Morris**—Morris' Iowa Reports; Morris' Reports, vol. 5 California; Morris' Reports, vols. 43–48 Mississippi; Morris' Jamaica Reports; Morris' Bombay Reports; Morrissett's Reports, vols. 80, 98 Alabama.

**Morris & Har.**—Morris and Harrington's Sudder Dewanny Adawlut Reports, Bombay.

**Morse Arb. & Aw.**—Morse on Arbitration and Award.

**Morse Exch. Rep.**—Morse's Exchequer Reports, Canada.

**Mort.** or **Morton**—Morton's Reports, Bengal.

**Mos.**—Mosley's Reports, English Chancery.

**Mum. Jam.**—Mumford's Jamaica Reports.

**Mumf. (Jamaica)**—Mumford's Jamaica Reports.

**Mun.**—Munford's Virginia Reports.

**Munf.**—Munford's Reports, Virginia.

**Mur.**—Murphey's North Carolina Reports; Murray's Scotch Jury Court Reports; Murray's Ceylon Reports; Murray's New South Wales Reports.

**Mur. & H.** or **Mur. & Hurl.**—Murphy and Hurlstone's Reports, English Exchequer.

**Murph.**—Murphy's Reports, North Carolina.

**Murr.**—Murray's Ceylon Reports; Murray's New South Wales Reports.

**Murr. Over. Cas.**—Murray's Overruled Cases.

**Murray**—Murray's Scotch Jury Court Reports.

**Murray (Ceylon)**—Murray's Ceylon Reports.

**Murray (New South Wales)**—Murray's New South Wales Reports.

**Mut. or Mutukisna (Ceylon)**—Mutukisna's Ceylon Reports.

**Myer Fed. Dec.** or **Myers Fed. Dec.**—Myer's Federal Decisions.

**Myl. & C.** or **Myl. & Cr.**—Mylne & Craig's English Chancery Reports.

**Myl. & K.** or **Mylne & K.**—Mylne & Keen's English Chancery Reports.

**Myr.** or **Myr. Prob.** or **Myrick (Cal.)**—Myrick's California Probate Court Reports.

# N

**N. B.**—New Brunswick Reports.
**N. B. Eq. Rep.**—New Brunswick Equity Reports.
**N. B. N. R.**—National Bankruptcy News and Reports.
**N. B. R.**—New Brunswick Reports.
**N. B. Rep.**—New Brunswick Reports.
**N. B. V. Ad.**—New Brunswick Vice-Admiralty Reports.
**N. Benl.**—New Benloe's Reports, English King's Bench, Edition of 1661.
**N. C.**—North Carolina Reports.
**N. C. Conf.**—North Carolina Conference Reports.
**N. C. T. Rep. or N. C. Term R.**—North Carolina Term Reports.
**N. Car.**—North Carolina Reports.
**N. Chip. or N. Chip. (Vt.)**—N. Chipman's Vermont Reports.
**N. D.**—North Dakota Reports.
**N. E.**—Northeastern Reporter.
**N. E. R.**—Northeastern Reporter; New England Reporter.
**N. E. Rep.**—Northeastern Reporter.
**N. Eng. Rep.**—New England Reporter.
**N. F.**—New Foundland Reports.
**N. H.**—New Hampshire Reports.
**N. H. R.**—New Hampshire Reports.
**N. J.**—New Jersey; New Jersey Reports.
**N. J. Ch. or N. J. Eq.**—New Jersey Equity Reports.
**N. J. Law**—New Jersey Law Reports.
**N. L.**—Nelson's Lutwyche, English Common Pleas Reports.
**N. M.**—New Mexico Reports.
**N. P. R.**—Nisi Prius Reports.
**N. R.**—New Reports (English, 1862–1865); Bosanquet & Puller's New Reports.
**N. R. B. P.**—New Reports of Bosanquet & Puller.
**N. S.**—Nova Scotia Reports.
**N. S. Dec.**—Nova Scotia Decisions.
**N. S. L. R.**—Nova Scotia Law Reports.
**N. S. R.**—Nova Scotia Reports.
**N. S. W.**—New South Wales Reports, Old and New Series.
**N. S. W. Eq. Rep.**—New South Wales Equity Reports.
**N. S. W. L. R.**—New South Wales Law Reports.
**N. Sc. Dec.**—Nova Scotia Decisions.
**N. T. Repts.**—New Term Reports, Q. B.
**N. W.**—Northwestern Reporter.
**N. W. P.**—North West Provinces Reports, India.
**N. W. R. or N. W. Rep.**—Northwestern Reporter.

**N. W. T. or N. W. T. Rep.**—Northwest Territories Reports, Canada.
**N. Y.**—New York Court of Appeals Reports.
**N. Y. Ann. Ca.**—New York Annotated Cases.
**N. Y. App. Dec.**—New York Court of Appeals Decisions.
**N. Y. Cas. Err.**—New York Cases in Error.
**N. Y. Civ. Pr. Rep.**—New York Civil Procedure Reports.
**N. Y. Code Reports, N. S. or N. Y. Code Repts. N. S.**—New York Code Reports, New Series.
**N. Y. Cond.**—New York Condensed Reports.
**N. Y. Cr.**—New York Criminal Reports.
**N. Y. Cr. R. or N. Y. Cr. Rep.**—New York Criminal Reports.
**N. Y. Misc.**—New York Miscellaneous Reports.
**N. Y. Mo. L. R.**—New York Monthly Law Reports.
**N. Y. P. R.**—New York Practice Reports.
**N. Y. Pr. Rep.**—New York Practice Reports.
**N. Y. Rep.**—New York Court of Appeals Reports.
**N. Y. S.**—New York Supplement; New York State Reporter.
**N. Y. Spec. Term. R.**—Howard's Practice Reports.
**N. Y. St. Rep.**—New York State Reporter, 1886–1896.
**N. Y. Sup.**—New York Supreme Court Reports; New York Supplement.
**N. Y. Sup. Ct. or N. Y. Super. Ct.**—New York Superior Court Reports.
**N. Y. Supp.**—New York Supplement.
**N. Y. Supr. or N. Y. Supr. Ct. Repts.**—New York Supreme Court Reports.
**N. Y. Supr. Ct. Repts. (T. & C.)**—New York Supreme Court Reports, by Thompson and Cook.
**N. Y. T. R. or N. Y. Term R.**—New York Term Reports.
**N. Z.**—New Zealand Reports.
**N. Z. App. Rep.**—New Zealand Appeal Reports.
**N. Z. Rep.**—New Zealand Reports, Court of Appeals.
**N. & H.**—Nott and Huntington's Reports, U. S. Court of Claims Reports, vols. 1–7.
**N. & Hop.**—Nott and Hopkins' Reports, U. S. Court of Claims Reports, vols. 8–29.
**N. & M.**—Neville and Manning's Reports, English King's Bench.
**N. & Mc. or N. & McC.**—Nott & McCord's South Carolina Reports.
**N. & P.**—Nevile & Perry's English King's Bench Reports.
**Napt. or Napton**—Napton's Reports, vol. 4 Missouri.
**Narr. Mod.**—Narrationes Modernae, or Style's King's Bench Reports.
**Nat. B. R. or Nat. Bank Reg.**—National Bankruptcy Register Reports.
**Neb.**—Nebraska Reports.
**Neg. & Com. Cas. Ann.**—Negligence and Compensation Cases Annotated.
**Nel.**—Nelson's English Chancery Reports.
**Nell (Ceylon)**—Nell's Ceylon Reports.
**Nels.**—Nelson's Reports, English Chancery.
**Nels. Fol. Rep.**—Reports temp. Finch. Edited by Nelson.
**Nev.**—Nevada Reports.

**Nev. & M. or Nev. & Man.**—Neville & Manning's English King's Bench Reports.

**Nev. & P.**—Neville & Perry's English King's Bench Reports.

**New.**—Newell, Illinois Appeal Reports.

**New B. Eq. Ca.**—New Brunswick Equity Cases.

**New B. Eq. Rep.**—New Brunswick Equity Reports, vol. 1.

**New Benl.**—New Benloe's Reports, English King's Bench, Edition of 1661.

**New Br.**—New Brunswick Reports.

**New Cas. Eq.**—New Cases in Equity, vols. 8, 9, Modern Reports.

**New Rep.**—Bosanquet & Puller's New Reports, vols. 4, 5 Bosanquet & Puller.

**New Sess. Cas.**—Carrow, Hamerton and Allen's Reports, English Courts.

**New Term Rep.**—New Term Reports; Dowling & Ryland's King's Bench Reports.

**New York Supp.**—New York Supplement.

**Newb. or Newb. Adm.**—Newberry's United States District Court, Admiralty Reports.

**Newbyth**—Newbyth's Manuscript Decisions, Scotch Session Cases.

**Newell**—Newell's Reports, vols. 48–90 Illinois Appeals.

**Newf.**—Newfoundland Reports.

**Nicholson**—Nicholson's Manuscript Decisions, Scotch Session Cases.

**No. East. Rep.**—Northeastern Reporter.

**No. West. Rep.**—Northwestern Reporter.

**Norc.**—Norcross' Reports, vols. 23–24 Nevada.

**Norr.**—Norris' Reports, vols. 82–96 Pennsylvania.

**North.**—Northington's Reports, English Chancery, Eden's Reports.

**North. & G.**—North & Guthrie's Reports, vols. 68–80 Missouri Appeals.

**Northw. Rep. or Northwest Rep.**—Northwestern Reporter.

**Nott. & H.**—Nott and Huntington's Reports, U. S. Court of Claims Reports, vols. 1–17.

**Nott. & Hop.**—Nott & Hopkins' United States Court of Claims Reports, vols. 8–29.

**Nott & Hunt.**—Nott & Huntington's Reports, vols. 1–7 United States Court of Claims.

**Nott & McC.**—Nott & McCord's South Carolina Reports.

**Nott & McC.**—Nott and McCord's Reports, South Carolina.

**Nov. Sc.**—Nova Scotia Supreme Court Reports.

**Nov. Sc. Dec.**—Nova Scotia Decisions.

**Nov. Sc. L. R. or Nova Scotia L. Rep.**—Nova Scotia Law Reports.

**Noy**—Noy's English King's Bench Reports.

**Nye**—Nye's Reports, vols. 18–21, Utah.

# O

**O.**—Ohio Reports; Ontario Reports; Oregon Reports; Otto's United States Supreme Court Reports; Ohio Reports; Otto's Reports, U. S. Supreme Court Reports, vols. 91–107.

**O. B. & F. N. Z.**—Ollivier, Bell & Fitzgerald's New Zealand Reports.

**O. Ben. or O. Benl.**—Old Benloe's Reports, English Common Pleas (Benloe, of Benloe and Dalison, Edition of 1689).

**O. Bridg.**—Orlando Bridgman's English Common Pleas Reports; Carter's Reports, tempore Bridgman's English Common Pleas.

**O. C. C.**—Ohio Circuit Court Reports.

**O. C. C. N. S.**—Ohio Circuit Court Reports, New Series.

**O. C. D.**—Ohio Circuit Decisions.

**O. D.**—Ohio Decisions.

**O. D. C. C.**—Ohio Decisions, Circuit Court.

**O. R.**—Ontario Reports.

**O. S.**—Ohio State Reports; Old Series King's & Queen's Bench Reports, Ontario.

**O. S. C. D. or O. S. U.**—Ohio Supreme Court Decisions, Unreported Cases.

**O. St.**—Ohio State Reports.

**O. S. & C. P. Dec.**—Ohio Superior and Common Pleas Decisions.

**O'Brien**—O'Brien's Upper Canada Reports.

**Odeneal**—Odeneal's Reports, vols. 9–11 Oregon.

**Off. Min.**—Officer's Reports, Minnesota.

**Officer**—Officer's Reports, vols. 1–9 Minnesota.

**Ogd. or Ogden**—Ogden's Reports, vols. 12–15 Louisiana.

**Ohio**—Ohio Reports.

**Ohio C. C.**—Ohio Circuit Court Reports.

**Ohio N. P.**—Ohio Nisi Prius Reports.

**Ohio Prob.**—Ohio Probate Court Reports.

**Ohio R. Cond.**—Ohio Reports, Condensed.

**Ohio St.**—Ohio State Reports.

**Ohio Sup. & C. P. Dec.**—Ohio Superior and Common Pleas Decisions.

**Okla.**—Oklahoma Territorial Reports.

**Olc. or Olc. Adm.**—Olcott's Admiralty Reports, U. S. So. Dist. of N. Y.

**Old Ben.**—Benloe in Benloe & Dalison, English Common Pleas Reports.

**Oldr.**—Oldright's Reports, Nova Scotia.

**Oll. B. & F. or Oll. B. & Fitz. (New Zealand)**—Ollivier, Bell and Fitzgerald's New Zealand Reports.

**Ont.**—Ontario Reports.

**Ont. App. R. or Ont. App. Rep.**—Ontario Appeal Reports, Canada.

**Ont. P. R. or Ont. Pr. or Ont. Pr. Rep.**—Ontario Practice Reports.

**Or.**—Oregon Reports.

**Or. T. Rep.**—Orleans Term Reports, vols. 1, 2 Martin, Louisiana.

**Oreg.**—Oregon Reports.

**Orl. Bridg.** or **Orl. Bridgman**—Orlando Bridgman's Reports, English Common Pleas.

**Orl. T. R.**—Orleans Term Reports, vols. 1 and 2 Martin's Reports, Louisiana.

**Orm.** or **Ormond**—Ormond's Reports, vols. 12–15 Alabama.

**Ot.** or **Otto**—Otto's United States Supreme Court Reports.

**Out.**—Outerbridge's Reports, vols. 97–110 Pennsylvania State.

**Over.** or **Overton**—Overton's Tennessee Reports.

**Ow.** or **Owen**—Owen's English King's Bench and Common Pleas Reports; New South Wales Reports.

**Oxley**—Young's Vice-Admiralty Decisions, Nova Scotia, edited by Oxley.

# P

P.—Pickering's Massachusetts Reports.
P. 1891, or 1891 P.—English Law Reports, Probate Division, from 1891.
P. A. D.—Peter's Admiralty Decisions.
P. C. App.—Privy Council Appeals, English Law Reports.
P. C. C.—Privy Cases; Peters' Circuit Court Reports.
P. C. R.—Parker's Criminal Reports, New York.
P. C. Rep.—Privy Council Reports, English.
P. Cl. R.—Parker's Criminal Reports, New York; Privy Council Reports.
P. D. or P. Div.—Probate Division, English Law Reports (1876–1890).
P. E. I. or P. E. I. Rep.—Prince Edward Island Reports (Haviland's).
P. F. S.—P. F. Smith's Reports, vols. 51–81½ Pennsylvania State.
P. Jr. & H.—Patton, Jr., & Heath's Virginia Reports.
P. O. R.—Patent Office Reports.
P. R.—Parliamentary Reports; Pennsylvania Reports, by Penrose & Watts; Pacific Reporter; Probate Reports; Pyke's Reports, Canada.
P. R. U. C.—Practice Reports, Upper Canada.
P. S. C. U. S.—Peter's United States Supreme Court Reports.
P. S. R.—Pennsylvania State Reports; Pacific States Reports.
P. U. R.—Public Utilities Reports.
P. W. or P. Wms.—Peere Williams' Reports, English Chancery.
P. & B.—Pugsley & Burbridge's Reports, New Brunswick.
P. & C.—Prideaux & Colo's Reports, English Courts, vol. 4 New Session Cases.
P. & D.—Perry & Davison's English Queen's Bench Reports.
P. & H.—Patton, Jr., & Heath's Virginia Reports.
P. & W.—Penrose and Watt's Pennsylvania Reports.
Pa.—Pennsylvania Reports; Pennsylvania State Reports.
Pa. Co. Ct. or Pa. Co. Ct. R.—Pennsylvania County Court Reports.
Pa. Dist. or Pa. Dist. R.—Pennsylvania District Court Reports.
Pa. L. G. or Pa. Leg. Gaz.—Legal Gazette Reports (Campbell's), Pennsylvania.
Pa. L. J.—Pennsylvania Law Journal Reports.
Pa. L. J. Rep.—Pennsylvania Law Journal Reports.
Pa. Law Jour Rep.—Pennsylvania Law Journal Reports.
Pa. N. P.—Brightly's Nisi Prius Reports, Pennsylvania.
Pa. Rep.—Pennsylvania Reports.
Pa. St.—Pennsylvania State Reports.
Pac.—Pacific Reporter.
Pac. R. or Pac. Rep.—Pacific Reporter.
Pai.—Paine's United States Circuit Court Reports; Paige's New York Chancery Reports.
Pai. Ch. or Paige Ch.—Paige's New York Chancery Reports.
Paine or Paine C. C.—Paine's United States Circuit Court Reports.

**Palm.**—Palmer's English King's Bench Reports; Palmer's Reports, vols. 53–60 Vermont.

**Palm. (Vt.)**—Palmer's Vermont Reports.

**Papy**—Papy's Reports, vols. 5, 6 Florida.

**Par.**—Parker's English Exchequer Reports; Parsons' Reports, vols. 65, 66 New Hampshire; Parker's New York Criminal Reports.

**Par. Dec.**—Parsons' Decisions, Massachusetts.

**Park.**—Parker's New York Criminal Reports; Parker's English Exchequer Reports.

**Park. Cr. Cas. or Park. Cr. Rep.**—Parker's Criminal Reports, New York.

**Park. Exch.**—Parker's English Exchequer Reports.

**Park. (N. H.)**—Parker's New Hampshire Reports.

**Park. Rev. Cas.**—Parker's English Exchequer Reports (Revenue Cases).

**Parker**—Parker's English Exchequer Reports; Parker's New York Criminal Reports; Parker's New Hamshire Reports.

**Parker, Cr. Cas. or Parker, Cr. R. (N. Y.)**—Parker's New York Criminal Reports.

**Pars. Dec.**—Parsons' Decisions, Massachusetts.

**Pasch.**—Paschal's Reports, Texas.

**Paschal**—Paschal's Reports, vols. 28–31 Texas and Supplement to vol. 25.

**Pat.**—Paton's Scotch Appeal Cases; Paterson's Scotch Appeal Cases; Paterson's New South Wales Reports.

**Pat. App. Cas.**—Paton's Scotch Appeal Cases (Craigie, Stewart & Paton); Paterson's Scotch Appeal Cases.

**Pat. & H.**—Patton and Heath's Reports, Virginia.

**Pat. & Mur.**—Paterson and Murray's Reports, New South Wales.

**Pater.**—Paterson's Scotch Appeal Cases; Paterson's New South Wales Reports.

**Paters. App. Cas.**—Paterson's Scotch Appeal Cases.

**Paterson**—Paterson's Scotch Appeal Cases.

**Paton**—Craigie, Stewart & Paton's Scotch Appeal Cases.

**Patt. & H. or Patton & H.**—Patton, Jr., & Heath's Virginia Reports.

**Peake N. P.**—Peake's English Nisi Prius Cases.

**Pear.**—Pearson's Reports, Pennsylvania.

**Pearce C. C.**—Pearce's Reports in Dearsly's Crown Cases.

**Pears.**—Pearson's Reports, Pennsylvania.

**Peck**—Peck's Tennessee Reports; Peck's Reports, vols. 11–30 Illinois.

**Peck (Ill.)**—Peck's Reports, Illinois Supreme Court (11–38, Illinois).

**Peck (Tenn.).**—Peck's Tennessee Reports.

**Peeples**—Peeples' Reports, vols. 78, 79 Georgia.

**Peeples & Stevens**—Peeples & Stevens' Reports, vols. 80–97 Georgia.

**Peere Wms. or Peere Williams**—Peere Williams' Reports, English Chancery.

**Pen.**—Pennington's Reports, New Jersey Law.

**Pen. N. J.**—Pennington's New Jersey Reports.

**Pen. & W.**—Penrose & Watts' Pennsylvania Reports.

**Penn.**—Pennsylvania State Reports; Pennypacker's Unreported Pennsylvania Cases; Pennington's New Jersey Reports; Pennewill's Delaware Reports.

**Penn. Co. Ct. Rep.**—Pennsylvania County Court Reports.

**Penn. Del.**—Pennewill's Delaware Reports.

**Penn. Dist. Rep.**—Pennsylvania District Reports.

**Penn. L. J. R.**—Pennsylvania Law Journal Reports (Clark's).

**Penn. Law Jour. Rep.**—Pennsylvania Law Journal Reports (Clark's).

**Penn. R. or Penn. Rep.**—Pennsylvania Reports.

**Penn. St. or Penn. St. R.**—Pennsylvania State Reports.

**Penning.**—Pennington's Reports, New Jersey.

**Penny.**—Pennypacker's Unreported Pennsylvania Cases; Pennypacker's Pennsylvania Colonial Cases.

**Penr. & W.**—Penrose and Watts' Pennsylvania Reports.

**Per. & Dav.**—Perry & Davison's English King's Bench Reports.

**Perry & D.**—Perry & Davison's English King's Bench Reports.

**Pet.**—Peters' United States Supreme Court Reports; Peters' United States Circuit Court Reports; Peters' United Sates District Court Reports (Admiralty Decisions); Peters' Prince Edward Island Reports.

**Pet. Ad. or Pet. Adm.**—Peters' United States District Court Reports (Admiralty Decisions).

**Pet. Br. or Pet. Brooke**—Petit Brooke or Brooke's New Cases, English King's Bench (Bellewe's Cases temp. Hen. VIII).

**Pet. C. C.**—Peters' United States Circuit Court Reports.

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**Pet. S. C.**—Peters' United States Supreme Court Reports.

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**Peters C. C.**—Peters' Reports, U. S. Circuit Court, 3d Circuit.

**Petit Br.**—Petit Brooke, or Brooke's New Cases, English King's Bench.

**Ph.**—Phillips' English Chancery Reports; Phillimore's English Ecclesiastical Reports.

**Ph. Ch.**—Phillips' English Chancery Reports.

**Pheney Rep.**—Pheney's New Term Reports.

**Phil.**—Phillips' English Chancery Reports; Phillips' North Carolina Reports; Phillimore's English Ecclesiastical Reports; Philadelphia Reports; Phillips' Illinois Reports.

**Phil. Ecc. R.**—Phillimore's English Ecclesiastical Reports.

**Phil. Eq.**—Phillips' North Carolina Equity Reports.

**Phil. Law or Phil. N. C.**—Phillips' North Carolina Law Reports.

**Phila.**—Philadelphia Reports, Common Pleas of Philadelphia County.

**Phila. (Pa.)**—Philadelphia Reports, Common Pleas of Philadelphia County.

**Phill.**—Phillimore's Reports, English Ecclesiastical Courts.

**Phill. Eq.**—Phillips' Equity Reports, North Carolina.

**Phill. Law (N. C.)**—Phillips' Law Reports, North Carolina.
**Phillim.**—Phillimore's English Ecclesiastical Reports.
**Phillips**—Phillips' English Chancery Reports; Phillips' North Carolina Reports, Law and Equity; Phillips' Reports, vols. 152–187 Illinois.
**Pick.**—Pickering's Reports, Massachusetts.
**Pickle**—Pickle's Reports, vols. 85–108 Tennessee.
**Pike**—Pike's Reports, vols. 1–5 Arkansas.
**Pin. or Pinn.**—Pinney's Wisconsin Reports.
**Pist. or Piston**—Piston's Reports, Mauritius.
**Pitts. Rep. or Pitts. Repts.**—Pittsburgh Reports, Pennsylvania Courts.
**Pittsb. R. (Pa.)**—Pittsburg Reports, Pennsylvania Courts.
**Pol.**—Pollexfen's English King's Bench Reports, etc.
**Poll.**—Pollexfen's English King's Bench Reports.
**Pollex.**—Pollexfen's English King's Bench Reports, etc.
**Pomeroy**—Pomeroy's Reports, California.
**Pop.**—Popham's English King's Bench Reports.
**Poph.**—Popham's Reports, English King's Bench.
**Port. (Ala.)**—Porter's Alabama Reports.
**Port. (Ind.)**—Porter's Reports, Indiana.
**Porter**—Porter's Alabama Reports; Porter's Reports, vols. 3–7 Indiana.
**Posey**—Unreported Commissioner Cases, Texas.
**Post**—Post's Reports, vols. 23–26 Michigan; Post's Reports, vols. 42–64 Missouri.
**Potter**—Potter's Reports, vols. 4–7 Wyoming.
**Pr.**—Price's English Exchequer Reports.
**Pr. C. K. B.**—Practice Cases in the King's Bench.
**Pr. Dec.**—Printed Decisions (Sneed's), Kentucky.
**Pr. Div.**—Probate Division, Law Reports.
**Pr. Exch.**—Price's Exchequer Reports, English.
**Pr. Falc.**—President Falconer's Reports, Scotch Court of Session.
**Pr. & Div.**—Probate and Divorce, English Law Reports.
**Pri. or Price**—Price's Exchequer Reports.
**Price Exch.**—Price's Reports, Exchequer, English.
**Prick. or Prickett (Id.)**—Prickett's Idaho Reports.
**Prid. & C.**—Prideaux and Cole's Reports, English, New Sessions Cases, vol. 4.
**Prin. Dec.**—Printed Decisions (Sneed's), Kentucky.
**[1891] Prob.**—Law Reports, Probate Division, from 1891 onward.
**Prob. Div.**—Probate Division, English Law Reports.
**Prob. Rep.**—Probate Reports.
**Prob. Rep. Ann.**—Probate Reports Annotated.
**Prob. & Adm. Div.**—Probate and Admiralty Division, Law Reports.

**Prob. & Div.**—Probate and Divorce, English Law Reports.
**Proudf. Land Dec. (U. S.)**—Proudfit's United States Land Decisions.
**Prouty**—Prouty's Reports, vols. 61–68, Vermont.
**Pugs.**—Pugsley's Reports, New Brunswick.
**Pugs. & Bur.** or **Pugs. & Burb.**—Pugsley and Burbridge's Reports, New Brunswick.
**Puls.** or **Pulsifer**—Pulsifer's Reports, vols. 65–68 Maine.
**Pyke**—Pyke's Lower Canada King's Bench Reports.

# Q

**Q. B.**—Queen's Bench Reports (Adolphus & Ellis, New Series, English); English Law Reports, Queen's Bench (1841–1852); Queen's Bench Reports, Upper Canada; Queen's Bench Reports, Quebec; English Law Reports, Queen's Bench Division, 1891.

[1891] **Q. B.**—Law Reports, Queen's Bench Division, from 1891 onward.

**Q. B. Div.** or **Q. B. D.**—Queen's Bench Division, English Law Reports (1876–1890).

**Q. B. R.**—Queen's Bench Reports, by Adolphus & Ellis (New Series).

**Q. B. U. C.**—Queen's Bench Reports, Upper Canada.

**Q. L. R.**—Quebec Law Reports; Queensland Law Reports.

**Q. P. R.**—Quebec Practice Reports.

**Q. R.**—Official Reports, Province of Quebec.

**Q. R. Q. B.**—Quebec Queen's Bench Reports.

**Quadr.**—Quadragesms (Year-books, Part IV).

**Queb. L. R.**—Quebec Law Reports, two series, Queen's Bench or Superior Court.

**Queb. Q. B.**—Quebec Queen's Bench Reports.

**Quebec L. Rep.**—Quebec Law Reports, two series, Queen's Bench or Superior Court.

**Queens. L. R.**—Queensland Law Reports.

**Quin.** or **Quincy**—Quincy's Massachusetts Reports.

**Quinti**, or **Quinto**—Year-book, 5 Hen. V.

# R

R.—Rawle's Reports, S. C. of Pennsylvania.
R. C. L.—Ruling Case Law.
R. I.—Rhode Island Reports.
R. L. & S.—Ridgeway, Lapp and Schoales' Reports, Irish King's Bench.
R. L. & W.—Roberts, Leaming and Wallis' County Court Reports, English.
R. M. Ch. or R. M. Charlt.—R. M. Charlton's Georgia Reports.
R. P. & W. (Pa.)—(Rawle) Penrose and Watt's Pennsylvania Reports.
R. t. F.—Reports tempore Finch, English Chancery.
R. t. H.—Reports tempore Hardwicke (Lee) English King's Bench; Reports tempore Holt (Cases Concerning Settlement).
R. t. Hardw.—Reports tempore Hardwicke, English King's Bench.
R. t. Holt—Reports tempore Holt, English King's Bench.
R. t. Q. A.—Reports tempore Queen Anne, vol. 11, Modern Reports.
R. & C. N. Sc.—Russell & Chesley's Reports, Nova Scotia.
R. & G. N. Sc.—Russell & Geldert's Reports, Nova Scotia.
R. & M.—Russell & Mylne's English Chancery Reports; Ryan & Moody's English Nisi Prius Reports.
R. & My.—Russell and Mylne's Reports, English Chancery.
R. & M. C. C.—Ryan and Moody's Crown Cases Reserved, English.
R. & M. N. P.—Ryan and Moody's Nisi Prius Cases, English.
R. & R. C. C.—Russell and Ryan's Crown Cases Reserved, English.
Rader—Rader's Reports, vols. 138–163 Missouri.
Rand.—Randolph's Virginia Reports; Randolph's Reports, vols. 21–56 Kansas; Randolph's Reports, vols. 7–11 Louisiana Annual; Randall's Reports, vols. 52–71 Ohio State.
Rand. (Kan.)—Randolph's Reports, Kansas.
Rand. (La.)—Randolph's Reports, Louisiana Annual Reports, vols. 7–11.
Raney—Raney's Reports, vols. 16–20 Florida.
Rap. & L. or Rap. & Law. or Rapal. & L.—Rapalje & Lawrence, American and English Cases.
Raw. or Rawle—Rawle's Pennsylvania Reports.
Raym. or Raym. Ld.—Lord Raymond's Reports, English King's Bench.
Raym. Sir T. or Raym. T.—Sir Thomas Raymond's English King's Bench Reports.
Raymond—Raymond's Reports, vols. 81–89 Iowa.
R. C. L.—Ruling Case Law.
Red.—Redfield's New York Surrogate Reports.
Redf.—Redfield's Surrogate Court Reports, N. Y.
Redf. Sur. or Redf. Surr. (N. Y.)—Redfield's New York Surrogate Court Reports.
Reding. or Redington—Redington's Reports, vols. 31–35 Maine.
Reese—Reporter, vols. 5, 11 Heiskell's Tennessee Reports.
Remy—Remy's Reports, vols. 145–154 Indiana; Indiana Appellate Court Reports.

**Rep.**—Coke's Reports, English King's Bench.
**Rep. (1, 2, etc.)**—Coke's English King's Bench Reports.
**Rep. Ass. Y.**—Clayton's Reports of Assizes at Yorke.
**Rep. Cas. Eq.**—Gilbert's Chancery Reports.
**Rep. Cas. Madr.**—Reports of Cases, Dewanny Adawlut, Madras.
**Rep. Cas. Pr.**—Reports of Cases of Practice (Cooke's).
**Rep. Ch.**—Reports in Chancery, English.
**Rep. Const. or Rep. Const. Ct.**—Reports of the Constitutional Court, South Carolina.
**Rep Eq.**—Guilbert's Reports in Equity, English.
**Rep. in Ch.**—Reports in Chancery, English.
**Rep. Q. A.**—Report tempore Queen Anne, vol. 11 Modern.
**Rep. Sel. Cas. Ch. or Rep. Sel. Cas. in Ch.**—Kelynge's (W.) Reports, English Chancery.
**Rep. t. Finch**—Reports tempore Finch, English Chancery.
**Rep. t. Hard.**—Lee's Reports, tempore Hardwicke, English King's Bench Reports.
**Rep. t. Holt**—Reports tempore Holt, English King's Bench; Reports tempore Holt.
**Rep. t. O. Br.**—Carter's English Common Pleas Reports, tempore O. Bridgeman.
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**Rep. Yorke Ass.**—Clayton's Reports of Assizes at Yorke.
**Report or Reports**—Coke's Reports, English King's Bench.
Rettie—Rettie, Crawford & Melville's Scotch Session Cases (4th Series).
**Rev. C. & C. Rep.**—Revenue, Civil and Criminal Reporter, Bengal.
Reyn.—Reynolds' Reports, vols. 40–42 Mississippi.
Rice—Rice's Law Reports, South Carolina.
**Rice Ch.**—Rice's Equity Reports, South Carolina.
**Rice Eq.**—Rice's South Carolina Equity Reports.
**Rich.**—Richardson's South Carolina Law Reports; Richardson's Reports, vols. 2–5 New Hampshire.
**Rich. Cas. Ch. or Rich. Ch.**—Richardson's South Carolina Equity Reports.
**Rich. Ct. Cl.**—Richardson's Court of Claims Reports.
**Rich. Eq.**—Richardson's South Carolina Equity Reports.
**Rich. Eq. Cas.**—Richardson's South Carolina Equity Reports.
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**Rich. (N. H.)**—Richardson's Reports, New Hampshire Reports, vols. 3–5.
**Rich. N. S.**—Richardson's Reports, New Series, South Carolina.
**Rich. & W.**—Richardson & Woodbury's Reports, vol. 2 New Hampshire.
**Ridg.**—Ridgeway's Reports, tempore Hardwicke, Chancery and King's Bench.
**Ridg. Ap. or Ridg. App.**—Ridgeway's Irish Appeal (or Parliamentary) Cases.
**Ridg. Cas.**—Ridgeway's Reports tempore Hardwicke, Chancery and King's Bench.
**Ridg. L. & S.**—Ridgeway, Lapp and Schoales' Reports.

**Ridg. P. C. or Ridg. Parl.**—Ridgeway's Irish Appeal Cases.

**Ridg. t. Hard. or Ridg. & Hard.**—Ridgeway's Reports tempore Hardwicke, Chancery and King's Bench.

**Ried.**—Riedell's Reports, vols. 68, 69 New Hampshire.

**Ril.**—Riley's South Carolina Law Reports; Riley's Reports, vols. 37–42 West Virginia.

**Ril. Ch. or Ril. Eq.**—Riley's South Carolina Chancery Reports.

**Ril. Harp.**—Riley's Edition of Harper's South Carolina Reports.

**Riley**—Riley's South Carolina Chancery Reports; Riley's South Carolina Law Reports; Riley's Reports, vols. 37–42 West Virginia.

**Riley Ch. or Riley Eq.**—Riley's Chancery Reports, South Carolina.

**Riner.**—Riner's Reports, vol. 2 Wyoming.

**Rob.**—Robinson's Virginia Reports; Robinson's Louisiana Reports; Robinson's Reports, vols. 2–9 and 17–23 Colorado Appeals; Robertson's New York Superior Court Reports; Robinson's English Ecclesiastical Reports; Chr. Robinson's English Admiralty Reports; W. Robinson's English Admiralty Reports; Robinson's Reports, English House of Lords Scotch Appeals; Robertson's Scotch Appeal Cases; Robinson's Reports, vol. 38 California; Robinson's Reports, vols. 1–4 Louisiana Annual; Roberts' Reports, vols. 29–31 Louisiana Annual; Robards' Reports, vols. 12, 13 Missouri; Robards' Conscript Cases, Texas; Chr. Robinson's Upper Canada Reports; J. L. Robinson's Upper Canada Reports; Robertson's Reports, vol. 1 Hawaii; Robinson's Reports, vol. 1 Nevada.

**Rob. Adm.**—Chr. Robinson's English Admiralty Reports.

**Rob. Adm.**—Chr. Robinson's Reports, English Admiralty.

**Rob. App.**—Robinson's Scotch Appeals, English House of Lords.

**Rob. (Cal.)**—Robinson's Reports, California.

**Rob. Cas.**—Robertson's Scotch Appeal Cases.

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**Rob. Chr. Adm.**—Chr. Robinson's Reports, English Admiralty.

**Rob. Ecc.**—Robertson's Ecclesiastical Reports, English.

**Rob. (Hawaiian)**—Robinson's Hawaiian Reports.

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**Rob. L. & W.**—Roberts, Leaming & Wallis' County Court Reports.

**Rob. (La.)**—Robinson's Reports, Louisiana.

**Rob. (La. Ann.)**—Robinson's Reports, Louisiana Annual, vols. 1–4.

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**Robards**—Robards' Reports, vols. 12, 13 Missouri.

**Robards & Jackson**—Robards & Jackson's Reports, vols. 26, 27 Texas.

**Robb or Robb Pat. Cas.**—Robb's United States Patent Cases.

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**Roberts**—Roberts' Reports, vols. 29–31 Louisiana Annual.

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**Robin. App.**—Robinson's Scotch Appeal Cases.

**Robinson.**—Chr. Robinson's English Admiralty Reports; W. Robinson's English Admiralty Reports; Robinson's Virginia Reports; Robinson's Louisiana Reports; Robinson's Scotch Appeal Cases; Robinson's Reports, vol. 38 California; Chr. Robinson's Reports, Upper Canada; J. L. Robinson's Reports, Upper Canada; Robinson's Reports, Colorado; Robinson's Reports, vol. 1 Nevada.

**Robt. (N. Y.)**—Robertson's Reports, New York City Superior Court Reports, vols. 24–30.

**Rodm. (Ky.)**—Rodman's Kentucky Reports, vols. 78–72.

**Rodman.**—Rodman's Reports, vols. 78–82 Kentucky.

**Rogers**—Rogers Reports, vols. 47–51 Louisiana Annual.

**Rol.**—Rolle's English King's Bench Reports.

**Roll.**—Rolle's English King's Bench Reports.

**Rolle**—Rolle's Reports, English King's Bench.

**Rolle R.**—Rolle's English King's Bench Reports.

**Rolls Ct. Rep.**—Rolls Court Reports, English.

**Root**—Root's Reports, Connecticut.

**Rose or Rose B. C.**—Rose's Reports, English Bankruptcy.

**Rowe**—Rowe's Reports, English Parliamentary and Military Cases.

**Rowe Rep.**—Rowe's Reports (Irish).

**Rowell**—Rowell's Reports, vols. 45–52 Vermont.

**Rt. Law Repts.**—Rent Law Reports, India.

**Rucker**—Rucker's Reports, vols. 43–46 West Virginia.

**Ruff. or Ruff. & H.**—Ruffin & Hawks' North Carolina Reports.

**Runn.**—Runnells' Reports, Iowa.

**Runnells**—Runnells' Reports, vols. 38, 56 Iowa.

**Russ.**—Russell's Reports, English Chancery.

**Russ. Eq. Rep.**—Russell's Equity Decisions, Nova Scotia.

**Russ. N. Sc.**—Russell's Equity Cases, Nova Scotia.
**Russ. t. Eld.**—Russell's English Chancery Reports tempore Elden.
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# S

**S.**—Shaw, Dunlop & Bell's Scotch Court of Session Reports (1st Series); Shaw's Scotch House of Lords Appeal Cases.

**S. A. L. R.**—South Australian Law Reports.

**S. Aust. L. R.**—South Australian Law Reports.

**S. C.**—South Carolina Reports, New Series.

**S. C. R.**—South Carolina Reports, New Series; Harper's South Carolina Reports; Supreme Court of Canada Reports.

**S. Car.**—South Carolina Reports, New Series.

**S. Ct.**—Supreme Court Reporter.

**S. D.**—South Dakota Reports.

**S. D. A.**—Sudder Dewanny Adawlut Reports, India.

**S. Dak.**—South Dakota Reports.

**S. D. & B.**—Shaw, Dunlop & Bell's Scotch Court of Session Reports (1st Series).

**S. D. & B. Sup.**—Shaw, Dunlop & Bell's Supplement, containing House of Lords Decisions.

**S. E.** or **S. E. R.** or **S. E. Rep.**—Southeastern Reporter.

**S. F. A.**—Sudder Foujdaree Adawlut Reports, India.

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**S. L. D.**—Sudder Dewanny Adawlut Reports, India.

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**S. S. C.**—Sanford's New York City Superior Court Reports.

**S. V. A. R.**—Stuart's Vice-Admiralty Reports, Quebec.

**S. W.**—Southwestern Reporter.

**S. W. Rep.**—Southwestern Reporter.

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**S. & Mar.**—Smedes and Marshall's Reports, Mississippi Reports, vols. 9–22.

**S. & M. Ch.** or **S. & Mar. Ch.**—Smedes and Marshall's Chancery Reports, Mississippi.

**S. & R.**—Sergeant and Rawle's Reports, Pennsylvania.

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**S. & T.**—Swabey and Tristram's Reports, English Probate and Divorce Cases.
**Sal.**—Salinger's Reports, vols. 90–117 Iowa.
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**Sand. I. Rep.**—Sandwich Island (Hawaiian) Reports.
**Sand. Jus. or Sanders, Just. Inst.**—Sanders' Edition of Justinian's Institutes.
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**Sausse & Sc.**—Sausse & Scully's Irish Rolls Court Reports.
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**Sayer**—Sayer's English King's Bench Reports.
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**Sc. Sess. Cas.**—Scotch Court of Session Cases.
**Sc. & Div. App.**—Scotch and Divorce Appeals (Law Reports).
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**Sco. N. R.**—Scott's New Reports, English Common Pleas.
**Scott**—Scott's English Common Pleas Reports.
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**Secd. pt. Edw. III**—Part 3 of the Year-Books.
**Secd. pt. H. VI.**—Part 8 of the Year-Books.
**Seign. or Seign. Rep.**—Seigniorial Reports, Quebec.
**Seld. or Seld. (N. Y.)**—Selden's Reports, New York Ct. of Appeals Reports, vols. 5–10.
**Selden**—Selden's Reports, New York Court of Appeals.
**Selw. & Barn.**—The First Part of Barnewall & Alderson's English King's Bench Reports.

**Serg. & Lowb. Rep.**—English Common Law Reports, American reprints edited by Sergeant & Lowber.

**Serg. & R.** or **Serg. & Rawle**—Sergeant & Rawle's Pennsylvania Reports.

**Sess. Cas.**—Sessions Cases (English King's Bench Reports); Scotch Court of Session Cases.

**Sess. Cas. Sc.**—Session Cases, Scotch Court of Session.

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**Sev. H. C.**—Sevestre's High Court Reports, Bengal.

**Sev. S. D. A.**—Sevestre's Sudder Dewanny Adawlut Reports, Bengal.

**Sh.**—Shower's English King's Bench Reports; Shepley's Reports, vols. 13–18 and 21–30 Maine; Shaw's Scotch Appeal Cases; Shaw's, etc., Decisions in the Scotch Court of Session (1st Series); Shaw's Scotch Justiciary cases; Shaw's Scotch Teind Court Reports; G. B. Shaw's Reports, vols. 10, 11 Vermont; W. G. Shaw's Reports, vols. 30–35 Vermont; Shirley's Reports, vols. 49–55 New Hampshire; Sheldon's Buffalo, New York, Superior Court Reports; Shepherd's Reports, Alabama; Shipp's Reports, vols. 66, 67 North Carolina; Shand's Reports, vols. 11–44 South Carolina.

**Sh. App.**—Shaw's Appeal Cases, English House of Lords, Appeals from Scotland.

**Sh. W. & C.**—Shaw, Wilson and Courtnay's Reports, English House of Lords, Scotch Appeals.

**Sh. & Dunl.**—Shaw and Dunlop's Reports, First Series, Scotch Court of Session.

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**Shan.**—Shannon's Tennessee Cases.

**Shand**—Shand's Reports, South Carolina.

**Shaw**—Shaw's Reports, First Series, Scotch Court of Session.

**Shaw**—Shaw's Scotch Appeal Cases; Shaw's Decisions in the Scotch Court of Session (1st Series); Shaw's Scotch Justiciary Cases; Shaw's Scotch Teind Court Reports; G. B. Shaw's Reports, vols. 10, 11 Vermont; W. G. Shaw's Reports; vols. 30–35 Vermont.

**Shaw. App.**—Shaw's Appeal Cases, English House of Lords, Appeals from Scotland.

**Shaw, Dec.**—Shaw's Decisions in the Scotch Court of Session (1st Series).

**Shaw, Dunl. & B.**—Shaw, Dunlop & Bell's Scotch Session Cases.

**Shaw (G. B.)**—G. B. Shaw's Reports, vols. 10, 11 Vermont.

**Shaw, H. L.**—Shaw's Scotch Appeal Cases, House of Lords.

**Shaw Jus.**—Shaw's (John) Scotch Justiciary Cases.

**Shaw T. Cas.**—Shaw's Scotch Teind Court Reports.

**Shaw (Vt.)**—Shaw's Reports, Vermont.

**Shaw (W. G.)**—W. G. Shaw's Reports, 30–35 Vermont.

**Shaw, W. & C.**—Shaw, Wilson and Courtnay's Reports, English House of Lords, Scotch Appeals.

**Shaw & Dunl.**—Shaw and Dunlop's Reports, First Series, Scotch Court of Session.

**Shaw & Macl.**—Shaw and Maclean's Scotch Appeal Cases, English House of Lords.

**Sheld or Sheldon**—Sheldon's Reports, Superior Court of Buffalo, New York.

**Shep.**—Shepley's Reports, vols, 13–18 and 21–30 Maine; Shepherd's Reports, Alabama.

**Shepl.**—Shepley's Reports, Maine.

**Sher. Ct. Rep.**—Sheriff Court Reports, Scotland.

**Shiel**—Shiel's Reports, Cape Colony.

**Shipp**—Shipp's Reports, North Carolina.

**Shirl.**—Shirley's Reports, New Hampshire.

**Show.**—Shower's English Parliamentary Cases; Shower's English King's Bench Reports.

**Show. K. B.**—Shower's English King's Bench Reports.

**Show. P. C.**—Shower's English Parliamentary Cases.

**Sick.**—Sickels' Reports, N. Y. Court of Appeals Reports.

**Sid.**—Siderfin's Reports, English King's Bench.

**Silv.**—Silvernail's Unreported Cases, New York Court of Appeals; Unreported Cases, New York Supreme Court.

**Sim.**—Simmons' English Vice-Chancery Reports; Simmons' Reports, vols. 99, 100 Wisconsin.

**Sim. N. S.**—Simmons' English Vice-Chancery Reports, New Series.

**Sim. & C.**—Simmons & Conover's Reports, vols. 99, 100 Wisconsin.

**Sim. & S. or Sim. & Stu.**—Simmon and Stuart's English Chancery Reports.

**Sinclair**—Sinclair's Manuscript Decisions, Scotch Session Cases.

**Sir T. J.**—Sir Thomas Jones' Reports.

**Skin.**—Skinner's English King's Bench Reports.

**Skink. or Skinker**—Skinker's Reports, Missouri.

**Skinn.**—Skinner's Reports, English King's Bench.

**Slade**—Slade Reports, Vermont.

**Sm.**—Smith's Reports, English King's Bench.

**Sm. C. C. M.**—Smith's Circuit Courts-Martial Reports, Maine.

**Sm. Cond. Ala.**—Smith's Condensed Alabama Reports.

**Sm. E. D. or Sm. (E. D.)**—E. D. Smith's Reports, New York Common Pleas

**Sm. Eng.**—Smith's Reports, English King's Bench.

**Sm. (Ind.)**—Smith's Reports, Indiana.

**Sm. (K. B.)**—Smith's Reports, English King's Bench.

**Sm. (Me.)**—Smith's Reports, Maine.

**Sm. (N. H.)**—Smith's Reports, New Hampshire.

**Sm. (N. Y.)**—Smith's Reports, New York Court of Appeals Reports, vols. 15–27.

**Sm. or Sm. (P. F.) (Pa.)**—Smith's Reports, Pennsylvania State Reports, vols. 51–81.

**Sm. (Wis.)**—Smith's Reports, Wisconsin.

**Sm. & Bat. or Sml. & Bat.**—Smith & Batty's Irish King's Bench Reports.

**Sm. & G.**—Smale & Giffard's English Vice-Chancellors' Reports; Smith & Guthrie's Reports, vols. 81–101 Missouri Appeals.

**Sm. & M.** —Smedes & Marshall's Mississippi Reports.

**Sm. & M. Ch.**—Smedes and Marshall's Chancery Reports, Mississippi.

**Sma. & Giff.**—Smale & Giffard's English Vice-Chancellors' Reports.

**Smale & Giff.**—Smale and Giffard's Reports, English Chancery.

**Smed. & M.**—Smedes & Marshall's Mississippi Reports.

**Smed. & M. Ch.**—Smedes & Marshall's Mississippi Chancery Reports.

**Smedes & M. (Miss.)**—Smedes & Marshall's Mississippi Reports.

**Smedes & M.**—Smedes and Marshall's Reports, Mississippi Reports.

**Smedes & M. Ch.**—Smedes and Marshall's Chancery Reports, Mississippi.

**Smith**—Smith's New Hampshire Reports; Smith's Reports, vols. 2–4 Dakota; J. P. Smith's English King's Bench Reports; Smith, in continuation of Fox & Smith; P. F. Smith's Pennsylvania State Reports; E. P. Smith's Reports, vols. 15–27 New York Court of Appeals; E. D. Smith's New York Common Pleas Reports; E. H. Smith's Reports, vols. 147–162 New York Court of Appeals; Smith's Reports, vols. 54–62 California; Smith's Indiana Reports; Smith's Reports, vols. 61–64 Maine; Smith's Reports, vols. 1–11 Wisconsin; E. B. Smith's Reports, vols. 21–47 Illinois Appeals; Smith, Reporter vols. 7, 12 Heiskell's Tennessee Reports; Smith's Reports, vols. 81–101 Missouri Appeals.

**Smith C. P.**—E. D. Smith's Common Pleas Reports, New York.

**Smith E. H.**—Smith's (E. H.) Reports, vols. 147–162 New York Court of Appeals.

**Smith E. P. or Smith E. P. Ct. App.**—E. P. Smith's Reports, vols. 15–27 New York Court of Appeals.

**Smith Ind.**—Smith's Indiana Reports.

**Smith J. P.**—J. P. Smith's English King's Bench Reports.

**Smith Me.**—Smith's Reports, vols. 61–64 Maine.

**Smith N. H.**—Smith's New Hampshire Reports.

**Smith N. Y.**—Smith's Reports, vols. 15–27 and 147–162 New York Court of Appeals.

**Smith P. F. or Smith P. F. Pa.**—P. F. Smith's Pennsylvania State Reports.

**Smith Wis.**—Smith's Reports, vols. 1–11 Wisconsin.

**Smith & B.**—Smith and Batty's Irish King's Bench Reports.

**Smith & G.**—Smith & Guthrie's Missouri Appeals Reports.

**Smy. or Smythe**—Smythe's Irish Common Pleas Reports.

**Sn. or Sneed**—Sneed's Tennessee Reports; Sneed's Kentucky Decisions.

**Sneed Dec. or Sneed Ky.**—Sneed's Kentucky Decisions.

**Snow**—Snow's Reports, Utah.

**So. Aus. L. R. or So. Austr. L. R.**—South Australian Law Reports.

**So. Car.**—South Carolina Reports.

**So. Car. Const.**—South Carolina Constitutional Reports.

**So. East. Rep.**—Southeastern Reporter.
**So. Rep.**—Southern Reporter.
**So. West. Rep.**—Southwestern Reporter.
**Sou. Aus. L. R.**—South Australian Law Reports.
**South.**—Southard's Reports, New Jersey Law.
South.—Southern Reporter.
Southard—Southard's New Jersey Reports.
**Sp.**—Spink's English Ecclesiastical and Admiralty Reports; Spears' South Carolina Law Reports.
**Sp. Ch. or Sp. Eq.**—Spears' South Carolina Equity Reports.
Sparks—Sparks' Reports, British Burmah.
Spalding—Spalding's Reports, vols. 71–80 Maine.
Spear—Spear's Reports, South Carolina.
**Spear Ch. or Spear Eq.**—Spear's Chancery Reports, South Carolina.
Spears Eq.—Spears' South Carolina Equity Reports.
**Spel. Rep.**—Spelman's Reports, Manuscript, English King's Bench.
Spenc.—Spencer's Reports, New Jersey Law.
Spenc. (Minn.)—Spencer's Reports, Minnesota.
Spencer—Spencer's New Jersey Reports; Spencer's Reports, vols. 10–20 Minnesota.
Spink—Spink's Reports, English Admiralty and Ecclesiastical.
Spinks—Spinks' English Ecclesiastical and Admiralty Reports.
Spoon. or Spooner—Spooner's Reports, Wisconsin, vols. 12–15.
Spott.—Spottiswoode's Reports, Scotch Court of Session.
Spott. C. L. Rep.—Spottiswoode's Common Law Reports.
Spott. Eq. Rep.—Spottiswoode's English Equity Reports.
Spottis.—Sir R. Spottiswoode's Reports, Scotch Court of Session.
Spottis. C. L. & Eq. Rep.—Common Law and Equity Reports, published by Spottiswoode.
Spr. or Sprague—Sprague's United States District Court (Admiralty) Decisions.
St.—Story's United States Circuit Court Reports; Stair's Scotch Court of Session Reports; Stuart's Scotch Session Cases.
St. Cas.—Stillingfleet's Ecclesiastical Cases, English.
Stafford—Stafford's Reports, vols. 69–71 Vermont.
Stair—Stair's Reports, Scotch Court of Session.
Stant. or Stanton—Stanton's Reports, Ohio, vols. 11–13.
Star.—Starkie's English Nisi Prius Reports.
Stark. N. P.—Starkie's Reports, English Nisi Prius.
Stevens & G.—Stevens & Graham's Reports, vols. 98–139 Georgia.
Stew.—Stewart's Alabama Reports; Stewart's New Jersey Equity Reports; Stewart's (R. W.) Reports, vols. 1–10 South Dakota.
Stew. (Ala.)—Stewart's Reports, Alabama.
Stew. Adm.—Stewart's Vice-Admiralty Reports, Nova Scotia.
Stew. Eq.—Stewart's Reports, vols. 28–45 New Jersey Equity.

**Stew. (N. J.)**—Stewart's Reports, New Jersey Equity Reports, vols. 28–45.
**Stew. N. Sc.**—Stewart's Admiralty Reports, Nova Scotia.
**Stew. V. A.**—Stewart's Vice-Admiralty Reports, Nova Scotia.
**Stew. & P. or Stew. & Port.**—Stewart & Porter's Alabama Reports.
**Stiles**—Stiles' Reports, Iowa.
**Stiness**—Stiness' Reports, vols. 20–34 Rhode Island.
**Sto. or Sto. C. C.**—Story's United States Circuit Court Reports.
**Stock.**—Stockton's New Jersey Equity Reports.
**Stock. (Md.)**—Stockett's Reports, Maryland.
**Stockett**—Stockett's Reports, vols. 27–79 Maryland.
**Stockt. Ch.**—Stockton's New Jersey Chancery Reports.
**Story**—Story's United States Circuit Court Reports.
**Str.**—Strange's English King's Bench Reports.
**Stra.**—Strange; Strange's Reports, English Courts.
**Strahan**—Strahan's Reports, vol. 19 Oregon.
**Strange**—Strange's Reports, English Courts.
**Stratton**—Stratton's Reports, vols. 12–14, 19 Oregon.
**Stringf.**—Stringfellow's Reports, Missouri.
**Stringfellow**—Stringfellow's Reports, vols. 9–11 Missouri.
**Strob.**—Strobhart's Law Reports, South Carolina.
**Strob. Ch. or Strob. Eq.**—Strobhart's Equity Reports, South Carolina.
**Struve**—Struve's Reports, vol. 3 Washington Territory.
**Stu.**—Stuart, Milne and Peddie's Reports, Scotch Court of Session.
**Stu. Adm.**—Stuart's Lower Canada Vice-Admiralty Reports.
**Stu. Ap.**—Stuart's Appeal Cases (Lower Canada King's Bench Reports).
**Stu. K. B. or Stu. L. C.**—Stuart's Reports, Lower Canada King's Bench.
**Stu. Mil. & Ped.**—Stuart, Milne & Peddie's Scotch Court of Session Reports.
**Stu. M. & P.**—Stuart, Milne and Peddie's Reports, Scotch Court of Session.
**Stu. V. A.**—Stuart's Vice-Admiralty Reports, Lower Canada.
**Stuart**—Stuart's Lower Canada King's Bench Reports; Stuart's Lower Canada Vice-Admiralty Reports; Stuart, Milne & Peddie's Scotch Court of Session Reports.
**Stuart L. C. K. B.**—Stuart's Lower Canada King's Bench Reports.
**Stuart L. C. V. A.**—Stuart's Lower Canada Vice-Admiralty Reports.
**Sty.**—Style's English King's Bench Reports.
**Sud. Dew. Ad. or Sud. Dew. Adul.**—Sudder Dewanny Adawlut Reports, India.
**Sud. Dew. Rep.**—Sudder Dewanny Reports, N. W. Provinces, India.
**Sum.**—Sumner's United States Circuit Court Reports.
**Sum. Ves.**—Sumner's Edition of Vesey's Reports.
**Summerfield, S.**—Summerfield's (S.) Reports, vol. 21 Nevada.
**Sumn.**—Sumner's Reports, U. S. Circuit Court, 1st Circuit.
**Sumn. Ves.**—Sumner's Edition of Vesey's Reports.
**Sup. Ct. or Sup. Ct. Rep.**—Supreme Court Reporter of Decisions of United States Supreme Court.

**Supp. Ves. Jun. or Supp. Ves. Jr.**—Supplement to Vesey, Jr.'s Reports.

**Supr. Ct. Rep.**—Federal & Supreme Court Reporter.

**Suth.**—Sutherland's Reports, Calcutta.

**Suth. Bengal**—Sutherland's High Court Reports, Bengal.

**Sw.**—Swanston's English Chancery Reports; Swabey's English Admiralty Reports; Sweeney's New York Superior Court Reports; Swan's Tennessee Reports; Swinton's Scotch Justiciary Cases.

**Swab. or Swab. Adm. or Swab. Admr.**—Swabey's Admiralty Reports, English.

**Swab. & Tr. or Swab. & Trist.**—Swabey and Tristram's Reports, English Probate and Divorce.

**Swan**—Swan's Tennessee Reports; Swanston's English Chancery Reports.

**Swan. Ch.**—Swanston's English Chancery Reports.

**Swans.**—Swanston's Reports, English Chancery.

**Swans. or Swanst.**—Swanston's English Chancery Reports.

**Sween. or Sweeney**—Sweeney's New York Superior Court Reports, vols. 31, 32.

**Swin. Reg. App.**—Swinton's Scotch Registration Appeal Cases.

**Syme**—Syme's Justiciary Cases, Scotland.

# T

**T.**—Tappan's Ohio Reports.
**T. B. Mon.** or **T. B. Monr.**—T. B. Monroe's Kentucky Reports.
**T. Jones** or **2 Jones.**—T. Jones' English King's Bench and Common Pleas Reports.
**T. R. (N. Y.)**—Caines' (Term) Reports, New York.
**T. R. N. S.**—Term Reports, New Series.
**T. Raym.**—T. Raymond's Reports, English King's Bench.
**T. T. R.**—Tarl Town Reports, New South Wales.
**T. U. P. Charlt.**—T. U. P. Charlton's Reports, Georgia.
**T. & C.**—Thompson and Cook's Reports, New York Supreme Court.
**T. & G.**—Tyrwhitt and Granger's Reports, English Exchequer.
**T. & M.**—Temple & Mew's Crown Cases, English.
**T. & P.**—Turner and Phillips' Reports, English Chancery.
**T. & R.**—Turner and Russell's Reports, English Chancery.
**Tait**—Tait's Manuscript Decisions, Scotch Session Cases.
**Tal.** or **Talb.**—Cases tempore Talbot, English Chancery.
**Tam.**—Tamlyn's English Rolls Court Reports.
**Taml.**—Tamlyn's Reports, English Chancery.
**Tann.** or **Tanner**—Tanner's Reports, vols. 8–14 Indiana; Tanner's Reports, vols. 13–17 Utah.
**Tap.**—Tappan's Nisi Prius Reports, Ohio.
**Tapp.**—Tappan's Nisi Prius Reports, Ohio.
**Tarl. Term R.**—Tarleton's Reports, New South Wales.
**Taun.** or **Taunt.**—Taunton's English Common Pleas Reports.
**Tay.**—Taylor's Reports, Ontario.
**Tay. J. L.** or **Tay. N. C.**—J. L. Taylor's Carolina Reports.
**Tay. U. C.**—Taylor's Upper Canada Reports.
**Tay. & B.**—Taylor & Bell's Bengal Reports.
**Tayl. (J. L.)**—Taylor's Reports, North Carolina Term Reports.
**Tayl. (U. C.)**—Taylor's Reports, Upper Canada King's Bench.
**Taylor**—Taylor's North Carolina Reports; Taylor's Upper Canada Reports; Taylor's Bengal Reports.
**Taylor U. C.**—Taylor's Kings Bench Reports, Upper Canada (now Ontario).
**Ten. Cas.**—Thompson's Unreported Cases, Tennessee; Shannon's Cases, Tennessee.
**Tenn.**—Tennessee Reports (Overton's).
**Tenn. Ch.**—Tennessee Chancery Reports (Cooper's).
**Tenn. Leg. Rep.**—Tennessee Legal Reporter, Nashville.
**Term**—Term Reports, English King's Bench (Durnford and East's Reports).
**Term N. C.**—Term Reports, North Carolina, by Taylor.
**Term R.**—Term Reports, English King's Bench (Durnford & East's Reports).

**Terr.**—Terrell's Reports, vols. 52–71 Texas.

**Terr. & Wal. or Terr. & Walk.**—Terrell and Walker's Reports, Texas Reports, vols. 38–51.

**Tex.**—Texas Reports.

**Tex. App.**—Texas Court of Appeals Reports; Texas Civil Appeals Cases.

**Tex. Civ. App. or Tex. Civ. Rep.**—Texas Civil Appeals Reports.

**Tex. Cr. App.**—Texas Criminal Appeals.

**Tex. Crim. Rep.**—Texas Criminal Reports.

**Tex. Supp.**—Supplement to vol. 25, Texas Reports.

**Tex. Unrep. Cas.**—Texas Unreported Cases, Supreme Court.

**Th. & C.**—Thompson & Cook's New York Supreme Court Reports.

**Thayer**—Thayer's Reports, vol. 18, Oregon.

**Thom.**—Thomson's Reports, Nova Scotia; Thomas' Reports, vol. 1 Wyoming.

**Thom. Dec.**—1 Thomson, Nova Scotia Reports.

**Thom. Rep.**—2 Thomson, Nova Scotia Reports.

**Thom. (Wy.)**—Thomas' Reports, Wyoming.

**Thom. & Fr.**—Thomas & Franklin's Reports, Maryland Ch. Dec., vol. 1.

**Thomas**—Thomas' Reports, Wyoming Territory.

**Thomp. (Cal.)**—Thompson's Reports, California Reports, vols. 39, 40.

**Thomp. (N. S.)**—Thompson's Reports, Nova Scotia.

**Thomp. Tenn. Cas.**—Thompson's Unreported Tennessee Cases.

**Thomp. & C.**—Thompson & Cook's New York Supreme Court Reports.

**Thompson**—Thompson's Reports, vols. 39, 40 California; Thompson's Nova Scotia Reports.

**Thor.**—Thorington's Reports, vol. 107 Alabama.

**Thorpe**—Thorpe's Reports, vol. 52 Louisiana Annual.

**Tiff.**—Tiffany's Reports, vols. 28–39 New York Court of Appeals.

**Tiff.**—Tiffany's Reports, New York Court of Appeals Reports, vols. 28–39.

**Tiffany**—Tiffany's Reports, vols. 28–39, New York Court of Appeals.

**Tillman**—Tillman's Reports, vols. 68, 69, 71, 73, 75 Alabama.

**Times L. R.**—Times Law Reports.

**Tinw.**—Tinwald's Reports, Scotch Court of Session.

**To. Jo.**—Sir Thomas Jones' English King's Bench Reports.

**Tobey**—Tobey's Reports, vols. 9, 10 Rhode Island.

**Tot. or Toth.**—Tothill's English Chancery Reports.

**Trace. & M.**—Tracewell and Mitchell, United States Comptroller's Decisions.

**Tread. or Tread. Const. (S. C.)**—Treadway's South Carolina Constitutional Reports.

**Tred.**—Tredgold's Reports, Cape Colony.

**Tripp**—Tripp's Reports, vols. 5, 6 Dakota.

**Tristram**—Tristram's Supplement to vol. 4, Swabey & Tristram.

**True.**—Trueman's New Brunswick Reports and Equity Cases.

**Tuck.**—Tucker's New York Surrogate Reports; Tucker's Reports, vols. 156–175 Massachusetts; Tucker's District of Columbia Appeals Reports.

**Tuck. Surr.**—Tucker's Surrogate Reports, City of New York.
**Tuck. & Cl.**—Tucker and Clephane's Reports, D. of Col., vol. **21.**
**Tup. App.**—Tupper's Appeal Reports, Ontario.
**Tupper**—Tupper's Reports, Ontario Appeals; Tupper's Upper Canada Practice Reports.
**Tur.**—Turner & Russell's English Chancery Reports.
**Turn.**—Turner's Reports, vols. 99–101 Kentucky; Turner's Reports, vols. 35, 48, Arkansas.
**Turn. (Ark.)**—Turner's Reports, Arkansas, vols. 35–48.
**Turn. & Ph.**—Turner and Phillip's Reports, English Chancery.
**Turn. & R. or Turn. & Rus. or Turn. & Russ.**—Turner & Russell's English Chancery Reports.
**Tutt.**—Tuttle's Reports, California.
**Tutt. & Carp.**—Tuttle and Carpenter's Reports, California Reports, vol. **52.**
**Tuttle**—Tuttle's Reports, vols. 23–32 and 41–52 California.
**Tuttle & Carpenter**—Tuttle & Carpenter's Reports, vol. 52 California.
**Tyl. or Tyler**—Tyler's Vermont Reports.
**Tyng**—Tyng's Reports, vols. 2–17 Massachusetts.
**Tyr. or Tyrw.**—Tyrwhitt & Granger's English Exchequer Reports.
**Tyr. & Gr.**—Tyrwhitt & Granger's Exchequer Reports.
**Tyrw.**—Tyrwhitt's and Granger's Reports, English Exchequer.
**Tyrw. & G.**—Tyrwhitt and Granger's Reports, English Exchequer.

F

# U

**U.**—Utah Reports.
**U. C. App.**—Upper Canada Appeal Reports.
**U. C. C. P.**—Upper Canada Common Pleas Reports.
**U. C. Ch.**—Upper Canada Chancery Reports.
**U. C. Cham.**—Upper Canada Chambers Reports.
**U. C. Chan.**—Upper Canada Chancery Reports.
**U. C. E. & A.**—Upper Canada Error and Appeals Reports.
**U. C. K. B.**—Upper Canada King's Bench Reports, Old Series.
**U. C. O. S.**—Upper Canada Queen's Bench Reports, Old Series.
**U. C. P. R.**—Upper Canada Practice Reports.
**U. C. Pr.**—Upper Canada Practice Reports.
**U. C. Q. B.**—Upper Canada Queen's Bench Reports.
**U. C. Q. B. O. S.**—Upper Canada Queen's (King's) Bench Reports, Old Series.
**U. C. R.**—Queen's Bench Reports, Ontario.
**U. C. Rep.**—Upper Canada Reports.
**U. S.**—United States Reports.
**U. S. Ap.**—United States Appeals Reports.
**U. S. Ct. Cl.**—Reports of the United States Court of Claims.
**U. S. Law Ed.**—United States Reports Lawyer's Edition.
**U. S. R.**—United States Supreme Court Reports.
**U. S. S. C. Rep.**—United States Supreme Court Reports.
**U. S. Sup. Ct. Rep.**—United States Supreme Court Reporter.
**Utah**—Utah Reports.

# V

**V.**—Vermont Reports; Virginia Reports.
**V. C. Rep.**—Vice-Chancellor's Reports, English.
**V. L. R.**—Victorian Law Reports, Australia.
**V. R.**—Vermont Reports.
**V. & B.**—Vesey & Beames' English Chancery Reports.
**V. & S.**—Vernon and Scriven's Reports, Irish King's Bench.
**Va.**—Virginia Reports; Gilmer's Virginia Reports.
**Va. Ch. Dec.**—Chancery Decisions, Virginia.
**Va. R.**—Virginia Reports; Gilmer's Virginia Reports.
**Van K.**—Van Koughnet's Reports, vols. 15–21 Upper Canada Common Pleas.
**Vanderstr.**—Vanderstraaten's Ceylon Reports.
**Vaug. or Vaugh. or Vaughan**—Vaughan's English Common Pleas Reports.
**Vaux**—Vaux's Recorder's Decisions, Philadelphia.
**Ve. or Ves.**—Vesey's English Chancery Reports.
**Ve. & B. or Ves. & B.**—Vesey & Beames' English Chancery Reports.
**Veaz. or Veazey**—Veazey's Reports, vols. 36–46 Vermont.
**Vent. or Ventr.**—Ventris' English Common Pleas Reports; Ventris' English King's Bench Reports.
**Ver. or Verm.**—Vermont Reports.
**Vern.**—Vernon's Reports, English Chancery.
**Vern. & Sc. or Vern. & Scr. or Vern. & Scriv.**—Vernon & Scriven's Irish King's Bench Reports.
**Ves.**—Vesey, Senior's Reports, English Chancery.
**Ves. Jr. or Ves. Jun.**—Vesey, Junior's Reports, English Chancery.
**Ves. Jun. Supp.**—Supplement to Vesey, Jr.'s, English Chancery Reports.
**Ves Sen. or Ves. Sr.**—Vesey, Sr.'s, English Chancery Reports.
**Ves. & B. or Ves. & Bea. or Ves. & Beam.**—Vesey & Beames' English Chancery Reports.
**Vez.**—Vezey's (Vesey's) English Chancery Reports.
**Vict. L. R.**—Victorian Law Reports, Colony of Victoria, Australia.
**Vict. L. R. Min.**—Victorian Mining Law Reports.
**Vict. Rep.**—Victorian Reports, Colony of Victoria.
**Vil. & Br.**—Vilas & Bryant's Edition of the Wisconsin Reports.
**Vilas**—Vilas' New York Criminal Reports.
**Vir.**—Virgin's Reports, Maine.
**Virgin**—Virgin's Reports, vols. 52–60 Maine; Virginia (see Va.).
**Vr. or Vroom**—Vroom's Reports, New Jersey Law Reports, vols. 30–56.
**Vroom (G. D. W.)**—G. D. W. Vroom's Reports, vols. 36–63 New Jersey Law.
**Vroom (P. D.)**.—P. D. Vroom's Reports, vols. 30–35 New Jersey Law.
**Vt.**—Vermont Reports.

# W

**W.**—Wheaton's United States Supreme Court Reports; Wendell's New York Reports; Watts' Reports, Pennsylvania; Wright's Ohio Reports.

**W. Bl. or W. Bla.**—Sir William Blackstone's English King's Bench and Common Pleas Reports.

**W. C. C.**—Washington's United States Circuit Court Reports.

**W. Coast Rep.**—West Coast Reporter.

**W. H. & G.**—Welsby, Hurlstone and Gordon's Reports, English Exchequer Reports, vols. 1–9.

**W. Jo. or W. Jones**—Wm. Jones' Reports, English Courts.

**W. Kel.**—Wm. Kelynge's Reports, English King's Bench and Chancery.

**W. L. R.**—Washington Law Reporter, Washington, D. C.

**W. R.**—Wendell's New York Reports; Wisconsin Reports; West's Reports (English Chancery).

**W. Rep.**—West's Reports temp. Hardwicke, English Chancery.

**W. Rob.**—W. Robinson's English Admiralty Reports.

**W. T. R.**—Weekly Transcript Reports, New York.

**W. Ty. R.**—Washington Territory Reports.

**W. Va.**—West Virginia Reports.

**W. W. & A'B. Vict.**—Wyatt, Webb & A'Beckett's Reports, Victoria.

**W. W. & D.**—Willmore, Wollaston and Davison's Reports, English Queen's Bench.

**W. W. & H.**—Willmore, Wollaston and Hodge's Reports, English Queen's Bench.

**W. & C.**—Wilson & Courtenay's Scotch Appeal Cases (see Wilson & Shaw).

**W. & M.**—Woodbury & Minot's United States Circuit Court Reports.

**W. & S.**—Watts & Sergeant's Pennsylvania Reports; Wilson & Shaw's Scotch Appeal Cases.

**W. & S. App.**—Wilson and Shaw's Scotch Appeals, English House of Lords.

**W. & W.**—White & Wilson's Texas Court of Appeals, Civil Cases.

**W. & W. Vict.**—Wyatt & Webb's Victorian Reports.

**Wa.**—Watts' Reports, Pennsylvania.

**Wal. by L.**—Wallis' Irish Reports by Lyne.

**Wal. Jr.**—Wallace's (J. W.) United States Circuit Court Reports.

**Wal. Sr.**—Wallace's (J. B.) United States Circuit Court Reports.

**Walk.**—Walker's Mississippi Reports; Walker's Michigan Chancery Reports; Walker's Reports, vols. 25, 72–88 Texas; Walker's Reports, vols. 1–10 Texas Civil Appeals; Walker's Reports, vols. 96, 109 Alabama; Walker's Pennsylvania Reports.

**Walk. Ch. or Walk. Ch. Cas.**—Walker's Chancery Cases, Michigan.

**Walk. (Mich.)**—Walker's Reports, Michigan Chancery.

**Walk. (Miss.)**—Walker's Reports, Mississippi Reports, vol. 1.

**Walk. (Pa.)**—Walker's Pennsylvania Reports.

**Walk. (Tex.)**—Walker's Reports, Texas Reports, vol. 25.

**Walker**—Walker's Reports, vols. 96, 109 Alabama; Walker's Michigan Chancery Reports; Walker's Mississippi Reports; Walker's Pennsylvania Reports; Walker's Reports, vols. 25, 72–88 Texas; Walker's Reports, vols. 1–10 Texas Civil Appeals.

**Wall.**—Wallace's United States Supreme Court Reports; Wallace's (Sr.) United States Circuit Court Reports; Wallace's Philadelphia Reports; Wallis' Irish Chancery Reports.

**Wall. C. C.**—Wallace's United States Circuit Court Reports, Third Circuit.

**Wall. Jr. or Wall. Jun.**—Wallace, Junior's, Reports, U. S. Circuit Court, 3d Circuit.

**Wall. Rep.**—Wallace on the Reporters; Wallace's United States Supreme Court Reports.

**Wall. S. C.**—Wallace's United States Supreme Court Reports.

**Wall. Sen.**—Wallace's (J. B.) United States Circuit Court Reports.

**Wallis**—Wallis' Reports, Irish Chancery.

**Wallis by L.**—Wallis' Irish Chancery Reports, by Lyne.

**Ward.**—Warden's Reports, Ohio; Warden & Smith's Reports, Ohio.

**Ward. & Sm.**—Warden and Smith's Reports, Ohio State Reports, vol. 3.

**Warden**—Warden's Reports, vols. 2, 4 Ohio State.

**Warden & Smith**—Warden & Smith's Reports, vol. 3 Ohio State.

**Ware**—Ware's Reports, United States District Court, Maine.

**Wash.**—Washington State Reports.

**Wash.**—Washington's Reports; Washington's United States Circuit Court Reports; Washington's Virginia Reports; Washburn's Reports, vols. 16–23 Vermont.

**Wash. C. C.**—Washington's United States Circuit Court Reports.

**Wash. L. Rep.**—Washington Law Reporter, Washington, D. C.

**Wash. Ter.**—Washington Territory Reports.

**Wash. Ter. N. S.**—Allen's Washington Territory Reports, New Series.

**Wash. Ty.**—Washington Territory Reports.

**Wash. (Va.)**—Washington's Reports, Virginia.

**Wash. & Haz. P. E. I.**—Washburton & Hazard's Reports, Prince Edward Island.

**Washb.**—Washburn's Reports, Vermont.

**Washburn**—Washburn's Reports, vols. 16–23 Vermont.

**Wat. (C. G. H.)**—Watermeyer's Cape of Good Hope Supreme Court Reports.

**Watermeyer**—Watermeyer's Cape of Good Hope Supreme Court Reports.

**Watts**—Watts' Pennsylvania Reports; Watts' Reports, vols. 16–24, West Virginia.

**Watts & S. or Watts & Ser. or Watts & Serg.**—Watts & Sergeant's Pennsylvania Reports.

**Webb**—Webb's Reports, vols. 6–20 Kansas; Webb's Reports, vols. 11–20 Texas Civil Appeals.

**Webb, A'B. & W.**—Webb, A'Beckett & Williams' Victorian Reports, Australia.

**Webb, A'B. & W. Eq.**—Webb, A'Beckett and Williams' Equity Reports, Victoria.

**Webb, A'B. & W. I. P. & M.**—Webb, A'Beckett and Williams' Insolvency, Probate and Matrimonial Reports, Victoria.

**Webb. & D. or Webb & Duval.**—Webb & Duval's Reports, vols. 1–3 Texas.

**Wel.**—Welsh's Irish Registry Cases.

**Welsb., H. & G. or Welsby, H. & G.**—Welsby, Hurlstone & Godon's Reports, English Exchequer Reports, vols. 1–9.

**Welsh Reg. Cas.**—Welsh's Irish Registry Cases.

**Wend.**—Wendell's Reports, New York Supreme Court.

**Wenz.**—Wenzell's Reports, Minnesota.

**West**—West's Reports, English Chancery, tempore Hardwicke.

**West**—West's Reports, English House of Lords; West's Reports, English Chancery; Weston's Reports, vols. 11–14 Vermont.

**West. Ch.**—West's English Chancery Cases.

**West Co. Rep.**—West Coast Reporter.

**West Coast Rep.**—West Coast Reporter.

**West, H. L.**—West's Reports, English House of Lords.

**West. Rep.**—Western Reporter.

**West. t. H.**—West's Reports, English Chancery tempore Hardwicke.

**West Va.**—West Virginia Reports.

**Weston**—Weston's Reports, vols. 11–14 Vermont.

**Weth. (U. C.)**—Wethey's Upper Canada Reports, Queen's Bench.

**Wh.**—Wheaton's United States Supreme Court Reports; Wharton's Pennsylvania Reports; Wheeler's New York Criminal Reports.

**Whar.**—Wharton's Pennsylvania Reports.

**Whart.**—Wharton's Reports, Pennsylvania.

**Whart. (Pa.)**—Wharton's Pennsylvania Reports.

**Wheat.**—Wheaton's United States Supreme Court Reports.

**Wheel.**—Wheeler's New York Criminal Cases; Wheelock's Reports, vols. 32–37 Texas.

**White**—White's Reports, vols. 10–15 West Virginia; White's Reports, vols. 30–40 Texas Court of Appeals; White, Scotch Justiciary Reports.

**White & W.**—White & Willson's Reports, vol. 142 Texas Civil Appeals.

**Whitt.**—Whittelsey's Reports, vols. 31–41 Missouri.

**Wight. or Wightw.**—Wightwick's English Exchequer Reports.

**Wilc.**—Wilcox's Reports, Ohio.

**Wilc. Cond.**—Wilcox's Condensed Reports, Ohio.

**Wilcox**—Wilcox's Reports, vol. 10 Ohio.

**Wilcox Cond.**—Wilcox, Condensed Ohio Reports.

**Wilk.**—Wilkinson's Texas Court of Appeals and Civil Appeals; Wilkinson's Reports, Australia.

**Wilk. P. & M.**—Wilkinson, Paterson and Murray's Reports, New South Wales.

**Wilk. & Mur. or Wilk. & Ow. or Wilk. & Pat.**—Wilkinson, Owen, Paterson & Murray's New South Wales Reports.

**Will.**—Willes' English Common Pleas Reports; Willson's Reports, vols. 29, 30 Texas Appeals, vols. 1, 2 Texas Civil Appeals.

**Will. (Mass.)**—Williams' Reports, Massachusetts Reports, vol. 1.

**Will. P. or Will. (Peere)**—Peere-Williams' English Chancery Reports.

**Will. (Vt.)**—Williams' Reports, Vermont.

**Will., Woll. & Dav.**—Willmore, Wollaston & Davison's English Queen's Bench Reports.

**Will., Woll. & Hodg.**—Willmore, Wollaston & Hodges, English Queen's Bench Reports.

**Willes.**—Willes' Reports, English King's Bench and Common Pleas.

**Williams**—Peere-Williams' English Chancery Reports; Williams' Reports. vols. 27–29 Vermont; Williams' Reports, vol. 1 Massachusetts; Williams' Reports, vols. 10–12 Utah.

**Williams P. or Williams, Peere**—Peere Williams' Reports, English Chancery

**Willm. W. & D.**—Willmore, Wollaston and Davison's Reports, English Queen's Bench.

**Willm. W. & H.**—Willmore, Wollaston & Hodges' English Queen's Bench Reports.

**Willson**—Willson's Reports, vols. 29, 30 Texas Appeals, also vols. 1, 2 Texas Court of Appeals, Civil Cases

**Wils.**—Wilson's Reports, English King's Bench and Common Pleas.

**Wils. (Cal.)**—Wilson's Reports, California.

**Wils. Ch.**—Wilson's Reports, English Chancery.

**Wils. Exch.**—Wilson's Reports, English Exchequer.

**Wils. (Ind.)**—Wilson's Indiana Superior Court Reports.

**Wils. K. B.**—Sergeant Wilson's English King's Bench Reports.

**Wils. (Oreg.)**—Wilson's Reports, Oregon.

**Wils. & C. or Wils. & Court.**—Wilson and Courtenay's Reports, English House of Lords, Appeals from Scotland.

**Wils. & S. or Wils. & Sh.**—Wilson and Shaw's Reports, English House of Lords, Appeals from Scotland (Shaw, Wilson & Courtenay).

**Wilson**—Wilson's English Common Pleas Reports; Wilson English Chancery Reports; Wilson's English Exchequer Equity Reports; Wilson's Indiana Superior Court Reports; Wilson's Reports, vols. 1, 3 Oregon; Wilson's Reports, vols. 48–59 Minnesota.

**Win.**—Winston's Law Reports, North Carolina; Winch's English Common Pleas Reports.

**Win. Eq.**—Winston's Equity Reports, North Carolina.

**Winch**—Winch's Reports, English Common Pleas.

**Wins.**—Winston's Reports, North Carolina.

**Wins. Eq.**—Winston's Equity Reports, North Carolina.

**Winst. or Winst. Eq.**—Winston's Law or Equity Reports, North Carolina.

**Wis.**—Wisconsin Reports.

**With.**—Withrow's Reports, Iowa.

**Withrow**—Withrow's Reports, vols. 9–21 Iowa.

**Wm. Rob.**—William Robinson's New Admiralty Reports, English.
**Wms. (Mass.)**—Williams' Reports, Massachusetts Reports, vol. 1.
**Wms. P. or Wms. Peere**—Peere Williams' Reports, English Chancery.
**Wms. Peere**—Peere-Williams' English Chancery Reports.
**Wms. Vt.**—Williams' Reports, vols. 27–29 Vermont.
**Wol.**—Wollaston's English Bail Court Reports; Wolcott's Reports, vol. 7 Delaware Chancery.
**Woll. or Woll. P. C.**—Wollaston's English Bail Court Reports.
**Wood.**—Woods' United States Circuit Court Reports.
**Wood. & M. or Woodb. & M.**—Woodbury & Minot's United States Circuit Court Reports.
**Woods or Woods C. C.**—Woods' Reports, United States Circuit Courts, 5th Circuit.
**Woodw. Dec. Pa.**—Woodward's Common Pleas Decisions, Pennsylvania.
**Wool.**—Woolworth's United States Circuit Court Reports; Woolrych.
**Wool. C. C.**—Woolworth's Reports, United States Circuit Courts, 8th Circuit (Fuller's Opinions).
**Woolw.**—Woolworth's United States Circuit Court Reports; Woolworth's Reports, vol. 1 Nebraska.
**Wr.**—Wright's Reports, vols. 37–50 Pennsylvania State.
**Wr. Ch.**—Wright's Chancery Reports, Ohio.
**Wr. N. P.**—Wright's Nisi Prius Reports, Ohio.
**Wr. Ohio.**—Wright's Chancery Reports, Ohio.
**Wr. Pa.**—Wright's Reports, Pennsylvania State Reports, vols. 37–50.
**Wri. or Wright.**—Wright's Reports, vols. 37–50 Pennsylvania State; Wright's Ohio Reports.
**Wright N. P.**—Wright's Nisi Prius Reports, Ohio.
**Wy.**—Wyoming Reports; Wythe's Virginia Chancery Reports.
**Wy. Dic.**—Wyatt's Dickens' Chancery Reports.
**Wyatt, W. & A'B Eq.**—Wyatt, Webb and A'Beckett's Equity Reports, Victoria.
**Wyatt, W. & A'B. I. P. & M.**—Wyatt, Webb and A'Beckett's Insolvency. Probate and Matrimonial Reports, Victoria.
**Wyatt, W. & A'B. Min.**—Wyatt, Webb and A'Beckett's Mining Cases, Victoria.
**Wyatt & W.**—Wyatt and Webb's Reports, Victoria.
**Wyatt & W. Eq.**—Wyatt and Webb's Equity Reports, Victoria.
**Wyatt & W. I. P. & M.**—Wyatt and Webb's Insolvency, Probate and Matrimonial Reports, Victoria.
**Wyatt & W. Min.**—Wyatt & Webb's Mining Cases, Victoria.
**Wyatt & Webb**—Wyatt & Webb's Reports, Victoria.
**Wym. or Wyman.**—Wyman's Reports, India.
**Wyo.**—Wyoming Reports.
**Wythe or Wythe Ch.**—Wythe's Virginia Chancery Reports.

# Y

**Y.**—Yeates' Pennsylvania Reports.
**Y. B.**—Year-Book, English King's Bench, etc.
**Y. B. Ed. I**—Year-Books of Edward I.
**Y. B. P. 1, Edw. II**—Year-Books, Part 1, Edward II.
**Y. & C.**—Younge & Collyer's English Chancery or Exchequer Reports.
**Y. & C. C. C.**—Younge and Collyer's Chancery Cases, English.
**Y. & J.**—Younge & Jervis' English Exchequer Reports.
**Y. & J.**—Younge and Jervis' Reports, English Exchequer.
**Yea.**—Yeates' Pennsylvania Reports.
**Yearb.**—Year-Book, English King's Bench, etc.
**Yearb. P. 7, Hen. VI**—Year-Books, Part 7, Henry VI.
**Yeates**—Yeates' Reports, Pennsylvania.
**Yel. or Yelv.**—Yelverton's English King's Bench Reports.
**Yerg.**—Yerger's Tennessee Reports.
**York Ass.**—Clayton's Reports (York Assizes).
**You.**—Younge's English Exchequer Equity Reports.
**You. & Coll. Ch.**—Younge & Collyer's English Chancery Reports.
**You. & Coll. Ex.**—Younge & Collyer's English Exchequer Equity Reports.
**You. & Jerv.**—Younge & Jervis' English Exchequer Reports.
**Young**—Young's Reports, vols. 31–47 Minnesota.
**Young. Adm.**—Young's Nova Scotia Admiralty Cases.
**Young Adm. Dec.**—Young's Admiralty Decisions.
**Young M. L. Cas.**—Young Maritime Law Cases, English.
**Younge.**—Younge's English Exchequer Equity Reports.
**Younge & Coll.**—Younge and Collyer's Reports, English Exchequer Equity.
**Younge & Coll. Ch.**—Younge's & Collyer's English Chancery Cases.
**Younge & Coll. Ex.**—Younge & Collyer's English Exchequer Equity Reports.
**Younge & J. or Younge & Jr.**—Younge & Jervis, English Exchequer.

# Z

**Zab.**—Zabriskie's New Jersey Law Reports.
**Zane**—Zane's Reports, vols. 4–9 Utah.

# EXPLANATION OF ABBREVIATIONS, WORDS AND SYMBOLS COMMONLY USED IN LAW PUBLICATIONS.

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**ante:** "Before," used to refer to matter preceding in the same book, but in a separate chapter, or (in a volume of reported cases) a separate case or annotation. Correlative with post (which see); also sometimes used as the equivalent of supra (which see).

**art.:** Article.

**brackets [ ]:** Used to indicate matter interpolated to make clear the sense of a quotation or to supply an evident omission.

The bracketed number found in the citation of certain of the English cases serves to indicate the volume of reports in which the case is published, by the year of its publication: e. g., [1923] 2 K. B. 43 refers to page 43 of the second volume of the reports of the court of King's Bench published for the year 1923.

**Ch.:** Chancellor.

**Ch. J.:** Chief Justice.

**cl.:** Clause.

**C.:** Commissioner.

**et seq.:** An abbreviation of "et sequentia," meaning "and matter following."

**ibid.:** A contraction of "ibidem," meaning "in the same place." Used to refer the reader to the author, text-book, or report which was last above mentioned, and the same section or page of the text-book or report.

**id.:** A contraction of "idem," meaning "the same." Used in conjunction with a page or section number to refer the reader to another page or section of the report or text-book which had been previously cited.

**infra:** "Below"; ordinarily used to refer to matter following in the same opinion or annotation. Correlative with supra (which see).

**loc. cit.:** An abbreviation of "locus citationis," meaning "place of citation."

**J.:** Justice.

**n.:** An abbreviation of "note," used in connection with a reference to a given volume and page to denote a footnote on that page.

**par. or ¶:** Paragraph.

**post:** "After," used to refer to matter following in the same book but in, or constituting, a separate chapter, case, or annotation. Correlative with ante (which see). Sometimes used as the equivalent of infra (which see).

**q. v.:** An abbreviation of "quod vide," meaning "which see."

**sec. S, or §:** Section.

**s. c.:** Same case.

**stars * * * :** A row of stars * * * indicates the omission of matter from a quotation.

A single star in connection with a page number in a reprinted book or later edition, e. g., 3 Kent, Com. *378, shows that the reference is to the original paging, as preserved by numerals bracketed in the text or on the margin.

A volume of Pennsylvania reports containing cases decided subsequently to those in 81 Pa. but prior to those in 82 Pa. is cited as 81 * Pa.

**sub nom.:** "Under the name of."

**supra:** "Above," ordinarily used to refer to matter preceding in the same opinion or annotation. Correlative with infra (which see).

**ubi supra (or infra):** Used to refer the reader to matter above (or below).

**V. C.:** Vice-Chancellor.

# HOW TO ASCERTAIN THE DATE OF AN ENGLISH DECISION.

In many of the old books, the only information given as to the date when the case was decided is the term and year of the reign. The calendar year may be determined with the aid of the following table, which gives the order of terms in the first regnal year of each reign, with the calendar year in which they fell. By adding to the latter the regnal year of any given term, less one, the calendar year can be found. Thus, Hil. Term, 4 Geo. I, would be (4—1) three years after 1715, in which the first Hilary term of his reign came, or 1718. Mich. Term, 4 Geo. I, in the same way, would fall in 1717.

| *Sovereign.* | *Reign began.* | *Order of Terms in First Regnal Year.* | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| William I. | Oct. 14, 1066 | Mich. | 1066, | Hil. | 1067, | Pasch. | 1067, | Trin. | 1067. |
| William II. | Sept. 26, 1087 | Mich. | 1087, | Hil. | 1088, | Pasch. | 1088, | Trin. | 1088. |
| Henry I. | Aug. 5, 1100 | Mich. | 1100, | Hil. | 1101, | Pasch. | 1101, | Trin. | 1101. |
| Stephen | Dec. 26, 1135 | Hil. | 1136, | Pasch. | 1136, | Trin. | 1136, | Mich. | 1136. |
| Henry II. | Dec. 19, 1154 | Hil. | 1155, | Pasch. | 1155, | Trin. | 1155, | Mich. | 1155. |
| Richard I. | Sept. 23, 1189 | Mich. | 1189, | Hil. | 1190, | Pasch. | 1190, | Trin. | 1190. |
| John | May 27, 1199 | *Trin. | 1199, | Mich. | 1199, | Hil. | 1200, | Pasch. | 1200. |
| Henry III. | Oct. 28, 1216 | Mich. | 1216, | Hil. | 1217, | Pasch. | 1217, | Trin. | 1217. |
| Edward I. | Nov. 20, 1272 | *Hil. | 1273, | Pasch. | 1273, | Trin. | 1273, | Mich. | 1273. |
| Edward II. | July 8, 1307 | Mich. | 1307, | Hil. | 1308, | Pasch. | 1308, | Trin. | 1308. |
| Edward III. | Jan. 25, 1326 | *Pasch. | 1326, | Trin. | 1326, | Mich. | 1326, | Hil. | 1327. |
| Richard II. | June 22, 1377 | Mich. | 1377, | Hil. | 1378, | Pasch. | 1378, | Trin. | 1378. |
| Henry IV. | Sept. 30, 1399 | Mich. | 1399, | Hil. | 1400, | Pasch. | 1400, | Trin. | 1400. |
| Henry V. | Mar. 21, 1413 | Pasch. | 1413, | Trin. | 1413, | Mich. | 1413, | Hil. | 1414. |
| Henry VI. | Sept. 1, 1422 | Mich. | 1422, | Hil. | 1423, | Pasch. | 1423, | Trin. | 1423. |
| Edward IV. | Mar. 4, 1461 | Pasch. | 1461, | Trin. | 1461, | Mich. | 1461, | Hil. | 1462. |
| Edward V. | Apr. 9, 1483 | Pasch. | 1483, | Trin. | 1483. | | | | |
| Richard III. | June 26, 1483 | Mich. | 1483, | Hil. | 1484, | Pasch. | 1484, | Trin. | 1484. |
| Henry VII. | Aug. 22, 1485 | Mich. | 1485, | Hil. | 1486, | Pasch. | 1486, | Trin. | 1486. |
| Henry VIII. | Apr. 22, 1509 | *Pasch. | 1509, | Trin. | 1509, | Mich. | 1509, | Hil. | 1510. |
| Edward VI. | Jan. 28, 1547 | *Pasch. | 1547, | Trin. | 1547, | Mich. | 1547, | Hil. | 1548. |
| Mary | July 6, 1553 | Mich. | 1553, | Hil. | 1554, | Pasch. | 1554, | Trin. | 1554. |
| Ph. & M. | | | | | | | | | |
| Elizabeth | Nov. 17, 1558 | *Hil. | 1559, | Pasch. | 1559, | Trin. | 1559, | Mich. | 1559. |
| James I. | Mar. 24, 1603 | Pasch. | 1603, | Trin. | 1603, | Mich. | 1603, | Hil. | 1604. |
| Charles I. | Mar. 27, 1625 | Pasch. | 1625, | Trin. | 1625, | Mich. | 1625, | Hil. | 1626. |
| Charles II.† | Jan. 30, 1649 | *Pasch. | 1649, | Trin. | 1649, | Mich. | 1649, | Hil. | 1650. |
| James II. | Feb. 6, 1685 | Pasch. | 1685, | Trin. | 1685, | Mich. | 1685, | Hil. | 1686. |
| William & Mary | Feb. 13, 1689 | Pasch. | 1689, | Trin. | 1689, | Mich. | 1689, | Hil. | 1690. |
| Anne | Mar. 8, 1702 | Pasch. | 1702, | Trin. | 1702, | Mich. | 1702, | Hil. | 1703. |
| George I. | Aug. 1, 1714 | Mich. | 1714, | Hil. | 1715, | Pasch. | 1715, | Trin. | 1715. |
| George II. | June 11, 1727 | *Mich. | 1727, | Hil. | 1728, | Pasch. | 1728, | Trin. | 1728. |
| George III. | Oct. 25, 1760 | Mich. | 1760, | Hil. | 1761, | Pasch. | 1761, | Trin. | 1761. |
| George IV. | Jan. 29, 1820 | *Pasch. | 1820, | Trin. | 1820, | Mich. | 1820, | Hil. | 1821. |
| William IV. | June 26, 1830 | Mich. | 1830, | Hil. | 1831, | Pasch. | 1831, | Trin. | 1831. |
| Victoria | June 20, 1837 | Mich. | 1837, | Hil. | 1838, | Pasch. | 1838, | Trin. | 1838. |
| Edw. VII. | Jan., 1900 . Died May 7, 1910. | | | | | | | | |
| Geo. V. | May, 1910. | | | | | | | | |

The law terms were originally timed by the church festivals from which they take their names. Since 1831 they have been defined by law as follows:—

Hilary Term .....Jan. 11 to Jan. 31.
Paschal (or Easter) Term.....Apr. 15 to May 8.
Trinity Term .....May 22 to June 12.
Michaelmas Term .....Nov. 2 to Nov. 25.

To find the date of the Law Journal Reports, add 1831 to the number of the volume, e. g., 63 L. J.+1831=1894.

In the case of the Old Series of the Law Journal Reports, 1822 must be added, e. g., 4 L. J. O. S.+22=1826.

To find the date of the Weekly Reporter, add 1852 to the number of the volume, e. g., 34 W. R.+1852=1886.

In the case of the Law Times, there are two volumes a year, so 1859 must be added to half the number of the volume, e. g., 22 L. T.=11+1859=1870.

*Each of these reigns commenced in the midst of a Term, which is given as the first term of the regnal year when the reign began in the early part of the term. When only a few days of the term remained when a reign began, the next term is given as the first one of the regnal year.

†The Commonwealth intervened between Jan. 30, 1649, and May 29, 1660, but the regnal years of Charles II, after his restoration, are computed from the first date, when his reign theoretically began.



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