

## V

**V.** As an abbreviation, this letter may stand for "Victoria," "volume," or "verb;" also "vide" (see) and "voce" (word).

It is also a common abbreviation of "versus," in the titles of causes, and reported cases.

**V. C.** An abbreviation for "vice-chancellor."

**V. C. C.** An abbreviation for "vice-chancellor's court."

**V. E.** An abbreviation for "*venditioni exponas*," (*q. v.*)

**V. G.** An abbreviation for "*verbi gratia*," for the sake of example.

**VACANCY.** A place which is empty. An unoccupied or unfilled post, position, or office. *Wallace v. Payne*, 197 Cal. 539, 241 P. 879, 883. An existing office, etc., without an incumbent. *State v. Board of Election Com'rs of City of Tipton*, 196 Ind. 472, 149 N. E. 69, 71. The state of being destitute of an incumbent, or a proper or legally qualified officer. *Ashcroft v. Goodman*, 139 Tenn. 625, 202 S. W. 939. The term is principally applied to an interruption in the incumbency of an office, or to cases where the office is not occupied by one who has a legal right to hold it and to exercise the rights and perform the duties pertaining thereto. *Frantz v. Davis*, 144 Va. 320, 131 S. E. 784, 785; *Clark v. Wonnacott*, 30 Idaho, 98, 162 P. 1074, 1075.

The term applies not only to an interregnum in an existing office, but it aptly and fitly describes the condition of an office when it is first created, and has been filled by no incumbent. *Walsh v. Comm.*, 83 Pa. 426, 33 Am. Rep. 771. And see *Collins v. State*, 8 Ind. 350; *People v. Opel*, 188 Ill. 194, 58 N. E. 996; *Gormley v. Taylor*, 44 Ga. 76. See also, however, *Delehanty v. Britt*, 163 App. Div. 736, 149 N. Y. S. 97, 98.

The word "vacancy," when applied to official positions, means, in its ordinary and popular sense, that an office is unoccupied, and that there is no incumbent who has a lawful right to continue therein until the happening of a future event, though the word is sometimes used with reference to an office temporarily filled. *Futrell v. Oldham*, 107 Ark. 386, 155 S. W. 502, 504, Ann. Cas. 1915A, 571; *State v. Caulk*, 3 W. W. Harr. (Del.) 344, 138 A. 354, 357.

The word "vacancy," in its literal and precise sense, means a place that is empty or unoccupied, but, as applied to the expiration of a term of office, it is ordinarily given a more liberal, figurative meaning conforming to the intention of the lawmaker and the purpose to be accomplished. According to the latter meaning, the expiration of the term of office creates a vacancy, though the incumbent is willing to continue performing the duties of the office. *State v. Young*, 137 La. 102, 68 So. 241, 247; *People v. Brundage*, 296 Ill. 197, 129 N. E. 500, 502.

**VACANT.** Empty; unoccupied; as, "vacant" office. *Shaffner v. Shaw*, 191 Iowa, 1047, 180 N. W. 853, 854. Without an incumbent. *Conger v. Roy*, 151 Tenn. 30, 267 S. W. 122, 124; *State v. Rogge*, 80 Mont. 1, 257 P. 1029, 1032. Unoccupied by a legally

qualified incumbent who has a right to exercise the functions (of an office, etc.). Board of Education of Newark v. Civil Service Commission of New Jersey, 98 N. J. Law, 417, 119 A. 875, 877; *Cason v. Harn*, 161 Ga. 366, 131 S. E. 88, 89; *Barrett v. Duff*, 114 Kan. 220, 217 P. 918, 924.

Deprived of contents; empty. *Southern Nat. Ins. Co. v. Cobb* (Tex. Civ. App.) 180 S. W. 155, 156. Unoccupied; as, a "vacant" house. *Covey v. National Union Fire Ins. Co. of Pittsburgh*, 31 Cal. App. 579, 161 P. 35, 38.

As used in fire insurance policies, which commonly provide that the policies shall be void if the premises become vacant or unoccupied, the terms "vacant" and "unoccupied" are not synonymous. "Vacant" may be construed to mean empty of all furniture and household articles, while "unoccupied" means not used as a dwelling by human beings. *Russell v. Granite State Fire Ins. Co.*, 121 Me. 248, 116 A. 554, 556; *Parmeter v. Williamsburgh City Fire Ins. Co.*, 48 N. D. 530, 185 N. W. 810, 811; *Herrman v. Ins. Co.*, 81 N. Y. 184, 37 Am. Rep. 483. Yet a dwelling house may be vacant although it may be far from being empty of everything but air. *Robinson v. Mennonite Mut. Fire Ins. Co.*, 91 Kan. 850, 139 P. 420, 422.

Absolutely free, unclaimed, and unoccupied; as, "vacant" land. *Donley v. Van Horn*, 49 Cal. App. 383, 193 P. 514, 516. See, also, *War Fork Land Co. v. Llewellyn*, 199 Ky. 607, 251 S. W. 663, 665. But land which is partially cultivated may still be "vacant land" within the meaning of a statute. *Di Legge v. Peper*, 148 Md. 268, 129 A. 292, 293.

As to vacant "Possession" and "Succession," see those titles.

**VACANTIA BONA.** Lat. In the civil law. Goods without an owner, or in which no one claims a property; escheated goods. Inst. 2, 6, 4; 1 Bl. Comm. 298.

**VACATE.** To annul; to set aside; to cancel or rescind; to render an act void; as, to vacate an entry of record, or a judgment. With reference to the effect of an appeal on a judgment or decree, it is not synonymous with "suspend." *Stewart v. O'Neal* (C. C. A.) 237 F. 897, 903.

To put an end to; as, to vacate a street. *McCarl v. Clarke County*, 167 Iowa, 14, 148 N. W. 1015, 1017.

To move out; to make vacant or empty; to leave; especially, to surrender possession by removal; to cease from occupancy. *Ruble v. Ruble* (Tex. Civ. App.) 264 S. W. 1018, 1020; *Polich v. Severson*, 68 Mont. 225, 216 P. 785, 787.

**VACATIO.** Lat. In the civil law. Exemption; immunity; privilege; dispensation; exemption from the burden of office. Calvin.

**VACATION.** The act or result of vacating. An intermission of procedure; a stated interval in the round of the duties of one's em-

ployment. *Kettlekamp v. Watkins*, 70 Mont. 391, 225 P. 1003, 1006. It is not a termination of the relation of master and servant. *Gutzwiller v. American Tobacco Co.*, 97 Vt. 281, 122 A. 586, 588. In schools, there are customary vacations at Christmas, Easter, and during the summer. *Duffey v. School Committee of Town of Hopkinton*, 236 Mass. 5, 127 N. E. 540.

That period of time between the end of one term of court and the beginning of another. *O'Neal v. State*, 35 Ga. App. 665, 134 S. E. 332, 333; *Peterson v. Beals*, 102 Or. 245, 201 P. 727, 728; *Trower v. Mudd* (Mo. App.) 242 S. W. 993, 994; *Saund v. Saund*, 100 Vt. 387, 138 A. 867, 869; *Ex parte Earman*, 85 Fla. 297, 95 So. 755, 761, 31 A. L. R. 1226; *Union Motor Car Co. v. Cartledge*, 133 Miss. 318, 97 So. 801, 803; *Unbehahn v. Fader*, 319 Ill. 250, 149 N. E. 773, 774; *Von Schmidt v. Widber*, 99 Cal. 511, 34 P. 109; *Conkling v. Ridgely*, 112 Ill. 36, 1 N. E. 261, 54 Am. Rep. 204; *Brayman v. Whitcomb*, 134 Mass. 525.

Sometimes, any time when the court is not in session. *St. Louis, I. M. & S. Ry. Co. v. Ingram*, 118 Ark. 377, 176 S. W. 692, 693.

In a statute providing that issues of law may be tried by the circuit court in vacation, the word "vacation" includes any period during which court might legally have been held, which period elapses between one day's session of court and another day's session, even though both be days of the same term. *State v. Denis*, 40 S. D. 219, 167 N. W. 151, 152.

#### In Ecclesiastical Law

Vacation signifies that a church or benefice is vacant; *e. g.*, on the death or resignation of the incumbent, until his successor is appointed. 2 Inst. 359; *Phillim. Ecc. Law*, 495.

**VACATION BARRISTER.** See Barrister.

**VACATUR.** Lat. Let it be vacated. In practice, a rule or order by which a proceeding is vacated; a vacating.

**VACATURA.** An avoidance of an ecclesiastical benefice. Cowell.

**VACCARIA.** In old English law. A dairy-house. Co. Litt. 5b.

**VACCINATION.** Inoculation with vaccine or the virus of cowpox as a preventive against the smallpox; frequently made compulsory by statute. See *Daniel v. Putnam County*, 113 Ga. 570, 38 S. E. 980, 54 L. R. A. 292; *Jacobson v. Massachusetts*, 197 U. S. 11, 25 S. Ct. 358, 49 L. Ed. 643, 3 Ann. Cas. 765; *Zucht v. King* (Tex. Civ. App.) 225 S. W. 267, cert. dismissed 42 S. Ct. 53, 257 U. S. 650, 66 L. Ed. 416.

**VACUA POSSESSIO.** Lat. The vacant possession, *i. e.*, free and unburdened possession, which (*e. g.*) a vendor had and has to give to a purchaser of lands.

**VACUITY.** Emptiness; vacancy; want of reality; nihility. *McQueen v. Ahbe*, 99 W. Va. 650, 130 S. E. 261, 262.

**VACUUM.** Practically synonymous with suction, although suction may be the result of vacuum. *Pennsylvania Rubber Co. v. Dreadnaught Tire & Rubber Co.* (D. C.) 225 F. 138, 141.

**VACUUS.** Lat. In the civil law. Empty; void; vacant; unoccupied. Calvin.

**VADES.** Lat. In the civil law. Pledges; sureties; bail; security for the appearance of a defendant or accused person in court. Calvin.

**VADIARE DUELLUM.** L. Lat. In old English law. To wage or gage the *duellum*; to wage battle; to give pledges mutually for engaging in the trial by combat.

**VADIMONIUM.** Lat. In Roman law. Bail or security; the giving of bail for appearance in court; a recognizance. Calvin. An ancient form of suretyship. *Hunter, Rom. L.* 526.

**VADIUM.** Lat. A pledge; security by pledge of property. *Coggs v. Bernard*, 2 Ld. Raym. 913.

**VADIUM MORTUUM.** A mortgage or *dead pledge*; a security given by the borrower of a sum of money, by which he grants to the lender an estate in fee, on condition that, if the money be not repaid at the time appointed, the estate so put in pledge shall continue to the lender as dead or gone from the mortgagor. 2 Bl. Comm. 157.

**VADIUM PONERE.** To take bail for the appearance of a person in a court of justice. Tomlins.

**VADIUM VIVUM.** A species of security by which the borrower of a sum of money made over his estate to the lender until he had received that sum out of the issues and profits of the land. It was so called because neither the money nor the lands were lost, and were not left in dead pledge, but this was a *living* pledge, for the profits of the land were constantly paying off the debt. Litt. § 206; 1 Pow. Mortg. 3; *Termes de la Ley*; *Spect v. Spect*, 88 Cal. 437, 26 P. 203, 13 L. R. A. 137, 22 Am. St. Rep. 314; *O'Neill v. Gray*, 39 Hun (N. Y.) 566; *Kortright v. Cady*, 21 N. Y. 344, 78 Am. Dec. 145.

**VADLET.** In old English law. The king's eldest son; hence the valet or knave follows the king and queen in a pack of cards. Bar. Obs. St. 344.

**VADUM.** In old records, a ford, or wading place. Cowell.

**VAGABOND.** One that wanders about, and has no certain dwelling; an idle fellow. *Jacob.* Not synonymous with vagrant. *Johnson v. State*, 28 Tex. App. 562, 13 S. W. 1005. See Vagrant. Under an Illinois statute, an idle and dissolute person is not a "vagabond"

unless he goes about begging. *People v. Klein*, 292 Ill. 420, 127 N. E. 72, 75.

Vagabonds are described in old English statutes as "such as wake on the night and sleep on the day, and haunt customable taverns and ale-houses and routs about; and no man wot from whence they came, nor whither they go." 4 Bl. Comm. 169. See *Forsyth v. Forsyth*, 46 N. J. Eq. 400, 19 A. 119; *Johnson v. State*, 28 Tex. App. 562, 13 S. W. 1005.

**Vagabundum nuncupamus eum qui nullibi domicilium contraxit habitationis.** We call him a "vagabond" who has acquired nowhere a domicile of residence. Phillim. Dom. 23, note.

**VAGRANCY.** At common law, the act of going about from place to place by a person without visible means of support, who is idle, and who, though able to work for his or her maintenance, refuses to do so, but lives without labor or on the charity of others. Ex parte *Hudgins*, 86 W. Va. 526, 103 S. E. 327, 328, 9 A. L. R. 1361. Although obtaining a livelihood by gambling is not vagrancy or vagabondage at common law, it may be declared vagrancy and denounced as such by a statute or municipal ordinance. *Town of Marksville v. Brouillette*, 142 La. 916, 77 So. 790, 791. See *Vagrant*.

**VAGRANT.** A wandering, idle person; a strolling or sturdy beggar; a person who refuses to work, or goes about begging; an able-bodied married man who has neglected and refused to provide support for his family; *State v. Chapman* (Mo. App.) 202 S. W. 439, 440; one who strolls from place to place; one who has no settled habitation; an incorrigible rogue; a vagabond. Ex parte *Oates*, 91 Tex. Cr. R. 79, 238 S. W. 930, 931. A general term, including, in English law, the several classes of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues. 4 Steph. Comm. 308, 309.

In American law, the term is variously defined by statute but the general meaning is that of an able-bodied person having no visible means of support and who lives idly without seeking work, or who is a professional beggar, or roams about from place to place without regular employment or fixed residence; and in some states the term also includes those who have a fixed habitation and pursue a regular calling which is condemned by the law as immoral, such as gambling or prostitution. See *In re Jordan*, 90 Mich. 3, 50 N. W. 1087; *In re Aldermen and Justices of the Peace*, 2 Pars. Eq. Cas. (Pa.) 464; *Roberts v. State*, 14 Mo. 145, 55 Am. Dec. 97; *McLean v. State*, 16 Ala. App. 196, 76 So. 480; *James v. State*, 37 Ga. App. 126, 138 S. E. 913, 914; *Code Cr. Proc. N. Y.* § 887, subd. 4, as amended by Laws 1919, c. 502. And see the statutes of the various other states, under which the term may be so defined as to apply to a clairvoyant; *Stauter v. State*, 85 Tex. Cr. R. 1, 209 S. W. 748, 749; and a seller of liquors; *McCrosky v. State*, 17 Ala. App. 523, 87 So. 219, 220; as

well as to a prostitute, a tin-horn gambler, a beggar, or a habitual drunkard; *Campbell v. State*, 31 Okl. Cr. 39, 237 P. 133, 134.

Under the statute (Act March 3, 1909, § 1, 35 Stat. 711 [D. C. Code 1929, T. 6, § 291]), defining vagrants as persons leading an idle or immoral life, who have no property to support them, and who are able of body to work and do not work, a woman cannot be convicted as a vagrant when she has on deposit to her credit in a bank \$1,000, even though the money was the proceeds of prostitution. *Rose v. District of Columbia*, 51 App. D. C. 222, 277 F. 621.

**VAGRANT ACT.** In English law. The statute 5 Geo. IV, c. 83, which is an act for the punishment of idle and disorderly persons. 2 Chit. St. 145. The act of 17 Geo. II divided vagrants into idle and disorderly persons; rogues and vagabonds; and incorrigible rogues. Other statutes were passed as late as 32 Geo. III bearing on this subject. See *Jacob's Law Dict. s. v. Vagrant*.

**VAGUE.** Uncertain; not susceptible of being understood. 5 B. & C. 583. Vague and unsatisfactory testimony is that which is dim and shadowy and fails to relieve the mind of the trier of facts from doubt or uncertainty. *Weliska's Case*, 125 Me. 147, 131 A. 860, 861.

**VALE.** In Spanish law. A promissory note. *White*, New Recop. b. 3, tit. 7, c. 5, § 3. See *Govin v. De Miranda*, 140 N. Y. 662, 35 N. E. 628.

**Valeat quantum valere potest.** It shall have effect as far as it can have effect. *Cowp.* 600; 4 Kent, Comm. 493; *Shep. Touch.* 87.

**VALEC, VALECT, or VADELET.** In old English law. A young gentleman; also a servitor or gentleman of the chamber. *Cowell*.

**VALENTIA.** L. Lat. The value or price of anything.

**VALESHERIA.** In old English law. The proving by the kindred of the slain, one on the father's side, and another on that of the mother, that a man was a Welshman. *Whar-ton*. See *Engleshire*.

**VALET.** Anciently, a name denoting young gentlemen of rank and family, but afterwards applied to those of lower degree; now used for a menial servant, more particularly occupied about the person of his employer. *Cab. Lawy.* 800.

**VALID.** Of binding force; legally sufficient or efficacious; authorized by law. *Anderson*, L. Dict.; *Morrison v. Farmers' & Traders' State Bank*, 70 Mont. 146, 225 P. 123, 125. Good or sufficient in point of law; efficacious; executed with the proper formalities; incapable of being rightfully overthrown or set aside; sustainable and effective in law, as distinguished from that which exists or took place in fact or appearance, but has

not the requisites to enable it to be recognized and enforced by law. *Thompson v. Town of Frostproof*, 89 Fla. 92, 103 So. 118; *United States v. McCutchen* (D. C.) 234 F. 702, 709. A deed, will, or other instrument, which has received all the formalities required by law, is said to be valid.

Meritorious; as, a *valid* defense. *Berringer v. Stevens*, 145 Ark. 293, 225 S. W. 14, 15.

**VALID REASON.** These words, in a statute providing for the withdrawal of the names of petitioners for a road improvement district when valid reasons therefor are presented, mean a sound sufficient reason, such as fraud, deceit, misrepresentation, duress, etc., a reason upon which the petitioner could support or justify his change in attitude. The word "valid" necessarily possesses an element of legal strength and force, and inconsistent positions have no such force. *Echols v. Trice*, 130 Ark. 97, 196 S. W. 801, 802.

**VALIDATE.** To test the validity of; to make valid; to confirm. *Thompson v. Town of Frostproof*, 89 Fla. 92, 103 So. 118.

**VALIDITY.** Legal sufficiency, in contradistinction to mere regularity. *Home Ins. Co. of New York v. Gaines*, 74 Colo. 62, 218 P. 907, 908. "An official sale, an order, judgment, or decree may be regular,—the whole practice in reference to its entry may be correct,—but still invalid, for reasons going behind the regularity of its forms." *Sharpleigh v. Surdam*, 1 Flip. 487, Fed. Cas. No. 12,711.

**VALIDITY OF A STATUTE.** This phrase, within the meaning of a constitutional provision relating to the jurisdiction of the Supreme Court, refers to the power to enact the particular statute, and not merely to its judicial construction or application. *Boehringer v. Yuma County*, 15 Ariz. 546, 140 P. 507, 508.

**VALIDITY OF A TREATY.** "The term 'validity,' as applied to treaties, admits of two descriptions—necessary and voluntary. By the former is meant that which results from the treaties having been made by persons authorized by, and for purposes consistent with, the constitution. By voluntary validity is meant that validity which a treaty, voidable by reason of violation by the other party, still continues to retain by the silent acquiescence and will of the nation. It is voluntary, because it is at the will of the nation to let it remain or to extinguish it. The principles which govern and decide the necessary validity of a treaty are of a judicial nature, while those on which its voluntary validity depends are of a political nature." 2 Paine 688, as paraphrased in 5 Moore, Int. L. Dig. 183.

**VALIDITY OF A WILL.** These words, within the meaning of a statute constituting the legal basis of a right of appeal to the orphans'

court from a decree of the register, include only questions of the genuineness of the instrument and the testamentary capacity of the testator, including his freedom from all restraint and undue influence, and not questions as to the operation of the will. In *re Baum's Estate*, 260 Pa. 33, 103 A. 614, 615.

**VALLEY.** As applied to a mountainous country, lowlands, in contradistinction to mountain slopes and ridges. *Whaley v. Northern Pac. R. Co.* (C. C.) 167 F. 664.

**VALOR BENEFICIORUM.** L. Lat. The value of every ecclesiastical benefice and preferment, according to which the first fruits and tenths are collected and paid. It is commonly called the "king's books," by which the clergy are at present rated. 2 Steph. Comm. 533; Wharton.

**VALOR MARITAGII.** Lat. Value of the marriage. The amount forfeited under the ancient tenures by a ward to a guardian who had offered her a marriage without disparagement, which she refused. In feudal law, the guardian in chivalry had the right of tendering to his infant ward a suitable match, without "disparagement," (inequality,) which, if the infants refused, they forfeited the value of the marriage (*valor maritagi*) to their guardian; that is, so much as a jury would assess, or any one would *bona fide* give, to the guardian for such an alliance. 2 Bl. Comm. 70; Litt. § 110.

A writ which lay against the ward, on coming of full age, for that he was not married, by his guardian, for the *value of the marriage*, and this though no convenient marriage had been offered. *Termes de la Ley*.

**VALUABLE.** Of financial or market value; commanding or worth a good price; of considerable worth in any respect; estimable. Webster, Dict.

**VALUABLE CONSIDERATION.** A class of consideration upon which a promise may be founded, which entitles the promisee to enforce his claim against an unwilling promisor. *Cockrell v. McKenna*, 103 N. J. Law, 166, 134 A. 687, 688, 48 A. L. R. 234. Some legal right acquired by the promisor in consideration of his promise, or forborne by the promisee in consideration of such promise. *Thomas v. Mott*, 74 W. Va. 493, 82 S. E. 325, 326. A thing of value parted with, or a new obligation assumed, at the time of obtaining a thing, which is a substantial compensation for that which is obtained thereby. It is also called simply "value." Civ. Code Dak. § 2121 (Comp. Laws N. D. 1913, § 7303; Rev. Code S. D. 1919, § 27). It may consist of some right, interest, profit, or benefit accruing to one party, or some forbearance, detriment, loss, or responsibility given, suffered, or undertaken by the other. *Callahan v. Ridgeway*, 138 S. C. 10, 135 S. E. 646, 649; *Smith v. Maxey*,

186 Mich. 151, 152 N. W. 1011, 1015; Fowler v. Smith, 24 Ohio App. 324, 156 N. E. 913, 914; Snyder v. Snyder, 193 Ky. 233, 235 S. W. 743, 746. It is not essential that the person to whom the consideration moves should be benefited, provided the person from whom it moves, is, in a legal sense, injured. The injury may consist of a compromise of a disputed claim or forbearance to exercise a legal right; the alteration in position being regarded as a detriment that forms a consideration independent of the actual value of the right forborne. Guggenheim v. Guggenheim (Sup.) 168 N. Y. S. 209, 210. A valuable consideration may be other than the actual payment of money. Kenedy Pasture Co. v. State (Tex. Civ. App.) 196 S. W. 287, 295. It need not be one translatable into dollars and cents. In re Griswold's Estate, 113 Neb. 256, 202 N. W. 609, 615, 38 A. L. R. 858. The distinction between a *good* and a *valuable* consideration is that the former consists of blood, or of natural love and affection; as when a man grants an estate to a near relation from motives of generosity, prudence, and natural duty; and the latter consists of such a consideration as money, marriage which is to follow, or the like, which the law esteems an equivalent given for the grant. 2 Bl. Comm. 297; Exum v. Lynch, 188 N. C. 392, 125 S. E. 15, 18; Gay v. Fricks, 211 Ala. 119, 99 So. 846, 847; Civ. Code Ga. 1910, § 4213; Hanscome-James, Winship v. Ainger, 71 Cal. App. 735, 236 P. 325, 327; Barton v. Wilson, 116 Ark. 400, 172 S. W. 1032, 1034; Wrench v. Robertson (Mo. Sup.) 175 S. W. 587, 590. See, also, Consideration.

**VALUABLE IMPROVEMENTS.** As used in a statute relating to the specific performance of a parol contract for the purchase of real estate, improvements of such character as add permanent value to the freehold, and such as would not likely be made by one not claiming the right to the possession and enjoyment of the freehold estate. Improvements of a temporary and unsubstantial character will not amount to such part performance as, when accompanied by possession alone, will take the contract out of the operation of the statute of frauds. Farr v. West, 152 Ga. 595, 110 S. E. 724. The valuable improvements may, however, be slight and of small value, provided they are substantial and permanent in their nature, beneficial to the freehold, and such as none but an owner would ordinarily make. Vickers v. Robinson, 157 Ga. 731, 122 S. E. 405, 408.

**VALUABLE PAPERS.** These words, as used in a statute relating to the finding of a will among testatrix's valuable papers and effects, mean papers regarded by testatrix as worthy of preservation, and therefore of some value, and are not limited to pecuniary value. In re Westfeldt's Will, 188 N. C. 702, 125 S. E. 531, 534; Marr v. Marr, 2 Head (Tenn.) 306; Hooper v. McQuary, 5 Coldw. (Tenn.) 129.

**VALUABLE THING.** This phrase, as used in statutes relating to cheating and defrauding by means of false pretenses, does not embrace a mere pecuniary advantage devoid of any physical attribute possessed by money, chattels, or valuable securities. State v. Tower, 122 Kan. 165, 251 P. 401, 402, 52 A. L. R. 1160. The words include everything of value; State v. Thatcher, 35 N. J. Law, 452; as a promissory note; State v. Tomlin, 29 N. J. Law, 13; or a physician's services; State v. Ball, 114 Miss. 505, 75 So. 373, 374, L. R. A. 1917E, 1046. In statutes pertaining to the bribery or personation of a state or federal officer, the term includes a substantial favor asked by a public official in return for the official's promise to give protection in illicit traffic in intoxicating liquors; Scott v. State, 107 Ohio St. 475, 141 N. E. 19, 22; and a month's lodging obtained by personating a United States officer; U. S. v. Ballard (D. C.) 118 F. 757.

**VALUATION.** The act of ascertaining the worth of a thing. The estimated worth of a thing. See Lowenstein v. Schiffer, 38 App. Div. 178, 56 N. Y. S. 674; State v. Central Pac. R. Co., 7 Nev. 104; Sergeant v. Dwyer, 44 Minn. 309, 46 N. W. 444; Eldridge v. City of Bellingham, 106 Wash. 96, 179 P. 109, 112; Soniat v. Board of State Affairs, 146 La. 450, 83 So. 760, 762. In taxation, it is not the assessment, but is only its most important element. Adams v. Lamb-Fish Lumber Co., 104 Miss. 48, 61 So. 6, 7.

**VALUATION LIST.** In English law. A list of all the ratable hereditaments in a parish, showing the names of the occupier, the owner, the property, the extent of the property, the gross estimated rental, and the ratable value; prepared by the overseers of each parish in a union under section 14 of the union assessment committee act, 1862, (St. 25 & 26 Vict. c. 103,) for the purposes of the poor rate. Wharton.

**VALUE.** The utility of an object in satisfying, directly or indirectly, the needs or desires of human beings, called by economists "value in use;" or its worth consisting in the power of purchasing other objects, called "value in exchange." Also the estimated or appraised worth of any object of property, calculated in money.

Any consideration sufficient to support a simple contract. Fowler v. Smith, 24 Ohio App. 324, 156 N. E. 913, 914; Veigel v. Johnson, 163 Minn. 288, 204 N. W. 36, 37; McConnell v. Blackley, 66 Mont. 510, 214 P. 64, 65; Nickey Bros. v. Longsdale Mfg. Co., 149 Tenn. 391, 258 S. W. 776, 780; Northern Trading Co. v. Drexel State Bank of Chicago, 37 N. D. 521, 164 N. W. 151, 154; Fidelity State Bank v. Miller, 29 Idaho, 777, 162 P. 244, 245; In re Progressive Wall Paper Corporation (D. C.) 224 F. 143, 149; Standard Bank of Canada v. Lowman (D. C.) 1 F.(2d) 935, 941; German-American Bank of Seattle v. Wright, 85 Wash. 460, 148 P. 769, 772, Ann. Cas. 1917D,

381; *Wilbour v. Hawkins*, 38 R. I. 116, 94 A. 856, 857. The term is often used as an abbreviation for "valuable consideration," especially in the phrases "purchaser for value," "holder for value," etc. See *Mays v. First State Bank of Keller* (Tex. Civ. App.) 233 S. W. 326, 328; *Frank v. Von Bayer*, 236 N. Y. 473, 141 N. E. 920; *Crane & Co. v. Hall*, 141 Tenn. 556, 213 S. W. 414, 416; *Ohio Sav. Bank & Trust Co. v. Schneider*, 202 Iowa, 938, 211 N. W. 248, 249; *Farr-Barnes Lumber Co. v. Town of St. George*, 128 S. C. 67, 122 S. E. 24, 26.

In economic consideration, the word "value," when used in reference to property, has a variety of significations, according to the connection in which the word is employed. It may mean the cost of a production or reproduction of the property in question, when it is sometimes called "sound value"; or it may mean the purchasing power of the property, or the amount of money which the property will command in exchange, if sold, this being called its "market value," which in the case of any particular property may be more or less than either the cost of its production or its value measured by its utility to the present or some other owner; or the word may mean the subjective value of property, having in view its profitableness for some particular purpose, sometimes termed its "value for use." *William H. Low Estate Co. v. Lederer Realty Corporation*, 35 R. I. 352, 86 A. 881, 883, Ann. Cas. 1916A, 341. See *Agency of Canadian Car & Foundry Co. v. Pennsylvania Iron Works Co.* (C. C. A.) 256 F. 339, 344; *Babbitt v. Read* (C. C. A.) 236 F. 42, 46; *Carson v. State*, 30 Okl. Cr. 438, 236 P. 627, 628; *Cunningham v. State*, 90 Tex. Cr. R. 500, 236 S. W. 89, 90; *Dean v. Hawes*, 29 Cal. App. 689, 157 P. 558, 559; *State v. Woodward*, 208 Ala. 31, 93 So. 826; *Cole v. Wells*, 224 Mass. 504, 113 N. E. 189, 191; *James v. Speer*, 69 Mont. 100, 220 P. 535, 537; *Burroughs v. School Dist. No. 2, Town of Richland*, 155 Wis. 426, 144 N. W. 977, 978.

"Value," as used in reference to lands taken under eminent domain, is a relative term, depending on the circumstances. *Wood v. Syracuse School Dist. No. 1*, 108 Kan. 1, 193 P. 1049, 1050.

Salable value, actual value, market value, fair value, reasonable value, and cash value may all mean the same thing and may be designed to effect the same purpose. *Burr. Tax*. 227. See *Cummings v. Bank*, 101 U. S. 162, 25 L. Ed. 903; *Wood v. Syracuse School Dist. No. 1*, 108 Kan. 1, 193 P. 1049, 1050; *Tyson Creek R. Co. v. Empire Mill Co.*, 31 Idaho, 580, 174 P. 1004, 1006; *Safford v. McNeil*, 102 Conn. 684, 129 A. 721, 723; *Castner, Curran & Bullitt v. Lederer* (D. C.) 275 F. 221, 225; *Black v. Nabarrette* (Tex. Civ. App.) 281 S. W. 1087, 1089; *Central Union Trust Co. of New York v. Edwards* (C. C. A.) 287 F. 324, 327; *Montesano Lumber & Mfg. Co. v. Portland Iron Works*, 94 Or. 677, 136 P. 423, 432; *Gulf Compress Co. v. Insurance Co. of Pennsylvania*, 129 Tenn. 586, 167 S. W. 859, 863; *In re Woolsey's Estate*, 109 Neb. 138, 190 N. W. 215, 24 A. L. R. 1038.

The word has a peculiar meaning in determining the basis on which a public service company is entitled to return, and means only the amount upon which returns should be computed, not the value of the property as an income-producing instrumentality nor the price at which it would sell. *Petersburg Gas Co. v. City of Petersburg*, 132 Va. 82, 110 S. E. 533, 539, 20 A. L. R. 542.

"Value," as used in Const. U. S. art. 1, § 8, giving Congress power to coin money and regulate the

value thereof, is the true, inherent, and essential value, not depending upon accident, place, or person, but the same everywhere and to every one, and in this sense regulating the value of the coinage is merely determining and maintaining coinage composed of certain coins within certain limitations at a certain specific composition and weight. *Klatentburg v. Qualsett*, 114 Neb. 18, 205 N. W. 577, 578.

#### Clear Value

The "clear value" of an estate for the purpose of an inheritance tax is what remains after all claims against it have been paid. *In re Hildebrand's Estate*, 262 Pa. 112, 104 A. 860.

#### Net Value

The "reserve" or "net value" of a life insurance policy is the fund accumulated out of the net premiums during the earlier years of the policy while the premium uniform throughout life or a term of years exceeds the actual value of the risk, and with the net premiums to be received in the future is the exact mathematical equivalent of the obligation incurred by the company. *Hay v. Meridian Life & Trust Co.*, 57 Ind. App. 536, 101 N. E. 651, 654. The "net value" of a policy is equivalent to "reserve," and means that part of the annual premium paid by insured which, according to the American Experience Table of Mortality, must be set apart to meet or mature the company's obligations to insured, the net value of a policy on a given date being its actual value, its reserve. *Jefferson v. New York Life Ins. Co.*, 151 Ky. 609, 152 S. W. 780, 783.

#### Value of Matter in Controversy

As used in the Judicial Code, § 24 (28 USCA § 41), the pecuniary result to either party which a judgment entered in the case would directly produce, either at once or in the future. *Elliott v. Empire Natural Gas Co.* (C. C. A.) 4 F.(2d) 493, 497.

#### Value of Plant in Successful Operation

Synonymous with "going value," or "going concern value," meaning the additional value that a purchaser will give for the properties and business of the companies because they are going concerns with established businesses; the additional value, over and above the fair and reasonable value of the physical properties plus the working capital, which a customer would pay for the property because it is a going concern. *Pacific Telephone & Telegraph Co. v. Whitcomb* (D. C.) 12 F.(2d) 279, 284.

#### Value received

A phrase usually employed in a bill of exchange or promissory note, to denote that a consideration has been given for it. *Baker v. Thomas*, 102 Neb. 401, 167 N. W. 407. It is prima facie evidence of consideration; *Palmer v. Blanchard*, 113 Me. 380, 94 A. 220, 223, Ann. Cas. 1917A, 809; *Moses v. Bank*, 149 U.

S. 298, 13 S. Ct. 900, 37 L. Ed. 743; although not necessarily in money; *Osgood v. Bringolf*, 32 Iowa, 265. The phrase when put in a bill of exchange, will bear two interpretations: The drawer of the bill may be presumed to acknowledge the fact that he has received value from the payee; 3 Maule & S. 351; *Benjamin v. Tillman*, 2 McLean 213, Fed. Cas. No. 1,304; or when the bill has been made payable to the order of the drawer and accepted, it implies that value has been received by the acceptor; 5 Maule & S. 65; *Thurman v. Van Brunt*, 19 Barb. (N. Y.) 409. The words are not required by the Uniform Negotiable Instruments Act.

**VALUED POLICY.** One which expresses on its face an agreement that the thing insured should be valued at a specified sum; Civ. Code Cal. § 2596;—distinguished from an open policy, which is one in which the value of the thing insured is not agreed upon, but is left to be determined in case of loss; Civ. Code Cal. § 2595. A "valued policy" is one in which a definite valuation is by agreement of both parties put on the subject-matter of the insurance and written in the face of the policy and such value, in the absence of fraud or mistake, is conclusive on the parties. *Lee v. Hamilton Fire Ins. Co.*, 130 Misc. Rep. 165, 223 N. Y. S. 441, 442. A policy is called "valued," when the parties, having agreed upon the value of the interest insured, in order to save the necessity of further proof have inserted the valuation in the policy, in the nature of liquidated damages. 1 Duer, Ins. 97; *Columbia Trust Co. v. Norske Lloyd Ins. Co.*, 100 Misc. 550, 166 N. Y. S. 915, 919.

**VALUELESS.** Worthless. *Central of Georgia Ry. Co. v. Cooper*, 14 Ga. App. 738, 82 S. E. 310, 311.

**VALUER.** A person whose business is to appraise or set a value upon property.

**VALVASORS, or VIDAMES.** An obsolete title of dignity next to a peer. 2 Inst. 667; 2 Steph. Comm. 612.

**Vana est illa potentia quæ nunquam venit in actum.** That power is vain [idle or useless] which never comes into action, [which is never exercised.] 2 Coke, 51.

**Vani timores sunt æstimandi, qui non cadunt in constantem virum.** Those are to be regarded as idle fears which do not affect a steady [firm or resolute] man. 7 Coke, 27.

**Vani timoris justa excusatio non est.** A frivolous fear is not a legal excuse. Dig. 50, 17, 184; 2 Inst. 483; *Broom*, Max. 256, n.

**VANTARIUS.** L. Lat. In old records. A fore-footman. *Spelman*; *Cowell*.

**VARA.** A Spanish-American measure of length, equal to 33 English inches or a trifle more or less, varying according to local usage. See *U. S. v. Perot*, 98 U. S. 428, 25 L. Ed. 251.

A measure used in Mexican land grants equal to 32.9927 inches. *Ainsa v. U. S.*, 161 U. S. 219, 16 S. Ct. 544, 40 L. Ed. 673.

**VARDA.** In old Scotch law. Ward; custody; guardianship. Answering to "*warda*," in old English law. *Spelman*.

**VARENNA.** In old Scotch law. A warren. Answering to "*wareнна*," in old English law. *Spelman*.

**VARIANCE.** In pleading and practice. A discrepancy or disagreement between two instruments or two steps in the same cause, which ought by law to be entirely consonant. Thus, if the evidence adduced by the plaintiff does not agree with the allegations of his declaration, it is a variance; and so if the statement of the cause of action in the declaration does not coincide with that given in the writ. See *Keiser v. Topping*, 72 Ill. 229; *Mulligan v. U. S.*, 120 F. 98, 56 C. C. A. 50; *Bank of New Brunswick v. Arrowsmith*, 9 N. J. Law, 287; *Skinner v. Grant*, 12 Vt. 462; *State v. Wadsworth*, 30 Conn. 57; *Mathews v. U. S. (C. C. A.)* 15 F.(2d) 139, 142.

A disagreement between the allegations and the proof in some matter which, in point of law, is essential to the charge or claim. *Franks v. Reeder*, 101 Okl. 18, 223 P. 126, 127; *Hodges v. State*, 73 Tex. Cr. R. 638, 165 S. W. 607, 611; *Hibler v. Kansas City Rys. Co.*, 292 Mo. 14, 237 S. W. 1014, 1017; *Maguire v. Kiesel*, 86 Conn. 453, 85 A. 689, 690; *State v. Brozich*, 108 Ohio St. 559, 141 N. E. 491. A substantial departure in the evidence adduced from the issue as made by the pleadings. *Spodo v. Merriman*, 111 Me. 530, 90 A. 387, 392; *Davidson Grocery Co. v. Johnston*, 24 Idaho, 336, 133 P. 929, 931, Ann. Cas. 1915C, 1129. That which is a "departure" in pleading is a "variance" in evidence. *Wilson v. Oil Well Supply Co.*, 111 Okl. 63, 238 P. 415, 416.

To constitute a "variance," there must be a real and tangible difference between the allegations in the pleading and the proof offered in its support. *James A. C. Tait & Co. v. Stryker*, 117 Or. 338, 243 P. 104, 106. The difference must be substantial and material. *Epstein v. Waas*, 28 N. M. 608, 216 P. 506, 508; *Johnson v. Doubleday*, 92 Vt. 267, 102 A. 1038, 1040. It must be one that actually misleads the adverse party to his prejudice in maintaining his action or defense on the merits; *German-American Bank of Seattle v. Wright*, 85 Wash. 460, 148 P. 769, 771, Ann. Cas. 1917D, 331; *State v. Earley*, 119 Kan. 446, 239 P. 981, 982; *Rev. St. Mo. 1919, § 1272 (Mo. St. Ann. § 817)*; *Civ. Code Prac. Ky. § 129*; *Comp. St. Wyo. 1910, § 4591 (Rev. St. 1931, § 89-1735)*, or, in criminal cases, one which might mislead the defense or expose a defendant to being put twice in jeopardy for the same offense; *Brashears v. State*, 38 Okl. Cr. 175, 259 P. 665, 667; *Marshall v. State*, 116 Neb. 45, 215 N. W. 564, 568; *People v. Boneau*, 327 Ill. 194, 158 N. E. 431, 435.

"Variance," *i. e.*, a disagreement between allegations and proof in some matter which, in point of law, is essential to the claim or charge, differs from "repugnancy," which consists of two inconsistent allegations in one pleading. *Fowler v. State*, 20 Okl. Cr. 410, 203 P. 900, 901.

"Variance" also differs from failure of proof. *Gordon v. Pollock*, 124 Okl. 64, 253 P. 1021, 1023. A variance occurs when, though the pleading and proof do not exactly correspond, they may be made to do

so by amendment in the discretion of the court and upon such terms and conditions as may be just. *Deligny v. Tate Furniture Co.*, 170 N. C. 189, 86 S. E. 980, 984.

**VARRANTIZATIO.** In old Scotch law. Warranty.

**VAS.** Lat. In the civil law. A pledge; a surety; bail or surety in a criminal proceeding or civil action. Calvin.

**VASECTOMY.** A comparatively simple and painless operation, performed by section (cutting) of the *vas deferens* or spermatic cord, or by a tying off or ligaturing thereof;—sometimes performed on rapists and other criminals (especially sexual offenders), and on persons who are mentally defective. *Laws Ind.* 1907, c. 215; *Acts Conn.* 1909, c. 209; *Stat. Cal.* 1909, c. 720; *Laws Iowa* 1911, c. 129; *Rem. & Bal. Code (Wash.)* § 2287 (*Rem. Rev. Stat.* § 2287); *Rev. Laws Nev.* § 6293 (*Comp. Laws* 1929, § 9977). Some of these and similar statutes have been declared unconstitutional; *Williams v. Smith*, 190 Ind. 526, 131 N. E. 2; *Mickle v. Henrichs (D. C.)* 262 F. 687; *Smith v. Bd. of Examiners*, 85 N. J. Law, 46, 88 A. 963; but in 1927, the validity of a Virginia statute (*Laws* 1924, c. 394) providing for vasectomy in the case of males and for salpingectomy in the case of females was sustained in *Buck v. Bell*, 274 U. S. 200, 47 S. Ct. 584, 71 L. Ed. 1000, affirming 143 Va. 310, 130 S. E. 516, 51 A. L. R. 855. Sterilization of the female may also be accomplished by an operation known as oöphorectomy or ovariectomy. *Acts Conn.* 1909, c. 209.

## VASSAL.

### In Feudal Law

A feudal tenant or grantee; a feudatory; the holder of a fief on a feudal tenure, and by the obligation of performing feudal services. The correlative term was "lord." The vassal himself might be lord of some other vassal.

In after-times, this word was used to signify a species of slave who owed servitude and was in a state of dependency on a superior lord. 2 *Bla. Comm.* 53.

### In International Law

Vassal states are states which are supposed to possess only those rights and privileges which have been expressly granted to them, but actually they seem to be well-nigh independent. *Hershey, Int. L.* 106. Egypt was such; also Crete.

**VASSALAGE.** The state or condition of a vassal.

**VASSELERIA.** The tenure or holding of a vassal. Cowell.

**VASTUM.** L. Lat. A waste or common lying open to the cattle of all tenants who have a right of commoning. Cowell.

**VASTUM FORESTÆ VEL BOSCI.** In old records. Waste of a forest or wood. That part of a forest or wood wherein the trees and underwood were so destroyed that it lay in a manner waste and barren. *Paroch. Antiq.* 351, 497; Cowell.

**VAUDERIE.** In old European law. Sorcery; witchcraft; the profession of the Vaudois.

**VAUDEVILLE.** A species of theatrical entertainment, composed of isolated acts forming a balanced show. *Hart v. B. F. Keith Vaudeville Exchange (C. C. A.)* 12 F.(2d) 341, 342. And see *Princess Amusement Co. v. Wells (C. C. A.)* 271 F. 226, 231.

**VAVASORY.** The lands that a vavasour held. Cowell.

**VAVASOUR.** One who was in dignity next to a baron. *Britt.* 109; *Bract. lib.* 1, c. 8. One who held of a baron. *Enc. Brit.*

**VEAL-MONEY.** The tenants of the manor of Bradford, in the county of Wilts, paid a yearly rent by this name to their lord, in lieu of veal paid formerly in kind. *Wharton.*

**VECORIN.** In old Lombardic law. The offense of stopping one on the way; forestalling. *Spelman.*

**VECTIGAL JUDICIARIUM.** Lat. Fines paid to the crown to defray the expenses of maintaining courts of justice. 3 *Salk.* 33.

**Vectigal, origine ipsa, jus Cæsarum et regum patrimoniale est.** *Dav.* 12. Tribute, in its origin, is the patrimonial right of emperors and kings.

**VECTIGALIA.** In Roman law. Customs-duties; taxes paid upon the importation or exportation of certain kinds of merchandise. *Cod.* 4, 61. They differed from tribute, which was a tax paid by each individual.

Rent from state lands. *Hunter, Rom. L.* 901.

**VECTURA.** In maritime law. Freight.

**VEGETABLE.** The meaning of this word in the tariff law is not limited to such vegetables as grow in a vegetable garden. Whether a certain vegetable product is or is not a vegetable depends upon the use to which it is or may be put, and each case must depend upon its own facts. *Togasaki & Co. v. U. S.*, 12 *Ct. Cust. App.* 463, 465. The test is whether it is eaten and treated as a vegetable in the kitchen and dining room. If so, it is a vegetable; but, if used and eaten as a condiment or relish only, it is not. *Nippon Co. v. U. S.*, 12 *Ct. Cust. App.* 548, 551.

**VEHICLE.** Any carriage, conveyance, or other artificial contrivance used, or capable of being used, as a means of transportation on land;—not ordinarily including locomotives, cars, and street cars which run and are op-



erated only over and upon a permanent track or fixed way, unless the context of the ordinance or statute in question clearly indicates an intention to the contrary. *Conder v. Griffith*, 61 Ind. App. 218, 111 N. E. 816, 818; *Rev. St. U. S. § 4 (1 USCA § 4)*. The word includes a street sprinkler; *St. Louis v. Woodruff*, 71 Mo. 92; but not a ferry boat; *Duckwall v. Albany*, 25 Ind. 286; nor a domestic animal, unattached to a vehicle or a conveyance; *State v. One Black Horse Mule*, 207 Ala. 277, 92 So. 548. It has also been held to include a scraper used to remove snow from ice which was to be cut, particularly since the scraper had facilities for dumping and unloading and was horse-drawn; *Berg v. Hetzler Bros.*, 166 N. Y. S. 830, 179 App. Div. 551; a combined thresher and cleaner, mounted on axles and wheels, while being drawn from farm to farm; *Vincent v. Taylor Bros.*, 168 N. Y. S. 287, 288, 180 App. Div. 818; a bicycle; *Sharkey v. Herman Bros.*, 3 N. J. Misc. 126, 127 A. 525, 526; *Tulsa Ice Co. v. Wilkes*, 54 Okl. 519, 153 P. 1169, 1171; and a motorcycle; *Knight v. Savannah Electric Co.*, 20 Ga. App. 314, 93 S. E. 17. And it includes an automobile; *Shepard v. Findley*, 204 Iowa, 107, 214 N. W. 676, 678; *Mills v. Court of Com'rs of Coneuh County*, 204 Ala. 40, 85 So. 564, 566; *Commonwealth v. Dzewiacin*, 252 Mass. 126, 147 N. E. 582, 583; *Fishback v. Foster*, 23 Ariz. 206, 202 P. 806, 808; *Stanley v. Tomlin*, 143 Va. 187, 129 S. E. 379, 382; even though, at the time of the enactment of the legislation involved, automobiles were not in use; *U. S. v. One Cadillac Automobile (D. C.) 2 F.(2d) 886, 888*; *City of Henderson v. Lockett*, 157 Ky. 366, 163 S. W. 199, 201; *White v. District of Columbia*, 4 F.(2d) 163, 164, 55 App. D. C. 197. The term was held not to include a street car in the following cases: *City of Chicago v. Keogh*, 291 Ill. 188, 125 N. E. 881, 882; *Harris v. Johnson*, 174 Cal. 55, 161 P. 1155, 1156, L. R. A. 1917C, 477, Ann. Cas. 1918E, 560; *Reed v. Public Service Ry. Co.*, 89 N. J. Law, 431, 99 A. 100; *Monongahela Bridge Co. v. R. Co.*, 114 Pa. 484, 8 A. 233. *Contra*, *Bradley v. Minneapolis St. Ry. Co.*, 161 Minn. 322, 201 N. W. 606, 608, 46 A. L. R. 993.

As used in various statutes, however, the word is often given a somewhat narrower meaning than that which might be indicated by the above definition. Thus, it has been held that the term is inapplicable to a hand sled; *Idell v. Day*, 273 Pa. 34, 116 A. 506, 507, 20 A. L. R. 1429; to a child's coaster; *Wright v. Salzberger & Sons*, 81 Cal. App. 690, 254 P. 671, 676; and to an elevator; *Wilson v. C. Dorfinger & Sons*, 213 N. Y. 84, 112 N. E. 567, 568, Ann. Cas. 1917D, 38, reversing *Wilson v. C. Dorfinger & Sons*, 170 App. Div. 119, 155 N. Y. S. 857, 858.

But as defined in the Tariff Act, it has a much broader meaning, and includes any sort of conveyance used in the transportation of passengers and merchandise either by land or by water or through the air. *Mellon v. Minneapolis, St. P. & S. S. M. Ry. Co.*, 11 F.(2d) 332, 334, 56 App. D. C. 160.

**VEHMERICHT.** See *Fehmgericht*.

**VEIES.** L. Fr. Distresses forbidden to be replevied; the refusing to let the owner have his cattle which were distrained. *Kelham*.

**VEILINGS.** As used in the tariff act, a material chiefly or exclusively used for the making of veils. A veil is a piece of cloth or other material, usually thin and light, designed to be worn over the head and face as an ornament or to protect or wholly or partly conceal the face from view. The textile material which is used to mask or screen the features resting beneath the face panels of caskets would be commonly and popularly regarded as veiling. *Tiedeman & Sons v. U. S.*, 8 Ct. Cust. App. 134, 135.

**VEIN.** In mining law. A continuous body of mineral or mineralized rock, filling a seam or fissure in the earth's crust, within defined boundaries in the general mass of the mountain (which boundaries clearly separate it from the neighboring rock), and having a general character of continuity in the direction of its length. See *Iron Silver Min. Co. v. Cheesman*, 116 U. S. 529, 6 S. Ct. 481, 29 L. Ed. 712; *U. S. v. Iron Silver Min. Co.*, 128 U. S. 673, 9 S. Ct. 195, 32 L. Ed. 571; *Stinchfield v. Gillis*, 96 Cal. 33, 30 P. 839; *Synnott v. Shaughnessy*, 2 Idaho (Hasb.) 122, 7 P. 82; *Beals v. Cone*, 27 Colo. 473, 62 P. 948, 83 Am. St. Rep. 92; *Waterloo Min. Co. v. Doe*, 82 F. 51, 27 C. C. A. 50; *Consolidated, etc., Min. Co. v. Champion Min. Co. (C. C.) 63 F. 544*; *San Francisco Chemical Co. v. Duffield (C. C. A.) 201 F. 830, 835*. A well-defined body of mineral within inclosed rocks. *Stewart Mining Co. v. Ontario Mining Co.*, 237 U. S. 350, 35 S. Ct. 610, 614, 59 L. Ed. 989. A lode, or ledge. *Myers v. Lloyd*, 4 Alaska, 263, 265.

A requirement that a miner shall locate his claim "along the vein" means along the out-crop or course of the apex, and not along the strike. *Stewart Mining Co. v. Bourne (C. C. A.) 218 F. 327, 329*.

The terms "principal," "original," and "primary," as well as "secondary," "accidental," and "incidental," have all been employed to describe the different veins found within the same surface boundaries, but their meaning is not entirely clear in all cases. They may refer to the relative importance or value of the different veins, or the relations to each other, or to the time of discovery, but the words "secondary," "accidental," and "incidental" are most frequently used to distinguish between the discovery vein and other veins within the same surface boundaries. *Northport Smelting & Refining Co. v. Lone Pine-Surprise Consol. Mines Co. (D. C.) 271 F. 105, 111*.

#### Discovery Vein

That vein which served as a basis of the location, in contradistinction to secondary, accidental, and incidental veins. *Northport Smelting & Refining Co. v. Lone Pine-Surprise Consol. Mines Co. (D. C.) 271 F. 105, 113*. The primary vein for the purpose of locating a mining claim and determining which are the end and which the side lines. Where the dis-

covery vein crosses the opposite side lines of the claim as located, the side lines become end lines, not only with respect to such vein, but for determination of extralateral rights in any other vein which apexes within the claim. Northport Smelting & Refining Co. v. Lone Pine-Surprise Consol. Mines Co. (C. C. A.) 278 F. 719, 720.

**VEJOURS.** Viewers; persons sent by the court to take a view of any place in question, for the better decision of the right. It signifies, also, such as are sent to view those that *essoin* themselves *de malo lecti*, (i. e., excuse themselves on ground of illness) whether they be in truth so sick as that they cannot appear, or whether they do counterfeited. Cowell.

**VELABRUM.** In old English law. A toll-booth. Cro. Jac. 122.

**VELITIS JUBEATIS QUIRITES?** Lat. Is it your will and pleasure, Romans? The form of proposing a law to the Roman people. Tayl. Civil Law, 155.

**Velle non creditur qui obsequitur imperio patris vel domini.** He is not presumed to consent who obeys the orders of his father or his master. Dig. 50, 17, 4.

**VELTRARIA.** The office of dog-leader, or courser. Cowell.

**VELTRARIUS.** One who leads greyhounds. Blount.

**VELVET.** In a secondary meaning, soft; smooth. Chapin-Sacks Mfg. Co. v. Hendler Creamery Co. (D. C.) 231 F. 550, 551; Chapin-Sacks Mfg. Co. v. Hendler Creamery Co. (C. C. A.) 254 F. 553, 555.

**VENAL.** Pertaining to something that is bought; capable of being bought; offered for sale; mercenary. Used usually in an evil sense, such purchase or sale being regarded as corrupt and illegal.

**VENARIA.** Beasts caught in the woods by hunting.

**VENATIO.** Hunting. Cowell.

**VEND.** To sell; to transfer the ownership of an article to another for a price in money. The term is not commonly applied to the sale of real estate, although its derivatives "vendor" and "vendee" are.

**VENDEE.** A purchaser or buyer; one to whom anything is sold. Generally used of the purchaser of real property, one who acquires chattels by sale being called a "buyer."

**Vendens eandem rem duobus falsarius est.** He is fraudulent who sells the same thing twice. Jenk. Cent. 107.

**VENDETTA.** A private blood feud, in which a family seeks to avenge one of its members

on the offender or his family. Stephens v. Howells Sales Co. (D. C.) 16 F.(2d) 805, 808.

**VENDIBLE.** Fit or suitable to be sold; capable of transfer by sale; merchantable.

**VENDITÆ.** In old European law. A tax upon things sold in markets and public fairs. Spelman.

**VENDITIO.** Lat. In the civil law. In a strict sense, sale; the act of selling; the contract of sale, otherwise called "*emptio venditio*." Inst. 3, 24. Calvin.

In a large sense, any mode or species of alienation; any contract by which the property or ownership of a thing may be transferred. Id.

**VENDITION.** Sale; the act of selling.

**VENDITIONI EXPONAS.** Lat. You expose to sale. Richmond Cedar Works v. Stringfellow (D. C.) 236 F. 264, 272. The name of a writ of execution, requiring a sale to be made, directed to a sheriff when he has levied upon goods under a *feri facias*, but returned that they remained unsold for want of buyers; and in some jurisdictions it is issued to cause a sale to be made of lands, seized under a former writ, after they have been condemned or passed upon by an inquisition. Frequently abbreviated to "*vend. ex.*" See Beebe v. U. S., 161 U. S. 104, 16 S. Ct. 532, 40 L. Ed. 633; Borden v. Tillman, 39 Tex. 273; Ritchie v. Higginbotham, 26 Kan. 648; W. T. Carter & Bro. v. Bendy (Tex. Civ. App.) 251 S. W. 265, 272.

The office of a "venditioni exponas" is to sell property previously taken in execution, and it is not a writ separate from the *fi. fa.*, but a part of it. See Mc Lanahan v. Goodman, 265 Pa. 43, 108 A. 206, 208.

**VENDITOR.** Lat. A seller; a vendor. Inst. 3, 24; Bract. fol. 41.

**VENDITOR REGIS.** In old English law. The king's seller or salesman; the person who exposed to sale those goods and chattels which were seized or distrained to answer any debt due to the king. Cowell.

**VENDITRIX.** Lat. A female vendor. Cod. 4, 51, 3.

**VENDOR.** The person who transfers property by sale, particularly real estate, "seller" being more commonly used for one who sells personalty. The latter may, however, with entire propriety, be termed a vendor; Atlantic Refining Co. v. Van Valkenburg, 265 Pa. 456, 109 A. 208, 210; e. g., a merchant; a retail dealer; Edgin v. Bell-Wayland Co. (Okl. Cr. App.) 149 P. 1145, L. R. A. 1915F, 916; sometimes, one who buys to sell; Commonwealth v. Thorne, Neal & Co., 70 Pa. Super. Ct. 599, 602.

One who negotiates the sale, and becomes the recipient of the consideration, though the title comes to the vendee from another source, and not from the vendor. Rutland v. Brister,

53 Miss. 685; *Canavan v. Coleman*, 204 Iowa 901, 216 N. W. 292, 293.

**VENDOR AND PURCHASER ACT.** The act of 37 & 38 Vict. c. 78, which substitutes forty for sixty years as the root of title, and amends in other ways the law of vendor and purchaser. *Mozley & Whitley*.

**VENDOR'S LIEN.** A lien for purchase money remaining unpaid, allowed in equity to the vendor of land, when the statement of receipt of the price in the deed is not in accordance with the fact. Also, a lien existing in the unpaid vendor of chattels, the same remaining in his hands, to the extent of the purchase price, where the sale was for cash, or on a term of credit which has expired, or on an agreement by which the seller is to retain possession. See *Morgan v. Dalrymple*, 59 N. J. Eq. 22, 46 A. 664; *Lee v. Murphy*, 119 Cal. 364, 51 P. 549; *Graham v. Moffett*, 119 Mich. 303, 78 N. W. 132, 75 Am. St. Rep. 393; *Gessner v. Palmateer*, 89 Cal. 89, 26 P. 789, 13 L. R. A. 187; *Blomstrom v. Dux*, 175 Ill. 435, 51 N. E. 755; *Tiernan v. Beam*, 2 Ohio, 388, 15 Am. Dec. 557; *Warford v. Hankins*, 150 Ind. 489, 50 N. E. 468; *Slide & Spur Gold Mines v. Seymour*, 153 U. S. 509, 14 S. Ct. 842, 38 L. Ed. 802; *Digen v. Schultz*, 65 Mont. 190, 210 P. 1057, 1058; *Osburn v. Lindley*, 163 Ark. 260, 259 S. W. 729, 730; *Spinder v. Iowa & O. S. L. Ry. Co.*, 173 Iowa, 348, 155 N. W. 271, 272; *State v. Williams*, 214 Ala. 89, 106 So. 500; *Johns v. Seeley*, 94 Fla. 851, 114 So. 452, 453. In English and American law a vendor's lien is exceptional in character, and is an importation from the civil law, which found its recognition through courts of chancery, on the equitable principle that the person who had secured the estate of another ought not in conscience to be allowed to keep it and not pay full consideration money, and that to enforce that payment it was just that the vendor should have a lien upon the property. *Martin v. Becker*, 169 Cal. 301, 146 P. 665, 671, Ann. Cas. 1915D, 171.

**VENDUE.** A sale; generally a sale at public auction; and more particularly a sale so made under authority of law, as by a constable, sheriff, tax collector, administrator, etc.

**VENDUE MASTER.** An auctioneer.

**VENEREAL.** Sexual; as, *venereal* diseases. *State v. Hollinshead*, 77 Or. 473, 151 P. 710, 711.

**VENIA.** A kneeling or low prostration on the ground by penitents; pardon.

**VENIA ÆTATIS.** A privilege granted by a prince or sovereign, in virtue of which a person is entitled to act, *sui juris*, as if he were of full age. *Story, Conf. Laws*, § 74.

**Veniæ facilitas incentivum est delinquendi.** 3 Inst. 236. Facility of pardon is an incentive to crime.

**VENIRE.** Lat. To come; to appear in court. Sometimes used as the name of the writ for summoning a jury, more commonly called a "*venire facias*."

**VENIRE DE NOVO.** See *Venire Facias*.

**VENIRE FACIAS.** Lat. In practice. A judicial writ, directed to the sheriff of the county in which a cause is to be tried, commanding him that he "cause to come" before the court, on a certain day therein mentioned, twelve good and lawful men of the body of his county, qualified according to law, by whom the truth of the matter may be the better known, and who are in no wise of kin either to the plaintiff or to the defendant, to make a jury of the county between the parties in the action, because as well the plaintiff as the defendant, between whom the matter in variance is, have put themselves upon that jury, and that he return the names of the jurors, etc. 2 Tidd, Pr. 777, 778; 3 Bl. Comm. 352.

**VENIRE FACIAS AD RESPONDENDUM.** A writ to summon a person, against whom an indictment for a misdemeanor has been found, to appear and be arraigned for the offense. A justice's warrant is now more commonly used. Archb. Crim. Pl. 81; Sweet.

**VENIRE FACIAS DE NOVO.** A fresh or new *venire*, which the court grants when there has been some impropriety or irregularity in returning the jury, or where the verdict is so imperfect or ambiguous that no judgment can be given upon it, or where a judgment is reversed on error, and a new trial awarded. See *Bosseker v. Cramer*, 18 Ind. 44; *Maxwell v. Wright*, 160 Ind. 515, 67 N. E. 267. "The ancient common-law mode of proceeding to a new trial was by a writ of *venire facias de novo*. The new trial is a modern invention, intended to mitigate the severity of the proceeding to attain. While a *venire de novo* and new trial are quite different, they are alike in that a new trial takes place in both. The material difference between them is that a *venire de novo* must be granted upon matters appearing upon the face of the record, but a new trial may be granted for things out of the record. *Lowry v. Indianapolis Traction & Terminal Co.*, 77 Ind. App. 138, 126 N. E. 223, 225. See, also, 1 Wils. 48; 47 Am. L. Rev. 377.

**VENIRE FACIAS JURATORES.** A judicial writ directed to the sheriff, when issue was joined in an action, commanding him to cause to come to Westminster, on such a day, twelve free and lawful men of his county by whom the truth of the matter at issue might be better known. This writ was abolished by section 104 of the common-law procedure act, 1852, and by section 105 a precept

issued by the judges of assize is substituted in its place. The process so substituted is sometimes loosely spoken of as a "*venire*." Brown. See, also, Steph. Pl. 104; Cridland v. Floyd, 6 Serg. & R. (Pa.) 414; 3 Chitty, Pr. 797.

**VENIRE FACIAS TOT MATRONAS.** A writ to summon a jury of matrons to execute the writ *de ventre inspiciendo*.

**VENIREMAN.** A member of a panel of jurors; a juror summoned by a writ of *venire facias*.

**VENIT ET DEFENDIT.** L. Lat. In old pleading. Comes and defends. The proper words of appearance and defense in an action. 1 Ld. Raym. 117.

**VENIT ET DICIT.** Lat. In old pleading. Comes and says. 2 Salk. 544.

**VENTE.** In French law. Sale; contract of sale.

**VENTE À RÉMÉRÉ.** A conditional sale, in which the seller reserves the right to redeem or repurchase at the same price. The term is used in Canada and Louisiana.

**VENTE ALEATOIRE.** A sale subject to an uncertain event.

**VENTE AUX ENCHÈRES.** An auction.

**VENTER, VENTRE.** Lat. The belly; the womb; the wife. Used in law as designating the maternal parentage of children. Thus, where in ordinary phraseology we should say that A. was B.'s child by his first wife, he would be described in law as "by the first *venter*." Brown. A child is said to be *en ventre sa mere* before it is born; while it is a fetus.

**VENTRE INSPICIENDO.** See De Ventre Inspiciendo; Venire facias tot matronas.

**VENTURE, v.** To take (the) chances. Allan v. Hargadine-McKittrick Dry Goods Co., 315 Mo. 254, 286 S. W. 16, 19.

**VENTURE, n.** An undertaking attended with risk, especially one aiming at making money; business speculation. McRee v. Quitman Oil Co., 16 Ga. App. 12, 84 S. E. 487.

**VENUE.** Formerly spelled *visne*. Co. Litt. 125a. In pleading and practice. A neighborhood; the neighborhood, place, or county in which an injury is declared to have been done, or fact declared to have happened. 3 Bl. Comm. 294; Jackson v. State, 187 Ind. 694, 121 N. E. 114, 115; Orthwein v. Germania Life Ins. Co. of City of New York, 261 Mo. 650, 170 S. W. 885, 887; 4 C. & P. 363; Heikes v. Com., 26 Pa. 513; Searcy v. State, 4 Tex. 450; People v. Lafuente, 6 Cal. 202.

Also, the county (or geographical division) in which an action or prosecution is brought for trial, and which is to furnish the panel of

jurors. To "change the venue" is to transfer the cause for trial to another county or district. See Moore v. Gardner, 5 How. Prac. (N. Y.) 243; Armstrong v. Emmet, 16 Tex. Civ. App. 242, 41 S. W. 87; Sullivan v. Hall, 86 Mich. 7, 48 N. W. 646, 13 L. R. A. 556; State v. McKinney, 5 Nev. 198; Loftus v. Pennsylvania R. Co., 107 Ohio St. 352, 140 N. E. 94, 96; Paige v. Sinclair, 237 Mass. 482, 130 N. E. 177, 178. However, the transfer of a case from division 2 of a county circuit court to division 1 thereof may also constitute a "change of venue." Towle v. City of St. Joseph (Mo. App.) 185 S. W. 1151, 1152.

"Venue" means the place at which an action is tried, and not merely the judge or court by whom it is tried. State ex rel. McAllister v. State, 278 Mo. 570, 214 S. W. 85, 87, 8 A. L. R. 1226.

"Jurisdiction" of the court means the inherent power to decide a case, whereas "venue" designates the particular county or city in which a court with jurisdiction may hear and determine the case. Southern Sand & Gravel Co. v. Massaponax Sand & Gravel Corporation, 145 Va. 317, 133 S. E. 812, 813. See, also, Davis v. City of Waycross, 16 Ga. App. 239 85 S. E. 81. But compare People v. Wakao, 33 Cal. App. 454, 165 P. 720, 721.

In the common-law practice, that part of the declaration in an action which designates the county in which the action is to be tried. Sweet.

#### Local Venue

In pleading. A venue which must be laid in a particular county. When the action could have arisen only in a particular county, it is local, and the venue must be laid in that county. 1 Tidd, Pr. 427; Deacon v. Shreve, 23 N. J. Law, 204.

**VERANDA.** A porch; a portico; a covered place of entrance to a building, differentiated from its principal mass. Hieronimus v. Moran, 272 Ill. 254, 111 N. E. 1022, 1025.

**VERAY.** L. Fr. True. An old form of *vrai*. Thus, *veray*, or true, *tenant*, is one who holds in fee-simple; *veray tenant by the manner*, is the same as tenant by the manner, (*q. v.*) with this difference only: that the fee-simple instead of remaining in the lord, is given by him or by the law to another. Ham. N. P. 393, 394.

**VERBA.** Lat. (Plural of *verbum*.) Words.

**Verba accipienda sunt cum effectu, ut sortiantur effectum.** Words are to be received with effect, so that they may produce effect. Bac. Max.

**Verba accipienda sunt secundum subjectam materiam.** 6 Coke, 62. Words are to be understood with reference to the subject-matter.

**Verba accipienda ut sortiantur effectum.** Words are to be taken so that they may have some effect. 4 Bacon, Works 258.

**Verba æquivoca, ac in dubio sensu posita, intelliguntur digniori et potentiori sensu.** Equiv-

ocal words, and such as are put in a doubtful sense, are [to be] understood in the more worthy and effectual sense [in their best and most effective sense]. 6 Coke, 20a.

**Verba aliquid operari debent; debent intelligi ut aliquid operentur.** 8 Coke, 94. Words ought to have some operation; they ought to be interpreted in such a way as to have some operation.

**Verba aliquid operari debent, verba cum effectu sunt accipienda.** Words are to be taken so as to have effect. Bacon, Max. Reg. 3, p. 47. See 1 Duer, Ins. 210, 211, 216.

**Verba artis ex arte.** Terms of art should be explained from the art. 2 Kent, Comm. 556, note.

**VERBA CANCELLARIÆ.** Words of the chancery. The technical style of writs framed in the office of chancery. Fleta, lib. 4, c. 10, § 3.

**Verba chartarum fortius accipiuntur contra proferentem.** The words of charters are to be received more strongly against the grantor [or the person offering them]. Co. Litt. 36; Broom, Max. 594; Bacon, Max. Reg. 3; Noy, Max., 9th ed. p. 48; 3 B. & P. 399, 403; 1 C. & M. 657; 8 Term 605; 15 East 546; 1 Ball. & B. 335; 2 Pars. Con. 22.

**Verba cum effectu accipienda sunt.** Bac. Max. 3. Words ought to be used so as to give them their effect.

**Verba currentis monetæ, tempus solutionis designant.** Dav. 20. The words "current money" designate current at the time of payment.

**Verba debent intelligi cum effectu, ut res magis valeat quam pereat.** Words ought to be understood with effect, that a thing may rather be preserved than destroyed. 2 Smith, Lead. Cas. 530.

**Verba debent intelligi ut aliquid operentur.** Words ought to be understood so as to have some operation. 8 Coke, 94a.

**Verba dicta de persona intelligi debent de conditione personæ.** Words spoken of a person are to be understood of the condition of the person. 2 Rolle, 72.

**Verba fortius accipiuntur contra proferentem.** Words are to be taken most strongly against him who uses them. Bac. Max. 11, reg. 3.

**Verba generalia generaliter sunt intelligenda.** 3 Inst. 76. General words are to be generally understood.

**Verba generalia restringuntur ad habilitatem rei vel aptitudinem personæ.** General words must be narrowed either to the nature of the subject-matter or to the aptitude of the person. Broom, Max. 646; Bacon, Max. Reg. 10; 11 C. B. 254, 356.

**Verba illata (relata) inesse videntur.** Words referred to are to be considered as if incorporated. Broom, Max. 674, 677; 11 Mees. & W. 183; 10 C. B. 261, 263, 266.

**Verba in differenti materia per prius, non per posterius, intelligenda sunt.** Words on a different subject are to be understood by what precedes, not by what comes after. A maxim of the civil law. Calvin.

**Verba intelligenda sunt in casu possibili.** Words are to be understood in [or "of," or "in reference to"] a possible case. A maxim of the civil law. Calvin.

**Verba intentioni, non e contra, debent inservire.** 8 Coke, 94. Words ought to be made subservient to the intent, not the intent to the words. 6 Allen (Mass.) 324; 1 Spence, Eq. Jur. 527; 2 Sharsw. Bla. Comm. 379.

**Verba ita sunt intelligenda, ut res magis valeat quam pereat.** The words [of an instrument] are to be so understood, that the subject-matter may rather be of force than perish, [rather be preserved than destroyed; or, in other words, that the instrument may have effect, if possible.] Bac. Max. 17, in reg. 3; Plowd. 156; 2 Bl. Comm. 380; 2 Kent, Comm. 555.

**Verba mere æquivoca, si per communem usum loquendi in intellectu certo summuntur, talis intellectus præferendus est.** [In the case of] words merely equivocal, if they are taken by the common usage of speech in a certain sense, such sense is to be preferred. A maxim of the civil law. Calvin.

**Verba nihil operari melius est quam absurde.** It is better that words should have no operation at all than [that they should operate] absurdly. A maxim of the civil law. Calvin.

**Verba non tam intuenda, quam causa et natura rei, ut mens contrahentium ex eis potius quam ex verbis appareat.** The words [of a contract] are not so much to be looked at as the cause and nature of the thing, [which is the subject of it,] in order that the intention of the contracting parties may appear rather from them than from the words. Calvin.

**Verba offendi possunt, imo ab eis recedere licet, ut verba ad sanum intellectum reducantur.** Words may be opposed, [taken in a contrary sense,] nay, we may disregard them altogether, in order that the [general] words [of an instrument] may be restored to a sound meaning. A maxim of the civilians. Calvin.

**Verba ordinationis quando verificari possunt in sua vera significatione, trahi ad extraneum intellectum non debent.** When the words of an ordinance can be carried into effect in their own true meaning, they ought not to be drawn to a foreign intendment. A maxim of the civilians. Calvin.

**Verba posteriora propter certitudinem addita, ad priora quæ certitudine indigent, sunt referenda.** Subsequent words, added for the purpose of certainty, are to be referred to the preceding words which require the certainty. Wing. Max. 167, max. 53; Broom, Max. 586; 6 Coke, 236.

**VERBA PRECARIA.** In the civil law. Precatory words; words of trust, or used to create a trust.

**Verba pro re et subjecta materia accipi debent.** Words ought to be understood in favor of the thing and subject-matter. A maxim of the civilians. Calvin.

**Verba quæ aliquid operari possunt non debent esse superflua.** Words which can have any kind of operation ought not to be [considered] superfluous. Calvin.

**Verba, quantumvis generalia, ad aptitudinem restringantur, etiamsi nullam aliam paterentur restrictionem.** Words, howsoever general, are restrained to fitness, (*i. e.*, to harmonize with the subject-matter,) though they would bear no other restriction. Spiegelius.

**Verba relata hoc maxime operantur per referentiam, ut in eis inesse videntur.** Related words [words connected with others by reference] have this particular operation by the reference, that they are considered as being inserted in those [clauses which refer to them.] Co. Litt. 9b, 359a. Words to which reference is made in an instrument have the same effect and operation as if they were inserted in the clauses referring to them. Broom, Max. 673; 14 East 568.

**Verba relata inesse videntur.** Words to which reference is made seem to be incorporated. 11 Cush. (Mass.) 137.

**Verba secundum materiam subjectam intelligi nemo est qui nesciat.** There is no one who does not know that words are to be understood according to their subject-matter. Calvin.

**Verba semper accipienda sunt in mitiori sensu.** Words are always to be taken in the milder sense. 4 Coke, 13a.

**Verba strictæ significationis ad latam extendi possunt, si subsit ratio.** Words of a strict or narrow signification may be extended to a broad meaning, if there be ground in reason for it. A maxim of the civilians. Calvin.; Spiegelius.

**Verba sunt indices animi.** Words are the indices or indicators of the mind or thought. Latch, 106.

**VERBAL.** Strictly, of or pertaining to words; expressed in words, whether spoken or written, but commonly in spoken words; hence, by confusion, spoken; oral. Webster, Dict. Parol; by word of mouth; as, ver-

bal agreement, verbal evidence; or written, but not signed, or not executed with the formalities required for a deed or prescribed by statute in particular cases. Musgrove v. Jackson, 59 Miss. 390.

**VERBAL NOTE.** A memorandum or note, in diplomacy, not signed, sent when an affair has continued a long time without any reply, in order to avoid the appearance of an urgency which perhaps is not required; and, on the other hand, to guard against the supposition that it is forgotten, or that there is an intention of not prosecuting it any further. Wharton.

**VERBAL PROCESS.** In Louisiana. *Procès verbal*, (*q. v.*)

**Verbis standum ubi nulla ambiguitas.** One must abide by the words where there is no ambiguity. Tray. Lat. Max. 612.

**Verbum imperfecti temporis rem adhuc imperfectam significat.** The imperfect tense of the verb indicates an incomplete matter. Mac-tier v. Frith, 6 Wend. (N. Y.) 103, 120, 21 Am. Dec. 262.

**VERDERER, or VERDEROR.** An officer of the king's forest, who is sworn to maintain and keep the assizes of the forest, and to view, receive, and enroll the attachments and presentments of all manner of trespasses of vert and venison in the forest. Manw. c. 6, § 5.

**VERDICT.** From the Latin "veredictum," a true declaration. State v. Blue, 134 La. 561, 64 So. 411, 413; Doe ex dem. Rowe v. Goetchius, 180 Ala. 381, 61 So. 330, 331; Mars v. State, 163 Ga. 43, 135 S. E. 410, 419. In practice. The formal and unanimous decision or finding made by a jury, impaneled and sworn for the trial of a cause, and reported to the court (and accepted by it), upon the matters or questions duly submitted to them upon the trial. Sitterson v. Sitterson, 191 N. C. 319, 131 S. E. 641, 642, 51 A. L. R. 760; Roth v. East Connellsville Coke Co., 242 Pa. 23, 88 A. 781. A declaration of the truth as to matters of fact submitted to jury. Groves v. State, 162 Ga. 161, 132 S. E. 769, 770; Arcadia Timber Co. v. Evans, 304 Mo. 674, 264 S. W. 810. The definitive answer given by the jury to the court concerning the matters of fact committed to the jury for their deliberation and determination. State v. Williams, 89 N. J. Law, 234, 98 A. 416, 417.

Until accepted by the court, a finding of the jury is not a "verdict." Schulman v. Stock, 89 Conn. 237, 93 A. 531. The only "verdict" is that which the jury announces orally to the court, and which is received and recorded as the jury's finding. Mattice v. Maryland Casualty Co. (D. C.) 5 F. (2d) 233.

Although in common language, the word may be used in a more extended sense, it has a well-defined signification in law. It means the decision of a jury, and not the decision of a court or a referee or

a commissioner. *Kerner v. Petigo*, 25 Kan. 656. "Decision" bears the same relation to nonjury cases as "verdict" to jury cases, and a "verdict" is a conclusion upon the facts, and in effect a direction for judgment, while a "decision" is an order for judgment, and determines the judgment to be entered. *Schofield v. Baker* (D. C.) 242 F. 657, 658.

#### Adverse Verdict

Where a party, appealing from an allowance of damages by commissioners, recovers a verdict in his favor, but for a less amount of damages than had been originally allowed, such verdict is *adverse* to him, within the meaning of his undertaking to pay costs if the verdict should be adverse to him. *Hamblyn v. Barnstable County*, 16 Gray (Miss.) 256.

#### Chance Verdict

One determined by hazard or lot, and not by the deliberate understanding and agreement of the jury. *Goodman v. Cody*, 1 Wash. T. 335, 34 Am. Rep. 808; *Dixon v. Pluns*, 98 Cal. 384, 33 P. 268, 20 L. R. A. 698, 35 Am. St. Rep. 180; *Improvement Co. v. Adams*, 1 Colo. App. 250, 28 P. 662. A verdict is not a "chance verdict" merely because, in arriving at the amount, the jury took each juror's estimate of what should be assessed as the damages and divided the total by the number of jurors, and afterward knowingly and understandingly agreed that such quotient should be the amount of the verdict. *Great Northern Ry. Co. v. Lenton*, 31 N. D. 555, 154 N. W. 275, 277. See, also, *Foley v. Hornung*, 35 Cal. App. 304, 169 P. 705, 709; Quotient verdict, *infra*.

#### Compromise Verdict

One which is the result, not of justifiable concession of views, but of improper compromise of the vital principles which should have controlled the decision. *Goelet v. Matt J. Ward Co.* (C. C. A.) 242 F. 65, 67. Although it is proper for jurors to harmonize their views and reach a verdict with proper regard for each other's opinions, it is not proper for any juror to surrender his conscientious convictions on any material issue in return for a relinquishment by others of their like settled opinions on another issue, producing a result which does not command the approval of the whole panel. *Snyder v. Portland Ry., Light & Power Co.*, 107 Or. 673, 215 P. 887, 889.

#### False Verdict

One obviously opposed to the principles of right and justice; an untrue verdict. Formerly, if a jury gave a false verdict, the party injured by it might sue out and prosecute a writ of attaint against them, either at common law or on the statute 11 Hen. VII. c. 24, at his election, for the purpose of reversing the judgment and punishing the jury for their verdict; but not where the jury erred merely in point of law, if they found according to the judge's direction. The practice of setting

aside verdicts and granting new trials, however, so superseded the use of attaints that there is no instance of one to be found in the books of reports later than in the time of Elizabeth, and it was altogether abolished by 6 Geo. IV. c. 50, § 60. Wharton.

#### General Verdict

A verdict whereby the jury find either for the plaintiff or for the defendant in general terms; the ordinary form of a verdict. *Glenn v. Sumner*, 10 S. Ct. 41, 132 U. S. 152, 33 L. Ed. 301; *Childs v. Carpenter*, 32 A. 780, 87 Me. 114. A finding by the jury in the terms of the issue referred to them. *Settle v. Alison*, 8 Ga. 208, 52 Am. Dec. 393; *Tidd*, Pr. 798. That by which the jury pronounces generally on all of the issues in favor of plaintiff or defendant. *Skelton v. City of Newberg*, 148 P. 53, 55, 76 Or. 126; *Cleveland, C. C. & St. L. Ry. Co. v. Wolf*, 128 N. E. 38, 40, 189 Ind. 585. That by which they pronounce generally upon all or any of the issues, either in favor of the plaintiff or defendant;—distinguished from a special verdict, which is that by which the jury finds facts only. *Comp. Stat. Okl. 1921*, § 551 (Code 1931, § 369). A "general verdict" is one by which the jury pronounces at the same time on the facts and the law, either in favor of the plaintiff or the defendant. *Schofield v. Baker* (D. C.) 242 F. 657, 658; *Co. Litt. 228*; 4 Bla. Comm. 461. A general verdict of guilty in a criminal case means guilty on every count. *Simmons v. State*, 134 S. E. 54, 55, 162 Ga. 316.

#### Open Verdict

A verdict of a coroner's jury which finds that the subject "came to his death by means to the jury unknown," or "came to his death at the hands of a person or persons to the jury unknown," that is, one which leaves open either the question whether any crime was committed or the identity of the criminal.

#### Partial Verdict

In criminal law, a verdict by which the jury acquit the defendant as to a part of the accusation and find him guilty as to the residue. *State v. McGee*, 33 S. E. 353, 55 S. C. 247, 74 Am. St. Rep. 741; *U. S. v. Watkins*, 28 Fed. Cas. 419.

#### Privy Verdict

One given after the judge has left or adjourned the court, and the jury, being agreed, in order to be delivered from their confinement, obtain leave to give their verdict privily to the judge out of court. Such a verdict is of no force unless afterwards affirmed by a public verdict given openly in court. This practice is now superseded by that of rendering a sealed verdict. See *Young v. Seymour*, 4 Neb. 89.

#### Public Verdict

A verdict openly delivered by the jury in court. *Withee v. Rowe*, 45 Me. 571.

**Quotient Verdict**

A money verdict the amount of which is fixed by the following process: Each juror writes down the sum he wishes to award by the verdict, and these amounts are all added together, and the total is divided by twelve, (the number of jurors,) the quotient being the verdict of the jury by their agreement. *Speer v. State*, 198 S. W. 113, 115, 130 Ark. 457; *St. Louis & S. F. R. Co. v. Brown*, 144 P. 1075, 1077, 45 Okl. 143; *Spain v. Oregon-Washington R. & Nav. Co.*, 153 P. 470, 475, 78 Or. 355, Ann. Cas. 1917E, 1104; *Hull v. Larson*, 131 P. 668, 669, 14 Ariz. 492, Ann. Cas. 1915C, 1145; *Hamilton v. Owego Water Works*, 48 N. Y. S. 106, 22 App. Div. 573. To invalidate a verdict of this kind, it must appear that, in advance of the computation, there was an agreement to be bound by the result. In re *Havenmaier's Estate*, 203 N. W. 958, 959, 163 Minn. 218; *Great Northern Ry. Co. v. Lenton*, 154 N. W. 275, 277, 31 N. D. 555; *Benjamin v. Helena Light & Ry. Co.*, 255 P. 20, 21, 79 Mont. 144, 52 A. L. R. 33; *Pushcart v. New York Shipbuilding Co.*, 89 A. 980, 981, 85 N. J. Law, 525; *Bank of Tallassee v. Elmore Fertilizer Co.*, 78 So. 648, 649, 16 Ala. App. 465; *International Agr. Corporation v. Abercrombie*, 63 So. 549, 553, 184 Ala. 244, 49 L. R. A. (N. S.) 415; *Carter v. Marshall Oil Co.*, 170 N. W. 798, 800, 185 Iowa 416.

**Sealed Verdict**

See Sealed.

**Special Verdict**

A special finding of the facts of a case by a jury, leaving to the court the application of the law to the facts thus found. 1 Archb. Pr. K. B. 213; 3 Bl. Comm. 377; *Statler v. U. S.*, 15 S. Ct. 616, 157 U. S. 277, 39 L. Ed. 700; *Day v. Webb*, 28 Conn. 144; *Wallingford v. Dunlap*, 14 Pa. 32; *McCormick v. Royal Ins. Co.*, 29 A. 747, 163 Pa. 184; *Brown v. Ralston*, 4 Rand. (Va.) 504; *Huether v. McCaull-Dinsmore Co.*, 204 N. W. 614, 619, 52 N. D. 721; *Samlin v. U. S. (C. C. A.)* 278 F. 170, 172; *St. Wis.* 1911, § 2857 (St. 1931, § 270.25); *Pen. Code Ariz.* 1913, § 1085 (Rev. Code 1928, § 5085); *Pen. Code Cal.* § 1152; *Code Civ. Proc. N. Y.* § 1186 (Civil Practice Act, § 458). A special finding by the jury on each material issue of the case. *Ford v. Brown*, 200 P. 522, 525, 45 Nev. 202. A "special verdict" exhibits the legitimate facts and leaves the legal conclusions to the court, and must cover all the issues in the case, while an answer to a special interrogatory may respond to but a single inquiry pertaining merely to one issue essential to the general verdict. *Childress v. Lake Erie & W. R. Co.*, 105 N. E. 467, 470, 182 Ind. 251.

**Verdict by Lot**

This type of verdict was formerly held to be legitimate; 1 Keble 811; but such verdicts are now held to be illegal. See *Barnard v. State*, 221 S. W. 293, 294, 87 Tex. Cr. R. 365; *Chance Verdict*, *supra*.

BL.LAW DICT. (3D ED.)—114

**Verdict of Guilty But Insane**

A special verdict which amounts to an acquittal of the person tried. *Rex v. Taylor*, [1915] 2 K. B. 709, 712.

**Verdict of no Cause of Action.**

A verdict for defendant. *Felter v. Mulliner*, 2 Johns. 181.

**Verdict of Not Guilty**

Simply a verdict of not proven in the particular case tried; it is not a verdict of innocence, and hence is not conclusive against the state in favor of any other person than the defendant who was actually acquitted. *Woody v. State*, 136 P. 430, 432, 10 Okl. Cr. 322, 49 L. R. A. (N. S.) 479.

**Verdict Subject to Opinion of Court**

A verdict returned by the jury, the entry of judgment upon which is subject to the determination of points of law reserved by the court upon the trial.

**VEREBOT.** Sax. In old records. A packet-boat or transport vessel. Cowell.

**VEREDICTUM.** L. Lat. In old English law. A verdict; a declaration of the truth of a matter in issue, submitted to a jury for trial.

**Veredictum, quasi dictum veritatis; ut iudicium quasi juris dictum.** Co. Litt. 226. The verdict is, as it were, the *dictum* [saying] of truth; as the judgment is the *dictum* of law.

**VERGE, or VIRGE.** In English law. The compass of the royal court, which bounds the jurisdiction of the lord steward of the household; it seems to have been twelve miles about. Britt. 68. An uncertain quantity of land from fifteen to thirty acres. 28 Edw. I. Also a stick, or rod, whereby one is admitted tenant to a copyhold estate. Old Nat. Brev. 17.

**VERGELT.** In Saxon law. A mulct or fine for a crime. See *Weregild*.

**VERGENS AD INOPIAM.** L. Lat. In Scotch law. Verging towards poverty; in declining circumstances. 2 Kames, Eq. 8.

**VERGERS.** In English law. Officers who carry white wands before the justices of either bench. Cowell. Mentioned in *Fleta*, as officers of the king's court, who oppressed the people by demanding exorbitant fees. *Fleta*, lib. 2, c. 38.

**VERIFICATION.****In Pleading**

A certain formula with which all pleadings containing new affirmative matter must conclude, being in itself an averment that the party pleading is ready to establish the truth of what he has set forth.

The usual form of verification of a plea containing matter of fact is, "*And this he is ready to verify,*" etc. See 3 Bla. Comm. 309.



In Practice

The examination of a writing for the purpose of ascertaining its truth. A certificate or affidavit that it is true.

"Verification" is not identical with "authentication." A notary may verify a mortgagee's written statement of the actual amount of his claim, but need not authenticate the act by his seal. *Ashley v. Wright*, 19 Ohio St. 291.

Confirmation of the correctness, truth, or authenticity of a pleading, account, or other paper, by an affidavit, oath, or deposition. *Herbert v. Roxana Petroleum Corporation* (D. C.) 12 F.(2d) 81, 83; *McDonald v. Rosengarten*, 134 Ill. 126, 25 N. E. 429; *Summerfield v. Phoenix Assur. Co.* (C. C.) 65 F. 296; *Patterson v. Brooklyn*, 6 App. Div. 127, 40 N. Y. S. 581.

**VERIFY.** To confirm or substantiate by oath, *S. B. McMaster, Inc., v. Chevrolet Motor Co.*, (D. C.) 3 F.(2d) 469, 471; *Francesconi v. Independent School Dist. of Wall Lake*, 204 Iowa 307, 214 N. W. 882, 885; *Marshall v. State*, 116 Neb. 45, 215 N. W. 564, 566. Particularly used of making formal oath to accounts, petitions, pleadings, and other papers.

The word "verified," when used in a statute, ordinarily imports a verity attested by the sanctity of an oath. *Bristol v. Buck*, 201 App. Div. 100, 194 N. Y. S. 53, 55. It is frequently used interchangeably with "sworn." *Francesconi v. Independent School Dist. of Wall Lake*, 204 Iowa, 307, 214 N. W. 882, 885.

To prove to be true or correct; to confirm or establish the truth or authority of; to confirm; to substantiate. *City of Arlington v. Dallas-Fort Worth Safety Coach Co.* (Tex. Civ. App.) 270 S. W. 1094, 1095; *State v. Lock*, 302 Mo. 400, 259 S. W. 116, 120. To make certain by comparison. *State v. Brown*, 83 Fla. 339, 91 So. 370, 371.

The word "verify" sometimes means to confirm and substantiate by oath, and sometimes by argument. When used in legal proceedings it is generally employed in the former sense. *De Witt v. Hosmer*, 3 How. Prac. (N. Y.) 284.

**VERILY.** In very truth; beyond doubt or question; in fact; certainly; truly; confidently; really. *Gregg v. Sigurdson*, 67 Mont. 272, 215 P. 662.

**Veritas, a quocunq̄ue dicitur, a Deo est.** 4 Inst. 153. Truth, by whomsoever pronounced, is from God.

**Veritas demonstrationis tollit errorem nominis.** The truth of the description removes an error in the name. 1 Ld. Raym. 303.

**Veritas habenda est in juratore; justitia et iudicium in iudice.** Truth is the desideratum in a juror; justice and judgment in a judge. Bract. fol. 185b.

**Veritas nihil veretur nisi abscondi.** Truth fears nothing but to be hid. 9 Coke, 20b.

**Veritas nimium altercando amittitur.** Truth is lost by excessive altercation. Hob. 344.

**Veritas nominis tollit errorem demonstrationis.** The truth of the name takes away the error of description. Bacon, Max. Reg. 25; Broom, Max. 637, 641; 8 Taunt. 313; 2 Jones, Eq. (N. C.) 72.

**Veritas, quæ minime defensatur opprimitur; et qui non improbat, approbat.** 3 Inst. 27. Truth which is not sufficiently defended is overpowered; and he who does not disapprove, approves.

**Veritatem qui non libere pronunciat proditor est veritatis.** 4 Inst. Epil. He who does not freely speak the truth is a betrayer of truth.

**VERITY.** Truth; truthfulness; conformity to fact. The records of a court "import uncontrollable verity." 1 Black, Judgm. § 276.

**VERNA.** Lat. In the civil law. A slave born in his master's house.

**VERSARI.** Lat. In the civil law. To be employed; to be conversant. *Versari male in tutela*, to misconduct one's self in a guardianship. Calvin.

**VERSUS.** Lat. Against. In the title of a cause, the name of the plaintiff is put first, followed by the word "*versus*," then the defendant's name. Thus, "*Fletcher versus Peck*," or "*Fletcher against Peck*." The word is commonly abbreviated "*vs.*" or "*v.*" *Vs.* and *versus* have become ingrafted upon the English language; their meaning is as well understood and their use quite as appropriate as the word *against* could be. *Smith v. Butler*, 25 N. H. 523.

**VERT.** Everything bearing green leaves in a forest. Manwood, For. Law 146.

Also that power which a man has, by royal grant, to cut green wood in a forest.

In heraldry, green color, called "*venus*" in the arms of princes, and "*emerald*" in those of peers, and expressed in engravings by lines in bend. Wharton.

**VERUS.** Lat. True; truthful; genuine; actual; real; just.

**VERY.** In a high degree; to no small extent; exceedingly; extremely. *Shriver v. Union Stockyards Nat. Bank*, 117 Kan. 638, 232 P. 1062, 1066.

**VERY LORD AND VERY TENANT.** They that are immediate lord and tenant one to another. Cowell.

**VESSEL.** A ship, brig, sloop, or other craft used in navigation. The word in its broadest sense is more comprehensive than "*ship*."

Any structure which is made to float upon the water, for purposes of commerce or war, whether impelled by wind, steam, or oars. *Chaffe v. Ludeling*, 27 La. Ann. 607.

Every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water or in water and in air. Act Sept. 21, 1922, c. 356 (19 USCA § 231).

Every description of water-craft or other artificial contrivances used, or capable of being used, as a means of transportation on water. Rev. St. U. S. § 3 (1 USCA § 3). Under this definition, the term has been held to include a large dredging barge, having no propelling power, but capable of being towed at sea; *City of Los Angeles v. United Dredging Co.* (C. C. A.) 14 F.(2d) 364, 365; and likewise a house boat, not permanently attached to the shore, though without motive power; *The Ark* (D. C.) 17 F.(2d) 446, 447; but not a wharfboat, secured to the shore by cables and used as an office, warehouse, and wharf, and having water and electric light connections and telephone system; *Evansville & Bowling Green Packet Co. v. Chero Cola Bottling Co.*, 271 U. S. 19, 46 S. Ct. 379, 380, 70 L. Ed. 805; nor a dry dock used for the repair of vessels, though capable of being floated and towed from place to place; *Berton v. Tietjen & Lang Dry Dock Co.* (D. C.) 219 F. 763, 771.

As used in various other statutes, the word "vessel" has been held applicable to a ferryboat; *Port Huron & Sarnia Ferry Co. v. Lawson* (D. C.) 292 F. 216, 219; a pile driver scow; *George Leary Const. Co. v. Matson* (C. C. A.) 272 F. 461, 462; a derrick boat, carrying a derrick used for loading logs from the river bank upon boats; *Patton-Tully Transp. Co. v. Turner* (C. C. A.) 269 F. 334, 336; a hydro-aeroplane while moving on the water; *Reinhardt v. Newport Flying Service Corporation*, 232 N. Y. 115, 133 N. E. 37, 372, 18 A. L. R. 1324; and even to a log raft; *The Libby Maine* (D. C.) 3 F.(2d) 79, 80. The term is broad enough to include a vessel's tackle, apparel, furniture, chronometer and appurtenances. *The Frolic* (D. C.) 148 F. 921.

The word has also been held to include a new ship as soon as its hull has been launched; *The Pinthis* (C. C. A.) 286 F. 122; and any structure which is so far completed as to be capable of being used as a means of transportation on water; *R. R. Ricou & Sons Co. v. Fairbanks, Morse & Co.* (C. C. A.) 11 F.(2d) 103, 104; but not an old hull built of timber taken from an old dry dock; *The Dredge A* (D. C.) 217 F. 617, 630. *Contra*, *Moore v. Underwriters* (C. C.) 14 F. 236.

The words "boat," "craft," and "water craft" are usually applied to small vessels, while larger vessels, especially in the case of large iron steamships, are usually referred to by the term "steamer," or "steamship," or "vessel." *The Saxon* (D. C.) 269 F. 639, 641.

A utensil, such as a bottle, designed to hold liquids, etc. *Old Tavern Farm v. Fickett*, 125 Me. 123, 131 A. 305, 306.

#### Foreign Vessel

A vessel owned by residents in, or sailing under the flag of, a foreign nation. "Foreign vessel," under the embargo act of January, 1808, means a vessel under the flag of a foreign power, and not a vessel in which foreigners domiciled in the United States have an

interest. *The Sally*, 1 Gall. 58, Fed. Cas. No. 12,257.

#### Public Vessel

One owned and used by a nation or government for its public service, whether in its navy, its revenue service, or otherwise.

**VEST.** To accrue to; to be fixed; to take effect; to give a fixed and indefeasible right.

It may denote either a vesting in interest or a vesting in possession. *Busick v. Busick*, 65 Ind. App. 655, 115 N. E. 1025, 1029. An estate is vested in possession when there exists a right of present enjoyment; and an estate is vested in interest when there is a present fixed right of future enjoyment. *Fearnie*, Rem. 2; *Butler v. Sherwood*, 114 Misc. 483, 186 N. Y. S. 712, 714; *Schee v. Boone*, 295 Mo. 212, 243 S. W. 882, 885; *State v. Welch's Estate*, 235 Mich. 555, 209 N. W. 930, 934; *Ziegler v. Love*, 185 N. C. 40, 115 S. E. 887, 888; *Hignett v. Sherman*, 75 Colo. 64, 224 P. 411, 415; *Gray v. Shinn*, 293 Ill. 573, 127 N. E. 755, 758; *In re Neel's Estate*, 252 Pa. 394, 97 A. 502, 504.

The normal sense of the word is to indicate a present and immediate interest, as distinguished from one that is contingent. *In re Stocker's Estate*, 260 Pa. 385, 103 A. 885, 886; *Class v. Strack*, 85 N. J. Eq. 319, 96 A. 405, 406; *Snortum v. Snortum*, 155 Minn. 230, 193 N. W. 304, 305; *Crawford v. Carlisle*, 206 Ala. 379, 89 So. 565, 571.

To clothe with possession; to deliver full possession of land or of an estate; to give seisin; to enfeoff. *Spelman*.

**VESTA.** The crop on the ground. *Cowell*.

**VESTED.** Fixed; accrued; settled; absolute. *Orthwein v. Germania Life Ins. Co. of City of New York*, 261 Mo. 650, 170 S. W. 885, 888. Having the character or giving the rights of absolute ownership; not contingent; not subject to be defeated by a condition precedent. See *Scott v. West*, 63 Wis. 529, 24 N. W. 161; *McGillis v. McGillis*, 11 App. Div. 359, 42 N. Y. S. 924; *Smith v. Proskoy*, 39 Misc. 385, 79 N. Y. S. 851.

**VESTED DEVISE.** See *Devise*.

**VESTED ESTATE.** An interest clothed with a present, legal, and existing right of alienation. *Anderson v. Menefee* (Tex. Civ. App.) 174 S. W. 904, 908. Any estate, property, or interest is called "vested," whether in possession or not, which is not subject to any condition precedent and unperformed. The interest may be either a present and immediate interest, or it may be a future but uncontingent, and therefore transmissible, interest. *Brown*. See *Taylor v. Gould*, 10 Barb. (N. Y.) 388; *Flanner v. Fellows*, 206 Ill. 136, 68 N. E. 1057; *Tindall v. Tindall*, 167 Mo. 218, 66 S. W. 1092; *Ward v. Edge*, 100 Ky. 757, 39 S. W. 440. A vested estate, whether present or future, may be absolutely or defeasibly vested. *L'Etourneau v. Henquet*, 89 Mich. 428, 50 N. W. 1077, 28 Am. St. Rep. 310. If a

present right exists to future possession, the estate is "vested," even though actual possession may be defeated by a future event. *Wheaton Coal Co. v. Harris*, 288 Pa. 294, 135 A. 637, 638. See, also, *Vest*.

**VESTED IN INTEREST.** A legal term applied to a present fixed right of future enjoyment; as reversions, vested remainders, such executory devises, future uses, conditional limitations, and other future interests as are not referred to, or made to depend on, a period or event that is uncertain. *Wharton*. See *Smith v. West*, 103 Ill. 337; *Hawley v. James*, 5 Paige (N. Y.) 466; *Gates v. Seibert*, 157 Mo. 254, 57 S. W. 1065, 80 Am. St. Rep. 625.

**VESTED IN POSSESSION.** A legal term applied to a right of present enjoyment actually existing. See *Vest*.

**VESTED INTEREST.** A present right or title to a thing, which carries with it an existing right of alienation, even though the right to possession or enjoyment may be postponed to some uncertain time in the future, as distinguished from a future right, which may never materialize or ripen into title, and it matters not how long or for what length of time the future possession or right of enjoyment may be postponed, if the present right exists to alienate and pass title. *Fidelity & Columbia Trust Co. v. Tiffany*, 202 Ky. 618, 260 S. W. 357, 359. A future interest not dependent on an uncertain period or event, or a fixed present right of future enjoyment. In *re Whiting* (D. C.) 3 F.(2d) 440, 441; *McManus v. Peerless Casualty Co.*, 114 Me. 98, 95 A. 510. It is not the uncertainty of enjoyment in the future, but the uncertainty of the right of enjoyment, which makes the difference between a "vested" and a "contingent" interest. *Mahoney v. Mahoney*, 98 Conn. 525, 120 A. 342, 345. A future interest is vested when there is a person in being who would have a right, defeasible or indefeasible, to the immediate possession of the property, upon the ceasing of the intermediate or precedent interest. Civil Code Cal. § 694. See *Allison v. Allison*, 101 Va. 537, 44 S. E. 904, 63 L. R. A. 920; *Hawkins v. Bohling*, 168 Ill. 214, 48 N. E. 94; *Stewart v. Harriman*, 56 N. H. 25, 22 Am. Rep. 408; *Bunting v. Speck*, 41 Kan. 424, 21 P. 288, 3 L. R. A. 690.

**VESTED LEGACY.** A legacy given in such terms that there is a fixed, indefeasible right to its payment. In *re Central Union Trust Co. of New York*, 183 N. Y. S. 671, 673, 193 App. Div. 292. A legacy payable at a future time, certain to arrive, and not subject to conditions precedent, is vested, where there is a person in esse at the testator's death capable of taking when the time arrives, though his interest may be altogether defeated by his own death. In *re Marshall's Estate*, 262 Pa. 145, 105 A. 63, 64. A legacy is said to be vested when the words of the

testator making the bequest convey a transmissible interest, whether present or future, to the legatee in the legacy. Thus a legacy to one to be paid when he attains the age of twenty-one years is a vested legacy, because it is given unconditionally and absolutely, and therefore vests an immediate interest in the legatee, of which the enjoyment only is deferred or postponed. *Brown*. See *Magoffin v. Patton*, 4 Rawle (Pa.) 113; *Talmadge v. Seaman*, 85 Hun. 242, 32 N. Y. S. 906; *Rubencane v. McKee*, 6 A. 639, 6 Del. Ch. 40.

**VESTED REMAINDER.** See *Remainder*.

**VESTED RIGHTS.** In constitutional law. Rights which have so completely and definitely accrued to or settled in a person that they are not subject to be defeated or canceled by the act of any other private person, and which it is right and equitable that the government should recognize and protect, as being lawful in themselves, and settled according to the then current rules of law, and of which the individual could not be deprived arbitrarily without injustice, or of which he could not justly be deprived otherwise than by the established methods of procedure and for the public welfare. See *Cassard v. Tracy*, 52 La. Ann. 835, 27 So. 368, 49 L. R. A. 272; *Stimson Land Co. v. Rawson* (C. C.) 62 F. 429; *Grinder v. Nelson*, 9 Gill. (Md.) 309, 52 Am. Dec. 694; *Moore v. State*, 43 N. J. Law, 243, 39 Am. Rep. 558; *Board of Com'rs of Everglades Drainage Dist. v. Forbes Pioneer Boat Line*, 80 Fla. 252, 86 So. 199, 202; *McDonald v. McDonald*, 212 Ala. 137, 102 So. 38, 41, 36 A. L. R. 761; *Parker v. Schrimsher* (Tex. Civ. App.) 172 S. W. 165, 168. A right is not "vested" unless it is more than a mere expectation based on the anticipated continuance of present laws; it must be an established interest in property, not open to doubt. *Leach v. Commercial Sav. Bank of Des Moines*, 205 Iowa 1154, 213 N. W. 517, 521; *McCutcheon & Church v. Smith* (Tex. Civ. App.) 194 S. W. 831, 834. To be vested in its accurate legal sense, a right must be complete and consummated, and one of which the person to whom it belongs cannot be divested without his consent. *Merchants' Bank v. Garrard*, 158 Ga. 867, 124 S. E. 715, 717, 38 A. L. R. 102; *Jennings v. Capen*, 321 Ill. 291, 151 N. E. 900, 902. Rights are vested when the right to enjoyment, present or prospective, has become the property of some particular person or persons as a present interest. They are expectant, when they depend upon the continued existence of the present condition of things until the happening of some future event. They are contingent when they are only to come into existence on an event or condition which may not happen or be performed until some other event may prevent their vesting. *Avery v. Curtiss*, 108 Okl. 154, 235 P. 195, 197; *Wirtz v. Nestos*, 51 N. D. 603, 200 N. W. 524, 530; *U. S. v. Heinrich* (D. C.) 12 F.(2d) 938, 940; *Arnold & Murdock Co. v.*

**Industrial Commission**, 314 Ill. 251, 145 N. E. 342, 344, 40 A. L. R. 1470. A "vested right" is an immediate fixed right of present or future enjoyment, or an immediate right of present enjoyment, or present fixed right of future enjoyment. *Pollack v. Meyer Bros. Drug Co.* (C. C. A.) 233 F. 861, 867; *Steinfeld v. Nielsen*, 15 Ariz. 424, 139 P. 879, 896; *City of Chicago v. Collin*, 302 Ill. 270, 134 N. E. 751, 752.

**VESTIGIAL WORDS.** Those contained in a statute which by reason of a succession of statutes on the same subject-matter, amending or modifying previous provisions of the same, are rendered useless or meaningless by such amendments. They should not be permitted to defeat the fair meaning of the statute. *Saltonstall v. Birtwell*, 164 U. S. 70, 17 S. Ct. 19, 41 L. Ed. 348.

**VESTIGIUM.** Lat. In the law of evidence, a vestige, mark, or sign; a trace, track, or impression left by a physical object. *Fleta*, l. 1, c. 25, § 6.

**VESTING ORDER.** In English law. An order which may be granted by the chancery division of the high court of justice, (and formerly by chancery,) passing the legal estate in lieu of a conveyance. Commissioners also, under modern statutes, have similar powers. St. 15 & 16 Vict. c. 55; Wharton.

**VESTRY.** In ecclesiastical law. The place in a church where the priest's vestures are deposited. Also an assembly of the minister, church-wardens, and parishioners, usually held in the vestry of the church, or in a building called a "vestry-hall," to act upon business of the church. *Mozley & Whitley*.

**VESTRY CESS.** A rate levied in Ireland for parochial purposes, abolished by St. 27 Vict. c. 17.

**VESTRY-CLERK.** An officer appointed to attend vestries, and take an account of their proceedings, etc.

**VESTRY-MEN.** A select number of parishioners elected in large and populous parishes to take care of the concerns of the parish; so called because they used ordinarily to meet in the vestry of the church. *Cowell*.

**VESTURA.** A crop of grass or corn. Also a garment; metaphorically applied to a possession or seisin.

**VESTURA TERRÆ.** In old English law. The vesture of the land; that is, the corn, grass, underwood, sweepage, and the like. *Co. Litt. 4b.* See *Simpson v. Coe*, 4 N. H. 301.

**VESTURE.** In old English law. Profit of land. "How much the *vesture* of an acre is worth." *Cowell*.

**VESTURE OF LAND.** A phrase including all things, trees excepted, which grow upon

the surface of the land, and clothe it externally. *Ham. N. P.* 151.

**VETERA STATUTA.** Lat. Ancient statutes. The English statutes from *Magna Charta* to the end of the reign of Edward II. are so called; those from the beginning of the reign of Edward III. being contradistinguished by the appellation of "*Nova Statuta.*" 2 *Reeve, Eng. Law*, 85.

**VETERINARIAN.** One who practices the art of treating diseases and injuries of domestic animals, surgically or medically. *Tucker v. Williamson* (D. C.) 229 F. 201, 210.

**VETITUM NAMIUM.** L. Lat. Where the bailiff of a lord distrains beasts or goods of another, and the lord forbids the bailiff to deliver them when the sheriff comes to make replevin, the owner of the cattle may demand satisfaction in *placitum de vetito namio*. 2 *Inst.* 140; 2 *Bl. Comm.* 148.

**VETO** (Lat. I forbid). The refusal of assent by the executive officer whose assent is necessary to perfect a law which has been passed by the legislative body, and the message which is usually sent to such body by the executive, stating such refusal and the reasons therefor. It is either absolute or qualified, according as the effect of its exercise is either to destroy the bill finally, or to prevent its becoming law unless again passed by a stated proportion of votes or with other formalities. Or the veto may be merely suspensive. See *People v. Board of Councilmen* (*Super. Buff.*) 20 N. Y. *Supp.* 51.

#### Pocket Veto

Non-approval of a legislative act by the president or state governor, with the result that it fails to become a law, not by a written disapproval, (a veto in the ordinary form,) but by remaining silent until the adjournment of the legislative body, when that adjournment takes place before the expiration of the period allowed by the constitution for the examination of the bill by the executive.

**VETUS JUS.** Lat. The old law. A term used in the civil law, sometimes to designate the law of the Twelve Tables, and sometimes merely a law which was in force previous to the passage of a subsequent law. *Calvin*.

**VEX.** To harrass, disquiet, annoy; as by repeated litigation upon the same facts.

**VEXARI.** Lat. To be harrassed, vexed, or annoyed; to be prosecuted; as in the maxim, *Nemo debet bis vexari pro una et eadem causa*, no one should be twice prosecuted for one and the same cause.

**VEXATA QUÆSTIO.** Lat. A vexed question; a question often agitated or discussed, but not determined or settled; a question or point which has been differently determined,

and so left doubtful. 7 Coke, 45b; 3 Burrows, 1547.

**VEXATION.** The injury or damage which is suffered in consequence of the tricks of another.

**VEXATIOUS.** A proceeding is said to be vexatious when the party bringing it is not acting *bona fide*, and merely wishes to annoy or embarrass his opponent, or when it is not calculated to lead to any practical result. Such a proceeding is often described as "frivolous and vexatious," and the court may stay it on that ground. Sweet.

**VEXATIOUS ACTIONS ACT.** An act of parliament of 1896, authorizing the High Court to make an order, on the application of the attorney-general, that a person shown to be habitually and vexatiously litigious, without reasonable ground, shall not institute legal proceedings in that or any other court, without leave of the High Court judge thereof, upon satisfactory proof that such legal proceedings are not an abuse of the process of the court and that there is a *prima facie* ground therefor. The order when made is published in the Gazette. See 76 L. T. 351; [1913] W. N. 274 (Div. Ct.).

**VEXED QUESTION.** A question or point of law often discussed or agitated, but not determined or settled.

**VI AUT CLAM.** Lat. In the civil law. By force or covertly. Dig. 43, 24.

**VI BONORUM RAPTORUM.** Lat. In the civil law. Of goods taken away by force. The name of an action given by the prætor as a remedy for the violent taking of another's property. Inst. 4, 2; Dig. 47, 8.

**VI ET ARMIS.** Lat. With force and arms. See Trespass.

**VIA.** Lat.

#### In the Civil Law

Way; a road; a right of way. The right of walking, riding, and driving over another's land. Inst. 2, 3, pr. A species of rural servitude, which included *iter* (a footpath) and *actus*, (a driftway.)

#### In old English law

A way; a public road; a foot, horse, and cart way. Co. Litt. 56a.

**Via antiqua via est tuta.** The old way is the safe way. Manning v. Manning's Ex'rs, 1 Johns. Ch. (N. Y.) 527, 530.

**VIA ORDINARIA; VIA EXECUTIVA.** In the law of Louisiana, the former phrase means in the ordinary way or by ordinary process, the latter means by executory process or in an executory proceeding. A proceeding in a civil action is "ordinary" when a citation takes place and all the delays and

forms of law are observed; "executory" when seizure is obtained against the property of the debtor, without previous citation, in virtue of an act or title importing confession of judgment, or in other cases provided by law. Code Prac. La. art. 98.

**VIA PUBLICA.** In the civil law. A public way or road, the land itself belonging to the public. Dig. 43, 8, 2, 21.

**VIA REGIA.** In English law. The king's highway for all men. Co. Litt. 56a. The highway or common road, called "the king's" highway, because authorized by him and under his protection. Cowell.

**Via trita est tutissima.** The trodden path is the safest. Broom, Max. 134; 10 Coke, 142.

**VIABILITY.** Capability of living. A term used to denote the power a new-born child possesses of continuing its independent existence.

**VIALE.** Capable of life. This term is applied to a newly-born infant, and especially to one prematurely born, which is not only born alive, but in such a state of organic development as to make possible the continuance of its life.

**VIAE SERVITUS.** Lat. A right of way over another's land.

**VIAGÈRE RENTE.** In French law. A rent-charge or annuity payable for the life of the annuitant.

**VIANDER.** In old English law. A returning officer. 7 Mod. 13.

**VIATOR.** Lat. In Roman law. A summoner or apparitor; an officer who attended on the tribunes and ædiles.

**VICAR.** One who performs the functions of another; a substitute. Also the incumbent of an appropriated or impropriated ecclesiastical benefice, as distinguished from the incumbent of a non-appropriated benefice, who is called a "rector." Wharton. See Pinder v. Barr, 4 El. & Bl. 115.

**VICAR GENERAL.** An ecclesiastical officer who assists the archbishop in the discharge of his office.

**VICARAGE.** In English ecclesiastical law. The living or benefice of a vicar, as a parsonage is of a parson. 1 Bl. Comm. 387, 388.

**VICARIAL TITHES.** Petty or small tithes payable to the vicar. 2 Steph. Comm. 681.

**VICARIO, etc.** An ancient writ for a spiritual person imprisoned, upon forfeiture of a recognizance, etc. Reg. Orig. 147.

**VICARIUS APOSTOLICUS.** An officer through whom the Pope exercises authority in parts remote, and who is sometimes sent with episcopal functions into provinces where

there is no bishop resident or there has been a long vacancy in the see, or into infidel or heretical countries. 2 Phill. Int. L. 529.

**Vicarius non habet vicarium.** A deputy has not [cannot have] a deputy. A delegated power cannot be again delegated. Broom, Max. 839.

**VICE.** A fault, defect, or imperfection. In the civil law, redhibitory vices are such faults or imperfections in the subject-matter of a sale as will give the purchaser the right to return the article and demand back the price.

**VICE.** Lat. In the place or stead. *Vice mea*, in my place.

—**Vice-admiral.** An officer in the navy next in rank after the admiral.

—**Vice-admiral of the coast.** A county officer in England appointed by the admiral "to be answerable to the high admiral for all the coasts of the sea, when need and occasion shall be." He also had power to arrest ships, when found within a certain district, for the use of the king. His office was judicial as well as ministerial. The appointment to the office is still made for a few countries of England.

—**Vice-admiralty courts.** In English law. Courts established in the king's possessions beyond the seas, with jurisdiction over maritime causes, including those relating to prize. 3 Steph. Comm. 435; 3 Bl. Comm. 69.

—**Vice-chamberlain.** A great officer under the lord chamberlain, who, in the absence of the lord chamberlain, has the control and command of the officers appertaining to that part of the royal household which is called the "chamber." Cowell.

—**Vice-chancellor.** See Chancellor.

—**Vice-comes.** A title formerly bestowed on the sheriff of a county, when he was regarded as the deputy of the count or earl. Co. Litt. 168.

—**Vice-comitissa.** In old English law. A viscountess. Spelman.

—**Vice commercial agent.** In the consular service of the United States, this is the title of a consular officer who is substituted temporarily to fill the place of a commercial agent when the latter is absent or relieved from duty. Rev. St. U. S. § 1674 (22 USCA § 51).

—**Vice-constable of England.** An ancient officer in the time of Edward IV.

—**Vice consul.** In the consular service of the United States this term denotes a consular officer who is substituted temporarily to fill the place of a consul who is absent or relieved from duty. 22 USCA § 51. Schunior v. Russell, 83 Tex. 83, 18 S. W. 484. In international law generally the term designates a commercial agent who acts in the place or stead

of a consul or who has charge of a portion of his territory. In old English law, it meant the deputy or substitute of an earl (*comes*), who was anciently called "consul," answering to the more modern "*vice-comes*." Burrill.

—**Vice-dominus.** A sheriff.

—**Vice-dominus episcopi.** The vicar general or commissary of a bishop. Blount.

—**Vice-gerent.** A deputy or lieutenant.

—**Vice-judex.** In old Lombardic law. A deputy judge.

—**Vice-marshal.** An officer who was appointed to assist the earl marshal.

—**Vice-president of the United States.** The title of the second officer, in point of rank, in the executive branch of the government of the United States.

—**Vice-principal.** See Principal.

—**Vice versa.** Conversely; in inverted order; in reverse manner.

**VICE-COMES NON MISIT BREVE.** The sheriff hath not sent the writ. The form of continuance on the record after issue and before trial. 7 Mod. 349; 11 Mod. 231.

**VICEROY.** A person clothed with authority to act in place of the king; hence, the usual title of the governor of a dependency.

**VICINAGE.** Neighborhood; near dwelling; vicinity. 2 Bl. Comm. 33; Cowell. In modern usage, it means the county where a trial is had, a crime committed, etc. See *State v. Crinklaw*, 40 Neb. 759, 59 N. W. 370; *Convers v. Railway Co.*, 18 Mich. 468; *Taylor v. Gardner*, 11 R. I. 184; *Ex parte McNeeley*, 36 W. Va. 84, 14 S. E. 436, 15 L. R. A. 226, 32 Am. St. Rep. 831; *Commonwealth v. Collins*, 268 Pa. 295, 110 A. 738, 739; *Ex parte MacDonald*, 20 Cal. App. 641, 129 P. 957.

**VICINETUM.** The neighborhood; vicinage; the venue. Co. Litt. 185b.

**Vicini viciniora præsumuntur scire.** 4 Inst. 173. Persons living in the neighborhood are presumed to know the neighborhood.

**VICINITY.** Neighborhood; etymologically, by common understanding, it admits of a wider latitude than proximity or contiguity, and may embrace a more extended space than that lying contiguous to the place in question; and, as applied to towns and other territorial divisions, may embrace those not adjacent; *Haley v. Ins. Co.*, 12 Gray (Mass.) 545; *Langley v. Barnstead*, 63 N. H. 246; *State v. Longley*, 119 Me. 535, 112 A. 260, 262; *Chandler, Gardner & Williams v. Reynolds*, 250 Mass. 309, 145 N. E. 476, 478.

**VICIOUS INTROMISSION.** In Scotch law. A meddling with the movables of a deceased,

without confirmation or probate of his will or other title. Wharton.

**VICIS ET VENELLIS MUNDANDIS.** An ancient writ against the mayor or bailiff of a town, etc., for the clean keeping of their streets and lanes. Reg. Orig. 267.

**VICOUNTIEL, or VICONTIEL.** Anything that belongs to the sheriffs, as *vicontiel writs*; *i. e.*, such as are triable in the sheriff's court. As to vicontiel rents, see St. 3 & 4 Wm. IV. c. 99, §§ 12, 13, which places them under the management of the commissioners of the woods and forests. Cowell.

**VICOUNTIEL JURISDICTION.** That jurisdiction which belongs to the officers of a county; as sheriffs, coroners, etc.

**VICTUALLER.** In English law. A person authorized by law to keep a house of entertainment for the public; a publican. 9 Adol. & E. 423. One who serves food or drink prepared for consumption on the premises. *Friend v. Childs Dining Hall Co.*, 231 Mass. 65, 120 N. E. 407, 409, 5 A. L. R. 1100.

**VICTUALS.** Food ready to eat. *Friend v. Childs Dining Hall Co.*, 231 Mass. 65, 120 N. E. 407, 5 A. L. R. 1100.

**VICTUS.** Lat. In the civil law. Sustenance; support; the means of living.

**VIDAME.** In French feudal law. Originally, an officer who represented the bishop, as the viscount did the count. In process of time, these dignitaries erected their offices into fiefs, and became feudal nobles, such as the *vidame* of Chartres, Rheims, etc., continuing to take their titles from the seat of the bishop whom they represented, although the lands held by virtue of their fiefs might be situated elsewhere. Brande; Burrill.

**VIDE.** Lat. A word of reference. *Vide ante*, or *vide supra*, refers to a previous passage, *vide post*, or *vide infra*, to a subsequent passage, in a book.

**Videbis ea sæpe committi quæ sæpe vindicantur.** 3 Inst. Epil. You will see these things frequently committed which are frequently punished.

**VIDELICET.** Lat. The words "to-wit," or "that is to say," so frequently used in pleading, are technically called the "*videlicet*" or "*scilicet*;" and when any fact alleged in pleading is preceded by, or accompanied with these words, such fact is, in the language of the law, said to be "laid under a *videlicet*." The use of the *videlicet* is to point out, particularize, or render more specific that which has been previously stated in general language only; also to explain that which is doubtful or obscure. Brown. See *Stukeley v. Butler*, Hob. 171; *Gleason v. McVickar*, 7 Cow. (N. Y.) 43; *Sullivan v. State*, 67 Miss. 346, 7 So. 275; *Clark v. Employers' Liability*

*Assur. Co.*, 72 Vt. 458, 48 A. 639; *Com. v. Quinlan*, 153 Mass. 483, 27 N. E. 8.

**Videtur qui surdus et mutus ne poest faire alienation.** It seems that a deaf and dumb man cannot alienate. *Brower v. Fisher*, 4 Johns. Ch. (N. Y.) 444; *Brooke*, Abr. "Eschete," pl. 4.

**VIDIMUS.** An *inspeximus*, (*q. v.*) *Barring*, Ob. St. 5.

**VIDUA REGIS.** Lat. In old English law. A king's widow. The widow of a tenant *in capite*. So called, because she was not allowed to marry a second time without the king's permission; obtaining her dower also from the assignment of the king, and having the king for her patron and defender. *Spelman*.

**VIDUITATIS PROFESSIO.** Lat. The making a solemn profession to live a sole and chaste woman.

**VIDUITY.** Widowhood.

**VIÉ.** Fr. Life; occurring in the phrases *cestui que vie*, *pur autre vie*, etc.

**VIEW.** The right of prospect; the outlook or prospect from the windows of one's house. A species of urban servitude which prohibits the obstruction of such prospect. 3 Kent, Comm. 448.

We understand by *view* every opening which may more or less facilitate the means of looking out of a building. *Lights* are those openings which are made rather for the admission of light than to look out of. Civ. Code La. art. 715.

Also an inspection by the jury previously to the trial of property in controversy, or of a place where a crime has been committed. See *Garbarsky v. Simkin*, 36 Misc. 195, 73 N. Y. S. 199; *Wakefield v. Railroad Co.*, 63 Me. 385; *Lancaster County v. Holyoke*, 37 Neb. 328, 55 N. W. 950, 21 L. R. A. 394; *Commonwealth v. Dascalakis*, 246 Mass. 12, 140 N. E. 470, 477.

**VIEW AND DELIVERY.** When a right of common is exercisable not over the whole waste, but only in convenient places indicated from time to time by the lord of the manor or his bailiff, it is said to be exercisable after "view and delivery." *Elton*, Commons, 233.

**VIEW, DEMAND OF.** In real actions, the defendant was entitled to demand a *view*, that is, a sight of the thing, in order to ascertain its identity and other circumstances. As, if a real action were brought against a tenant, and such tenant did not exactly know what land it was that the demandant asked, then he might pray the view, which was that he might see the land which the demandant claimed. *Brown*.

**VIEW OF AN INQUEST.** A view or inspection taken by a jury, summoned upon an inquisition or inquest, of the place or property

to which the inquisition or inquiry refers. Brown.

**VIEW OF FRANK-PLEDGE.** In English law. An examination to see if every freeman above twelve years of age within the district had taken the oath of allegiance, and found nine freeman pledges for his peaceable demeanor. 1 Reeve, Eng. Law, 7.

**VIEWERS.** Persons appointed by a court to make an investigation of certain matters, or to examine a particular locality, (as, the proposed site of a new road,) and to report to the court the result of their inspection, with their opinion on the same.

#### In Old Practice

Persons appointed under writs of view to testify the view. Rosc. Real Act. 253.

**VIF-GAGE.** L. Fr. In old English law. A *vivum vadium* or living pledge, as distinguished from a *mortgage* or dead pledge. Properly, an estate given as security for a debt, the debt to be satisfied out of the rents, issues, and profits.

**VIGIL.** In ecclesiastical law. The eve or next day before any solemn feast.

**VIGILANCE.** Watchfulness; precaution; a proper degree of activity and promptness in pursuing one's rights or guarding them from infraction, or in making or discovering opportunities for the enforcement of one's lawful claims and demands. It is the opposite of *laches*.

**Vigilantibus et non dormientibus jura subveniunt.** The laws aid those who are vigilant, not those who sleep upon their rights. 2 Inst. 690; Merchants' Bank of Newburyport, President, etc., of, v. Stevenson, 7 Allen (Mass.) 493; Broom, Max. 892.

**VIGOR.** Lat. Strength; virtue; force; efficiency. *Proprio vigore*, by its own force.

**VIIS ET MODIS.** Lat. In the ecclesiastical courts, service of a decree or citation *viis et modis*, *i. e.*, by all "ways and means" likely to affect the party with knowledge of its contents, is equivalent to substituted service in the temporal courts, and is opposed to personal service. Phillim. Ecc. Law, 1253, 1283.

**VILL.** In old English law, this word was used to signify the parts into which a hundred or wapentake was divided. It also signifies a town or city.

#### Demi-vill

A town consisting of five freemen, or frankpledges. Spelman.

*Villa est ex pluribus mansionibus vicinata, et collata ex pluribus vicinis, et sub appellatione villarum continentur burgi et civitates.* Co. Litt. 115. Vill is a neighborhood of many mansions, a collection of many neighbors, and

under the term of "vills" boroughs and cities are contained.

**VILLA REGIA.** Lat. In Saxon law. A royal residence. Spelman.

**VILLAGE.** Any small assemblage of houses for dwellings or business, or both, in the country, whether they are situated upon regularly laid out streets and alleys or not. Hebert v. Lavalle, 27 Ill. 448; People v. Van Nuys Lighting Dist. of Los Angeles County, 173 Cal. 792, 162 P. 97, 98, Ann. Cas. 1918D, 255; State v. Booth, 169 Iowa, 143, 149 N. W. 244, 245. The houses comprising the village must be reasonably contiguous to each other. State v. County Com'rs of McKinley County, 20 N. M. 67, 145 P. 1083, 1085, L. R. A. 1915C, 898.

In some states, this is the legal description of a class of municipal corporations of smaller population than "cities" and having a simpler form of government, and corresponding to "towns" and "boroughs," as these terms are employed elsewhere.

**VILLAIN.** An opprobrious epithet, implying great moral delinquency, and equivalent to knave, rascal, or scoundrel. The word is libelous. 1 Bos. & P. 331.

**VILLANIS REGIS SUBTRACTIS REDUCENDIS.** A writ that lay for the bringing back of the king's bondmen, that had been carried away by others out of his manors whereto they belonged. Reg. Orig. 87.

**VILLANUM SERVITIUM.** In old English law. Villein service. Fleta, lib. 3, c. 13, § 1.

**VILLEIN.** A person attached to a manor, who was substantially in the condition of a slave, who performed the base and servile work upon the manor for the lord, and was, in most respects, a subject of property belonging to him. 1 Washb. Real Prop. 26.

**VILLEIN IN GROSS.** A villein who was annexed to the person of the lord, and transferable by deed from one owner to another. 2 Bl. Comm. 93.

**VILLEIN REGARDANT.** A villein annexed to the manor of land; a serf.

**VILLEIN SERVICES.** Base services, such as villeins performed. 2 Bl. Comm. 93. They were not, however, exclusively confined to villeins, since they might be performed by freemen, without impairing their free condition. Bract. fol. 24b.

**VILLEIN SOCAGE.** In feudal and old English law. A species of tenure in which the services to be rendered were certain and determinate, but were of a base or servile nature; *i. e.*, not suitable to a man of free and honorable rank. This was also called "privileged villeinage," to distinguish it from "pure villeinage," in which the services were not certain, but the tenant was obliged to do whatever he was commanded. 2 Bl. Comm. 61.



**VILLENAGE.** A servile kind of tenure belonging to lands or tenements, whereby the tenant was bound to do all such services as the lord commanded, or were fit for a villein to do. Cowell. See Villein.

**Pure Villenage**

A base tenure, where a man holds upon terms of doing whatsoever is commanded of him, nor knows in the evening what is to be done in the morning, and is always bound to an uncertain service. 1 Steph. Comm. (7th Ed.) 188.

**VILLENOUS JUDGMENT.** A judgment which deprived one of his *libera lex*, whereby he was discredited and disabled as a juror or witness; forfeited his goods and chattels and lands for life; wasted the lands, razed the houses, rooted up the trees, and committed his body to prison. It has become obsolete. 4 Bl. Comm. 136; 4 Steph. Comm. 230; 4 Broom & H. Comm. 153. Wharton.

**Vim vi repellere licet, modo fiat moderamine inculpatæ tutelæ, non ad sumendam vindictam, sed ad propulsandam injuriam.** It is lawful to repel force by force, provided it be done with the moderation of blameless defense, not for the purpose of taking revenge, but to ward off injury. Co. Litt. 162a.

**VINAGIUM.** A payment of a certain quantity of wine instead of rent for a vineyard. 2 Mon. Ang. p. 980.

**VINCULACION.** In Spanish law. An entail. Schm. Civil Law, 308.

**VINCULO.** In Spanish law. The bond, chain, or tie of marriage. White, New Recop, b. 1, tit. 6, c. 1, § 2.

**VINCULO MATRIMONII.** See A Vinculo Matrimonii; Divorce.

**VINCULUM JURIS.** Lat. In the Roman law, an obligation is defined as a *vinculum juris*, i. e., "a bond of law," whereby one party becomes or is bound to another to do something according to law.

**VINDEX.** Lat. In the civil law. A defender.

**VINDICARE.** Lat. In the civil law. To claim, or challenge; to demand one's own; to assert a right in or to a thing; to assert or claim a property in a thing; to claim a thing as one's own. Calvin.

**VINDICATIO.** Lat. In the civil law. The claiming a thing as one's own; the asserting of a right or title in or to a thing.

**VINDICATORY PARTS OF LAWS.** The sanction of the laws, whereby it is signified what evil or penalty shall be incurred by such as commit any public wrongs, and transgress or neglect their duty. 1 Steph. Comm. 37.

**VINDICTA.** In Roman law. A rod or wand; and, from the use of that instrument in their course, various legal acts came to be distinguished by the term; e. g., one of the three ancient modes of manumission was by the *vindicta*; also the rod or wand intervened in the progress of the old action of *vindicatio*, whence the name of that action. Brown.

**VINDICTIVE DAMAGES.** See Damages.

**VINOUS LIQUORS.** This term includes all alcoholic beverages made from the juice of the grape by the process of fermentation, and perhaps similar liquors made from apples and from some species of berries; but not pure alcohol nor distilled liquors nor malt liquors such as beer and ale. See Adler v. State, 55 Ala. 23; Reyfelt v. State, 73 Miss. 415, 18 So. 925; Lemly v. State, 70 Miss. 241, 12 So. 22, 20 L. R. A. 645; Com. v. Reyburg, 122 Pa. 299, 16 A. 351, 2 L. R. A. 415; Feldman v. Morrison, 1 Ill. App. 462; Hinton v. State, 132 Ala. 29, 31 So. 563.

**VINTNER.** One who sells wine. A covenant prohibiting the trade of a vintner includes a person selling wines not to be drunk on the premises. 25 L. T. (N. S.) 312.

**VIOL.** Fr. In French law. Rape. Barring, Ob. St. 139.

**VIOLATION.** Injury; infringement; breach of right, duty or law; ravishment; seduction. The statute 25 Edw. III. St. 5, c. 2, enacts that any person who shall *violate* the king's companion shall be guilty of high treason.

**VIOLENCE.** The abuse of force. That force which is employed against common right, against the laws, and against public liberty. Merl. *Répert.*

Violence is synonymous with physical force, and the two are used interchangeably, in relation to assaults, by elementary writers on criminal law. State v. Wells, 31 Conn. 212. See Agee v. Employers' Liability Assur. Corporation, Limited, of London, Eng., 213 Mo. App. 693, 253 S. W. 46, 48; People v. Ruthenberg, 229 Mich. 315, 201 N. W. 358, 361.

**VIOLENT.** Characterized or caused by violence; severe; assailing the person (and metaphorically, the mind) with a great degree of force.

**VIOLENT DEATH.** Death caused by violent external means, as distinguished from natural death, caused by disease or the wasting of the vital forces.

**VIOLENT PRESUMPTION.** In the law of evidence. Proof of a fact by the proof of circumstances which necessarily attend it. 3 Bl. Comm. 371. Violent presumption is many times equal to full proof. *Id.* See Davis v.

Curry, 2 Bibb (Ky.) 239; Shealy v. Edwards, 75 Ala. 419.

**VIOLENT PROFITS.** Mesne profits in Scotland. "They are so called because due on the tenant's forcible or unwarrantable detaining the possession after he ought to have removed." Ersk. Inst. 2, 6, 54; Bell.

**Violenta præsumptio aliquando est plena probatio.** Co. Litt. 6b. Violent presumption is sometimes full proof.

**VIOLENTLY.** By the use of force; forcibly; with violence. The term is used in indictments for certain offenses. State v. Blake, 39 Me. 324; State v. Williams, 32 La. Ann. 337, 36 Am. Rep. 272; Craig v. State, 157 Ind. 574, 62 N. E. 5; State v. Crawford, 60 Utah, 6, 206 P. 717, 718.

**Viperina est expositio quæ corrodit viscera textus.** 11 Coke, 34. It is a poisonous exposition which destroys the vitals of the text.

**VIR.** Lat. A man, especially as marking the sex. In the Latin phrases and maxims of the old English law, this word generally means "husband," the expression *vir et uxor* corresponding to the law French *baron et feme*.

**Vir et uxor censentur in lege una persona.** Jenk. Cent. 27. Husband and wife are considered one person in law.

**Vir et uxor sunt quasi unica persona, quia caro et sanguis unus; res licet sit propria uxoris, vir tamen ejus custos, cum sit caput mulieris.** Co. Litt. 112. Man and wife are, as it were, one person, because only one flesh and blood; although the property may be the wife's, the husband is keeper of it, since he is the head of the wife.

**Vir militans Deo non implicetur secularibus negotiis.** Co. Litt. 70. A man fighting for God must not be involved in secular business.

**VIRES.** Lat. (The plural of "vis.") Powers; forces; capabilities; natural powers; powers granted or limited. See *Ultra Vires*.

**Vires acquirit eundo.** It gains strength by continuance. Mann v. Mann's Ex'rs, 1 Johns. Ch. (N. Y.) 231, 237.

**VIRGA.** In old English law. A rod or staff; a rod or ensign of office. Cowell.

**VIRGA TERRÆ, (or VIRGATA TERRÆ.)** In old English law. A yard-land; a measure of land of variable quantity, containing in some places twenty, in others twenty-four, in others thirty, and in others forty, acres. Cowell; Co. Litt. 5a.

**VIRGATA.** A quarter of an acre of land. It might also be used to express a quarter of a hide of land.

**VIRGATA REGIA.** In old English law. The verge; the bounds of the king's household,

within which the court of the steward had jurisdiction. Crabb, Eng. Law, 185.

**VIRGATE.** A yard-land.

**VIRGE, TENANT BY.** A species of copyholder, who holds by the virge or rod.

**VIRGO INTACTA.** Lat. A pure virgin.

**VIRIDARIO ELIGENDO.** A writ for choice of a verderer in the forest. Reg. Orig. 177.

**VIRILIA.** The privy members of a man, to cut off which was felony by the common law, though the party consented to it. Bract. 1, 3, 144; Cowell.

**VIRTUE.** The phrase "by virtue" differs in meaning from "under color."

Acts done "*virtute officii*" are those within the authority of the officer, when properly performed, but which are performed improperly; acts done "*colore officii*" are those which are entirely outside or beyond the authority conferred by the office. Federal Reserve Bank of San Francisco v. Smith, 42 Idaho, 224, 244 P. 1102, 1104. For instance, the proper fees are received *by virtue* of the office; extortion is *under color* of the office. Phil. Law, 380.

**VIRTUOUS.** A woman is a "virtuous female" if her body be pure and if she has never had sexual intercourse with another, though both her mind and heart be impure. Thomas v. State, 19 Ga. App. 104, 91 S. E. 247, 250.

**VIRTUTE CUJUS.** Lat. By virtue whereof. This was the clause in a pleading justifying an entry upon land, by which the party alleged that it was in virtue of an order from one entitled that he entered. Wharton.

**VIRTUTE OFFICII.** Lat. By virtue of his office. By the authority vested in him as the incumbent of the particular office.

**VIS.** Lat. Any kind of force, violence, or disturbance relating to a man's person or his property.

**VIS ABLATIVA.** In the civil law. Ablative force; force which is exerted in taking away a thing from another. Calvin.

**VIS ARMATA.** In the civil and old English law. Armed force; force exerted by means of arms or weapons.

**VIS CLANDESTINA.** In old English law. Clandestine force; such as is used by night. Bract. fol. 162.

**VIS COMPULSIVA.** In the civil and old English law. Compulsive force; that which is exerted to compel another to do an act against his will; force exerted by menaces or terror.

**VIS DIVINA.** In the civil law. Divine or superhuman force; the act of God.

**VIS ET METUS.** In Scotch law. Force and fear. Bell.

**VIS EXPULSIVA.** In old English law. Expulsive force; force used to expel another, or put him out of his possession. Bracton contrasts it with "*vis simplex*," and divides it into expulsive force with arms, and expulsive force without arms. Bract. fol. 162.

**VIS EXTURBATIVA.** In the civil law. Exturbative force; force used to thrust out another. Force used between two contending claimants of possession, the one endeavoring to thrust out the other. Calvin.

**VIS FLUMINIS.** In the civil law. The force of a river; the force exerted by a stream or current; water-power.

**VIS IMPRESSA.** The original act of force out of which an injury arises, as distinguished from "*vis proxima*," the proximate force, or immediate cause of the injury. 2 Greenl. Ev. § 224.

**VIS INERMIS.** In old English law. Unarmed force; the opposite of "*vis armata*." Bract. fol. 162.

**VIS INJURIOSA.** In old English law. Wrongful force; otherwise called "*illicita*," (unlawful.) Bract. fol. 162.

**VIS INQUIETATIVA.** In the civil law. Disquieting force. Calvin. Bracton defines it to be where one does not permit another to use his possession quietly and in peace. Bract. fol. 162.

**VIS LAICA.** In old English law. Lay force; an armed force used to hold possession of a church. Reg. Orig. 59, 60.

**Vis legibus est inimica.** 3 Inst. 176. Violence is inimical to the laws.

**VIS LICITA.** In old English law. Lawful force. Bract. fol. 162.

**VIS MAJOR.** A greater or superior force; an irresistible force. A loss by *vis major* is one that results immediately from a natural cause without the intervention of man, and could not have been prevented by the exercise of prudence, diligence, and care. The George Shiras, 61 F. 300, 9 C. C. A. 511, 17 U. S. App. 528; Brousseau v. The Hudson, 11 La. Ann. 428; Nugent v. Smith, 1 C. P. Div. 437. A natural and inevitable necessity, and one arising wholly above the control of human agencies, and which occurs independently of human action or neglect. The Adventuress (D. C.) 214 F. 834, 839. In the civil law, this term is sometimes used as synonymous with "*vis divina*," or the act of God. Calvin.

**VIS PERTURBATIVA.** In old English law. Force used between parties contending for a possession.

**VIS PROXIMA.** Immediate force. See *Vis Impressa*.

**VIS SIMPLEX.** In old English law. Simple or mere force. Distinguished by Bracton from "*vis armata*," and also from "*vis expulsiva*." Bract. fol. 162.

**VISA.** An official indorsement upon a document, passport, commercial book, etc., to certify that it has been examined and found correct or in due form. See also *Visé*.

**VISCOUNT.** A decree of English nobility, next below that of earl.

An old title of the sheriff.

**VISÉ.** An indorsement made on a passport by the proper authorities, denoting that it has been examined, and that the person who bears it is permitted to proceed on his journey. Webster. See also *Visa*.

**VISIBLE.** Perceptible, discernible, clear, distinct, evident, open, conspicuous. Mutual Trust & Deposit Co. v. Travelers' Protective Ass'n of America, 57 Ind. App. 329, 104 N. E. 880, 883; Branch v. State, 73 Tex. Cr. R. 471, 165 S. W. 605, 606.

**VISIT.** In international law. The right of visit or visitation is the right of a cruiser or war-ship to stop a vessel sailing under another flag on the high seas, and send an officer to such vessel to ascertain whether her nationality is what it purports to be. It is exercisable only when suspicious circumstances attend the vessel to be visited; as when she is suspected of a piratical character.

**VISITATION.** The act of examining into the affairs of a corporation. Inspection; superintendence; direction; regulation. A power given by law to the founders of all eleemosynary corporations. 2 Kent, Comm. 300-303; 1 Bl. Comm. 480, 481. In England, the visitation of ecclesiastical corporations belongs to the ordinary. Id. See Trustees of Union Baptist Ass'n v. Hunn, 7 Tex. Civ. App. 249, 26 S. W. 755; Allen v. McKean, 1 Fed. Cas. 498; Thompson v. Southern Connellsville Coke Co., 269 Pa. 500, 112 A. 533, 534.

**VISITATION BOOKS.** In English law. Books compiled by the heralds, when progresses were solemnly and regularly made into every part of the kingdom, to inquire into the state of families, and to register such marriages and descents as were verified to them upon oath; they were allowed to be good evidence of pedigree. 3 Bl. Comm. 105; 3 Steph. Comm. 724.

**VISITOR.** An inspector of the government of corporations, or bodies politic. 1 Bl. Comm. 482.

Visitor is an inspector of the government of a corporation, etc. The ordinary is visitor of spiritual corporations. But corporations instituted for private charity, if they are lay, are visitable by the founder, or whom he shall appoint; and from the sentence of such visitor there lies no appeal. By implication of law, the founder and his heirs are visitors of lay foundations, if no particular per-

son is appointed by him to see that the charity is not perverted. Jacob.

The term "visitor" is also applied to an official appointed to see and report upon persons found lunatics by inquisition, and to a person appointed by a school board to visit houses and see that parents are complying with the provisions in reference to the education of their children. Mozley & Whitley.

**VISITOR OF MANNERS.** The regarder's office in the forest. Manw. i. 195.

**VISNE.** L. Fr. The neighborhood; vicinage; venue. The district from which juries were drawn at common law. Ex parte McNeeley, 36 W. Va. 84, 14 S. E. 436, 15 L. R. A. 226, 32 Am. St. Rep. 831; State v. Kemp, 34 Minn. 61, 24 N. W. 349.

**VISUS.** Lat. In old English practice. View; inspection, either of a place or person.

**VITAL STATISTICS.** Public records kept by a state, city or other governmental subdivision, under a statutory provision, of births, marriages and deaths, and disease.

**VITIATE.** To impair; to make void or voidable; to cause to fail of force or effect; to destroy or annul, either entirely or in part, the legal efficacy and binding force of an act or instrument; as when it is said that fraud *vitiates a contract*.

**VITILIGATE.** To litigate cavilously, vexatiously, or from merely quarrelsome motives.

**VITIOUS INTROMISSION.** In Scotch law. An unwarrantable intermeddling with the movable estate of a person deceased, without the order of law. Ersk. Prin. b. 3, tit. 9, § 25. The irregular intermeddling with the effects of a deceased person, which subjects the party to the whole debts of the deceased. 2 Kames, Eq. 327.

**VITIUM CLERICI.** In old English law. The mistake of a clerk; a clerical error.

**Vitium clerici nocere non debet.** Jenk. Cent. 23. A clerical error ought not to hurt.

**Vitium est quod fugi debet, nisi, rationem non invenias, mox legem sine ratione esse clames.** Ellesm. Post. N. 86. It is a fault which ought to be avoided, that if you cannot discover the reason you should presently exclaim that the law is without reason.

**VITIUM SCRIPTORIS.** In old English law. The fault or mistake of a writer or copyist; a clerical error. Gilb. Forum Rom. 185.

**VITREOUS.** Consisting of or resembling glass in its important characteristics. Vantine & Co. v. U. S., 9 Ct. Cust. App. 291, 292.

**VITRICUS.** Lat. In the civil law. A stepfather; a mother's second husband. Calvin.

**VIVA AQUA.** Lat. In the civil law. Living water; running water; that which issues from a spring or fountain. Calvin.

**VIVA PECUNIA.** Lat. Cattle, which obtained this name from being received during the Saxon period as money upon most occasions, at certain regulated prices. Cowell.

**VIVA VOCE.** Lat. With the living voice; by word of mouth. As applied to the examination of witnesses, this phrase is equivalent to "orally." It is used in contradistinction to evidence on affidavits or depositions. As descriptive of a species of voting, it signifies voting by speech or outcry, as distinguished from voting by a written or printed ballot.

**VIVARIUM.** Lat. In the civil law. An enclosed place, where live wild animals are kept. Calvin; Spelman.

**VIVARY.** In English law. A place for keeping wild animals alive, including fishes; a fish pond, park, or warren.

**VIVUM VADIUM.** See Vadium.

**Vix ulla lex fieri potest quæ omnibus commoda sit, sed si majori parti prospiciat, utilis est.** Scarcely any law can be made which is adapted to all, but, if it provide for the greater part, it is useful. Plowd. 369.

**VIZ.** A contraction for *videlicet*, to-wit, namely, that is to say.

**VOCABULA ARTIS.** Lat. Words of art; technical terms.

**Vocabula artium explicanda sunt secundum definitiones prudentum.** Terms of arts are to be explained according to the definitions of the learned or skilled [in such arts.] Bl. Law Tracts, 6.

**VOCARE AD CURIAM.** In feudal law. To summon to court. Feud. Lib. 2, tit. 22.

**VOCATIO IN JUS.** Lat. A summoning to court. In the earlier practice of the Roman law, (under the *legis actiones*), the creditor orally called upon his debtor to go with him before the prætor for the purpose of determining their controversy, saying, "*In jus eamus; in jus te voco.*" This was called "*vocatio in jus.*"

**VOCATION.** A calling, a systematic employment in an occupation appropriate to the person employed. Miller v. Stevens, 224 Mich. 626, 195 N. W. 481, 482.

**VOCIFERATIO.** Lat. In old English law. Outcry; hue and cry. Cowell.

**VOCIFEROUS.** In a statute forbidding the use of loud and vociferous language, making a loud outcry; clamorous; noisy. Webst.; Anderson v. State (Tex. Cr. App.) 20 S. W. 359; Thomason v. State, 98 Tex. Cr. R. 312, 265 S. W. 579.

**VOCO.** Lat. In the civil and old English law. I call; I summon; I vouch. *In jus voco te*, I summon you to court; I summon you before the prætor. The formula by which a Roman action was anciently commenced. Adams, Rom. Ant. 242.

**VOID.** Null; ineffectual; nugatory; having no legal force or binding effect; unable, in law, to support the purpose for which it was intended. McGarry v. Village of Wilmette, 303 Ill. 147, 135 N. E. 96, 98; Mobile County v. Williams, 180 Ala. 639, 61 So. 963, 965.

"Void" seldom implies entire nullity; but is, in a legal sense, subject to large qualifications in view of all the circumstances calling for its application, and the rights and interests to be affected in a given case. Brown v. Brown, 50 N. H. 538, 552. Thus Way v. Root, 174 Mich. 418, 140 N. W. 577, 579. Things are voidable which are valid and effectual until they are avoided by some act, while things are often said to be void which are without validity until confirmed; Toy Toy v. Hopkins, 212 U. S. 542, 29 S. Ct. 416, 53 L. Ed. 644; Unkle v. Wills (C. C. A.) 281 F. 29, 41.

There is this difference between the two words "void" and "voidable:" *void* in the strict sense, means that an instrument or transaction is nugatory and ineffectual so that nothing can cure it; *voidable*, when an imperfection or defect can be cured by the act or confirmation of him who could take advantage of it. Wharton. The term "void," however, as applicable to conveyances or other agreements, has not at all times been used with technical precision, nor restricted to its peculiar and limited sense, as contradistinguished from "voidable;" it being frequently introduced, even by legal writers and jurists, when the purpose is nothing further than to indicate that a contract was invalid, and not binding in law. But the distinction between the terms "void" and "voidable," in their application to contracts, is often one of great practical importance; and, whenever entire technical accuracy is required, the term "void" can only be properly applied to those contracts that are of no effect whatsoever, such as are a mere nullity, and incapable of confirmation or ratification. Allis v. Billings, 6 Metc. (Mass.) 415, 39 Am. Dec. 744.

#### In Statutes

The word "void" is used in statutes in the sense of utterly void so as to be incapable of ratification, and also in the sense of voidable and resort must be had to the rules of construction in many cases to determine in which sense the Legislature intended to use it. An act or contract neither wrong in itself nor against public policy, which has been declared void by statute for the protection or benefit of a certain party, or class of parties, is voidable only. Westerlund v. Black Bear Mining Co. (C. C. A.) 203 F. 599, 611; Elerick v. Reed, 113 Okl. 195, 240 P. 1045, 1047, 44 A. L. R. 474; Sherman v. Smith, 185 Iowa, 654, 169 N. W. 216, 217; U. S. v. New York & Porto Rico S. S. Co., 239 U. S. 88, 36 S. Ct. 41, 42, 60 L. Ed. 161.

#### As to Judgments

The words "void" and "voidable," as applied to a judgment, are not interchangeable; a voidable judgment being subject to validation by subsequent acts, while a void judgment cannot be vitalized by any subsequent action of the parties, but is subject to collateral attack. Owens v. Cocroft, 14 Ga. App. 322, 80 S. E. 906, 907.

#### As to Marriage

A "void marriage" is one not good for any legal purpose, the invalidity of which may be maintained in any proceeding between any parties, while a "voidable marriage" is one where there is an imperfection which can be inquired into only during the lives of both of the parties in a proceeding to obtain a sentence declaring it void. State v. Smith, 101 S. C. 293, 85 S. E. 958, 959, Ann. Cas. 1917C, 149.

**Void in part, void in toto.** Curtis v. Leavitt, 15 N. Y. 9, 96.

**Void things are as no things.** People v. Shall, 9 Cow. (N. Y.) 778, 784.

**VOIDABLE.** That may be avoided, or declared void; not absolutely void, or void in itself. Most of the acts of infants are *voidable* only, and not absolutely void. 2 Kent, Comm. 234. See Void.

**VOIDANCE.** The act of emptying; ejection from a benefice.

**VOIR DIRE.** L. Fr. To speak the truth. This phrase denotes the preliminary examination which the court may make of one presented as a witness or juror, where his competency, interest, etc., is objected to.

**VOITURE.** Fr. Carriage; transportation by carriage.

**VOLENS.** Lat. Willing. He is said to be willing who either expressly consents or tacitly makes no opposition. Calvin.

**Volenti non fit injuria.** He who consents cannot receive an injury. Broom, Max. 268, 269, 271, 395; Shelf. Mar. & Div. 449; Wing. Max. 482; 4 Term R. 657. Milliken v. Hedgesheimer, 110 Ohio St. 381, 144 N. E. 264, 266, 33 A. L. R. 53.

**Voluit, sed non dixit.** He willed, but he did not say. He may have intended so, but he did not say so. A maxim frequently used in the construction of wills, in answer to arguments based upon the supposed intention of a testator. 2 Pow. Dev. 625; 4 Kent, Comm. 538.

**VOLUMEN.** Lat. In the civil law. A volume; so called from its form, being *rolled up*.

**VOLUMUS.** Lat. We will; it is our will. The first word of a clause in the royal writs of protection and letters patent. Cowell.

**VOLUNTARIUS DÆMON.** A voluntary madman. A term applied by Lord Coke to a drunkard, who has voluntarily contracted madness by intoxication. Co. Litt. 247; 4 Bl. Comm. 25.

**VOLUNTARY.** Free; without compulsion or solicitation. Thus the voluntary statement of a witness is one not responsive to any question. Weil v. Lynds, 105 Kan. 440, 185 P. 51, 52, 12 A. L. R. 1236.

Produced in or by an act of choice, acting of itself, spontaneous. Hartingh v. Bay Circuit Judge, 176 Mich. 289, 142 N. W. 585, 587, Ann. Cas. 1915B, 520. Resulting from choosing. Travelers' Protective Ass'n v. Jones, 75 Ind. App. 29, 127 N. E. 783, 784.

Done by design or intention; purposed; intended. Federal Sav. & Ins. Co. v. Rager, 75 Ind. App. 295, 128 N. E. 773, 774. The word, especially in statutes, often implies knowledge of essential facts. Sweeney v. Sweeney, 96 Vt. 196, 118 A. 882, 26 A. L. R. 1066; Choate v. State, 19 Okl. Cr. 169, 197 P. 1060, 1063. Using the word in a somewhat special sense, it is also said that if the circumstances under which a vessel leaves port are such that it must be known that she will be compelled to deviate for reasons such as shortage of fuel, the deviation is "voluntary." The Malcolm Baxter, Jr. (C. C. A.) 20 F.(2d) 304, 306.

Without consideration; without valuable consideration; gratuitous, as a *voluntary* conveyance. London v. G. L. Anderson Brass Works, 197 Ala. 16, 72 So. 359, 363. Also, having a merely nominal consideration; as, a *voluntary* deed. Russ v. Blackshear, 88 Fla. 573, 102 So. 749, 750.

As to voluntary "Answer," "Assignment," "Bankruptcy," "Confession," "Conveyance," "Deposit," "Escape," "Indebtedness," "Jurisdiction," "Manslaughter," "Nonsuit," "Oath," "Payment," "Redemption," "Sale," "Settlement," "Trust," and "Waste," see those titles.

**VOLUNTARY COURTESY.** A voluntary act of kindness; an act of kindness performed by one man towards another, of the free will and inclination of the doer, without any previous request or promise of reward made by him who is the object of the courtesy; from which the law will not imply a promise of remuneration. Holthouse.

**VOLUNTARY EXPOSURE TO UNNECESSARY DANGER.** An intentional act which reasonable and ordinary prudence would pronounce dangerous. Archibald v. Order of United Commercial Travelers, 117 Me. 418, 104 A. 792, 793; Federal Sav. & Ins. Co. v. Rager, 75 Ind. App. 295, 128 N. E. 773, 774. Intentional exposure to unnecessary danger, implying a conscious knowledge of the danger. Empire Life Ins. Co. v. Allen, 111 Ga. 413, 81 S. E. 120, 122. The voluntary doing of an act which is not necessary to be done, but which requires exposure to known danger to which one would not be exposed if unnecessary act is not done. Landau v. Travelers'

Ins. Co., 315 Mo. 760, 287 S. W. 346, 351. The term implies a conscious, intentional exposure, something of which one is conscious but willing to take the risk.

**VOLUNTARY IGNORANCE.** This exists where a party might, by taking reasonable pains, have acquired the necessary knowledge, but has neglected to do so.

**VOLUNTAS.** Lat. Properly, volition, purpose, or intention, or a design or the feeling or impulse which prompts the commission of an act; but in old English law the term was often used to denote a will, that is, the last will and testament of a decedent, more properly called *testamentum*.

**Voluntas donatoris in charta doni sui manifeste expressa observetur.** Co. Litt. 21. The will of the donor manifestly expressed in his deed of gift is to be observed.

**Voluntas est justa sententia de eo quod quis post mortem suam fieri velit.** A will is an exact opinion or determination concerning that which each one wishes to be done after his death.

**Voluntas et propositum distinguunt maleficia.** The will and the proposed end distinguish crimes. Bract. fols. 2b, 136b.

**Voluntas facit quod in testamento scriptum valeat.** Dig. 30, 1, 12, 3. It is intention which gives effect to the wording of a will.

**Voluntas in delictis, non exitus spectatur.** 2 Inst. 57. In crimes, the will, and not the consequence, is looked to.

**Voluntas reputatur pro facto.** The intention is to be taken for the deed. 3 Inst. 69; Broom, Max. 311.

**Voluntas testatoris est ambulatoria usque ad extremum vitæ exitum.** 4 Coke, 61. The will of a testator is ambulatory until the latest moment of life.

**Voluntas testatoris habet interpretationem latam et benignam.** Jenk. Cent. 260. The intention of a testator has a broad and benignant interpretation.

**Voluntas ultima testatoris est perimplenda secundum veram intentionem suam.** Co. Litt. 322. The last will of the testator is to be fulfilled according to his true intention.

**VOLUNTEER.** One who gives his services without any express or implied promise of remuneration. Sweet; Seavert v. Cooper, 187 Iowa, 1109, 175 N. W. 19, 21. One who intrudes himself into a matter which does not concern him, or one who pays the debt of another without request, when he is not legally or morally bound to do so, and when he has no interest to protect in making such payment. Missouri, K. & T. Ry. Co. of Texas v. Hood (Tex. Civ. App.) 172 S. W. 1120. See Irvine v. Angus, 93 F. 633, 35 C. C. A. 501; Arn-

old v. Green, 116 N. Y. 566, 23 N. E. 1; Bennett v. Chandler, 199 Ill. 97, 64 N. E. 1052; Welch v. Maine Cent. R. Co., 86 Me. 552, 30 A. 116, 25 L. R. A. 658; McKinnon v. New York Assets Realization Co. (C. C. A.) 217 F. 339, 343.

#### In Conveyancing

One who holds a title under a voluntary conveyance, *i. e.*, one made without consideration, good or valuable, to support it.

#### In the Law of Master and Servant

The term "Volunteer" includes one who, without the assent of the master and without justification arising from a legitimate personal interest, unnecessarily assists a servant in the performance of the master's business. Kalmich v. White, 95 Conn. 568, 111 A. 845, 846; Eugene Dietzen Co. v. Industrial Board of Illinois, 279 Ill. 11, 116 N. E. 684, 685, Ann. Cas. 1918B, 764; Goshen Furnace Corporation v. Tolley's Adm'r, 134 Va. 404, 114 S. E. 728, 730.

#### In Military Law

One who freely and voluntarily offers himself for service in the army or navy; as distinguished from one who is compelled to serve by draft or conscription, and also from one entered by enlistment in the standing army.

**VOTE.** Suffrage; the expression of his will, preference, or choice, formally manifested by a member of a legislative or deliberative body, or of a constituency or a body of qualified electors, in regard to the decision to be made by the body as a whole upon any proposed measure or proceeding, or the selection of an officer or representative. And the aggregate of the expressions of will or choice, thus manifested by individuals, is called the "vote of the body." See Maynard v. Board of Canvassers, 84 Mich. 228, 47 N. W. 756, 11 L. R. A. 332; Gillespie v. Palmer, 20 Wis. 546; Davis v. Brown, 46 W. Va. 716, 34 S. E. 839; Straughan v. Meyers, 268 Mo. 580, 187 S. W. 1159, 1161; State v. State Board of Canvassers, 44 N. D. 126, 172 N. W. 80, 87.

#### Casting Vote

See that title.

#### Cumulative Voting

See Cumulative.

#### Voting Trust

A term applied to the accumulation in a single hand or in a few hands of shares of corporate stock, belonging to several or many owners, in trust for purpose of voting the shares in order, thereby, to control the business of the company through selection of directors. Manson v. Curtis, 223 N. Y. 313, 119 N. E. 559, 561, Ann. Cas. 1918E, 247; Groub v. Blish, 88 Ind. App. 309, 152 N. E. 609, 611.

**VOTER.** The word "voters," as ordinarily used, has two meanings—persons who per-

form the act of voting, and persons who have the qualifications entitling them to vote. Its meaning depends on the connections in which it is used, and is not always equivalent to electors. Board of Education of Oklahoma City v. Woodworth, 89 Okl. 192, 214 P. 1077, 1079. See Clayton v. Hill City, 111 Kan. 595, 207 P. 770.

In a limited sense a voter is a person having the legal right to vote, sometimes called a legal voter. Aczel v. United States (C. C. A.) 232 F. 652, 657; Trammell v. Griffin, 141 Tenn. 139, 207 S. W. 726; State ex inf. Barrett ex rel. Newman v. Clements, 305 Mo. 297, 264 S. W. 984, 986; State v. Stewart, 57 Mont. 397, 188 P. 904, 907.

**VOTES AND PROCEEDINGS.** In the houses of parliament the clerks at the tables make brief entries of all that is actually done; and these minutes, which are printed from day to day for the use of members, are called the "votes and proceedings of parliament." From these votes and proceedings the journals of the house are subsequently prepared, by making the entries at greater length. Brown.

**VOTUM.** Lat. A vow or promise. *Dies votorum*, the wedding day. Fleta l. 1, c. 4.

**VOUCH.** To call upon; to call in to warranty; to call upon the grantor or warrantor to defend the title to an estate.

To vouch is to call upon, rely on, or quote as an authority. Thus, in the old writers, to vouch a case or report is to quote it as an authority. Co. Litt. 70a.

**VOUCHEE.** In common recoveries, the person who is called to warrant or defend the title is called the "vouchee." 2 Bouv. Inst. no. 2093.

#### Common Vouchee

In common recoveries, the person who is vouched to warranty. In this fictitious proceeding the crier of the court usually performs the office of a common vouchee. 2 Bl. Comm. 358; 2 Bouv. Inst. n. 2093.

**VOUCHER.** A receipt, acquittance, or release, which may serve as evidence of payment or discharge of a debt, or to certify the correctness of accounts. An account-book containing the acquittances or receipts showing the accountant's discharge of his obligations. Whitwell v. Willard, 1 Metc. (Mass.) 218.

When used in connection with the disbursement of money, voucher means a written or printed instrument in the nature of a bill of particulars, account, etc., which shows on what account and by what authority a particular payment has been made. State v. Moore, 36 Neb. 579, 54 N. W. 866; People v. Swigert, 107 Ill. 495. An instrument that shows on what account, or by what authority, a particular payment of money is made. Camp & Du Puy v. Lauterman, 78 Or. 134, 152 P. 288, 289.

**In Old Conveyancing**

The person on whom the tenant calls to defend the title to the land, because he warranted the title to him at the time of the original purchase.

**VOUCHER TO WARRANTY.** The calling one who has warranted lands, by the party warranted, to come and defend the suit for him. Co. Litt. 101b.

**Vox emissa volat; litera scripta manet.** The spoken word flies; the written letter remains. Broom, Max. 666.

**VOX SIGNATA.** In Scotch practice. An emphatic or essential word. 2 Alis. Crim. Pr. 280.

**VOYAGE.** In maritime law. The passing of a vessel by sea from one place, port, or country to another. The term is held to include the enterprise entered upon, and not merely the route. *Friend v. Insurance Co.*, 113 Mass. 326.

**Foreign Voyage**

A voyage to some port or place within the territory of a foreign nation. The *terminus* of a voyage determines its character. If it be within the limits of a foreign jurisdiction, it is a foreign voyage, and not otherwise. *Taber v. United States*, 1 Story, 1, Fed. Cas. No. 13,722; *The Three Brothers*, 23 Fed. Cas. 1,162.

**Voyage Insured**

In insurance law. A transit at sea from the *terminus a quo* to the *terminus ad quem*, in a prescribed course of navigation, which is never set out in any policy, but virtually forms parts of all policies, and is as binding on the

parties thereto as though it were minutely detailed. 1 Arn. Ins. 333.

**Voyage Policy**

See Policy of Insurance.

**VRAIC.** Seaweed. It is used in great quantities by the inhabitants of Jersey and Guernsey for manure, and also for fuel by the poorer classes.

**VS.** An abbreviation for *versus*, (against,) constantly used in legal proceedings, and especially in entitling cases.

**VULGAR.** "Vulgar" signifies lack of cultivation or refinement. *Darnell v. State*, 72 Tex. Cr. R. 271, 161 S. W. 971.

**Vulgaris opinio est duplex, viz., orta inter graves et discretos, quæ multum veritatis habet, et opinio orta inter leves et vulgares homines absque specie veritatis.** 4 Coke 107. Common opinion is of two kinds, viz., that which arises among grave and discreet men, which has much truth in it, and that which arises among light and common men, without any appearance of truth.

**VULGARIS PURGATIO.** Lat. In old English law. Common purgation; a name given to the trial by *ordeal*, to distinguish it from the canonical purgation, which was by the oath of the party. 4 Bl. Comm. 342.

**VULGO CONCEPTI.** Lat. In the civil law. Spurious children; bastards.

**VULGO QUÆSITI.** Lat. In the civil law. Spurious children; literally, gotten from the people; the offspring of promiscuous cohabitation, who are considered as having no father. Inst. 3, 4, 3; Id. 3, 5, 4.



## W

**W.** As an abbreviation, this letter frequently stands for "William," (king of England), "Westminster," "west," or "western."

**W. D.** An abbreviation for "Western District."

**WACREOUR.** L. Fr. A vagabond, or vagrant. Britt. c. 29.

**WADIA.** A pledge. See Vadium; Fides Facta.

**WADSET.** In Scotch law. The old term for a mortgage. A right by which lands or other heritable subjects are impignorated by the proprietor to his creditor in security of his debt. Wadsets are usually drawn in the form of mutual contracts, in which one party sells the land, and the other grants the right of reversion. Ersk. Inst. 2, 8, 3.

**WADSETTER.** In Scotch law. A creditor to whom a wadset is made, corresponding to a mortgagee.

**WAFORS.** Conductors of vessels at sea. Cowell.

**WAGA.** In old English law. A weigh; a measure of cheese, salt, wool, etc., containing two hundred and fifty-six pounds avoirdupois. Cowell; Spelman.

**WAGE.** In old English practice. To give security for the performance of a thing. Cowell.

**WAGER.** A contract by which two or more parties agree that a certain sum of money or other thing shall be paid or delivered to one of them or that they shall gain or lose on the happening of an uncertain event or upon the ascertainment of a fact in dispute, where the parties have no interest in the event except that arising from the possibility of such gain or loss. Trust Co. v. Goodrich, 75 Ill. 560; Jordan v. Kent, 44 How. Prac. (N. Y.) 207; Winward v. Lincoln, 23 R. I. 476, 51 A. 106, 64 L. R. A. 160; Edson v. Pawlet, 22 Vt. 293; Woodcock v. McQueen, 11 Ind. 15; Fareira v. Gabell, 89 Pa. 90; Kitchen v. Loudenback, 48 Ohio St. 177, 26 N. E. 979, 29 Am. St. Rep. 540; H. Seay & Co. v. Moore (Tex. Com. App.) 261 S. W. 1013, 1014; Young v. Stephenson, 82 Okl. 239, 200 P. 225, 228, 24 A. L. R. 978. See, also, Bet.

**WAGER OF BATTEL.** The trial by wager of battel was a species of trial introduced into England, among other Norman customs, by William the Conqueror, in which the person accused fought with his accuser, under the apprehension that Heaven would give the victory to him who was in the right. 3 Bl. Comm. 337. It was abolished by St. 59 Geo. III, c. 46.

**WAGER OF LAW.** In old practice. The giving of *gage* or sureties by a defendant in an action of debt that at a certain day assigned he would *make his law*; that is, would take an oath in open court that he did not owe the debt, and at the same time bring with him eleven neighbors, (called "compurgators,") who should avow upon their oaths that they believed in their consciences that he said the truth. Glanv. lib. 1, c. 9, 12; Bract. fol. 156b; Britt. c. 27; 2 Bl. Comm. 343; Cro. Eliz. 818.

**WAGER POLICY.** See Policy of Insurance.

**WAGERING CONTRACT.** One in which the parties 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. Fareira v. Gabell, 89 Pa. 89.

**WAGES.** A compensation given to a hired person for his or her services; the compensation agreed upon by a master to be paid to a servant, or any other person hired to do work or business for him. Ciarla v. Solvay Process Co., 184 App. Div. 629, 172 N. Y. S. 426, 428; Russell v. McGaughey, 82 Ind. App. 624, 147 N. E. 283, 284. Cookes v. Lymperis, 178 Mich. 299, 144 N. W. 514, 515; Phoenix Iron Co. v. Roanoke Bridge Co., 169 N. C. 512, 86 S. E. 184, 185.

Agreed compensation for services by workmen, clerks or servants—those who have served an employer in a subordinate or menial capacity and who are supposed to be dependent upon their earnings to pay for their present support, whether they are to be paid by the hour, the day, the week, the month, the job, or the piece. In re Gurewitz, 121 F. 982, 58 C. C. A. 320.

#### In Maritime Law

The compensation allowed to seamen for their services on board a vessel during a voyage.

#### In Political Economy

The reward paid, whether in money or goods, to human exertion, considered as a factor in the production of wealth, for its co-operation in the process.

"Three factors contribute to the production of commodities,—nature, labor, and capital. Each must have a share of the product as its reward, and this share, if it is just, must be proportionate to the several contributions. The share of the natural agents is rent; the share of labor, *wages*; the share of capital, interest. The clerk receives a salary; the lawyer and doctor, fees; the manufacturer, profits. Salary, fees, and profits are so many forms of wages for services rendered." De Laveleye, Pol. Econ.

**—Wage earner.** One who earns his living by labor of a menial or mechanical kind or performed in a subordinate capacity, such as domestic servants, mechanics, farm hands, clerks, porters, and messengers. In the United States bankruptcy act of 1898, an individual who works for wages, salary, or hire, at a compensation not exceeding \$1,500 per year. See *In re Pilger* (D. C.) 118 F. 206; *In re Gurewitz*, 121 F. 982, 58 C. C. A. 320.

**WAGON.** A common vehicle for the transportation of goods, wares, and merchandise of all descriptions. The term does not include a hackney-coach. *Quigley v. Gorham*, 5 Cal. 418, 63 Am. Dec. 139.

A "wagon" has been defined as a vehicle moving on wheels and usually drawn by horses. The word wagon is a generic term and includes other species of vehicle by whatever name they may be called. An automobile is a vehicle propelled by power generated within itself, used to convey passengers or materials, and in a general sense is a wagon. *Strycker v. Richardson*, 77 Pa. Super. Ct. 252, 255, but see *contra* *United States v. One Automobile* (D. C.) 237 F. 891, 892; *Whitney v. Welnitz*, 153 Minn. 162, 190 N. W. 57, 28 A. L. R. 68.

**WAGONAGE.** Money paid for carriage in a wagon.

**WAIF.** Waifs are goods found, but claimed by nobody; that of which every one waives the claim. Also, goods stolen and waived, or thrown away by the thief in his flight, for fear of being apprehended. *Wharton*.

Waifs are to be distinguished from *bona fugitiva*, which are the goods of the felon himself, which he abandons in his flight from justice. *Brown*. See *People v. Kaatz*, 3 Parker, Cr. R. (N. Y.) 138; *Hall v. Gilder-sleeve*, 36 N. J. Law, 237.

**WAIN—BOTE.** In feudal and old English law. Timber for wagons or carts.

**WAINABLE.** In old records. That may be plowed or manured; tillable. *Cowell*; *Blount*.

**WAINAGE.** In old English law. The team and instruments of husbandry belonging to a countryman, and especially to a villein who was required to perform agricultural services.

**WAINAGIUM.** What is necessary to the farmer for the cultivation of his land. *Bar-ring*. Ob. St. 12; *Magna Carta*, c. 14. Instruments of husbandry. 1 Poll. & Maitl. 399.

**WAITING CLERKS.** Officers whose duty it formerly was to wait in attendance upon the court of chancery. The office was abolished in 1842 by St. 5 & 6 Vict. c. 103. *Mozley & Whitley*.

**WAIVE, v.** To abandon or throw away; as when a thief, in his flight, throws aside the stolen goods, in order to facilitate his escape, he is technically said to *waive* them.

In modern law, to renounce, repudiate, or surrender a claim, a privilege, a right, or the opportunity to take advantage of some defect, irregularity, or wrong.

A person is said to waive a benefit when he renounces or disclaims it, and he is said to waive a tort or injury when he abandons the remedy which the law gives him for it. *Sweet*.

**WAIVE, n.** A woman outlawed. The term is, as it were, the feminine of "outlaw," the latter being always applied to a man; "waive," to a woman. *Cowell*.

**WAIVER.** The intentional or voluntary relinquishment of a known right, *Lehigh Val. R. Co. v. Ins. Co.*, 172 F. 364, 97 C. C. A. 62; *Bennecke v. Ins. Co.*, 105 U. S. 359, 26 L. Ed. 990; *Lincoln Furniture Co. v. Bornstein*, 135 A. 83, 85, 100 N. J. Eq. 78; *Lukens Iron & Steel Co. v. Hartmann-Greiling Co.*, 169 Wis. 350, 172 N. W. 894, 896; *Howe Scale Co. of Illinois v. Geller, Ward & Hasner Hardware Co.* (Mo. App.) 285 S. W. 141, 143; *Anti v. Boston Elevated Ry. Co.*, 247 Mass. 1, 141 N. E. 598, 599; or such conduct as warrants an inference of the relinquishment of such right, *Rand v. Morse* (C. C. A.) 289 F. 339, 344; *Dexter Yarn Co. v. American Fabrics Co.*, 102 Conn. 529, 129 A. 527, 537; *Gibbs v. Bergh*, 51 S. D. 432, 214 N. W. 838, 841; or is inconsistent with claiming it, *Marfield v. Cincinnati, D. & T. Traction Co.*, 111 Ohio St. 139, 144 N. E. 689, 691, 40 A. L. R. 357.

The renunciation, repudiation, abandonment, or surrender of some claim, right, privilege, or of the opportunity to take advantage of some defect, irregularity, or wrong. See *Christenson v. Carleton*, 69 Vt. 91, 37 A. 226; *Shaw v. Spencer*, 100 Mass. 395, 97 Am. Dec. 107, 1 Am. Rep. 115; *Star Brewery Co. v. Primas*, 163 Ill. 652, 45 N. E. 145; *Reid v. Field*, 83 Va. 26, 1 S. E. 395; *Caulfield v. Finnegan*, 114 Ala. 39, 21 So. 484; *Lyman v. Littleton*, 50 N. H. 54; *Smiley v. Barker*, 83 F. 684, 28 C. C. A. 9; *Boos v. Ewing*, 17 Ohio, 523, 49 Am. Dec. 478.

A "waiver" is a voluntary relinquishment of a known right, while "estoppel" is based on some misleading conduct or language of one person which, being relied on, operates to the prejudice of another, and is applied to the wrongdoer by the court in denial of some right which otherwise might exist. In insurance cases the terms are used interchangeably, and it is sometimes expressed as "waiver by estoppel." *Dabrooge v. Rochester-German Ins. Co. of Rochester*, N. Y., 143 N. W. 608, 611, 177 Mich. 442, 48 L. R. A. (N. S.) 906; *Crawford v. Winterbottom*, 88 N. J. Law, 588, 96 A. 497, 498. See, also, *Sovereign Camp, Woodmen of the World, v. New-som*, 142 Ark. 132, 219 S. W. 759, 767, 14 A. L. R. 903.

#### Implied Waiver

A waiver is implied where one party has pursued such a course of conduct with refer-

ence to the other party as to evidence an intention to waive his rights or the advantage to which he may be entitled, or where the conduct pursued is inconsistent with any other honest intention than an intention of such waiver, provided that the other party concerned has been induced by such conduct to act upon the belief that there has been a waiver, and has incurred trouble or expense thereby. *Astritch v. German-American Ins. Co.*, 131 F. 20, 65 C. C. A. 251; *Roumage v. Insurance Co.*, 13 N. J. Law, 124.

**Waiver of Exemption**

A clause inserted in a note, bond, lease, etc., expressly waiving the benefit of the laws exempting limited amounts of personal property from levy and sale on judicial process, so far as concerns the enforcement of the particular debt or obligation. See *Mitchell v. Coates*, 47 Pa. 203; *Wyman v. Gay*, 90 Me. 36, 37 A. 325, 60 Am. St. Rep. 238; *Howard B. & L. Ass'n v. Philadelphia & R. R. Co.*, 102 Pa. 223.

**Waiver of Protest**

An agreement by the indorser of a note or bill to be bound in his character of indorser without the formality of a protest in case of non-payment, or, in the case of paper which cannot or is not required to be protested, dispensing with the necessity of a demand and notice. See *First Nat. Bank v. Falkenhan*, 94 Cal. 141, 29 P. 866; *Coddington v. Davis*, 1 N. Y. 190.

**Waiver of Tort**

The election, by an injured party, for purposes of redress, to treat the facts as establishing an implied contract, which he may enforce, instead of an injury by fraud or wrong, for the committing of which he may demand damages, compensatory or exemplary. *Harway v. Mayor, etc., of City of New York*, 1 Hun (N. Y.) 630.

**WAKEMAN.** The chief magistrate of Ripon, in Yorkshire.

**WAKENING.** In Scotch law. The revival of an action. A process by which an action that has lain over and not been insisted in for a year and a day, and thus technically said to have "fallen asleep," is awakened, or put in motion again. 1 Forb. Inst. pt. 4, p. 170; *Ersk. Prin.* 4, 1, 33.

**WALAPAUZ.** In old Lombardic law. The disguising the head or face, with the intent of committing a theft.

**WALENSIS.** In old English law. A Welshman.

**WALESCHERY.** The being a Welshman. *Spelman*.

**WALISCUS.** In Saxon law. A servant, or any ministerial officer. *Cowell*.

**WALKERS.** Foresters who have the care of a certain space of ground assigned to them. *Cowell*.

**WALL.** An erection of stone, brick, or other material, raised to some height, and intended for purposes of security or inclosure. In law, this term occurs in such compounds as "ancient wall," "party-wall," "division-wall," etc.

**Common Wall**

A party wall; one which has been built at the common expense of the two owners whose properties are contiguous, or a wall built by one party in which the other has acquired a common right. *Campbell v. Mesier*, 4 Johns. Ch. (N. Y.) 342, 8 Am. Dec. 570.

**WALLIA.** In old English law. A wall; a sea-wall; a mound, bank, or wall erected in marshy districts as a protection against the sea. *Spelman*.

**WAMPUM.** Beads made of shells, used as money by the North American Indians, and which continued current in New York as late as 1693.

**WAND OF PEACE.** In Scotch law. A wand or staff carried by the messenger of a court, and which, when deforced, (that is, hindered from executing process,) he breaks, as a symbol of the deforcement, and protest for remedy of law. 2 Forb. Inst. 207.

**WANDER.** To ramble here and there without any certain course. *Guidoni v. Wheeler* (C. C. A.) 230 F. 93, 96; *Ex parte Karnstrom*, 297 Mo. 384, 249 S. W. 595, 596.

**WANLASS.** An ancient customary tenure of lands; *i. e.*, to drive deer to a stand that the lord may have a shot. *Blount*, Ten. 140.

**WANT OF REPAIR.** As to highways, a "defect" or "want of repair" is anything in the state or condition of the highway which renders it unsafe or inconvenient for ordinary travel. *Gregoire v. City of Lowell*, 253 Mass. 119, 148 N. E. 376.

**WANTAGE.** In marine insurance. Ullage; deficiency in the contents of a cask or vessel caused by leaking. *Cory v. Boylston Fire & Marine Ins. Co.*, 107 Mass. 140, 9 Am. Rep. 14.

**WANTON.** Characterized by reckless disregard of rights or safety of others. *Cover v. Hershey Transit Co.*, 290 Pa. 551, 139 A. 266, 268; *Strough v. Central R. Co. of New Jersey* (C. C. A.) 209 F. 23, 26; *Bernier v. Illinois Cent. R. Co.*, 296 Ill. 464, 129 N. E. 747, 749.

**WANTON NEGLIGENCE.** The negligent act of one who, without having the intent to injure, is conscious from his knowledge of the existing circumstances and conditions that his conduct will naturally and probably result in injury. *United Transp. Co. v. Hass*, 155 N. Y. S. 110, 117, 91 Misc. 311.

**WANTON AND FURIOUS DRIVING.** An offence against public health, which under the stat. 24 & 25 Vict. c. 100, s. 56, is punishable as a misdemeanor by fine or imprisonment. In this country the offence is usually provided for by state, county, or municipal legislation.

**WANTONNESS.** A reckless or intentional disregard of the property, rights, or safety of others, implying, actively, a willingness to injure and disregard of the consequences to others, and, passively, more than mere negligence, that is, a conscious and intentional disregard of duty. See *Brasington v. South Round R. Co.*, 62 S. C. 325, 40 S. E. 665, 89 Am. St. Rep. 905; *Louisville & N. R. Co. v. Webb*, 97 Ala. 308, 12 So. 374; *Branch v. State*, 41 Tex. 625; *Harward v. Davenport*, 105 Iowa, 592, 75 N. W. 487; *Trauerman v. Lippincott*, 39 Mo. App. 488; *Everett v. Richmond & D. R. Co.*, 121 N. C. 519, 27 S. E. 991; *Birmingham Ry. & El. Co. v. Pinckard*, 124 Ala. 372, 26 So. 880; *Fabac v. St. Louis & S. F. Ry. Co.*, 119 Kan. 58, 237 P. 1019, 1021; *Higbee Co. v. Jackson*, 101 Ohio St. 75, 128 N. E. 61, 64, 14 A. L. R. 131; *Walldren Express & Van Co. v. Krug*, 291 Ill. 472, 126 N. E. 97, 98.

Reckless sport; willfully unrestrained action, running immoderately into excess. *Cobb v. Bennett*, 75 Pa. 330, 15 Am. Rep. 752.

A licentious act by one man towards the person of another, without regard to his rights. See *State v. Brigman*, 94 N. C. 888.

**WAPENTAKE.** In English law. A local division of the country; the name is in use north of the Trent to denote a hundred. The derivation of the name is said to be from "weapon" and "take," and indicates that the division was originally of a military character. *Cowell*; *Brown*.

Also a hundred court.

**WAR.** An armed contest between nations. *Grotius, de Jur. Bell.* l. 1, c. 1. The state of nations among whom there is an interruption of all pacific relations, and a general contention by force, authorized by the sovereign. 1 Kent. \*61. See, also, *Commercial Cable Co. v. Bursleson* (D. C.) 255 F. 99, 105; *Vanderbilt v. Travelers' Ins. Co.*, 184 N. Y. S. 54, 55, 112 Misc. 248.

Every connection by force between two nations, in external matters, under the authority of their respective governments, is a public war. If war is declared in form, it is called "solemn," and is of the perfect kind; because the whole nation is at war with another whole nation. When the hostilities are limited as respects places, persons, and things, the war is properly termed "imperfect war." *Bas v. Tingy*, 4 Dall. 37, 40, 1 L. Ed. 731.

#### Articles of War

See Article.

#### Civil War

An internecine war. A war carried on between opposing masses of citizens of the same country or nation. Before the declaration of independence, the war between Great Britain and the United Colonies was a civil war; but instantly on that event the war changed its nature, and became a public war between independent states. *Hubbard v. Exp. Co.*, 10 R. I. 244; *Brown v. Hiatt*, 4 Fed. Cas. 387; *Prize Cases*, 2 Black, 667, 17 L. Ed. 459; *Central R. & B. Co. v. Ward*, 37 Ga. 515.

#### Laws of War

See Law.

#### Mixed War

A mixed war is one which is made on one side by public authority, and on the other by mere private persons. *People v. McLeod*, 1 Hill (N. Y.) 377, 415, 37 Am. Dec. 328.

#### Private War

One between private persons, lawfully exerted by way of defense, but otherwise unknown in civil society. *People v. McLeod*, 25 Wend. (N. Y.) 576, 37 Am. Dec. 328.

#### Public War

Every contention by force, between two nations, in external matters, under the authority of their respective governments. *Prize Cases*, 2 Black. 666, 17 L. Ed. 459; *People v. McLeod*, 25 Wend. (N. Y.) 483, 37 Am. Dec. 328.

#### Solemn War

A war made in form by public declaration; a war solemnly declared by one state against another.

#### War-Office

In England. A department of state from which the sovereign issues orders to his forces. *Wharton*.

**WARABI.** Dried wild ferns from Japan, used as a vegetable in a manner similar to spinach. *Nippon Co. v. U. S.*, 12 Ct. Cust. App. 548, 549.

**WARD.** Guarding; care; charge; as, the ward of a castle; so in the phrase "watch and ward."

A division in the city of London committed to the special ward (guardianship) of an alderman.

A territorial division is adopted in most American cities by which the municipality is separated into a number of precincts or districts called "wards" for purposes of police, sanitary regulations, prevention of fires, elections, etc.

A corridor, room, or other division of a prison, hospital, or asylum.

A person, especially an infant, placed by authority of law under the care of a guardian.

#### In General

—**Ward-corn.** In old English law. The duty of keeping watch and ward, with a horn to

blow upon any occasion of surprise. 1 Mon. Ang. 976.

—**Ward-fegh.** Sax. In old records. Ward-fee; the value of a ward, or the money paid to the lord for his redemption from wardship. Blount.

—**Ward-holding.** In old Scotch law. Tenure by military service; the proper feudal tenure of Scotland. Abolished by St. 20 Geo. II. c. 50. Ersk. Prin. 2, 4, 1.

—**Ward in chancery.** An infant who is under the superintendence of the chancellor.

—**Ward-mote.** In English law. A court kept in every ward in London, commonly called the "ward-mote court," or "inquest." Cowell.

—**Ward-penny.** In old English law. Money paid to the sheriff or castellains, for the duty of watching and warding a castle. Spelman.

—**Ward-staff.** In old records. A constable's or watchman's staff. Cowell.

—**Ward-wit.** In old English law. Immunity or exemption from the duty or service of ward, or from contributing to such service. Spelman. Exemption from amercement for not finding a man to do ward. Fleta, lib. 1, c. 47, § 16.

—**Wardage.** Money paid and contributed to watch and ward. Domesday.

—**Wards of admiralty.** Seamen are sometimes thus designated, because, in view of their general improvidence and rashness, the admiralty courts are accustomed to scrutinize with great care their bargains and engagements, when brought before them, with a view to protecting them against imposition and overreaching.

—**Wardship.** In military tenures, the right of the lord to have custody, as guardian, of the body and lands of the infant heir, without any account of profits, until he was twenty-one or she sixteen. In socage the guardian was accountable for profits; and he was not the lord, but the nearest relative to whom the inheritance could not descend, and the wardship ceased at fourteen. In copyholds, the lord was the guardian, but was perhaps accountable for profits. Stim. Gloss. See 2 Bl. Comm. 67.

—**Wardship in chivalry.** An incident to the tenure of knight-service.

—**Wardship in copyholds.** The lord is guardian of his infant tenant by special custom.

**WARDA.** L. Lat.

**In old English law**

Ward; guard; protection; keeping; custody. Spelman.

A ward; an infant under wardship. Id.

**In Old Scotch Law**

An award; the judgment of a court.

**WARDEN.** A guardian; a keeper. This is the name given to various officers.

**WARDEN OF THE CINQUE PORTS.** In English law. The title of the governor or presiding officer of the Cinque Ports, (*q. v.*)

**WARDS AND LIVERIES.** In English law. The title of a court of record, established in the reign of Henry VIII. See Court of Wards and Liveries.

**WARECTARE.** L. Lat. In old English law. To fallow ground; or plow up land (designed for wheat) in the spring, in order to let it lie fallow for the better improvement. Fleta, lib. 2, c. 33; Cowell.

**WAREHOUSE.** A place adapted to the reception and storage of goods and merchandise. State v. Huffman, 136 Mo. 58, 37 S. W. 797; Owen v. Boyle, 22 Me. 47; State v. Wilson, 47 N. H. 101; Allen v. State, 10 Ohio St. 287; New England Equitable Ins. Co. v. Mechanics'-American Nat. Bank of St. Louis (Tex. Civ. App.) 213 S. W. 685, 688; Carter v. Bauman (C. C. A.) 19 F.(2d) 855, 856.

**WAREHOUSE BOOK.** A book used by merchants to contain an account of the quantities of goods received, shipped, and remaining in stock.

**WAREHOUSE RECEIPT.** A receipt given by a warehouseman for goods received by him on storage in his warehouse. Merchants' Warehouse Co. v. McClain (C. C.) 112 F. 789; Collins v. Ralli, 20 Hun (N. Y.) 255; Hale v. Milwaukee Dock Co., 29 Wis. 485, 9 Am. Rep. 603; Miller v. Browarsky, 130 Pa. 372, 18 A. 643; Vannett v. Reilly-Herz Automobile Co., 42 N. D. 607, 173 N. W. 466, 467.

**WAREHOUSE SYSTEM.** A system of public stores or warehouses, established or authorized by law, called "bonded warehouses," in which an importer may deposit goods imported, in the custody of the revenue officers, paying storage, but not being required to pay the customs duties until the goods are finally removed for consumption in the home market, and with the privilege of withdrawing the goods from store for the purpose of re-exportation without paying any duties.

**WAREHOUSEMAN.** The owner of a warehouse. A person or corporation lawfully engaged in storing goods of others for hire. The business is public or private as it may be conducted for storage of goods of general public or for those of certain persons. Tobacco Growers' Co-op. Ass'n v. Danville Warehouse Co., 144 Va. 456, 132 S. E. 482, 486; State, to Use of Hubbard & Moffitt Commission Co. v. Cochrane, 264 Mo. 581, 175 S. W. 599, 600.

**WARNING,** under the old practice of the English court of probate, was a notice given

by a registrar of the principal registry to a person who had entered a *caveat*, warning him, within six days after service, to enter an appearance to the *caveat* in the principal registry, and to set forth his interest, concluding with a notice that in default of his doing so the court would proceed to do all such acts, matters, and things as should be necessary. By the rules under the judicature acts, a writ of summons has been substituted for a warning. Sweet.

**WARNISTURA.** In old records. Garniture; furniture; provision. Cowell.

**WARNOTH.** In old English law. An ancient custom, whereby, if any tenant holding of the Castle of Dover failed in paying his rent at the day, he should forfeit double, and, for the second failure, treble, etc. Cowell.

**WARP.** A rope attached to some fixed point, used for moving a ship. Pub. St. Mass. 1882, p. 1297.

**WARRANTICE.** In Scotch law. Warranty; a clause in a charter or deed by which the grantor obliges himself that the right conveyed shall be effectual to the receiver. Ersk. Prin. 2, 3, 11. A clause whereby the grantor of a charter obliges himself to warrant or make good the thing granted to the receiver. 1 Forb. Inst. pt. 2, p. 113.

#### Absolute Warrantice

A warranting or assuring of property against all mankind. It is, in effect, a covenant of title.

#### Real Warrantice

An infeoffment of one tenement given in security of another.

#### Simple Warrantice

An obligation to warrant or secure from all subsequent or future deeds of the grantor. A simple warranty against the grantor's own acts. Whishaw.

### WARRANT, v.

#### In Conveyancing

To assure the title to property sold, by an express covenant to that effect in the deed of conveyance. To stipulate by an express covenant that the title of a grantee shall be good, and his possession undisturbed.

#### In Contracts

To engage or promise that a certain fact or state of facts, in relation to the subject-matter, is, or shall be, as it is represented to be.

**WARRANT, n.** 1. A writ or precept from a competent authority in pursuance of law, directing the doing of an act, and addressed to an officer or person competent to do the act, and affording him protection from damage, if he does it. *People v. Wood*, 71 N. Y. 376.

2. Particularly, a writ or precept issued by a magistrate, justice, or other competent authority, addressed to a sheriff, constable, or other officer, requiring him to arrest the body of a person therein named, and bring him before the magistrate or court, to answer, or to be examined, touching some offense which he is charged with having committed. See, also, Bench-Warrant; Search-Warrant.

3. An order by which the drawer authorizes one person to pay a particular sum of money. *Shawnee County v. Carter*, 2 Kan. 130.

4. An authority issued to a collector of taxes, empowering him to collect the taxes extended on the assessment roll, and to make distress and sale of goods or land in default of payment.

5. An order issued by the proper authorities of a municipal corporation, authorizing the payee or holder to receive a certain sum out of the municipal treasury. *Town of Bithlo v. Bank of Commerce*, 92 Fla. 975, 110 So. 837, 838; *State v. State Board of Examiners*, 74 Mont. 1, 238 P. 316, 320.

6. In England, a dividend warrant or coupon. See Coupons.

#### In General

—Bench warrant. See Bench.

—Death warrant. A warrant issued generally by the chief executive authority of a state, directed to the sheriff or other proper local officer or the warden of a jail, commanding him at a certain time to proceed to carry into execution a sentence of death imposed by the court upon a convicted criminal.

—Distress warrant. See Distress.

—Dividend warrant. In England, a coupon. See Coupons.

—General warrant. A process which formerly issued from the state secretary's office in England to take up (without naming any persons) the author, printer, and publisher of such obscene and seditious libels as were specified in it. It was declared illegal and void for uncertainty by a vote of the house of commons on the 22d April, 1766. Wharton.

—Land warrant. A warrant issued at the local land offices of the United States to purchasers of public lands, on the surrender of which at the general land office at Washington, they receive a conveyance from the general government.

—Landlord's warrant. See Landlord.

—Search warrant. See that title.

—Warrant creditor. See Creditor.

—Warrant in bankruptcy. A warrant issued, upon an adjudication in bankruptcy, directing the marshal to take possession of the bankrupt's property, notify creditors, etc.

—Warrant of arrest. See Arrest.

—Warrant of attorney. In practice. An instrument in writing, addressed to one or more attorneys therein named, authorizing them, generally, to appear in any court, or in some specified court, on behalf of the person giving it, and to confess judgment in favor of some particular person therein named, in an action of debt. It usually contains a stipulation not to bring any writ of error, or file a bill in equity, so as to delay him. 2 Burrill, Pr. 239; Treat v. Tolman, 113 F. 892, 51 C. C. A. 522.

—Warrant of commitment. A warrant of commitment is a written authority committing a person to custody.

—Warrant officers. In the United States navy, these are a class of inferior officers who hold their rank by virtue of a written warrant instead of a commission, including boatswains, gunners, carpenters, etc.

—Warrant to sue and defend. In old practice. A special warrant from the crown, authorizing a party to appoint an attorney to sue or defend for him. 3 Bl. Comm. 25. A special authority given by a party to his attorney, to commence a suit, or to appear and defend a suit, in his behalf. These warrants are now disused, though formal entries of them upon the record were long retained in practice. 1 Burrill, Pr. 39.

**WARRANTEE.** A person to whom a warranty is made.

**WARRANTIA CHARTÆ.** In old practice. Warranty of charter. A writ which lay for one who, being enfeoffed of lands or tenements, with a clause of warranty, was afterwards impleaded in an assize or other action in which he could not vouch to warranty. In such case, it might be brought against the warrantor, to compel him to assist the tenant with a good plea or defense, or else to render damages and the value of the land, if recovered against the tenant. Cowell; 3 Bl. Comm. 300.

**WARRANTIA CUSTODIÆ.** An old English writ, which lay for him who was challenged to be a ward to another, in respect to land said to be holden by knight-service; which land, when it was bought by the ancestors of the ward, was warranted free from such thralldom. The writ lay against the warrantor and his heirs. Cowell.

**WARRANTIA DIEI.** A writ which lay for a man who, having had a day assigned him personally to appear in court in any action in which he was sued, was in the mean time, by commandment, employed in the king's service, so that he could not come at the day assigned. It was directed to the justices that they might not record him in default for that day. Cowell.

**WARRANTIZARE.** In old conveyancing. To warrant; to bind one's self, by covenant in a deed of conveyance, to defend the grantee in his title and possession.

**Warrantizare est defendere et acquietare tenentem, qui warrantum vocavit, in seisina sua; et tenens de re warranti excambium habebit ad valentiam.** Co. Litt. 365. To warrant is to defend and insure in peace the tenant, who calls for warranty, in his seisin; and the tenant in warranty will have an exchange in proportion to its value.

**WARRANTOR.** One who makes a warranty. Shep. Touch. 181.

**Warrantor potest excipere quod querens non tenet terram de qua petit warrantiam, et quod donum fuit insufficiens.** Hob. 21. A warrantor may object that the complainant does not hold the land of which he seeks the warranty, and that the gift was insufficient.

## WARRANTY.

### In Real Property Law

A real covenant by the grantor of lands, for himself and his heirs, to warrant and defend the title and possession of the estate granted, to the grantee and his heirs, whereby, either upon voucher, or judgment in the writ of *warrantia chartæ*, and the eviction of the grantee by paramount title, the grantor was bound to recompense him with other lands of equal value. Co. Litt. 365a. See "Covenant."

### In Sales of Personal Property

A statement or representation made by the seller of goods, contemporaneously with and as a part of the contract of sale, though collateral to the express object of it, having reference to the character, quality, or title of the goods, by which he promises or undertakes that certain facts are or shall be as he then represents them. *Hausken v. Hodson-Fee-naughty Co.*, 109 Wash. 606, 187 P. 319, 321; *Martin v. American Magnetone Corporation* (Mo. App.) 247 S. W. 465, 466.

A statement of fact respecting the quality or character of goods sold, made by the seller to induce the sale, and relied on by the buyer. *Hercules Powder Co. v. Rich* (C. C. A.) 3 F.(2d) 12, 14; *American Fruit Product Co. v. Davenport Vinegar & Pickling Works*, 172 Iowa, 683, 154 N. W. 1031, 1034; *Van Horn v. Stautz*, 297 Ill. 530, 131 N. E. 153, 154.

### In Contracts

An undertaking or stipulation, in writing, or verbally, that a certain fact in relation to the subject of a contract is or shall be as it is stated or promised to be. An express or implied statement of something which a party undertakes shall be a part of a contract, and, though part of the contract, collateral to the express object of it. *United Iron Works Co. v. Henryetta Coal & Mining Co.*, 62 Okl. 99, 162 P. 209, 210; *Hurley-Mason*

Co. v. Stebbins, Walker & Spinning, 79 Wash. 366, 140 P. 381, 384, L. R. A. 1915B, 1131, Ann. Cas. 1916A, 948.

A warranty differs from a representation in that a warranty must always be given contemporaneously with, and as part of, the contract; whereas a representation precedes and induces to the contract. And, while that is their difference in nature, their difference in consequence or effect is this: that, upon breach of warranty, (or false warranty,) the contract remains binding, and damages only are recoverable for the breach; whereas, upon a false representation, the defrauded party may elect to avoid the contract, and recover the entire price paid. Brown. And see Griswold v. Morrison, 53 Cal. App. 93, 200 P. 62, 65.

The same transaction cannot be characterized as a warranty and a fraud at the same time. A warranty rests upon contract, while fraud, or fraudulent representations have no element of contract in them, but are essentially a tort. When judges or law-writers speak of a fraudulent warranty, the language is neither accurate nor perspicuous. If there is a breach of warranty, it cannot be said that the warranty was fraudulent, with any more propriety than any other contract can be said to have been fraudulent, because there has been a breach of it. On the other hand, to speak of a false representation as a contract or warranty, or as tending to prove a contract or warranty, is a perversion of language and of correct ideas. Rose v. Hurley, 39 Ind. 81; Boysen v. Petersen, 203 Iowa, 1073, 211 N. W. 894, 895.

#### In Insurance

In the law of insurance, "warranty" means any assertion or undertaking on the part of the assured, whether expressed in the contract or capable of being annexed to it, on the strict and literal truth or performance of which the liability of the underwriter is made to depend. Maude & P. Shipp. 377; Sweet.

A "warranty" in a policy of insurance is an expressed stipulation that something then exists, or has happened, or been done, or shall happen or be done, and it must be literally and strictly complied with by assured whether the truth of the fact or the happening of the event be or be not material to the risk or connected with the cause of loss. Brown v. Connecticut Fire Ins. Co. of Hartford, Conn., 52 Okl. 392, 153 P. 173, 177; Walker v. Fireman's Fund Ins. Co., 114 Or. 545, 234 P. 542, 549. See also "Representation."

#### In General

—**Affirmative warranty.** In the law of insurance, warranties may be either affirmative or promissory. Affirmative warranties may be either express or implied, but they usually consist of positive representations in the policy of the existence of some fact or state of things at the time, or previous to the time, of the making of the policy; they are, in general, conditions precedent, and if untrue, whether material to the risk or not, the policy does not attach, as it is not the contract of the insurer. Maupin v. Insurance Co., 53 W. Va. 557, 45 S. E. 1003; Hendricks v. Insurance Co., 8 Johns. (N. Y.) 1; Cowan v. Insur-

ance Co., 78 Cal. 181, 20 P. 408; Orient Ins. Co. v. Van Zandt-Bruce Drug Co., 50 Okl. 558, 151 P. 323, 324.

—**Collateral warranty.** Existed when the heir's title was not derived from the warranting ancestor, and yet it barred the heir from claiming the land by any collateral title, upon the presumption that he might thereafter have assets by descent from or through the ancestor; and it imposed upon him the obligation of giving the warrantee other lands in case of eviction, provided he had assets. 2 Bl. Com. 301.

—**Continuing warranty.** One which applies to the whole period during which the contract is in force; *e. g.*, an undertaking in a charter-party that a vessel shall continue to be of the same class that she was at the time the charter-party was made.

—**Covenant of warranty.** See Covenant.

—**Express warranty.** In contracts and sales, one created by the apt and explicit statements of the seller or person to be bound. See *Borrekins v. Bevan*, 3 Rawle (Pa.) 36, 23 Am. Dec. 85; *White v. Stelloh*, 74 Wis. 435, 43 N. W. 99; *Danforth v. Crookshanks*, 68 Mo. App. 316; *Hausken v. Hodson-Feenaughty Co.*, 109 Wash. 606, 187 P. 319, 321. In the law of insurance, an agreement expressed in a policy, whereby the assured stipulates that certain facts relating to the risk are or shall be true, or certain acts relating to the same subject have been or shall be done. 1 Phil. Ins. (4th Ed.) p. 425; *Petit v. German Ins. Co. (C. C.)* 98 F. 802; *Ætna Ins. Co. v. Grube*, 6 Minn. 82 (Gil. 32); *Insurance Co. v. Morgan*, 90 Va. 290, 18 S. E. 191.

—**General warranty.** The name of a covenant of warranty inserted in deeds, by which the grantor binds himself, his heirs, etc., to "warrant and forever defend" to the grantee, his heirs, etc., the title thereby conveyed, against the lawful claims of all persons whatsoever. Where the warranty is only against the claims of persons claiming "by, through, or under" the grantor or his heirs, it is called a "special warranty."

—**Implied warranty.** A warranty raised by the law as an inference from the acts of the parties or the circumstances of the transaction. *Hausken v. Hodson-Feenaughty Co.*, 109 Wash. 606, 187 P. 319, 321. Thus, if the seller of a chattel have possession of it and sell it as his own, and not as agent for another, and for a fair price, he is understood to *warrant the title*. 2 Kent, Comm. 478. A warranty implied from the general tenor of an instrument, or from particular words used in it, although no express warranty is mentioned. Thus, in every policy of insurance there is an *implied* warranty that the ship is seaworthy when the policy attaches. 3 Kent Comm. 287; 1 Phil. Ins. 308.



—**Lineal warranty.** In old conveyancing, the kind of warranty which existed when the heir derived title to the land warranted either from or through the ancestor who made the warranty.

—**Personal warranty.** One available in personal actions, and arising from the obligation which one has contracted to pay the whole or part of a debt due by another to a third person. *Flanders v. Seelye*, 105 U. S. 718, 26 L. Ed. 1217.

—**Promissory warranty.** In the law of insurance, a warranty which requires the performance or omission of certain things or the existence of certain facts after the beginning of the contract of insurance and during its continuance, and the breach of which will avoid the policy. See *King v. Relief Ass'n*, 35 App. Div. 58, 54 N. Y. S. 1057; *Maupin v. Insurance Co.*, 53 W. Va. 557, 45 S. E. 1003; *McKenzie v. Insurance Co.*, 112 Cal. 548, 44 P. 922.

—**Special warranty.** A clause of warranty inserted in a deed of lands, by which the grantor covenants, for himself and his heirs, to "warrant and forever defend" the title to the same, to the grantee and his heirs, etc., against all persons claiming "by, through, or under" the grantor or his heirs. If the warranty is against the claims of all persons whatsoever, it is called a "general" warranty.

—**Warranty deed.** One which contains a covenant of warranty.

—**Warranty, voucher to.** In old practice. The calling a warrantor into court by the party warranted, (when tenant in a real action brought for recovery of such lands,) to defend the suit for him. Co. Litt. 101b.

**WARREN.** A term in English law for a place in which birds, fishes, or wild beasts are kept.

A franchise or privilege, either by prescription or grant from the king, to keep beasts and fowls of warren, which are hares, coney, partridges, pheasants, etc.

Also any place to which such privilege extends. *Mozley & Whitley*.

#### Free Warren

A franchise for the preserving and custody of beasts and fowls of warren. 2 Bl. Comm. 39, 417; Co. Litt. 233. This franchise gave the grantee sole right of killing, so far as his warren extended, on condition of excluding other persons. 2 Bl. Comm. 39.

**WARSCOT.** In Saxon law. A customary or usual tribute or contribution towards armor, or the arming of the forces.

**WARTH.** In old English law. A customary payment, supposed to be the same with *ward-penny*. *Spelman; Blount*.

**WASH.** A shallow part of a river or arm of the sea.

The sandy, rocky, gravelly, boulder-bestrewn part of a river bottom deposited on level land near mouth of a canyon representing rocks and gravel washed down by a mountain stream. *Haack v. San Fernando Mission Land Co.*, 177 Cal. 140, 169 P. 1021, 1022.

A fermented wort from which spirit is distilled. *Neal v. State*, 154 Ark. 324, 242 S. W. 578, 579; *Pack v. State*, 116 Or. 416, 241 P. 390, 392.

**WASH BANK.** A bank composed of such substance that it is liable to be washed away by the action of the water thereon, so as to become unsafe to travelers on highway. *Kerr v. Bougher*, 16 Ohio App. 434, 437.

**WASH SALE or WASHED SALE.** In the language of the stock exchange, this term is applied to the operation of simultaneously buying and selling the same stock. In re *Wetfengel* (C. C. A.) 238 F. 798, 799.

**WASHING—HORN.** The sounding of a horn for washing before dinner. The custom was formerly observed in the Temple.

**WASHINGTON, TREATY OF.** A treaty signed on May 8, 1871, between Great Britain and the United States of America, with reference to certain differences arising out of the war between the northern and southern states of the Union, the Canadian fisheries, and other matters. *Wharton*.

**WASTE.** Spoil or destruction, done or permitted, to lands, houses, gardens, trees, or other corporeal hereditaments, by the tenant thereof, to the prejudice of the heir, or of him in reversion or remainder. 2 Bl. Comm. 281. A destruction or material alteration or deterioration of the freehold, or of the improvements forming a material part thereof, by any person rightfully in possession, but who has not the fee title or the full estate. *Hayman v. Rownd*, 82 Neb. 598, 118 N. W. 328, 45 L. R. A. (N. S.) 623. See *Stephenson v. National Bank of Winter Haven*, 92 Fla. 347, 109 So. 424, 425; *Keogh v. Peck*, 316 Ill. 318, 147 N. E. 266, 268, 38 A. L. R. 1151; *Thomas v. Thomas*, 166 N. C. 627, 82 S. E. 1032, 1033, L. R. A. 1915B, 219.

Waste is a lasting damage to the reversion caused by the destruction, by the tenant for life or years, of such things on the land as are not included in its temporary profits. *Proffitt v. Henderson*, 29 Mo. 325.

#### In Old English Criminal Law

A prerogative or liberty, on the part of the crown, of committing *waste* on the lands of felons, by pulling down their houses, extirpating their gardens, plowing their meadows, and cutting down their woods. 4 Bl. Comm. 385.

#### In General

—**Commissive waste.** Active or positive waste; waste done by acts of spoliation or de-

struction, rather than by mere neglect; the same as voluntary waste. See *infra*.

—**Double waste.** See Double.

—**Equitable waste.** Injury to a reversion or remainder in real estate, which is not recognized by the courts of law as waste, but which equity will interpose to prevent or remedy. *Gannon v. Peterson*, 193 Ill. 372, 62 N. E. 210, 55 L. R. A. 701; *Crowe v. Wilson*, 65 Md. 479, 5 A. 427, 57 Am. Rep. 343. Otherwise defined as an unconscientious abuse of the privilege of non-impeachability for waste at common law, whereby a tenant for life, without impeachment of waste, will be restrained from committing willful, destructive, malicious, or extravagant waste, such as pulling down houses, cutting timber of too young a growth, or trees planted for ornament, or for shelter of premises. *Wharton*.

—**Impeachment of waste.** Liability for waste committed, or a demand or suit for compensation for waste committed upon lands or tenements by a tenant thereof who has no right to commit waste. On the other hand, a tenure "without impeachment of waste" signifies that the tenant cannot be called to account for waste committed.

—**Nul waste.** "No waste." The name of a plea in an action of waste, denying the commission of waste, and forming the general issue.

—**Permissive waste.** That kind of waste which is a matter of omission only, as by suffering a house to fall for want of necessary repairs. 2 Bl. Comm. 281; *Willey v. Laraway*, 64 Vt. 559, 25 A. 436; *Beekman v. Van Dolsen*, 63 Hun, 487, 18 N. Y. S. 376; *White v. Wagner*, 4 Har. & J. (Md.) 391, 7 Am. Dec. 674.

—**Voluntary waste.** Active or positive waste; waste done or committed, in contradistinction to that which results from mere negligence, which is called "permissive" waste. 2 Bouv. Inst. no. 2394. "Voluntary waste" is the willful destruction or carrying away of something attached to the freehold, and "permissive waste" is the failure to take reasonable care of the premises. *Fisher's Ex'r v. Haney*, 180 Ky. 257, 202 S. W. 495, 496. Voluntary or commissive waste consists of injury to the demised premises or some part thereof, when occasioned by some deliberate or voluntary act, as, for instance, the pulling down of a house or removal of floors, windows, doors, furnaces, shelves, or other things affixed to and forming part of the freehold. *Regan v. Luthy*, 16 Daly, 413, 11 N. Y. S. 709. Contrasted with "permissive" waste.

—**Writ of waste.** See that title.

**WASTE-BOOK.** A book used by merchants, to receive rough entries or memoranda of all transactions in the order of their occurrence,

previous to their being posted in the journal. Otherwise called a "blotter."

**WASTEL.** A standard of quality of bread, made of the finest white flour. *Cocket* bread was slightly inferior in quality. The statute of 1266 mentions seven kinds of bread. See *Assisa*; *Studer*, *Oak Book of Southampton*, Vol. II.

**WASTING PROPERTY.** A mine or a patent is considered a wasting property. See 41 Ch. Div. 1.

**WASTING TRUST.** A trust in which the trustee may apply a part of the principal to make good a deficiency of income.

**WASTORS.** In old statutes. A kind of thieves.

**WATCH, v.** To keep guard; to stand as sentinel; to be on guard at night, for the preservation of the peace and good order.

**WATCH, n.** A body of constables on duty on any particular night.

A division of a ship's crew. At sea, the ship's company is divided into two watches, larboard and starboard, with a mate to command each. *O'Hara v. Luckenbach S. S. Co.*, 269 U. S. 364, 46 S. Ct. 157, 160, 70 L. Ed. 313.

**WATCH AND WARD.** "Watch" denotes keeping guard during the night; "ward," by day.

**WATCHMAN.** An officer in many cities and towns, whose duty it is to watch during the night and take care of the property of the inhabitants. *Coerver v. Crescent Lead & Zinc Corporation*, 315 Mo. 276, 286 S. W. 3, 10.

**WATER.** As designating a commodity or a subject of ownership, this term has the same meaning in law as in common speech; but in another sense, and especially in the plural, it may designate a body of water, such as a river, a lake, or an ocean, or an aggregate of such bodies of water, as in the phrases "foreign waters," "waters of the United States," and the like.

Water is neither land nor tenement nor susceptible of absolute ownership. It is a movable thing and must of necessity continue common by the law of nature. It admits only of a transient usufructuary property, and if it escapes for a moment, the right to it is gone forever, the qualified owner having no legal power of reclamation. It is not capable of being sued for by the name of "water," nor by a calculation of its cubical or superficial measure; but the suit must be brought for the land which lies at the bottom covered with water. As water is not land, neither is it a tenement, because it is not of a permanent nature, nor the subject of absolute property. It is not in any possible sense real estate, and hence is not embraced in a covenant of general warranty. *Mitchell v. Warner*, 5 Conn. 518.

**Coast Waters**

See *Coast*.

**Developed Water**

Water which is brought to the surface and made available for use by the party claiming the water. *Mountain Lake Mining Co. v. Midway Irr. Co.*, 47 Utah, 346, 149 P. 929, 933.

**Foreign Waters**

Those belonging to another nation or country or subject to another jurisdiction, as distinguished from "domestic" waters. *The Pilot*, 50 Fed. 437, 1 C. C. A. 523.

**Inland Waters**

See *Inland*.

**Navigable Waters**

See *Navigable*.

**Percolating Waters**

Those which pass through the ground beneath the surface of the earth without any definite channel, and do not form a part of the body or flow, surface or subterranean, of any water-course. They may be either rain waters which are slowly infiltrating through the soil or waters seeping through the banks or the bed of a stream, and which have so far left the bed and the other waters as to have lost their character as a part of the flow of that stream. *Vineland Irr. Dist. v. Azusa Irr. Co.*, 126 Cal. 486, 58 Pac. 1057, 46 L. R. A. 820; *Los Angeles v. Pomeroy*, 124 Cal. 597, 57 Pac. 585; *Herriman Irr. Co. v. Keel*, 25 Utah, 96, 69 Pac. 719; *Deadwood Cent. R. Co. v. Barker*, 14 S. D. 558, 86 N. W. 619; *Montecito Val. Water Co. v. Santa Barbara*, 144 Cal. 578, 77 Pac. 1113; *Clinchfield Coal. Corporation v. Compton*, 148 Va. 437, 139 S. E. 308, 311, 55 A. L. R. 1376; *Flanigan v. State*, 113 Misc. 91, 183 N. Y. S. 934, 935.

**Private Waters**

Non-navigable streams, or bodies of water not open to the resort and use of the general public, but entirely owned and controlled by one or more individuals. *Piazzek v. Drainage Dist. No. 1 of Jefferson County*, 119 Kan. 119, 237 P. 1059, 1060.

**Public Waters**

Such as are adapted for the purposes of navigation, or those to which the general public have a right of access, as distinguished from artificial lakes, ponds, and other bodies of water privately owned, or similar natural bodies of water owned exclusively by one or more persons. See *Lamprey v. Metcalf*, 52 Minn. 181, 53 N. W. 1139, 18 L. R. A. 670, 38 Am. St. Rep. 541; *Carter v. Thurston*, 58 N. H. 104, 42 Am. Rep. 584; *Cobb v. Davenport*, 32 N. J. Law, 369; *West Point Water-Power Co. v. State*, 49 Neb. 223, 68 N. W. 507; *State v. Theriault*, 70 Vt. 617, 41 Atl. 1030, 43 L. R. A. 290, 67 Am. St. Rep. 648.

**Subterranean Waters**

Waters which lie wholly beneath the surface of the ground, and which either ooze and

seep through the subsurface strata without pursuing any defined course or channel, (percolating waters,) or flow in a permanent and regular but invisible course, or lie under the earth in a more or less immovable body, as a subterranean lake.

**Surface Waters**

As distinguished from the waters of a natural stream, lake, or pond, surface waters are such as diffuse themselves over the surface of the ground, following no defined course or channel, and not gathering into or forming any more definite body of water than a mere bog or marsh. They generally originate in rains and melting snows, but the flood waters of a river may also be considered as surface waters if they become separated from the main current, or leave it never to return, and spread out over lower ground. See *Schaefer v. Marthaler*, 34 Minn. 487, 26 N. W. 726, 57 Am. Rep. 40; *Crawford v. Rambo*, 44 Ohio St. 279, 7 N. E. 429; *New York, etc., R. Co. v. Hamlet Hay Co.*, 149 Ind. 344, 47 N. E. 1060; *Cairo, etc., R. Co. v. Brevoort (C. C.)* 62 Fed. 129, 25 L. R. A. 527; *Brandenburg v. Zeigler*, 62 S. C. 18, 39 S. E. 790, 55 L. R. A. 414, 89 Am. St. Rep. 887; *Jones v. Hannover*, 55 Mo. 467; *Tampa Waterworks Co. v. Cline*, 37 Fla. 586, 20 South. 780, 33 L. R. A. 376, 53 Am. St. Rep. 262; *San Gabriel Valley Country Club v. Los Angeles County*, 182 Cal. 392, 188 P. 554, 556, 9 A. L. R. 1200; *Thompson v. New Haven Water Co.*, 86 Conn. 597, 86 A. 585, 588, 45 L. R. A. (N. S.) 457.

**Surplus Water**

Water running off from ground which has been irrigated; water not consumed by the process of irrigation; water which the land irrigated will not take up. *Wedgworth v. Wedgworth*, 20 Ariz. 518, 181 P. 952, 954.

**Tide Waters**

See *Tide*.

**Water-Bailiff**

The title of an officer, in port towns in England, appointed for the searching of ships. Also of an officer belonging to the city of London, who had the supervising and search of the fish brought thither. *Cowell*.

**Water-Bayley**

In American law. An officer mentioned in the colony laws of New Plymouth, (A. D. 1671,) whose duty was to collect dues to the colony for fish taken in their waters. Probably another form of *water-bailiff*. *Burrell*.

**Water Course**

See that title *infra*.

**Water Front**

Land or land with buildings fronting on a body of water. *City of Long Beach v. Lisenby*, 175 Cal. 575, 166 P. 333, 335.

**Water-Gage**

A sea-wall or bank to restrain the current and overflowing of the water; also an instrument to measure water. Cowell.

**Water-Gang**

A Saxon word for a trench or course to carry a stream of water, such as are commonly made to drain water out of marshes. Cowell.

**Water-Gavel**

In old records. A gavel or rent paid for fishing in or other benefit received from some river or water. Cowell; Blount.

**Water-Logged**

A vessel is "water-logged" when she becomes heavy and unmanageable on account of the leakage of water into the hold. Fireman's Fund Ins. Co. v. Globe Nav. Co. (C. C. A.) 236 F. 618, 625.

**Water-Mark**

See that title *infra*.

**Water-Measure**

In old statutes. A measure greater than Winchester measure by about three gallons in the bushel. Cowell.

**Water-Ordeal**

In Saxon and old English law. The ordeal or trial by water. The *hot-water* ordeal was performed by plunging the bare arm up to the elbow in boiling water, and escaping unharmed thereby. 4 Bl. Comm. 343. The *cold-water* ordeal was performed by casting the person suspected into a river or pond of cold water, when, if he floated therein, without any action of swimming it was deemed an evidence of his guilt; but, if he sunk, he was acquitted. Id.

**Water-Packed**

A "water-packed" bale of cotton is one to the lint of which water is added in such a manner that the weight is increased, or in which water-damaged cotton is placed, or the sampling sides of which are packed with lint cotton not so wet or water-damaged. Wallace v. Crosthwait, 196 Ala. 356, 71 So. 666, 667.

**Water Power**

The water power to which a riparian owner is entitled consists of the fall in the stream, when in its natural state, as it passes through his land, or along the boundary of it; or, in other words, it consists of the difference of level between the surface where the stream first touches his land, and the surface where it leaves it. McCalmont v. Whitaker, 3 Rawle (Pa.) 90, 23 Am. Dec. 102.

**Water Right**

A legal right, in the nature of a corporeal hereditament, to use the water of a natural stream or water furnished through a ditch

or canal, for general or specific purposes, such as irrigation, mining, power, or domestic use, either to its full capacity or to a measured extent or during a defined portion of the time. See Hill v. Newman, 5 Cal. 445, 63 Am. Dec. 140; Cary v. Daniels, 8 Metc. (Mass.) 480, 41 Am. Dec. 532; Canal Co. v. Hess, 6 Colo. App. 497, 42 Pac. 50; Murphy v. Kerr (D. C.) 296 F. 536, 541.

**Water Right Claim**

A "water right claim," as filed with the state engineer, is merely a declaration of intention to create a water right. Washington State Sugar Co. v. Goodrich, 27 Idaho, 26, 147 P. 1073, 1076.

**Waterscape**

An aqueduct or passage for water.

**Waters of the United States**

All waters within the United States which are navigable for the purposes of commerce, or whose navigation successfully aids commerce, are included in this term. The Daniel Ball, 6 Fed. Cas. 1161.

**WATER COURSE.** A natural stream of water fed from permanent or periodical natural sources and usually flowing in a particular direction in a defined channel, having a bed and banks or sides, and usually discharging itself into some other stream or body of water. Los Angeles v. Pomeroy, 124 Cal. 597, 57 Pac. 587; Chamberlain v. Hemingway, 63 Conn. 1, 27 Atl. 239, 38 Am. St. Rep. 330; Ribordy v. Murray, 177 Ill. 134, 52 N. E. 325; Rait v. Furrow, 74 Kan. 101, 85 Pac. 934, 6 L. R. A. (N. S.) 157; Dickinson v. Worcester, 7 Allen (Mass.) 19; Earl v. De Hart, 12 N. J. Eq. 284, 72 Am. Dec. 395; Barkley v. Wilcox, 86 N. Y. 140, 40 Am. Rep. 519; Simmons v. Winters, 21 Or. 35, 27 Pac. 7, 28 Am. St. Rep. 727; Grand Rapids & I. Ry. Co. v. Round, 220 Mich. 475, 190 N. W. 248, 249; Falcon v. Boyer, 157 Iowa, 745, 142 N. W. 427, 429; Walt v. Phillips, 166 Ark. 163, 266 S. W. 71, 73.

There must be a stream usually flowing in a particular direction, though it need not flow continually. It may sometimes be dry. It must flow in a definite channel, having a bed, sides, or banks, and usually discharge itself into some other stream or body of water. It must be something more than a mere surface drainage over the entire face of a tract of land, occasioned by unusual freshets or other extraordinary causes. It does not include the water flowing in the hollows or ravines in land, which is the mere surface water from rain or melting snow, and is discharged through them from a higher to a lower level, but which at other times are destitute of water. Such hollows or ravines are not, in legal contemplation, water courses. Hoyt v. Hudson, 27 Wis. 656, 9 Am. Rep. 473; Sanguinetti v. Pock, 136 Cal. 466, 69 P. 98, 89 Am. St. Rep. 169; Luther v. Winnisimmet Co., 9 Cush. (Mass.) 171; Pyle v. Richards, 17 Neb. 180, 22 N. W. 370. But if the topography of the surrounding country is such that water accumulates in great quantities after heavy rains or at the season of melting snows, and descends periodically through a well-defined chan-

nel which the force of the water has made for itself, and which is the accustomed channel through which it flows and has always flowed, such channel is to be deemed a natural water course. *Kelly v. Dunning*, 39 N. J. Eq. 482; *Earl v. De Hart*, 12 N. J. Eq. 280, 72 Am. Dec. 395; *Simmons v. Winters*, 21 Or. 35, 27 P. 7, 28 Am. St. Rep. 727; *San Gabriel Valley Country Club v. Los Angeles County*, 182 Cal. 392, 188 P. 554, 556, 9 A. L. R. 1200; *Tierney v. Yakima County*, 136 Wash. 481, 239 P. 248, 249.

#### Natural Water Course

A natural stream flowing in a defined bed or channel; one formed by the natural flow of the water, as determined by the general superficies or conformation of the surrounding country, as distinguished from an "artificial" water course, formed by the work of man, such as a ditch or canal. See *Barkley v. Wilcox*, 86 N. Y. 140, 40 Am. Rep. 519; *Hawley v. Sheldon*, 64 Vt. 491, 24 Atl. 717, 33 Am. St. Rep. 941; *Porter v. Armstrong*, 129 N. C. 101, 39 S. E. 799; *Gaskill v. Barnett*, 52 Ind. App. 654, 101 N. E. 40, 42; *Williams v. Bass*, 179 Wis. 364, 191 N. W. 499, 500.

**WATER-MARK.** A mark indicating the highest point to which water rises, or the lowest point to which it sinks.

#### High-Water Mark

This term is properly applicable to tidal waters, and designates the line on the shore reached by the water at the high or flood tide. With reference to the waters of artificial ponds or lakes, created by dams in unnavigable streams, it denotes the highest point on the shores to which the dams can raise the water in ordinary circumstances. *Howard v. Ingersoll*, 13 How. 423, 14 L. Ed. 189; *Storer v. Freeman*, 6 Mass. 437, 4 Am. Dec. 155; *Mobile Transp. Co. v. Mobile*, 128 Ala. 335, 30 South. 645, 64 L. R. A. 333, 86 Am. St. Rep. 143; *Morrison v. First Nat. Bank*, 88 Me. 155, 33 Atl. 782; *Brady v. Blackinton*, 113 Mass. 245; *Cook v. McClure*, 58 N. Y. 444, 17 Am. Rep. 270. The high-water mark of a river, not subject to tide, is the line which the river impresses on the soil by covering it for sufficient periods to deprive it of vegetation, and to destroy its value for agriculture. *Raide v. Dollar*, 34 Idaho, 682, 203 P. 469, 471; *Diana Shooting Club v. Husting*, 156 Wis. 261, 145 N. W. 816, 820, Ann. Cas. 1915C, 1148; *Union Sand & Gravel Co. v. Northcott*, 102 W. Va. 519, 135 S. E. 589, 592; *Tilden v. Smith*, 94 Fla. 502, 113 So. 708, 712.

#### Low-Water Mark

That line on the shore of the sea which marks the edge of the waters at the lowest point of the ordinary ebb tide. See *Stover v. Jack*, 60 Pa. 342, 100 Am. Dec. 566; *Gerrish v. Prop'rs of Union Wharf*, 26 Me. 395, 46 Am. Dec. 568. The "low-water mark," of a river is the point to which the water recedes at its lowest stage. *Union Sand & Gravel Co. v. Northcott*, 102 W. Va. 519, 135 S. E. 589, 593;

*Joyce-Watkins Co. v. Industrial Commission*, 325 Ill. 378, 156 N. E. 346, 348.

**WATERED STOCK.** Stock which is issued by a corporation as fully paid-up stock, when in fact the whole amount of the par value thereof has not been paid in. *Harn v. Smith*, 85 Okl. 137, 204 P. 642, 644; *Bank of Commerce v. Goolsby*, 129 Ark. 416, 196 S. W. 803, 807; *Loud v. Solomon*, 188 Mich. 7, 154 N. W. 73, 75.

**WAVESON.** In old records. Such goods as, after a wreck, swim or float on the waves. *Jacob*.

**WAX SCOT.** A duty anciently paid twice a year towards the charge of wax candles in churches. *Spelman*.

**WAY.** A passage, path, road, or street. In a technical sense, a *right* of passage over land.

A right of way is the privilege which an individual, or a particular description of persons, as the inhabitants of a village, or the owners or occupiers of certain farms, have of going over another's ground. It is an incorporeal hereditament of a real nature, entirely different from a public highway. *Cruise*, Dig. tit. 24, § 1.

The term "way" is derived from the Saxon, and means a right of use for passengers. It may be private or public. By the term "right of way" is generally meant a private way, which is an incorporeal hereditament of that class of easements in which a particular person, or particular description of persons, have an interest and a right, though another person is the owner of the fee of the land in which it is claimed. *Wild v. Deig*, 43 Ind. 455, 13 Am. Rep. 399.

"Ways are appendant or appurtenant" when they are incident to an estate, one terminus being on the land of the party claiming it; while "way in gross" must be a personal right, not assignable nor inheritable. *Safety Building & Loan Co. v. Lyles*, 131 S. C. 540, 128 S. E. 724, 725. See "Easement."

#### Private Way

A right which a person has of passing over the land of another. *Jones v. Venable*, 120 Ga. 1, 47 S. E. 549; *Whiting v. Dudley*, 19 Wend. (N. Y.) 376; *Kister v. Reeser*, 98 Pa. 1, 42 Am. Rep. 608; *Kripp v. Curtis*, 71 Cal. 62, 11 P. 879. In another sense (chiefly in New England) a private way is one laid out by the local public authorities for the accommodation of individuals and wholly or chiefly at their expense, but not restricted to their exclusive use, being subject, like highways, to the public easement of passage. See *Metcalf v. Bingham*, 3 N. H. 459; *Clark v. Boston, C. & M. R. Co.*, 24 N. H. 118; *Denham v. Bristol County*, 108 Mass. 202; *Butchers', etc., Ass'n v. Boston*, 139 Mass. 290, 30 N. E. 94.

#### Right of Way

See that title.

### Way of Necessity

A "way of necessity" exists where land granted is completely environed by land of the grantor, or partially by his land and the land of strangers. The law implies from these facts that a private right of way over the grantor's land was granted to the grantee as appurtenant to the estate. *Gwinn v. Gwinn*, 77 W. Va. 281, 87 S. E. 371, 373; *Violet v. Martin*, 62 Mont. 335, 205 P. 221, 223. "Way of necessity" is also reserved to vendor, whose land is accessible only over vendee's land. *Alcorn v. Reading*, 66 Utah, 509, 243 P. 922, 925 and is synonymous with easement by implication. *Haas v. Brannon*, 99 Okl. 94, 225 P. 931, 935. See "Easement."

**WAY-BILL.** A writing in which is set down the names of passengers who are carried in a public conveyance, or the description of goods sent with a common carrier by land. *Whar-ton*.

**WAY-GOING CROP.** A crop of grain sown by a tenant for a term certain, during his tenancy, but which will not ripen until after the expiration of his lease; to this, by custom in some places, the tenant is entitled. *Marple v. Brister*, 63 Pa. Super. Ct. 470, 473.

**WAYLEAVE** is a right of way over or through land for the carriage of minerals from a mine or quarry. It is an easement, being a species of the class called "rights of way," and is generally created by express grant or reservation. *Sweet*.

**WAYNAGIUM.** Implements of husbandry. 1 *Reeve*, Eng. Law, c. 5, p. 268.

**WAYS AND MEANS.** In a legislative body, the "committee on ways and means" is a committee appointed to inquire into and consider the methods and sources for raising revenue, and to propose means for providing the funds needed by the government.

**WAYWARDENS.** The English highway acts provide that in every parish forming part of a highway district there shall annually be elected one or more waywardens. The waywardens so elected, and the justices for the county residing within the district, form the highway board for the district. Each waywarden also represents his parish in regard to the levying of the highway rates, and in questions arising concerning the liability of his parish to repairs, etc. *Sweet*.

**WEALD.** Sax. A wood; the woody part of a country.

**WEALREAF.** In old English law. The robbing of a dead man in his grave.

**WEALTH.** All material objects, capable of satisfying human wants, desires, or tastes, having a value in exchange, and upon which human labor has been expended; *i. e.*, which have, by such labor, been either reclaimed

from nature, extracted or gathered from the earth or sea, manufactured from raw materials, improved, adopted, or cultivated.

"The aggregate of all the things, whether material or immaterial, which contribute to comfort and enjoyment, which cannot be obtained without more or less labor, and which are objects of frequent barter and sale, is what we usually call 'wealth.'" *Bowen*, Pol. Econ. See *Branham v. State*, 96 Ga. 307, 22 S. E. 957.

**WEAPON.** An instrument used in fighting; an instrument of offensive or defensive combat. *People v. Simons*, 124 Misc. 28, 207 N. Y. S. 56, 57. The term is chiefly used, in law, in the statutes prohibiting the carrying of "concealed" or "deadly" weapons. See those titles. And see also "Offensive."

**WEAR, or WEIR.** A great dam or fence made across a river, or against water, formed of stakes interlaced by twigs of osier, and accommodated for the taking of fish, or to convey a stream to a mill. *Cowell*; *Jacob*.

**WEAR AND TEAR.** "Natural wear and tear" means deterioration or depreciation in value by ordinary and reasonable use of the subject-matter. *Green v. Kelly*, 20 N. J. Law, 548.

**WEARING APPAREL.** As generally used in statutes, refers not merely to a person's outer clothing, but covers all articles usually worn, and includes underclothing; *Arnold v. U. S.*, 147 U. S. 494, 13 S. Ct. 406, 37 L. Ed. 253. It may include a gold watch; *Stewart v. McClung*, 12 Or. 431, 8 P. 447, 53 Am. Rep. 374; but see *Smith v. Rogers*, 16 Ga. 479; *Gooch v. Gooch*, 33 Me. 535; a pearl necklace; *U. S. v. One Pearl Chain*, 71 C. C. A. 500, 139 F. 513; but not a travelling trunk or a breastpin; *Towns v. Pratt*, 33 N. H. 345, 66 Am. Dec. 726; and under the revenue laws shoes are not included; *Swayne v. Hager* (C. C.) 37 F. 782.

**WEATHERING.** "Weathering" of natural gas to produce commercial gasoline is merely separating off by evaporation a sufficient quantity of the highly volatile constituents to reduce the vapor tension of the remaining liquor mixture to the desired figure. *Carbide & Carbon Chemicals Corporation v. Texas Co.* (D. C.) 21 F.(2d) 199, 201.

**WED.** Sax. A covenant or agreement. *Cowell*. A pledge. *Jenks*, Hist. E. L. 13.

**WEDBEDRIP.** Sax. In old English law. A customary service which tenants paid to their lords, in cutting down their corn, or doing other harvest duties; as if a *covenant to reap* for the lord at the time of his *bidding* or commanding. *Cowell*.

**WEEK.** A period of seven consecutive days of time; and, in some uses, the period beginning with Sunday and ending with Sat-

urday. See *Leach v. Burr*, 188 U. S. 510, 23 S. Ct. 393, 47 L. Ed. 567; *Ronkendorff v. Taylor*, 4 Pet. 361, 7 L. Ed. 882; *Evans v. Job*, 8 Nev. 324; *Bird v. Burgsteiner*, 100 Ga. 486, 28 S. E. 219; *Steinle v. Bell*, 12 Abb. Prac. N. S. (N. Y.) 175; *Russell v. Croy*, 164 Mo. 69, 63 S. W. 849; *Medland v. Linton*, 60 Neb. 249, 82 N. W. 866; *In re Wright's Will*, 224 N. Y. 293, 120 N. E. 725, 726; *United States v. Southern Pac. Co.* (C. C. A.) 209 F. 562, 567.

**WEEK-WORK.** In early English times, the obligation of a tenant to work two or three days in every week for his lord, during the greater part of the year, and four or five during the summer months. 1 Poll. & Maitl. 349.

**WEHADING.** In old European law. The judicial combat, or duel; the trial by battel.

**WEIGHAGE.** In English law. A duty or toll paid for weighing merchandise. It is called "*tronage*" for weighing wool at the king's beam, or "*pesage*" for weighing other avoidrupois goods. 2 Chit. Com. Law, 16.

**WEIGHT.** A measure of heaviness or ponderosity; and in a metaphorical sense influence, effectiveness, or power to influence judgment or conduct. The quantity of heaviness, the quality of being heavy, the degree or extent of downward pressure under the influence of gravity, or the quantity of matter as estimated by the balance or scale. *Dwight & Lloyd Sintering Co. v. American Ore Reclamation Co.* (C. C. A.) 263 F. 315, 316.

#### Gross Weight

The whole weight of goods and merchandise, including the dust and dross, and also the chest or bag, etc., upon which tare and tret are allowed.

#### Miner's Weight

Such quantity of mine-run material, as operators and miners may, from time to time, agree as being necessary or sufficient to produce a ton of prepared coal. *Drake v. Berry*, 259 Pa. 8, 102 A. 315, 320.

**WEIR.** A fence or an inclosure of twigs, set in a stream to catch fish. *Pub. St. Mass. p. 1297*; *Treat v. Chipman*, 35 Me. 38.

**WELDING.** The art, practiced immemorially, of uniting two pieces of metal in one piece by heating those portions which are to be welded to a temperature at which they become plastic, and then pressing them strongly together, so as to effect a union. *Thomson Spot Welder Co. v. Ford Motor Co.*, 265 U. S. 445, 44 S. Ct. 533, 534, 68 L. Ed. 1098.

**WELFARE.** Well-doing or well-being in any respect; the enjoyment of health and common blessings of life; exemption from any evil or calamity; prosperity; happiness. *Wiseman v. Tanner* (D. C.) 221 F. 694, 698.

**WELL, adj.**

#### In Marine Insurance

A term used as descriptive of the safety and soundness of a vessel, in a warranty of her condition at a particular time and place; as, "warranted well at ——— on ———."

#### In the Old Reports

Good, sufficient, unobjectionable in law; the opposite of "ill."

**WELL. n.** A hole or shaft sunk into the earth in order to obtain a fluid, such as water, oil, brine, or natural gas, from a subterranean supply. See *West v. McDonald*, 67 Or. 551, 136 P. 650, 651; *Eastern Gulf Oil Co. v. Kentucky State Tax Commission* (D. C.) 17 F.(2d) 394, 396; *Knight Bros. v. Standard Oil Co.*, 147 La. 272, 84 So. 653, 655.

In a deed, well designates the portion of land under and occupied by the excavation, and its surrounding retaining walls, and by any structures or appliances built upon the land to facilitate its use, and also the water actually at any time in the excavation. *Davis v. Spaulding*, 157 Mass. 431, 32 N. E. 650, 19 L. R. A. 102.

#### Completed Well

In oil prospecting leases, a well drilled to the formation or sand in which oil in district in question is usually and commonly found. *Kies v. Williams*, 190 Ky. 596, 228 S. W. 40, 41.

**WELL-BORN MEN.** A tribunal in New Amsterdam (New York). 1 Fiske, Dutch and Quaker Colonies 238.

**WELL KNOWING.** A phrase used in pleading as the technical expression in laying a *scienter*, (*q. v.*)

**WELSH MORTGAGE.** See Mortgage.

**WELSHING.** Receiving a sum of money or valuable thing, undertaking to return the same or the value thereof together with other money, if an event (for example, the result of a horse-race) shall be determined in a certain manner, and at the time of receiving the deposit intending to cheat and defraud the depositor. *Coldr. & Hawks. Gambling* 303. The crime is larceny at common law.

**WEN.** An indolent encysted tumor of the skin, especially a sebaceous cyst. *Life & Casualty Ins. Co. v. King*, 137 Tenn. 685, 195 S. W. 585, 589.

**WEND.** In old records. A large extent of ground, comprising several *juga*; a perambulation; a circuit. *Spelman*; *Cowell*.

**WEOTUMA.** The purchase price of a wife among the heathen Germans. 2 Holdsw. Hist. El. L. 77.

**WERA, or WERE.** The estimation or price of a man, especially of one slain. In the criminal law of the Anglo-Saxons, every man's

life had its value, called a "were," or "*capitis aestimatio*."

**WEREGELT THEF.** Sax. In old English law. A robber who might be ransomed. Fleta, lib. 1, c. 47, § 13.

**WEREGILD, or WERGILD.** This was the price of homicide, or other atrocious personal offense, paid partly to the king for the loss of a subject, partly to the lord for the loss of a vassal, and partly to the next of kin of the injured person. In the Anglo-Saxon laws, the amount of compensation varied with the degree or rank of the party slain. Brown. See Angild; Angylde; Assithment.

**WERELADA.** A purging from a crime by the oaths of several persons, according to the degree and quality of the accused. Cowell.

**WERGELT.** In old Scotch law. A sum paid by an offender as a compensation or satisfaction for the offense; a weregild, or wergild.

**WERP-GELD.** Belg. In European law. Contribution for jettison; average.

**WESTMINSTER.** A city immediately adjoining London, and forming a part of the metropolis; formerly the seat of the superior courts of the kingdom.

**WESTMINSTER CONFESSION.** A document containing a statement of religious doctrine, concocted at a conference of British and continental Protestant divines at Westminster, in the year 1643, which subsequently became the basis of the Scotch Presbyterian Church. Wharton.

**WESTMINSTER THE FIRST, STATUTE OF.** The statute 3 Edw. I., A. D. 1275. This statute, which deserves the name of a code rather than an act, is divided into fifty-one chapters. Without extending the exemption of churchmen from civil jurisdiction, it protects the property of the church from the violence and spoliation of the king and the nobles, provides for freedom of popular elections, because sheriffs, coroners, and conservators of the peace were still chosen by the freeholders in the county court, and attempts had been made to influence the election of knights of the shire, from the time when they were instituted. It contains a declaration to enforce the enactment of *Magna Charta* against excessive fines, which might operate as perpetual imprisonment; enumerates and corrects the abuses of tenures, particularly as to marriage of wards; regulates the levying of tolls, which were imposed arbitrarily by the barons and by cities and boroughs; corrects and restrains the powers of the king's escheator and other officers; amends the criminal law, putting the crime of rape on the footing to which it has been lately restored, as a most grievous, but not capital, offense; and embraces the subject of procedure in civil and criminal matters, introducing many regulations to render it

cheap, simple, and expeditious. 1 Camp. Lives Ld. Ch. p. 167; 2 Reeve, Eng. Law, c. 9, p. 107. Certain parts of this act are repealed by St. 26 & 27 Vict. c. 125. Wharton.

**WESTMINSTER THE SECOND, STATUTE OF.** The statute 13 Edw. I. St. 1, A. D. 1285, otherwise called the "*Statute de Donis Conditionalibus*." See 2 Reeve, Eng. Law, c. 10, p. 163. Certain parts of this act are repealed by St. 19 & 20 Vict. c. 64, and St. 26 & 27 Vict. c. 125. Wharton.

**WESTMINSTER THE THIRD, STATUTE OF.** A statute passed in the eighteenth year of Edward I. More commonly known as the "*Statute of Quia Emptores*," (q. v.). See Barring. Ob. St. 167-169.

**WEST SAXON LAGE.** The laws of the West Saxons, which obtained in the counties to the south and west of England, from Kent to Devonshire. Blackstone supposes these to have been much the same with the laws of Alfred, being the municipal law of the far most considerable part of his dominions, and particularly including Berkshire, the seat of his peculiar residence. 1 Bl. Comm. 65.

**WET.** A term used to designate one in favor of allowing the sale of intoxicating liquors. *State v. Shumaker*, 200 Ind. 623, 157 N. E. 769, 778.

**WETHER.** A castrated ram, at least one year old. In an indictment it may be called a "sheep." *Rex v. Birket*, 4 Car. & P. 216.

**WHACK.** To divide into shares, apportion, parcel out, make a division settlement, square accounts, or to pay. *Schook v. Zimmerman*, 188 Mich. 617, 155 N. W. 526, 531.

**WHALE.** A royal fish, the head being the king's property, and the tail the queen's. 2 Steph. Comm. 19, 448, 540.

**WHALER.** A vessel employed in the whale fishery.

**WHARF.** A perpendicular bank or mound, raised on the shore of a harbor, river, canal, etc., or extending some distance into the water, for the convenience of lading and unloading vessels. Webster.

A broad, plain place near a river, canal, or other water, to lay wares on that are brought to or from the water. Cowell.

A structure erected on a shore below high-water mark, and sometimes extending into the channel, for the laying vessels alongside to load or unload, and on which stores are often erected for the reception of cargoes. *Doane v. Broad Street Ass'n*, 6 Mass. 332; *Langdon v. New York*, 93 N. Y. 151; *Dubuque v. Stout*, 32 Iowa, 47; *Geiger v. Filor*, 8 Fla. 332; *Palen v. Ocean City*, 64 N. J. Law, 669, 46 Atl. 774; *State v. Meaher*, 213 Ala. 466, 105 So. 562, 580; *Harris v. City of St. Helens*, 72 Or. 377, 143 P. 941, 944, Ann. Cas. 1916D, 1073.



**Private Wharf**

One whose owner or lessee has the exclusive enjoyment or use thereof. *Hamilton v. Portland State Pier Site Dist.*, 120 Me. 15, 112 A. 836, 840; *The M. L. C. No. 10* (C. C. A.) 10 F.(2d) 699, 702.

**Public Wharf**

One to which vessels and the public can resort, either at will or on assignment of a berth by a harbor authority. *Kaffine v. Brooklyn Eastern Dist. Terminal Co.*, 180 App. Div. 858, 168 N. Y. S. 120, 121.

**Sufferance Wharves**

Such as may be appointed by the commissioners for the purpose of customs, under the British act of 1876.

**WHARFAGE.** The money paid for landing goods upon, or loading them from, a wharf. *Dane*, Abr. Index; *Sacramento v. The "New World"*, 4 Cal. 41. A charge against a vessel for using or lying at a wharf or landing. *Adams v. John R. White & Son*, 38 R. I. 240, 94 A. 675; *Blank v. Marine Basin Co.*, 178 App. Div. 666, 165 N. Y. S. 883, 884.

Strictly speaking "wharfage" is money due, or money actually paid, for the privilege of landing goods upon a wharf or loading a vessel from a wharf. 1 *Brown*, Adm. 37.

**WHARFINGER.** One who owns or keeps a wharf for the purpose of receiving and shipping merchandise to or from it for hire. *M. & J. Tracy v. Marks, Lissberger & Son* (C. C. A.) 283 F. 100, 101.

**WHEEL.** An engine of torture used in medieval Europe, on which a criminal was bound while his limbs or bones were broken one by one till he died.

**WHEELAGE.** Duty or toll paid for carts, etc., passing over certain ground. *Cowell*.

**WHELPS.** The young of certain animals of a base nature or *fera natura*.

**WHEN.** At which time. At that time. *St. Louis v. Withaus*, 90 Mo. 646, 3 S. W. 395; *Behnke v. Rathsam* (Mo. App.) 251 S. W. 391, 392; *Commonwealth v. Cohen*, 250 Mass. 570, 146 N. E. 228, 229.

In case of; on condition that; provided; if. *Texas & P. Ry. Co. v. Beard* (Tex. Civ. App.) 169 S. W. 1050; *Allen v. Powell*, 65 Ind. App. 601, 115 N. E. 96, 99; *S. W. Little Coal Co. v. O'Brien*, 63 Ind. App. 504, 113 N. E. 465, 470; *Mendenhall v. State*, 71 Fla. 552, 72 So. 202, 205. See, also, *Vandegrift & Co. v. U. S.*, 9 Ct. Cust. App. 112, 121.

Immediately after; as soon as. *Abercrombie v. Stoddard*, 39 Idaho, 146, 228 P. 232, 233.

In wills, adverbs of time, such as "after" or "when," do not of themselves create a contingent remainder, but refer rather to the time the enjoyment of the estate is commenced. *Riley v. Kirk*, 213 Mo. App. 381, 253 S. W. 50, 52; *In re Bechtel's Es-*

*tate*, 85 Pa. Super. Ct. 14, 17; 6 Ves. Jr. 243; 10 Co. 50; 16 C. B. 59.

**WHEN AND WHERE.** Technical words in pleading, formerly necessary in making *full defense* to certain actions.

When many join in one act, the law says it is the act of him who could best do it; and things should be done by him who has the best skill. *Nov. Max.*

When no time is limited, the law appoints the most convenient.

When the common law and statute law concur, the common law is to be preferred. 4 Co. 71.

When the foundation fails, all fails.

When the law gives anything, it gives a remedy for the same.

When the law presumes the affirmative, the negative is to be proved. 1 *Rolle* 83.

When two titles concur, the best is preferred. *Finch*, Law. b. 1, c. 4, n. 82.

**WHENEVER.** At whatever time; at what time soever. *Williams v. Potter* (D. C.) 210 F. 318, 325; *Griffin v. U. S.* (D. C.) 270 F. 263, 264; *Morgan's Louisiana & T. R. & S. S. Co. v. Railroad Commission of Louisiana*, 138 La. 377, 70 So. 332, 333; *People v. Merhige*, 221 Mich. 601, 180 N. W. 418, 422.

As long as. *Moore v. Johnson*, 85 N. J. Law, 40, 88 A. 699, 701; *Illinois Cent. R. Co. v. Waterloo, C. F. & N. Ry. Co.*, 182 Iowa, 550, 164 N. W. 208, 209.

As soon as; upon which; where; in case; if. *People v. Merhige*, 212 Mich. 601, 180 N. W. 418, 422; *Illinois Cent. R. Co. v. Waterloo, C. F. & N. Ry. Co.*, 182 Iowa, 550, 164 N. W. 208, 209; *Louisiana & A. Ry. Co. v. Woodson*, 127 Ark. 323, 192 S. W. 174, 177; *Crawford v. Weidemeyer*, 93 Ohio St. 461, 113 N. E. 267, 268.

This word, though often used as equivalent to "as soon as," is also often used where the time intended by it is, and will be until its arrival, or for some uncertain period at least, indeterminate. *Robinson v. Greene*, 14 R. I. 188.

**WHERE.** At the place. *Girl v. U. S. Railroad Administration*, 194 Iowa, 1382, 189 N. W. 834, 835; *Shearer v. Farmers' Life Ins. Co.*, 106 Kan. 574, 189 P. 648, 650. As used in the statutory language, "where the prosecution is held," the word does not refer to the geographical location of the place of hearing, but rather to the tribunal or official before whom the case is tried. *Barth v. State*, 107 Ohio St. 154, 140 N. E. 650, 651.

If; in the case of; in the event that. *Graham v. Standard Fire Ins. Co.*, 119 S. C. 218, 112 S. E. 88, 89.

Where there is equal equity, the law must prevail. *Bisp. Eq. § 40*; 4 *Bouv. Inst.* n. 3727.

Where two rights concur, the more ancient shall be preferred.

**WHEREAS.** When in fact. Used in this sense in a pleading, it does not transform an averment into a recital. *Stoltz v. People*, 59 Colo. 342, 148 P. 865, 866.

This word may, however, imply a recital of a past fact, and, in general, cannot be used in the direct and positive averment of a fact in a declaration or plea. Those facts which are directly denied by the terms of the general issue, or which may, by the established usage of pleading, be specially traversed, must be averred in positive and direct terms; but facts, however material, which are not directly denied by the terms of the general issue, though liable to be contested under it, and which, according to the usage of pleading, cannot be specially traversed, may be alleged in the declaration by way of recital, under a *whereas*. 2 Chitty, Pl. 151, 178, 191.

Although. *Hill v. Smith*, 95 Conn. 579, 111 A. 840, 842.

**WHEREUPON.** Upon which; after which. *Lee v. Cook*, 1 Wyo. 419.

**WHEREVER.** As often as. *Moore v. Johnson*, 85 N. J. Law, 40, 88 A. 699, 701.

**WHICH.** A clause introduced by the relative pronoun "which" is a sufficient allegation of the fact stated in it, if, when read in connection with its context, it plainly manifests an intent on the part of the pleader to set up such fact and rely upon it. *Bishop v. Wheeling Mold & Foundry Co.*, 82 W. Va. 637, 96 S. E. 1020, 1022.

**WHIG.** This name was applied in Scotland, A. D. 1648, to those violent Covenanters who opposed the Duke of Hamilton's invasion of England in order to restore Charles I. The appellation of "Whig" and "Tory" to political factions was first heard of in A. D. 1679, and, though as senseless as any cant terms that could be devised, they became instantly as familiar in use as they have since continued. 2 Hall. Const. Hist. c. 12; Wharton.

**WHILE.** Pending or during the time that. *Fireman's Fund Ins. Co. v. Jackson*, 161 Ga. 559, 131 S. E. 359, 360; *In re Naugle's Estate*, 268 Pa. 481, 112 A. 24, 25; *American Steam Laundry Co. v. Riverside Printing Co.*, 171 Wis. 644, 177 N. W. 852, 853.

**WHIPPING.** A mode of punishment, by the infliction of stripes, occasionally used in England and in a few of the American states. See Act of February 28, 1839, § 5 (18 USCA § 545); 1 Geo. IV, c. 57; 5 & 6 Vict.; 25 Vict. c. 18; 24 & 25 Vict. c. 100; and 26 & 27 Vict. c. 96.

**WHIPPING-POST.** A post or stake to which a criminal is tied to undergo the punishment of whipping.

**WHISKY.** An intoxicating liquor; *Hensberg v. U. S. (C. C. A.)* 288 F. 370, 371; *Singer v. U. S. (C. C. A.)* 278 F. 415, 417; containing many times one-half of 1 per cent. of alcohol; *Albert v. U. S. (C. C. A.)* 281 F. 511, 513;

and at least more than 2.75 per cent. of alcohol; *People ex rel. Thomsen v. Commissioner of Correction of New York City*, 115 Misc. 331, 188 N. Y. S. 46, 52; distilled from grain, barley, maize, wheat, rye, etc.; *Mullins v. Commonwealth*, 115 Va. 945, 79 S. E. 324, 327; *Weller v. State*, 150 Md. 278, 132 A. 624, 626; and generally used as a beverage; *State v. Wright*, 312 Mo. 626, 280 S. W. 703, 705; *U. S. v. Jones (D. C.)* 298 F. 131, 133.

Within the pure food act of 1906, it is the product of sound grain distilled at a low temperature so as to retain in the distillate the congeneric properties of the grain which gives to the liquor when matured by aging in charred casks its desirable potable character. Neutral spirits which are distilled at a high temperature may be made from different materials and do not contain such properties, and which are not rendered potable by aging although reduced by water to potable strength, and from which most of the fusel oil has been removed, are not whisky, nor a like substance with whisky. *Woolner & Co. v. Rennick (C. C.)* 170 F. 662.

As used in a Montana statute, the term includes illicitly distilled or produced (*i. e.*, "moonshine") whisky, even though it contains fusel oil and is not aged or proved as was whisky in commerce when the Eighteenth Amendment was adopted. *State v. Sedlacek*, 74 Mont. 201, 239 P. 1002, 1005.

**WHITE ACRE.** A fictitious name given to a piece of land, in the English books, for purposes of illustration.

**WHITE BONNET.** In Scotch law. A fictitious offerer or bidder at a roup or auction sale. Bell.

**WHITE MEATS.** In old English law. Milk, butter, cheese, eggs, and any composition of them. Cowell.

**WHITE METAL.** In a special technical sense, the copper sulphide remaining when, in smelting copper ore, copper matte is treated to break up and remove iron sulphide. *United Verde Copper Co. v. Peirce-Smith Converter Co. (C. C. A.)* 7 F.(2d) 13, 14.

**WHITE MULE.** Corn whisky. *State v. Johnson (Mo. Sup.)* 292 S. W. 41. *Contraband whisky.* *Sloan v. State*, 193 Ind. 625, 141 N. E. 321.

**WHITE PERSONS.** As used in Rev. St. U. S. § 2169 (Naturalization Act March 26, 1790, c. 3, 1 Stat. 103, as amended by Act Feb. 18, 1875, c. 80, § 1, 18 Stat. 318 [8 USCA § 359]), members of the white or Caucasian race, as distinct from the black, red, yellow, and brown races. *Petition of Easurk Emsen Charr (D. C.)* 273 F. 207, 209; *Takao Ozawa v. U. S.*, 260 U. S. 178, 43 S. Ct. 65, 68, 67 L. Ed. 199; *In re Ah Yup*, 5 Sawy. 155, Fed. Cas. No. 104.

This term, however, does not necessarily include all Caucasians. *In re Sadar Bhagwab Singh (D. C.)* 246 F. 496, 499. It is a popular and not a scientific term, and must be given its popular meaning, and as such is not to be construed as identical with

"Caucasian," unless the latter term is given its popular meaning, as referring to recognized racial distinctions existing at present, and not to possibly common ancestry of dissimilar races. In the popular meaning, "white persons" refers to immigrants from the British Isles and Northwestern Europe, who composed most of the population when the Naturalization Act was adopted, and the later immigrants from Eastern, Southern, and Middle Europe, who were unquestionably akin to those already here and readily amalgamated with them, and does not include a high-caste Hindu, even though some authorities class such Hindus as members of the Caucasian race. *U. S. v. Bhagat Singh Thind*, 261 U. S. 204, 43 S. Ct. 338, 339, 341, 67 L. Ed. 616; *Akhay Kumar Mozumdar v. U. S.* (C. C. A.) 299 F. 240, 242; *U. S. v. Khan* (D. C.) 1 F.(2d) 1006, 1007.

The term excludes, in addition to a high-caste Hindu or an Arabian; *U. S. v. Ali* (D. C.) 7 F.(2d) 728, 731; a Mongolian; *In re Ah Yup*, 5 Sawy. 155, Fed. Cas. No. 104; *In re Fisher* (D. C.) 21 F.(2d) 1007; *Terrace v. Thompson* (D. C.) 274 F. 841, 843; *In re Lampitoe* (D. C.) 232 F. 382. It has been held to include a Syrian; *Dow v. United States* (C. C. A.) 226 F. 145; *In re Ellis* (D. C.) 179 F. 1002; *Bessho v. U. S.*, 178 F. 245, 101 C. C. A. 605; and an Armenian; *In re Halladjian* (C. C.) 174 F. 834.

In the legislation of the slave period, persons without admixture of colored blood, whatever the actual complexion might be. *Du Val v. Johnson*, 39 Ark. 192. See, also, *White Race*.

In South Africa, persons of European descent. [1905] T. S. 621.

**WHITE RACE.** Within the meaning of the Mississippi Constitution of 1890, § 207, providing that there shall be separate schools for the white and colored races, the Caucasian race;—the term "colored races," being used in contradistinction to the white race, and embracing all other races. *Rice v. Gong Lum*, 139 Miss. 760, 104 So. 105, 107. See, also, *White Persons*.

**WHITE RENTS.** In English law. Rents paid in silver, and called "white rents," or "*redditus albi*," to distinguish them from rents payable in corn, labor, provisions, etc., called "black-rent" or "black-mail." Co. 2d Inst. 19. See *Alba Firma*.

**WHITE SLAVE.** A term used in the United States statutes and in common talk (though not very appropriately) to indicate a female with reference to whom an offense is committed under the so-called Mann White Slave Traffic Act of June 25, 1910 (18 USCA §§ 397-404), prohibiting the transportation in interstate and foreign commerce for immoral purposes of women and girls.

**WHITE SPURS.** A kind of esquires. Cowell.

**WHITECAPS.** The name of an unlawful organization against which Tennessee in 1897 enacted a statute (Acts 1897, c. 52) entitled, "An act to prevent and punish the formation or continuance of conspiracies and combinations for certain unlawful purposes," etc., commonly known as the "Law against White-

caps." Persons guilty of any offense under the act were rendered incompetent for jury service. *Jenkins v. State*, 99 Tenn. 539, 42 S. W. 263.

**WHITEFRIARS.** A place in London between the Temple and Blackfriars, which was formerly a sanctuary, and therefore privileged from arrest. Wharton.

**WHITEHART SILVER.** A mulct on certain lands in or near to the forest of Whitehart, paid into the exchequer, imposed by Henry III. upon Thomas de la Linda, for killing a beautiful white hart which that king before had spared in hunting. *Camd. Brit.* 150.

**WHITSUN FARTHINGS.** Pentecostals, (*q. v.*)

**WHITSUNTIDE.** The feast of Pentecost, being the fiftieth day after Easter, and the first of the four cross-quarter days of the year. Wharton.

**WHITTANWARII.** In old English law. A class of offenders who whitened stolen ox-hides and horse-hides so that they could not be known and identified.

**WHOEVER.** This word in statutes may be construed as including corporations and partnerships. *American Socialist Soc. v. U. S.* (C. C. A.) 266 F. 212, 213; *U. S. v. American Socialist Soc.* (D. C.) 260 F. 885, 887.

**WHOLE.** Hale, hearty, strong, sound; also, entire, complete. *Great Eastern Casualty Co. v. Smith* (Tex. Civ. App.) 174 S. W. 687.

**WHOLE BLOOD.** See *Blood*.

**WHOLE CHEST.** In the tea trade, a chest containing 100 to 140 pounds or more. *Japan Tea Co. v. Franklin MacVeagh & Co.*, 142 Minn. 152, 171 N. W. 305, 307.

**WHOLESALE.** To sell by wholesale is to sell by large parcels, generally in original packages, and not by retail; to sell goods in gross to retailers, who sell to consumers. *Kass v. Hirschberg, Schultz & Co.*, 191 App. Div. 300, 181 N. Y. S. 35, 37. A sale at "retail" and one at "wholesale" are opposed to each other, one being a sale in small quantities, and the other in large quantities. *Kentucky Consumers' Oil Co. v. Commonwealth*, 192 Ky. 437, 233 S. W. 892, 893. See, also, *Commonwealth v. Consolidated Dressed Beef Co.*, 245 Pa. 605, 91 A. 1065, 1066, Ann. Cas. 1917A, 966. In statutes, however, the term "wholesale dealer" may include retail dealers. *State v. Pioneer Oil & Refining Co.* (Tex. Com. App.) 292 S. W. 869, 872.

**WHOLESALE PRICE.** The price fixed on merchandise by one who buys in large quantities from the producer or manufacturer, and who sells the same to jobbers or to retail dealers therein. *Fawkner v. Paper Co.*, 88 Iowa, 169, 55 N. W. 200, 45 Am. St. Rep. 230.

**WHOLESALE.** One who buys in comparatively large quantities, and who sells, usually in smaller quantities, but never to the ultimate consumer of an individual unit. He sells either to a "jobber," a sort of middleman, or to a "retailer," who sells to the consumer. The quantities bought by the wholesaler may vary from a fraction of a car load to many car loads; it being the character, not of his buying, but of his selling, that marks him as a wholesaler. *Great Atlantic & Pacific Tea Co. v. Cream of Wheat Co.* (C. C. A.) 227 F. 46, 47. Under an act regulating the sale of imitation milk, a person selling cans of milk in quantities of one full case or more at a time. *Ex parte Reineger*, 184 Cal. 97, 193 P. 81, 83.

**WHOLLY.** Not partially. *Corsaut v. Equitable Life Assur. Soc. of the United States*, 203 Iowa, 741, 211 N. W. 222, 224, 51 A. L. R. 1035; *McCormick v. Central Coal & Coke Co.*, 117 Kan. 686, 232 P. 1071, 1074. In a whole or complete manner; entirely; completely; perfectly. *Knox v. Washer*, 153 Tenn. 630, 284 S. W. 888, 889. A building, however, may be "wholly destroyed" within the meaning of an insurance policy, even though there is not an absolute extinction of all the parts of the building. *Horine v. Royal Ins. Co., Limited, of Liverpool*, 199 Mo. App. 107, 201 S. W. 958, 963.

Exclusively; to the exclusion of other things. *Commonwealth v. City of Richmond*, 116 Va. 69, 81 S. E. 69, 73, L. R. A. 1915A, 1118.

Equally. *The Canadian Farmer* (D. C.) 290 F. 601, 603.

**WHORE.** A woman who practices illicit sexual intercourse, either for hire or to gratify a depraved passion. *Rowe v. Myers*, 204 Mich. 374, 169 N. W. 823, 825. A woman given to promiscuous intercourse. *Barnett v. Phelps*, 97 Or. 242, 191 P. 502, 503, 11 A. L. R. 663. A woman who practices unlawful commerce with men, particularly one who does so for hire; a harlot; a concubine; a prostitute. *Sheehey v. Cokley*, 43 Iowa, 183, 22 Am. Rep. 236.

**WHOREMASTER.** Ordinarily, one who practices lewdness; also, one who keeps or procures whores for others; a pimp; a procurer. *Hickerson v. Masters*, 190 Ky. 168, 226 S. W. 1072, 1073.

**WIC.** A place on the sea-shore or the bank of a river.

**WICA.** A country house or farm. *Cowell*.

**WICK.** Sax. A village, town, or district. Hence, in composition, the territory over which a given jurisdiction extends. Thus, "balliwick" is the territorial jurisdiction of a bailiff or sheriff or constable. "Sheriff-wick" was also used in the old books.

**WIDEN.** To increase in width; to extend. *In re Day*, 109 A. 573, 7 Boyce (Del.) 556.

**WIDOW.** A woman whose husband is dead, and who has not remarried. *Meton v. State Industrial Insurance Department*, 177 P. 696, 697, 104 Wash. 652; *Block v. P. & G. Realty Co.*, 124 A. 372, 96 N. J. Eq. 159; *Rosenbloom v. Southern Pac. Co.*, 59 Cal. App. 102, 210 P. 53; *O'Malley v. O'Malley*, 46 Mont. 549, 129 P. 501, 502, Ann. Cas. 1914B, 662; *Inslee v. Rochester & S. R. Co.*, 214 App. Div. 680, 213 N. Y. S. 6, 8; *In re Application for Support of Minor Children*, 164 Iowa, 208, 145 N. W. 467, 469; *In re Ryan's Estate*, 174 Mo. App. 202, 156 S. W. 759, 760. A widow who has married again cannot be a widow. 20 Q. B. D. 103. *Contra*, *Hansen v. Brann & Stewart Co.*, 90 N. J. Law, 444, 103 A. 696, 697; *Mathews v. Marsden*, 71 Mont. 502, 230 P. 775, 778.

#### Grass Widow

See that title.

#### King's Widow

One whose deceased husband had been the king's tenant *in capite*; she could not marry again without the royal permission.

#### Widow-bench

The share of her husband's estate which a widow is allowed besides her jointure.

#### Widow's Chamber

In London, the apparel of a widow and the furniture of her chamber, left by her deceased husband, is so called, and the widow is entitled to it. 2 Bl. Comm. 518.

#### Widow's Quarantine

In old English law. The space of forty days after the death of a man who died seised of lands, during which his widow might remain in her husband's capital mansion-house, without rent, and during which time her dower should be assigned. 2 Bl. Comm. 135.

#### Widow's Terce

In Scotch law. The right which a wife has after her husband's death to a third of the rents of lands in which her husband died infeft; dower. *Bell*.

**WIDOWER.** A man who has lost his wife by death and has not married again. *Abrams v. Unknown Heirs of Rice*, 317 Mo. 216, 295 S. W. 83, 85.

**WIDOWHOOD.** The state or condition of being a widow, or, sometimes, a widower. An estate is sometimes settled upon a woman "during widowhood," which is expressed in Latin, "*durante viduitate*."

**WIENER.** A small sausage of unknown content commonly called a "hot dog." *State v. Shoaf*, 179 N. C. 744, 102 S. E. 705, 9 A. L. R. 426.

**WIFA.** L. Lat. In old European law. A mark or sign; a mark set up on land, to denote an exclusive occupation, or to prohibit entry. Spelman.

**WIFE.** A woman united to a man by marriage; a woman who has a husband living and undivorced. The correlative term is "husband." *Davis v. Bass*, 188 N. C. 200, 124 S. E. 566, 568; *Estes v. Merrill*, 121 Ark. 361, 181 S. W. 136, 137; *Ex parte Suzanna* (D. C.) 295 F. 713, 714. The word, as used in statutes, may include a woman who has entered into a void marriage contract. *Hart v. Hart*, 198 Ill. App. 555, 557. In wills, it may include a widow, *Williams v. Fundingsland*, 74 Colo. 315, 221 P. 1084, 1086, or a divorcee, *In re Miller*, 171 App. Div. 229, 157 N. Y. S. 360, 363.

**WIFE AND CHILDREN.** A conveyance or devise by a man to his wife and children will be presumed, in the absence of language indicating a contrary purpose, to be to wife for life, with remainder to her and grantor's or testator's children. *Sower v. Lillard*, 207 Ky. 283, 269 S. W. 330, 331.

**WIFE'S EQUITY.** When a husband is compelled to seek the aid of a court of equity for the purpose of obtaining the possession or control of his wife's estate, that court will recognize the right of the wife to have a suitable and reasonable provision made, by settlement or otherwise, for herself and her children, out of the property thus brought within its jurisdiction. This right is called the "wife's equity," or "equity to a settlement." See 2 Kent, Comm. 139.

**WIFE'S PART.** See Legitime.

**WIGREVE.** In old English law. The overseer of a wood. Cowell.

**WILD ANIMALS** (or animals *feræ naturæ*). Animals of an untamable disposition; animals in a state of nature.

**WILD FOWL.** Any large eatable bird of a wild nature. *Crabtree v. State*, 123 Ark. 68, 184 S. W. 430.

**WILD LAND.** Land in a state of nature, as distinguished from improved or cultivated land. *Clark v. Phelps*, 4 Cow. (N. Y.) 203. Land in a wilderness state, not used in connection with improved estates. *Central Maine Power Co. v. Rollins*, 126 Me. 299, 138 A. 170, 174. When land is contiguous to improved and cultivated land, and commonly used therewith for fuel, fencing, repairs, or pasturing, it no longer has the character of "wild land." *Holden v. Page*, 107 A. 492, 494, 118 Me. 242.

**WILD'S CASE, RULE IN.** A devise to B. and his children or issue, B. having no issue at the time of the devise, gives him an

estate tail; but, if he have issue at the time, B. and his children take joint estates for life. 6 Coke, 16b; *Tudor*, *Lead. Cas. Real Prop.* 542, 581.

**WILL, v.** An auxiliary verb commonly having the mandatory sense of "shall" or "must." *Tennessee Cent. R. Co. v. Morgan*, 132 Tenn. 1, 175 S. W. 1148, 1153; *Crouch v. State*, 23 Okl. Cr. 325, 214 P. 747, 748; *State v. Summers* (Mo. App.) 281 S. W. 123, 124. It is a word of certainty, while the word "may" is one of speculation and uncertainty. *Carson v. Turrish*, 140 Minn. 445, 168 N. W. 349, 352, L. R. A. 1918F, 154.

**WILL, n.** Wish; desire; pleasure; inclination; choice; the faculty of conscious, and especially of deliberate, action. *State v. Schwab*, 109 Ohio St. 532, 143 N. E. 29, 31. When a person expresses his "will" that a particular disposition be made of his property, his words are words of command. *Temple v. Russell*, 251 Mass. 231, 146 N. E. 679, 680, 49 A. L. R. 1, and the word "will" as so used is mandatory, comprehensive, and dispositive in nature, *Mastellar v. Atkinson*, 94 Kan. 279, 146 P. 367, 368, *Ann. Cas.* 1917B, 502.

#### In the Law of Wills

The legal expression or declaration of a person's mind or wishes as to the disposition of his property, to be performed or take effect after his death. *Code Ga.* 1882, § 2394 (*Civ. Code* 1910, § 3827); *Swinb. Wills*, § 2; *Thomas v. House*, 145 Va. 742, 134 S. E. 673, 674; *O'Brian v. McCarthy*, 52 App. D. C. 183, 285 F. 917, 919; *Limbach v. Bolin*, 169 Ky. 204, 183 S. W. 495, 496, L. R. A. 1916D, 1059; *Griffin v. Morgan* (D. C.) 208 F. 660, 662; *In re Edwards' Will*, 172 N. C. 369, 90 S. E. 418, 419; *Twilley v. Durkee*, 72 Colo. 444, 211 P. 668, 669; *Starks v. Lincoln*, 316 Mo. 483, 291 S. W. 132, 134; *In re McCune's Estate*, 265 Pa. 523, 109 A. 156, 157; *Krause v. Krause*, 113 Neb. 22, 201 N. W. 670, 673.

A written instrument executed with the formalities of law, whereby a person makes a disposition of his property to take effect after his death. *Tax Commission of Ohio v. Parker*, 117 Ohio St. 215, 158 N. E. 89, 90; *Loveren v. Eaton*, 80 N. H. 62, 113 A. 206; *Harris v. Harris' Estate* (Tex. Civ. App.) 276 S. W. 964, 966; *McDermid v. Bourhill*, 101 Or. 305, 199 P. 610, 612, 22 A. L. R. 428; *In re Hill's Estate*, 126 Misc. 768, 215 N. Y. S. 655, 656. The term may include an instrument, duly executed in testamentary form, merely naming an executor, without disposing of property. *Fontaine v. Fontaine*, 169 Ark. 1077, 277 S.W. 867. It also includes codicils. *Newhall v. Newhall*, 280 Ill. 199, 117 N. E. 476, 477; *Decedent Estate Law* N. Y. § 2; *Revisal* N. C. 1905, § 2831, subd. 9; (*Code* 1931, § 3949, subd. 9); *Code Iowa*, § 48, par. 17 (*Code* 1931, § 63, par. 17).

An instrument by which a person makes a disposition of his property, to take effect after his decease, which instrument is, in its own nature, ambulatory and revocable during his life. *Wells v. Lewis*, 190 Ky. 626, 228 S. W. 3, 4; *McConnell v. Robbins*, 193 Ind. 359, 140 N. E. 59, 61. It is this ambulatory quality which forms the characteristic of wills; for though a disposition by deed may postpone the possession or enjoyment, or even the vesting, until the death of the disposing party, yet the postponement is in such case produced by the express terms, and does not result from the nature of the instrument. *McDaniel v. Johns*, 45 Miss. 641. And see *Jasper v. Jasper*, 17 Or. 590, 22 P. 152; *Leathers v. Greenacre*, 53 Me. 567; *Cover v. Stem*, 67 Md. 449, 10 A. 231, 1 Am. St. Rep. 406; *George v. Green*, 13 N. H. 524; *In re Harrison's Estate*, 196 Pa. 576, 46 A. 888; *Bayley v. Bailey*, 5 Cush. (Mass.) 249; *Reagan v. Stanley*, 11 Lea (Tenn.) 324; *Lane v. Hill*, 63 N. H. 398, 44 Atl. 507; *Conklin v. Egerton*, 21 Wend. (N. Y.) 436. If the grantor intends that the title of the property described in the instrument shall pass on its execution to the grantee, it is a deed, though the interest conveyed or its enjoyment is postponed till after the death of the grantor; but, if it is intended no interests shall vest till after the grantor's death, it is a will, as a deed cannot be ambulatory. *Phifer v. Mullis*, 83 S. E. 582, 584, 167 N. C. 405; *Henderson v. Henderson*, 210 Ala. 73, 97 So. 353, 372; *Civ. Code Ga.* 1910, § 3328. Instruments conveying a present interest are deeds, and not wills; *Jung v. Petermann* (Tex. Civ. App.) 194 S. W. 202, 205; for wills pass no interest until after the death of the maker; *Willis v. Fiveash* (Tex. Civ. App.) 297 S. W. 509, 510; *Sims v. Brown*, 232 Mo. 58, 158 S. W. 624, 627.

Except where it would be inconsistent with the manifest intent of the legislature, the word "will" shall extend to a testament, and to a codicil, and to an appointment by will, or by writing in the nature of a will, in exercise of a power; and also to any other testamentary disposition. *Code Va.* 1887, § 2511 (*Code 1930*, § 5226).

The distinction between a "will" and a "power of appointment" is that a will concerns the estate of the testator, while an appointment under a power concerns that of the donor of the power. *Thompson v. Pew*, 214 Mass. 520, 102 N. E. 122.

The difference between a will and a trust is that a will operates from the moment of death, while a trust operates in present to a certain extent. *Allen v. Hendrick*, 104 Or. 202, 206 P. 733, 740.

A gift inter vivos is distinguishable from a will in that such a gift may be made by parol and, upon the acceptance of the gift by the donee, the gift is irrevocable by the donor, while ordinarily a will is required to be in writing, and usually is made in view of the fact of death, and is ineffective until the death of the testator and the admission of the will to probate. *York v. Trigg*, 87 Okl. 214, 209 P. 417, 423.

The term will, as an expression of the final disposition of one's property, is confined to the English laws and those countries which derive their jurisprudence from that source. The term *testamentum*, or *testament*, is exclusively used in the Roman civil law and by the continental writers upon that subject.

A will, when it operates upon personal property, is sometimes called a "testament," and when upon real estate, a "devise;" but the more general and the more popular denomination of the instrument embracing equally real and personal estate is that of "last will and testament." 4 Kent, Comm. 501; *In re Kiltz's Will*, 211 N. Y. S. 450, 461, 125 Misc. Rep. 475.

### In Criminal Law

The power of the mind which directs the action of a man.

### In Scotch Practice

That part or clause of a process which contains the mandate or command to the officer. *Bell*.

### In General

—**Ambulatory will.** A changeable will (*ambulatoria voluntas*), the phrase merely denoting the power which a testator possesses of altering his will during his life-time. See *Hattersley v. Bissett*, 50 N. J. Eq. 577, 25 A. 332.

—**Conditional will.** A conditional disposition is one which depends upon the occurrence of some uncertain event, by which it is either to take effect or to be defeated. *Rogers v. Mosier*, 121 Okl. 213, 245 P. 36, 38. If the happening of an event named in a will is the reason for making the will, it is "unconditional"; but, if the testator intends to dispose of his property in case the event happens, the will is "conditional." *Ferguson v. Ferguson* (Tex. Civ. App.) 288 S. W. 833, 835.

—**Conjoint will.** See *Joint Will*, *infra*.

—**Counter wills.** Another name for "double," "mutual," or "reciprocal" wills. *Wright v. Wright*, 215 Ky. 394, 285 S. W. 188, 189.

—**Double will.** Called also a "counter," "mutual," or "reciprocal" will. *Wright v. Wright*, 215 Ky. 394, 285 S. W. 188, 189. See *Double*.

—**Estate at will.** This estate entitles the grantee or lessee to the possession of land during the pleasure of both the grantor and himself, yet it creates no sure or durable right, and is bounded by no definite limits as to duration. It must be at the reciprocal will of both parties, (for, if it be at the will of the lessor only, it is a lease for life,) and the dissent of either determines it. *Wharton*.

—**Holographic will.** One that is entirely written, dated, and signed by the hand of the testator himself. *In re Hall's Estate*, 106 Okl. 124, 235 P. 916, 917; *In re Cole's Will*, 171 N. C. 74, 87 S. E. 962; *Civ. Code La.* art. 1588. Sometimes spelled "olographic." Succession of *Cunningham*, 142 La. 701, 77 So. 506, 510. The statutes in the different states differ to some extent, but agree substantially with the English statute of Charles II. Compliance with the precise terms of the statutory definition or requirements is commonly insisted upon with the utmost meticulousness. *In re Thorn's Estate*, 183 Cal. 512, 192 P. 19, 20.

—**Joint and mutual will.** One executed jointly by two persons with reciprocal provisions, which shows on its face that the devisees are made one in consideration of the other. *Wright v. Wright*, 215 Ky. 394, 285 S. W. 188,

189; *Bright v. Cox*, 147 Ga. 474, 94 S. E. 572, 573.

—**Joint will.** One where the same instrument is made the will of two or more persons and is jointly signed by them. Such wills are usually executed to make testamentary disposition of joint property. *Bright v. Cox*, 147 Ga. 474, 94 S. E. 572, 573; *Campbell v. Dunkelberger*, 172 Iowa, 385, 153 N. W. 56, 58. A joint or conjoint will is a testamentary instrument executed by two or more persons, in pursuance of a common intention, for the purpose of disposing of their several interests in property owned by them in common, or of their separate property treated as a common fund, to a third person or persons. *Ginn v. Edmundson*, 173 N. C. 85, 91 S. E. 696.

—**Mutual will.** One in which two or more persons make mutual or reciprocal provisions in favor of each other. *Ginn v. Edmundson*, 173 N. C. 85, 91 S. E. 696. "Mutual wills" are the separate wills of two persons which are reciprocal in their provisions, and such a will may be both joint and mutual. *Campbell v. Dunkelberger*, 172 Iowa, 385, 153 N. W. 56, 58; *Carle v. Miles*, 89 Kan. 540, 132 P. 146, Ann. Cas. 1915A, 363; *Bright v. Cox*, 147 Ga. 474, 94 S. E. 572, 573. Sometimes called a "reciprocal," "double," or "counter" will. *Wright v. Wright*, 215 Ky. 394, 285 S. W. 188, 189.

—**Mystic will.** See Testament.

—**Non-intervention will.** In some jurisdictions, one authorizing the executor to act without bond and to manage, control, and settle the estate without the intervention of any court whatsoever. *In re MacDonald's Estate*, 29 Wash. 422, 428, 69 P. 1111.

—**Nuncupative will.** See that title.

—**Reciprocal will.** One in which two or more persons make mutual or reciprocal provisions in favor of each other. *Ginn v. Edmundson*, 173 N. C. 85, 91 S. E. 696. Also known as a "mutual," "double," or "counter" will. *Wright v. Wright*, 215 Ky. 394, 285 S. W. 188, 189.

—**Unofficial will.** In the civil law, *testamentum inofficium*. One made in disregard of natural obligations as to inheritance. *Stein v. Wilzinski*, 4 Redf. Sur. (N. Y.) 450; 2 Bla. Comm. 502; *Hadley*, Rom. L. 317. It has no place in the common law; 1 Fost. & F. 578.

—**Statute of wills.** See Wills Act, *infra*.

**WILLA.** In Hindu law. The relation between a master or patron and his freedman, and the relation between two persons who had made a reciprocal testamentary contract. *Wharton*.

**WILLFUL.** Proceeding from a conscious motion of the will; voluntary. *Nashville, C. &*

*St. L. Ry. Co. v. Commonwealth*, 160 Ky. 50, 169 S. W. 511, 513.

Intractable; having a headstrong disposition to act by the rule of contradiction. *Bersch v. Morris & Co.*, 106 Kan. 800, 189 P. 934, 935, 9 A. L. R. 1374. Obstinate; perverse. *Lynch v. Commonwealth*, 131 Va. 762, 109 S. E. 427, 428; *Jones v. State*, 7 Ala. App. 180, 62 So. 306, 307.

Intending the result which actually comes to pass; designed; intentional; not accidental or involuntary. *Garrett v. Commonwealth*, 215 Ky. 484, 285 S. W. 203, 204; *State v. Muzzy*, 87 Vt. 267, 88 A. 895, 896; *In re Pierce*, 163 N. C. 247, 79 S. E. 507, 508; *Williams v. State*, 92 Fla. 648, 109 So. 805, 806; *Ezell v. Tipton*, 150 Tenn. 300, 264 S. W. 355, 358; *In re Keeler (D. C.)* 243 F. 770, 771; *State v. Baumann*, 311 Mo. 443, 278 S. W. 974, 976; *Thompson v. Hays (C. C. A.)* 11 F. (2d) 244, 248; *State v. Psaras*, 121 Wash. 156, 208 P. 1094; *Stockdale v. Industrial Commission of Colorado*, 76 Colo. 494, 232 P. 669, 670; *Cover v. Taliaferro*, 142 Md. 586, 122 A. 2, 6; *Grand Trunk Ry. Co. v. United States (C. C. A.)* 229 F. 116, 119; *State v. Avery*, 111 Kan. 588, 207 P. 838, 840, 23 A. L. R. 453; *Miller v. State*, 9 Okl. Cr. 55, 130 P. 813, 815; *People v. Baylinton*, 211 App. Div. 40, 206 N. Y. S. 804, 807; *People v. Harrison*, 238 N. Y. 348, 144 N. E. 636, 637; *Reeves v. State (Tex. Civ. App.)* 258 S. W. 577, 583; *State v. Mutschler*, 55 N. D. 120, 212 N. W. 832, 834; *Von Bank v. United States (C. C. A.)* 253 F. 641, 642; *Holt v. State*, 107 Ohio St. 307, 140 N. E. 349, 350; *Archbold v. Huntington*, 34 Idaho, 558, 201 P. 1041, 1043; *Roseville Trust Co. v. American Surety Co. of New York*, 91 N. J. Law, 588, 103 A. 182; *State v. Lehman*, 131 Minn. 427, 155 N. W. 399, Ann. Cas. 1917D, 615.

A "willful" act may be described as one done intentionally, knowingly, and purposely, without justifiable excuse, as distinguished from an act done carelessly, thoughtlessly, heedlessly, or inadvertently. *Lobdell Car Wheel Co. v. Subielski*, 125 A. 462, 464, 2 W. W. Harr. (Del.) 462.

A willful differs essentially from a negligent act. The one is positive and the other negative. *Sturm v. Atlantic Mut. Ins. Co.*, 38 N. Y. Super. Ct. 317; *Thayer v. Denver & R. G. R. Co.*, 21 N. M. 330, 154 P. 691, 694. Simple negligence arises merely from heedlessness, and consists simply of facts of non-feasance, and is therefore incompatible with willfulness, which comprises acts of aggressive wrong. *Stauffer v. Schlegel*, 74 Ind. App. 431, 129 N. E. 44, 46; and presupposes a conscious purpose to injure. *In re Cunningham (D. C.)* 253 F. 663, 665; *Ft. Wayne & Wabash Valley Traction Co. v. Justus*, 180 Ind. 464, 115 N. E. 585, 587; *Brittain v. Southern Ry. Co.*, 167 N. C. 642, 83 S. E. 702, 703.

"Willfulness" implies an act done intentionally and designedly; "wantonness" implies action without regard to the rights of others, a conscious failure to observe care, a conscious invasion of the rights of others, willful, unrestrained action; and "recklessness" a disregard of consequences, an indifference whether a wrong or injury is done or not, and an indifference to natural and probable conse-

quences. *Jensen v. Denver & R. G. R. Co.*, 44 Utah, 100, 138 P. 1185, 1188. See, also, *Evans v. Illinois Cent. R. Co.*, 289 Mo. 493, 233 S. W. 397, 399; *Cover v. Hershey Transit Co.*, 290 Pa. 551, 139 A. 266, 268; *Feroe v. Trammel*, 212 Ala. 325, 102 So. 529, 533; *Crosman v. Southern Pac. Co.*, 44 Nev. 286, 194 P. 839, 843.

The word "reckless," as applied to negligence, is the legal equivalent of "willful" or "wanton." *Heller v. New York, N. H. & H. R. Co.* (C. C. A.) 265 F. 192, 194. And see *Strough v. Central R. Co. of New Jersey* (C. C. A.) 209 F. 23, 26.

Conscious; knowing; done with stubborn purpose, but not with malice. *Bundy v. State*, 114 Neb. 121, 206 N. W. 21, 22; *American Surety Co. of New York v. Sullivan* (C. C. A.) 7 F.(2d) 605, 606; *Schultz v. Henry Ericsson Co.*, 264 Ill. 156, 106 N. E. 236, 240; *Ex parte Cowden*, 74 Tex. Cr. R. 449, 168 S. W. 539, 540; *Beale v. Yazoo Yarn Mill*, 125 Miss. 807, 88 So. 411, 414; *State v. Rickenberg*, 58 Utah, 270, 198 P. 767, 768; *Johnson v. U. S.* (C. C. A.) 260 F. 783, 785; *Siuslaw Timber Co. v. Russell*, 91 Or. 6, 178 P. 214; *Helme v. Great Western Milling Co.*, 43 Cal. App. 416, 185 P. 510, 512; *Gray v. Alabama Fuel & Iron Co.*, 216 Ala. 416, 113 So. 35, 39.

Premeditated; malicious; done with evil intent, or with a bad motive or purpose, or with indifference to the natural consequences; unlawful; without legal justification. *State v. Vanderveer*, 115 Wash. 184, 196 P. 650; *State v. Johnson*, 194 N. C. 378, 139 S. E. 697, 698; *Boyce v. Greeley Square Hotel Co.*, 228 N. Y. 106, 126 N. E. 647, 649; *State v. Ward*, 127 Minn. 510, 150 N. W. 209, 210, Ann. Cas. 1916C, 674; *King v. Empire Collieries Co.*, 148 Va. 585, 139 S. E. 478, 479, 58 A. L. R. 193; *Hill v. State*, 106 Tex. Cr. R. 255, 291 S. W. 914; *United States v. Stickrath* (D. C.) 242 F. 151, 154; *United States v. Schutte* (D. C.) 252 F. 212, 213; *Rhoads v. First Nat. Bank*, 37 N. D. 421, 163 N. W. 1046, 1050; *Weatherall v. Brown*, 113 Miss. 887, 74 So. 765, 766; *State v. Wilson*, 108 Kan. 641, 196 P. 758, 762; *State v. Roth*, 162 Iowa 638, 144 N. W. 339, 342, 50 L. R. A. (N. S.) 841; *U. S. Zinc Co. v. Ross*, 87 Okl. 21, 208 P. 805, 807; *Vanderford v. Wagner*, 24 N. M. 467, 174 P. 426, 427; *Thompson v. Hays* (C. C. A.) 11 F.(2d) 244, 248; *Foster v. United States* (C. C. A.) 256 F. 207, 209; *State v. Palmer*, 94 Vt. 278, 110 A. 436, 437.

Words which import an exercise of the will, such as "feloniously," "maliciously," and "unlawfully," will supply the place of the word "willfully" in an indictment. *Howenstine v. U. S.* (C. C. A.) 263 F. 1, 3; *Chapman v. Com.*, 5 Whart. (Pa.) 427, 34 Am. Dec. 565. *Contra*, *State v. Waters* (Mo. App.) 139 S. W. 624; *State v. Hyman*, 116 Me. 419, 102 A. 231, 232.

**WILLFUL AND MALICIOUS INJURY.** The word "willful," as used in this phrase in the Bankruptcy Act July 1, 1898, c. 541, § 17 (2), 30 Stat. 550, as amended by the Act of Feb. 5, 1903, c. 487, 32 Stat. 797 (11 USCA § 35), means intentional though not necessarily de-

liberate. *Nunn v. Drieborg*, 235 Mich. 383, 209 N. W. 89, 90; *Wellman v. Mead*, 93 Vt. 322, 107 A. 396, 404. Mere negligence is not enough; *In re Roberts* (D. C.) 290 F. 257, 259; *In re Byrne* (C. C. A.) 296 F. 98, 100; there must be an intent to commit a wrong either through actual malice or from which malice will be implied; *McClellan v. Schmidt* (D. C.) 235 F. 986, 987. Such an injury does not necessarily involve hatred or ill will, as a state of mind, but arises from intentional wrong committed without just cause or excuse. *In re Dixon* (D. C.) 21 F.(2d) 565, 566. It may involve merely a willful disregard of what one knows to be his duty, an act which is against good morals and wrongful in and of itself, and which necessarily causes injury and is done intentionally. *In re Stenger* (D. C.) 283 F. 419, 420; *In re Phillips* (D. C.) 298 F. 135, 138.

**WILLFUL MURDER.** The unlawful and intentional killing of another without excuse or mitigating circumstances. *State v. Dalton*, 178 N. C. 779, 101 S. E. 548, 549.

**WILLFUL NEGLIGENCE.** See Negligence.

**WILLINGLY.** Voluntarily; unreluctantly; without reluctance, and of one's own free choice. *Edwards v. State*, 21 Ala. App. 375, 108 So. 639, 640. See *State v. Schwab*, 109 Ohio St. 532, 143 N. E. 29, 31. As used in an instruction that one cannot invoke the doctrine of self-defense if he enters a fight willingly, it means voluntarily, aggressively, and without legal excuse. *State v. Evans*, 194 N. C. 121, 138 S. E. 518, 519.

**WILLS ACT.** In England. The statute 32 Hen. VIII. c. 1, passed in 1540, by which persons seized in fee-simple of lands holden in socage tenure were enabled to devise the same at their will and pleasure, except to bodies corporate; and those who held estates by the tenure of chivalry were enabled to devise two-third parts thereof.

Also, the statute 7 Wm. IV. & 1 Vict. c. 26, passed in 1837, and also called "Lord Langdale's Act." This act permits of the disposition by will of every kind of interest in real and personal estate, and provides that all wills, whether of real or of personal estate, shall be attested by two witnesses, and that such attestation shall be sufficient. Other important alterations are effected by this statute in the law of wills. *Mozley & Whitley*.

**WINCHESTER MEASURE.** The standard measure of England, originally kept at Winchester. 1 Bl. Comm. 274.

**WINCHESTER, STATUTE OF.** A statute passed in the thirteenth year of the reign of Edward I., by which the old Saxon law of police was enforced, with many additional provisions. 2 Reeve, Eng. Law, 163; *Crabb*, Hist. Eng. Law, 189. It required every man to provide himself with armor to aid in keep-



ing the peace; and if it did not create the offices of high and petty constables, it recognized and regulated them, and charged them with duties answering somewhat to those of our militia officers. The statute took its name from the ancient capital of the kingdom. It was repealed by the Statute of 7 & 8 Geo. IV. c. 27. See 1 Seld. Essays 153.

**WIND SHIELD.** On automobiles, the glass between the two front standards or posts;—not ordinarily including wind deflectors placed outside of such standards. *Hammond v. Benzer Corporation* (D. C.) 295 F. 908, 912.

**WIND UP.** To settle the accounts and liquidate the assets of a partnership or corporation, for the purpose of making distribution and dissolving the concern. *State v. Norman*, 86 Okl. 36, 206 P. 522, 527; *State v. Quigley*, 93 Okl. 296, 220 P. 918; *Foster v. Stewart*, 113 Kan. 402, 214 P. 429, 430; *Barret v. Skalsky*, 118 Kan. 162, 233 P. 1043.

**WINDING-UP ACTS.** In English law. General acts of parliament, regulating settlement of corporate affairs on dissolution.

**WINDOW.** An opening made in the wall of a building to admit light and air, and to furnish a view or prospect. *Hale v. Ins. Co.*, 46 Mo. App. 508; *Benner v. Benner*, 119 Me. 79, 109 A. 376, 377. The use of this word in law is chiefly in connection with the doctrine of ancient lights and other rights of adjacent owners.

**WINDOW ENVELOPE.** One which has on its face a patch of transparent paper forming a window through which an address written upon an inclosure can be seen. *Outlook Envelope Co. v. Samuel Cupples Envelope Co.* (C. C. A.) 223 F. 327, 329.

**WINDOW TAX.** A tax on windows, levied on houses which contained more than six windows, and were worth more than £5 per annum; established by St. 7 Wm. III. c. 18. St. 14 & 15 Vict. c. 36, substituted for this tax a tax on inhabited houses. *Wharton*.

**WINDSHAKES.** Cracks in timber that are due to the wind when the timber stood, or to drying in the center after the timber is cut. *Swartz v. Bergendahl-Knight Co.*, 259 Pa. 421, 103 A. 220, 221.

**WINDSOR FOREST.** A royal forest founded by Henry VIII.

**WINDSTORM.** This term, as used in a policy indemnifying against damage to property by windstorm, cyclone, or tornado, takes its meaning from the words "tornado" and "cyclone," and should be construed to be something more than an ordinary gust of wind, no matter how prolonged, and though the whirling features which usually accompany tornadoes and cyclones need not be present, it must assume the aspect of a storm. *Scottish Un-*

*ion & National Ins. Co. v. B. E. Linkenhelt & Co.*, 70 Ind. App. 324, 121 N. E. 373, 375.

**WINDY SHOTS.** In blasting operations, explosions which cause pieces of rock to fly up in the air. *Brede v. Minnesota Crushed Stone Co.*, 146 Minn. 406, 178 N. W. 820, 821.

**WINE.** The fermented juice of the grape. *State v. Moore*, 5 Blackf. (Ind.) 118; *Burzo v. State*, 191 Ind. 319, 130 N. E. 796, 797; *United States v. Sweet Valley Wine Co.* (D. C.) 208 F. 85, 87. A vinous liquor, *Peretto v. State*, 31 Okl. Cr. 319, 238 P. 870, containing more than 1 per cent. of alcohol, *People v. Mueller*, 168 Cal. 526, 143 P. 750, 751. Sometimes loosely used as to unfermented juice of the grape or any fruit used as a beverage. *State v. Rosasco*, 103 Or. 343, 205 P. 290, 295. But see *State v. Dennison*, 85 W. Va. 261, 101 S. E. 458, 460.

**WINTER.** A period of three months, whether reckoned astronomically from the winter solstice, on December 21, to the vernal equinox, on March 21, or according to the conventional method used in the United States as including December, January, and February. *Saarela v. Hoglund*, 198 Ill. App. 485, 487. In a popular sense, the cold months. *Whitney v. Aronson*, 130 P. 700, 21 Cal. App. 9.

**WINTER CIRCUIT.** An occasional circuit appointed for the trial of prisoners, in England, and in some cases of civil causes, between Michaelmas and Hilary terms.

**WINTER HEYNING.** The season between 11th November and 23d April, which is excepted from the liberty of commoning in certain forests. St. 23 Car. II. c. 3.

**WISBY, LAWS OF.** The name given to a code of maritime laws promulgated at Wisby, then the capital of Gothland, in Sweden, in the latter part of the thirteenth century. This compilation resembled the laws of Oleron in many respects, and was early adopted, as a system of sea laws, by the commercial nations of Northern Europe. It formed the foundation for the subsequent code of the Hanseatic League. A translation of the Laws of Wisby may be seen in the appendix to 1 Pet. Adm. And see 3 Kent, Comm. 13. They are also printed in 30 Fed. Cas. 1189.

**WISH.** Eager desire; longing; expression of desire; a thing desired; an object of desire. *Noice v. Schnell*, 101 N. J. Eq. 252, 137 A. 582, 589, 52 A. L. R. 965. As used in wills, it is sometimes merely directory or precatory; *Colonial Trust Co. v. Brown*, 105 Conn. 261, 135 A. 555, 563; *Schill v. Schill*, 101 N. J. Eq. 482, 138 A. 530, 531; and sometimes mandatory; *Strout v. Strout*, 117 Me. 357, 104 A. 577, 578; being equivalent to "will," *Tzeses v. Tenez Const. Co.*, 97 N. J. Eq. 501, 128 A. 388, or to "give" or "devise," *Brown v. Brown*, 180 N. C. 433, 104 S. E. 889, 890.

**WISTA.** In Saxon law. Half a hide of land, or sixty acres.

**WIT.** To know; to learn; to be informed. Used only in the infinitive, *to wit*, which term is equivalent to "that is to say," "namely," or "*videlicet*."

**WITAM.** The purgation from an offense by the oath of the requisite number of witnesses.

**WITAN.** In Saxon law. Wise men; persons of information, especially in the laws; the king's advisers; members of the king's council; the optimates, or principal men of the kingdom. 1 Spence, Eq. Jur. 11, note.

**WITCHCRAFT.** Under Sts. 33 Hen. VIII. c. 8, and 1 Jac. I. c. 12, the offense of witchcraft, or supposed intercourse with evil spirits, was punishable with death. These acts were not repealed till 1736. 4 Bl. Comm. 60, 61. In Salem, in 1692, 20 persons were put to death by hanging. The last victims in England were executed in 1716, and the last in Scotland in 1722. 29 Encyc. Americana, 430, 431; 1 Beard, Rise of Amer. Civilization, 150.

**WITE.** Sax. A punishment, pain, penalty, mulct, or criminal fine. Cowell.

An atonement among the early Germans by a wrong-doer to the king or the community. It is said to be the germ of the idea that wrong is not simply the affair of the injured individual, and is therefore a condition precedent to the growth of a criminal law. 2 Holdsw. Hist. E. L. 37. See 1 Sel. Essays, Anglo-Amer. L. H. 100.

**WITEKDEN.** A taxation of the West Saxons, imposed by the public council of the kingdom.

**WITENA DOM.** In Saxon law. The judgment of the county court, or other court of competent jurisdiction, on the title to property, real or personal. 1 Spence, Eq. Jur. 22.

**WITENAGEMOTE.** (Spelled, also, *witenagemot*, *wittenagemot*, *witanagemote*, etc.) "The assembly of wise men." This was the great national council or parliament of the Saxons in England, comprising the noblemen, high ecclesiastics, and other great thanes of the kingdom, advising and aiding the king in the general administration of government.

It was the grand council of the kingdom, and was held, generally, in the open air, by public notice or particular summons, in or near some city or populous town. These notices or summonses were issued upon determination by the king's select council, or the body met without notice, when the throne was vacant, to elect a new king. Subsequently to the Norman Conquest it was called *commune concilium regni*, *curia regis* and finally *parliament*; but its character had become considerably changed. It was a court of last resort, more especially for determining disputes between the king and his thanes, and, ultimately, from all inferior tribunals. Great offenders, particularly those who were members of or might be summoned to the king's court,

were here tried. The casual loss of title-deeds was supplied, and a very extensive equity jurisdiction exercised. 1 Spence, Eq. Jur. 73; 1 Bl. Comm. 147; 1 Reeve, Hist. Eng. Law 7; 9 Co. Pref. It passed out of existence with the Norman Conquest, and the subsequent Parliament was a separate growth, and not a continuation of the Witenagemot. 29 Encyc. Americana, 432.

**WITENS.** The chiefs of the Saxon lords or thanes, their nobles, and wise men.

**WITH.** A word denoting association or connection. Van Meter v. Goldfare, 236 Ill. App. 126, 134. Sometimes equivalent to the words, "in addition to," but not synonymous with "including," as in a complaint demanding a specified sum, "with interest." Halpern v. Langrock Bros. Co., 169 App. Div. 464, 155 N. Y. S. 167, 168.

**WITH ALL FAULTS.** This phrase, used in a contract of sale, implies that the purchaser assumes the risk of all defects and imperfections, provided they do not destroy the identity of the thing sold.

**WITH STRONG HAND.** In pleading. A technical phrase indispensable in describing a forcible entry in an indictment. No other word or circumlocution will answer the same purpose. Rex v. Wilson, 8 Term R. 357.

**WITHDRAW.** To take away what has been enjoyed; to take from. Central R. & B. Co. v. State, 54 Ga. 409. To remove. Hamilton v. Kentucky Distilleries & Warehouse Co. (C. C. A.) 288 F. 326, 327.

**WITHDRAWAL.** The withdrawal of charges is a failure to prosecute by the person preferring them;—distinguished from a dismissal, which is a determination of their invalidity by the tribunal hearing them. Butler v. McSweeney, 222 Mass. 5, 109 N. E. 653, 655.

**WITHDRAWING A JUROR.** In practice. The withdrawing of one of the twelve jurors from the box, with the result that, the jury being now found to be incomplete, no further proceedings can be had in the cause. The withdrawing of a juror is always by the agreement of the parties, and is frequently done at the recommendation of the judge, where it is doubtful whether the action will lie; and in such case the consequence is that each party pays his own costs (in Pennsylvania it is held that the costs abide the event of the suit). It is, however, no bar to a future action for the same cause. 2 Tidd, Pr. 861, 862; 1 Archb. Pr. K. B. 196; Wabash R. Co. v. McCormick, 23 Ind. App. 258, 55 N. E. 251; People v. Judges of New York, 8 Cow. (N. Y.) 127; Glendenning v. Canary, 64 N. Y. 636; Wolcott v. Studebaker (C. C.) 34 F. 8; 3 Term 657; 1 Cr. M. & R. 64; Tr. & H. Pr. § 689; Ry. & M. 402; 3 B. & Ad. 349; 3 Chitty, Pr. 917. In American practice, it is usually a mere method of continuing a case, for some good reason. The cases are collected in a note in 48 L. R. A. 432.

**WITHDRAWING RECORD.** In practice. The withdrawing by a plaintiff of the *nisi prius* or trial record filed in a cause, just before the trial is entered upon, for the purpose of preventing the cause from being tried. This may be done before the jury are sworn, and afterwards, by consent of the defendant's counsel. 2 Tidd, Pr. 351; 1 Archb. Pr. K. B. 189; 3 Chit. Pr. 870; 2 C. & P. 185; 3 Camp. 333.

**WITHERNAM.** In practice. A taking by way of reprisal; a taking or a reprisal of other goods, in lieu of those that were formerly taken and eloigned or withheld. 2 Inst. 141. A reciprocal distress, in lieu of a previous one which has been eloigned. 3 Bl. Comm. 148.

The name of a writ which issues on the return of *elongata* to an alias or pluries writ of replevin, by which the sheriff is commanded to take the defendant's own goods which may be found in his bailiwick, and keep them safely, not to deliver them to the plaintiff until such time as the defendant chooses to submit himself and allow the distress, and the whole of it to be replevied; and he is thereby further commanded that he do return to the court in what manner he shall have executed the writ. Hamm. N. P. 453; 2 Inst. 140; Fitzh. N. B. 68, 69.

**WITHERSAKE.** An apostate, or perfidious renegade. Cowell.

**WITHHOLD.** To retain in one's possession that which belongs to or is claimed or sought by another. Fitzpatrick v. Garver, 253 Mo. 189, 161 S. W. 714, 715. To omit to disclose upon request; as, to withhold information. State v. Sharp, 121 Minn. 381, 141 N. W. 526, 527, 528. To withhold commissions implies a temporary suspension rather than a total and final denial or rejection of the same. U. S. v. Dumas, 149 U. S. 278, 13 S. Ct. 872, 37 L. Ed. 734.

Withholding the means of support means something more than failure to support or nonsupport. It presupposes the existence or the ability to obtain the means of support by the accused, and need by the alleged dependent or dependents from whom support is withheld. That which has no existence, actual or potential, cannot be withheld; neither can that be withheld which is already possessed. Stedman v. State, 30 Fla. 547, 86 So. 428, 430.

**WITHIN.** Into. State v. Warburton, 97 Wash. 242, 166 P. 615, 617.

Through. Mississippi Cent. R. Co. v. Pace, 109 Miss. 667, 68 So. 926, 927.

On. Thus, under a policy insuring against accidents by being accidentally thrown from within a vehicle, where the insured is on a log cart loaded with logs, he is "within" the vehicle. Continental Life Ins. Co. v. Wilson, 36 Ga. App. 540, 137 S. E. 403.

Inside the limits of. Sacks v. Legg, 219 Ill. App. 144, 148; Ex parte Watson, 82 W. Va. 201, 95 S. E. 648.

A statute providing that nothing in the act should be construed as affecting the powers of municipalities to regulate motor vehicles which are used "within their limits" for public hire, means vehicles doing business between points within the municipalities themselves, and does not include vehicles carrying passengers exclusively to or from points without the municipalities. City of Argenta v. Keath, 130 Ark. 334, 197 S. W. 636, 687, L. R. A. 1918B, 388. Compare Converse v. Northern Pac. Ry. Co. (C. C. A.) 2 F.(2d) 959, 960.

When used in statutes and contracts with reference to the time for performing some act, as in the phrase "within ten days," and in similar expressions, the word "within" may be variously understood. It may mean in; during; inside of. State v. Justice Court of Silver Bow Tp., Silver Bow County, 80 Mont. 53, 257 P. 1034, 1036; State v. Risjord, 183 Wis. 553, 198 N. W. 273, 274; Gallup & Co. v. Rozier, 172 N. C. 283, 90 S. E. 209, 212. See, also, McDougald v. Incorporated Town of Broken Bow, 71 Okl. 231, 176 P. 959, 961. On the other hand, it may mean not beyond; not later than; prior to. Levert v. Read, 54 Ala. 529, 531; In re Cliff Improvement, 122 Wash. 335, 210 P. 676, 677; Live Oak Lumber Co. v. Farr, 28 Cal. App. 641, 153 P. 741, 742. See, also, Royal Grocery Co. v. Oliver, 57 Cal. App. 278, 207 P. 61, 62, with which compare State v. Howell, 77 Wash. 651, 138 P. 286, 287. It may be used in the sense of at the end of. Adams v. Cumiskey, 4 Cush. (Mass.) 420; *contra*, Dorr v. Bankers' Surety Co. (Mo. App.) 218 S. W. 398, 400.

The use of the word "within" as a limit of time, or degree, or space, embraces the last day, or degree, or entire distance, covered by the limit fixed. Rice v. J. H. Beavers & Co., 196 Ala. 355, 71 So. 659; Ardery v. Dunn, 181 Ind. 225, 104 N. E. 299, 300; Laws N. Y. 1910, c. 347.

**WITHOUT.** Outside; beyond. Welton v. Missouri, 91 U. S. 277, 23 L. Ed. 347; Ainslie v. Martin, 9 Mass. 456; Collins v. Morgan (C. C. A.) 243 F. 495, 498. In excess of. Milwaukee Western Fuel Co. v. Industrial Commission of Wisconsin, 159 Wis. 635, 150 N. W. 998, 999.

**WITHOUT DAY.** A term used to signify that an adjournment or continuance is indefinite or final, or that no subsequent time is fixed for another meeting, or for further proceedings. See Sine Die.

**WITHOUT DELAY.** Instantly; at once. Rathbun v. Globe Indemnity Co., 107 Neb. 18, 184 N. W. 903, 908, 24 A. L. R. 191. Also, within the time allowed by law. See State v. Dolan (Mo. App.) 216 S. W. 334.

**WITHOUT HER CONSENT.** This phrase, as used in the law of rape, is equivalent to "against the will," and signifies the manifestation of the utmost reluctance and greatest resistance on the woman's part. State v. Catron, 317 Mo. 894, 296 S. W. 141, 143.

**WITHOUT IMPEACHMENT OF WASTE.**

The effect of the insertion of this clause in a lease for life is to give the tenant the right to cut timber on the estate, without making himself thereby liable to an action for waste. When a tenant for life holds the land without impeachment of waste, he is, of course, dispunishable for waste, whether wilful or otherwise. But still this right must not be wantonly abused so as to destroy the estate; and he will be enjoined from committing malicious waste. *Bac. Abr. Waste (N)*; 2 *Eq. Cas. Abr. Waste (A, pl. S)*. And see *Derham v. Hovey*, 195 *Mich.* 243, 161 *N. W.* 883, 884, 21 *A. L. R.* 999.

**WITHOUT JUSTIFICATION.** In a statute punishing any parent who willfully or without justification deserts a child under 16 years of age in destitute or necessitous circumstances, the term "without justification" is equivalent to "willfully." *Ex parte Strong*, 95 *Tex. Cr. R.* 250, 252 *S. W.* 767, 769.

**WITHOUT NOTICE.** As used of purchasers, etc., equivalent to "in good faith." *Hunt v. Gragg*, 19 *N. M.* 450, 145 *P.* 136, 138.

**WITHOUT PREJUDICE.** Where an offer or admission is made "without prejudice," or a motion is denied or a suit dismissed "without prejudice," it is meant as a declaration that no rights or privileges of the party concerned are to be considered as thereby waived or lost except in so far as may be expressly conceded or decided. See *Genet v. Delaware & H. Canal Co.*, 170 *N. Y.* 278, 63 *N. E.* 350; *O'Keefe v. Irvington Real Estate Co.*, 87 *Md.* 196, 39 *Atl.* 428; *Ray v. Adden*, 50 *N. H.* 84, 9 *Am. Rep.* 175; *Seamster v. Blackstock*, 83 *Va.* 232, 2 *S. E.* 36, 5 *Am. St. Rep.* 262; *Taylor v. Slater*, 21 *R. I.* 104, 41 *Atl.* 1001; *Kempton v. Burgess*, 136 *Mass.* 192; *Olson v. Coalfield School Dist. No. 16 of Divide County*, 54 *N. D.* 657, 210 *N. W.* 180, 181. See, also, *In re Hand*, 266 *Pa.* 277, 109 *A.* 692, 694; *Hinton v. Bogart*, 79 *Misc.* 418, 140 *N. Y. S.* 111, 113. A dismissal "without prejudice" allows a new suit to be brought on the same cause of action. *Freidenbloom v. McAfee* (*Tex. Civ. App.*) 167 *S. W.* 28; *W. T. Raleigh Co. v. Barnes*, 143 *Miss.* 597, 109 *So.* 8, 9; *Merrill v. Merrill*, 95 *N. J. Eq.* 398, 123 *A.* 613, 614; *McIntyre v. McIntyre*, 205 *Mich.* 496, 171 *N. W.* 398, 394.

**WITHOUT RECOURSE.** This phrase, used in making a qualified indorsement of a negotiable instrument, signifies that the indorser means to save himself from liability to subsequent holders, and is a notification that, if payment is refused by the parties primarily liable, recourse cannot be had to him. See *Thompson v. First State Bank*, 102 *Ga.* 696, 29 *S. E.* 610; *Epler v. Funk*, 8 *Pa.* 468; *Youngberg v. Nelson*, 51 *Minn.* 172, 53 *N. W.* 629, 38 *Am. St. Rep.* 497; *Bankhead v. Owen*, 60 *Ala.* 461; *National City Bank of St. Louis,*

*Mo., v. Taylor* (*Tex. Civ. App.*) 293 *S. W.* 613, 618; *Binswanger v. Hewitt*, 79 *Misc.* 425, 140 *N. Y. S.* 143, 145. See, also (as to a deed), *Robinson v. Boynton Coal Co.*, 58 *Pa. Super. Ct.* 176, 179. An indorser "without recourse" specially declines to assume any responsibility for payment. *Arthur v. Rosier*, 217 *Mo. App.* 382, 266 *S. W.* 737, 738. He assumes no contractual liability by virtue of the indorsement itself, *Kaill v. Bell*, 88 *Kan.* 666, 129 *P.* 1135, 1136, and becomes a mere assignor of the title to the paper, *Cameron v. Ham*, 23 *Ohio App.* 359, 155 *N. E.* 655, 656, but such an indorsement does not indicate that the indorsee takes with notice of defects, or that he does not take on credit of the other parties to the note, *Robertson v. American Inv. Co.*, 170 *Ark.* 413, 279 *S. W.* 1008, 1010.

**WITHOUT RESERVE.** A term applied to a sale by auction, indicating that no price is reserved.

**WITHOUT STINT.** Without limit; without any specified number.

**WITHOUT THE STATE.** This phrase, in a statute providing that in computing limitations, the time during which the defendant shall be without the state shall be excluded, has no relation to mere temporary absence from domicile or residence in the state. *Clegg v. Bishop*, 105 *Conn.* 564, 136 *A.* 102, 104.

**WITHOUT THIS, THAT.** In pleading. Formal words used in pleadings by way of *traverse*, particularly by way of *special traverse*, (*q. v.*), importing an express denial of some matter of fact alleged in a previous pleading, including the declaration, plea, replication, etc. *Steph. Pl.* 168, 169, 179, 180. The Latin term is *absque hoc*. *Com. Dig. Pleader (G 1)*; 1 *Chitty, Pl.* 576, note *a*.

**WITNESS, v.** To subscribe one's name to a deed, will, or other document, for the purpose of attesting its authenticity, and proving its execution, if required, by bearing witness thereto.

**WITNESS, n.** In the primary sense of the word, a person who has knowledge of an event. As the most direct mode of acquiring knowledge of an event is by seeing it, "witness" has acquired the sense of a person who is present at and observes a transaction. *Sweet*. See *State v. Desforges*, 47 *La. Ann.* 1167, 17 *South.* 811; *In re Losee's Will*, 13 *Misc.* 298, 34 *N. Y. Supp.* 1120; *Bliss v. Shuman*, 47 *Me.* 248.

A person whose declaration under oath (or affirmation) is received as evidence for any purpose, whether such declaration be made on oral examination or by deposition or affidavit. *Code Civ. Proc. Cal.* § 1878.

One who is called upon to be present at a transaction, as a wedding, or the making of a will, that he may thereafter, if necessary, testify to the transaction.

## In Conveyancing

One who sees the execution of an instrument, and subscribes it, for the purpose of confirming its authenticity by his testimony.

## In General

—**Adverse witness.** A witness whose mind discloses a bias hostile to the party examining him. *Brown*; *Greenough v. Eccles*, 5 C. B. (N. S.) 801.

—**Attesting witness.** See *Attestation*.

—**Competent witness.** See *Competent*.

—**Credible witness.** See *Credible*.

—**Prosecuting witness.** See that title.

—**Subscribing witness.** See that title.

—**Swift witness.** See that title.

—**Witness to will.** One who has attested the will by subscribing his name thereto. In *re Johnson's Will*, 175 Wis. 1, 183 N. W. 888, 889.

**WITNESSING PART**, in a deed or other formal instrument, is that part which comes after the recitals, or, where there are no recitals, after the parties. It usually commences with a reference to the agreement or intention to be effectuated, then states or refers to the consideration, and concludes with the operative words and parcels, if any. Where a deed effectuates two distinct objects, there are two witnessing parts. 1 *Dav. Prec. Con.* 63, et seq.; *Sweet*.

**WITTINGLY** means with knowledge and by design, excluding only cases which are the result of accident or forgetfulness, and including cases where one does an unlawful act through an erroneous belief of his right. *Osborne v. Warren*, 44 Conn. 357.

**WITWORD.** A legally allowed claim, more especially the right to vindicate ownership or possession by one's affirmation under oath. *Vinogradoff*, *Engl. Soc.* in 11th Cent. 9.

**WOLD.** Sax. In England. A down or champaign ground, hilly and void of wood. *Cowell*; *Blount*.

**WOLF'S HEAD.** In old English law. This term was used as descriptive of the condition of an outlaw. Such persons were said to carry a wolf's head, (*caput lupinum*;) for if caught alive they were to be brought to the king, and if they defended themselves they might be slain and their heads carried to the king, for they were no more to be accounted of than wolves. *Termes de la Ley*, "Woolferthod."

**WOMEN.** All the females of the human species. All such females who have arrived at the age of puberty. *Dig.* 50, 16, 13.

**WONG.** Sax. In old records. A field. *Spelman*; *Cowell*.

**WOOD.** The tough, hard substance of all trees and shrubs. It includes not only the hard fiber bundles of trees and shrubs in general, but also the tougher fibrous components of some herbaceous plants. It is a very broad term and includes not only material obtained from exogenous plants, but also like substances obtained from palms, from bamboo (which is a giant grass), and from some ferns (which are herbaceous plants). *Steinhardt & Bro. v. U. S.*, 9 Ct. Cust. App. 62, 63.

**WOOD-CORN.** In old records. A certain quantity of oats or other grain, paid by customary tenants to the lord, for liberty to pick up dead or broken wood. *Cowell*.

**WOOD-GELD.** In old English law. Money paid for the liberty of taking wood in a forest. *Cowell*.

Immunity from such payment. *Spelman*.

**WOOD LEAVE.** A license or right to cut down, remove, and use standing timber on a given estate or tract of land. *Osborne v. O'Reilly*, 42 N. J. Eq. 467, 9 Atl. 209.

**WOOD-MOTE.** In forest law. The old name of the court of attachments; otherwise called the "Forty-Days Court." *Cowell*; 3 *Bl. Comm.* 71.

**WOOD PLEA COURT.** A court held twice in the year in the forest of Clun, in Shropshire, for determining all matters of wood and agistments. *Cowell*.

**WOOD-STREET COMPTER.** The name of an old prison in London.

**WOODS.** A forest; land covered with a large and thick collection of natural forest trees. The old books say that a grant of "all his woods" (*omnes boscos suos*) will pass the land, as well as the trees growing upon it. *Co. Litt.* 4b. See *Averitt v. Murrell*, 49 N. C. 323; *Hall v. Cranford*, 50 N. C. 3; *Achenbach v. Johnston*, 84 N. C. 264.

**WOODSRIDER.** This term has been applied to an overseer of work in the woods for a private turpentine operator. *Griffith v. Hulion*, 90 Fla. 582, 107 So. 354, 355.

**WOODWARDS.** Officers of the forest, whose duty consists in looking after the wood and vert and venison, and preventing offenses relating to the same. *Manw.* 189.

**WOODWORK.** Objects made of wood and things produced by the carpenter or joiner's art. *Smith v. National Fire Ins. Co.*, 175 N. C. 314, 95 S. E. 562, 564.

**WOODWORKER.** A worker in wood, as a carpenter, joiner, or cabinetmaker. *Smith v. National Fire Ins. Co.*, 175 N. C. 314, 95 S. E. 562, 564.

**WOOL-SACK.** The seat of the lord chancellor of England in the house of lords, being a large square bag of wool, without back or

arms, covered with red cloth. Webster; Brande.

**WORDS.** As used in law, this term generally signifies the technical terms and phrases appropriate to particular instruments, or aptly fitted to the expression of a particular intention in legal instruments. See the subtitles following.

**WORDS OF ART.** The vocabulary or terminology of a particular art or science, and especially those expressions which are idiomatic or peculiar to it. See *Cargill v. Thompson*, 57 Minn. 534, 59 N. W. 638.

**WORDS OF LIMITATION.** See Limitation.

**WORDS OF PROCREATION.** To create an estate tail by deed, it is necessary that words of procreation should be used in order to confine the estate to the descendants of the first grantee, as in the usual form of limitation,—“to A. and the heirs of his body.” Sweet.

**WORDS OF PURCHASE.** See Purchase.

**WORK.** Any form of physical or mental exertions, or both combined, for the attainment of some object other than recreation or amusement. *Republic Tool & Mfg. Co. v. Lenarz*, 17 Ohio App. 500, 501, 502.

**WORK AND LABOR.** The name of one of the common counts in actions of *assumpsit*, being for work and labor done and materials furnished by the plaintiff for the defendant.

**WORK-BEAST, or WORK-HORSE.** These terms mean an animal of the horse kind, which can be rendered fit for service, as well as one of maturer age and in actual use. *Winfrey v. Zimmerman*, 8 Bush (Ky.) 587.

**WORK FLOATS.** “Work floats,” used to recover sunken logs, are rafts made of logs with boards nailed across on which men stand to work. *Ledoux v. Joncas*, 163 Minn. 498, 204 N. W. 635, 636.

**WORK-HOUSE.** A place where convicts (or paupers) are confined and kept at labor.

**WORKING DAYS.**

#### In Maritime Law

Running or calendar days on which law permits work to be done, excluding Sundays and legal holidays. *Sherwood v. American Sugar Refining Co.* (C. C. A.) 8 F.(2d) 586, 588; *The Olaf* (D. C.) 248 F. 807, 809.

#### Under Construction Contracts

The term “working days” may exclude not only Sundays and holidays, but also days upon which no work can be done because of weather conditions. *Christopher & Simpson Architectural Iron & Foundry Co. v. E. A. Steininger Const. Co.*, 200 Mo. App. 33, 205 S. W. 278, 283; *F. J. Mumm Contracting Co. v. Village of Kenmore*, 104 Misc. 268, 171 N. Y. S. 673.

**WORKMAN.** One who labors; one employed to do business for another; one engaged in some form of manual labor, whether skilled or unskilled. *Harris v. City of Baltimore*, 151 Md. 11, 133 A. 888, 889; *Europe v. Addison Amusements*, 231 N. Y. 105, 131 N. E. 750.

A “workman,” in the broad sense, is one who works in any department of physical or mental labor, but in common speech is one who is employed in manual labor, such as an artificer, mechanic, or artisan; while an “employé” in a broad sense is one who receives salary, wages, or other compensation from another, but the term is usually applied to clerks, laborers, etc., and not to the higher officers of a corporation. *Bowne v. S. W. Bowne Co.*, 221 N. Y. 28, 116 N. E. 364, 365.

#### Under Workmen's Compensation Acts

The term “workman” in the Workmen's Compensation Act means, as the act states, one who engages to furnish services subject to the control of an employer, and the relation necessary to constitute one an employer and another a workman under the act is the relation of master and servant originating in a contract for personal services, subject to complete control of the details of the work and the mode of its performance. *Landberg v. State Industrial Accident Commission*, 107 Or. 498, 215 P. 594, 596.

#### WORKMEN'S COMPENSATION ACTS.

Laws passed in most of the states of the Union which provide for fixed awards to employees or their dependents in case of industrial accidents and dispense with proof of negligence and legal actions. Some of the acts go beyond the simple determination of the right to compensation, and provide insurance systems, either under state supervision or otherwise.

Under the acts, methods are usually prescribed for the expression by employers and workmen of their preference as to the acceptance or rejection of the compensation system. This ranges from each workman filing a written rejection to a presumed acceptance in the absence of formal rejection.

Under the elective system in most of the states, it is made an inducement, that where employers refuse to come within the provisions of the compensation law, the customary defenses to actions for injuries shall not be allowed them.

**WORKS.** Sometimes, a mill, factory, or other establishment for performing industrial labor of any sort (*South St. Joseph Land Co. v. Pitt*, 114 Mo. 135, 21 S. W. 449); also, a building, structure, or erection of any kind upon land, as in the civil-law phrase “new works.”

#### New Works

A term of the civil law comprehending every sort of edifice or other structure which is newly commenced on a given estate or lot. Its importance lies chiefly in the fact that a

remedy is given ("denunciation of new works") to an adjacent proprietor whose property would be injured or subjected to a more onerous servitude if such a work were allowed to proceed to completion.

#### Public Works

Works, whether of construction or adaptation, undertaken and carried out by the national, state, or municipal authorities, and designed to subservise some purpose of public necessity, use, or convenience; such as public buildings, roads, aqueducts, parks, etc. See *Ellis v. Common Council*, 123 Mich. 567, 82 N. W. 244; *Winters v. Duluth*, 82 Minn. 127, 84 N. W. 788; *Clough v. City of Colorado Springs*, 70 Colo. 87, 197 P. 896; *Johnston v. City of Hartford*, 96 Conn. 142, 113 A. 273, 274; *American Tobacco Co. v. Missouri Pac. Ry. Co.*, 247 Mo. 374, 157 S. W. 502, 552; *Chatanooga & Tennessee River Power Co. v. U. S. (C. C. A.)* 209 F. 28, 29. All fixed works constructed for public use. *State v. A. H. Read Co.*, 33 Wyo. 387, 240 P. 208, 211. The term usually relates to the construction of public improvements and not to their maintenance or operation. *State v. Peters*, 112 Ohio St. 249, 147 N. E. 81, 83. It is not so uncertain as to invalidate a statute providing that in the employment of mechanics and laborers in the construction of public works, preference shall be given to citizens. *Lee v. City of Lynn*, 223 Mass. 109, 111 N. E. 700, 701.

**WORKSHOP.** Under the Workmen's Compensation Act (Rem. Code Wash. 1915, §§ 6604—2, 6604—3), Rem. Rev. Stat. §§ 7674, 7675, a room or place wherein power-driven machinery is employed and manual labor is exercised by way of trade for gain or otherwise. *Remsnider v. Union Savings & Trust Co.*, 89 Wash. 87, 154 P. 135, 136, Ann. Cas. 1917D, 40.

**WORLD.** This term sometimes denotes all persons whatsoever who may have, claim, or acquire an interest in the subject-matter; as in saying that a judgment *in rem* binds "all the world."

**WORLDLY.** Of or pertaining to the world or the present state of existence; temporal; earthly; devoted to, interested in, or connected with this present life, and its cares, advantages, or pleasures, to the exclusion of those of a future life. *Anderson v. Gibson*, 116 Ohio St. 684, 157 N. E. 377, 379, 54 A. L. R. 92. Concerned with enjoyment of this present existence; secular; not religious, spiritual, or holy. *Commonwealth v. American Baseball Club of Philadelphia*, 290 Pa. 136, 138 A. 497, 499, 53 A. L. R. 1027.

**WORLDLY EMPLOYMENT OR BUSINESS,** which, on Sunday, is prohibited by statutes in some states, includes the operation of a motion picture show under the New Jersey Vice and Immorality Act, § 1 (4 Comp. St. 1910, p. 5712), *Rosenberg v. Arrowsmith*, 82

N. J. Eq. 570, 89 A. 524, 525, and one who does this habitually is guilty of keeping a disorderly house. *State v. Rosenberg (N. J. Sup.)* 115 A. 203. The words also include, in Delaware, under Rev. Code 1915, § 4784, the playing of football on Sunday, knowing that tickets of admission were being offered for sale and sold to the public, *Walsh v. State (Del. Super.)* 136 A. 160, 163, and, in Pennsylvania, professional baseball, *Commonwealth v. American Baseball Club of Philadelphia*, 200 Pa. 136, 138 A. 497, 499, 53 A. L. R. 1027. But in the latter state it has been thought, at least by the lower courts, that notwithstanding Act April 22, 1794 (3 Smith's Laws, p. 177), § 1 (18 PS § 1991) one may lawfully purchase a cigar on Sunday. *Commonwealth v. Hoover*, 25 Pa. Super. Ct. 133, 134.

**WORSHIP.** The act of offering honor and adoration to the Divine Being. Religious exercises participated in by a number of persons assembled for that purpose, the disturbance of which is a statutory offense in many states. See *Hamsher v. Hamsher*, 132 Ill. 273, 22 N. E. 1123, 8 L. R. A. 556; *State v. District Board*, 76 Wis. 177, 44 N. W. 967, 7 L. R. A. 330, 20 Am. St. Rep. 41; *State v. Buswell*, 40 Neb. 158, 58 N. W. 723, 24 L. R. A. 68; *State v. Norris*, 59 N. H. 536; *Woodall v. State*, 4 Ga. App. 783, 62 S. E. 485.

#### In English Law

A title of honor or dignity used in addresses to certain magistrates and other persons of rank or office. Co. 2d Inst. 666; Bacon, Abr. *Misnomer* (A 2).

#### Public Worship

This term may mean the worship of God, conducted and observed under public authority; or it may mean worship in an open or public place, without privacy or concealment; or it may mean the performance of religious exercises, under a provision for an equal right in the whole public to participate in its benefits; or it may be used in contradistinction to worship in the family or the closet. In this country, what is called "public worship" is commonly 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. A church absolutely belonging to the public, and in which all persons without restriction have equal rights, such as the public enjoy in highways or public landings, is certainly a very rare institution. *Attorney General v. Merrimack Mfg. Co.*, 14 Gray (Mass.) 586.

**WORSTED.** Primarily and popularly, a yarn or fabric made wholly of wool. *Federal Trade Commission v. Winsted Hosiery Co.*, 258 U. S. 483, 42 S. Ct. 384, 385, 66 L. Ed. 729.

**WORT.** Mash; wash; specifically, the mash after the malt, or other active ingredient, has been added, either before or during fermentation. *Pack v. State*, 116 Or. 416, 241 P. 390, 392.

"Mash" means crushed malt, meal, rye, wheat, or corn, etc., steeped and stirred in hot water to form "wort," a liquid in incipient fermentation, and "wash," a fermented wort ready for distillation, or from which the spirit is distilled. *Neal v. State*, 154 Ark. 324, 242 S. W. 578, 579.

**WORT or WORTH.** A curtilage or country farm.

**WORTH.** The quality of a thing which gives it value. *McLane v. Pittsburg Rys. Co.*, 230 Pa. 29, 79 A. 237, 238. Although "worth" in some connections may mean more than pecuniary value, in law it means that sum of valuable qualities which renders a thing valuable and useful expressed in the current medium of the country; value. *Duke v. City of Anniston*, 5 Ala. App. 348, 60 So. 447.

**WORTHIEST OF BLOOD.** In the English law of descent. A term applied to males, expressive of the preference given to them over females. See 2 Bl. Comm. 234-240. See some singular reasons given for this in *Plowd.* 305.

**WORTHING OF LAND.** A certain quantity of land so called in the manor of Kingsland, in Hereford. The tenants are called "worthies." *Wharton*.

**WORTHLESS.** A word of relative, not absolute, signification, *Colburn v. United States* (C. C. A.) 223 F. 590, 593, practically synonymous with "valueless," *Central of Georgia Ry. Co. v. Cooper*, 14 Ga. App. 738, 82 S. E. 310, 311.

**WOULD.** A word sometimes expressing what might be expected. *Taylor v. Metropolitan St. Ry. Co.*, 256 Mo. 191, 165 S. W. 327, 331. Often interchangeable with the word "should," *Barnett v. Savannah Electric Co.*, 15 Ga. App. 270, 82 S. E. 910, 911, but not with "could," *Gehrig v. Chicago, & A. R. Co.*, 201 Ill. App. 287, 293.

**WOUND.** In medical usage, a solution of the natural continuity of any of the tissues of the body, *Taylor, Med. Jurispr.*, including bruises, fractures, and the like, *Robinson v. Masonic Protective Ass'n*, 87 Vt. 138, 88 A. 531, 47 L. R. A. (N. S.) 924.

In criminal cases, especially under statutes (such as 9 Geo. IV. c. 21, § 12), an injury to the person by which the skin is broken. *State v. Henggeler*, 312 Mo. 15, 278 S. W. 743, 746; *State v. Leonard*, 22 Mo. 451; *Moriarty v. Brooks*, 6 Car. & P. 684; *State v. Foster*, 156 La. 891, 101 So. 255, 257. It must include a complete parting or solution of the external or internal skin. *State v. Coontz*, 94 W. Va. 59, 117 S. E. 701, 703.

Under other statutes, a "wound" does not necessarily import a breaking of the skin, but includes injuries of every kind which affect the body, whether they are cuts, lacerations, fractures, or bruises. *State v. Hammerll* (Kan. Sup.) 58 P. 559; *Gatlin v. State*, 18 Ga. App. 9, 89 S. E. 345. Also, any lesion of the body, *Robinson v. Masonic Protective Ass'n*, 87 Vt. 138, 88 A. 531, 47 L. R. A. (N. S.) 924, a "lesion" being a hurt, loss, or injury, *People v. Durrand*, 307 Ill. 611, 139 N. E. 78, 83.

"In legal medicine, the term 'wound' is used in a much more comprehensive sense than in surgery. In the latter, it means strictly a solution of continuity; in the former, injuries of every description that affect either the hard or the soft parts; and accordingly under it are comprehended bruises, contusions, fractures, luxations," etc. 2 Beck. Med. Jur. 106.

**WOUNDING.** An aggravated species of assault and battery, consisting in one person giving another some dangerous hurt. 3 Bl. Comm. 121.

*Wreccum maris significat illa bona quæ naufragio ad terram pelluntur.* A wreck of the sea signifies those goods which are driven to shore from a shipwreck.

**WRECK, v.** To destroy, disable, or seriously damage. *Aurnhammer v. Brotherhood Acc. Co.*, 250 Mass. 563, 146 N. E. 47, 48.

**WRECK, n.**

#### At Common Law

Such goods as after a shipwreck are cast upon the land by the sea, and, as lying within the territory of some county, do not belong to the jurisdiction of the admiralty, but to the common law. 2 Inst. 167; 1 Bl. Comm. 290.

Goods found at low water, between high and low water mark, and goods between the same limits partly resting on the ground, but still moved by the water, are wreck. 3 Hagg. Adm. 257, 294.

Goods cast ashore from a wrecked vessel, where no living creature has escaped from the wreck alive; and which are forfeited to the crown, or to persons having the franchise of wreck. *Cowell*. But if claimed by the true owner within a year and a day the goods, or their proceeds, must be restored to him, by virtue of stat. *Westm. I.*, 3 *Edw. I.* c. 4.

#### In American Law

Goods cast ashore by the sea, and not claimed by the owner within a year, or other specified period; which, in such case, become the property of the state. 2 *Kent, Comm.* 322. See, also, *Proctor v. Adams*, 113 *Mass.* 376, 18 *Am. Rep.* 500; *Barker v. Bates*, 13 *Pick. (Mass.)* 255, 23 *Am. Dec.* 678. The term applies to property cast upon land by the sea; *Baker v. Hoag*, 7 *N. Y.* 555, 59 *Am. Dec.* 431; to jetsam, flotsam, and ligan; *Murphy v. Dunham* (D. C.) 38 *F.* 503.



**In Maritime Law**

A ship becomes a wreck when, in consequence of injuries received, she is rendered absolutely unnavigable, or unable to pursue her voyage, without repairs exceeding the half of her value. *Wood v. Insurance Co.*, 6 Mass. 479, 4 Am. Dec. 163; *Collard v. Eddy*, 17 Mo. 355; *Baker v. Hoag*, 7 N. Y. 558, 59 Am. Dec. 431; *Peele v. Insurance Co.*, 19 Fed. Cas. 104; *Lacaze v. State*, 1 Add. (Pa.) 99. A "wrecked vessel," however, in common phraseology, includes a sunken vessel. See *Gilchrist v. Godman* (D. C.) 79 F. 970; Act March 3, 1839, § 15 (33 USCA § 409); *The R. J. Moran* (C. C. A.) 299 F. 500; *Thames Towboat Co. v. Fields* (D. C.) 287 F. 155.

**Wreck Commissioners**

Persons appointed by the English lord chancellor under the merchant shipping act, 1876, (section 29,) to hold investigations at the request of the board of trade into losses, abandonments, damages, and casualties of or to ships on or near the coast of the United Kingdom, whereby loss of life is caused. Sweet.

**WRECKFREE.** Exempt from the forfeiture of shipwrecked goods and vessels to the king. Cowell.

**WRESTLING.** Engaging in a contest, usually between two persons, who seek to throw each other to the ground or floor, commonly in such a manner that one contestant's shoulders are held against the ground or floor. *Jacobs v. Loyal Protective Ins. Co.*, 97 Vt. 516, 124 A. 848, 852.

**WRINKLE.** A stria; furrow; channel; hollow; depression; rut; cup; pocket; dimple. *Maxim Mfg. Co. v. Imperial Mach. Co.* (C. C. A.) 286 F. 79, 83.

**WRIST-DROP.** A form of paralysis of the hand and wrist resulting from an affection of the nerve which supplies the muscles of the forearm, wrist, and hand. *Freeman v. Chicago, M. & St. P. Ry. Co.*, 52 Mont. 1, 154 P. 912, 913.

**WRIT.** A precept in writing, couched in the form of a letter, running in the name of the king, president, or state, issuing from a court of justice, and sealed with its seal, addressed to a sheriff or other officer of the law, or directly to the person whose action the court desires to command, either as the commencement of a suit or other proceeding or as incidental to its progress, and requiring the performance of a specified act, or giving authority and commission to have it done.

Process. *Love v. National Liberty Ins. Co.*, 157 Ga. 259, 121 S. E. 648, 649.

For the names and description of various particular writs, see the titles below.

**In Old English Law**

An instrument in the form of a letter; a letter or letters of attorney. This is a very ancient sense of the word.

In the old books, "writ" is used as equivalent to "action;" hence writs are sometimes divided into real, personal, and mixed.

**In Scotch Law**

A writing; an instrument in writing, as a deed, bond, contract, etc. 2 Forb. Inst. pt. 2, pp. 175-179.

**In General**

—**Alias writ.** A second writ issued in the same cause, where a former writ of the same kind has been issued without effect.

—**Close writ.** In English law, a name given to certain letters of the sovereign, sealed with his great seal and directed to particular persons and for particular purposes, which, not being proper for public inspection, were closed up and sealed on the outside; also, a writ directed to the sheriff instead of to the lord. 2 Bl. Comm. 346, 3 Reeve, Eng. Law, 45.

—**Concurrent writs.** Duplicate originals, or several writs running at the same time for the same purpose, for service on or arrest of a person, when it is not known where he is to be found; or for service on several persons, as when there are several defendants to an action. *Mozley & Whitley*.

—**Judicial writs.** In English practice. The *capias* and all other writs subsequent to the original writ not issuing out of chancery, but from the court to which the original was returnable. Being grounded on what had passed in that court in consequence of the sheriff's return, they were called *judicial* writs, in contradistinction to the writs issued out of chancery, which were called *original* writs. 3 Bl. Comm. 282. Such writs as issue under the private seal of the courts, and not under the great seal of England, and are tested or witnessed, not in the king's name, but in the name of the chief judge of the court out of which they issue. The word "judicial" is used in contradistinction to "original;" original writs being such as issue out of chancery under the great seal, and are witnessed in the king's name. See 3 Bl. Comm. 282. *Pullman's Palace-Car Co. v. Washburn* (C. C.) 66 F. 792.

—**Junior writ.** One which is issued, or comes to the officer's hands, at a later time than a similar writ, at the suit of another party, or on a different claim, against the same defendant.

—**Original writ.** In English practice. An original writ was the process formerly in use for the commencement of personal actions. It was a mandatory letter from the king, issuing out of chancery, sealed with the great seal, and directed to the sheriff of the county

wherein the injury was committed, or was supposed to have been committed, requiring him to command the wrong-doer or accused party either to do justice to the plaintiff or else to appear in court and answer the accusation against him. This writ is now disused, the writ of summons being the process prescribed by the uniformity of process act for commencing personal actions; and under the judicature act, 1873, all suits, even in the court of chancery, are to be commenced by such writs of summons. Brown.

—**Patent writ.** In old practice, an open writ; one not closed or sealed up.

—**Peremptory writ.** An original writ, called from the words of the writ a "*si te fecerit securum*," and which directed the sheriff to cause the defendant to appear in court without any option given him, provided the plaintiff gave the sheriff security effectually to prosecute his claim. The writ was very occasionally in use, and only where nothing was specifically demanded, but only a satisfaction in general; as in the case of writs of trespass on the case, wherein no debt or other specific thing was sued for, but only damages to be assessed by a jury. Brown.

—**Prerogative writs.** Those issued by the exercise of the extraordinary power of the crown (the court, in modern practice) on proper cause shown; namely, the writs of *procedendo*, *mandamus*, *prohibition*, *quo warranto*, *habeas corpus*, and *certiorari*.

**WRIT DE BONO ET MALO.** See De Bono et Malo; Assize.

**WRIT DE EJECTIONE FIRMÆ.** See Ejectione Firmæ.

**WRIT DE HÆRETICO COMBURENDO.** See De Hæretico Comburendo.

**WRIT DE HOMINE REPLEGIANDO.** See De Homine Replegiando.

**WRIT DE ODIO ET ATIA.** See De Odio et Atia.

**WRIT DE RATIONABILI PARTE BONORUM.** See De Rationabili Parte Bonorum.

**WRIT OF AD QUOD DAMNUM.** See Ad Quod Damnum.

**WRIT OF ASSISTANCE.** The name of a writ which issues from the court of chancery, in aid of the execution of a judgment at law, to put the complainant into possession of lands adjudged to him, when the sheriff cannot execute the judgment. See Emerick v. Miller (Ind. App.) 62 N. E. 285; Hagerman v. Heltzel, 21 Wash. 444, 58 P. 580; O'Connor v. Schaeffel (City Ct. N. Y.) 11 N. Y. S. 737; Knight v. Houghtalling, 94 N. C. 410; Clarke v. Aldridge, 162 N. C. 326, 78 S. E. 216, 217; McDonnell v. Hartnett, 323 Ill.

87, 153 N. E. 666; Marblehead Land Co. v. Los Angeles County (D. C.) 276 F. 305.

A form of process issued by an equity court to transfer the possession of lands, title or possession to which it has previously adjudicated, as a means of enforcing its decree. Southern State Bank v. Leverette, 187 N. C. 743, 123 S. E. 68, 69; Rooker v. Fidelity Trust Co., 196 Ind. 373, 145 N. E. 493, 495.

Its office is to give effect to chancery decrees, where the rights of the parties are fixed thereby. Ramsdell v. Maxwell, 32 Mich. 285. It is founded on the general principle that a court of equity will, when it can do so justly, carry its own decrees into full execution without relying on the co-operation of any other tribunal; Beatty v. De Forest, 27 N. J. Eq. 482; and grows out of the principle that the jurisdiction to enforce is coextensive with the jurisdiction to hear and determine rights; Beck v. Kirk, 69 Mont. 592, 223 P. 499, 500; Fox v. Stubenrauch, 2 Cal. App. 88, 83 P. 82.

A "writ of assistance" is equivalent to the writ of *habere facias possessionem* at law, and issues as of course without notice, so far as the parties to the record are concerned, when necessary to execute a decree. Gardner v. Duncan, 104 Miss. 477, 61 So. 545, 546.

While the office of both a writ of assistance and a writ of possession is to put the party entitled thereto into the possession of property, the former issues from equity and the latter from law. Southern State Bank v. Leverette, 187 N. C. 743, 123 S. E. 68, 70.

An ancient writ issuing out of the exchequer. Moz. & W. A writ issuing from the court of exchequer to the sheriff commanding him to be in aid of the king's tenants by knight's service, or the king's collectors, debtors, or accountants, to enforce payment of their own dues, in order to enable them to pay their own dues to the king. 1 Madox, Hist. Exch. 675.

**WRIT OF ASSOCIATION.** In English practice. A writ whereby certain persons (usually the clerk of assize and his subordinate officers) are directed to associate themselves with the justices and serjeants; and they are required to admit the said persons into their society in order to take the assizes. 3 Bl. Comm. 59.

**WRIT OF ATTACHMENT.** A writ employed to enforce obedience to an order or judgment of the court. It may take the form of commanding the sheriff to attach the disobedient party and to have him before the court to answer his contempt. Smith, Act. 176.

In its generic sense, any mesne civil process in the nature of a writ on which property may be attached, including trustee process. Smith v. Smith, 120 Me. 379, 115 A. 87, 88.

**WRIT OF CONSPIRACY.** A writ which anciently lay against persons who had con-

spired to injure the plaintiff, under the same circumstances which would now give him an action on the case. It did not lie at common law, in any case, except when the conspiracy was to indict the party either of treason or felony; all the other cases of conspiracy in the books were but actions on the case. *Hutchins v. Hutchins*, 7 Hill (N. Y.) 104.

**WRIT OF COVENANT.** A writ which lies where a party claims damages for breach of covenant; *i. e.*, of a promise under seal.

**WRIT OF DEBT.** A writ which lies where the party claims the recovery of a debt; *i. e.*, a liquidated or certain sum of money alleged to be due to him.

This is debt *in the debet*, which is the principal and only common form. There is another species mentioned in the books, called the debt *in the detinet*, which lies for the specific recovery of goods under a contract to deliver them. 1 Chitty, Pl. 101.

**WRIT OF DECEIT.** The name of a writ which lies where one man has done anything in the name of another, by which the latter is damnified and deceived. *Fitzh. Nat. Brev.* 95, E.

**WRIT OF DELIVERY.** A writ of execution employed to enforce a judgment for the delivery of chattels. It commands the sheriff to cause the chattels mentioned in the writ to be returned to the person who has obtained the judgment; and, if the chattels cannot be found, to distrain the person against whom the judgment was given until he returns them. *Smith, Act.* 175; *Sweet.*

**WRIT OF DETINUE.** A writ which lies where a party claims the specific recovery of goods and chattels, or deeds and writings, detained from him. This is seldom used; trover is the more frequent remedy, in cases where it may be brought.

**WRIT OF DOWER.** This is either a writ of dower *unde nihil habet*, which lies for a widow, commanding the tenant to assign her dower, no part of which has yet been set off to her; or a writ of *right of dower*, whereby she seeks to recover the remainder of the dower to which she is entitled, part having been already received from the tenant. This latter writ is seldom used.

**WRIT OF EJECTMENT.** The writ in an action of ejectment, for the recovery of lands. See Ejectment.

**WRIT OF ENTRY.** A real action to recover the possession of land where the tenant (or owner) has been disseised or otherwise wrongfully dispossessed. If the disseisor has aliened the land, or if it has descended to his heir, the writ of entry is said to be in the *per*, because it alleges that the defendant (the alienee or heir) obtained possession *through* the original disseisor. If two alienations (or descents) have taken place, the

writ is in the *per* and *out*, because it alleges that the defendant (the second alienee) obtained possession *through* the first alienee, *to whom* the original disseisor had aliened it. If more than two alienations (or descents) have taken place, the writ is in the *post*, because it simply alleges that the defendant acquired possession *after* the original disseisin. *Co. Litt.* 238*b*; 3 Bl. Comm. 180. The writ of entry was abolished, with other real actions, in England, by St. 3 & 4 Wm. IV. c. 27, § 36, but is still in use in a few of the states of the Union. *Sweet.* See, also, *Entry, Writ of.*

**WRIT OF ERROR.** A writ issued from a court of appellate jurisdiction, directed to the judge or judges of a court of record, requiring them to remit to the appellate court the record of an action before them, in which a final judgment has been entered, in order that examination may be made of certain errors alleged to have been committed, and that the judgment may be reversed, corrected, or affirmed, as the case may require. *Siegelschiffer v. Penn Mut. Life Ins. Co.* (C. C. A.) 248 F. 226, 228; *Ward v. Williams*, 270 Ill. 547, 110 N. E. 821, 823; *Board of County Com'rs of Harford County v. Jay*, 122 Md. 324, 89 A. 715, 717. It is of common-law origin and was used to review alleged errors of law, *Buessel v. U. S.* (C. C. A.) 258 F. 811, 814, arising on the face of the proceedings, *Curless v. Watson*, 180 Ind. 86, 102 N. E. 497, 499, or apparent on the judgment record, *Lippitt v. Bidwell*, 87 Conn. 608, 89 A. 347, 349. See, generally, 1 *Vern.* 169; 1 *Salk.* 322; 2 *Saund.* 46, 101; 3 Bl. Comm. 405. While an appeal operates as a supersedeas, and is in effect a continuation of the original suit, a writ of error is a new suit or proceeding. *Thompson v. Davis*, 297 Ill. 11, 130 N. E. 455, 457; *Reed v. State*, 94 Fla. 32, 113 So. 630, 635; *Boston & M. R. R. v. State*, 77 N. H. 437, 93 A. 306. When the writ, being directed to the judges of a court of record in which final judgment has been given, commands those judges themselves to examine the record, it is called a "writ of error *coram nobis*" or *vobis*. See those titles, *infra*.

The office of an ordinary "writ of error" at common law was to remove the record to a superior court for the review of errors of law appearing on the face thereof, while the principal office of a "writ of error *coram nobis*" was to enable the court rendering a judgment to reconsider it, and grant relief from errors of fact not appearing on the face of the record, where the latter was still before such court. *People v. Reid*, 195 Cal. 249, 232 P. 457, 459, 36 A. L. R. 1435.

A commission by which the judges of one court are authorized to examine a record upon which a judgment was given in another court, and, on such examination, to affirm or reverse the same, according to law. *Cohens v. Virginia*, 6 Wheat. 409, 5 L. Ed. 257.

As used in Circuit Court of Appeals Act § 5, the proceedings by which a cause, in which there has been a final judgment, is removed from a court below to an appellate court for review, reversal, or affirmation. In re Stearns & White Co. (C. C. A.) 295 F. 833, 836.

**WRIT OF ERROR CORAM NOBIS.** A common-law writ, the purpose of which is to correct a judgment in the same court in which it was rendered, on the ground of error of fact, *Washington v. State*, 92 Fla. 740, 110 So. 259, 262, for which the statute provides no other remedy, which fact did not appear of record, *Ernst v. State*, 181 Wis. 155, 193 N. W. 978, or was unknown to the court when judgment was pronounced, and which, if known, would have prevented the judgment, and which was unknown, and could not have been known to the party by the exercise of reasonable diligence in time to have been otherwise presented to the court, unless he was prevented from so presenting them by duress, fear, or other sufficient cause; *Nickels v. State*, 86 Fla. 208, 98 So. 502, 504; *State ex rel. Mitchell, Co. Atty., v. Swindall*, 33 Okl. Cr. 210, 241 P. 456, 458; as where judgment is rendered against a party after his death, or an infant not properly represented by guardian, or a feme covert where common-law disability still exists, or where some defect exists in the process or the execution thereof; *Schneider v. Schneider* (Mo. App.) 273 S. W. 1081, 1083; 1 Saund. 101; *Steph. Pl. \*119*; *Day v. Hamburgh*, 1 Browne, Pa. 75. At common law in England, it issued from the Court of King's Bench to a judgment of that court. Its principal aim is to afford the court in which an action was tried an opportunity to correct its own record with reference to a vital fact not known when the judgment was rendered. *Lamb v. State*, 91 Fla. 396, 107 So. 535, 537, 538; *Rhodes v. State*, 199 Ind. 183, 156 N. E. 389, 392. It is also said that at common law it lay to correct purely ministerial errors of the officers of the court. *Cramer v. Illinois Commercial Men's Ass'n*, 260 Ill. 516, 103 N. E. 459, 461.

**WRIT OF ERROR CORAM VOBIS.** This writ, at the English common law, is distinguished from "writ of error coram nobis," in that the former issued from the Court of King's Bench to a judgment of the Court of Common Pleas, whereas the latter issued from the Court of King's Bench to a judgment of that court. *Lamb v. State*, 91 Fla. 396, 107 So. 535, 537.

**WRIT OF EXECUTION.** A writ to put in force the judgment or decree of a court.

**WRIT OF EXIGI FACIAS.** See Exigent.

**WRIT OF FALSE JUDGMENT.** A writ which appears to be still in use to bring appeals to the English high court from inferior courts not of record proceeding according

to the course of the common law. Archb. Pr. 1427.

**WRIT OF FORMEDON.** A writ which lies for the recovery of an estate by a person claiming as issue in tail, or by the remainder-man or reversioner after the termination of the entail. See Formedon.

**WRIT OF INQUIRY.** In common-law practice. A writ which issues after the plaintiff in an action has obtained a judgment by default, on an unliquidated claim, directing the sheriff, with the aid of a jury, to inquire into the amount of the plaintiff's demand and assess his damages. *Lennon v. Rawitzer*, 57 Conn. 583, 19 A. 334; *Havens v. Hartford & N. R. Co.*, 28 Conn. 70; *McGowin v. Dickson*, 182 Ala. 161, 62 So. 685, 688.

**WRIT OF MAINPRIZE, or MAINPRISE.** In English law. A writ directed to the sheriff, (either generally, when any man is imprisoned for a bailable offense and bail has been refused, or specially, when the offense or cause of commitment is not properly bailable below,) commanding him to take sureties for the prisoner's appearance, commonly called "mainpernors," and to set him at large. 3 Bl. Comm. 128. See, also, Mainprise.

**WRIT OF MANDAMUS.** See Mandamus.

**WRIT OF MESNE.** In old English law. A writ which was so called by reason of the words used in the writ, namely, "*Unde idem A. qui medius est inter C. et præfatum B.*;" that is, A., who is mesne between C., the lord paramount, and B., the tenant paravail. Co. Litt. 100a.

**WRIT OF POSSESSION.** This is the writ of execution employed to enforce a judgment to recover the possession of land. It commands the sheriff to enter the land and give possession of it to the person entitled under the judgment. *Smith, Act.* 175. For a distinction between this writ and the "Writ of Assistance," see that title.

**WRIT OF PRÆCIPE.** This writ is also called a "writ of covenant," and is sued out by the party to whom lands are to be conveyed by fine, the foundation of which is a supposed agreement or covenant that the one shall convey the land to the other. 2 Bl. Comm. 349.

**WRIT OF PREVENTION.** This name is given to certain writs which may be issued in anticipation of suits which may arise. Co. Litt. 100. See *Quia Timet*.

**WRIT OF PROCESS.** See Process; Action.

**WRIT OF PROCLAMATION.** In English law. By the statute 31 Eliz. c. 3, § 1, when an *exigent* is sued out, a writ of proclamation shall issue at the same time, commanding the sheriff of the county where the defendant dwells to make three proclamations

thereof, in places the most notorious, and most likely to come to his knowledge, a month before the outlawry shall take place. 3 Bl. Comm. 284.

When it is not directed to the same sheriff as the *exigent* is, it is called a foreign writ of proclamation. 4 Reeve, Hist. Eng. Law 261.

**WRIT OF PROHIBITION.** See Prohibition.

**WRIT OF PROTECTION.** In England, the king may, by his writ of protection, privilege any person in his service from arrest in civil proceedings during a year and a day; but this prerogative is seldom, if ever, exercised. Archb. Pr. 687. See Co. Litt. 130a.

**WRIT OF QUARE IMPEDIT.** See Quare Impedit.

**WRIT OF RECAPTION.** If, pending an action of replevin for a distress, the defendant distrains again for the same rent or service, the owner of the goods is not driven to another action of replevin, but is allowed a writ of recaption, by which he recovers the goods and damages for the defendant's contempt of the process of the law in making a second distress while the matter is *sub judice*. Woodf. Landl. & Ten. 484.

**WRIT OF REPLEVIN.** See Replevin.

**WRIT OF RESTITUTION.** A writ which is issued on the reversal of a judgment commanding the sheriff to restore to the defendant below the thing levied upon, if it has not been sold, and, if it has been sold, the proceeds. Bac. Abr. "Execution," Q. A writ which lies, after the reversal of a judgment, to restore a party to all that he has lost by occasion of the judgment. 2 Tidd, Pr. 1186.

**WRIT OF REVIEW.** A general designation of any form of process issuing from an appellate court and intended to bring up for review the record or decision of the court below. Burrell v. Burrell, 10 Mass. 222; Hopkins v. Benson, 21 Me. 401; West v. De Moss, 50 La. Ann. 1349, 24 So. 325.

In Code practice, a substitute for, or equivalent of, the writ of certiorari. California & O. Land Co. v. Gowen (C. C.) 48 F. 775; Burnett v. Douglas County, 4 Or. 389; In re Winegard, 78 Hun, 58, 28 N. Y. S. 1039.

**WRIT OF RIGHT.** A writ which lay for one who had the right of property, against another who had the right of possession and the actual occupation. The writ properly lay only to recover corporeal hereditaments for an estate in fee-simple; but there were other writs, said to be "in the nature of a writ of right," available for the recovery of incorporeal hereditaments or of lands for a less estate than a fee-simple. Brown; Fitzh. N. B. 1 (B); 3 Bl. Comm. 391.

"Originally a writ of right is so called because it orders the feudal lord to do full

right to the demandant, *plenum rectum tenere*. . . . But when possessory actions have been established in the king's court, 'right' is contrasted with 'seisin,' and all writs originating proprietary actions for land . . . come to be known as writs of right." Maitland, in 2 Sel. Essays, Anglo-Am. Leg. Hist. 563.

In another sense, a writ which is grantable as a matter of right, as opposed to a "prerogative writ," which is issued only as a matter of grace or discretion.

**WRIT OF SUMMONS.** The writ by which, under the English judicature acts, all actions are commenced.

**WRIT OF SUPERSEDEAS.** See Supersedeas.

**WRIT OF SUPERVISORY CONTROL.** A writ which is issued only to correct erroneous rulings made by the lower court within its jurisdiction, where there is no appeal, or the remedy by appeal cannot afford adequate relief, and gross injustice is threatened as the result of such rulings. State v. District Court of First Judicial Dist. in and for Lewis and Clark County, 50 Mont. 428, 147 P. 612, 613.

**WRIT OF TOLT.** In old English law. The name of a writ to remove proceedings on a writ of right patent from the court-baron into the county court.

**WRIT OF TRIAL.** In English law. A writ directing an action brought in a superior court to be tried in an inferior court or before the under-sheriff, under St. 3 & 4 Wm. IV, c. 42. It is now superseded by the county courts act of 1867, c. 142, § 6, by which a defendant, in certain cases, is enabled to obtain an order that the action be tried in a county court. 3 Steph. Comm. 515, n.; Mozley & Whitley.

**WRIT OF WASTE.** The name of a writ to be issued against a tenant who has committed waste of the premises. There were anciently several forms of this writ, adapted to the particular circumstances. Fitzh. Nat. Brev. 125.

**WRIT PRO RETORNO HABENDO.** A writ commanding the return of the goods to the defendant, upon a judgment in his favor in replevin, upon the plaintiff's default.

**WRITER TO THE SIGNET.** In Scotch law. An officer nearly corresponding to an attorney at law, in English and American practice. "Writers to the signet," called also "clerks to the signet," derive their name from the circumstance that they were anciently clerks in the office of the secretary of state, by whom writs were prepared and issued under the royal *signet* or seal; and, when the signet became employed in judicial proceedings, they obtained a monopoly of the privileges of act-

ing as agents or attorneys before the court of session. *Brande, voc. "Signet."*

**WRITER OF THE TALLIES.** In England, An officer of the exchequer whose duty it was to write upon the tallies the letters of tellers' bills.

**WRITING.** The expression of ideas by letters visible to the eye. *Clason v. Bailey*, 14 Johns. (N. Y.) 491. The giving an outward and objective form to a contract, will, etc., by means of letters or marks placed upon paper, parchment, or other material substance.

In the most general sense of the word, "writing" denotes a document, whether manuscript or printed, as opposed to mere spoken words. Writing is essential to the validity of certain contracts and other transactions. *Sweet*. See "Instrument."

**WRITING OBLIGATORY.** The technical name by which a *bond* is described in pleading. *Denton v. Adams*, 6 Vt. 40.

**WRITTEN CONTRACT.** One which is all in writing so that all terms can be ascertained from instrument itself. *Sallo v. Boas*, 327 Ill. 145, 158 N. E. 364, 365.

**WRITTEN INSTRUMENT.** Something reduced to writing as a means of evidence, and as the means of giving formal expression to some act or contract. *Curlee Clothing Co. v. Lowery* (Tex. Civ. App.) 275 S. W. 730, 732.

**WRITTEN LAW.** One of the two leading divisions of the Roman law, comprising the *leges*, *plebiscita*, *senatus-consulta*, *principum placita*, *magistratum edicta*, and *responsa prudentum*. Inst. 1. 2. 3

Statute law; law deriving its force from express legislative enactment. 1 Bl. Comm. 62, 85.

**WRONG.** An injury; a tort; a violation of right or of law.

In its most usual sense, wrong signifies an injury committed to the person or property of another, or to his relative rights unconnected with contract; and these wrongs are committed with or without force. *Lisk v. Hora*, 109 Ohio St. 519, 143 N. E. 545, 546. But in a more extended signification, wrong includes the violation of a contract; a failure by a man to perform his undertaking or promise is a wrong or injury to him to whom it was made; 3 Bl. Comm. 158.

The idea of *rights* naturally suggests the correlative one of *wrongs*; for every right is capable of being violated. A right to receive payment for goods sold (for example) implies a wrong on the part of him who owes, but withholds the price; a right to live in personal security, a wrong on the part of him who commits personal violence. And therefore, while, in a general point of view, the law is intended for the establishment and maintenance of *rights*, we find it, on closer examination, to be dealing both with rights and wrongs. It first fixes the character and definition of rights, and then, with a view to their effectual security, proceeds to

define wrongs, and to devise the means by which the latter shall be prevented or redressed. 1 Steph. Comm. 126.

### Private Wrong

The violation of public or private rights, when considered in reference to the injury sustained by the individual, and consequently as subjects for civil redress or compensation. 3 Steph. Comm. 356; *Huntington v. Attrill*, 146 U. S. 657, 13 S. Ct. 224, 36 L. Ed. 1123; *Tomlin v. Hildreth*, 65 N. J. Law, 438, 47 A. 649; *State v. Magee Pub. Co.*, 29 N. M. 455, 224 P. 1028, 1031, 38 A. L. R. 142.

### Public Wrongs

Violations of public rights and duties which affect the whole community, considered as a community; crimes and misdemeanors. 3 Bl. Comm. 2; 4 Bl. Comm. 1.

### Real Wrong

In old English law. An injury to the freehold.

**WRONG-DOER.** One who commits an injury; a *tort-feasor*. The term ordinarily imports an invasion of right to the damage of the party who suffers such invasion. *Merrill v. Comstock*, 154 Wis. 434, 143 N. W. 313, 317.

**WRONGFUL.** Injurious, heedless, unjust, reckless, unfair. *Jabich v. People*, 58 Colo. 175, 143 P. 1092, 1095. "Wrongful" implies the infringement of some right, and may result from disobedience to lawful authority. *Fidelity & Casualty Co. of New York v. Blount Plow Works*, 78 Ind. App. 529, 136 N. E. 559, 561.

**WRONGFULLY.** In a wrong manner; unjustly; in a manner contrary to the moral law, or to justice. *Webster*, cited *Board of Com'rs of Howard County v. Armstrong*, 91 Ind. 536.

**WRONGFULLY INTENDING.** In the language of pleading, this phrase is appropriate to be used in alleging the malicious motive of the defendant in committing the injury which forms the cause of action.

**WRONGOUS.** In Scotch law. Wrongful; unlawful; as *wrongous* imprisonment. *Ersk.* Prin. 4, 4, 25.

**WURTH.** In Saxon law. Worthy; competent; capable. *Atheswurthe*, worthy of oath; admissible or competent to be sworn. *Spelman*.

**WYE.** As applied to a street railway, a "wye" means a track with two branches, one joining the main track from one direction and the other joining the main track from another direction. *Falls v. Grand Rapids, G. H. & M. Ry. Co.*, 189 Mich. 644, 155 N. W. 548, 549.

**WYTE.** In old English law. Acquittance or immunity from amercement.

## X

**X.** In the written terminology of various arts and trades, where two or more dimensions of the same piece or article are to be stated, this letter is a well-known symbol equivalent to the word "by." Thus, the formula "3 x 5 in." will be understood, or may be explained by parol evidence, to mean "three by five inches," that is, measuring three inches in one direction and five in another. See *Jaqua v. Witham & A. Co.*, 106 Ind. 547, 7 N. E. 314.

**XENODOCHIUM.** In the civil and old English law. An inn allowed by public license, for the entertainment of strangers, and other guests. Calvin.; Cowell.

A hospital; a place where sick and infirm persons are taken care of. Cowell.

**XENODOCHY.** Reception of stranger; hospitality. Enc. Lond.

**XYLON.** A punishment among the Greeks answering to our stocks. Wharton.

## Y

**YA ET NAY.** In old records. Mere assertion and denial, without oath.

**YARD.** A measure of length, containing three feet, or thirty-six inches.

A piece of land inclosed for the use and accommodation of the inhabitants of a house.

**YARDLAND,** or *virgata terræ*, is a quantity of land, said by some to be twenty acres, but by Coke to be of uncertain extent.

**YEA AND NAY.** Yes and no. According to a charter of Athelstan, the people of Ripon were to be believed in all actions or suits upon their yea and nay, without the necessity of taking any oath. Brown.

See, also, Yeas and Nays.

**YEAR.** The period in which the revolution of the earth round the sun, and the accompanying changes in the order of nature, are completed. Generally, when a statute speaks of a year, twelve calendar, and not lunar, months are intended. Cro. Jac. 166. The year is either astronomical, ecclesiastical, or regnal, beginning on the 1st of January, or 25th of March, or the day of the sovereign's accession. Wharton.

The civil year differs from the astronomical, the latter being composed of three hundred and sixty-five days, five hours, forty-eight seconds and a fraction, while the former consists sometimes of three hundred and sixty-five days, and at others, in leap-years, of three hundred sixty-six days.

When the period of a "year" is named, a calendar year is generally intended, but the subject-matter or context of statute or contract in which the term is found or to which it relates may alter its meaning. *J. L. Hammett Co. v. Alfred Peates Co.*, 217 Mass. 520, 105 N. E. 370, L. R. A. 1915A, 334. See also *City of Sedalia v. Chalfant (C. C. A.)* 4 F.(2d) 350, 352 and *People v. Escheman*, 63 Colo. 227, 165 P. 260, 262, in which the term "preceding year" in a statute is said to mean the preceding twelve months, and not preceding calendar year.

#### Natural Year

In old English law. That period of time in which the sun was supposed to revolve in its orbit, consisting of 365 days and one-fourth of a day, or six hours. Bract. fol. 359b.

#### Year and Day

This period was fixed for many purposes in law. Thus, in the case of an estray, if the owner did not claim it within that time, it became the property of the lord. So the owners of wreck must claim it within a year and a day. Death must follow upon wounding within a year and a day if the wounding is to be indicted as murder. Also, a year

and a day were given for prosecuting or avoiding certain legal acts; *e. g.*, for bringing actions after entry, for making claim for avoiding a fine, etc. Brown.

#### Year Books

Books of reports of cases in a regular series from the reign of the English King Edward I., inclusive, to the time of Henry VIII., which were taken by the prothonotaries or chief scribes of the courts, at the expense of the crown, and published annually; whence their name, "Year Books." Brown.

#### Year, Day, and Waste

In English law. An ancient prerogative of the king, whereby he was entitled to the profits, for a year and a day, of the lands of persons attainted of petty treason or felony, together with the right of wasting the tenements, afterwards restoring the property to the lord of the fee. Abrogated by St. 54 Geo. III, c. 145. Wharton.

See An, Jour, et Waste.

—**Year of our Lord.** In England the time of an offense may be alleged as that of the sovereign's reign, or as that of the year of our Lord. The former is the usual mode. Hence there "year" alone might not indicate the time intended, but as we have no other era, therefore, any particular year must mean that year in our era. *Com. v. Doran*, 14 Gray (Mass.) 38. The abbreviation A. D. may be omitted; and the word year is not fatal; *State v. Bartlett*, 47 Me. 393; *contra*, *Com. v. McLoon*, 5 Gray (Mass.) 92, 66 Am. Dec. 354.

—**Year to year, tenancy from.** This estate arises either expressly, as when land is let from year to year; or by a general parol demise, without any determinate interest, but reserving the payment of an annual rent; or impliedly, as when property is occupied generally under a rent payable yearly, half-yearly, or quarterly; or when a tenant holds over, after the expiration of his term, without having entered into any new contract, and pays rent, (before which he is tenant on sufferance.) Wharton.

—**Years, estate for.** See Estate for Years.

**YEAS AND NAYS.** The affirmative and negative votes on a bill or measure before a legislative assembly. "Calling the yeas and nays" is calling for the individual and oral vote of each member, usually upon a call of the roll.

**YEME.** In old records. Winter; a corruption of the Latin "*hiems*."

**YEOMAN.** In English law. A commoner; a freeholder under the rank of gentleman. Cowell. A man who has free land of forty



shillings by the year; who was anciently thereby qualified to serve on juries, vote for knights of the shire, and do any other act, where the law requires one that is *probus et legalis homo*. 1 Bl. Comm. 406, 407.

This term is occasionally used in American law, but without any definite meaning, except in the United States navy, where it designates an appointive petty officer, who has charge of the stores and supplies in his department of the ship's economy.

**YEOMANRY.** The collected body of yeomen.

**YEOMEN OF THE GUARD.** Properly called "yeomen of the guard of the royal household;" a body of men of the best rank under the gentry, and of a larger stature than ordinary, every one being required to be six feet high. Enc. Lond.

**YEVEN, or YEOVEN.** Given; dated. Cowell.

**YIDDISH.** A Middle High German dialect, or number of dialects, spoken by Jews, containing a large number of Germanized Hebrew words, and using Hebrew characters for its literature. U. S. v. Tod (C. C. A.) 294 F. 820, 822.

**YIELD.**

**In the Law of Real Property**

To perform a service due by a tenant to his lord. Hence the usual form of reservation of a rent in a lease begins with the words "yielding and paying." Sweet.

**In Patent Law**

The word "yielding," as used in a patent claim, is not the equivalent of "resilient," or "spring-supported," but may be applied to a part which is retractable at will. Mergenthaler Linotype Co. v. International Typesetting Mach. Co. (D. C.) 229 F. 168, 192.

**YIELDING AND PAYING.** In conveyancing. The initial words of that clause in leases in which the rent to be paid by the lessee is mentioned and reserved.

**YOKELET.** A little farm, requiring but a yoke of oxen to till it.

**YORK-ANTWERP RULES.** Certain rules relating to uniform bills of lading formulated by the Association for the Reform and Codification of the Laws of Nations, now the International Law Association.

These rules are commonly incorporated in contracts of affreightment. They are the result of conferences of representatives of mercantile interests from several countries, in the interest of uniformity of law. They have no statutory authority. The text is in MacLachlan's *Mercht. Shipping*. For a history of them, see Lowndes, *Gen. Av.*

**YORK, CUSTOM OF.** A custom of the province of York in England, by which the effects of an intestate, after payment of his debts, are in general divided according to the ancient universal doctrine of the *pars rationabilis*; that is, one-third each to the widow, children, and administrator. 2 Bl. Comm. 518.

**YORK, STATUTE OF.** An important English statute passed at the city of York, in the twelfth year of Edward II., containing provisions on the subject of attorneys, witnesses, the taking of inquests by *nisi prius*, etc. 2 Reeve, *Eng. Law*, 299-302.

**YOUNGER CHILDREN.** This phrase, when used in English conveyancing with reference to settlements of land, signifies all such children as are not entitled to the rights of an eldest son. It therefore includes daughters, even those who are older than the eldest son. Mozley & Whitley.

**YOUTH.** This word may include children and young persons of both sexes. *Nelson v. Cushing*, 2 Cush. (Mass.) 519, 528.

**YULE.** The times of Christmas and *Lamas*.

**YVERNAIL BLE.** L. Fr. Winter grain. *Kelham*.

## Z

**ZAMINDAR.** See *Zemindar*.

**ZANJA.** Span. A water ditch or artificial canal, and particularly one used for purposes of irrigation. See *Pico v. Colimas*, 32 Cal. 578.

**ZANJERO.** Span. A water commissioner or superintendent, or supervisor of an irrigation system. See *Pico v. Colimas*, 32 Cal. 578; *Everett v. Standard Acc. Ins. Co.*, 45 Cal. App. 332, 187 P. 996, 1000.

**ZEALOT.** This word is commonly taken in a bad sense, as denoting a separatist from the Church of England, or a fanatic. Brown.

**ZEALOUS WITNESS.** An untechnical term denoting a witness, on the trial of a cause, who manifests a partiality for the side calling him, and an eager readiness to tell anything which he thinks may be of advantage to that side.

**ZEIR.** O. Sc. Year. "*Zeir* and day." Bell.

**ZEMINDAR.** In Hindu law. Landkeeper. An officer who under the Mohammedan government was charged with the financial superintendence of the lands of a district, the protection of the cultivators, and the realization of the government's share of its produce, either in money or kind. Wharton.

**ZEOLITE PROCESS.** The "zeolite process" of softening water consists in passing hard water through a filter bed of granular sodium zeolites, which exchange their sodium base for the calcium and magnesium in the water. *Permutit Co. v. Wadham* (D. C.) 294 F. 370, 371.

**ZEOLITES.** Minerals which have the peculiar faculty of exchanging the base with which they may be chemically combined for another, which is present in a solution brought

into contact with them. *Permutit Co. v. Wadham* (D. C.) 294 F. 370, 371.

**ZETETICK.** Proceeding by inquiry. Enc. Lond.

**ZIGARI, or ZINGARI.** Rogues and vagabonds in the middle ages; from Zigi, now Circassia.

**ZOLL-VEREIN.** A union of German states for uniformity of customs, established in 1819. It continued until the unification of the German empire, including Prussia, Saxony, Bavaria, Wurtemberg, Baden, Hesse-Cassel, Brunswick, and Mecklenburg-Strelitz, and all intermediate principalities. It was subsequently superseded by the German empire; and the federal council of the empire took the place of that of the Zoll-Verein. Wharton.

**ZONING.** The division of a city by legislative regulation into districts and the prescription and application in each district of regulations having to do with structural and architectural designs of buildings and of regulations prescribing use to which buildings within designated districts may be put. *Miller v. Board of Public Works of City of Los Angeles*, 195 Cal. 477, 234 P. 381, 384, 38 A. L. R. 1479; In re Opinion of the Justices, 124 Me. 501, 128 A. 181, 184.

**ZYGOCEPHALUM.** In the civil law. A measure or quantity of land. Nov. 17, c. 8. As much land as a yoke of oxen could plow in a day. Calvin.

**ZYGOSTATES.** In the civil law. A weigher; an officer who held or looked to the balance in weighing money between buyer and seller; an officer appointed to determine controversies about the weight of money. Spelman.

**ZYTHUM.** Lat. A liquor or beverage made of wheat or barley. Dig. 33, 6, 9, pr.

\*



# APPENDIX

## TABLE OF ABBREVIATIONS

### A

- A.** Alabama;—Arkansas;—Abbott (see Abb.);—Annals (Louisiana);—Atlantic Reporter.
- A. B.** Anonymous Reports at the end of Bendloe.
- A. B. R.** American Bankruptcy Reports.
- A' B. R. J. N. S. W.** A'Beckett's Reserved (Equity) Judgments, New South Wales.
- A' B. R. J. P. P.** A'Beckett's Reserved Judgments, Port Phillip.
- A. C.** Appellate Court;—Case on Appeal;—Appeal Cases.
- [1891] A. C.** Law Reports, Appeal Cases, from 1891 onward.
- A. C. C.** American Corporation Cases (Withdraw's).
- A. C. R.** American Criminal Reports.
- A. D.** American Decisions;—Appellate Division, New York Supreme Court.
- A. E. C.** American Electrical Cases.
- A. G. Dec.** Attorney General's Decisions.
- A. G. Op.** Attorney General's Opinions.
- A. Ins. R.** American Insolvency Reports.
- A. K. Marsh.** A. K. Marshall's Kentucky Reports.
- A. L. C.** American Leading Cases.
- A. L. R.** American Law Reports.
- A. M. C.** American Maritime Cases.
- A. Moo.** A. Moore's Reports, in vol. 1 Bosanquet & Puller.
- A. M. & O.** Armstrong, Macartney & Ogle's Irish Nisi Prius Reports.
- A. N. C.** Abbott's New Cases, New York;—American Negligence Cases.
- A. N. R.** American Negligence Reports, Current Series.
- A. P. B.** Ashurst's Paper Books (MSS. in Lincoln's Inn Library).
- A. R.** American Reports;—Atlantic Reporter;—Appeal Reports, Ontario.
- A. R. C.** American Railway Cases.
- A. R. R.** American Railway Reports.
- A. R. V. R. 22.** Anno Regni Victoriae Regina Vicesimo Secundo.
- A. Rep.** American Reports;—Atlantic Reporter (commonly cited Atl. or A.).
- A. S. R.** American State Reports.
- A. & E.** Adolphus & Ellis' English Queen's Bench Reports;—Admiralty and Ecclesiastical.
- A. & E. Corp. Ca.** American and English Corporation Cases.
- A. & E. Ency.** American and English Encyclopaedia of Law.
- A & E. N. S.** Adolphus & Ellis' English Queen's Bench Reports, New Series.
- A. & E. R. R. C.** American & English Railroad Cases.
- A. & H.** Arnold & Hodges' English Queen's Bench Reports.
- A. & N.** Alcock & Napier's Irish King's Bench Reports.
- Ab. Eq. Cas.** Equity Cases Abridged (English).
- Abb.** Abbott. See below.
- Abb. Ad. (or Abb. Adm.).** Abbott's Admiralty Reports.
- Abb. App. Dec.** Abbott's New York Court of Appeals Decisions.
- Abb. Beech. Tr.** Abbott's Report of the Beecher Trial.
- Abb. C. C.** Abbott's Circuit Court, United States.
- Abb. Ct. App.** Abbott's New York Court of Appeals Decisions.
- Abb. Dec.** Abbott's New York Court of Appeals Decisions.
- Abb. Dig.** Abbott's New York Digest.
- Abb. Dig. Corp.** Abbott's Digest Law of Corporations.
- Abb. Mo. Ind.** Abbott's Monthly Index.
- Abb. N. C.** Abbott's New Cases, New York.
- Abb. N. S.** Abbott's Practice Reports, New Series.
- Abb. N. Y. App.** Abbott's New York Court of Appeals Decisions.
- Abb. N. Y. Dig.** Abbott's New York Digest.
- Abb. Nat. Dig.** Abbott's National Digest.
- Abb. Pr. (or Prac.).** Abbott's New York Practice Reports.
- Abb. Pr. N. S.** Abbott's New York Practice Reports, New Series.
- Abb. Ship.** Abbott (Lord Tenterden) on Shipping.
- Abb. Tr. Ev.** Abbott's Trial Evidence.
- Abb. U. S.** Abbott's United States Circuit Court Reports.
- Abb. Y. Bk.** Abbott's Year Book of Jurisprudence.

- Abbott.** Abbott's Dictionary.
- A'Beck. Judg. Vict.** A'Beckett's Reserved Judgments of Victoria.
- Abr.** Abridgment;—Abridged.
- Abr. Case.** Crawford & Dix's Abridged Cases, Ireland.
- Abr. Case. Eq.** Equity Cases Abridged (English).
- Act. (or Act. Pr. C.).** Acton's English Privy Council Reports.
- Ad. Jus.** Adam's Judiciary Reports (Scotch).
- Ad. & E. (or Ad. & Ell.).** Adolphus & Ellis' English King's Bench Reports.
- Ad. & Ell. N. S.** Adolphus & Ellis' Reports, New Series;—English Queen's Bench (commonly cited Q. B.).
- Adams.** Adams' Reports, vols. 41, 42 Maine;—Adams' Reports, vol. 1 New Hampshire.
- Adams, Eq.** Adams' Equity.
- Adams, Rom. Ant.** Adams, Roman Antiquities.
- Add.** Addison's Reports, Pennsylvania;—Addams' English Ecclesiastical Reports.
- Add. Ecc.** Addams' Ecclesiastical Reports.
- Addams.** Addams' Ecclesiastical Reports, English.
- Addis. (or Add. Pa.).** Addison's (Pennsylvania County Court) Reports.
- Adm. & Ecc.** Admiralty and Ecclesiastical;—English Law Reports, Admiralty and Ecclesiastical.
- Adol. & El.** Adolphus & Ellis' Reports, English King's Bench.
- Adol. & El. (N. S.).** Adolphus & Ellis' Reports, New Series, English Queen's Bench.
- Adolph. & E.** Adolphus & Ellis' English King's Bench Reports.
- Adolph. & E. N. S.** Adolphus & Ellis' New Series (usually cited as Queen's Bench).
- Agra, H. C.** Agra High Court Reports (India).
- Aik.** Aikens' Vermont Reports.
- Aikens (Vt.).** Aikens' Reports, Vermont.
- Ainsw. (or Ainsworth).** Ainsworth's Lexicon.
- Al.** Aley's Select Cases, King's Bench;—Alabama;—Allen.
- Al. Tel. Ca.** Allen's Telegraph Cases.
- Al. & Nap.** Alcock & Napier's Irish King's Bench Reports.
- Ala.** Alabama;—Alabama Reports.
- Ala. N. S.** Alabama Reports, New Series.
- Ala. Sel. Cas.** Alabama Select Cases, by Shepherd, see Alabama Reports, vols. 37, 38 and 39.
- Ala. St. Bar Assn.** Alabama State Bar Association.
- Alaska Co.** Alaska Codes, Carter.
- Alb. Arb.** Albert Arbitration (Lord Cairns' Decisions).
- Alc. (or Alc. Reg. or Alc. Reg. Cas.).** Alcock's Irish Registry Cases.
- Alc. & Nap.** Alcock & Napier's Irish King's Bench Reports.
- Ald.** Alden's Condensed Reports, Pennsylvania.
- Alex. Cas.** Report of the Alexandria Case by Dudley.
- Alexander.** Alexander's Reports, vols. 66-72 Mississippi.
- Aleyn.** Aley's Select Cases, English King's Bench.
- Alis. Prin. Scotch Law.** Alison's Principles of the Criminal Law of Scotland.
- All.** Allen's Massachusetts Reports.
- All. N. B.** Allen's New Brunswick Reports.
- All. Ser.** Allahabad Series, Indian Law Reports.
- All. Tel. Cas.** Allen's Telegraph Cases.
- Allen.** Allen's Massachusetts Reports;—Allen's Reports, New Brunswick;—Allen's Reports, Washington.
- Allen Tel. Cas.** Allen's Telegraph Cases.
- Allin.** Allinson, Pennsylvania Superior and District Court.
- Am. Bank. R. (or Am. B'kc'y Rep.).** American Bankruptcy Reports.
- Am. Cent. Dig.** American Digest (Century Edition).
- Am. Corp. Cas.** American Corporation Cases (Withdraw's).
- Am. Cr. Rep.** American Criminal Reports.
- Am. Cr. Tr.** American Criminal Trials. Chandler's.
- Am. Dec.** American Decisions.
- Am. Dig.** American Digest.
- Am. Dig. Cent. Ed.** American Digest (Century Edition).
- Am. Dig. Dec. Ed. (or Decen. Ed.).** American Digest (Decennial Edition).
- Am. El. Ca. (or Am. Elec. Ca.).** American Electrical Cases.
- Am. Ins. Rep. (or Am. Insol. Rep.).** American Insolvency Reports.
- Am. Jour. Pol.** American Journal of Politics.
- Am. Jour. Soc.** American Journal of Sociology.
- Am. Jur.** American Jurist, Boston.
- Am. L. C. R. P.** Sharswood and Budd's Leading Cases on Real Property.
- Am. L. Cas.** American Leading Cases.
- Am. L. J.** American Law Journal (Hall's) Philadelphia.
- Am. L. J. N. S.** American Law Journal, New Series, Philadelphia.
- Am. L. Rev.** American Law Review, Boston.
- Am. L. T. R.** American Law Times Reports.
- Am. L. T. R. N. S.** American Law Times Reports, New Series.
- Am. Law Rec.** American Law Record (Cincinnati).
- Am. Lead. Cas.** American Leading Cases (Hare & Wallace's).
- Am. Neg. Ca. (or Cas.)** American Negligence Cases.

- Am. Neg. Rep.** American Negligence Reports.
- Am. Pr. Rep.** American Practice Reports, Washington, D. C.
- Am. Prob. Rep.** American Probate Reports.
- Am. R. R. Cas.** American Railway Cases (Smith & Bates).
- Am. R. R. Rep.** American Railway Reports, New York.
- Am. R. R. & C. Rep.** American Railroad and Corporation Reports.
- Am. Rep.** American Reports (Selected Cases).
- Am. Ry. Ca.** American Railway Cases.
- Am. Ry. Rep.** American Railway Reports.
- Am. St. Rep.** American State Reports.
- Am. St. Ry. Dec.** American Street Railway Decisions.
- Am. Fed. Tax Rep.** American Federal Tax Reports.
- Am. Tr.-M. Cas.** American Trade-Mark Cases (Cox's).
- Am. & Eng. Corp. Cas.** American and English Corporation Cases.
- Am. & Eng. Dec. in Eq.** American and English Decisions in Equity.
- Am. & Eng. Ency. Law.** American and English Encyclopædia of Law.
- Am. & Eng. Pat. Ca.** American and English Patent Cases.
- Am. & Eng. R. R. Ca.** American and English Railroad Cases.
- Am. & Eng. Ry. Ca.** American and English Railway Cases.
- Amb. (or Ambl.)** Ambler's English Chancery Reports.
- Amer.** American;—Amerman, vols. 111-115 Pennsylvania.
- Amer. Jur.** American Jurist.
- Amer. Law.** American Lawyer, New York.
- Amer. Law Reg. (N. S.).** American Law Register, New Series.
- Amer. Law Reg. (O. S.).** American Law Register, Old Series.
- Amer. Law Rev.** American Law Review.
- Amer. & Eng. Enc. Law.** American & English Encyclopædia of Law.
- Ames.** Ames' Reports, vols. 4-8 Rhode Island;—Ames' Reports, vol. 1 Minnesota.
- Ames Cas. B. & N.** Ames' Cases on Bills and Notes.
- Ames Cas. Par.** Ames' Cases on Partnership.
- Ames Cas. Pl.** Ames' Cases on Pleading.
- Ames Cas. Sur.** Ames' Cases on Suretyship.
- Ames Cas. Trusts.** Ames' Cases on Trusts.
- Ames, K. & B.** Ames, Knowles & Bradley's Reports, vol. 8 Rhode Island.
- Amos & F. Fixt.** Amos & Ferrard on Fixtures.
- And.** Andrews' Reports, vols. 63-72 Connecticut;—Andrews' English King's Bench Reports.
- Anders. (or Anderson).** Anderson's Reports, English Court of Common Pleas.
- Andr. (or Andrews).** Andrews' English King's Bench Reports. See also And.
- Ang. Lim.** Angell on Limitations.
- Ang. Tide Waters.** Angell on Tide Waters.
- Ang. Water Courses.** Angell on Water Courses.
- Ang. & A. Corp.** Angell & Ames on Corporations.
- Ang. & Dur.** Angell & Durfee's Reports, vol. 1 Rhode Island.
- Ann. Cas.** American & English Annotated Cases;—New York Annotated Cases.
- Ann. Reg.** Annual Register, London.
- Ann. St.** Annotated Statutes.
- Annaly.** Annaly's edition of *Lee tempore* Hardwicke.
- Anne.** Queen Anne (thus "1 Anne," denotes the first year of the reign of Queen Anne).
- Anson, Cont.** Anson on Contracts.
- Anstr.** Anstruther's Reports, English Exchequer.
- Anth.** Anthon's New York Nisi Prius Reports;—Anthony's Illinois Digest.
- Anth. N. P.** Anthon's New York Nisi Prius Reports.
- Anth. Shep.** Anthony's edition of Shephard's Touchstone.
- Ap. Justin.** Apud Justinianum;—In Justinian's Institutes.
- App.** Appleton's Reports, vols. 19, 20 Maine.
- App. Cas.** Appeal Cases, English Law Reports;—Appeal Cases, United States;—Appeal Cases of the different States;—Appeal Cases, District of Columbia.
- [1891] App. Cas.** Law Reports, Appeal Cases, from 1891 onward.
- App. Cas. Beng.** Sevestre and Marshall's Bengal Reports.
- App. Ct. Rep.** Bradwell's Illinois Appeal Court Reports.
- App. D. C.** Appeals, District of Columbia.
- App. Div.** Appellate Division, New York.
- App. Jur. Act 1876.** Appellate Jurisdiction Act, 1876, 39 & 40 Vict. c. 59.
- App. N. Z.** Appeal Reports, New Zealand.
- App. Rep. Ont.** Appeal Reports, Ontario.
- Appe. Bre.** Appendix to Breese's Reports.
- Appleton.** Appleton's Reports, vols. 19, 20 Maine.
- Ar. Rep.** Argus Reports, Victoria.
- Arabin.** Decisions of Sergeant Arabin.
- Arbuth.** Arbuthnot's Select Criminal Cases, Madras.
- Arch.** Court of Arches, England.
- Arch. P. L. Cas.** Archbold's Abridgment of Poor Law Cases.
- Arch. Sum.** Archbold's Summary of Laws of England.
- Archb. Civil Pl.** Archbold's Civil Pleading.
- Archb. Crim. Pl.** Archbold's Criminal Pleading.
- Archb. Landl. & Ten.** Archbold's Landlord and Tenant.
- Archb. N. P.** Archbold's Nisi Prius Law.

- Archb. New Pr. (or N. Prac.).** Archbold's New Practice.
- Archb. Pr.** Archbold's Practice.
- Archb. Pr. K. B.** Archbold's Practice King's Bench.
- Archer & Hogue.** Archer & Hogue's Reports, vol. 2 Florida.
- Arg. Fr. Merc. Law.** Argles (Napoleon), Treatise Upon French Mercantile Law, etc.
- Arg. Rep.** Reports printed in Melbourne Argus, Australia.
- Ariz.** Arizona;—Arizona Reports.
- Ark.** Arkansas;—Arkansas Reports;—Arkley's Justiciary Reports, Scotland.
- Arkl. (or Arkley).** Arkley's Justiciary Reports, Scotland.
- Arms. Br. P. Cas.** Armstrong's Breach of Privilege Cases, New York.
- Arms. Con. Elec.** Armstrong's New York Contested Elections.
- Arms. Elect. Cas.** Armstrong's Cases of Contested Elections, New York.
- Arms. M. & O. (or Arms. Mac. & Og.).** Armstrong, Macartney, & Ogle's Irish Nisi Prius Reports.
- Arms. Tr.** Armstrong's Limerick Trials, Ireland.
- Arn.** Arnold's English Common Pleas Reports;—Arnot's Criminal Trials, Scotland.
- Arn. El. Cas.** Arnold's Election Cases, English.
- Arn. Ins.** Arnould on Marine Insurance.
- Arn. & H. (or Arn. & Hod.).** Arnold & Hodges' English Queen's Bench Reports.
- Arn. & Hod. B. C.** Arnold & Hodges' English Bail Court Reports.
- Arn. & Hod. Pr. Cas.** Arnold & Hodges' Practice Cases, English.
- Arnold.** Arnold's Common Pleas Reports, English.
- Arnot Cr. C.** Arnot's Criminal Cases, Scotland.
- Artic. Cleri.** Articles of the clergy.
- Articuli sup. Chart.** Articles upon the charters.
- Ashe.** Ashe's Tables to the Year Books (or to Coke's Reports;—or to Dyer's Reports).
- Ashm.** Ashmead's Pennsylvania Reports.
- Ashton.** Ashton's Reports, vols. 9-12 Opinions of the United States Attorneys General.
- Ashurst MS.** Ashurst's Paper Books, Lincoln's Inn Library;—Ashurst's Manuscript Reports, printed in vol. 2 Chitty.
- Asp.** Aspinall, English Admiralty.
- Asp. Cas. (or Rep.).** English Maritime Law Cases, new series by Aspinall.
- Asp. M. C.** Aspinall's Maritime Cases.
- Ass.** Book of Assizes.
- Ass. Jerus.** Assizes of Jerusalem.
- Ast. Ent.** Aston's Entries.
- Atch.** Atchison's English Navigation and Trade Reports.
- Ath. Mar. Sett.** Atherly on Marriage Settlements.
- Atk.** Atkyn's English Chancery Reports.
- Atk. P. T.** Atkyn's Parliamentary Tracts.
- Atk. Sher.** Atkinson on Sheriffs.
- Atl.** Atlantic Reporter.
- Atl. Mo.** Atlantic Monthly.
- Atl. R. (or Rep.).** Atlantic Reporter.
- Atty. Gen. Op.** Attorney-Generals' Opinions, United States.
- Atty. Gen. Op. N. Y.** Attorney-Generals' Opinions, New York.
- Atwater.** Atwater's Reports, vol. 1 Minnesota.
- Auch.** Auchinleck's Manuscript Cases, Scotch Court of Session.
- Auct. Reg. & L. Chron.** Auction Register and Law Chronicle.
- Aul. Gel. Noctes Atticæ.** Aulus Gellius, Noctes Atticæ.
- Aust.** Austin's English County Court Cases;—Australia.
- Aust. Jur.** Austin's Province of Jurisprudence.
- Aust. Jur. Abr.** Austin's Lectures on Jurisprudence, abridged.
- Aust. L. T.** Australian Law Times.
- Austin (Ceylon).** Austin's Ceylon Reports.
- Austin C. C.** Austin's English County Court Reports.
- Ayl. Pan.** See Ayliffe.
- Ayl. Pand.** See Ayliffe.
- Ayl. Par.** See Ayliffe.
- Ayliffe.** Ayliffe's Pandects;—Ayliffe's Parergon Juris Canonici Angelicani.
- Ayliffe Parerg.** See Ayliffe.
- Azuni, Mar. Law.** Azuni on Maritime Law.

## B

- B. C.** Bankruptcy Cases.
- B. C. C.** Bail Court Reports (Saunders & Cole);—Bail Court Cases (Lowndes & Maxwell);—Brown's Chancery Cases.
- B. C. R. (or B. C. Rep.).** Saunders & Cole's Bail Court Reports, English;—British Columbia Reports.
- B. Ch.** Barbour's Chancery Reports, New York.
- B. D. & O.** Blackham, Dundas & Osborne's Nisi Prius Reports, Ireland.
- B. L. R.** Bengal Law Reports.
- B. M.** Burrow's Reports *tempore* Mansfield;—Ben Monroe's Reports, Kentucky;—Moore's Reports, English.
- B. Mon.** Ben Monroe's Reports, Kentucky.
- B. Moore.** Moore's Reports, English.
- B. N. C.** Bingham's New Cases, English Common Pleas;—Brooke's New Cases, English King's Bench;—Busbee's North Carolina Law Reports.
- B. N. P.** Buller's Nisi Prius.
- B. P. B.** Buller's Paper Book, Lincoln's Inn Library.
- B. P. C.** Brown's Cases in Parliament.
- B. P. L. Cas.** Bott's Poor Law Cases.
- B. P. N. R.** Bosanquet & Puller's New Reports, English Common Pleas.
- B. P. R.** Brown's Parliamentary Reports.
- B. R.** Bancus Regis, or King's Bench;—Bankruptcy Reports;—Bankruptcy Register, New York;—National Bankruptcy Register Reports.
- B. R. H.** Cases in King's Bench *tempore* Hardwicke.
- B. & A.** Barnewall & Adolphus' English King's Bench Reports;—Barnewall & Alderson's English King's Bench Reports;—Baron & Arnold's English Election Cases;—Baron & Austin's English Election Cases;—Banning & Arden's Patent Cases.
- B. & Ad. (or Adol.).** Barnewall & Adolphus' English King's Bench Reports.
- B. & Ald.** Barnewall & Alderson's English King's Bench Reports.
- B. & Arn.** Barron & Arnold's Election Cases.
- B. & Aust.** Barron & Austin's English Election Cases.
- B. & B.** Broderip & Bingham's English Common Pleas Reports;—Ball & Beatty's Irish Chancery Reports;—Bowler & Bowers, vols. 2, 3 United States Comptroller's Decisions.
- B. & C.** Barnewall & Cresswell's English King's Bench Reports.
- B. & D.** Benloe & Dalison, English.
- B. & F.** Broderip & Fremantle's English Ecclesiastical Reports.
- B. & H.** Blatchford & Howland's United States District Court Reports.
- B. & H. Dig.** Bennett & Heard's Massachusetts Digest.
- B. & H. Lead. Cas.** Bennett & Heard's Leading Criminal Cases.
- B. & I.** Bankruptcy and Insolvency Cases.
- B. & L.** Browning & Lushington's English Admiralty Reports.
- B. & M. (or B. & Macn.).** Browne & Macnamara's Reports, English.
- B. & P.** Bosanquet & Puller's English Common Pleas Reports.
- B. & P. N. R.** Bosanquet & Puller's New Reports.
- B. & S.** Best & Smith's English Queen's Bench Reports.
- B. & V.** Beling & Vanderstraaten's Reports, Ceylon.
- Ba. & Be.** Ball & Beatty's Irish Chancery Reports.
- Bab. Auct.** Babington on Auctions.
- Bac. Aph. (or Bac. Aphorisms).** Bacon's (Sir Francis) Aphorisms.
- Bac. Dig.** Bacon's Georgia Digest.
- Bac. Max.** Bacon's (Sir Francis) Maxims.
- Bac. Read. Uses.** Bacon (Sir Francis), Reading upon the Statute of Uses.
- Bac. St. Uses.** Bacon (Sir Francis), Reading upon the Statute of Uses.
- Bac. Ir.** Bacon (Sir Francis), Law Tracts.
- Bac. Works.** Bacon's (Sir Francis), Works.
- Bach.** Bach's Reports, vols. 19–21 Montana.
- Bacon.** Bacon's Abridgment;—Bacon's Aphorisms;—Bacon's Complete Arbitrator;—Bacon's Elements of the Common Law;—Bacon on Government;—Bacon's Law Tracts;—Bacon on Leases and Terms of Years;—Bacon's Maxims;—Bacon on Uses.
- Bagl.** Bagley's Reports, vols. 16–19 California.
- Bail.** Bailey's Law Reports, South Carolina.
- Bail Ct. Cas.** Lowndes & Maxwell's English Bail Court Cases.
- Bail Ct. Rep.** Saunders & Cole's English Bail Court Reports;—Lowndes & Maxwell's English Bail Court Cases.
- Bail. Dig.** Bailey's North Carolina Digest.
- Bail. Eq.** Bailey's Equity Reports, South Carolina.
- Bailey.** Bailey's Law Reports, South Carolina Court of Appeals.
- Bailey Eq.** Bailey's Equity Reports, South Carolina Court of Appeals.
- Baill. Dig.** Baillie's Digest of Mohammedan Law.
- Bainb. Mines.** Bainbridge on Mines and Minerals.
- Baker, Quar.** Baker's Law of Quarantine.
- Bald. App. 11 Pet.** Baldwin's Appendix to 11 Peters.
- Bald. (or Bald. C. C.).** Baldwin's United States Circuit Court Reports;—Baldus (Commentator on the Code);—Baldasseroni (on Maritime Law).



**Baldw. Dig.** Baldwin's Connecticut Digest.

**Balf.** Balfour's Practice, Laws of Scotland.

**Ball & B.** Ball & Beatty's Irish Chancery Reports.

**Bank. and Ins. R.** Bankruptcy and Insolvency Reports, English.

**Bank. Ct. Rep.** Bankrupt Court Reports, New York;—The American Law Times Bankruptcy Reports are sometimes thus cited.

**Bank. I. (or Bank. Inst.).** Banker's Institutes of Scottish Law.

**Bank. Rep.** American Law Times Bankruptcy Reports.

**Bank. & Ins.** Bankruptcy and Insolvency Reports, English.

**Banks.** Banks' Reports, vols. 1-5 Kansas.

**Bann.** Bannister's Reports, English Common Pleas.

**Bann. Br.** Bannister's edition of O. Bridgman's English Common Pleas Reports.

**Bann. & A. Pat. Ca.** Banning & Arden's Patent Cases.

**Bar.** Barnardiston's English King's Bench Reports;—Barnardiston's Chancery;—Bar Reports in all the Courts, English;—Barbour's Supreme Court Reports, New York;—Barrows' Reports, vol. 18 Rhode Island.

**Bar. Ch. (or Chy.).** Barnardiston's English Chancery Reports.

**Bar. Mag.** Barrington's Magna Charta.

**Bar. N.** Barnes' Notes, English Common Pleas Reports.

**Bar. Obs. St.** Barrington's Observations upon the Statutes from Magna Charta to 21 James I.

**Bar. & Ad.** Barnewall & Adolphus' English King's Bench Reports.

**Bar. & Al.** Barnewall & Alderson's English King's Bench Reports.

**Bar. & Arn.** Barron & Arnold's English Election Cases.

**Bar. & Aust. (or Au.).** Barron & Austin's English Election Cases.

**Bar. & Cr.** Barnewall & Cresswell's English King's Bench Reports.

**Barb.** Barbour's Supreme Court Reports, New York;—Barber's Reports, vols. 14-24 Arkansas.

**Barb. Abs.** Barbour's Abstracts of Chancellor's Decisions, New York.

**Barb. App. Dig.** Barber's Digest, New York.

**Barb. Ark.** Barber's Reports, vols. 14-24 Arkansas.

**Barb. Ch.** Barbour's New York Chancery Reports.

**Barb. Ch. Pr.** Barbour's Chancery Practice (Text Book).

**Barb. Dig.** Barber's Digest of Kentucky.

**Barb. S. C.** Barbour's Supreme Court Reports, New York.

**Barbe.** Barber's Reports, Arkansas. See Barb. Ark.

**Barc. Dig.** Barclay's Missouri Digest.

**Barn.** Barnardiston's English King's Bench Reports;—Barnes' English Common Pleas Reports;—Barnfield's Reports, vols. 19-20, Rhode Island.

**Barn. Ch.** Barnardiston's English Chancery Reports.

**Barn. No.** Barnes' Note of Cases, English Common Pleas.

**Barn. & A.** Barnewall & Alderson's English King's Bench Reports.

**Barn. & Ad. (or Adol.).** Barnewall & Adolphus' English King's Bench Reports.

**Barn. & Ald.** Barnewall & Alderson's English King's Bench Reports.

**Barn. & C. (or Cr.).** Barnewall & Cresswell's English King's Bench Reports.

**Barnard. Ch.** Barnardiston's Chancery Reports.

**Barnard. K. B.** Barnardiston's King's Bench Reports.

**Barnes.** Barnes' Practice Cases, English.

**Barnes, N. C.** Barnes' Notes of Cases in Common Pleas.

**Barnet.** Barnet's Reports, vols. 27-29 English Central Criminal Courts Reports.

**Barnf. & S.** Barnfield and Stiness' Reports, vol. 20. Rhode Island.

**Barnw. Dig.** Barnwall's Digest of the Year Books.

**Barr.** Barr's Reports, vols. 1-10 Pennsylvania State;—Barrows' Reports, vol. 18 Rhode Island.

**Barr. St.** Barrington's Observations upon the Statutes from Magna Charta to 21 James I.

**Barr. & Arn.** Barron & Arnold's English Election Cases.

**Barr. & Aus.** Barron & Austin's English Election Cases.

**Barrington. Obs. St. (or Barrington. St.).** Barrington's Observations upon the Statutes from Magna Charta to 21 James I.

**Barrows.** Barrows' Reports, vol. 18 Rhode Island.

**Bart. El. Cas.** Bartlett's Congressional Election Cases.

**Bat. Dig.** Battle's Digest, North Carolina.

**Bates.** Bates' Delaware Chancery Reports.

**Bates' Dig.** Bates' Digest, Ohio.

**Batt. (or Batty).** Batty's Irish King's Bench Reports.

**Bax. (or Baxt.).** Baxter's Reports, vols. 60-68 Tennessee.

**Bay.** Bay's South Carolina Reports;—Bay's Reports, vols. 1-3 and 5-8 Missouri.

**Beach, Rec.** Beach on the Law of Receivers.

**Beas.** Beasley's New Jersey Chancery Reports.

**Beat. (or Beatty).** Beatty's Irish Chancery Reports.

**Beav.** Beavan's English Rolls Court Reports.

**Beav. R. & C. Cas.** English Railway and Canal Cases, by Beavan and others.

**Beav. & Wal. Ry. Cas.** Beavan & Walford's Railway and Canal Cases, England.

**Beaw. (or Beaw. Lex Merc.).** Beawes' Lex Mercatoria.

**Beck.** Beck's Reports, vols. 12-16 Colorado; also vol. 1 Colorado Court of Appeals.

**Beck, Med. Jur.** Beck's Medical Jurisprudence.

**Bedell.** Bedell's Reports, vol. 163 New York.

**Bee.** Bee's United States District Court Reports.

**Bee Adm.** Bee's Admiralty. An Appendix to Bee's District Court Reports.

**Bee C. C. R.** Bee's Crown Cases Reserved, English.

**Beebe Cit.** Beebe's Ohio Citations.

**Bel.** Bellewe's English King's Bench Reports;—Bellasis' Bombay Reports;—Beling's Ceylon Reports;—Bellinger's Reports, vols. 4-8 Oregon.

**Beling.** Beling's Ceylon Reports.

**Beling & Van.** Beling & Vanderstraaten's Ceylon Reports.

**Bell.** Bell's Dictionary and Digest of the Laws of Scotland;—Bell's English Crown Cases Reserved;—Bell's Scotch Appeal Cases;—Bell's Scotch Session Cases;—Bell's Calcutta Reports, India;—Bellewe's English King's Bench Reports;—Brooke's New Cases, by Bellewe;—Bellinger's Reports, vols. 4-8 Oregon;—Bellasis' Bombay Reports.

**Bell Ap. Ca.** Bell's Scotch Appeals.

**Bell App. Cas.** Bell's Scotch House of Lords (Appeal) Cases.

**Bell C. C.** Bell's English Crown Cases Reserved;—Bellasis' Civil Cases, Bombay;—Bellasis' Criminal Cases, Bombay.

**Bell C. H. C.** Bell's Reports, Calcutta High Court.

**Bell Cas.** Bell's Cases, Scotch Court of Session.

**Bell. Cas. t. H. VIII.** Brooke's New Cases (collected by Bellewe).

**Bell. Cas. t. R. II.** Bellewe's English King's Bench Reports (time of Richard II).

**Bell, Comm.** Bell's Commentaries on the Law of Scotland.

**Bell Cr. C.** Bell's English Crown Cases;—Beller's Criminal Cases, Bombay.

**Bell, Dict.** Bell's Dictionary and Digest of the Laws of Scotland.

**Bell fol.** Bell's folio Reports, Scotch Court of Session.

**Bell H. C.** Bell's Reports, High Court of Calcutta.

**Bell H. L. (or Bell, H. L. Sc.).** Bell's House of Lord's Cases, Scotch Appeals.

**Bell Med. L. J.** Bell's Medico Legal Journal.

**Bell Oct. (or Svo.).** Bell's octavo Reports, Scotch Court of Session.

**Bell P. C.** Bell's Cases in Parliament, Scotch Appeals.

**Bell Put. Mar.** Bell's Putative Marriage Case, Scotland.

**Bell Sc. App.** Bell's Appeals to House of Lords from Scotland.

**Bell Sc. Dig.** Bell's Scottish Digest.

**Bell Ses. Cas.** Bell's Cases in the Scotch Court of Session.

**Bellasis.** Bellasis' Criminal (or Civil) Cases, Bombay.

**Bellewe.** Bellewe's English King's Bench Reports.

**Bellewe t. H. VIII.** Brooke's New Cases (collected by Bellewe).

**Bellinger.** Bellinger's Reports, vols. 4-8 Oregon.

**Bellingh. Tr.** Report of Bellingham's Trial.

**Belt Bro.** Belt's edition of Brown's Chancery Reports.

**Belt Sup.** Belt's Supplement to Vesey Senior's English Chancery Reports.

**Belt Ves. Sen.** Belt's edition of Vesey Senior's English Chancery Reports.

**Ben.** Benedict's United States District Court Reports.

**Ben. Adm.** Benedict's Admiralty Practice.

**Ben. F. I. Cas.** Bennett's Fire Insurance Cases.

**Ben Mon.** Ben Monroe's Reports, Kentucky.

**Ben. & Dal.** Benloe & Dalison's English Common Pleas Reports.

**Ben. & H. L. C.** Bennett & Heard's Leading Criminal Cases.

**Ben. & S. Dig.** Benjamin & Slidell's Louisiana Digest.

**Bench & B.** Bench and Bar (periodical), Chicago.

**Bendl.** Bendloe (see *Benl.*).

**Bendloe.** Bendloe's or New Benloe's Reports, English Common Pleas, Edition of 1661.

**Bened.** Benedict's United States District Court Reports.

**Beng. L. R.** Bengal Law Reports, India.

**Beng. S. D. A.** Bengal Sudder Dewanny Adawlut Reports.

**Benj.** Benjamin. New York Annotated Cases, 6 vols.

**Benj. Sales.** Benjamin on Sales.

**Benj. Chalm. Bills & N.** Benjamin's Chalmer's Bills and Notes.

**Benl.** Benloe's or Bendloe's English King's Bench Reports.

**Benl. in Ashe.** Benloe at the end of Ashe's Tables.

**Benl. in Keil.** Benloe or Bendloe in Keilway's Reports.

**Benl. New.** Benloe's Reports, English King's Bench.

**Benl. Old.** Benloe of Benloe & Dalison. English Common Pleas Reports.

**Benl. & Dal.** Benloe & Dalison's Common Pleas Reports.

**Benn. Cal.** Bennett's Reports, vol. 1 California.

**Benn. F. I. Cas.** Bennett's Fire Insurance Cases.

**Benn. & H. Cr. Cas.** Bennett & Heard's Leading Criminal Cases.

**Benn. & H. Dig.** Bennett & Herard Massachusetts Digest.

**Benne.** Reporter of vol. 7, Modern Reports.

**Bennett.** Bennett's Reports, vol. 1 California;—Bennett's Reports, vol. 1 Dakota;—Bennett's Reports, vols. 16–21 Missouri.

**Bent.** Bentley's Reports, Irish Chancery.

**Benth. Ev. (or Benth. Jud. Ev.).** Bentham on Rationale of Judicial Evidence.

**Bentl. Atty.-Gen.** Bentley's Reports, vols. 13–19 Attorneys-General's Opinions.

**Beor.** Queensland Law Reports.

**Ber.** Berton's New Brunswick Reports.

**Bern.** Bernard's Church Cases, Ireland.

**Berry.** Berry's Reports, vols. 1–28 Missouri Court of Appeals.

**Bert.** Berton's New Brunswick Reports.

**Best, Ev.** Best on Evidence.

**Best, Pres.** Best on Presumptions.

**Best & S. (or Best & Sm.).** Best & Smith's English Queen's Bench Reports.

**Bett's Dec.** Blatchford and Howland's United States District Court Reports;—Olcott's United States District Court Reports.

**Bev. Pat.** Bevill's Patent Cases, English.

**Bev. & M.** Bevin & Mill's Reports, Ceylon.

**Beven.** Beven's Ceylon Reports.

**Bibb.** Bibb's Reports, Kentucky.

**Bick. (or Bick. & Hawl.).** Bicknell & Hawley's Reports, vols. 10–20 Nevada.

**Big.** Bignell's Reports, India.

**Big. Cas.** Bigelow's Cases, William I to Richard I.

**Big. L. I. Cas. (or Big. L. & A. Ins. Cas.).** Bigelow's Life and Accident Insurance Cases.

**Big. Ov. Cas.** Bigelow's Overruled Cases.

**Big. Plac.** Bigelow's Placita Anglo-Normannica.

**Bigelow, Estop.** Bigelow on Estoppel.

**Bign.** Bignell's Indian Reports.

**Bin.** Binney's Pennsylvania Reports.

**Bin. Dig.** Binmore's Digest, Michigan.

**Bing.** Bingham's English Common Pleas Reports.

**Bing. N. C.** Bingham's New Cases, English Common Pleas.

**Binn.** Binney's Pennsylvania Reports.

**Birds. St.** Birdseye's Statutes, New York.

**Biret, Vocab.** Biret, Vocabulaire des Cinq Codes, ou definitions simplifiées des termes de droit et de jurisprudence exprimés dans ces codes.

**Bis.** Bissell's United States Circuit Court Reports.

**Bish. Cr. Law.** Bishop on Criminal Law.

**Bish. Crim. Proc.** Bishop on Criminal Procedure.

**Bish. Mar. & Div.** Bishop on Marriage and Divorce.

**Bish. St. Crimes.** Bishop on Statutory Crimes.

**Bishop Dig.** Bishop's Digest, Montana.

**Bisp. Eq. (or Bisp. Eq.).** Bispham's Equity.

**Biss. (or Bis.).** Bissell's United States Circuit Court Reports.

**Bitt. Chamb. Rep.** Bittleson's Chamber Reports, England.

**Bitt. Fr. Cas.** Bittleson's Practice Cases, English.

**Bitt. W. & P.** Bittleson, Wise & Parnell's Reports, vols. 2, 3 New Practice Cases.

**Bk.** Black's United States Supreme Court Reports.

**Bl.** Black's United States Supreme Court Reports;—Blatchford's United States Circuit Court Reports;—Blackford's Indiana Reports;—Henry Blackstone's English Common Pleas Reports;—W. Blackstone's English King's Bench Reports;—Blackstone.

**Bl. C. C.** Blatchford's United States Circuit Court Reports.

**Bl. Com. (or Bl. Comm.).** Blackstone's Commentaries.

**Bl. Dict.** Black's Dictionary.

**Bl. D. & O.** Blackham, Dundas & Osborne's Irish Nisi Prius Reports.

**Bl. H.** Henry Blackstone's English Common Pleas Reports.

**Bl. Judgm.** Black on Judgments.

**Bl. Law Tracts.** Blackstone's Law Tracts.

**Bl. Prize (or Bl. Pr. Cas.).** Blatchford's Prize Cases.

**Bl. R. (or Bl. W.).** Sir William Blackstone's English King's Bench Reports.

**Bl. & H.** Blatchford & Howland's United States District Court Reports;—Blake & Hedges' Reports, vols. 2–3 Montana.

**Bl. & W. Mines.** Blanchard & Weeks' Leading Cases on Mines.

**Bla. Ch.** Bland's Maryland Chancery Reports.

**Bla. Com.** Blackstone's Commentaries.

**Bla. H.** Henry Blackstone's English Common Pleas Reports.

**Bla. W.** Sir William Blackstone's Reports English King's Bench.

**Black.** Black's United States Supreme Court Reports;—Black's Reports, vols. 30–53 Indiana;—H. Blackstone's English Common Pleas Reports;—W. Blackstone's English King's Bench Reports;—Blackford's Indiana Reports.

**Black. Cond. Rep.** Blackwell's Condensed Illinois Reports.

**Black, Const. Law.** Black on Constitutional Law.

**Black, Const. Prohib.** Black's Constitutional Prohibitions.

**Black. D. & O.** Blackham, Dundas & Osborne's Irish Nisi Prius Reports.

**Black. H.** Henry Blackstone's English Common Pleas Reports.

**Black, Interp. Laws.** Black on Interpretation of Laws.

**Black, Intox. Liq.** Black on Intoxicating Liquors.

**Black, Judgm.** Black on Judgments.

**Black. Jus.** Blackerby's Justices' Cases.

**Black. R.** Black's United States Supreme Court Reports;—W. Blackstone's English King's Bench Reports. See Black.

**Black Ship. Ca.** Black's Decisions in Shipping Cases.

**Black, Tax Titles.** Black on Tax Titles.

**Black. W.** W. Blackstone's English King's Bench Reports.

**Blackf.** Blackford's Indiana Reports.

**Blackw. Cond.** Blackwell's Condensed Reports, Illinois.

**Blake.** Blake's Reports, vols. 1-3 Montana.

**Blake & H.** Blake and Hedges' Reports, vols. 2-3 Montana.

**Blanc. & W. L. C.** Blanchard & Weeks' Leading Cases on Mines, etc.

**Bland (or Bland's Ch.).** Bland's Maryland Chancery Reports.

**Blatchf.** Blatchford's United States Circuit Court Reports—United States Appeals.

**Blatchf. Pr. Cas.** Blatchford's Prize Cases.

**Blatchf. & H.** Blatchford & Howland's United States District Court Reports.

**Bleckley.** Bleckley's Reports, vols. 34, 35 Georgia.

**Bligh.** Bligh's English House of Lords Reports.

**Bligh N. S.** Bligh's English House of Lords Reports, New Series.

**Bliss.** Delaware County Reports, Pennsylvania.

**Bliss N. Y. Co.** Bliss's New York Code.

**Bloom. Man. (or Neg.) Cas.** Bloomfield's Manumission (or Negro) Cases, New Jersey.

**Blount.** Blount's Law Dictionary.

**Blount Tr.** Blount's Impeachment Trial.

**Bomb. H. Ct.** Bombay High Court Reports.

**Bomb. L. R.** Bombay Law Reporter.

**Bomb. Sel. Cas.** Bombay Select Cases.

**Bomb. Ser.** Bombay Series, Indian Law Reports.

**Bond.** Bond's United States Circuit Reports.

**Booraem.** Booraem's Reports, vols. 6-8 California.

**Boote, Suit at Law.** Boote's Suit at Law.

**Booth, Real Act.** Booth on Real Actions.

**Borr.** Borradaile's Reports, Bombay.

**Bos.** Bosworth's New York Superior Court Reports.

**Bos. & P. N. R.** Bosanquet & Puller's New Reports, English Common Pleas.

**Bos. & Pul.** Bosanquet & Puller's English Common Pleas Reports.

**Bos. & Pul. N. R.** Bosanquet & Puller's New Reports, English Common Pleas.

**Bosw.** Bosworth's New York Superior Court Reports.

**Bott P. L.** Bott's Poor Laws.

**Bott P. L. Cas.** Bott's Poor Law Cases.

**Bott P. L. Const.** Const's Edition of Bott's Poor Law Cases.

**Bott Set. Cas.** Bott's Poor Law (Settlement) Cases.

**Bould.** Bouldin's Reports, vol. 119 Alabama.

**Bouln.** Boulnois' Reports, Bengal.

**Bourke.** Bourke's Reports, Calcutta High Court.

**Bouv. Inst.** Bouvier's Institutes of American Law.

**Bouvier.** Bouvier's Law Dictionary.

**Bov. Pat. Ca.** Bovill's Patent Cases.

**Bow.** Bowler & Bowers, vols. 2, 3, United States Comptroller's Decisions.

**Bowen, Pol. Econ.** Bowen's Political Economy.

**Bowyer, Mod. Civil Law.** Bowyer's Modern Civil Law.

**Br.** Bracton;—Bradford;—Bradwell;—Brayton;—Breese;—Brevard;—Brewster;—Bridgman;—Brightly;—British;—Britton;—Brockenbrough;—Brooke;—Broom;—Brown;—Brownlow;—Bruce. See below, especially under Bro.

**Br. C. C.** British (or English) Crown Cases (American reprint);—Brown's Chancery Cases, England.

**Br. Cr. Ca.** British (or English) Crown Cases.

**Br. Fed. Dig.** Brightly's Federal Digest.

**Br. N. C.** Brooke's New Cases, English King's Bench.

**Br. P. C.** Brown's English Parliamentary Cases.

**Br. Reg.** Braithwaite's Register.

**Br. Sup.** Brown's Supplement to Morrison's Dictionary, Sessions Cases, Scotland.

**Br. Syn.** Brown's Synopsis of Decisions, Scotch Court of Sessions.

**Br. & B.** Broderip & Bingham, English Common Pleas.

**Br. & Fr.** Broderick & Fremantle's Ecclesiastical Cases, English.

**Br. & Gold.** Brownlow & Goldesborough's English Common Pleas Reports.

**Br. & L. (or Br. & Lush.).** Brownlow & Lushington's English Admiralty Reports.

**Br. & R.** Brown & Rader's Missouri Reports.

**Brac. (or Bract. or Bracton).** Bracton de Legibus et Consuetudinibus Angliæ.

**Brad.** Bradford's Surrogate Reports, New York;—Bradford's Iowa Reports;—Bradwell's Illinois Appeal Reports;—Bradley's Reports, Rhode Island.

**Bradf.** Bradford's New York Surrogate Reports;—Bradford's Reports, Iowa.

**Bradf. Sur.** Bradford's Surrogate Court Reports, New York.

**Bradw.** Bradwell's Appellate Reports, Illinois.

**Brady Ind.** Brady's Index, Arkansas Reports.

**Brame.** Brame's Reports, vols. 66-72 Mississippi.

**Branch.** Branch's Reports, vol. 1 Florida.

**Branch, Max.** Branch's Maxims.

**Branch, Princ.** Branch's Principia Legis et Equitatis.

- Brand.** Brandenburg's Reports, vol. 21, Opinions Attorneys-General.
- Brand. F. Attachm. (or Brand. For Attachm.)** Brandon on Foreign Attachment.
- Brande.** Brande's Dictionary of Science.
- Brans. Dig.** Branson's Digest, Bombay.
- Brant.** Brantly's Reports, vols. 80-90 Maryland.
- Brayt.** Brayton's Vermont Reports.
- Breese.** Breese's Reports, vol. 1 Illinois.
- Brett Ca. Eq.** Brett's Cases in Modern Equity.
- Brev.** Brevard's South Carolina Reports.
- Brev. Dig.** Brevard's Digest.
- Brev. Ju.** Brèvia Judicialia (Judicial Writs).
- Brew.** Brewer's Reports, vols. 19-26 Maryland.
- Brewst.** Brewster's Pennsylvania Reports.
- Brick. Dig.** Brickell's Digest, Alabama.
- Bridg. Dig. Ind.** Bridgman's Digested Index.
- Bridg. J.** Sir J. Bridgman's English Common Pleas Reports.
- Bridg. O.** Sir Orlando Bridgman's English Common Pleas Reports—(sometimes cited as Carter).
- Bright. (Pa.).** Brightly's Nisi Prius Reports, Pennsylvania.
- Bright. Dig.** Brightly's Digest, New York;—Brightly's Digest, Pennsylvania;—Brightly's Digest, United States.
- Bright. Elec. Cas.** Brightly's Leading Election Cases.
- Bright. N. P.** Brightly's Nisi Prius Reports, Pennsylvania.
- Bright. Purd. (or Brightly's Purd. Dig.)** Brightly's Edition of Purdon's Digest of Laws of Pennsylvania.
- Brishin.** Reporter, vol. 1 Minnesota.
- Brissonius.** De verborum quæ ad jus civile pertinent significatione.
- Brit.** Britton's Ancient Pleas of the Crown.
- Brit. Cr. Cas.** British (or English) Crown Cases.
- Brit. Quar. Rev.** British Quarterly Review.
- Britt.** Britton on Ancient Pleading.
- Bro.** See, also, Brown and Browne. Browne's Pennsylvania Reports;—Brown's Michigan Nisi Prius Reports;—Brown's English Chancery Reports;—Brown's Parliamentary Cases;—Brown's Reports, vols. 53-65 Mississippi;—Brown's Reports, vols. 80-137 Missouri.
- Bro. (Pa.).** Browne's Pennsylvania Reports.
- Bro. Abr. in Eq.** Browne's New Abridgment of Cases in Equity.
- Bro. Adm.** Brown's United States Admiralty Reports.
- Bro. A. & R.** Brown's United States District Court Reports (Admiralty and Revenue Cases).
- Bro. C. C.** Brown's English Chancery Cases, or Reports.
- Bro. Ch.** Brown's English Chancery Reports.
- Bro. Ecc.** Brooke's Six Judgments in Ecclesiastical Cases (English).
- Bro. N. C.** Brooke's New Cases, English King's Bench.
- Bro. N. P.** Brown's Michigan Nisi Prius Reports;—Brown's Nisi Prius Cases, English.
- Bro. P. C.** Brown's English Parliamentary Cases.
- Bro. Supp.** Brown's Supplement to Morrison's Dictionary of the Court of Session, Scotland.
- Bro. Syn.** Brown's Synopsis of Decisions, Scotch Court of Session.
- Bro. V. M.** Brown's Vade Mecum.
- Bro. & Fr.** Broderick & Fremantle's English Ecclesiastical Cases.
- Bro. & G.** Brownlow & Goldesborough's English Common Pleas Reports.
- Bro. & Lush.** Browning & Lushington's English Admiralty Reports.
- Brock.** Brockenbrough's Marshall's Decisions, United States Circuit Court.
- Brock. Cas.** Brockenbrough's Virginia Cases.
- Brock. & Hol.** Brockenbrough & Holmes' Virginia Cases.
- Brod. Stair.** Brodie's Notes to Stair's Institutes, Scotch.
- Brod. & B. (or Brod. & Bing.).** Broderip & Bingham's English Common Pleas Reports.
- Brod. & Fr.** Broderick & Fremantle's Ecclesiastical Cases.
- Brooke (or Brooke [Petit]).** Brooke's New Cases, English King's Bench.
- Brooke, Abr.** Brooke's Abridgment.
- Brooke Eccl. Judg.** Brooke's Six Ecclesiastical Judgments.
- Brooke N. C.** Brooke's New Cases, English King's Bench Reports. (Bellewe's Cases *tempore* Henry VIII.)
- Brooke Six Judg.** Brooke's Six Ecclesiastical Judgments (or Reports).
- Brooks.** Brooks' Reports, vols. 106-119 Michigan.
- Broom, Com. Law.** Broom's Commentaries on the Common Law.
- Broom, Max.** Broom's Legal Maxims.
- Broom & H. Comm.** Broom & Hadley's Commentaries on the Law of England.
- Broun.** Broun's Reports, Scotch Justiciary Court.
- Brown.** Brown's Reports, vols. 53-65 Mississippi;—Brown's English Parliamentary Cases;—Brown's English Chancery Reports;—Brown's Law Dictionary;—Brown's Scotch Reports;—Brown's United States District Court Reports;—Brown's U. S. Admiralty Reports;—Brown's Michigan Nisi Prius Reports;—Brown's Reports, vols. 4-25 Nebraska;—Brownlow (& Goldesborough's) English Common Pleas Reports;—Brown's Reports, vols. 80-137 Missouri. See, also, Bro. and Browne.

**Browne.** Browne's Pennsylvania Reports;—Browne's Reports, vols. 97-114 Massachusetts;—Browne, New York Civil Procedure. See also Bro. and Brown.

**Brown A. & R.** Brown's United States District Court Reports (Admiralty and Revenue Cases).

**Brown, Adm.** Brown's United States Admiralty Reports.

**Brown, Ch. (or Brown Ch. Cas.).** Brown's Chancery Cases, English.

**Brown, Civ. & Adm. Law.** Brown's Civil and Admiralty Law.

**Brown Ecc.** Brown's Ecclesiastical Reports, English.

**Brown N. P.** Brown's Michigan Nisi Prius Reports.

**Brown N. P. Cas.** Brown's Nisi Prius Cases, English.

**Brown P. C.** Brown's Parliamentary Cases, English House of Lords.

**Brown, Parl. Cas.** Brown's Parliamentary Cases, English House of Lords.

**Brown Sup. Dec.** Brown's Supplement to Morrison's Dictionary, Session Cases, Scotland.

**Brown Syn.** Brown's Synopsis of Decisions, Scotch.

**Brown. & Gold.** Brownlow & Goldesborough's English Common Pleas Reports.

**Brown & H.** Brown & Hemingway's Reports, vols. 53-58 Mississippi.

**Brown. & Lush.** Browning & Lushington's English Admiralty Reports.

**Browne, Div.** Browne's Divorce Court Practice.

**Browne N. B. C.** Browne's National Bank Cases.

**Browne, Prob. Pr.** Browne's Probate Practice.

**Browne & Gray.** Browne & Gray's Reports, vols. 110-111 Massachusetts.

**Browne & Macn.** Browne & Macnamara's English Railway and Canal Cases.

**Brownl. (or Brownl. & Gold.).** Brownlow & Goldesborough's English Common Pleas Reports.

**Bru. (or Bruce).** Bruce's Scotch Court of Session Reports.

**Brun.** Brunner's Collective Cases, United States.

**Brunk. Ir. Dig.** Bruncker's Irish Common Law Digest.

**Brunner Sel. Cas.** Brunner's Selected Cases United States Circuit Courts.

**Bt.** Benedict's United States District Court Reports.

**Buch.** Buchanan's (Eben J. or James) Reports, Cape of Good Hope.

**Buch. Cas. (or Tr.).** Buchanan's Remarkable Criminal Cases, Scotland.

**Buch. Ct. Ap. Cape G. H.** Buchanan's Court of Appeals Reports, Cape of Good Hope.

**Buch. E. Cape G. H.** E. Buchanan's Reports, Cape of Good Hope.

**Buch. E. D. Cape G. H.** Buchanan's Eastern District Reports, Cape of Good Hope.

**Buch. J. Cape G. H.** J. Buchanan's Reports, Cape of Good Hope.

**Buck.** Buck's English Cases in Bankruptcy;—Buck's Reports, vols. 7-8 Montana.

**Buck. Cooke.** Bucknill's Cooke's Cases of Practice, Common Pleas.

**Buck. Dec.** Buckner's Decisions (in Freeman's Mississippi Chancery Reports).

**Buff. Super. Ct.** Sheldon's Superior Court Reports, Buffalo, New York.

**Bull. N. P.** Buller's Law of Nisi Prius, English.

**Bull. & C. Dig.** Bullard & Curry's Louisiana Digest.

**Buller MSS.** J. Buller's Paper Books, Lincoln's Inn Library.

**Bulst.** Bulstrode's English King's Bench Reports.

**Bump, Fraud. Conv.** Bump on Fraudulent Conveyances.

**Bump N. C.** Bump's Notes on Constitutional Decisions.

**Bunb.** Bunbury's English Exchequer Reports.

**Bur.** Burnett's Reports, Wisconsin.

**Bur. (or Burr.).** Burrow's English King's Bench Reports.

**Bur. M.** Burrow's Reports *tempore* Mansfield.

**Burf.** Burford's Reports, vols. 6-9 Oklahoma.

**Burg. Dig.** Burgwyn's Digest Maryland Reports.

**Burge, Conf. Law.** Burge on the Conflict of Laws.

**Burge, Sur.** Burge on Suretyship.

**Burgess.** Burgess' Reports, vols. 46-49 Ohio State.

**Burke Tr.** Burke's Celebrated Trials.

**Burks.** Burks' Reports, vols. 91-97 Virginia.

**Burlamaqui.** Burlamaqui's Natural & Political Law.

**Burlesque Reps.** Skillman's New York Police Reports.

**Burm. L. R.** Burmah Law Reports.

**Burn, Dict.** Burn's Law Dictionary.

**Burn, Ecc. Law.** Burn's Ecclesiastical Law.

**Burnet.** Burnet's Manuscript Decisions, Scotch Court of Session.

**Burnett.** Burnett's Wisconsin Reports;—Burnett's Reports, vols. 20-22 Oregon.

**Burr.** Burrow's English King's Bench Reports.

**Burr. S. C. (or Sett. Cas.).** Burrows' English Settlement Cases.

**Burr Tr. Rob.** Burr's Trial, reported by Robertson.

**Burrill.** Burrill's Law Dictionary.

**Burrill, Circ. Ev.** Burrill on Circumstantial Evidence.

**Burrill, Pr.** Burrill's Practice.  
**Burrow.** Burrow's Reports, English King's Bench.  
**Burrow, Sett. Cas.** Burrow's English Settlement Cases.  
**Burt. Cas.** Burton's Collection of Cases and Opinions.  
**Burt. Real Prop.** Burton on Real Property.  
**Burt. Sc. Tr.** Burton's Scotch Trials.  
**Busb.** Busbee's Law Reports, North Carolina.  
**Busb. Cr. Dig.** Busbee's Criminal Digest, North Carolina.

1880

**Busb. Eq.** Busbee's Equity Reports, North Carolina.  
**Bush.** Bush's Reports, Kentucky.  
**Butl. Co. Litt.** Butler's Notes to Coke on Littleton.  
**Butl. Hor. Jur.** Butler's Horæ Juridicæ Subsecivæ.  
**Butt's Sh.** Butt's Edition of Shower's English King's Bench Reports.  
**Buxton.** Buxton's Reports, vols. 123-126 North Carolina.  
**Byles, Bills.** Byles on Bills.  
**Bynk.** Bynkershoek on the Law of War.  
**Bynk. Obs. Jur. Rom.** Bynkershoek, Observationum Juris Romani Libri.

## C

- C.** Cowen's Reports, New York;—Connecticut;—California;—Colorado;—Canada (Province).
- C. B.** Chief Baron of the Exchequer;—Common Bench;—English Common Bench Reports by Manning, Granger & Scott.
- C. B. N. S.** Common Bench Reports, New Series.
- C. B. R.** Cour de Blanc de la Reine, Quebec.
- C. C. A.** United States Circuit Court of Appeals Reports.
- C. C. C.** Choice Cases in Chancery.
- C. C. Chr.** Chancery Cases Chronicle, Ontario.
- C. C. E.** Caines' Cases in Error, New York;—Cases of Contested Elections.
- C. C. L. C.** Civil Code, Quebec.
- C. C. P.** Code of Civil Procedure.
- C. C. P. A.** United States Court of Customs and Patent Appeals.
- C. C. Supp.** City Court Reports, Supplement New York.
- C. D.** Commissioner's Decisions, United States Patent Office;—Century Digest; Current Digest.
- C. E. Gr.** C. E. Greene's New Jersey Equity Reports.
- C. H. & A.** Carrow, Hamerton & Allen's New Sessions Cases, English.
- C. J. C.** Couper's Judiciary Cases, Scotland.
- C. J. Can.** Corpus Juris Canonici.
- C. J. Civ.** Corpus Juris Civilis.
- C. L. Ch.** Common Law Chamber Reports, Ontario.
- C. L. P. Act.** English Common Law Procedure Act.
- C. L. R.** Common Law Reports, printed by Spottiswoode;—"English Common Law Reports" (1853-1855).
- C. M. & R.** Crompton, Meeson & Roscoe, English Exchequer Reports.
- C. N.** Code Napoléon.
- C. N. Conf.** Cameron & Norwood's North Carolina Conference Reports.
- C. N. P.** Cases at Nisi Prius.
- C. N. P. C.** Campbell's Nisi Prius Cases.
- C. O.** Common Orders.
- C. of C. E.** Cases of Contested Elections, United States.
- C. P. C.** Code of Civil Procedure, Quebec.
- C. P. C. (or Coop.).** C. P. Cooper's English Chancery Practice Cases.
- C. P. C. t. Br.** C. P. Cooper's English Chancery Reports *tempore* Brougham.
- C. P. C. t. Cott.** C. P. Cooper's English Chancery Reports *tempore* Cottenham.
- C. P. Cooper.** Cooper's English Chancery.
- C. P. D. (or C. F. Div.).** Common Pleas Division, English Law Reports (1875-1880).
- C. P. Q.** Code of Civil Procedure, Quebec (1897).
- C. P. Rep.** Common Pleas Reporter, Scranton, Pennsylvania.
- C. P. U. C.** Common Pleas Reports, Upper Canada.
- C. Pr.** Code of Procedure;—Code de Procédure Civile.
- C. R.** Chancery Reports;—Code Reporter, New York.
- C. R. N. S.** Code Reports, New Series, New York.
- C. Rob.** C. Robinson, English Admiralty.
- C. Rob. Adm.** Christopher Robinson's Reports on English Admiralty.
- C. S.** Court of Session, Scotland.
- C. S. B. C.** Consolidated Statutes, British Columbia.
- C. S. C.** Consolidated Statutes of Canada, 1859.
- C. S. L. C.** Consolidated Statutes, Lower Canada.
- C. S. M.** Consolidated Statutes of Manitoba.
- C. S. N. B.** Consolidated Statutes of New Brunswick.
- C. S. U. C.** Consolidated Statutes of Upper Canada, 1859.
- C. S. & J.** Cushing, Storey & Josselyn's Election Cases. See vol. 1 Cushing's Election Cases, Massachusetts.
- C. S. & P.** (Craigie, Stewart &) Paton's Scotch Appeal Cases.
- C. t. K.** Cases *tempore* King (Macnaghten's Select Chancery Cases, English).
- C. t. N.** Cases *tempore* Northington (Eden's English Chancery Reports).
- C. t. T.** Cases *tempore* Talbot, English Chancery.
- C. Theod.** Codex Theodosiani.
- C. W. Dud.** C. W. Dudley's Law or Equity Reports, South Carolina.
- C. & A.** Cooke & Alcock's Irish King's Bench Reports.
- C. & C.** Coleman & Caine's Cases, New York.
- C. & D.** Corbett & Daniel's English Election Cases;—Crawford & Dix's Abridged Cases, Irish.
- C. & D. A. C.** Crawford & Dix's Abridged Cases, Irish.
- C. & D. C. C.** Crawford & Dix's Irish Circuit Cases.
- C. & E.** Cababé & Ellis, English.
- C. & F.** Clark & Finnelly's English House of Lords Reports.
- C. & H. Dig.** Coventry & Hughes' Digest.
- C. & J.** Crompton & Jervis' English Exchequer Reports.
- C. & K.** Carrington & Kirwan's English Nisi Prius Reports.
- C. & L.** Connor & Lawson's Irish Chancery Reports.
- C. & L. C. C.** Cane & Leigh's Crown Cases.



- C. & L. Dig.** Cohen & Lee's Maryland Digest.
- C. & M.** Crompton & Meeson's English Exchequer Reports;—Carrington & Marshman's English Nisi Prius Reports.
- C. & N.** Cameron & Norwood's North Carolina Conference Reports.
- C. & O. R. Cas.** English Railway and Canal Cases, by Carrow & Oliver et al.
- C. & P.** Carrington & Payne's English Nisi Prius Reports;—Craig & Phillips' Chancery Reports.
- C. & R.** Cockburn & Rowe's English Election Cases.
- C. & S. Dig.** Connor & Simonton's South Carolina Digest.
- Ca.** Case or Placitum;—Cases (see Cas.).
- Ca. t. Hard.** Cases *tempore* Hardwicke.
- Ca. t. K.** Cases *tempore* King;—Cases *tempore* King, Chancery.
- Ca. t. Talb.** Cases *tempore* Talbot, Chancery.
- Ca. temp. F.** Cases *tempore* Finch.
- Ca. temp. H.** Cases *tempore* Hardwicke, King's Bench.
- Ca. temp. Holt.** Cases *tempore* Holt, King's Bench.
- Cab. Lawy.** The Cabinet Lawyer.
- Cab. & E. (or Cab. & El.).** Cababé & Ellis, English.
- Cadw. Dig.** Cadwalader's Digest of Attorney-General's Opinions.
- Cai.** Caines' Term Reports, New York Supreme Court.
- Cai. Cas. (or Cas. Err.).** Caines' New York Cases in Error.
- Cai. T. R.** Caines' Term Reports, New York Supreme Court.
- Cain.** Caines, New York.
- Caines.** Caines' Reports, New York Supreme Court.
- Caines Cas.** Caines' Cases, Court of Errors, New York.
- Cairn's Dec.** Cairn's Decisions in the Albert Arbitration.
- Cal.** California;—California Reports;—Calthrop's English King's Bench Reports;—Caldecott's English Settlement Cases.
- Cal. App.** California Appellate Reports.
- 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.
- Cald.** Caldwell's Reports, vols. 25-36 West Virginia.
- Cald. (or Cald. J. P. or Cald. S. C.).** Caldecott's English Magistrate's (Justice of the Peace) and Settlement Cases.
- Call.** Call's Virginia Reports.
- Call. Sew.** Callis on Sewers.
- Calth.** Calthrop's English King's Bench Reports.
- Calvin. (or Calvin. Lex. Jurid.).** Calvinus Lexicon Juridicum.
- Cam.** Cameron's Reports, Upper Canada, Queen's Bench.
- Cam. Duc.** Camera Ducata (Duchy Chamber).
- Cam. Op.** Cameron's Legal Opinions, Toronto.
- Cam. Scac.** Camera Scaccaria (Exchequer Chamber).
- Cam. Stell.** Camera Stellata (Star Chamber).
- Cam. & Nor.** Cameron & Norwood's North Carolina Conference Reports.
- Camd. Brit. (or Camden).** Camden's Britannia.
- Camp.** Camp's Reports, vol. 1 North Dakota;—Campbell's English Nisi Prius Reports;—Campbell's Reports, vols. 27-58 Nebraska. See also Campbell.
- Camp. Dec.** Campbell's Decisions.
- Camp. Lives Ld. Ch.** Campbell's Lives of the Lord Chancellors.
- Camp. N. P.** Campbell's English Nisi Prius Reports.
- 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.** Carolus (as 4 Car. II.);—Carolina.
- Car., H. & A.** Carrow, Hamerton & Allen's New Sessions Cases, English.
- Car., O. & B.** English Railway & Canal Cases, by Carrow, Oliver, Bevan et al.
- Car. & K. (or Kir.).** Carrington & Kirwan's English Nisi Prius Reports.
- Car. & M. (or Mar.).** Carrington & Marshman's English Nisi Prius Reports.
- Car. & Ol.** English Railway & Canal Cases, by Carrow, Oliver et al.
- Car. & P.** Carrington's & Payne's English Nisi Prius Reports.
- Carl.** Carleton, New Brunswick.
- 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.
- Carran.** Carran's edition of "Summary Cases," Bengal.
- Cart.** Cartwright's Cases, Canada.
- Carter.** Carter's English Common Pleas Reports, same as Orlando Bridgman;—Carter's Reports, vols. 1, 2, Indiana.
- Carth.** Carthew's English King's Bench Reports.
- Cary.** Cary's English Chancery Reports.
- Cas.** Casey's Reports, vols. 25-36 Pennsylvania State.

**Cas. App.** Cases of Appeal to the House of Lords.

**Cas. Arg. & Dec.** Cases Argued and Decreed in Chancery, English.

**Cas. B. R.** Cases Banco Regis *tempore* William III. (12 Modern Reports).

**Cas. B. R. Holt.** Cases and Resolutions (of settlements; not Holt's King's Bench Reports).

**Cas. C. L.** Cases in Crown Law.

**Cas. Ch.** Cases in Chancery, English;—Select Cases in Chancery;—Cases in Chancery (9 Modern Reports).

**Cas. Eq.** Cases in Equity, Gilbert's Reports;—Cases and Opinions in Law, Equity, and Conveyancing.

**Cas. Eq. Abr.** Cases in Equity, Abridged, English.

**Cas. F. T.** Cases *tempore* Talbot, by Forrester, English Chancery.

**Cas. H. L.** Cases in the House of Lords.

**Cas. in C.** Cases in Chancery;—Select Cases in Chancery.

**Cas. K. B.** Cases in King's Bench (8 Modern Reports).

**Cas. K. B. t. H.** Cases *tempore* Hardwicke (W. Kelynge's English King's Bench Reports).

**Cas. L. & Eq.** Cases in Law and Equity (10 Modern Reports);—Gilbert's Cases in Law and Equity, English.

**Cas. P. (or Parl.).** Cases in Parliament.

**Cas. Pr.** Cases of Practice, English King's Bench.

**Cas. Pr. C. P.** Cases of Practice, English Common Pleas (Cooke's Reports).

**Cas. Pr. K. B.** Cases of Practice in the King's Bench.

**Cas. R.** Casey's Reports, vols. 25–36 Pennsylvania State.

**Cas. S. C. (Cape G. H.).** Cases in the Supreme Court, Cape of Good Hope.

**Cas. Self Def.** Horrigan & Thompson's Cases on Self-Defense.

**Cas. Sett.** Cases of Settlement, King's Bench.

**Cas. Six Cir.** Cases on the Six Circuits, Ireland.

**Cas. t. Ch. II.** Cases *tempore* 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 (8, 9 Modern Reports).

**Cas. t. H. (or Hardwicke).** Cases *tempore* Hardwicke, English King's Bench (Ridgway, Lee, or Annaly);—West's Chancery Reports, *tempore* Hardwicke.

**Cas. t. Holt (or 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 *tempore* Lee, English Ecclesiastical.

**Cas. t. Mac.** Cases *tempore* Macclesfield (10 Modern Reports).

**Cas. t. Nap.** Cases *tempore* Napier, by Drury, Irish Chancery.

**Cas. t. North.** Cases *tempore* Northington (Eden's English Chancery Reports).

**Cas. t. Plunk.** Cases *tempore* Plunkett, by Lloyd & Gould, Irish Chancery.

**Cas. t. Q. A.** Cases *tempore* Queen Anne (11 Modern Reports).

**Cas. t. Sugd.** Cases *tempore* Sugden, Irish Chancery.

**Cas. t. Tal.** Cases *tempore* Talbot, English Chancery.

**Cas. t. Wm. III.** Cases *tempore* William III. (12 Modern Reports).

**Cas. Tak. & Adj.** Cases Taken and Adjudged (first edition of Reports in Chancery).

**Cas. w. Op.** Cases, with Opinions, by Eminent Counsel.

**Cas. Wm. I.** Bigelow's Cases, William I. to Richard I.

**Casey.** Casey's Reports, vols. 25–36 Pennsylvania State.

**Cass. Dig.** Cassel's Digest, Canada.

**Cass. Sup. C. Prac.** Cassel's Supreme Court Practice, 2d edition by Masters.

**Cel. Tr.** Burke's Celebrated Trials.

**Cent. Dict.** Century Dictionary.

**Cent. Dig.** Century Digest.

**[1891] Ch.** Law Reports, Chancery Division, from 1891 onward.

**Ch. App. Cas.** Chancery Appeal Cases, English Law Reports.

**Ch. Cas.** Cases in Chancery.

**Ch. Cas. Ch.** Choyce Cases in Chancery.

**Ch. Cham. (or Ch. Ch.).** Chancery Chamber Reports, Ontario.

**Ch. Col. Op.** Chalmers' Colonial Opinions.

**Ch. Dig.** Chaney's Digest, Michigan Reports.

**Ch. Div. (or D.).** Chancery Division, English Law Reports (1876–1890).

**Ch. Prec.** Precedents in Chancery.

**Ch. R. M.** R. M. Charlton's Georgia Reports.

**Ch. Rep.** Reports in Chancery;—Irish Chancery Reports.

**Ch. Rep. Ir.** Irish Chancery Reports.

**Ch. Sent.** Chancery Sentinel, Saratoga, New York.

**Ch. T. U. P.** T. U. P. Charlton's Georgia Reports.

**Ch. & Cl. Cas.** Cripp's Church and Clergy Cases.

**Chal. Op.** Chalmers' Colonial Opinions.

**Cham.** Chamber Reports, Upper Canada.

**Chamb. Dig. P. H. C.** Chambers' Digest of Public Health Cases.

**Chamb. Rep.** Chancery Chamber Reports, Ontario.

**Chamber.** Chamber Reports, Upper Canada.

**Chan.** Chaney's Reports, vols. 37–58 Michigan;—Chancellor;—Chancery (see Ch.).

**Chanc.** Chancery (see Ch.).

**Chand.** Chandler's Reports, Wisconsin;—Chandler's Reports, vols. 20, 38-44 New Hampshire.

**Chand. Cr. Tr. (or Chand. Crim. Tr.).** Chandler's American Criminal Trials.

**Chaney.** Chaney's Reports, vols. 37-58 Michigan.

**Charl. Pr. Cas.** Charley's English Practice Cases.

**Charlt. R. M.** R. M. Charlton's Georgia Reports.

**Charlt. T. U. P.** T. U. P. Charlton's Georgia Reports.

**Chase.** Chase's United States Circuit Court Decisions.

**Chev.** Cheves' South Carolina Law Reports.

**Chev. Ch. (or Eq.).** Cheves' South Carolina Equity Reports.

**Cheves.** Cheves' Law Reports, South Carolina.

**Chip.** Chipman's Reports, New Brunswick.

**Chip. D.** D. Chipman's Vermont Reports.

**Chip. MS.** Reports printed from Chipman's Manuscript, New Brunswick.

**Chip. N.** N. Chipman's Vermont Reports.

**Chip. W.** Chipman's New Brunswick Reports.

**Chit. (or Chitt.).** Chitty's English Bail Court Reports.

**Chit. Archb. Pr.** Chitty's Archbold's Practice.

**Chit. Bills.** Chitty on Bills.

**Chit. Bl. Comm.** Chitty's Blackstone's Commentaries.

**Chit. Com. Law.** Chitty on Commercial Law.

**Chit. Cont.** Chitty on Contracts.

**Chit. Crim. Law.** Chitty on Criminal Law.

**Chit. Gen. Pr.** Chitty's General Practice.

**Chit. Med. Jur.** Chitty on Medical Jurisprudence.

**Chit. Pl.** Chitty on Pleading.

**Chit. Pr.** Chitty's General Practice.

**Chit. St.** Chitty's Statutes of Practical Utility.

**Chitt.** Chitty's English Bail Court Reports.

**Chr. Rep.** Chamber Reports, Upper Canada.

**Chr. Rob.** Christopher Robinson's English Admiralty Reports.

**Chute, Eq.** Chute's Equity under the Judicature Act.

**Cic. Frag. de Repub.** Cicero, Fragmenta de Republica.

**City Ct. R.** City Court Reports, New York.

**Civ. Code.** Civil Code.

**Civ. Code Prac.** Civil Code of Practice.

**Civ. Proc. Rep.** Civil Procedure Reports, New York.

**Cl. App.** Clark's Appeal Cases, House of Lords.

**Cl. Ch.** Clarke's Chancery Reports, New York.

**Cl. Home.** Clerk Home, Scotch Session Cases.

**Cl. & Fin. (or F.).** Clark & Finnelly's House of Lords Cases.

**Cl. & Fin. N. S.** House of Lords Cases, by Clark.

**Cl. & H.** Clarke & Hall's Contested Elections in Congress.

**Clark.** English House of Lords Cases, by Clark;—Clark's Reports, vol. 58 Alabama. See, also, Clarke.

**Clark Dig.** Clark's Digest, House of Lords Reports.

**Clark & F. (or Fin.).** Clark & Finnelly's Reports, English House of Lords.

**Clark & Fin. N. S.** Clark's House of Lords Cases.

**Clarke.** Clarke's New York Chancery Reports;—Clarke's edition of vols. 1-8 Iowa;—Clarke's Reports, vols. 19-22 Michigan;—Clarke's Notes of Cases, Bengal. See, also, Clark.

**Clarke Ch.** Clarke's New York Chancery Reports.

**Clarke Not. (or R. & O.).** Clarke's Notes of Cases, in his "Rules and Orders," Bengal.

**Clarke & H. Elec. Cas.** Clarke & Hall's Cases of Contested Elections in Congress.

**Clayt.** Clayton's English Reports, York Assizes.

**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.

**Clif. (South.) El. Cas.** Clifford's Southwick Election Cases.

**Clif. & Rick.** Clifford & Rickard's English Locus Standi Reports.

**Clif. & St.** Clifford & Stephens' English Locus Standi Reports.

**Cliff.** Clifford's Reports, United States, First Circuit.

**Clin. Dig.** Clinton's Digest, New York.

**Clk. Mag.** Clerk's Magazine, London;—Rhode Island Clerk's Magazine.

**Clow L. C. on Torts.** Clow's Leading Cases on Torts.

**Co.** Coke's English King's Bench Reports.

**Co. Ent.** Coke's Entries.

**Co. G.** Reports and Cases of Practice in Common Pleas *tempore* Anne, Geo. I., and Geo. II., by Sir G. Coke. (Same as Cooke's Practice Reports.)

**Co. Inst.** Coke's Institutes.

**Co. Litt.** The First Part of the Institutes of the Laws of England, or a Commentary on Littleton, by Sir Edward Coke.

**Co. P. C.** Coke's Reports, English King's Bench.

**Co. Pl.** Coke's Pleadings (sometimes published separately).

- Co. R. (N. Y.).** Code Reporter, New York.  
**Co. R. N. S.** Code Reporter, New Series.  
**Co. Rep.** Coke's Reports, King's Bench.  
**Cobb.** Cobb's Reports, vols. 4-20 Georgia;—Cobb's Reports, vol. 121 Alabama.  
**Cobb. St. Tr.** Cobbett's (afterwards Howell's) State Trials.  
**Cochr.** Cochran's Nova Scotia Reports;—Cochrane's Reports, vols. 3-7 North Dakota.  
**Cock. Tich..Ca.** Cockburn's Charge in the Tichborne Case.  
**Cock. & Rowe.** Cockburn & Rowe's Election Cases.  
**Cocke.** Cocke's Reports, vols. 16-18 Alabama;—Cocke's Reports, vols. 14, 15 Florida.  
**Cod.** Codex Justinianus.  
**Cod. Jur. Civ.** Codex Juris Civilis;—Justinian's Code.  
**Cod. Theodos.** Codex Theodorianus.  
**Code.** Criminal Code of Canada, 1892.  
**Code Civ. Pro. (or Proc.).** Code of Civil Procedure.  
**Code Civil.** Code Civil or Civil Code of France.  
**Code Cr. Pro. (or Proc.).** Code of Criminal Procedure.  
**Code d'Instr. Crim.** Code d'Instruction Criminelle.  
**Code de Com.** Code de Commerce.  
**Code La.** Civil Code of Louisiana.  
**Code N. (or Nap.).** Code Napoléon, French Civil Code.  
**Code Pro.** Code of Procedure.  
**Code R. N. S.** Code Reports, New Series.  
**Code Rep.** New York Code Reporter.  
**Code Rep. N. S.** New York Code Reports, New Series.  
**Cof. Dig.** Cofer's Digest, Kentucky.  
**Coffey Prov. Dec.** Coffey's Probate Decisions.  
**Cogh. Epit.** Coghlan's Epitome of Hindu Law Cases.  
**Coke.** Coke's English King's Bench Reports (cited by parts and not by volume).  
**Coke Inst.** Coke's Institutes.  
**Coke Lit.** Coke on Littleton.  
**Col.** Colorado;—Colorado Reports;—Coldwell's Reports, Tennessee;—Coleman's Reports, vols. 99, 101-106, 110-129, Alabama.  
**Col. App.** Colorado Appeals.  
**Col. C. C.** Collyer's English Chancery Cases.  
**Col. Cas.** Coleman's Cases (of Practice), New York.  
**Col. L. Rep.** Colorado Law Reporter.  
**Col. Law Review.** Columbia Law Review.  
**Col. & Cai.** 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, 110-129 Alabama.  
**Cole. Cas. Pr.** Coleman's Cases, New York.  
**Coll.** Colles' Parliamentary Cases.  
**Coll. (or C. C.).** Collyer's English Chancery Cases.  
**Coll. P. C.** Colles' English Parliamentary (House of Lords) Cases.  
**Coll. & E. Bank.** Collier and Eaton's American Bankruptcy Reports.  
**Colles.** Colles' English Parliamentary Cases.  
**Colly.** Collyer's English Vice Chancellors' Reports.  
**Colly. Partn.** Collyer on Partnerships.  
**Colo.** Colorado Reports.  
**Colq.** Colquitt's Reports (1 Modern).  
**Colq. Rom. Civil Law.** Colquhoun's Roman Civil Law.  
**Colt. (Reg. Ca.).** 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.** Common Bench Reports (Manning, Granger, and Scott).  
**Com. B. N. S.** English Common Bench Reports, New Series.  
**Com. Cas.** Commercial Cases, England.  
**Com. Dig.** Comyns' Digest.  
**Com. Jour.** Journals of the House of Commons.  
**Com. L. R.** English Common Law Reports.  
**Com. Law Rep.** English Common Law Reports;—Common Law Reports, published by Spottiswoode.  
**Com. Pl.** Common Pleas, English Law Reports.  
**Com. Pl. Div.** Common Pleas Division, English Law Reports.  
**Comb.** Comberbach's English King's Bench Reports.  
**Comp. Dec.** Comptroller's Decisions.  
**Comp. Laws.** Compiled Laws.  
**Comp. St.** Compiled Statutes.  
**Comst.** Comstock's Reports, vols. 1-4 New York Court of Appeals.  
**Comyns.** Comyns' English King's Bench Reports.  
**Comyns' Dig.** Comyns' Digest, English.  
**Con.** Conover's Reports, Wisconsin;—Continuation of Rolle's Reports (2 Rolle);—Connoly, New York Criminal.  
**Con. Cus.** Conroy's Custodian Reports.  
**Con. & Law.** Connor & Lawson's Irish Chancery Reports.  
**Cond. Ch. R. (or Eng. Ch.).** Condensed English Chancery Reports.  
**Cond. Eccl.** Condensed Ecclesiastical Reports.  
**Cond. Ex. R.** Condensed Exchequer Reports.  
**Cond. Rep. U. S.** Peters' Condensed United States Reports.  
**Conf.** Conference Reports (by Cameron and Norwood), North Carolina.

**Cong. El. Cas.** Congressional Election Cases.

**Cong. Rec.** Congressional Record, Washington.

**Conk. Adm.** Conkling's Admiralty.

**Conn.** Connecticut;—Connecticut Reports;—Connoly, New York, Surrogate.

**Conover.** Conover's Reports, vols. 16-106 Wisconsin.

**Conr.** Conroy's Custodian Reports.

**Consist. Rep.** English Consistorial Reports, by Haggard.

**Consolid. Ord.** Consolidated General Orders in Chancery.

**Const.** Constitutional Reports, South Carolina, by Mill;—Constitutional Reports, South Carolina, by Treadway;—Constitutional Reports, vol. 1 South Carolina, by Harper.

**Const. Hist.** Hallam's Constitutional History of England.

**Const. N. S.** Constitutional Reports (Mill), South Carolina, New Series.

**Const. Oth.** Constitutiones Othoni (found at the end of Lyndewood's Provinciale).

**Const. S. C.** Constitutional Reports, South Carolina, printed by Treadway.

**Const. S. C. N. S.** South Carolina Constitutional Reports, New Series, printed by Mill.

**Const. U. S.** Constitution of the United States.

**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, Incl. Acts.** Cooke's Inclosure Acts.

**Cooke Pr. Cas.** Cooke's Practice Reports, English Common Pleas.

**Cooke Pr. Reg.** Cooke's Practical Register of the Common Pleas.

**Cooke & Al. (or Alc.).** Cooke & Alcock's Reports, Irish King's Bench.

**Cooley.** Cooley's Reports, vols. 5-12 Michigan.

**Cooley, Const. Lim.** Cooley on Constitutional Limitations.

**Cooley, Tax.** Cooley on Taxation.

**Cooley, Torts.** Cooley on Torts.

**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. C. C. (or Cas.).** Cooper's Chancery Cases *tempore* Cottenham.

**Coop. C. & P. R.** Cooper's Chancery and Practice Reporter, Upper Canada.

**Coop. Ch.** Cooper's Tennessee Chancery Reports.

**Co-op. Dig.** Co-operative Digest, United States Reports.

**Coop. Eq. Pl.** Cooper's Equity Pleading.  
**Coop. Pr. Cas.** Cooper's Practice Cases, English Chancery.

**Coop. Sel. Cas.** Cooper's Select Cases *tempore* Eldon, English Chancery.

**Coop. t. Br.** Cooper's Cases *tempore* Brougham.

**Coop. t. Cott.** Cooper's Cases *tempore* Cottenham, English Chancery.

**Coop. t. Eld.** Cooper's Cases *tempore* Eldon, English Chancery.

**Coop. Tenn. Ch.** Cooper's Tennessee Chancery Reports.

**Cooper.** Cooper's English Chancery.

**Coote, Ecc. Pr.** Coote's Ecclesiastical Practice.

**Coote, Mortg.** Coote on Mortgages.

**Coote, Prob. Pr.** Coote's Probate Practice.

**Cope.** Cope's Reports, vols. 63-72 California.

**Copp L. L.** Copp's Public Land Laws.

**Copp Land.** Copp's Land Office Decisions.

**Copp Min. Dec.** Copp's United States Mining Decisions.

**Cor.** Coram;—Coryton's Bengal Reports.

**Corb. & Dan.** Corbett & Daniell's English Election Cases.

**Corp. Jur. Can.** Corpus Juris Canonici.

**Corp. Jur. Civ.** Corpus Juris Civilis.

**Cory.** Coryton's Reports, Calcutta.

**Cou.** Couper's Justiciary Reports, Scotland.

**Coup. (or Coup. Just.).** Couper's Justiciary Reports, Scotland.

**Court Sess. Ca.** Court of Sessions Cases, Scotch.

**Court. & Macl.** Courtney & Maclean's Scotch Appeals (6 and 7 Wilson and Shaw).

**Cout. Dig.** Coutlée's Digest, Canada Supreme Court.

**Cow.** Cowen's New York Reports;—Cowper's English King's Bench Reports.

**Cow. Cr. Dig.** Cowen's Criminal Digest.

**Cow. Cr. Rep.** Cowen's Criminal Reports, New York.

**Cow. Dic.** Cowell's Law Dictionary.

**Cow. Dig.** Cowell's East India Digest.

**Cow. Int.** Cowell's Interpreter.

**Cow. N. Y.** Cowen's New York Reports.

**Cowell.** Cowell's Law Dictionary;—Cowell's Interpreter.

**Cowp.** Cowper's English King's Bench Reports.

**Cowp. Cas.** Cowper's Cases (in the third volume of Reports in Chancery).

**Cox.** Cox's English Chancery Reports;—Cox's English Criminal Cases;—Cox's Reports, vols. 25-27 Arkansas.

**Cox Am. T. M. Cas.** Cox's American Trade-Mark Cases.

**Cox C. C.** Cox's English Criminal Cases;—Cox's Crown Cases;—Cox's County Court Cases.

**Cox Ch.** Cox's English Chancery Cases.

- Cox Cr. Cas.** Cox's English Criminal Cases.
- Cox Cr. Dig.** Cox's Criminal Law Digest.
- Cox, Inst.** Cox's Institutions of the English Government.
- Cox J. S. Cas.** Cox's Joint Stock Cases.
- Cox Mc. & H.** Cox, McCrae & Hertslet's English County Court Reports.
- Cox Mag. Ca.** Cox's Magistrate Cases.
- Cox Man. Tr. M.** Cox's Manual of Trade-Mark Cases.
- Cox Tr. M.** Cox's Manual of Trade-Mark Cases.
- Cox, Tr. M. Cas.** Cox's American Trade-Mark Cases.
- Cox & Atk.** Cox & Atkinson, English Registration Appeal Reports.
- Coze.** Coxe's Reports, New Jersey.
- Cr.** Cranch's Reports, United States Supreme Court;—Cranch's United States Circuit Court Reports.
- Cr. C. C.** Cranch's United States Circuit Court Cases (Reports).
- Cr. Cas. Res.** Crown Cases Reserved.
- Cr. Code.** Criminal Code.
- Cr. Code Prac.** Criminal Code of Practice.
- Cr. M. & R.** Crompton, Meeson & Roscoe's English Exchequer Reports.
- Cr. Pat. Dec.** Cranch's Decisions on Patent Appeals.
- Cr. S. & P.** Craigie, Stewart & Paton's Scotch Appeal Cases (same as Paton).
- Cr. & Dix.** Crawford & Dix's Irish Circuit Court Cases.
- Cr. & Dix Ab. Cas.** Crawford & Dix's (Irish) Abridged Notes of Cases.
- Cr. & Dix C. C.** Crawford & Dix's Irish Circuit Court Cases.
- Cr. & J.** Crompton & Jervis.
- Cr. & M.** Crompton & Meeson's English Exchequer Reports.
- Cr. & Ph.** Craig & Phillips' English Chancery Reports.
- Crab.** Crabbe's United States District Court Reports.
- Crabb, Com. Law.** Crabb on the Common Law.
- Crabb, Eng. Law.** Crabb's History of the English Law.
- Crabb, Hist. Eng. Law.** Crabb's History of the English Law.
- Crabb, Real Prop.** Crabb on the Law of Real Property.
- Crabb, Technol. Dict.** Crabb's Technological Dictionary.
- Crabbe (or Crab).** Crabbe's United States District Court Reports.
- Craig & Ph.** Craig and Phillips' English Chancery Reports.
- Craig & St.** Craigie, Stewart & Paton's Scotch Appeals Cases (same as Paton).
- Craigius, Jus Feud.** Craigius Jus Feudale.
- Craik C. C.** Craik's English Causes Célèbres.
- Cranch.** Cranch's United States Supreme Court Reports.
- Cranch C. C. (or D. C.).** Cranch's U. S. Circuit Court Reports, District of Columbia.
- Cranch Pat. Dec.** Cranch's Patent Decisions.
- Crane.** Crane's Reports, vol. 22 Montana.
- Craw.** Crawford's Reports, vols. 53-67 Arkansas.
- Craw. & D.** Crawford & Dix's Circuit Court Cases, Ireland.
- Craw. & D. Ab. Cas.** Crawford & Dix's Abridged Cases, Ireland.
- Creasy.** Creasy's Ceylon Reports.
- Cress. Ins. Cas.** Cresswell's English Insolvency Cases.
- Crim. L. Mag.** Criminal Law Magazine, Jersey City, New Jersey.
- Crim. L. Rep.** Criminal Law Reporter.
- Crim. Rec.** Criminal Recorder, Philadelphia;—Criminal Recorder, London;—Criminal Recorder, vol. 1 Wheeler's New York Criminal Reports.
- Cripp's Ch. Cas.** Cripp's Church and Clergy Cases.
- Critch.** Critchfield's Reports, vols. 5-21 Ohio State.
- Cro.** Croke's English King's Bench Reports;—Kellway's English King's Bench Reports.
- Cro. Car.** Croke's English King's Bench Reports *tempore* Charles I. (3 Cro.).
- Cro. Eliz.** Croke's English King's Bench Reports *tempore* Elizabeth (1 Cro.).
- Cro. Jac.** Croke's English King's Bench Reports *tempore* James (Jacobus) I. (2 Cro.).
- Crockford.** English Maritime Law Reports, published by Crockford.
- Crompt.** Star Chamber Cases, by Crompton.
- Crompt. Exch. R.** Crompton's Exchequer Reports, English.
- Crompt. Jur.** Crompton's Jurisdiction of Courts.
- Crompt. M. & R.** Crompton, Meeson and Roscoe's English Exchequer Reports.
- Crompt. R. & C. Pr.** Crompton's Rules and Cases of Practice.
- Crompt. & Jerv.** Crompton & Jervis' English Exchequer Reports.
- Crompt. & M. (or Mees.).** Crompton & Meeson's English Exchequer Reports.
- Crow. Pat. Ca.** Crowell's Patent Cases.
- Crouse.** Crouse's Reports, vol. 3 Nebraska.
- Crowther.** Crowther's Ceylon Reports.
- Cruise Dig.** Cruise's Digest of the Law of Real Property.
- Crump Ins.** Crump on Marine Insurance.
- Crumrine.** Crumrine's Reports, vols. 116-146 Pennsylvania.
- Ct. App. N. Z.** Court of Appeals Reports, New Zealand.
- Ct. Cl.** Court of Claims, United States.
- Cujacius.** Cujacius, Opera, *quæ de Jure fecit*, etc.

**Cum. & Dun. Rem. Tr.** Cummins & Dunphy's Remarkable Trials.

**Cummins.** Cummins' Idaho Reports.

**Cun. (or Cunn.).** Cunningham's English King's Bench Reports.

**Cun. Dict.** Cunningham's Dictionary.

**Cunn.** Cunningham's English Bench Reports.

**Cunningham.** Cunningham's Reports, English King's Bench.

**Cur.** Curtis' United States Circuit Court Reports;—Curia.

**Cur. Com.** Current Comment and Legal Miscellany.

**Cur. Dec.** Curtis' Decisions, United States Supreme Court.

**Cur. Ov. Ca.** Curwen's Overruled Cases, Ohio.

**Curry.** Curry's Reports, vols. 6-19 Louisiana.

**Curt.** Curtis' United States Circuit Court Reports;—Curteis' English Ecclesiastical Reports.

**Curt. Adm. Dig.** Curtis' Admiralty Digest.

**Curt. C. C.** Curtis' United States Circuit Court Decisions.

1888

**Curt. Cond.** Curtis' (Condensed) Decisions, United States Supreme Court.

**Curt. Dec.** Curtis' United States Supreme Court Decisions.

**Curt. Dig.** Curtis' Digest, United States.

**Curt. Ecc.** Curteis' English Ecclesiastical Reports.

**Curtis.** Curtis' United States Circuit Court Reports.

**Curw.** Curwen's Overruled Cases;—Curwen's Statutes of Ohio.

**Curw. L. O.** Curwen's Laws of Ohio 1854, 1 vol.

**Curw. R. S.** Curwen's Revised Statutes of Ohio.

**Cush.** Cushing's Massachusetts Reports;—Cushman's Mississippi Reports.

**Cush. Elec. Cas.** Cushing's Election Cases in Massachusetts.

**Cush. Man.** Cushing's Manual.

**Cushing.** Cushing's Massachusetts Reports.

**Cushm. (or Cushman).** Cushman's Reports, vols. 23-29 Mississippi.

**Cust. Rep.** Custer's Ecclesiastical Reports.

**Cyc.** Cyclopædia of Law and Procedure.

## D

**D.** Delaware;—Dallas' United States and Pennsylvania Reports;—Denio's Reports, New York;—Dunlop, Bell & Murray's Reports, Scotch Session Cases (Second Series);—Digest of Justinian, 50 books, never been translated into English;—Disney, Ohio;—Divisional Court;—Dowling, English;—Dominion of Canada.

**D. (N. S.).** Dowling's Practice Cases, New Series, English.

**D. B.** Domesday Book.

**D. Chip.** D. Chipman's Reports, Vermont.

**D. G.** De Gex;—De Gex's English Bankruptcy Reports.

**D. G. F. & J.** De Gex, Fisher, & Jones' English Chancery Reports.

**D. G. F. & J. B.** De Gex, Fisher, & Jones' English Bankruptcy Reports.

**D. G. J. & S.** De Gex, Jones, & Smith's English Chancery Reports.

**D. G. J. & S. B.** De Gex, Jones, & Smith's English Bankruptcy Reports.

**D. G. M. & G.** De Gex, Macnaghten, & Gordon's English Chancery Reports.

**D. G. M. & G. B.** De Gex, Macnaghten, & Gordon's English Bankruptcy Reports.

**D. N. S.** Dowling's Reports, New Series, English Bail Court;—Dow, New Series (Dow & Clark, English House of Lords Cases).

**D. P. C.** Dowling's English Practice Cases.

**D. W. I.** Descriptive-Word Index.

**D. & B.** Dearsly & Bell's English Crown Cases.

**D. & C.** Dow & Clark's English House of Lords (Parliamentary) Cases.

**D. & Ch.** Deacon & Chitty's English Bankruptcy Reports.

**D. & E.** Durnford & East's (Term) Reports, English King's Bench.

**D. & J.** De Gex & Jones' English Chancery Reports.

**D. & J. B.** De Gex & Jones' English Bankruptcy Reports.

**D. & L.** Dowling & Lowndes' English Bail Court Reports.

**D. & M.** Davison & Merivale's English Queen's Bench Reports.

**D. & P.** Denison & Pearce, English.

**D. & R.** Dowling & Ryland's English King's Bench Reports.

**D. & R. M. C.** Dowling & Ryland's English Magistrates' Cases.

**D. & R. N. P.** Dowling & Ryland's English Nisi Prius Cases.

**D. & S.** Drewry & Smale's Chancery Reports;—Doctor and Student;—Deane and Swabey.

**D. & W.** Drury & Walsh's Irish Chancery Reports;—Drury & Warren's Irish Chancery Reports.

**D. & War.** Drury & Warren's Reports, Irish Chancery.

**Dak.** Dakota;—Dakota Territory Reports.

**Dal.** Dallas' United States Reports;—Dalison's English Common Pleas Reports (bound with Benloe);—Dalrymple's Scotch Session Cases.

**Dal. Coop.** Dallas' Report of Cooper's Opinion on the Sentence of a Foreign Court of Admiralty.

**Dale.** Dale's Reports, vols. 2-3 Oklahoma.

**Dale Ecc.** Dale's Ecclesiastical Reports, English.

**Dale Leg. Rit.** Dale's Legal Ritual (Ecclesiastical) Reports.

**Dalison.** Dalison's English Common Pleas Reports (bound with Benloe).

**Dall.** Dallas' Pennsylvania and United States Reports.

**Dall. Dec. (or Dall. Dig.).** Dallam's Texas Decisions, printed originally in Dallam's Digest.

**Dall. in Keil.** Dallison in Keilway's Reports, English King's Bench.

**Dall. S. C.** Dallas' United States Supreme Court Reports.

**Dallas.** Dallas' Pennsylvania and United States Reports.

**Dalloz.** Dictionnaire général et raisonné de législation, de doctrine, et de jurisprudence, en matière civile, commerciale, criminelle, administrative, et de droit public.

**Dalr.** Dalrymple's Decisions, Scotch Court of Session;—(Dalrymple of) Stair's Decisions, Scotch Court of Session;—(Dalrymple of) Hailes' Scotch Session Cases.

**Dalr. Feud. Prop.** Dalrymple on Feudal Property.

**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. See, also, Dal. and Dalr.

**Daly.** Daly's New York Common Pleas Reports.

**Dampier MSS.** Dampier's Paper Book, Lincoln's Inn Library.

**Dan.** Daniell's Exchequer and Equity Reports;—Dana's Kentucky Reports;—Danner's Reports, vol. 42 Alabama.

**Dan. & Ll.** Danson & Lloyd's Mercantile Cases.

**Dana.** Dana's Kentucky Reports.

**Dane Abr.** Dane's Abridgment.

**Daniel, Neg. Inst.** Daniel's Negotiable Instruments.

**Daniell, Ch. Pr.** Daniell's Chancery Practice.

**Dann.** Dann's Arizona Reports;—Danner's Reports, vol. 42 Alabama;—Dann's California Reports.

**Dans. & L.** Danson & Lloyd's English Mercantile Cases.

**Darl. Pr. Ct. Sess.** Darling, Practice of the Court of Session (Scotch.)



**Dart, Vend.** Dart on Vendors and Purchasers.

**Das.** Dasent's Bankruptcy and Insolvency Reports;—Common Law Reports, vol. 3.

**Dass. Dig.** Dassel's Kansas Digest.

**Dauph. Co. Rep.** Dauphin County Reporter, Pennsylvania.

**Dav.** Daves' United States District Court Reports (now republished as 2 Ware);—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. Conv.** Davidson's Conveyancing.

**Dav. Dig.** Davis' Indiana Digest.

**Dav. Ir.** Davies' Irish Reports.

**Dav. Ir. K. B.** Davies' Reports, Irish King's Bench.

**Dav. Pat. Cas.** Davies' English Patent Cases.

**Dav. Prec. Conv.** Davidson's Precedents in Conveyancing.

**Dav. Rep.** Davies' (Sir John) Reports, King's Bench, Ireland.

**Dav. & Mer.** Davison & Merivale's Reports, Queen's Bench.

**Daveis.** Daveis' United States District Court Reports (republished as 2 Ware).

**Davidson.** Davidson's Reports, vols. 92-111 North Carolina.

**Davies.** Davies' (or Davis' or Davys') Irish King's Bench Reports.

**Davis.** Davis' Hawaiian Reports;—Davies' (or Davys') Irish King's Bench Reports;—Davis' Reports, vols. 103-176 United States Supreme Court.

**Davis (J. C. B.).** Davis' United States Supreme Court Reports.

**Davis, Bldg. Soc.** Davis' Law of Building Societies.

**Day.** Day's Connecticut Reports;—Connecticut Reports, proper, reported by Day.

**Dayt. Term Rep.** Dayton Term Reports, Dayton, Ohio.

**Dea.** Deady's United States District Court Reports.

**Dea. & Chit.** Deacon & Chitty's English Bankruptcy Reports.

**Dea. & Sw.** Deane & Swabey's Reports, Probate and Divorce.

**Deac.** Deacon's English Bankruptcy Reports.

**Deac. & C.** Deacon & Chitty's English Bankruptcy Reports.

**Deady.** Deady's United States Circuit Reports.

**Deane.** Deane (& Swabey's) English Probate and Divorce Reports;—Deane's Reports vols. 24-26 Vermont.

**Deane Ecc. Rep.** Deane & Swabey's English Ecclesiastical Reports.

**Deane & Sw.** Deane & Swabey's English Ecclesiastical Reports.

**Dears. C. C.** Dearsly's English Crown Cases.

**Dears. & B. C. C.** Dearsley & Bell's English Crown Cases.

**Deas & And.** Deas & Anderson's Reports, Scotch Court of Session.

**Dec. Com. Pat.** Decisions of the Commissioner of Patents.

**Dec. Dig.** American Digest, Decennial Edition.

**Dec. O.** Ohio Decisions.

**Dec. t. H. & M.** Decisions of Admiralty *tempore* Hay and Marriott.

**Decen. Dig.** American Digest, Decennial Edition.

**De G. F. & J.** De Gex, Fisher, & Jones' English Chancery Reports.

**De G. F. & J. By.** De Gex, Fisher, & Jones' English Bankruptcy Appeals.

**De G. J. & S.** De Gex, Jones, & Smith's English Chancery Reports.

**De G. J. & S. By.** De Gex, Jones, & Smith's English Bankruptcy Appeals.

**De G. M. & G.** De Gex, Macnaghten, & Gordon's English Bankruptcy Reports;—De Gex, Macnaghten, & Gordon's English Chancery Reports.

**De G. M. & G. By.** De Gex, Macnaghten, & Gordon's English Bankruptcy Appeals.

**De G. & J.** De Gex & Jones' English Chancery Reports.

**De G. & J. By.** De Gex & Jones' English Bankruptcy Appeals.

**De G. & Sm.** De Gex & Smale's English Chancery Reports.

**De Gex.** De Gex's English Bankruptcy Reports.

**De Gex, M. & G.** De Gex, Macnaghten & Gordon's Reports, English.

**De Hart, Mil. Law.** De Hart on Military Law.

**De Jure Mar.** Malloy's De Jure Maritimo.

**Del.** Delaware;—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, by Houston.

**Del. El. Cas.** Delane's English Election (Revision) Cases.

**Delehanty.** Miscellaneous Reports, New York.

**De Lolme, Eng. Const.** De Lolme on the English Constitution.

**Dem. Surr.** Demarest's Surrogate Reports, City of New York.

**Demol.** Demolombe's Code Napoléon.

**Den.** Denio's New York Reports;—Denise's Reports, vol. 32 Louisiana Annual;—Denied.

**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.

BL. LAW DICT. (3D ED.)

- Denis.** Denis' Reports, vols. 32-46 Louisiana.
- Dens.** Denslow's Notes to second edition, vols. 1-3 Michigan Reports.
- De Orat.** Cicero, De Oratore.
- Des.** Desaussure's South Carolina Equity Reports.
- Desaus. Eq.** Desaussure's South Carolina Equity Reports.
- Dest. Cal. Dig.** Desty's California Digest.
- Dev.** Devereux's North Carolina Law Reports;—Devereux's Reports, United States Court of Claims.
- Dev. C. C.** Devereux's Reports, United States Court of Claims.
- Dev. Ct. Cl.** Devereux's Reports, United States Court of Claims.
- Dev. Eq.** Devereux's North Carolina Equity.
- Dev. L.** Devereux's North Carolina Law Reports.
- Dev. & Bat.** Devereux & Battle's North Carolina Law Reports.
- Dev. & Bat. Eq.** Devereux & Battle's North Carolina Equity Reports.
- Dew.** Dewey's Reports, vols. 60-61 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.
- Dice.** Dice's Reports, vols. 79-91 Indiana.
- Dicey, Const.** Dicey, Lectures Introductory to the Study of the Law of the English Constitution.
- Dick.** Dickens' English Chancery Reports;—Dickinson's Reports, vols. 46-58 New Jersey Equity.
- Dig.** Digest;—Digest of Justinian;—Digest of Writs.
- Dig. Proem.** Digest of Justinian, Proem.
- Dill. (or Dil.).** Dillon's United States Circuit Court Reports.
- Dill. Mun. Corp.** Dillon on Municipal Corporations.
- Diri.** Dirleton's Decisions, Court of Session.
- Disn. (or Dis.).** Disney's Superior Court Reports, Cincinnati.
- Dist. Rep.** District Reports.
- Doct. & Stud.** Doctor and Student.
- Dod. (or Dods.).** Dodson's English Admiralty Reports.
- Dod. Adm.** Dodson's Reports, English Admiralty Courts.
- Dom. Book.** Domesday Book.
- Dom. Proc.** Domus Procerum. In the House of Lords.
- Domat.** Domat on Civil Law.
- Domat Supp. au Droit Public.** Domat, Les Lois Civiles, Le Droit Public, etc. Augmentée des 3<sup>e</sup> et 4<sup>e</sup> livres du Droit Public, par M. de Hericourt, etc.
- Domes.** Domesday Book.
- Domesday.** Domesday Book.
- Donaker.** Donaker's Reports, vol. 154 Indiana.
- Donn.** Donnelly's Reports, English Chancery;—Donnelly's Irish Land Cases.
- Dor. Q. B. (or Dorion).** Dorion's Quebec Queen's Bench Reports;—(Dec. de la Cour D'Appel).
- Dos Passos, Stock-Brok.** Dos Passos on Stock-Brokers and Stock Exchanges.
- Doug.** Douglas' Michigan Reports;—Douglas' English King's Bench Reports;—Douglas' English Election Cases.
- Doug. (Mich.).** Douglas' Law Reports, Michigan.
- Doug. El. Ca.** Douglas' English Election Cases.
- Dow (or Dow P. C.).** 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. (Often bound at end of vol. 1 Dowling & Ryland's King's Bench Reports.)
- Dowl. (or Dowl. P. C.).** Dowling's English Bail Court (Practice) Cases.
- Dowl. N. S.** Dowling's English Bail Court Reports, New Series.
- Dowl. P. C.** Dowling's English Bail Court (Practice) Cases.
- Dowl. Pr. C. N. S.** Dowling's Reports, New Series, English Practice Cases.
- Dowl. & Lownd.** Dowling & Lowndes' English Practice Cases.
- Dowl. & R. (or Dowl. & Ryl.).** Dowling & Ryland's English King's Bench Reports.
- Dowl. & Ryl. M. C.** Dowling & Ryland's English Magistrates' Cases.
- Dowl. & Ryl. N. P.** Dowling & Ryland's English Nisi Prius Cases.
- Down. & Lud.** Downton & Luder's English Election Cases.
- 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.

**Drake, Attachm.** Drake on Attachments.

**Draper.** Draper's Upper Canada King's Bench Reports, Ontario.

**Drew.** Drewry's English Vice Chancellors' Reports;—Drew's Reports, vol. 13 Florida.

**Drew. & Sm.** Drewry & Smale's English Vice Chancellors' Reports.

**Drink.** Drinkwater's English Common Pleas Reports.

**Drone, Copyr.** Drone on Copyrights.

**Dru.** Drury's Irish Chancery Reports *tempore* Sugden.

**Dru. t. Nap.** Drury's Irish Chancery Reports *tempore* Napier.

**Dru. & Wal.** Drury & Walsh's Irish Chancery Reports.

**Dru. & War.** Drury & Warren's Irish Chancery Reports.

**Drury t. Sug.** Drury's Irish Chancery Reports *tempore* Sugden.

**Dub.** *Dubitatür*;—*Dubitante*.

**Dub. Rev.** Dublin Review, Dublin, Ireland.

**Du Cange.** Du Cange's Glossarium.

**Dud. (Ga.).** Dudley's Georgia Reports.

**Dud. (S. C.).** Dudley's Law Reports, South Carolina.

**Dud. Ch. (or Eq.).** Dudley's South Carolina Equity Reports.

**Dud. Eq. (S. C.).** Dudley's Equity Reports, South Carolina.

**Dud. L. (or S. C.).** Dudley's South Carolina Law Reports.

**Duer.** Duer's New York Superior Court Reports.

**Duer, Ins.** Duer on Insurance.

**Dufresne.** Dufresne's [Law] Glossary.

**Dun.** Duncan (see Dunc.);—Dunlap (see Dunl.).

**Dun. & Cum.** Dunphy & Cummins' Remarkable Trials.

**Dunc. Ent. Cas.** Duncan's Scotch Entail Cases.

**Dunc. N. P.** Duncombe's Nisi Prius.

**Dungl. Med. Dict.** Dunglison, Dictionary of Medical Science and Literature.

**Dunl. Abr.** Dunlap's Abridgment of Coke's Reports.

**Dunl. Adm. Pr.** Dunlop's Admiralty Practice.

**Dunlop (Dunl. B. & M.).** Dunlop, Bell & Murray's Reports, Second Series, Scotch Session Cases.

**Dunn.** Dunning's English King's Bench Reports.

**Durf.** Durfee's Reports, vol. 12 Rhode Island.

**Durie.** Durie's Scottish Court of Session Cases.

**Durn. & E.** Durnford & East's English King's Bench Reports (Term Reports).

**Dutch.** Dutcher's New Jersey Reports.

**Duv.** Duvall's Kentucky Reports;—Duvall's Reports, Canada Supreme Court.

**Duval.** Duval's Reports, Canada Supreme Court.

**Dwar. St.** Dwarris on Statutes.

**Dy. (or Dyer).** Dyer's English King's Bench Reports.

## E

- E.** East's Reports.
- E. B. & E.** Ellis, Blackburn & Ellis' English Queen's Bench Reports.
- E. B. & S.** (Ellis) Best & Smith's English Queen's Bench Reports.
- E. C.** English Cases;—English Chancery;—English Chancery Reports;—Election Cases, Ontario.
- E. C. L.** English Common Law Reports.
- E. D. C.** Eastern District Court, South Africa.
- E. D. S.** E. D. Smith's New York Common Pleas Reports.
- E. D. Smith (N. Y.).** E. D. Smith's New York Common Pleas Reports.
- E. E.** English Exchequer Reports.
- E. E. R.** English Ecclesiastical Reports.
- E. L. & Eq.** English Law and Equity Reports.
- E. P. C.** East's Pleas of the Crown.
- E. R.** East's King's Bench Reports;—Election Reports.
- E. R. C.** English Ruling Cases.
- E. & A.** Ecclesiastical and Admiralty;—Error and Appeal;—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 Queen's Bench Reports.
- E. & E.** Ellis & Ellis' English Queen's Bench Reports.
- E. & I.** English and Irish Appeals, House of Lords.
- E. & Y.** Eagle & Younge's English Tithe Cases.
- Ea.** East's English King's Bench Reports.
- Eag. & Yo.** Eagle & Younge's English Tithe Cases.
- East.** East's King's Bench Reports;—East's Notes of Cases in Morley's Indian Digest;—Eastern Reporter.
- East N. of C.** East's Notes of Cases (in Morley's East Indian Digest).
- East, P. C. (or Pl. Cr.).** East's Pleas of the Crown.
- East. Rep.** Eastern Reporter.
- Ebersole.** Ebersole's Reports, vols. 59-80 Iowa.
- Ecl. R.** English Ecclesiastical Reports.
- Ecl. Stat.** Ecclesiastical Statutes.
- Ecl. & Ad.** Ecclesiastical and Admiralty;—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.
- Ed. et Ord.** Edits et Ordonnances (Lower Canada).
- Eden.** Eden's Reports, High Court of Chancery, England.
- Eden, Bankr.** Eden's Bankrupt Law.
- Edg.** Edgar's Reports, Court of Session, Scotland.
- Edict.** Edicts of Justinian.
- Edm. Sel. Cas.** Edmonds' New York Select Cases.
- Edw.** Edwards' New York Chancery Reports;—Edwards' English Admiralty Reports;—Edwards' Reports, vols. 2, 3 Missouri.
- Edw. (Tho.).** Edwards' English Admiralty Reports.
- Edw. Abr.** Edwards' Abridgment of Prerogative Court Cases.
- Edw. Adm.** Edwards' English Admiralty Reports.
- Edw. Ch.** Edwards' New York Chancery Reports.
- Edw. Lead. Dec.** Edwards' Leading Decisions in Admiralty (Edwards' Admiralty Reports).
- Edw. Pr. Cas.** Edwards' Prize Cases (English Admiralty Reports).
- Edw. Pr. Ct. Cas.** Edwards' Abridgment of Prerogative Court Cases.
- Efrd.** Efrd's Reports, vols. 45-56 South Carolina.
- El.** Queen Elizabeth;—Elchies' Decisions, Scotch Court of Session.
- El. B. & E.** Ellis, Blackburn, & Ellis' English Queen's Bench Reports.
- El., Bl. & El.** Ellis, Blackburn & Ellis' English Queen's Bench Reports.
- El. Cas.** Election Cases.
- El. Dict.** Elchies' Dictionary of Decisions, Court of Session, Scotland.
- El. & B. (or Bl.).** Ellis & Blackburn's English Queen's Bench Reports.
- El. & El.** Ellis & Ellis' English Queen's Bench Reports.
- Elchies' Dict.** Elchies' (Dictionary of) Decisions, Scotch Court of Session.
- Elec. Cas. N. Y.** New York Election Cases (Armstrong's).
- El. Bl. & El.** Ellis, Blackburn, & Ellis' English Queen's Bench Reports.
- El. Dig.** Eller's Digest, Minnesota.
- El. & Bl.** Ellis & Blackburn's English Queen's Bench Reports.
- El. & El.** Ellis & Ellis' English Queen's Bench Reports.
- Ellesm. Post N.** Ellesmere's Post Nati.
- Elliott, App. Proc.** Elliott's Appellate Procedure.
- Elm. Dig.** Elmer's Digest, New Jersey.
- Elmer, Lun.** Elmer's Practice in Lunacy.
- Els. W. Bl.** Elsley's edition of Wm. Blackstone's English King's Bench Reports.

**Elton, Com.** Elton on Commons and Waste Lands.

**Elton, Copyh.** Elton on Copyholds.

**Emerig. Mar. Loans.** Emerigon on Maritime Loans.

**Emerig. Tr. des Ass.** Emerigon, Traite des Assurances.

**Emerig. Traite des Assur.** Emerigon, Traite des Assurances.

**Enc.** Encyclopædia.

**Enc. Brit.** Encyclopædia Britannica.

**Enc. Forms.** Encyclopædia of Forms.

**Enc. Pl. & Pr.** Encyclopædia of Pleading and Practice.

**Ency. Law.** American and English Encyclopædia of Law.

**Encyc.** Encyclopædia.

**Eng.** English;—English's Reports, vols. 6-13 Arkansas;—English Reports by N. C. Moak.

**Eng. Ad.** English Admiralty;—English Admiralty Reports.

**Eng. C. C. (or Cr. Cas.).** English Crown Cases.

**Eng. C. L.** English Common Law Reports.

**Eng. Ch.** English Chancery;—English Chancery Reports;—Condensed English Chancery Reports.

**Eng. Ecc. R.** English Ecclesiastical Reports.

**Eng. Eccl.** English Ecclesiastical Reports.

**Eng. Exch.** English Exchequer Reports.

**Eng. Ir. App.** Law Reports, English and Irish Appeal Cases.

**Eng. Judg.** Scotch Court of Session Cases, decided by the English Judges.

**Eng. L. & Eq.** English Law and Equity Reports.

**Eng. R. & C. Cas.** English Railway and Canal Cases.

**Eng. Rep.** Moak's English Reports;—English's Reports, vols. 6-13 Arkansas;—English Reports.

**Eng. Rep. R. (or Re.).** English Reports, Full Reprint.

**Eng. Ru. Ca.** English Ruling Cases.

**Eng. Ry. & C. Cas.** English Railway and Canal 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.

**Ent.** Coke's Entries;—Rastell's Entries.

**Entries, Ancient.** Rastell's Entries (cited in Rolle's Abridgment).

**Eq. Cas.** Equity Cases in vol. 9 Modern Reports.

**Eq. Cas. Abr.** Equity Cases Abridged (English).

**Eq. Judg.** Equity Judgments (by A'Beckett) New South Wales.

**Eq. Rep.** Equity Reports;—Gilbert's Equity Reports;—Harper's South Carolina Equity Reports;—The Equity Reports, published by Spottiswoode.

**Err. & App.** Error and Appeals Reports, Upper Canada.

**Ersk.** Erskine's Institutes of the Law of Scotland;—Erskine's Principles of the Law of Scotland.

**Ersk. Dec.** Erskine's United States Circuit Court, etc., Decisions, in vol. 35 Georgia.

**Ersk. Inst.** Erskine's Institutes of the Law of Scotland.

**Ersk. Prin.** Erskine's Principles of the Law of Scotland.

**Erskine, Inst.** Erskine's Institutes of the Law of Scotland.

**Escrache.** Escriche, Diccionario Razonado de Legislacion y Jurisprudencia.

**Escrache, Dic. Leg.** Escriche, Diccionario Razonado de Legislacion y Jurisprudencia.

**Esp. (or Esp. N. P.).** Espinasse's English Nisi Prius Reports.

**Esprit des Lois.** Montesquieu, Esprit des Lois.

**Eth. Nic.** Aristotle, Nicomachean Ethics.

**Ev. Tr.** Evans' Trial.

**Ewell L. C.** Ewell's Leading Cases on Infancy, etc.

**Ex. C. R.** Exchequer Court of Canada Reports.

**Ex. D. (or Ex. Div.).** Exchequer Division, English Law Reports.

**Exch.** Exchequer;—Exchequer Reports (Welsby, Hurlstone, & Gordon);—English Law Reports, Exchequer;—English Exchequer Reports.

**Exch. Can.** Exchequer Reports, Canada.

**Exch. Cas.** Exchequer Cases (Legacy Duties, etc.), Scotland.

**Exch. Div.** Exchequer Division, English Law Reports.

**Exch. Rep.** Exchequer Reports.

**Eyre.** Eyre's Reports, English.

## F

- F.** Federal Reporter;— Fitzherbert's Abridgment.
- F.(2d).** Federal Reporter, Second Series.
- F. Abr.** Fitzherbert's Abridgment is commonly referred to by the other law writers by the title and number of the placita only, e. g. "coron, 30."
- F. B. C.** Fonblanque's Bankruptcy Cases.
- F. B. R.** Full Bench Rulings, Bengal.
- F. B. R. N. W. P.** Full Bench Rulings, Northwest Provinces, India.
- F. C.** Federal Cases.
- F. N. B.** Fitzherbert's *Natura Brevium*.
- F. R.** Federal Reporter.
- F. Supp.** Federal Supplement.
- F. & F.** Foster & Finlason's English Nisi Prius Reports.
- F. & Fitz.** Falconer & Fitzherbert's English Election Cases.
- F. & J. Bank. De Gex.** Fisher & Jones' English Bankruptcy Reports.
- F. & S.** Fox and Smith's Irish King's Bench Reports.
- Fairfield.** Fairfield's Reports, vols. 10-12 Maine.
- Falc.** Falconer's Scotch Court of Session Cases.
- Falc. & Fitz.** Falconer & Fitzherbert's English Election Cases.
- Fam. Cas. Cir. Ev.** Famous Cases of Circumstantial Evidence, by Phillips.
- Far. (or Farr.).** Farresley (see Farresley).
- Farresley.** Farresley's Reports, vol. 7 Modern Reports;—Farresley's Cases in Holt's King's Bench Reports.
- Fearne, Rem.** Fearne on Contingent Remainders.
- Fed.** Federal Reporter.
- Fed. Ca. (or Cas.).** Federal Cases.
- Fed. Cas. No.** Federal Case Number.
- Fed. R. (or Rep.).** Federal Reporter.
- Fent. Imp. Judg.** Fenton's Important Judgments, New Zealand.
- Fent. N. Z.** Fenton's New Zealand Reports.
- Ferard, Fixt.** Amos & Ferard on Fixtures.
- Ferg. Cons.** Fergusson's (Scotch) Consistorial Reports.
- Fergusson.** (Fergusson of) Kilgerran's Scotch Session Cases.
- Ferriere.** Ferriere's *Dictionnaire de Droit et de Pratique*.
- Fessen, Pat.** Fessenden on Patents.
- Feud. Lib.** The Book of Feuds. See this dictionary, s. v. "Liber Feudorum."
- Ff.** *Pandectæ (Juris Civilis)*.
- Field, Corp.** Field on Corporations.
- Fin.** Finch's English Chancery Reports;—Finlason (see Finl.).
- Finch.** English Chancery Reports *tempore* Finch.
- Finch Ins. Dig.** Finch's Insurance Digest.
- Finch L. C.** Finch's Land Cases.
- Finl. L. C.** Finlason's Leading Cases on Pleading.
- Finl. Rep.** Finlason's Report of the Gurney Case.
- First pt. Edw. III.** Part II of the Year Books.
- First pt. H. VI.** Part VII of the Year Books.
- Fish.** Fisher's United States Patent Cases;—Fisher's United States Prize Cases.
- Fish. Cas.** Fisher's Cases, United States District Courts.
- Fish. Mortg.** Fisher on Mortgages.
- Fish. Pat. (or Fish. Pat. Cas.).** Fisher's United States Patent Cases.
- Fish. Pat. Rep.** Fisher's United States Patent Reports.
- Fish. Prize (or Pr. Cas.).** Fisher's United States Prize Cases.
- Fitz.** Fitzherbert's Abridgment (see F. & Fitz.).
- Fitzg.** Fitzgibbon's English King's Bench Reports.
- Fitzh. Abr.** Fitzherbert's Abridgment.
- Fitzh. N. B. (or Nat. Brev.).** Fitzherbert's *New Natura Brevium*.
- Fl.** Fleta;—Flanders (see Fland.).
- Fl. & K. (or Fl. & Kel.).** Flanagan & Kelly's Irish Rolls Court Reports.
- Fla.** Florida;—Florida Reports.
- Flan. & Kel.** Flanagan & Kelly's Irish Rolls Court Reports.
- Fleta.** Fleta, *Commentarius Juris Anglicani*.
- Flip.** Flippin's United States Circuit Court Reports.
- Flor.** Florida;—Florida Reports.
- Fogg.** Fogg's Reports, vols. 32-37, New Hampshire.
- Fol. P. L. Cas.** Foley's Poor Law Cases.
- Fonbl.** Fonblanque's Equity;—Fonblanque on Medical Jurisprudence;—Fonblanque's New Reports, English Bankruptcy.
- Fonbl. Eq.** Fonblanque's Equity.
- Fonbl. R.** Fonblanque's English Cases (or New Reports) in Bankruptcy.
- For.** Forrest's Exchequer Reports;—Forrester's Chancery Reports (Cases *tempore* Talbot).
- For. Cas. & Op.** Forsyth's Cases and Opinions.
- For. de Land.** Fortescue's *De Laudibus Legum Angliæ*.
- Forb.** Forbes' Decisions in the Scotch Court of Session.
- Forb. Inst.** Forbes' Institutes of the Law of Scotland.
- Forman.** Forman's Reports, Illinois.
- Forr.** Forrest's English Exchequer Reports;—Forrester's English Chancery Cases (commonly cited, Cases *tempore* Talbot).

**Forrest.** Forrest's Reports, English Exchequer.

**Fors. Cas. & Op.** Forsyth's Cases and Opinions on Constitutional Law.

**Fort.** Fortescue's English King's Bench Reports.

**Fortes.** Fortescue's Reports, English Courts.

**Fortes. de Laud.** Fortescue, De Laudibus Legum Angliæ.

**Forum.** Forum (periodical). Baltimore and New York.

**Foss, Judg.** Foss' Judges of England.

**Fost.** Foster's English Crown Law or Crown Cases;—Foster's New Hampshire Reports;—Foster's Legal Chronicle Reports, Pennsylvania;—Foster's Reports, vols. 5, 6 and 8 Hawaii.

**Fost. Cr. Law.** Foster, Crown Law.

**Fost. on Sci. Fa.** Foster on the Writ of Scire Facias.

**Fost. & Fin.** Foster & Finlason's English Nisi Prius Reports.

**Foster.** Foster's English Crown Law;—Legal Chronicle Reports (Pennsylvania), edited by Foster;—Foster's New Hampshire Reports.

**Fount.** Fountainhall's Decisions, Scotch Court of Session.

**Fowl. L. Cas.** Fowler's Leading Cases on Collieries.

**Fox.** Fox's Reports, English.

**Fox Reg. Ca.** Fox's Registration Cases.

**Fox & Sm.** Fox & Smith's Irish King's Bench Reports.

**Fr.** Freeman's English King's Bench and Chancery Reports;—Fragment.

1896

**Fr. Ch.** Freeman's English Chancery Reports;—Freeman's Mississippi Chancery Reports.

**Fr. E. C.** Fraser's Election Cases.

**Fran. Max.** Francis' Maxims of Equity.

**Franc. Judg.** Francillon's Judgments, County Courts.

**France.** France's Reports, vols. 3-11 Colorado.

**Fras. Elec. Cas.** Fraser's English Election Cases.

**Fraser.** Fraser's English Cases of Controverted Elections.

**Fraz. (or Fraz. Adm.).** Frazer's Admiralty Cases, etc., Scotland.

**Free.** Freeman's English King's Bench Reports, vol. 1 Freeman's King's Bench Reports and vol. 2 Freeman's Chancery Reports. See also Freeman.

**Free. Ch.** Freeman's English Chancery Reports;—Freeman's Mississippi Chancery Reports.

**Free. (Ill.).** Freeman's Reports, Illinois.

**Free. C. C.** Freeman's English Chancery Cases.

**Free. Compar. Politics.** Freeman, Comparative Politics.

**Free. Judgm.** Freeman on Judgments.

**Free. K. B.** Freeman's English King's Bench Reports.

**Fries Tr.** Trial of John Fries (Treason).  
**Frith.** Opinions Attorneys-General, pt. 2, vol. 21.

**Full B. R.** Full Bench Rulings, Bengal (or Northwestern Provinces).

**Fuller.** Fuller's Reports, vols. 59-105 Michigan.

**Fulton.** Fulton's Reports, Bengal.

## G

- G.** Gale's English Exchequer Reports.
- G. Coop. (or Cooper).** G. Cooper's English Chancery.
- G. Gr.** G. Greene's Iowa Reports.
- G. M. Dudl.** G. M. Dudley's Georgia Reports.
- G. O.** General Orders, Court of Chancery, Ontario.
- G. & D.** Gale & Davidson's English Queen's Bench Reports.
- G. & G.** Goldsmith & Guthrie, Missouri.
- G. & J.** Gill & Johnson's Maryland Reports;—Glyn & Jameson's English Bankruptcy Reports.
- G. & T.** Gould & Tucker's Notes on Revised Statutes of United States.
- Ga.** Georgia;—Georgia Reports.
- Ga. Dec.** Georgia Decisions.
- Ga. Supp.** Lester's Supplement, vol. 33 Georgia.
- Gaius.** Gaius' Institutes.
- Gal.** Gallison's Reports, United States Circuit Courts.
- Galb. & M.** Galbraith & Meek's Reports, vol. 12 Florida.
- Galbraith.** Galbraith's Reports, vols. 9-12 Florida.
- Gale.** Gale's English Exchequer Reports.
- Gale, Easem.** Gale on Easements.
- Gale & Dav.** Gale & Davison's Queen's Bench Reports.
- Gall.** Gallison's Reports, United States Circuit Courts.
- Gall. Cr. Cas.** Gallick's Reports (French Criminal Cases).
- Gamb. & Barl.** Gamble & Barlow's Digest, Irish.
- Gantt Dig.** Gantt's Digest Statutes, Arkansas.
- Gard. N. Y. Rept.** Gardenier's New York Reporter.
- Gardenhire.** Gardenhire's Reports, vols. 14, 15 Missouri.
- Gardn. P. C.** Gardner Peerage Case, reported by Le Marchant.
- Gaspar.** Gaspar's Small Cause Court Reports, Bengal.
- Gayarré.** Gayarré's Reports, vols. 25-28 Louisiana Annual.
- Gaz. Bank.** Gazette of Bankruptcy, London.
- Gaz. Dig.** Gazzam's Digest of Bankruptcy Decisions.
- Gaz. & B. C. Rep.** Gazette & Bankrupt Court Reporter, New York.
- Geld. & M.** Geldart & Maddock's English Chancery Reports, vol. 6 Maddock's Reports.
- Geld. & Ox.** Nova Scotia Decisions, by Geldert & Oxley.
- Geld. & R.** Geldert & Russell, Nova Scotia.
- 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).
- Gen. Dig.** General Digest American and English Reports.
- Gen. Laws.** General Laws.
- Gen. Ord.** General Orders, Ontario Court of Chancery.
- Gen. Ord. Ch.** General Orders of the English High Court of Chancery.
- Gen. St.** General Statutes.
- Geo.** Georgia;—Georgia Reports;—King George (as 13 Geo. II.).
- Geo. Coop.** George Cooper's English Chancery Cases, time of Eldon.
- Geo. Dec.** Georgia Decisions.
- Geo. Dig.** George's Digest, Mississippi.
- George.** George's Reports vols. 30-39 Mississippi.
- Gib. Cod.** Gibson's Codex Juris Ecclesiastical Anglicani.
- Gib. Dec.** Gibson's Scottish Decisions.
- Gibbon, Rom. Emp.** Gibbon, History of the Decline and Fall of the Roman Empire.
- Gibbs.** Gibbs' Reports, vols. 2-4 Michigan.
- Gibbs' Jud. Chr.** Gibbs' Judicial Chronicle.
- Gibs. Camd.** Gibson's [edition of] Camden's Britannia.
- Gibson.** (Gibson of) Durie's Decisions, Scotch Court of Session.
- Gif. (or Giff.).** Giffard's English Vice-Chancellors' Reports.
- Gif. & Fal.** Gilmour & Falconer's Scotch Session Cases.
- Gif. & H.** Giffard and Henning'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.
- Gilb.** Gilbert's Reports, English Chancery.
- Gilb. Cas.** Gilbert's English Cases in Law and Equity.
- Gilb. Ch.** Gilbert's English Chancery Reports.
- Gilb. Com. Pl.** Gilbert's Common Pleas.
- Gilb. Eq.** Gilbert's English Equity or Chancery Reports.
- Gilb. Forum Rom.** Gilbert's Forum Romanum.
- Gilb. Rep.** Gilbert's English Chancery Reports.
- Gilb. Ten.** Gilbert on Tenure.
- Gilb. Uses.** Gilbert on Uses and Trusts.
- Gild.** Gildersleeve's Reports, vols. 1-8 New Mexico.
- Gilfillan.** Gilfillan's Edition of Minnesota Reports.
- Gill.** Gill's Maryland Reports.
- Gill Pol. Rep.** Gill's Police Court Reports, Boston, Massachusetts.



- Gill & J. (Md.).** Gill & Johnson's Reports, Maryland.
- Gill & Johns.** Gill & Johnson's Maryland Reports.
- Gilm.** Gilman's Reports, vols. 6-10 Illinois;—Gilmer's Reports, Virginia;—Gilmour's Reports, Scotch Court of Session.
- Gilm. Dig.** Gilman's Digest, Illinois and Indiana.
- Gilm. & Falc.** Gilmour & Falconer's Reports, Scotch Court of Session.
- Gilp.** Gilpin's United States District Court Reports.
- Gilp. Opin.** Gilpin's Opinions of the United States Attorneys-General.
- Gl. & J.** Glyn & Jameson's English Bankruptcy Reports.
- Glan. lib.** Glanville, De Legibus et Consuetudinibus Angliæ.
- Glanv. (or Glanvil.).** Glanville, De Legibus et Consuetudinibus Angliæ.
- Glanv. El. Cas.** Glanville's English Election Cases.
- Glas. (or Glasc.).** Glascock's Reports in all the Courts of Ireland.
- Glenn.** Glenn's Reports, vols. 16-18 Louisiana Annual.
- Glov. Mun. Corp.** Glover on Municipal Corporations.
- Glyn & Jam.** Glyn & Jameson's Reports, English Bankruptcy.
- Go.** Goebel's Probate Court Cases.
- Godb.** Godbolt's English King's Bench Reports.
- Godol.** Godolphin's Abridgment of Ecclesiastical Law;—Godolphin on Admiralty Jurisdiction;—Godolphin's Orphan's Legacy;—Godolphin's Repertorium Canonicum.
- Godol. Ecc. Law.** Godolphin's Abridgment of Ecclesiastical Law.
- Goeb.** Goebel's Probate Court Cases.
- Gold. (or Goldes.).** Goldesborough's or Gouldsborough's English King's Bench Reports.
- Gold. & G.** Goldsmith & Guthrie's Reports, vols. 36-67 Missouri Appeals.
- Good. Pat.** Goodeve's Abstract of Patent Cases.
- Good. & Wood.** Full Bench Rulings, Bengal, edited by Goodeve & Woodman.
- Gordon.** Gordon's 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.
- Gould, Pl.** Gould on Pleading.
- Gould & T.** Gould & Tucker's Notes on Revised Statutes of United States.
- Gow (or Gow N. P.).** Gow's English Nisi Prius Cases.
- 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.** Grant's Cases.
- Gr. Eq. (or Ch.).** (H. W.) Green's New Jersey Equity Reports;—Gresley's Equity Evidence.
- Gra.** Grant (see Grant);—Graham's Reports, vols. 98-107 Georgia.
- Grand Cou.** Grand Coutumier de Normandie.
- Granger.** Granger's Reports, vols. 22-23 Ohio State.
- Grant.** Grant's Upper Canada Chancery Reports;—Grant's Pennsylvania Cases;—(Grant of) Elchies' Scotch Session Cases;—Grant's Jamaica Reports.
- Grant, Bank.** Grant on Banking.
- Grant Cas.** Grant's Pennsylvania Cases.
- Grant Ch.** Grant's Upper Canada Chancery Reports.
- Grant, Corp.** Grant on Corporations.
- Grant E. & A.** Grant's Error and Appeal Reports, Ontario.
- Grant, Jamaica.** Grant's Jamaica Reports.
- Grant Pa.** Grant's Pennsylvania Cases.
- Grant U. C.** Grant's Upper Canada Chancery Reports.
- Grat. (or Gratt.).** Grattan's Virginia Reports.
- Grav. de Jur. Nat. Gent.** Gravina, De Jure Naturale Gentium, etc.
- Gravin.** Gravina, Originum Juris Civilis.
- 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 Chancery Reports, New Jersey.
- Green Ch.** H. W. Green's New Jersey Chancery Reports, vols. 2-4 New Jersey Equity.
- Green Cr. L. Rep.** Green's Criminal Law Reports.
- Green L. (or N. J.).** J. S. Green's Law Reports, vols. 13-15 New Jersey Law.
- Green. Ov. Cas.** Greenleaf's Overruled Cases.
- Green Sc. Tr.** Green's Scottish Trials for Treason.
- 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. Cruise.** Greenleaf's Cruise on Real Property.
- Greenl. Ev.** Greenleaf on Evidence.
- Greenl. Ov. Cas.** Greenleaf's Overruled Cases.
- Green's Brice, Ultra Vires.** Green's Edition of Brice's Ultra Vires.

**Gren.** Grenier's Ceylon Reports.  
**Gres. Eq. Ev.** Gresley's Equity Evidence.  
**Grif. L. Reg.** Griffith's Law Register, Burlington, New Jersey.  
**Grif. P. R. Cas.** Griffith's English Poor Rate Cases.  
**Griffith.** Griffith's Reports, vols. 1-5 Indiana Appeals and vols. 117-132 Indiana.  
**Grisw.** Griswold's Reports, vols. 14-19 Ohio.  
**Gro.** Grotius, De Jure Belli et Pacis.  
**Gro. de J. B.** Grotius, De Jure Belli et Pacis.  
**Grot. de Jur. B.** Grotius, De Jure Belli et Pacis.

**Guizot, Hist. Civilization.** Guizot, General History of Civilization in Europe.  
**Guizot, Rep. Govt.** Guizot, History of Representative Government.  
**Gundry.** Gundry Manuscript, Lincoln's Inn Library.  
**Guth. Sh. Cas.** Guthrie's Sheriff Court Cases, Scotland.  
**Guthrie.** Guthrie's Reports, vols. 33-83 Missouri Appeals.  
**Guy, Med. Jur.** Guy, Medical Jurisprudence.  
**Guyot, Inst. Feod.** Guyot, Institutes Feodales.  
**Gwil. Ti. Cas.** Gwillim's Tithe Cases.

## H

- H.** Howard's United States Supreme Court Reports;—Hill's New York Reports.
- H. Bl.** 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. E. O.** Hodgkin's Election Cases, Ontario.
- H. L. (or H. L. Cas.).** House of Lords Cases.
- H. L. Rep.** English House of Lords Reports.
- H. P. C.** Hale's Pleas of the Crown;—Hawkins' Pleas of the Crown.
- 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 & Denio's New York Reports.
- H. & G.** Harris & Gill's Maryland Reports;—Hurlstone & Gordon's English Reports.
- H. & H.** Horn & Hurlstone's English Exchequer Reports;—Harrison & Hodgkin's Municipal Reports, Upper Canada.
- H. & J.** Harris & Johnson's Maryland Reports;—Hayes & Jones' Exchequer Reports, Ireland.
- 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 & Norman's English Exchequer Reports.
- H. & P.** Hopwood & Philbrick's English Election Cases.
- H. & R.** Harrison & Rutherford's English Common Pleas Reports.
- H. & S.** Harris & Simrall, Mississippi.
- H. & T.** Hall & Twell's English Chancery Reports.
- H. & T. Self-Def.** Horrigan & Thompson's Cases on the Law of Self-Defense.
- H. & W.** Harrison & Wollaston's English King's Bench Reports;—Hurlstone & Walmsley's English Exchequer Reports.
- Ha.** Hare's Chancery Reports;—Hall;—Haggard.
- Ha. & Tw.** Hall & Twell's English Chancery Reports.
- Had.** Haddington;—Hadley's Reports, vols. 45-48 New Hampshire.
- Haddington.** Haddington's Manuscript Reports, Scotch Court of Session.
- Hadl.** Hadley's Reports, vols. 45-48 New Hampshire.
- Hadl. Rom. Law.** Hadley's Introduction to the Roman Law.
- Hadley.** Hadley's Reports, vols. 45-48 New Hampshire.
- Hag. (or Hagg.) Adm.** Haggard's English Admiralty Reports.
- Hag. (or Hagg.) Con.** Haggard's English Consistory Reports.
- Hag. (or Hagg.) Ecc.** Haggard's English Ecclesiastical Reports.
- Hagan.** Hagan's Reports, vols. 1-2 Utah.
- Hagans.** Hagans' Reports, vols. 1-5 West Virginia.
- Hagg.** See Hag.
- Hagg. Consist.** Haggard's Consistory Reports, English.
- Hagn. & Mill.** Hagner & Miller's Reports, vol. 2 Maryland Chancery.
- Hailes.** Hailes' Decisions, Scotch Court of Session.
- Hal. Law.** Halsted's New Jersey Law Reports.
- Halc. Min. Cas.** Halcomb's Mining Cases, London, 1826.
- Hale.** Hale's Reports, vols. 33-37 California.
- Hale, Anal.** Hale's Analysis of the Law.
- Hale C. L. (or Com. Law).** Hale's History of the Common Law.
- Hale, De Jure Mar.** Hale, De Jure Maris.
- Hale Ecc.** Hale's Ecclesiastical Reports, English.
- Hale, Hist. Eng. Law.** Hale's History of the English Law.
- Hale P. C.** Hale's Pleas of the Crown.
- Hale Prec.** Hale's Precedents in (Ecclesiastical) Criminal Cases.
- Halk.** Halkerston's Compendium of Scotch Faculty Decisions;—Halkerston's Digest of the Scotch Marriage Law;—Halkerston's Latin Maxims.
- Halk. Comp.** Halkerston's Compendium of Scotch Faculty Decisions.
- Halk. Lat. Max.** Halkerston's Latin Maxims.
- Hall.** Hall's New York Superior Court Reports;—Hall's Reports, vols. 56, 57 New Hampshire;—Hallett's Reports, vols. 1, 2 Colorado.
- Hall. Const. Hist.** Hallam's Constitutional History of England.
- Hall, Émérig. Mar. Loans.** Hall, Essay on Maritime Loans from the French of Émérigon.
- Hall, Int. Law.** Hall on International Law.
- Hall, Marit. Loans.** Hall, Essay on Maritime Loans from the French of Émérigon.
- Hall, Mex. Law.** Hall, Laws of Mexico Relating to Real Property, etc.
- Hall. Middle Ages.** Hallam's Middle Ages.

**Hall, Profits à Prendre.** Hall, Treatise on the Law Relating to Profits à Prendre, etc.

**Hall & Tw.** Hall & Twell's Reports, English Chancery.

**Hallam, Mid. Ages.** Hallam's Middle Ages.

**Hallett.** Hallett's Reports, vols. 1, 2 Colorado.

**Hallifax, Anal. (or Civil Law).** Hallifax's Analysis of the Civil Law.

**Hals.** Halsted's New Jersey Law Reports.

**Hals. Ch. (or Eq.).** Halsted's New Jersey Equity Reports.

**Ham.** Hammond's Nisi Prius;—Hammond's Reports, vols. 1-9 Ohio.

**Ham. A. & O.** Hammerton, Allen & Otter, English Magistrates' Cases, vol. 3 New Sessions Cases.

**Ham. N. P.** Hammond's Nisi Prius.

**Ham. Parties.** Hammond on Parties to Action.

**Hamel, Cust.** Hamel's Laws of the Customs.

**Hamilton.** (Hamilton of) Haddington's Manuscript Cases, Scotch Court of Session;—Hamilton, American Negligence Cases.

**Hamlin.** Hamlin's Reports, vols. 81-93 Maine.

**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.

**Han. (or 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.

**Hanes.** Hanes' English Chancery.

**Hanmer.** Lord Kenyon's Notes (English King's Bench Reports), edited by Hanmer.

**Hann.** Hannay's Reports, vols. 12, 13, New Brunswick.

**Hansb.** Hansbrough's Reports, vols. 76-90 Virginia.

**Har.** Harmonized;—Harrison (see Harr.);—Harrington's Chancery Reports, Michigan.

**Har. (Del.).** Harrington's Reports, vols. 1-5 Delaware.

**Har. St. Tr.** Hargrave's State Trials.

**Har. & Gill.** Harris & Gill's Maryland Reports.

**Har. & J. (Md.).** Harris & Johnson's Maryland Reports.

**Har. & John.** Harris & Johnson's Maryland Reports.

**Har. & McH.** Harris & McHenry's Maryland Reports.

**Har. & Ruth.** Harrison & Rutherford's English Common Pleas Reports.

**Har. & Woll.** Harrison & Wollaston's English King's Bench Reports.

**Harc.** Harcarse's Decisions, Scotch Court of Session.

**Hard. (or Hardin).** Hardin's Kentucky Reports.

**Hard. (or Hardres).** Hardres' English Exchequer Reports.

**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 English Vice-Chancellors' Reports.

**Hare & Wal. L. C.** American Leading Cases, edited by Hare & Wallace.

**Harg.** Hargrave's State Trials;—Hargrove's Reports, vols. 68-75 North Carolina.

**Harg. Co. Litt.** Hargrave's Notes to Coke on Littleton.

**Harg. Law Tracts.** Hargrave's Law Tracts.

**Harg. St. Tr. (or State Tr.).** Hargrave's State Trials.

**Hargrove.** Hargrove's Reports, vols. 68-75 North Carolina.

**Harm.** Harmon's Reports, vols. 13-15 California;—Harmon's Upper Canada Common Pleas Reports.

**Harp.** Harper's South Carolina Law Reports.

**Harp. Con. Cas.** Harper's Conspiracy Cases, Maryland.

**Harp. Eq.** Harper's Equity Reports, South Carolina.

**Harp. L. (or S. C.).** Harper's Law Reports, South Carolina.

**Harr.** Harrison's Reports, New Jersey;—Harrington'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. (Mich.)** Harrington's Michigan Chancery Reports.

**Harr. (N. J.).** Harrison's Reports, vols. 16-19 New Jersey Law.

**Harr. Con. La. R.** Harrison's Condensed Louisiana Reports.

**Harr. Dig.** Harrison's Digest, English.

**Harr. & G.** Harris & Gill's Maryland Reports.

**Harr. & Hodg.** Harrison & Hodgkin's Upper Canada Municipal Reports.

**Harr. & J.** Harris & Johnson's Maryland Reports.

**Harr. & McH.** Harris & McHenry's Maryland Reports.

**Harr. & Ruth.** Harrison & Rutherford's English Common Pleas Reports.

**Harr. & Sim.** Harris & Simrall's Reports, vols. 49-52 Mississippi.

**Harr. & Woll.** Harrison & Wollaston's English King's Bench Reports.

**Harring.** Harrington's Delaware Reports;—Harrington's Michigan Chancery Reports.

**Harris.** Harris' Reports, vols. 13-24 Pennsylvania.

**Harris Dig.** Harris' Digest, Georgia.  
**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 United States Circuit Court Reports.  
**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. Cr. Rep.** Hawley's American Criminal Reports.  
**Haw. W. C.** Hawes' Will Case.  
**Hawaii (or Hawaiian Rep.).** Hawaii (Sandwich Islands) Reports.  
**Hawk. Co. Litt.** Hawkins' Coke upon Littleton.  
**Hawk. P. C. (or Pl. Cr.).** Hawkins' Pleas of the Crown.  
**Hawkins.** Hawkins' Reports, vols. 19-24 Louisiana Annual.  
**Hawks.** Hawks' North Carolina Reports.  
**Hawl. Cr. R.** Hawley's American Criminal Reports.  
**Hawley.** Hawley's Reports, vols. 10-20 Nevada.  
**Hay.** Haywood's North Carolina Reports;—Haywood's Tennessee Reports (Haywood's Reports are sometimes referred to as though numbered consecutively from North Carolina through Tennessee);—Hayes' Irish Exchequer Reports. See also Hayes;—Hayes' Reports, Calcutta;—Hay's Scotch Decisions.  
**Hay Acc. (or Dec.).** Hay's Decisions on Accidents and Negligence.  
**Hay. Exch.** Hayes' Irish Exchequer Reports.  
**Hay P. L.** Hay's Poor Law Decisions.  
**Hay. & H.** Hayward & Hazelton's United States Circuit Court Reports.  
**Hay. & Haz.** Hayward & Hazelton, Circuit Court, District of Columbia.  
**Hay. & J.** Hayes & Jones, Irish.  
**Hay & M. (or Marr.).** Hay & Marriott's Admiralty Reports (usually cited, Marriott's Reports).  
**Hayes (or Hayes Exch.).** Hayes' Irish Exchequer Reports.  
**Hayes, Conv.** Hayes on Conveyancing.  
**Hayes & Jo. (or Jon.).** Hayes & Jones' Irish Exchequer Reports.  
**Hayn. Lead. Cas.** Haynes' Students' Leading Cases.  
**Haynes, Eq.** Haynes' Outlines of Equity.

**Hayw.** Haywood's North Carolina Reports;—Haywood's Tennessee Reports (see Hay).  
**Hayw. L. R.** Hayward's Law Register, Boston.  
**Hayw. & H.** Hayward & Hazelton's United States Circuit Court Reports.  
**Head.** Head's Tennessee Reports.  
**Heath.** Heath's Reports, vols. 36-40 Maine.  
**Heck. Cas.** Hecker's Cases on Warranty.  
**Hedges.** Hedges' Reports, vols. 2-6 Montana.  
**Heinecc. Ant. Rom.** Heineccius (J. G.) Antiquitatum Romanarum (Roman Antiquities).  
**Heinecc. de Camb.** Heineccius (J. G.) Elementa Juris Cambialis.  
**Heinecc. Elem.** Heineccius (J. G.) Elementa Juris Civilis (Elements of the Civil Law).  
**Heisk.** Heiskell's Tennessee Reports.  
**Helm.** Helm's Reports, vols. 2-9 Nevada.  
**Hem.** Hempstead, United States;—Hemingway, Mississippi.  
**Hem. & M.** Hemming & Miller's English Vice-Chancellors' Reports.  
**Hemp. (or Hempst.).** Hempstead's United States Circuit Court Reports.  
**Hen. Bl.** Henry Blackstone's English Common Pleas Reports.  
**Hen. Man. Cas.** Henry's Manumission Cases.  
**Hen. & M. (Va.)** Hening & Munford's Virginia Reports.  
**Hen. & Mun.** Hening & Munford's Virginia Reports.  
**Hepb.** Hepburn's Reports, vols. 3, 4 California;—Hepburn's Reports, vol. 13 Pennsylvania.  
**Het. (or Hetl.).** Hetley's English Common Pleas Reports.  
**Heyw. Ca.** Heywood's Table of Cases, Georgia.  
**Hibb.** Hibbard's Reports, vol. 20 Opinions Attorneys-General;—Hibbard's Reports, vol. 67 New Hampshire.  
**High Ct.** High Court Reports, Northwest Provinces of India.  
**Hight.** Hight's Reports, vols. 57-58 Iowa.  
**Hill.** Hill's New York Reports;—Hill's Law Reports, South Carolina.  
**Hill Eq. (or Ch.).** Hill's Equity, South Carolina Reports.  
**Hill N. Y.** Hill's New York Reports.  
**Hill. New Trials.** Hilliard on New Trials.  
**Hill. Real Prop.** Hilliard on Real Property.  
**Hill S. C.** Hill's South Carolina Reports (Law or Equity).  
**Hill & Den.** Hill & Denio, New York.  
**Hill & Den. Supp.** Lalor's Supplement to Hill & Denio's Reports, New York.  
**Hillyer.** Hillyer's Reports, vols. 20-22 California.

**Hilt.** Hilton's New York Common Pleas Reports.

**Hinde Ch. Pr.** Hinde, Modern Practice of the High Court of Chancery.

**Hines.** Hines' Reports, vols. 83-96 Kentucky.

**Ho. Lords Cas.** House of Lords Cases (Clark's).

**Hob.** Hobart's English King's Bench Reports.

**Hodg.** Hodges' English Common Pleas Reports.

**Hodg. Can. Elec. Cas.** Hodgkin's Canada Election Cases.

**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. L. C.).** Hoffman's Land Cases, United States District Court.

**Hoff. Lead. Cas.** Hoffman's Leading Cases on Commercial Law.

**Hoff. Mast.** Hoffman's Master in Chancery.

**Hoff. N. Y. (or Hoffm. Ch.).** Hoffman's New York Chancery Reports.

**Hog.** Hogan's Irish Rolls Court Reports;—(Hogan of) Harcarse's Scotch Session Cases.

**Hog. St. Tr.** Hogan's State Trials, Pennsylvania.

**Hogue.** Hogue's Reports, vols. 1-4 Florida.

**Holc. L. Cas.** Holcombe's Leading Cases of Commercial Law.

**Holl. Jur.** Holland's Elements of Jurisprudence.

**Hollinshead.** Hollinshead's Reports, vol. 1 Minnesota.

**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. Cas.** Holt's English Admiralty Cases (Rule of the Road).

**Holt Eq.** Holt's English Equity Reports.

**Holt K. B.** Holt's English King's Bench Reports.

**Holt N. P.** Holt's English Nisi Prius Reports.

**Holt R. of R.** Holt's Rule of the Road Cases.

**Holthouse.** Holthouse's Law Dictionary.

**Holtz. Enc.** Holtzendorff, Encyclopädie der Rechtswissenschaft. (Encyclopedia of Jurisprudence.)

**Home (or Home H. Dec.).** Home's Manuscript Decisions, Scotch Court of Session. See also Kames.

**Hooker.** Hooker's Reports, vols. 25-62 Connecticut.

**Hoon.** 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. (or Judg.).** Hopkinson's Pennsylvania Admiralty Judgments.

**Hopk. Adm. Dec.** Admiralty Decisions of Hopkinson in Gilpin's Reports.

**Hopk. Ch.** Hopkins' New York Chancery Reports.

**Hopw. & Colt.** Hopwood & Coltman's English Registration Appeal Cases.

**Hopw. & Phil.** Hopwood & Philbrick's English Registration Appeal Cases.

**Hor. & Th. Cas.** Horrigan & Thompson's Cases on Self-Defense.

**Horn & H.** Horn & Hurlstone's English Exchequer Reports.

**Horne, M. J.** Horne's Mirror of Justice.

**Horner.** Horner's Reports, vols. 11-23 South Dakota.

**Horr. & Th.** Horrigan & Thompson's Cases on Self-Defense.

**Horw. Y. B.** Horwood's Year Books of Edward I.

**Hoskins.** Hoskins' Reports, vol. 2 North Dakota.

**Hough C.-M. Cas.** Hough's Court-Martial Case Book, London, 1821.

**Houghton.** Houghton's Reports, vol. 97 Alabama.

**Hous.** Houston's Delaware Reports.

**House of L.** House of Lords Cases.

**Houst.** Houston's Delaware Reports.

**Houst. Cr. Cas.** Houston's Delaware Criminal Cases.

**Hov.** Hovenden on Frauds;—Hovenden's Supplement to Vesey, Jr.'s, English Chancery Reports.

**Hov. Sup.** Hovenden's Supplement to Vesey, Jr.'s, English Chancery Reports.

**Hoved.** Hoveden, Chronica.

**How.** Howard's United States Supreme Court Reports;—Howard's Mississippi Reports;—Howard's New York Practice Reports;—Howell's Reports, vols. 22-23 Nevada.

**How. (Miss.).** Howard's Mississippi Reports.

**How. App.** Howard's New York Court of Appeals Cases.

**How. Cas.** Howard's New York Court of Appeals Cases;—Howard's Popery Cases.

**How. Cr. Tr.** Howison's Criminal Trials, Virginia.

**How. N. S.** Howard's New York Practice Reports, New Series.

**How. Pr.** Howard's New York Practice Reports.

**How. Pr. N. S.** Howard's New York Practice Reports, New Series.

**How. Prac. (N. Y.).** Howard's New York Practice Reports.

**How. S. C. (or U. S.).** Howard's United States Supreme Court Reports.

**How. St. Tr. (or State Tr.).** Howell's English State Trials.

**How. & Beat.** Howell & Beatty's Reports, vol. 22 Nevada.  
**How. & Nor.** Howell & Norcross' Reports, vols. 23, 24 Nevada.  
**Howell N. P.** Howell's Nisi Prius Reports, Michigan.  
**Hu.** Hughes' United States Circuit Court Reports;—Hughes' Kentucky Reports.  
**Hub. Leg. Direc.** Hubbell's Legal Directory.  
**Hub. Præl. J. C.** Huber, Prælectiones Juris Civilis.  
**Hubb. Succ.** Hubback's Evidence of Succession.  
**Hubbard.** Hubbard's Reports, vols. 45-51 Maine.  
**Hud. & Br.** Hudson & Brooke's Irish King's Bench Reports.  
**Hugh.** Hughes' United States Circuit Court Reports;—Hughes' Kentucky Reports.  
**Hugh. (Ky.).** Hughes' Kentucky Reports.  
**Hughes.** Hughes' United States Circuit Court Reports.  
**Hughes Fed. Prac.** Hughes Federal Practice.  
**Hugo, Hist. du Droit Rom.** Hugo, Histoire du Droit Romain.  
**Hum.** Humphrey's Tennessee Reports.  
**Hume.** Hume's Scotch Session Cases.  
**Hume, Hist. Eng.** Hume's History of England.

1904

**Humph. (or Humph. [Tenn.]).** Humphrey's Tennessee Reports.  
**Hun.** Hun's New York Supreme Court Reports, also Appellate Division Supreme Court, New York.  
**Hunt, Bound.** Hunt's Law of Boundaries and Fences.  
**Hunt Cas.** Hunt's Annuity Cases.  
**Hunt, Eq.** Hunt's Suit in Equity.  
**Hunter, Rom. Law.** Hunter on Roman Law.  
**Hunter, Suit Eq.** Hunter's Proceeding in a Suit in Equity.  
**Hur.** Hurlstone (see Hurl.).  
**Hurl. & C. (or Colt.).** Hurlstone & Coltman's English Exchequer Reports.  
**Hurl. & Gard.** Hurlstone & Gordon's Reports, vols. 10, 11 English Exchequer.  
**Hurl. & N. (or Nor.).** Hurlstone & Norman's English Exchequer Reports.  
**Hurl. & Walm.** Hurlstone & Walmsley's English Exchequer Reports.  
**Hut.** Hutton's English Common Pleas Reports.  
**Hutch.** Hutcheson's Reports, vols. 81-84 Alabama.  
**Hutt.** Hutton's English Common Pleas Reports.  
**Hyde.** Hyde's Reports, Bengal.

## I

**I.** Idaho;—Illinois;—Indiana;—Iowa;—Irish (see *Ir.*).

**I. C. C.** Interstate Commerce Commission.

**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. Cas.** Irvine's Justiciary Cases, Scotland.

**I. R.** Irish Reports.

**I. R. C. L.** Irish Reports, Common Law Series.

**I. R. Eq.** Irish Reports, Equity Series.

**I. R. R.** International Revenue Record, New York City.

**I. T. R.** Irish Term Reports, by Ridgeway, Lapp & Schoales.

**Ia.** Iowa;—Iowa Reports.

**Ida. (or Idaho).** Idaho;—Idaho Reports.

**Iddings T. R. D.** Iddings' Dayton Term Reports.

**Ill.** Illinois;—Illinois Reports.

**Ill. App.** Illinois Appeal Reports.

**Imp. Fed.** Imperial Federation, London.

**Ind.** Indiana;—Indiana Reports;—India;—(East) Indian.

**Ind. App.** Law Reports, Indian Appeals;—Indiana Appeals.

**Ind. App. Supp.** Supplemental Indian Appeals, Law Reports.

**Ind. Jur.** Indian Jurist, Calcutta;—Indian Jurist, Madras.

**Ind. L. R.** (East) Indian Law Reports.

**Ind. L. R. Alla.** Indian Law Reports, Allahabad.

**Ind. L. R. Bomb.** Indian Law Reports, Bombay Series.

**Ind. L. R. Calc.** Indian Law Reports, Calcutta Series.

**Ind. L. R. Mad.** Indian Law Reports, Madras Series.

**Ind. Rep.** Indiana Reports;—Index Reporter.

**Ind. Super.** Indiana Superior Court Reports (Wilson's).

**Ind. T.** Indian Territory;—Indian Territory Reports.

**Ing. Ves.** Ingraham's edition of Vesey, Jr.

**1, 2, Inst.** (1, 2) Coke's Inst.

**Inst., 1, 2, 3.** Justinian's Inst. lib. 1, tit. 2, § 3.

**Inst., 1, 2, 31.** Justinian's Institutes, lib. 1, tit. 2, § 31.

The Institutes of Justinian are divided into four books,—each book is divided into titles, and each title into paragraphs, of which the first, described by the letters *pr.*, or *princip.*, is not numbered. The old method of citing the Institutes was to give the commencing words of the paragraph and of

BL. LAW DICTIONARY (3D ED.)—120

the title; *e. g.*, § *si adversus, Inst. de Nuptiis*. Sometimes the number of the paragraph was introduced, *e. g.*, § 12, *si adversus, Inst. de Nuptiis*. The modern way is to give the number of the book, title, and paragraph, thus;—*Inst. I. 10, 12*; would be read *Inst., Lib. I. tit. 10, § 12*.

**Inst. Epil.** Epilogue to [a designated part or volume of] Coke's Institutes.

**Inst. Proem.** *Proeme* [introduction] to [a designated part or volume of] Coke's Institutes.

**Instr. Cler.** Instructor Clericalis.

**Int. Case.** Rowe's Interesting Cases, English and Irish.

**Int. Private Law.** Westlake's Private International Law.

**Iowa.** Iowa Reports.

**Ir.** Irish;—Ireland;—Iredell's North Carolina Law or Equity Reports.

**Ir. C. L.** Irish Common Law Reports.

**Ir. Ch.** Irish Chancery Reports.

**Ir. Cir. (or Ir. Cir. Rep.).** Irish Circuit Reports.

**Ir. Com. Law Rep.** 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, now cited by the year.

**Ir. L. T. Rep.** Irish Law Times Reports.

**Ir. Law Rec.** Irish Law Recorder.

**Ir. Law Rep.** Irish Law Reports.

**Ir. Law Rep. N. S.** Irish Common Law Reports.

**Ir. Law & Ch.** Irish Common Law and Chancery Reports (New Series).

**Ir. Law & Eq.** Irish Law and Equity Reports (Old Series).

**Ir. R. 1894.** Irish Law Reports for year 1894.

**Ir. R. C. L.** Irish Reports, Common Law Series.

**Ir. R. Eq.** Irish Reports, Equity Series.

**Ir. R. Reg. App.** Irish Reports, Registration Appeals.

**Ir. R. Reg. & L.** Irish Reports, Registry and Land Cases.

**Ir. St. Tr.** Irish State Trials (Ridgeway's).

**Ir. T. R. (or Term Rep.).** Irish Term Reports (by Ridgeway, Lapp & Schoales).

**Ired.** Iredell's North Carolina Law Reports.

**Ired. Eq.** Iredell's North Carolina Equity Reports.

**Irv.** Irvine's Scotch Justiciary Reports.



## J

- J.** Johnson's New York Reports.
- J. C.** Johnson's Cases, New York Supreme Court.
- J. C. P.** Justice of the Common Pleas.
- J. Ch. (or J. C. R.).** Johnson's New York Chancery Reports.
- J. d'Ol.** Les Jugemens d'Oleron.
- J. H.** Journal of the House.
- J. J. Mar.** J. J. Marshall's Kentucky Reports.
- J. J. Marsh. (Ky.).** J. J. Marshall's Kentucky Reports.
- J. Kel.** Sir John Kelyug's English Crown Cases.
- J. P. Sm.** J. P. Smith's English King's Bench Reports.
- J. R.** Johnson's New York Reports.
- J. S. Gr.** J. S. Green's New Jersey Reports.
- J. Scott.** Reporter English Common Bench Reports.
- J. Voet, Com. ad Pand.** Voet (Jan), Commentarius ad Pandectas.
- J. & H.** Johnson & Hemming's English Vice-Chancellors' Reports.
- J. & L. (or J. & La T.).** Jones & La Touche's Irish Chancery Reports.
- J. & S.** Jones & Spencer's New York Superior Court Reports.
- J. & S. Jam.** Judah & Swan's Jamaica Reports.
- J. & W.** Jacob & Walker's English Chancery Reports.
- Jac.** Jacobus (King James);—Jacob's English Chancery Reports;—Jacob's Law Dictionary.
- Jac. Sea Laws.** Jacobsen's Law of the Sea.
- Jac. & W. (or Walk.).** Jacob & Walker's English Chancery Reports.
- Jack. & G. Landl. & Ten.** Jackson & Gross, Treatise on the Law of Landlord and Tenant in Pennsylvania.
- Jackson.** Jackson's Reports, vols. 43-66 Georgia;—Jackson's Reports, vols. 1-29 Texas Court of Appeals.
- Jackson & Lumpkin.** Jackson & Lumpkin's Georgia Reports.
- Jacob.** Jacob's Law Dictionary.
- James (N. Sc.).** James' Reports, Nova Scotia.
- James Sel. Cases.** James' Select Cases, Nova Scotia.
- James. & Mont.** Jameson & Montagu's English Bankruptcy Reports (in vol. 2 Glyn & Jameson).
- Jar. Cr. Tr.** Jardine's Criminal Trials.
- Jarm. Wills.** Jarman on Wills.
- Jebb (or Jebb C. C.).** Jebb's Irish Crown Cases.
- Jebb Cr. & Pr. Cas.** Jebb's Irish Crown and Presentment Cases.
- Jebb & B.** Jebb & Bourke's Irish Queen's Bench Reports.
- Jebb & S. (or Sym.).** Jebb & Symes' Irish Queen's Bench Reports.
- Jeff.** Jefferson's Virginia Reports.
- Jeff. Man.** Jefferson's Manual of Parliamentary Law.
- Jenk. (or Jenk. Cent.).** Jenkins' Eight Centuries of Reports, English Exchequer.
- Jenks.** Jenks' Reports, vol. 58 New Hampshire.
- Jenn.** Jennison's Reports, vols. 14-18 Michigan.
- Jeremy, Eq. Jur.** Jeremy's Equity Jurisdiction.
- Jo. T.** Sir T. Jones' Reports.
- Jo. & La T.** Jones & La Touche's Irish Chancery Reports.
- John. (or Johns.).** Johnson's New York Reports;—Johnson's Reports of Chase's Decisions;—Johnson's Maryland Chancery Decisions;—Johnson's English Vice-Chancellors' Reports.
- Johns. Cas.** Johnson's New York Cases.
- Johns. Ch.** Johnson's New York Chancery Reports;—Johnson's English Vice-Chancellors' Report;—Johnson's Maryland Chancery Decisions;—Johnston's Reports, New Zealand.
- Johns. Ct. Err.** Johnson's Reports, New York Court of Errors.
- Johns. Dec.** Johnson's Maryland Chancery Decisions.
- Johns. Eng. Ch.** Johnson's English Chancery Reports.
- Johns. H. R. V.** Johnson's English Chancery Reports.
- Johns. Pat. Man.** Johnson's Patent Manual.
- Johns. Rep.** Johnson's Reports, New York Supreme Court.
- Johns. Tr.** Johnson's Impeachment Trial.
- Johns. U. S.** Johnson's Reports of Chase's United States Circuit Court Decisions.
- Johns. V. C.** Johnson's English Vice-Chancellors' Reports.
- Johns. & Hem.** Johnson & Hemming's English Chancery Reports.
- Johnson.** Johnson's Reports, New York;—Johnson's English Vice-Chancellors' Reports;—Johnson's Maryland Chancery Decisions.
- Johnst. (N. Z.).** Johnston's Reports, New Zealand.
- Jon. Exch. (or Jon. Ir. Exch.).** Jones' Irish Exchequer Reports.
- Jon. & Car.** Jones & Cary's Irish Exchequer Reports.
- Jon. & L.** Jones & La Touche's Irish Chancery Reports.
- 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 Re-

ports;—Jones' Upper Canada Common Pleas Reports;—Jones & Spencer's New York Superior Court Reports.

**Jones (Pa.).** Jones Reports, vols. 11, 12 Pennsylvania.

**Jones 1.** Sir William Jones' English King's Bench Reports.

**Jones 2.** Sir Thomas Jones' English King's Bench Reports.

**Jones, Bailm.** Jones' Law of Bailments.

**Jones, Barclay & Whittelsey.** Jones, Barclay, & Whittelsey's Reports, vol. 31 Missouri.

**Jones, Chat. Mortg.** Jones on Chattel Mortgages.

**Jones Eq.** Jones' North Carolina Equity Reports.

**Jones, French Bar.** Jones' History of the French Bar.

**Jones Ir.** Jones' Irish Exchequer Reports.

**Jones Law (or Jones N. C.).** Jones' North Carolina Law Reports.

**Jones T.** Sir Thomas Jones' English King's Bench Reports.

**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 & McMurtree's Pennsylvania Supreme Court Reports.

**Jones & Spen.** Jones & Spencer's New York Superior Court Reports.

**Josephs.** Josephs' Reports, vol. 21 Nevada.

**Jud. & Sw.** Judah & Swan's Reports, Jamaica.

**Judd.** Judd's Reports, vol. 4 Hawaii.

**Jur. (N. S.).** The Jurist (New Series) Reports in all the Courts, London.

**Jur. (N. S.) Ex.** Jurist (New Series) Exchequer.

**Just. Dig.** Digest of Justinian, 50 books. Never translated into English.

**Just. Inst.** Justinian's Institutes. See note following "Inst. 1, 2, 31."

**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.** King's Bench Reports.

**[1901] K. B.** Law Reports, King's Bench Division, from 1901 onward.

**K. C. R.** Reports in the time of Chancellor King.

**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.

**K. & O.** Knapp & Ombler's English Election Cases.

**Kam.** Kames' Decisions of the Scottish Court of Session.

**Kam. Rem. Dec.** Kames' Remarkable Decisions, Scotch Court of Session.

**Kam. Sel. Dec.** Kames' Select Decisions, Scotch Court of Session.

**Kames, Eq.** Kames' Principles of Equity.

**Kan. (or Kans.).** Kansas;—Kansas Reports.

**Kans. App.** Kansas Appeals Reports.

**Kay.** Kay's English Vice-Chancellors' Reports.

**Kay & Johns.** Kay & Johnson, English.

**Ke.** Keen's English Rolls Court Reports.

**Keane & Gr.** Keane & Grant's English Registration Appeal Cases.

**Keb. (or Kebl.).** Keble's English King's Bench Reports.

**Keen.** Keen's English Rolls Court Reports.

**Keener, Quasi Contr.** Keener's Cases on Quasi Contracts.

**Keil. (or Keilw.).** Keilway's English King's Bench Reports.

**Kel. 1.** Sir John Kelyng's English Crown Cases.

**Kel. 2.** William Kelynge's English Chancery Reports.

**Kel. Ga.** Kelly's Reports, vols. 1-3 Georgia.

**Kel. J.** Sir John Kelyng's English Crown Cases.

**Kel. W.** Wm. Kelynge's English Chancery Reports.

**Kelham.** Kelham's Norman French Law Dictionary.

**Kellen.** Kellen's Reports, vols. 146-155 Massachusetts.

**Kelly.** Kelly's Reports, vols. 1-3 Georgia.

**Kelly & Cobb.** Kelly & Cobb's Reports, vols. 4, 5 Georgia.

**Kelyng, J.** Kelyng's English Crown Cases.

**Kelynge, W.** Kelynge's English Chancery Reports.

**Kemble, Sax.** Kemble, The Saxons in England.

**Ken.** Kentucky (see Ky.);—Kenyon English King's Bench Reports.

**Ken. Dec.** Kentucky Decisions, by Sneed.

**Ken. L. Rep.** Kentucky Law Reporter.

**Kenan.** Kenan's Reports, vols. 76-91 North Carolina.

**Kenn. Par. Antiq.** Kennett, Parochial Antiquities.

**Kennett.** Kennett's Glossary;—Kennett upon Impropriations.

**Kennett, Gloss.** Kennett's Glossary.  
**Kent.** Kent's Commentaries on American Law.  
**Kent, Com. (or Comm.).** Kent's Commentaries on American Law.  
**Keny.** Kenyon's English King's Bench Reports.  
**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 New Brunswick Reports;—Kerr's Reports;—J. M. Kerr's Reports, vols. 27-29 New York Civil Procedure.  
**Kerr (N. B.).** Kerr's New Brunswick Reports.  
**Kerse.** Kerse's Manuscript Decisions, Scotch Court of Session.  
**Key. (or Keyes).** Keyes' New York Court of Appeals Reports.  
**Keyl.** Kellway's (or Keylway's) English King's Bench Reports.  
**Kilk.** Kilkerran's Decisions, Scotch Court of Session.  
**King.** King's Reports, vols. 5, 6 Louisiana Annual.  
**King Cas. temp.** Select Cases *tempore* King, English Chancery.  
**King's Conf. Ca.** King's Conflicting Cases.  
**Kir. (Kirb. or Kirby).** Kirby's Connecticut Reports.

**Kitch. (or Kitch. Courts).** Kitchin on Jurisdictions of Courts-Leet, Courts-Baron, etc.  
**Kitchin.** Kitchin on Jurisdictions of Courts-Leet, Courts-Baron, etc.  
**Kn. (or Kn. A. C.).** Knapp's Appeal Cases (English Privy Council).  
**Kn. N. S. W.** Knox, New South Wales Reports.  
**Kn. & Moo.** Knapp & Moore's Reports, vol. 3 Knapp's Privy Council.  
**Kn. & O.** Knapp & Ombler's English Election Reports.  
**Knapp.** Knapp's Privy Council Reports, England.  
**Knowles.** Knowles' Reports, vol. 3 Rhode Island.  
**Knox.** Knox, New South Wales Reports.  
**Knox & Fitz.** Knox & Fitzhardinge, New South Wales.  
**Kolze.** Transvaal Reports by Kolze.  
**Kreider.** Kreider's Reports, vols. 1-21 Washington.  
**Kress.** Kress' Reports, vols. 166-194 Pennsylvania;—Kress' Pennsylvania Superior Court.  
**Kulp.** Kulp's Luzerne Legal Register Reports, Pennsylvania.  
**Ky.** Kentucky;—Kentucky Reports.  
**Ky. Dec.** Sneed's Kentucky Decisions.  
**Ky. L. R.** Kentucky Law Reporter.

## L

- L.** Lansing's Supreme Court Reports, New York.
- L. A.** Lawyers' Reports Annotated.
- L. C.** Lord Chancellor;—Lower Canada;—Leading Cases.
- L. C. B.** Lord Chief Baron.
- L. C. D.** Lower Court Decisions, Ohio.
- L. C. Eq.** White & Tudor's Leading Cases in Equity.
- L. C. G.** Lower Courts Gazette, Toronto.
- L. C. R.** Lower Canada Reports.
- L. D. (or Dec.).** Land Office Decisions, United States.
- L. Ed.** Lawyers' Edition Supreme Court Reports.
- L. J. App.** Law Journal, New Series, Appeals.
- L. J. Bank.** Law Journal, New Series, Bankruptcy.
- L. J. Bk.** Law Journal, New Series, Bankruptcy (1831 onward).
- L. J. C. C. R.** Law Journal, New Series, Crown Cases Reserved.
- L. J. C. P. (or L. J. C. P. D.).** Law Journal, New Series, Common Pleas Decisions.
- L. J. Ch.** Law Journal, New Series, Chancery Division (1831 on).
- L. J. Ch. (O. S.).** Law Journal, Old Series, 1822, 1831.
- L. J. D. & M.** Law Journal, New Series, Divorce and Matrimonial.
- L. J. Ecc.** Law Journal Reports, Ecclesiastical (1831 on).
- L. J. Ex.** Law Journal, New Series, Exchequer Division (1831 on).
- L. J. Exch.** Law Journal, New Series, Exchequer.
- L. J. H. L.** Law Journal, New Series, House of Lords.
- L. J. K. B.** Law Journal, King's Bench.
- L. J. L. C.** Law Journal, Lower Canada.
- L. J. L. T.** Law Journal, Law Tracts.
- L. J. M. C.** Law Journal, New Series, Divorce and Matrimonial;—Law Journal, Magistrates' Cases.
- L. J. M. C.** Law Journal, New Series, Magistrates Cases (1831 on).
- L. J. M. P. A.** Law Journal, Matrimonial, Probate and Admiralty.
- L. J. M. & W.** Morgan & Williams' Law Journal, London.
- L. J. N. C.** Law Journal, Notes of Cases.
- L. J. N. S.** The Law Journal, New Series, London (1831 onwards).
- L. J. O. S.** The Law Journal, Old Series, London (1822-1831).
- L. J. P. (or P. C.).** Law Journal, New Series, Privy Council;—Law Journal, Probate, Divorce and Admiralty.
- L. J. P. (D. & A.).** Law Journal, New Series, Probate, Divorce and Admiralty.
- L. J. P. & M. (or L. J. Prob. & Mat.).** Law Journal, New Series, Probate and Matrimonial (1831 onward).
- L. J. Q. B.** Law Journal, New Series, Queen's Bench (1831 on).
- L. J. Q. B. D.** Law Journal, New Series, Queen's Bench Division.
- L. J. Rep.** Law Journal Reports.
- L. J. Rep. N. S.** Law Journal Reports, New Series (1831 onward).
- L. M. & P.** Lowndes, Maxwell & Pollock's English Bail Court Reports.
- L. N.** Liber Niger, or the Black Book.
- L. P. R.** Lilly's Practical Register.
- L. R.** Law Reports (English);—Law Reporter (Law Times Reports, New Series);—(Irish) Law Recorder;—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.** English Law Reports, Crown Cases Reserved (1866-1875).
- L. R. C. P.** English Law Reports, Common Pleas (1866-1875).
- L. R. C. P. D.** English Law Reports, Common Pleas Division.
- L. R. Ch.** English Law Reports, Chancery Appeal Cases (1866-1875).
- L. R. Ch. D. (or Div.).** Law Reports, Chancery Division, English Supreme Court of Judicature.
- L. R. E. & I. 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. Div.** English Law Reports, Exchequer Division.
- L. R. H. L.** English Law Reports, House of Lords, English and Irish Appeal Cases.
- 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. P. Div.** English Law Reports, Probate, Divorce and Admiralty Division.
- L. R. P. & D.** English Law Reports, Probate and Divorce.
- L. R. P. & M.** Law Reports, Probate and Matrimonial (1866-1875).

- L. R. Q. B.** English Law Reports, Queen's Bench (1866-1875).
- L. R. Q. B. Div.** English Law Reports, Queen's Bench Division.
- L. R. S. A.** Law Reports, South Australia.
- L. R. Sc. & D.** English Law Reports, Scotch and Divorce Cases, before the House of Lords.
- L. R. Sess. Cas.** English Law Reports, Sessions Cases.
- L. R. Stat.** English Law Reports, Statutes.
- L. T. N. S. (or L. T. R. N. S.).** Law Times (New Series) Reports, London;—American Law Times Reports.
- L. T. O. S.** Law Times, Old Series.
- L. & B. Bull.** Law and Bank Bulletin.
- L. & C. (or L. & C. C. C.).** Leigh & Cave's English Crown Cases, Reserved.
- L. & E.** English Law and Equity Reports.
- L. & E. Rep.** Law and Equity Reporter New York.
- L. & G. t. Plunk.** Lloyd & Gould's Irish Chancery Reports *tempore* Plunkett.
- L. & G. t. Sug.** Lloyd & Gould's Irish Chancery Reports *tempore* Sugden.
- L. & M.** Lowndes & Maxwell's English Practice Cases.
- L. & T.** Longfield & Townsend's Irish Exchequer Reports.
- L. & W.** Lloyd & Welsby's English Mercantile Cases.
- La.** Louisiana;—Louisiana Reports;—Lane's English Exchequer Reports.
- La. An.** Louisiana Annual Reports;—Lawyers' Reports, Annotated.
- La. T. R.** Louisiana Term Reports, vols. 3-12 Martin, Louisiana.
- La Thém. L. C.** La Thémis (Periodical) Lower Canada.
- Lab.** Labatt's California District Court Reports.
- Lacey Dig.** Lacey's Digest Railway Decisions.
- Ladd.** Ladd's Reports, vols. 59-64 New Hampshire.
- Lalor.** Lalor's Supplement to Hill & Denio's New York Reports.
- Lalor, Pol. Econ.** Lalor, Cyclopædia of Political Science, Political Economy, etc.
- Lamar.** Lamar's Reports, vols. 25-40 Florida.
- Lamb.** Lamb's Reports, vols. 103-105 Wisconsin.
- Lamb. Arch.** Lambard's Archaionomia.
- Lamb. Const.** Lambard, Duties of Constables, etc.
- Lamb. Eir.** Lambard's Eirenarcha.
- Land Com. Rep.** Land Commissioners Reports, Ireland.
- Lane.** Lane's English Exchequer Reports.
- Langd. Cont.** Langdell's Cases on Contracts;—Langdell's Summary of the Law of Contracts.
- Lans.** Lansing's New York Supreme Court Reports.
- Lans. Ch.** Lansing's Chancery Decisions, New York.
- Las Partidas.** Las Siete Partidas.
- Latch.** Latch's English King's Bench Reports.
- 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. Ch.** Law Journal, New Series, Chancery.
- Law J. I. B.** Law Journal, New Series, English Queen's Bench.
- Law J. P. D.** Law Journal, Probate Division.
- Law J. R., Q. B.** Law Journal Reports, English Queen's Bench.
- Law Lib.** Law Library, Philadelphia.
- 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.** Law Reports, Common Pleas.
- 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.** Law Reports, Exchequer.
- 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.** Law Reports, Queen's Bench.
- Law Rep. Q. B. D.** Law Reports, Queen's Bench Division.
- Law Repos.** Carolina Law Repository, North Carolina.
- Laves, Pl.** Laves on Pleading.
- Lawrence.** Lawrence's Reports, vol. 20 Ohio.
- Lawrence Comp. Dec.** Lawrence's First Comptroller's Decisions.
- Lawson, Usages & Cust.** Lawson on the Law of Usages and Customs.
- Ld. Ken.** Lord Kenyon's English King's Bench Reports.

**Ld. Raym.** Lord Raymond's English King's Bench Reports.  
**Le Mar.** Le Marchant's Gardner Peerage Case.  
**Lea.** Lea's Tennessee Reports;—Leach.  
**Leach.** Leach's English Crown Cases.  
**Leach C. L.** Leach, Cases in Crown Law.  
**Leach Cl. Cas.** Leach's Club Cases, London.  
**Lead. Cas. Am.** American Leading Cases, by Hare & Wallace.  
**Lead. Cas. Eq.** Leading Cases in Equity, by White & Tudor.  
**Leake.** Leake on Contracts;—Leake's Digest of the Law of Property in Land.  
**Leake, Cont.** Leake on Contracts.  
**Leg. El. Dr. Civ. Rom.** Leçons Élémentaires du Droit Civil Romain.  
**Lee.** Lee's English Ecclesiastical Reports;—Lee's Reports, vols. 9-12 California.  
**Lee, Dict.** Lee's Dictionary of Practice.  
**Lee G.** Sir George Lee's English Ecclesiastical Reports.  
**Leese.** Leese's Reports, vol. 26 Nebraska.  
**Lef. Dec.** Lefevre's Parliamentary Decisions, reported by Bourke.  
**Leg. Canut.** Leges Canuti (laws of King Canute or Knut.)  
**Leg. Alfred.** Leges Alfredi (laws of King Alfred.)  
**Leg. Edm.** Leges Edmundi (laws of King Edmund.)  
**Leg. Ethel.** Leges Ethelredi.  
**Leg. H. 1.** Laws of [King] Henry the First.  
**Leg. Gaz. R. (Pa.).** Legal Gazette Reports, Pennsylvania.  
**Legg.** Leggett's Reports, Sind, India.  
**Legge.** Legge's Supreme Court Cases, New South Wales.  
**Leigh.** Leigh's Virginia Reports.  
**Leigh & C.** Leigh & Cave's English Crown Cases.  
**Leo. (or Leon.).** Leonard's English King's Bench Reports.  
**Lest. P. L.** Lester's Decisions in Public Land Cases.  
**Lester.** Lester's Reports, vols. 31-33 Georgia.  
**Lester Supp. or Lest. & But.** Lester & Butler's Supplement to Lester's Georgia Reports.  
**Lev.** Levinz's English King's Bench Reports.  
**Lew.** Lewin's English Crown Cases Reserved;—Lewis, Missouri;—Lewis, Nevada.  
**Lew. C. C.** Lewin's English Crown Cases.  
**Lew. C. L.** Lewis' Criminal Law.  
**Lew. L. Cas.** Lewis Leading Cases on Public Land Law.  
**Lewis.** Lewis' Reports, vols. 29-35 Missouri Appeals;—Lewis' Reports, vol. 1 Nevada;—Lewis' Kentucky Law Reporter.  
**Lewis, Perp.** Lewis on the Law of Perpetuity.  
**Lex. Jurid.** Calvinus, Lexicon Juridicum. Juris Cæsari simul et Canonici, etc.

**Lex Salic.** Lex Salica.  
**Ley.** Ley's English King's Bench Reports.  
**Lib.** Liber (book);—Library.  
**Lib. Ass.** Liber Assisarum (Year Books, Part V).  
**Lib. L. & Eq.** Library of Law and Equity.  
**Lib. Reg.** Register Books.  
**Lieb. Herm.** Lieber's Hermeneutics.  
**Lieber Civ. Lib.** Lieber on Civil Liberty and Self Government.  
**Life and Acc. Ins. R.** Bigelow's Life and Accident Insurance Reports.  
**Lil.** Lilly's English Assize Reports.  
**Lil. Abr.** Lilly's Abridgment.  
**Lil. Reg.** Lilly's Practical Register.  
**Lindl. Partn.** Lindley on Partnerships.  
**Linn Ind.** Linn's Index of Pennsylvania Reports.  
**Linn, Laws Prov. Pa.** Linn on the Laws of the Province of Pennsylvania.  
**Lit. (or Litt.).** Littell's Kentucky Reports;—Littleton's English Common Pleas Reports.  
**Lit. (or Litt.) Sel. Ca.** Littell's Select Kentucky Cases.  
**Lit. & Bl. Dig.** Littleton & Blatchley's Insurance Digest.  
**Litt. Ten.** Littleton's Tenures.  
**Littell.** Littell's Kentucky Reports.  
**Littleton.** Littleton's English Common Pleas and Exchequer Reports.  
**Liverm. Ag.** Livermore on Principal and Agent.  
**Liz. Sc. Exch.** Lizars' Exchequer Cases, Scotch.  
**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.  
**Loc. Ct. Gaz.** Local Courts and Municipal Gazette, Toronto.  
**Locc. de Jur. Mar.** Loccenius, De Jure Maritimo et Navali.  
**Lock. Rev. Ca.** Lockwood's New York Reversed Cases.  
**Locus Standi.** Locus Standi Reports, English.  
**Lofft.** Lofft's English King's Bench Reports.  
**Lofft, Append.** Lofft's Maxims, appended to Lofft's Reports.  
**Lond.** London Encyclopedia.  
**Long Q.** Long Quinto (Year Books, Part X).  
**Longf. & T. (or Long. & Town.).** Longfield & Townsend's Irish Exchequer Reports.  
**Lorenz.** Lorenz's Ceylon Reports.  
**Loring & Russell.** Loring & Russell's Massachusetts Election Cases.  
**Lou. (or Louis.).** Louisiana (see La.).  
**Low. (or Low. Dis.).** Lowell's United States District Court Reports.  
**Low. Can. (or Can. R.).** Lower Canada Reports.

**Low. Can. Seign.** Lower Canada Seigniorial Reports.

**Lowell.** Lowell's United States District Court Reports.

**Lownd. Leg.** Lowndes on Legacies.

**Lownd. & M.** Lowndes & Maxwell's English Bail Court Reports.

**Lownd. M. & P.** Lowndes, Maxwell, & Pollock's English Bail Court Reports.

**Luc. (or Lucas).** Lucas' Reports, Part X Modern Reports.

**Lud. El. Cas.** Luder's English Election Cases.

**Ludden.** Ludden's Reports, vols. 43, 44 Maine.

**Lum. P. L. Cas.** Lumley's Poor Law Cases.

**Lumpkin.** Lumpkin's Reports, vols. 59-77 Georgia.

**Lush. (or Lush. Adm.).** Lushington's English Admiralty Reports.

**Lush Pr.** Lush's Common Law Practice.

**Lut.** Lutwyche's English Common Pleas Reports.

**Lut. Elec. Cas.** Lutwyche's Election Cases, England.

**Lut. R. C.** Lutwyche's English Registration Appeal Cases.

**Lutw. E.** Lutwyche's English Common Pleas Reports.

**Lynd. Prov.** Lyndwood's Provinciales.

## M

**M.** Massachusetts;—Maryland;—Maine;—Michigan;—Minnesota;—Mississippi;—Missouri;—Montana.

**M. A.** Missouri Appeals.

**M. C. C.** Moody's English Crown Cases, Reserved.

**M. D. & D. (or De G.).** Montagu, Deacon & De Gex's English Bankruptcy Reports.

**M. G. & S.** Manning, Granger, & Scott's English Common Pleas Reports.

**M. P. C.** Moore's English Privy Council Cases.

**M. & A.** Montagu & Ayrton's English Bankruptcy Reports.

**M. & B.** Montagu & Bligh's English Bankruptcy Reports.

**M. & C.** Mylne & Craig's English Chancery Reports;—Montagu & Chitty's English Bankruptcy Reports.

**M. & Cht. Bankr.** Montagu & Chitty's English Bankruptcy Reports.

**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 & Hurlstone's English Exchequer Reports.

**M. & K.** Mylne & Keen's English Chancery Reports.

**M. & M.** Moody & Malkin's English Nisi Prius Reports.

**M. & McA.** Montagu & McArthur's English Bankruptcy Reports.

**M. & P.** Moore & Payne's English Common Pleas Reports.

**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 & Ryland's English Magistrate Cases.

**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. & W.** Meeson & Welsby's English Exchequer Reports.

**M. & Y.** Martin & Yerger's Tennessee Reports.

**Mac.** Macnaghten's English Chancery Reports.

**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.

**MacAr. (or MacArth., MacArthur).** MacArthur's District of Columbia Reports;—MacArthur's Patent Cases.

**MacAr. Pat. Cas.** MacArthur's Patent Cases.

**MacAr. & M.** MacArthur & Mackey's District of Columbia Reports.

**Macas.** Macassey's Reports, New Zealand.

**Macc. Cas.** Maccala's Breach of Promise Cases.

**Maccl.** Macclesfield's Reports, 10 Modern Reports.

**Maccl. Tr.** Macclesfield's Trial (Impeachment), London, 1725.

**Macd. Jam.** Macdougall's Jamaica Reports.

**Macf. (or Macfar.).** Macfarlane's Reports, Jury Courts, Scotland.

**Mackeld.** Mackeldey on Modern Civil Law;—Mackeldey on Roman Law.

**Mackeld. Civil Law.** Mackeldey on Modern Civil Law.

**Mackeld. Rom. Law.** Mackeldey on Roman Law.

**Mackey.** Mackey's Reports, District of Columbia.

**Macl.** McLean's United States Circuit Court Reports;—Maclaurin's Scotch Criminal Decisions.

**Macl. Dec.** Maclaurin's Scotch Criminal Decisions.

**Macl. & R.** Maclean & Robinson's Scotch Appeal Cases.

**Macn.** Macnaghten's Select Cases in Chancery *tempore* King;—W. H. Macnaghten's Reports, India.

**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 & Gordon's English Chancery Reports.

**Macph.** Macpherson, Lee & Bell's (Third Series) Scotch Court of Session Cases.

**Macph. Jud. Com.** Macpherson, Practice of the Judicial Committee of the Privy Council.

**Macph. Priv. Coun.** Macpherson's Privy Council Practice.

**Macq. (or Macq. H. L. Cas.).** Macqueen's Scotch Appeal Cases (House of Lords).

**Macr. P. Cas.** Macrory's Patent Cases.

**Macr. & H.** Macrae & Hertslet's Insolvency Cases.

**Macswin. Mines.** MacSwinney, Law of Mines, Quarries, and Minerals.

**Mad.** Maddock's English Chancery Reports;—Madras;—Maddox's Reports, vols. 9-19 Montana.

**Mad. H. C.** Madras High Court Reports.

**Mad. S. D. A. R.** Madras Sudder Dewanny Adawlut Reports.

**Mad. Sel. Dec.** Madras Select Decrees.

**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. 9-19 Montana.

**Madd. Ch. Pr.** Maddock's Chancery Practice.

**Mag. Cas.** Magistrates' Cases, especially the series edited by Bittleston, Wise, & Parnell.

**Mag. Char.** Magna Carta or Charta. See Barrington's Revised Statutes of England, 1870, vol. 1, p. 84, and Coke's Second Institute, vol. 1, first 78 pages.

**Mag. Dig.** Magrath's South Carolina Digest.

**Mag. Rot.** Magus Rotulus (the Great Roll of the Exchequer).

**Mag. & M. & P. L.** Magistrate and Municipal and Parochial Lawyer.

**Magruder.** Magruder's Reports, vols. 1, 2 Maryland.

**Maine, Anc. Law.** Maine on Ancient Law.  
**Maine, Popular Govt.** Maine, Popular Government.

**Maitland.** Maitland's Manuscript Scotch Session Cases.

**Malloy.** Malloy's Irish Chancery Reports.

**Malone.** Editor, vols. 6, 9, and 10, Heiskell's Tennessee Reports.

**Man.** Manning's Reports (English Court of Revision);—Manitoba;—Manning's Reports, vol. 1 Michigan;—Manuscript;—Manson's English Bankruptcy Cases.

**Man. Cas.** Manumission Cases in New Jersey, by Bloomfield.

**Man. El. Cas.** Manning's English Election Cases (Court of Revision).

**Man. Exch. Pr.** Manning's Exchequer Practice.

**Man. Gr. & S.** Manning, Granger, & Scott's English Common Pleas Reports.

**Man. Int. Law.** Manning, Commentaries on the Law of Nations.

**Man. L. R.** Manitoba Law Reports.

**Man. & G.** Manning & Granger's English Common Pleas Reports.

**Man. & Ry.** Manning & Ryland's English King's Bench Reports.

**Man. & Ry. Mag. Cas.** Manning & Ryland's English Magistrates' Cases.

**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.

**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.

**Manum. Cases.** Manumission Cases, New Jersey (Bloomfield's).

**Manw. (or Manw. For. Laws).** Manwood's Forest Laws.

**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;—Maryland.

**Mar. Br.** March's Translation of Brooke's New Cases.

**Mar. L. C.** English Maritime Law Cases (Crockford).

**Mar. L. C. N. S.** English Maritime Law Cases, New Series (Aspinall).

**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.



**Mar. Reg.** Mitchell's Maritime Register, London.

**March.** March's Translation of Brooke's New Cases, King's Bench.

**March N. C.** March's New Cases, English King's Bench.

**Marine Ct. R.** Marine Court Reporter (McAdam's) New York.

**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. (J. J.).** J. J. Marshall's Kentucky Reports.

**Marsh. Beng. (or Calc.).** Marshall's Reports, Bengal.

**Marsh. C. P.** Marshall's English Common Pleas Reports.

**Marsh. Ceylon.** Marshall's Ceylon Reports.

**Marsh. Dec.** Marshall's United States Circuit Court Decisions (Brockenbrough);—Marshall on the Federal Constitution.

**Marsh. Ins.** Marshall on Insurance.

**Marsh. Op.** Marshall's Constitutional Opinions.

**Mart.** Martin (see Martin).

**Mart. (La.).** Martin's Louisiana Reports.

**Mart. (N. C.).** Martin's North Carolina Reports.

**Mart. Cond. La.** Martin's Condensed Louisiana Reports.

**Mart. Dec.** United States Decisions in Martin's North Carolina Reports.

**Mart. N. S. (La.)** Martin's Louisiana Reports, New Series.

**Mart. O. S. (La.).** Martin's Louisiana Reports, Old Series.

**Mart. U. S. C. C.** Martin's United States Circuit Court Reports.

**Mart. & Y. (Tenn.).** Martin & Yerger's Tennessee Reports.

**Mart. & Yerg.** Martin & Yerger's Tennessee Reports.

**Marth. W. Ca.** Martha Washington Case, see United States v. Cole, 5 McLean, 513, Fed. Cas. No. 14,832.

**Martin.** Martin's Louisiana Reports;—Martin's North Carolina Reports;—Martin's Reports, vols. 21-30 Georgia;—Martin's Reports, vols. 54-70 Indiana.

**Martin Index.** Martin's Index to Virginia Reports.

**Marv.** Marvel's Reports, Delaware.

**Mas. (or Mason [U. S.]).** Mason's United States Circuit Court Reports.

**Mass.** Massachusetts;—Massachusetts Reports.

**Mass. Elec. Ca.** Massachusetts Election Cases.

**Mass. L. R.** Massachusetts Law Reporter, Boston.

**Massey v. Headford.** An Irish Criminal Conversation Case, 1804. Originally printed in Ireland and reprinted both in New York and Philadelphia.

**Mast.** Master's Reports, vols. 25-28 Canada Supreme Court.

**Mat.** Mathews.

**Mat. Par. (or Paris).** Matthew Paris, Historia Minor.

**Mathews.** Mathews' Reports, vols. 6-9 West Virginia.

**Mats. (or Matson).** Matson's Reports, vols. 22-24 Connecticut.

**Matthews.** Matthew's Reports, vol. 75 Virginia.

**Maude & P. Shipp.** Maude & Pollock's Law of Merchant Shipping.

**Maude & P. Mer. Shipp.** Maude & Pollock's Law of Merchant Shipping.

**Maul. & Sel. (or Maule & S.).** Maule & Selwyn's English King's Bench Reports.

**Maur. Dec.** Mauritius Decisions.

**Max. Dig.** Maxwell's Nebraska Digest.

**Maxw. Interp. St.** Maxwell on the Interpretation of Statutes.

**May, Parl. Law.** May's Parliamentary Law.

**May, Parl. Pr.** May's Parliamentary Practice.

**Mayn.** Maynard's Reports, Edward II. (Year Books, Part I).

**McAll. (or McAl.).** McAllister's United States Circuit Court Reports.

**McBride.** McBride's Reports, vol. 1 Missouri.

**McCah.** McCahon's Reports (United States District Court for the District of Kansas).

**McCar.** McCarter's New Jersey Equity Reports;—McCarty's New York Civil Procedure Reports.

**McCl.** McClelland's English Exchequer Reports.

**McCl. & Y.** McClelland & Younge's English Exchequer Reports.

**McCook.** McCook's Reports, vol. 1 Ohio State.

**McCord.** McCord's South Carolina Law Reports.

**McCord Eq. (or Ch.).** McCord's South Carolina Equity Reports.

**McCorkle.** McCorkle's Reports, vol. 65 North Carolina.

**McCr. (or McCrary).** McCrary's United States Circuit Court Reports.

**McCul. Diet.** McCullough's Commercial Dictionary.

**McCul. Pol. Econ.** McCulloch, Political Economy.

**McDevitt.** McDevitt's Land Commissioner's Reports, Ireland.

**McFar.** McFarlane's Reports (Scotch Jury Court).

**McGill.** McGill's Manuscript Scotch Session Cases.

**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.

**McM. Com. Dec.** McMaster's Commercial Decisions.

**McMull.** McMullan's South Carolina Law Reports.

**McMull. Eq.** McMullan's South Carolina Equity Reports.

**McNagh.** McNaghten (see Macn.).

**McPherson.** McPherson, Lee, & Bell's (Third Series) Scotch Session Cases.

**McWillie.** McWillie's Reports, vols. 73-76 Mississippi.

**Md.** Maryland;—Maryland Reports;—Harris & McHenry's Maryland Reports.

**Md. Ch.** Maryland Chancery Decisions.

**Me.** Maine;—Maine Reports.

**Means.** Means' Kansas Reports.

**Med. L. J.** Medico Legal Journal, New York.

**Med. L. N.** Medico Legal News, New York.

**Med. L. P.** Medico Legal Papers, New York.

**Medd.** Meddaugh's Reports, vol. 13 Michigan.

**Mees. & Ros.** Meeson & Roscoe's English Exchequer Reports.

**Mees. & W. (or Wels.).** Meeson & Welsby's English Exchequer Reports.

**Meg.** Megone's Company Case.

**Meigs.** Meigs' Tennessee Reports.

**Melv. Tr.** Melville's Trial (Impeachment), London.

**Mem. in Scacc.** Memorandum or memoranda in the Exchequer.

**Mem. L. J.** Memphis Law Journal, Tennessee.

**Menken.** Menken's Reports, vol. 30 New York Civil Procedure Reports.

**Menz.** Menzies' Reports, Cape of Good Hope.

**Mer.** Merivale's Chancery Reports.

**Meriv.** Merivale's English Chancery Reports.

**Merl. Quest.** Merlin, Questions de Droit.

**Merl. Répert.** Merlin, Répertoire de Jurisprudence.

**Met. (or Mete.).** Metcalf's Massachusetts Reports;—Metcalf's Kentucky Reports;—Metcalf's Reports, vol. 3 Rhode Island.

**Metc. Ky.** Metcalfe's Kentucky Reports.

**Meth. Ch. Ca.** Report of Methodist Church Case.

**Mich.** Michigan;—Michigan Reports;—Michaelmas.

**Mich. C. C. R.** Michigan Circuit Court Reporter, Marquette.

**Mich. N. P.** Michigan Nisi Prius Reports.

**Mich. Pol. Soc.** Michigan Political Science Association.

**Mich. T.** Michaelmas Terms.

**Mich. Vac.** Michaelmas Vacation.

**Middx. Sit.** Sittings for Middlesex at Nisi Prius.

**Mil.** Miles' Pennsylvania Reports;—Miller (see Mill.).

**Miles.** Miles' District Court Reports, City and County of Philadelphia, Pennsylvania.

**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.** Miller's Decisions (Woolworth's Reports) United States Circuit Court;—Miller's Decisions United States Supreme Court.

**Mill. La.** Miller's Reports, vols. 1-5 Louisiana.

**Mill, Log.** Mill's Logic.

**Mill. Md.** Miller's Reports, vols. 3-18 Maryland.

**Mill, Pol. Ec.** Mill's Political Economy.

**Miller.** Miller's Reports, vols. 1-5 Louisiana;—Miller's Reports, vols. 3-18 Maryland.

**Milw.** Milward's Irish Ecclesiastical Reports.

**Min.** Minor;—Minor's Alabama Reports.

**Min. Inst.** Minor's Institutes Statute Law.

**Minn.** Minnesota;—Minnesota Reports.

**Minor.** Minor's Alabama Reports;—Minor's Institutes.

**Minshew.** Minshew (John), "The Guide into the Tongues also the Exposition of the Terms of the Laws of this Land." (England.)

**Mirr.** Horne's Mirror of Justices.

**Miscel.** Miscellaneous Reports, New York.

**Miss.** Mississippi;—Mississippi Reports;—Missouri.

**Miss. Dec.** Mississippi Decisions, Jackson.

**Miss. St. Ca.** Mississippi State Cases.

**Mister.** Mister's Reports, vols. 17-32 Missouri Appeals.

**Mitch. M. R.** Mitchell's Maritime Register, London.

**Mitf. Eq. Pl.** Mitford on Equity Pleading.

**McMull.** McMullan, South Carolina.

**Mo.** Missouri;—Missouri Reports;—Moore's English King's Bench Reports;—Moore's English Common Pleas Reports;—Moore's English Privy Council Reports;—Modern Reports, English;—English King's Bench, etc., (see Mod.);—Monthly;—Moore's Indian Appeal Cases.

**Mo. (F.).** Sir Francis Moore's English King's Bench Reports.

**Mo. (J. B.).** J. B. Moore's English Common Pleas Reports.

- Mo. App.** Missouri Appeal Reports.
- Mo. App. Rep.** Missouri Appellate Reporter.
- Mo. I. A.** Moore's Indian Appeals.
- Mo. P. C.** Moore's English Privy Council Reports.
- Mo. St. Ann.** Missouri Statutes Annotated.
- 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.
- Mob.** Mobley's Election Cases.
- Mod.** Modern Reports, English King's Bench, etc.;—Modified.
- Mod. Cas.** Modern Cases, vol. 6 Modern Reports.
- Mod. Cas. L. & Eq.** Modern Cases at Law and Equity, vols. 8, 9 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.
- Mol. de Jure Mar.** Molloy, De Jure Maritimo et Navali.
- Moly.** Molyneau's Reports, English Courts.
- Mon.** Montana;—T. B. Monroe's Kentucky Reports;—Ben Monroe's Kentucky Reports.
- Mon. (B.).** Ben Monroe's Kentucky Reports.
- Mon. (T. B.).** T. B. Monroe's Kentucky Reports.
- Mon. Angl.** Monasticon Anglicanum.
- Monaghan.** Monaghan's Reports, vols. 147-165 Pennsylvania.
- Monr.** Monroe (see Mon.).
- Mont.** Montana;—Montana Reports;—Montagu's English Bankruptcy Reports;—Montrieu's Bengal Reports.
- Mont. Bank. Rep.** Montagu's English Bankruptcy Reports.
- Mont. Co. L. R.** Montgomery County Law Reporter, Pennsylvania.
- Mont. Cond. Rep.** Montreal Condensed Reports.
- Mont. D. & De G.** Montagu, Deacon & De Gex's English Bankruptcy Reports.
- Mont. Ind.** Monthly Index to Reporters (National Reporter System).
- 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.** Montreal Law Reports, Superior Court.
- Mont. & Ayr.** Montagu & Ayrton's English Bankruptcy Reports.
- Mont. & Bl.** Montagu & Bligh's English Bankruptcy Reports.
- Mont. & C.** Montagu & Chitty's English Bankruptcy Reports.
- Mont. & MacA.** Montagu & MacArthur's English Bankruptcy Reports.
- Montesq. (or Montesq. Esprit des Lois).** Montesquieu, Esprit des Lois.
- Montg. Co. Law Rep'r (Pa.).** Montgomery County Law Reporter, Pennsylvania.
- Montr.** Montrieu's Reports, Bengal;—Montrieu's Supplement to Morton's 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, vol. 1 Bosanquet & Puller, after page 470.
- Moo. C. C. (or Moo. Cr. C.).** Moody's English Crown Cases Reserved.
- Moo. C. P.** Moore's English Common Pleas Reports.
- Moo. Ind. App.** Moore's Reports, Privy Council, Indian Appeals.
- Moo. J. B.** Moore's English Common Pleas Reports.
- Moo. K. B.** Moore's English King's Bench Reports.
- Moo. P. C.** Moore's Privy Council Cases, Old and New Series.
- Moo. Tr.** Moore's Divorce Trials.
- Moo. & Mal.** Moody & Malkin's English Nisi Prius Reports.
- Moo. & Pay.** Moore & Payne's English Common Pleas Reports.
- Moo. & Rob.** Moody & Robinson's English Nisi Prius Reports.
- Moo. & Sc.** Moore & Scott's English Common Pleas Reports.
- Mood. (or Moody).** Moody's English Crown Cases, Reserved.
- Mood. & Malk.** Moody & Malkin's English Nisi Prius Reports.
- Mood. & R.** Moody & Robinson's English Nisi Prius Reports.
- Mood. & Rob.** Moody & Robinson, English.
- 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 in 1 Bosanquet & Puller, after page 470.
- Moore C. P.** Moore's English Common Pleas Reports.
- Moore E. I.** Moore's East Indian Appeals.
- Moore G. C.** Moore's Gorham Case (English Privy Council).

- 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 & Walker.** Moore & Walker's Reports, vols. 22-24 Texas.
- Mor.** Morison's Dictionary of Decisions in the Court of Session, Scotland;—Morris (see Morr.).
- Mor. Dic.** Morison's Dictionary, Scotch Decisions and Supplement.
- Mor. Ia.** Morris' Iowa Reports.
- Mor. Min. Rep.** Morrison's Mining Reports.
- Mor. Priv. Corp.** Morawetz on Private Corporations.
- Mor. St. Cas.** Morris' Mississippi State Cases.
- Mor. Supp.** Supplement to Morison's Dictionary, Scotch Court of Session.
- Mor. Syn.** Morison's Synopsis, Scotch Session Cases.
- Mor. Tran.** Morrison's Transcript of United States Supreme Court Decisions.
- Morg. & W. L. J.** Morgan & Williams' Law Journal, London.
- Morl. Dig.** Morley's East Indian Digest.
- Morr.** Morris' Iowa Reports (see, also, Morris and Mor.);—Morrow's Reports, vols. 23-36 Oregon;—Morrell's English Bankruptcy Reports.
- Morr. Jam.** Morris' Jamaica Reports.
- Morr. M. R.** Morrison's Mining Reports, Chicago.
- Morr. St. Cas.** Morris' State Cases, Mississippi.
- Morr. Trans.** Morrison's Transcript, United States Supreme Court Decisions.
- 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 & Harrington's Sudder Dewanny Adawlut Reports, Bombay.
- Morse Tr.** Morse's Famous Trials.
- Merton.** Morton's Reports, Bengal.
- Mos.** Mosely's English Chancery Reports.
- Moult. Ch. P.** Moulton's Chancery Practice, New York.
- Mozley & Whiteley.** Mozley & Whiteley's Law Dictionary.
- Mu. Corp. Ca.** Withrow's Corporation Cases, vol. 2.
- Mulford, Nation.** Mulford, The Nation.
- Mum. Jam.** Mumford's Jamaica Reports.
- Mumf.** Mumford's Jamaica Reports.
- Mun. (or Munf.).** Munford's Virginia Reports.
- Mur.** Murphey's North Carolina Reports;—Murray's Scotch Jury Court Reports;—Murray's Ceylon Reports;—Murray's New South Wales Reports.
- Mur. U. S. Ct.** Murray's Proceedings in the United States Courts.
- Mur. & Hurl.** Murphy & Hurlstone's English Exchequer Reports.
- Murph.** Murphey's North Carolina Reports.
- Murr.** Murray's Scotch Jury Trials;—Murray's Ceylon Reports;—Murray's New South Wales Reports.
- Murray.** Murray's Scotch Jury Court Reports.
- Murray (Ceylon).** Murray's Ceylon Reports.
- Mutukisna.** Mutukisna's Ceylon Reports.
- Myer Dig.** Myer's Texas Digest.
- Myer Fed. Dec.** Myer's Federal Decisions.
- Myl. & C. (or Cr.).** Mylne & Craig's English Chancery Reports.
- Myl. & K. (or Mylne & K.).** Mylne & Keen's English Chancery Reports.
- Myr.** Myrick's California Probate Court Reports.
- Myr. Prob. (Cal.).** Myrick's California Probate Court Reports.

## N

- N.** Nebraska;—Nevada;—Northeastern Reporter (properly cited N. E.);—Northwest-ern Reporter (properly cited N. W.).
- N. B.** New Brunswick Reports.
- N. B. Eq. Ca.** New Brunswick Equity Cases.
- N. B. Eq. Rep.** New Brunswick Equity Reports.
- N. B. N. R.** National Bankruptcy News and Reports.
- N. B. R.** National Bankruptcy Register, New York;—New Brunswick Reports.
- N. B. Rep.** New Brunswick Reports.
- N. B. V. Ad.** New Brunswick Vice Admiralty Reports.
- N. Benl.** New Benloe, English King's Bench Reports.
- N. C.** North Carolina;—North Carolina Reports;—Notes of Cases (English, Ecclesiastical, and Maritime);—New Cases (Bingham's New Cases).
- N. C. C.** New Chancery Cases (Younge & Collyer).
- N. C. Conf.** North Carolina Conference Reports.
- N. C. Ecc.** Notes of Cases in the Ecclesiastical and Maritime Courts.
- N. C. L. Rep.** North Carolina Law Repository.
- N. C. Str.** Notes of Cases, by Strange, Madras.
- N. C. T. Rep.** North Carolina Term Reports.
- N. Car.** North Carolina;—North Carolina Reports.
- N. Chip. (or N. Chip. [Vt.]).** N. Chipman's Vermont Reports.
- N. D.** North Dakota;—North Dakota Reports.
- N. E.** New England;—New edition;—Northeastern Reporter.
- N. E. R.** Northeastern Reporter (commonly cited N. E.);—New England Reporter.
- N. E. Rep.** Northeastern Reporter.
- N. F.** Newfoundland;—Newfoundland Reports.
- N. H.** New Hampshire;—New Hampshire Reports.
- N. H. R.** New Hampshire Reports.
- N. H. & C.** English Railway and Canal Cases, by Nicholl, Hare, Carrow, etc.
- N. J.** New Jersey;—New Jersey Reports.
- N. J. Eq. (or Ch.).** New Jersey Equity Reports.
- N. J. L. J.** New Jersey Law Journal.
- N. J. Law.** New Jersey Law Reports.
- N. L.** Nelson's Lutwyche, English Common Pleas Reports.
- N. L. L.** New Library of Law and Equity, English.
- N. M.** New Mexico;—New Mexico Reports.
- N. M. St. Bar Assn.** New Mexico State Bar Association.
- N. Mag. Ca.** New Magistrates' Cases.
- N. of Cas.** Notes of Cases, English Ecclesiastical and Maritime Courts;—Notes of Cases at Madras (by Strange).
- N. of Cas. Madras.** Notes of Cases at Madras (by Strange).
- N. P.** Nisi Prius.
- N. P. C.** Nisi Prius Cases.
- N. P. R.** Nisi Prius Reports.
- N. R.** New Reports (English, 1862-1865);—Bosanquet & Puller's New Reports;—Not Reported.
- N. R. B. P.** New Reports of Bosanquet & Puller.
- N. S.** New Series;—Nova Scotia.
- 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. W.** North Western Reporter.
- N. W. R. (or Rep.).** Northwestern Reporter.
- N. W. T. (or N. W. T. Rep.).** Northwest Territories Reports, Canada.
- N. Y.** New York;—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 (Caines' Cases).
- N. Y. Civ. Pr. Rep.** New York Civil Procedure Reports.
- N. Y. Code Report.** New York Code Reporter.
- N. Y. Code Reports, N. S.** New York Code Reports, New Series.
- N. Y. Cond.** New York Condensed Reports.
- N. Y. Cr. R. (or Rep.).** New York Criminal Reports.
- N. Y. Ct. App.** New York Court of Appeals.
- N. Y. El. Cas.** New York Contested Election Cases.
- N. Y. Leg. Obs.** New York Legal Observer, New York City (Owen's).
- N. Y. Mo. L. R.** New York Monthly Law Reports.
- N. Y. Op. Att.-Gen.** Sickels' Opinions of the Attorney-General of New York.
- N. Y. P. R.** New York Practice Reports.
- N. Y. Reg.** New York Daily Register.
- N. Y. Rep.** New York Court of Appeals Reports.

- N. Y. Reprtr.** New York Reporter (Gardener's).
- N. Y. S.** New York Supplement;—New York State;—New York State Reporter.
- N. Y. Spec. Term R.** Howard's Practice Reports.
- N. Y. Sup.** New York Supreme Court Reports.
- N. Y. Super. Ct.** New York Superior Court Reports.
- N. Y. Supp.** New York Supplement.
- N. Y. Supr.** New York Supreme Court Reports.
- N. Y. T. R.** New York Term Reports (Caines' Reports).
- N. Y. Them.** New York Themis.
- N. Z.** New Zealand;—New Zealand Reports.
- N. Z. Jur.** New Zealand Jurist.
- N. Z. Jur. N. S.** New Zealand Jurist, New Series.
- N. Z. Rep.** New Zealand Reports, Court of Appeals.
- N. & H. (or Hop.).** Nott & Huntington's United States Court of Claims Reports.
- N. & M.** Nevile & Manning's English King's Bench Reports.
- N. & M. Mag.** Nevile & Manning's English Magistrates' Cases.
- N. & Mc.** Nott & McCord's South Carolina Reports.
- N. & P.** Nevile & Perry's English King's Bench Reports.
- N. & P. Mag.** Nevile & Perry's English Magistrates' Cases.
- Nal. St. P.** Nalton's Collection of State Papers.
- Nap.** Napier.
- Napton.** Napton's Reports, vol. 4 Missouri.
- Narr. Mod.** Narrationes Modernæ, or Style's King's Bench Reports.
- Nat. B. C.** National Bank Cases.
- Nat. B. R. (or Nat. Bank. Reg.).** National Bankruptcy Register Reports.
- Nat. Corp. Rep.** National Corporation Reporter, Chicago.
- Nat. L. Rec.** National Law Record.
- Nat. L. Rep.** National Law Reporter.
- Nat. L. Rev.** National Law Review, Philadelphia.
- Nat. Reg.** National Register, edited by Mead, 1816.
- Nat. Rept. Syst.** National Reporter System.
- Nat. Rev.** National Review, London.
- Nd.** Newfoundland Reports.
- Neb.** Nebraska;—Nebraska Reports.
- Neg. Cas.** Bloomfield's Manumission or Negro Cases, New Jersey.
- Nel.** Nelson's English Chancery Reports.
- Nell.** Nell's Ceylon Reports.
- Nels.** Nelson's English Chancery Reports.
- Nels. Abr.** Nelson's Abridgment of the Common Law.
- Nels. Fol. Rep.** Finch's Chancery Reports, edited by Nelson.
- Nev.** Nevada;—Nevada Reports.
- Nev. & M. (or Man.).** Nevile & Manning's English King's Bench Reports.
- Nev. & Mac.** Nevile & Macnamara's English Railway and Canal Cases.
- Nev. & Macn.** Nevile & Macnamara's English Railway and Canal Cases.
- Nev. & Man. Mag. Cas.** Nevile & Manning's English Magistrate's Cases.
- Nev. & P.** Nevile & Perry's English King's Bench Reports.
- Nev. & P. Mag. Cas.** Nevile & Perry's English Magistrates' Cases.
- New.** Newell, Illinois Appeal Reports.
- New Ann. Reg.** New Annual Register, London.
- 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.
- New Br.** New Brunswick Reports.
- New Cas.** New Cases (Bingham's New Cases).
- New Cas. Eq.** New Cases in Equity, vols. 8, 9 Modern Reports.
- New Eng. Hist.** New England Historical and Genealogical Register.
- New Mag. Cas.** New Magistrates' Cases (Bittleston, Wise & Parnell).
- New Nat. Brev.** New Natura Brevium.
- New Pr. Cases.** New Practice Cases, English.
- New Rep.** New Reports in all the Courts, London;—Bosanquet & Puller's New Reports, vols. 4, 5 Bosanquet & Puller.
- New Sess. Cas.** Carrow, Hammerton & Allen's New Session Cases, English.
- New So. W.** New South Wales.
- 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. Sel. Cas.** Newfoundland Select Cases.
- Nich. H. & C. (or Nicholl).** Nicholl, Hare & Carrow's English Railway and Canal Cases.
- Nicholson.** Nicholson's Manuscript Decisions, Scotch Session Cases.
- Niebh. Hist. Rom.** Niebuhr, Roman History.
- Nient cul.** *Nient culpable* (not guilty).
- Nil. Reg.** Niles' Weekly Register.
- Nisbet.** (Nisbet of) Dirleton's Scotch Session Cases.
- No. Ca. Ecc. & Mar.** Notes of Cases (English), Ecclesiastical and Maritime.
- No. East. Rep.** Northeastern Reporter (commonly cited N. E.)

**No. West. Rep.** Northwestern Reporter (commonly cited N. W.)

**Nol. Mag. (or Just. or Sett. Cas.).** Nolan's English Magistrates' Cases.

**Non cul.** *Non culpabilis* (not guilty).

**Norc.** Norcross' Reports, vols. 23-24 Nevada.

**Norr.** Norris' Reports, vols. 82-96 Pennsylvania.

**North.** Reports *tempore* Northington (Eden's English Chancery Reports).

**North & G.** North & Guthrie's Reports, vols. 68-80 Missouri Appeals.

**Northam.** Northampton Law Reporter, Pennsylvania.

**Northum.** Northumberland County Legal News, Pennsylvania.

**Northw. Pr.** Northwest Provinces, India.

**Northw. Rep.** Northwestern Reporter (commonly cited N. W.)

**Not. Cas.** Notes of Cases in the English Ecclesiastical and Maritime Courts;—Notes of Cases at Madras (Strange).

**Not. Cas. Madras.** Notes of Cases at Madras (Strange).

**Not. Dec.** Notes of Decisions (Martin's North Carolina Reports).

**Not. J.** Notaries Journal.

**Not. Op.** Wilmot's Notes of Opinions and Judgments.

**Notes of Ca.** Notes of Cases, English.

**Notes on U. S.** Notes on United States Reports.

**Nott & Hop.** Nott & Hopkins' United States Court of Claims Reports.

**Nott & Hunt.** Nott & Huntington's Reports, vols. 1-7 United States Court of Claims.

**Nott & McC.** Nott & McCord's South Carolina Reports.

**Nov.** Novellæ. The Novels or New Constitutions.

**Nov. Sc.** Nova Scotia.

**Nov. Sc. Dec.** Nova Scotia Decisions.

**Nov. Sc. L. R.** Nova Scotia Law Reports.

**Noy.** Noy's English King's Bench Reports.

**Noy, Max.** Noy's Maxims.

**Nye.** Nye's Reports, vols. 18-20 Utah.

## O

- O.** Ohio Reports;—Ontario;—Ontario Reports;—Oregon Reports;—Otto's United States Supreme Court Reports.
- O. B.** Old Bailey;—Old Benloe;—Orlando Bridgman.
- O. B. S.** Old Bailey's Sessions Papers.
- O. B. & F. N. Z.** Ollivier, Bell & Fitzgerald's New Zealand Reports.
- O. Ben.** Old Benloe's Reports, English Common Pleas.
- O. Bridg.** Orlando Bridgman's English Common Pleas Reports;—Carter's Reports, *tempore* Bridgman's English Common Pleas.
- O. C.** Orphans' Court.
- 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 (properly cited Ohio Circuit Decisions).
- O. J. Act.** Ontario Judicature Act.
- O. N. B.** Old Natura Brevium.
- O. R.** Ontario Reports.
- O. S.** Ohio State Reports;—Old Series;—Old Series King's & Queen's Bench Reports, Ontario, (Upper Canada).
- O. S. C. D. (or O. S. U.).** Ohio Supreme Court Decisions, Unreported Cases.
- O. S. & C. P. Dec.** Ohio Superior and Common Pleas Decisions.
- O. St.** Ohio State Reports.
- O. & T.** Oyer and Terminer.
- O'Brien.** O'Brien's Upper Canada Reports.
- O'Callaghan, New Neth.** O'Callaghan's History of New Netherland.
- Oct. Str.** Octavo Strange, Select Cases on Evidence.
- Odeneal.** Odeneal's Reports, vols. 9-11 Oregon.
- Off. Exec.** Wentworth's Office of Executors.
- Off. Gaz. Pat. Off.** Official Gazette, United States Patent Office.
- Officer.** Officer's Reports, vols. 1-9 Minnesota.
- Ogden.** Ogden's Reports, vols. 12-15 Louisiana.
- Ohio.** Ohio;—Ohio Reports.
- Ohio App.** Ohio Appellate Reports.
- Ohio St.** Ohio State Reports.
- Ohio Sup. & C. P. Dec.** Ohio Superior and Common Pleas Decisions.
- O'Keefe Ord.** (O'Keefe's Orders in Chancery, Ireland.
- Okl.** Oklahoma;—Oklahoma Reports.
- Okl. Cr.** Oklahoma Criminal Reports.
- Okla.** Oklahoma;—Oklahoma Reports.
- Olc. (or Olc. Adm.).** Olcott's United States District Court, Admiralty.
- Old Ben.** Benloe in Benloe & Dalison, English Common Pleas Reports.
- Old Nat. Brev.** Old Natura Brevium.
- Oldr.** Oldright's Reports, Nova Scotia.
- Oliv. B. & L.** Oliver, Beavan & Lefroy's Reports, vols. 5-7, English Railway and Canal Cases.
- Oll. B. & F.** Ollivier, Bell, & Fitzgerald, New Zealand.
- O'Mal. & H.** O'Malley & Hardecastle's English Election Cases.
- Onsl. N. P.** Onslow's Nisi Prius.
- Ont.** Ontario;—Ontario Reports.
- Ont. App. R.** Ontario Appeal Reports.
- Ont. El. Ca.** Ontario Election Cases.
- Ont. P. R. (or Ont. Pr. Rep.).** Ontario Practice Reports.
- Op. Att. Gen.** Opinions of the Attorneys General of the United States.
- Op. N. Y. Atty. Gen.** Sickels' Opinions of Attorneys-General of New York.
- Or.** Oregon;—Oregon Reports.
- Or. T. Rep.** Orleans Term Reports, vols. 1, 2 Martin, Louisiana.
- Ord. de la Mar. (or Ord. Mar.).** Ordonnance de la Marine de Louis XIV.
- Oreg.** Oregon;—Oregon Reports.
- Orl. Bridgman.** Orlando Bridgman's English Common Pleas Reports.
- Orl. T. R.** Orleans Term Reports, vols. 1, 2 Martin, Louisiana.
- Ormond.** Ormond's Reports, vols. 12-15 Alabama.
- Ort. Inst.** Ortolan's Institutes of Justinian.
- Ot.** Otto's United States Supreme Court Reports.
- Out.** Outerbridge's Reports, vols. 97-110 Pennsylvania State.
- Over. (or Overton).** Overton's Tennessee Reports.
- Ow.** Owen's English King's Bench Reports;—New South Wales Reports.
- Owen.** Owen's English King's Bench Reports.
- Oxley.** Young's Vice-Admiralty Decisions, Nova Scotia, edited by Oxley.



## P

**P.** Easter (Paschal) Term;—Pennsylvania;—Peters;—Pickering's Massachusetts Reports;—Probate;—Pacific Reporter.

**P.(2d).** Pacific Reporter, Second Series.

**[1891] P.** Law Reports, Probate Division, from 1891 onward.

**P. A. D.** Peters' Admiralty Decisions.

**P. C.** Pleas of the Crown;—Parliamentary Cases;—Practice Cases;—Prize Cases;—Patent Cases;—Privy Council;—Prize Court;—Probate Court;—Precedents in Chancery.

**P. C. App.** Privy Council Appeals.

**P. C. C.** Privy Cases;—Peters' Circuit Court Reports.

**P. Cl. R.** Parker's Criminal Reports, New York;—Privy Council Reports.

**P. D.** 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. (or P. & H.).** Patton, Jr., & Heath's Virginia Reports.

**P. N. P.** Peake's English Nisi Prius Cases.

**P. O. Cas.** Perry's Oriental Cases, Bombay.

**P. O. G.** Patent Office Gazette.

**P. O. R.** Patent Office Reports.

**P. P.** Parliamentary Papers.

**P. R.** Parliamentary Reports;—Pennsylvania Reports, by Penrose & Watts;—Pacific Reporter;—Probate Reports.

**P. R. C. P.** Practical Register in Common Pleas.

**P. R. Ch.** Practical Register in Chancery.

**P. R. U. C.** Practical Reports, Upper Canada.

**P. R. & D.** Power, Rodwell, & Dew's English Election Cases.

**PS** Purdon's Pennsylvania Statutes Annotated.

**P. S. C. U. S.** Peters' United States Supreme Court Reports.

**P. S. R.** Pennsylvania State Reports.

**P. W. (or P. Wms.).** Peere Williams' English Chancery Reports.

**P. & B.** Pugsley & Burbridge's Reports, New Brunswick.

**P. & C.** Prideaux & Cole's Reports, English Courts, vol. 4 New Session Cases.

**P. & D.** Perry & Davison's English Queen's Bench Reports;—Probate and Divorce.

**P. & H.** Patton, Jr., & Heath's Virginia Reports.

**P. & K.** Perry & Knapp's English Election Cases.

**P. & M.** Philip & Mary;—Pollock and Maitland's History of English Law.

**P. & R.** Pigott & Rodwell's Election Cases, English.

**P. & W.** Penrose & Watts' Pennsylvania Reports.

**Pa.** Pennsylvania;—Pennsylvania Reports, by Penrose & Watts;—Pennsylvania State Reports;—Paine, United States.

**Pa. Co. Ct. (or Pa. Co. Ct. R.).** Pennsylvania County Court Reports.

**Pa. Dist. (or Pa. Dist. R.).** Pennsylvania District Court Reports.

**Pa. L. J.** Pennsylvania Law Journal Reports (Clark's);—Pennsylvania Law Journal, Philadelphia.

**Pa. L. Rec.** Pennsylvania Law Record, Philadelphia.

**Pa. Law Ser.** Pennsylvania Law Series.

**Pa. N. P.** Brightly's Nisi Prius Reports, Pennsylvania.

**Pa. Rep.** Pennsylvania Reports.

**Pa. St.** Pennsylvania State Reports.

**Pa. St. Tr.** Pennsylvania State Trials (Hogan's).

**Pa. Super. Ct.** Pennsylvania Superior Court.

**Pac.** Pacific Reporter.

**Pac. R. (or Rep.).** Pacific Reporter (commonly cited Pac. or P.).

**Pai.** Paine's United States Circuit Court Reports;—Paige's New York Chancery Reports.

**Pai. Ch. (or Paige).** Paige's New York Chancery Reports.

**Paine (or Paine C. C.).** Paine's United States Circuit Court Reports.

**Paley, Prin. & Ag.** Paley on Principal and Agent.

**Palgrave.** Palgrave's Proceedings in Chancery;—Palgrave's Rise and Progress of the English Commonwealth.

**Palm.** Palmer's English King's Bench Reports;—Palmer's Reports, vols. 53-60 Vermont.

**Pand.** Pandects.

**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.

**Par. Eq. Cas.** Parsons' Select Equity Cases, Pennsylvania.

**Pard. Droit Commer.** Pardessus, Cours de Droit Commercial.

**Pardessus.** Pardessus, Cours de Droit Commercial;—Pardessus, Lois Maritimes;—Pardessus, Traites des Servitudes.

**Park.** Parker's New York Criminal Reports;—Parker's English Exchequer Reports.

**Park. Cr. Cas.** Parker's New York Criminal Reports.

**Park. Dig.** Parker's California Digest.

**Park. Exch.** Parker's English Exchequer Reports.

**Park, Ins.** Park on Insurance.

**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 Hampshire Reports.
- Parker, Cr. Cas. (N. Y.).** Parker's New York Criminal Reports.
- Parker, Cr. R. (N. Y.).** Parker's, New York Criminal Reports.
- Parl. Cas.** Parliamentary Cases (House of Lords Reports).
- Parl. Reg.** Parliamentary Register.
- Paroch. Ant.** Kennett's Parochial Antiquities.
- Pars.** Parsons (see Par.).
- Pars. Ans.** Parsons' Answer to the Fifth Part of Coke's Reports.
- Pars. Cont.** Parson on Contracts.
- Pars. Eq. Cas.** Parsons' Select Equity Cases, Pennsylvania.
- Pars. Mar. Ins.** Parsons on Marine Insurance.
- Pars. Mar. Law.** Parsons on Maritime Law.
- Pas.** (Terminus Paschae) Easter Term.
- Paschal.** Paschal's Reports, vols. 28-31 Texas and Supplement to vol. 25.
- Pat.** Patent;—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. Comp.** Paterson's Compendium of English and Scotch Law.
- Pat. Dec.** Patent Decisions.
- Pat. & H.** Patton, Jr., & Heath's Virginia Reports.
- Pat. & Mur.** Paterson & Murray's Reports, New South Wales.
- Pater.** Paterson's Scotch Appeal Cases;—Paterson's New South Wales Reports.
- Paters. Comp.** Paterson's Compendium of English and Scotch Law.
- Paterson.** Paterson's Compendium of English and Scotch Law;—Paterson on the Game Laws;—Paterson's Liberty of the Press;—Paterson on the Liberty of the Subject;—Paterson's Law and Usages of the Stock Exchange;—Paterson's Scotch Appeal Cases.
- Paton.** Craigie, Stewart, & Paton's Scotch Appeal Cases.
- Patr. Elect. Cas.** Patrick's Election Cases, Upper Canada.
- Patt. & H.** Patton, Jr., & Heath's Virginia Reports.
- Paulus.** Julius Paulus, Sententiæ Receptæ.
- Pea.** Peake's English Nisi Prius Reports.
- Peake Add. Cas.** Peake's Additional Cases, vol. 2 of Peake.
- Peake N. P.** Peake's English Nisi Prius Cases.
- Pearce C. C.** Pearce's Reports in Dearsly's Crown Cases. English.
- Pears.** Pearson's Reports, Pennsylvania.
- Peck.** Peck's Tennessee Reports;—Peck's Reports, vols. 11-30 Illinois;—Peckwell's English Election Cases.
- Peck (Tenn.).** Peck's Tennessee Reports.
- Peck. El. Cas.** Peckwell's English Election Cases.
- Peck Tr.** Peck's Trial (Impeachment).
- Peckw.** Peckwell's English Election Cases.
- Peeples.** Peeples' Reports, vols. 77-97 Georgia.
- Peeples & Stevens.** Peeples & Stevens Reports, vols. 80-97 Georgia.
- Peere Wms.** Peere-Williams' Reports, English Chancery.
- Pen. Code.** Penal Code.
- Pen. N. J.** Pennington's New Jersey Reports.
- Pen. & W.** Penrose & Watts' Pennsylvania Reports.
- Penn.** Pennsylvania;—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. Rep.** Pennsylvania State Reports.
- Penn. St. (or St. R.).** Pennsylvania State Reports.
- Penning.** Pennington's New Jersey Reports.
- Penny.** Pennypacker's Unreported Pennsylvania Cases;—Pennypacker's Pennsylvania Colonial Cases.
- Penr. & W.** Penrose & Watts' Pennsylvania Reports.
- Peo. L. Adv.** People's Legal Adviser, Utica, New York.
- Per. Or. Cas.** Perry's Oriental Cases, Bombay.
- Per. & Dav.** Perry & Davison's English King's Bench Reports.
- Per. & Kn.** Perry & Knapp's English Election Reports.
- Perk.** Perkins on Conveyancing;—Perkins on Pleading;—Perkins' Profitable Book (Conveyancing).
- Perry.** Sir Erskine Perry's Reports, in Morley's (East) Indian Digest;—Perry's Oriental Cases, Bombay.
- Perry & D.** Perry & Davison's English King's Bench Reports.
- Perry & Kn.** Perry & Knapp's English Election Cases.
- Pet.** Peters' United States Supreme Court Reports;—Peters' United States Circuit Court Reports;—Peters' United States 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.** Petit Brooke, or Brooke's New Cases, English King's Bench.

**Pet. C. C.** Peters' United States Circuit Court Reports.

**Pet. Cond.** Peters' Condensed Reports, United States Supreme Court.

**Pet. Dig.** Peters' United States Digest;—Peticolas' Texas Digest.

**Pet. S. C.** Peters' United States Supreme Court Reports.

**Peters Adm.** Peters' United States District Court Reports (Admiralty Decisions).

**Petit Br.** Petit Brooke, or Brooke's New Cases, English King's Bench.

**Ph.** Phillips' English Chancery Reports;—Phillimore's English Ecclesiastical Reports (see Phil.).

**Ph. Ch.** Phillips' English Chancery Reports.

**Ph. St. Tr.** Phillips' State Trials.

**Phal. C. C.** Phalen's Criminal Cases.

**Pheney Rep.** Pheney's New Term Reports.

**Phil.** Phillips' English Chancery Reports;—Phillips' North Carolina Reports;—Phillips' English Election Cases;—Phillimore's English Ecclesiastical Reports;—Philadelphia Reports;—Phillips' Illinois Reports.

**Phil. Ecc. Judg.** Phillimore's Ecclesiastical Judgments.

**Phil. Ecc. R.** Phillimore's English Ecclesiastical Reports.

**Phil. El. Cas.** Phillips' English Election Cases.

**Phil. Eq.** Phillips' North Carolina Equity Reports.

**Phil. Ev.** Phillips on Evidence.

**Phil. Fam. Cas.** Phillips' Famous Cases in Circumstantial Evidence.

**Phil. Ins.** Phillips on Insurance.

**Phil. Law (or Phil. N. C.).** Phillips' North Carolina Law Reports.

**Phil. Pat.** Phillips on Patents.

**Phil. St. Tr.** Phillips' State Trials.

**Phila. (Pa.).** Philadelphia Reports, Common Pleas of Philadelphia County.

**Phila. Law Lib.** Philadelphia Law Library.

**Philippine Co.** Philippine Code.

**Phill.** Phillips (see Phil. and Phillips).

**Phill. Ins.** Phillips on Insurance.

**Phillim.** Phillimore's English Ecclesiastical Reports. See, also, Phil.

**Phillim. Dom.** Phillimore on the Law of Domicil.

**Phillim. Ecc. Law.** Phillimore's Ecclesiastical Law.

**Phillips.** Phillips' English Chancery Reports;—Phillips' North Carolina Reports, Law and Equity;—Phillips' Reports, vols. 152-187 Illinois.

**Pick.** Pickering's Massachusetts Reports.

**Pickle.** Pickle's Reports, vols. 85-103 Tennessee.

**Fig. & R.** Pigott & Rodwell's English Registration Appeal Cases.

**Pike.** Pike's Reports, vols. 1-5 Arkansas.

**Pin. (or Pin.).** Pinney's Wisconsin Reports.

**Piston (or Pist.).** Piston's Mauritius Reports.

**Pite. Crim. Tr.** Pitcairn's Ancient Criminal Trials, Scotland.

**Pite. Tr.** Pitcairn's Ancient Criminal Trials, Scotland.

**Pitm. Prin. & Sur.** Pitman on Principal and Surety.

**Pitts. Rep.** Pittsburg Pennsylvania Reports.

**Pittsb. Leg. J. (O. S.).** Pittsburg Legal Journal, Old Series.

**Pittsb. R. (Pa.).** Pittsburg Reports, Pennsylvania Courts (reprinted from the Journal).

**Pl. (or Pl. Com.).** Plowden's Commentaries or Reports, English King's Bench, etc.

**Pl. C.** Placita Coronæ (Pleas of the Crown).

**Platt, Cov.** Platt on the Law of Covenants.

**Plow.** Plowden's English King's Bench Reports.

**Plowd.** Plowden's English King's Bench Commentaries or Reports.

**Pol.** Pollexfen's English King's Bench Reports, etc.;—Police.

**Pol. Code.** Political Code.

**Pol. Cont.** Pollock on Contracts.

**Pol. Sci. Quar.** Political Science Quarterly.

**Poll.** Pollexfen's English King's Bench Reports.

**Pol. C. C. Pr.** Pollock's Practice of the County Courts.

**Pollex.** Pollexfen's English King's Bench Reports, etc.

**Pom. Const. Law.** Pomeroy's Constitutional Law of the United States.

**Pomeroy.** Pomeroy's Reports, vols. 73-128 California.

**Pop.** Popham's English King's Bench Reports.

**Pop. Sci. Mo.** Popular Science Monthly.

**Pope.** (Pope) Opinions Attorney General, pt. 1, vol. 22.

**Pope, Lun.** Pope on Lunacy.

**Poph.** Popham's English King's Bench Reports.

**Poph. (2).** Cases at the end of Popham's Reports.

**Port. (Ala.).** Porter's Alabama Reports.

**Porter.** Porter's Alabama Reports;—Porter's Reports, vols. 3-7 Indiana.

**Posey.** Posey's Unreported Cases, Texas.

**Post.** Post's Reports, vols. 23-26 Michigan;—Post's Reports, vols. 42-64 Missouri.

**Poste's Gaius Inst.** Poste's Translation of Gaius.

**Pot. Dwar.** Potter's Dwaris on Statutes.

**Poth. Bail à Rente.** Pothier, Traité du Contrat de Bail à Rente.

**Poth. Cont.** Pothier's Contracts.

**Poth. Cont. de Change.** Pothier, Traité du Contrat de Change.

- Poth. Cont. Sale (or Poth. Contr. Sale).** Pothier, Treatise on the Contract of Sale.
- Poth. de Change.** Pothier, Traité du Contrat de Change.
- Poth. de l'Usure.** Pothier, Traité de l'Usure.
- Poth. de Société App.** Pothier, Traité du Contrat de Société.
- Poth. du Depot.** Pothier, Traité du Dépôt.
- Poth. Louage.** Pothier, Traité du Contrat de Louage.
- Poth. Mar. Cont.** Pothier's Treatise on Maritime Contracts.
- Poth. Mar. Louage.** Pothier, Traité du Contrat de Louage.
- Poth. Obl.** Pothier, Traité des Obligations.
- Poth. Pand.** Pothier's Pandects.
- Poth. Proc. Civil.** Pothier, Traité de la Procédure Civile.
- Poth. Proc. Crim.** Pothier, Traité de la Procédure Criminale.
- Poth. Société.** Pothier, Traité du Contrat de Société.
- Poth. Traité de Change.** Pothier, Traité du Contrat de Change.
- Poth. Vente.** Pothier, Traité du Contrat de Vente.
- Pothier, Pand.** Pothier, Pandectæ Justinianæ, etc.
- Potter.** Potter's Reports, vols. 4-7 Wyoming.
- Pow. Dev.** Powell, Essay upon the Learning of Devises, etc.
- Pow. Mortg.** Powell on Mortgages.
- Pow. R. & D.** Power, Rodwell & Drew's English Election Cases.
- Pr.** Price's English Exchequer Reports; —*Principium* (the beginning of a title, law, or section);—Practice Reports (Ontario).
- Pr. C. K. B.** Practice Cases in the King's Bench.
- Pr. Ch.** Precedents in Chancery, by Finch; —Practice in the High Court of Chancery.
- Pr. Dec.** Printed Decisions (Sneed's), Kentucky.
- Pr. Div.** Probate Division, Law Reports; —Pritchard's Divorce and Matrimonial Cases.
- Pr. Exch.** Price's English Exchequer Reports.
- Pr. Falc.** President Falconer's Reports, Scotch Court of Session.
- Pr. Min.** Printed Minutes of Evidence.
- Pr. R.** Practice Reports.
- Pr. Reg. B. C.** Practical Register in the Bail Court.
- Pr. Reg. C. P.** Practical Register in the Common Pleas.
- Pr. Reg. Ch.** Practical Register in Chancery.
- Pr. & Div.** Probate and Divorce, English Law Reports.
- Pra. Cas.** Prater's Cases on Conflict of Laws.
- Pratt Cont. Cas.** Pratt's Contraband-of-War Cases.
- Preced. Ch.** Precedents in Chancery.
- Prer.** Prerogative Court.
- Pres. Falc.** President Falconer's Scotch Session Cases (Gilmour & Falconer).
- Prest. Conv.** Preston on Conveyancing.
- Prest. Est.** Preston on Estates.
- Prest. Merg.** Preston on Merger.
- Pri. (or Price).** Price's Exchequer Reports.
- Price Notes P. P.** Price's Notes of Points of Practice, English Exchequer Cases.
- Prickett.** Prickett's Reports, Idaho.
- Prid. & C.** Pridgeaux & Cole's English Reports, vol. 4 New Sessions Cases.
- Prin. Dec.** Printed Decisions (Sneed's), Kentucky.
- Pritch. Quar. Sess.** Pritchard, Quarter Sessions.
- Priv. Counc. App.** Privy Council Appeals.
- [1891] Prob.** Law Reports, Probate Division, from 1891 onward.
- Prob. Code.** Probate Code.
- 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.
- Prob. & Mat.** Probate and Matrimonial Cases.
- Proc. Prac.** Proctor's Practice.
- Prop. Lawyer N. S.** Property Lawyer, New Series (periodical), England.
- Prouty.** Prouty's Reports, vols. 61-68 Vermont.
- Prt. Rep.** Practice Reports.
- Psych. & M. L. J.** Psychological and Medico-Legal Journal, New York.
- Pugs.** Pugsley's Reports, New Brunswick.
- Pugs. & Burb.** Pugsley & Burbridge's Reports, New Brunswick.
- Pull. Accts.** Pulling's Law of Mercantile Accounts.
- Pull. Laws & Cust. Lond.** Pulling, Treatise on the Laws, Customs, and Regulations of the City and Port of London.
- Pull. Port of London.** Pulling, Treatise on the Laws, Customs, and Regulations of the City and Port of London.
- Pulsifer.** Pulsifer's Reports, vols. 65-68 Maine.
- Pump Ct.** Pump Court (London).
- Punj. Rec.** Punjab Record.
- Purd. Dig.** Purden's Digest Pennsylvania Laws.
- Pyke.** Pyke's Lower Canada King's Bench Reports.

## Q

**Q.** Quadragesms (Year Books Part IV);—Quebec;—Queensland.

**Q. B.** Queen's Bench;—Queen's Bench Reports (Adolphus & Ellis, New Series);—English Law Reports, Queen's Bench (1841-1852);—Queen's Bench Reports, Upper Canada;—Queen's Bench Reports, Quebec.

[1891] **Q. B.** Law Reports, Queen's Bench, 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).

**Quart. Rev.** Quarterly Law Review, Richmond, Virginia.

**Queb. L. R.** Quebec Law Reports, two series, Queen's Bench or Superior Court.

**Queb. Q. B.** Quebec Queen's Bench Reports.

**Queens. L. R.** Queensland Law Reports.

**Quin. (or Quincy).** Quincy's Massachusetts Reports.

**Quinti, Quinto.** Year Book, 5 Henry V.

## R

**R. A.** Registration Appeals;—Regular Appeals.

**R. C.** Rolls of Court;—Record Commissioners;—Railway Cases;—Registration Cases;—Revue Critique, Montreal.

**R. C. L.** Ruling Case Law.

**R. C. & C. R.** Revenue, Civil, and Criminal Reporter, Calcutta.

**R. G.** Regulæ Generales, Ontario.

**R. I.** Rhode Island;—Rhode Island Reports.

**R. J. & P. J.** Revenue, Judicial, and Police Journal, Calcutta.

**R. L.** Revue Legale.

**R. L. & S.** Ridgeway, Lapp & Schoales' Irish King's Bench Reports.

**R. L. & W.** Roberts, Leaming & Wallis' English County Court Reports.

**R. M. Ch.** R. M. Charlton's Georgia Reports.

**R. P. C.** Real Property Cases, English;—Reports Patent Cases.

**R. P. & W.** (Rawle) Penrose & Watts' Pennsylvania Reports.

**R. R. & Can. Cas.** Railway and Canal Cases, English.

**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. Cas.** Railway and Canal Cases, English.

**R. & C. N. Sc.** Russell & Chesley's Reports, Nova Scotia.

**R. & G. N. Sc.** Russell & Geldert's Reports, Nova Scotia.

**R. & H. Dig.** Robinson & Harrison's Digest, Ontario.

**R. & J. Dig.** Robinson & Joseph's Digest, Ontario.

**R. & M.** Russell & Mylne's English Chancery Reports;—Ryan & Moody's English Nisi Prius Reports.

**R. & M. C. C.** Ryan & Moody's Crown Cases Reserved, English.

**R. & M. Dig.** Rapalje & Mack's Digest of Railway Law.

**R. & M. N. P.** Ryan & Moody's Nisi Prius Cases, English.

**R. & R. C. C.** Russell & Ryan's English Crown Cases, Reserved.

**Ra. Ca.** English Railway and Canal Cases.

**Rader.** Rader's Reports, vols. 137-156 Missouri.

**Rail. & Can. Cas.** English Railway and Canal Cases;—Railway and Canal Traffic Cases.

**Ram Cas. P. & E.** Ram's Cases of Pleading and Evidence.

**Ram Leg. Judgm. (Towns. Ed.).** Ram's Science of Legal Judgment, Notes by Townshend.

**Ram. & Mor.** Ramsey & Morin's Montreal Law Reporter.

**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. Perp.** Randall on Perpetuities.

**Raney.** Raney's Reports, vols. 16-20 Florida.

**Rang. Dec.** Sparks' Rangoon Decisions, British Burmah.

**Rap. Fed. Ref. Dig.** Rapalje's Federal Reference Digest.

**Rap. Jud. Q. B. R.** Rapport's Judiciaries de Quebec Cour du Banc de la Reine.

**Rap. Jud. Q. C. S.** Rapport's Judiciaries de Quebec Cour Superieure.

**Rap. Lar.** Rapalje on Larceny.

**Rap. N. Y. Dig.** Rapalje's New York Digest.

**Rap. & L. (or Law.).** Rapalje & Lawrence, American and English Cases.

**Rapal. & L.** Rapalje & Lawrence, American and English Cases.

**Ratt. L. C.** Battigan's Leading Cases on Hindoo Law.

**Raw. (or Rawle).** Rawle's Pennsylvania Reports.

**Rawle, Cov.** Rawle on Covenants for Title.

**Rawle Pen. & W.** (Rawle) Penrose & Watts, Pennsylvania.

**Raym. (or Raym. Ld.).** Lord Raymond's English King's Bench Reports.

**Raym. Sir T.** Sir Thomas Raymond's English King's Bench Reports.

**Raymond.** Raymond's Reports, vols. 81-89 Iowa.

**Rayn.** Rayner's English Tithe Cases.

**Re-af.** Re-affirmed.

**Re. de J.** Revue de Jurisprudence, Montreal.

**Re. de L.** Revue de Jurisprudence et Legislation, Montreal.

**Real Est. Rec.** Real Estate Record, New York.

**Real Pr. Cas.** Real Property Cases (English).

**Rec.** Records;—Recorder;—American Law Record.

**Rec. Dec.** Vaux's Recorder's Decisions, Philadelphia.

**Red.** Redfield's New York Surrogate Reports;—Reddington, Maine.

**Red. Am. R. R. Cas.** Redfield's Leading American Railway Cases.

**Red. Cas. R. R.** Redfield's Leading American Railway Cases.

**Red. Cas. Wills.** Redfield's Leading Cases on Wills.

**Red. R. R. Cas.** Redfield's Leading American Railway Cases.

**Red. & Big. Cas. B. & N.** Redfield & Bigelow's Leading Cases on Bills and Notes.

**Redf. (or Redf. Surr.).** Redfield's New York Surrogate Reports.

**Redf. Sur. (N. Y.).** Redfield's New York Surrogate Court Reports.

**Redf. Wills.** Redfield's Leading Cases on Wills.

**Redington.** Redington's Reports, vols. 31-35 Maine.

**Reed Fraud.** Reed's Leading Cases on Statute of Frauds.

**Reese.** Reporter, vols. 5, 11 Heiskell's Tennessee Reports.

**Reeve, Eng. Law (or Reeve, Hist. Eng. Law).** Reeve's History of the English Law.

**Reg. App.** Registration Appeals.

**Reg. Brev.** Register of Writs.

**Reg. Cas.** Registration Cases.

**Reg. Gen.** Regulæ Generales.

**Reg. Jud.** Registræm Judicale.

**Reg. Om. Brev.** Registrum Omnium Brevium.

**Reg. Orig.** Registrum Originale.

**Reg. Writ.** Register of Writs.

**Reilly.** Reilly's English Arbitration Cases.

**Rem. Cr. Tr.** Remarkable Criminal Trials.

**Rem. Tr.** Cummins & Dunphy's Remarkable Trials.

**Rem. Tr. No. Ch.** Benson's Remarkable Trials and Notorious Characters.

**Remy.** Remy's Reports, vols. 145-154 Indiana; also Indiana Appellate Court Reports.

**Rep.** Report;—Reports;—Reporter;—Repealed;—Wallace's The Reporters.

**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. Ch. Pr.** Reports on Chancery Practice.

**Rep. Com. Cas.** Reports on Commercial Cases, Bengal.

**Rep. Const. Ct.** Reports of the Constitutional Court, South Carolina (Treadway, Mill, or Harper).

**Rep. Cr. L. Com.** Reports of Criminal Law Commissioners.

**Rep. Eq.** Gilbert's English Reports in Equity.

**Rep. in Ch.** Reports in Chancery, English.

**Rep. Q. A.** Report *tempore* Queen Anne, vol. 11 Modern.

**Rep. Sel. Cas. Ch.** Kelynge's (W) English Chancery Reports.

**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 Cases of Settlement).

**Rep. t. O. Br.** Carter's English Common Pleas Reports *tempore* O. Bridgman.

**Rep. t. Q. A.** Reports *tempore* Queen Anne, vol. 11 Modern Reports.

**Rep. t. Talb.** Reports *tempore* Talbot, English Chancery.

**Rep. Yorke Ass.** Clayton's reports of Assizes at Yorke.

**Reports.** Coke's English King's Bench Reports.

**Rettie.** Rettie, Crawford & Melville's Scotch Session Cases (4th series).

**Rev. C. & C. Rep.** Revenue, Civil, and Criminal Reporter, Bengal.

**Rev. Laws.** Revised Laws.

**Rev. Ord. N. W. T.** Revised Ordinances, Northwest Territories (Canada) 1888.

**Rev. St.** Revised Statutes.

**Reyn.** Reynolds' Reports, vols. 40-42 Mississippi.

**Rice.** Rice's South Carolina Law Reports.

**Rice Eq. (or Ch.).** Rice's South Carolina Equity Reports.

**Rich.** Richardson's South Carolina Law Reports;—Richardson's Reports, vols. 2-5 New Hampshire.

**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. (or Ch.) Cas.** Richardson's South Carolina Equity Reports.

**Rich. Law (S. C.).** Richardson's South Carolina Law Reports.

**Rich. N. S.** Richardson's South Carolina Reports, New Series.

**Rich. Pr. Reg.** Richardson's Practical Register, English Common Pleas.

**Rich. & H.** Richardson & Hook's Street Railway Decisions.

**Rich. & W.** Richardson & Woodbury's Reports, vol. 2 New Hampshire.

**Ridg.** Ridgeway's Reports *tempore* Hardwicke, Chancery and King's Bench.

**Ridg. Ap.** Ridgeway's Irish Appeal (or Parliamentary) Cases.

**Ridg. Cas.** Ridgeway's Reports *tempore* Hardwicke, Chancery and King's Bench.

**Ridg. L. & S.** Ridgeway, Lapp & Schoales' Irish Term Reports.

**Ridg. P. C. (or Ridg. Parl.).** Ridgeway's Irish Appeal (or Parliamentary) Cases.

**Ridg. Rep. (or St. Tr.).** Ridgeway's (Individual) Reports of State Trials in Ireland.

**Ridg. t. Hard. (or Ridg. & Hard.).** Ridgeway's Reports *tempore* Hardwicke, Chancery and King's Bench.

**Ridgew.** Ridgeway (see Ridg.).

**Ridley, Civil & Ecc. Law.** Ridley's Civil and Ecclesiastical Law.

**Ried.** Riedell's Reports, vols. 68, 69 New Hampshire.

**Ril. (or Riley).** Riley's South Carolina Law Reports;—Riley's Reports, vols. 37-42 West Virginia.

**Ril. (or Riley) Ch. (or 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.

**Riner.** Riner's Reports, vol. 2 Wyoming.

**Riv. Ann. Reg.** Rivington's Annual Register.

**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 Re-

ports;—Robinson's English Ecclesiastical Reports;—Chr. Robinson's English Admiralty Reports;—W. Robinson's English Admiralty Reports;—Robinson's Scotch Appeal Cases;—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. & Pr.** Roberts on Admiralty and Prize.

**Rob. App.** Robertson's Scotch Appeal Cases.

**Rob. Car. V.** Robertson's History of the Reign of the Emperor Charles V.

**Rob. Cas.** Robertson's Scotch Appeal Cases.

**Rob. Chr.** Chr. Robinson's English Admiralty Reports.

**Rob. Consc. Cas.** Robards' Conscript Cases, Texas.

**Rob. Ecc.** Robertson's English Ecclesiastical Reports.

**Rob. Eq.** Roberts' Principles of Equity.

**Rob. Jun.** William Robertson's English Admiralty Reports.

**Rob. L. & W.** Roberts, Leaming & Wallis' County Court Reports.

**Rob. La.** Robinson's Louisiana Reports.

**Rob. S. I.** Robertson's Sandwich Island (Hawaiian) Reports.

**Rob. Sc. App.** Robinson's Scotch Appeals, English House of Lords.

**Rob. Sr. Ct.** Robertson's New York Superior Court Reports.

**Rob. U. C.** Robinson's Reports, Upper Canada.

**Rob. Va.** Robinson's Virginia Reports.

**Rob. Wm. Adm.** William Robinson's English Admiralty Reports.

**Robards.** Robards' Reports, vols. 12, 13 Missouri;—Robards' Texas Conscript Cases.

**Robards & Jackson.** Robards & Jackson's Reports, vols. 26-27 Texas.

**Robb (or Robb Pat. Cas.).** Robb's United States Patent Cases.

**Roberts.** Roberts' Reports, vols. 29-31 Louisiana Annual.

**Robertson.** Robertson's Scotch Appeal Cases;—Robertson's New York Superior Court Reports;—Robertson's New York Marine Court Reports;—Robertson's English Ecclesiastical Reports;—Robertson's Hawaiian Reports. See, also, Rob.

**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;—Rob-

- inson'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.
- Robs. Bankr.** Robson's Bankrupt Practice;—Robertson's Handbook of Bankers' Law.
- Robt.** Robert;—Robertson.
- Roccus, Ins.** Roccus on Insurance.
- Rodman.** Rodman's Reports, vols. 78-82 Kentucky.
- Rog. Ecc. Law.** Rogers' Ecclesiastical Law.
- Rogers.** Rogers' Reports, vols. 47-51 Louisiana Annual.
- Rol. (or Roll).** Rolle's English King's Bench Reports.
- Roll.** Roll of the Term.
- Rolle.** Rolle's English King's Bench Reports.
- Rolle Abr.** Rolle's Abridgment.
- Rolle R.** Rolle's English Kings' Bench Reports.
- Rolls Ct. Rep.** Rolls' Court Reports.
- Rom.** Romilly's Notes of Cases, English Chancery.
- Rom. Law.** Mackeldy's Handbook of the Roman Law.
- Root.** Root's Connecticut Reports.
- Rop. Husb. & Wife.** Roper on Husband and Wife.
- Rop. Leg.** Roper on Legacies.
- Rosc. Adm.** Roscoe's Admiralty Jurisdiction and Practice.
- Rosc. Crim. Ev.** Roscoe on Criminal Evidence.
- Rosc. Jur.** Roscoe's Jurist, London.
- Rosc. N. P.** Roscoe's Nisi Prius.
- Rosc. Real Act.** Roscoe on Real Actions.
- Rose (or Rose B. C.).** Rose's Reports, English Bankruptcy.
- Rose Notes.** Rose's Notes on United States Reports.
- Rose W. C.** Rose Will Case, New York.
- Ross, Conv.** Ross' Lectures on Conveyancing, etc., Scotland.
- Ross Ldg. Cas.** Ross' Leading Cases on Commercial Law.
- Rot. Flor.** Rotæ Florentine (Reports of the Supreme Court, or Rota, of Florence).
- Rot. Parl.** Rotulæ Parliamentariæ.
- Rowe.** Rowe's Interesting Parliamentary and Military Cases.
- Rowe Rep.** Rowe's Reports (Irish).
- Rowell.** Rowell's Reports, vols. 45-52 Vermont.
- Roy. Dig.** Royall's Digest Virginia Reports.
- R. S.** Revised Statutes.
- 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.
- Rules Sup. Ct.** Rules of the Supreme Court.
- Runnells.** Runnells' Reports, vols. 38, 56 Iowa.
- Rus.** Russell.
- Russ.** Russell's English Chancery Reports.
- Russ. Arb.** Russell on Arbitrators.
- Russ. Crimes.** Russell on Crimes and Misdemeanors.
- Russ. Elect. Cas.** Russell's Election Cases, Nova Scotia;—Russell's Election Cases, Massachusetts.
- Russ. Eq. Rep.** Russell's Equity Decisions, Nova Scotia.
- Russ. Merc. Ag.** Russell on Mercantile Agency.
- Russ. N. Sc.** Russell's Equity Cases, Nova Scotia.
- Russ. t. Eld.** Russell's English Chancery Reports *tempore* Elden.
- Russ. & Ches.** Russell & Chesley's Reports, Nova Scotia.
- Russ. & Ches. Eq.** Russell & Chesley's Equity Reports, Nova Scotia.
- Russ. & Geld.** Russell & Geldert's Reports, Nova Scotia.
- Russ. & M.** Russell & Mylne's English Chancery Reports.
- Russ. & Ry.** Russell & Ryan's English Crown Cases Reserved.
- Rutg. Cas.** Rutger-Waddington Case, New York City, 1784.
- Ruth. Inst.** Rutherford's Institutes of Natural Law.
- Ry. Cas.** Reports of Railway Cases.
- Ry. Med. Jur.** Ryan's Medical Jurisprudence.
- Ry. & Can. Cas.** Railway and Canal Cases, England.
- Ry. & Can. Traf. Ca.** Railway and Canal Traffic Cases.
- Ry. & Corp. Law Jour.** Railway and Corporation Law Journal.
- Ry. & M. (or Ry. & M. N. P.).** Ryan & Moody's Nisi Prius Reports, English.
- Rymer.** Rymer's Fœdera.



## S

**S.** Shaw, Dunlop, & Bell's Scotch Court of Session Reports (1st Series);—Shaw's Scotch House of Lords Appeal Cases;—South-eastern Reporter (properly cited S. E.);—Southwestern Reporter (properly cited S. W.);—New York Supplement;—Supreme Court Reporter.

**S. A. L. R.** South Australian Law Reports.

**S. App.** Shaw's Scotch House of Lords Appeal Cases.

**S. Aust. L. R.** South Australian Law Reports.

**S. B.** Upper Bench, or Supreme Bench.

**S. C.** South Carolina;—South Carolina Reports, New Series;—Same Case;—Superior Court;—Supreme Court;—Sessions Cases;—Samuel Carter (see Orlando Bridgman).

**S. C. A.** Supreme and Exchequer Courts Act, Canada.

**S. C. Bar Assn.** South Carolina Bar Association.

**S. C. C.** Select Chancery Cases (part 3 of Cases in Chancery);—Small Cause Court, India.

**S. C. Dig.** Cassell's Supreme Court Digest, Canada.

**S. C. E.** Select Cases Relating to Evidence, Strange.

**S. C. R.** South Carolina Reports, New Series;—Harper's South Carolina Reports;—Supreme Court Reports;—Supreme Court Rules;—Supreme Court of Canada Reports.

**S. Car.** South Carolina;—South Carolina Reports, New Series.

**S. Ct.** Supreme Court Reporter.

**S. D.** South Dakota;—South Dakota Reports.

**S. D. A.** Sudder Dewanny Adawlut Reports, India.

**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.** Southeastern Reporter.

**S. F.** Used by the West Publishing Company to locate place where decision is from, as, "S. F. 59," San Francisco Case No. 59 on Docket.

**S. F. A.** Sudder Foujdaree Adawlut Reports, India.

**S. Just.** Shaw's Justiciary Cases, Scotland.

**S. L. C.** Smith's Leading Cases.

**S. L. C. App.** Stuart's Lower Canada Appeal Cases.

**S. L. J.** Scottish Law Journal, Edinburgh.

**S. R.** State Reporter, New York.

**S. S.** Synopsis Series of United States Treasury Decisions.

**S. S. C.** Sandford's New York City Superior Court Reports.

**S. T. (or St. Tri.).** State Trials.

**S. T. D.** Synopsis Treasurer's Decisions.

**S. Teind.** Shaw's Teind Cases, Scotland.

**S. V. A. R.** Stuart's Vice-Admiralty Reports, Quebec.

**S. W.** Southwestern;—Southwestern Reporter.

**S. W. (2d).** South Western Reporter, Second Series.

**S. W. Rep.** Southwestern Reporter (commonly cited S. W.).

**S. & B.** Smith & Batty's Irish King's Bench Reports.

**S. & C.** Saunders & Cole's English Bail Court Reports;—Swan & Critchfield, Revised Statutes, Ohio.

**S. & D.** Shaw, Dunlop, & Bell's Scotch Court of Session Reports (1st series).

**S. & G.** Smale & Giffard, English.

**S. & L.** Schoales & Lefroy's Irish Chancery Reports.

**S. & M.** Shaw & Maclean's Appeal Cases, House of Lords;—Smedes & Marshall's Mississippi Reports.

**S. & M. Ch.** Smedes & Marshall's Mississippi Chancery Reports.

**S. & R.** Sergeant & Rawle's Pennsylvania Reports.

**S. & S.** Sausse & Scully's Irish Rolls Court Reports;—Simons & Stuart, English Vice-Chancellors' Reports;—Swan & Sayler, Revised Statutes of Ohio.

**S. & Sm.** Searle & Smith's English Probate and Divorce Reports.

**S. & T.** Swabey & Tristram's English Probate and Divorce Reports.

**Sal.** Salinger's Reports, vols. 90–108 Iowa.

**Salk.** Salkeld's English King's Bench Reports.

**Salm. Abr.** Salmon's Abridgment of State Trials.

**Salm. St. R.** Salmon's Edition of the State Trials.

**Sand.** Sandford's New York Superior Court Reports.

**Sand. Ch.** Sandford's New York Chancery Reports.

**Sand. I. Rep.** Sandwich Island (Hawaiian) Reports.

**Sandars, Just. Inst.** Sandars' Edition of Justinian's Institutes.

**Sandf.** Sandford's New York Superior Court Reports.

**Sandf. Ch.** Sandford's New York Chancery Reports.

**Sandl. St. Pap.** Sandler's State Papers.

**Sanf.** Sanford's Reports, vol. 59 Alabama.

**Sar. Ch. Sen.** Saratoga Chancery Sentinel.

**Sau. & Sc.** Sausse & Scully's Irish Rolls Court Reports.

**Sauls.** Saulsbury's Reports, vols. 5–6 Delaware.

**Saund.** Saunders' English King's Bench Reports.

**Saund. Pl. & Ev.** Saunders' Pleading and Evidence.

- Saund. & C.** Saunders & Cole's English Bail Court Reports.
- Saund. & Mac.** Saunders & Macrae's English County Court Cases.
- Sausse & Sc.** Sausse & Scully's Irish Rolks Court Reports.
- Sav.** Savile's English Common Pleas Reports.
- Sav. Dr. Rom.** Savigny Droit Romaine.
- Sav. Priv.** Trial of the Savannah Privateers.
- Sav. Syst.** Savigny, System des Heutigen Römischen Richts.
- Saw. (or Sawy.).** Sawyer's United States Circuit Court Reports.
- Sax. (or Saxt.).** Saxton's New Jersey Chancery Reports.
- Say. (or Sayer).** Sayer's English King's Bench Reports.
- Sc. Scilicet** (that is to say);—Scaccaria (Exchequer);—Scott's Reports, English Common Pleas;—Scott;—Scammon's Reports, vols. 2-5 Illinois.
- Sc. Jur.** Scottish Jurist.
- Sc. L. R.** Scottish Law Reporter, Edinburgh.
- Sc. N. R.** Scott's New Reports.
- Sc. Sess. Cas.** Scotch Court of Session Cases.
- Sc. & Div. App.** Scotch and Divorce Appeals (Law Reports).
- Scac.** Scaccaria Curia (Court of Exchequer).
- Scam.** Scammon's Reports, vols. 2-5 Illinois.
- Sch. & Lef.** Schoales & Lefroy's Irish Chancery Reports.
- Schalk.** Schalk's Jamaica Reports.
- Scher.** Scherer, New York Miscellaneous Reports.
- Schm. Civil Law.** Schmidt's Civil Law of Spain and Mexico.
- Schomberg, Mar. Laws Rhodes.** Schomberg, Treatise on the Maritime Laws of Rhodes.
- Schouler, Pers. Prop.** Schouler on Personal Property.
- Schouler, Wills.** Schouler on Wills.
- Sci. fa. ad dis. deb.** *Scire facias ad disprobandum debitum.*
- Sco.** Scott's English Common Pleas Reports.
- Sco. N. R.** Scott's New Reports, English Common Pleas.
- Scot.** Scotland;—Scottish.
- Scot. Jur.** Scottish Jurist, Edinburgh.
- Scot. L. R.** Scottish Law Reporter, Edinburgh;—Scottish Law Review, Glasgow.
- Scot L. T.** Scot Law Times, Edinburgh.
- Scott.** Scott's English Common Pleas Reports;—Scott's New York Civil Procedure.
- Scott J.** Reporter, English Common Bench Reports.
- Scott N. R.** Scott's New Reports, English Common Pleas.
- Scr. L. T.** Scranton Law Times, Pennsylvania.
- S. E. R.** Southeastern Reporter.
- Searle & Sm.** Searle & Smith's English Probate and Divorce Reports.
- Seb. Trade-Marks.** Sebastian on Trade-Marks.
- Sec. leg.** *Secundum legum* (according to law).
- Sec. reg.** *Secundum regulam* (according to rule).
- Secd. pt. Edw. III.** Part 3 of the Year Books.
- Secd. pt. H. VI.** Part 8 of the Year Books.
- Sedg. L. Cas.** Sedgwick's Leading Cases on Damages;—Sedgwick's Leading Cases on Real Property.
- Sedg. St. & Const. Law.** Sedgwick on Statutory and Constitutional Law.
- Seign. Rep.** Seigniorial Reports, Lower Canada.
- Sel. Cas. Ch.** Select Cases in Chancery (part 3 of Cases in Chancery).
- Sel. Cas. D. A.** Select Cases (Sudder), Dewanny Adawlut, India.
- Sel. Cas. Ev.** Select Cases in Evidence (Strange).
- Sel. Cas. N. F.** Select Cases, Newfoundland.
- Sel. Cas. N. W. P.** Selected Cases, Northwest Provinces, India.
- Sel. Cas. N. Y.** Yates' Select Cases, New York.
- Sel. Cas. t. Br.** Cooper's Select Cases *tempore* Brougham.
- Sel. Cas. t. King.** Select Cases in Chancery *tempore* King.
- Sel. Cas. t. Nap.** (Drury's) Select Cases *tempore* Napier, Irish Chancery.
- Sel. Cas. with Opin.** Select Cases with Opinions, by a Solicitor.
- Sel. Dec. Bomb.** Selected Decisions, Sudder Dewanny Adawlut, Bombay.
- Sel. Dec. Madr.** Select Decrees, Sudr Udawlut, Madras.
- Sel. Pr.** Sellon's Practice.
- Seld.** Selden's Reports, vol. 5-10 New York Court of Appeals.
- Seld. Notes.** Selden's Notes, New York Court of Appeals.
- Seld. Tit. Hon.** Selden's Titles of Honor.
- Selden.** Selden's Reports, New York Court of Appeals.
- Sell. Pr.** Sellon's Practice in the King's Bench.
- Selw. N. P.** Selwyn's Law of Nisi Prius.
- Selw. & Barn.** The First Part of Barnewall & Alderson's English King's Bench Reports.
- Serg. Land Laws Pa.** Sergeant on the Land Laws of Pennsylvania.
- Serg. & Lowb. Rep.** English Common Law Reports, American reprints edited by Sergeant & Lowber.
- Serg. & R.** Sergeant & Rawle's Pennsylvania Reports.
- Sess. Cas.** Sessions Cases (English King's Bench Reports);—Scotch Court of Session Cases.

**Sess. Cas. Sc.** Scotch Court of Session Cases.

**Sess. Pap. C. C. C.** Session Papers, Central Criminal Court.

**Sess. Pap. O. B.** Session Papers, Old Bailey.

**Set. (or Sett. & Rem.) Cas.** English Settlement and Removal Cases (Burrow's Settlement Cases).

**Sev. H. C.** Sevestre's High Court Reports, Bengal.

**Sev. S. D. A.** Sevestre's Sudder Dewanny Adawlut Reports, Bengal.

**Sewell, Sheriffs.** Sewell on the Law of Sheriffs.

**Sh.** Shower's English Parliamentary Cases;—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;—Shadforth's Reserved Judgments, Victoria.

**Sh. App.** Shaw's Scotch Appeal Cases.

**Sh. Crim. Cas.** Shaw's Criminal Cases (Justiciary Court).

**Sh. Dig.** Shaw's Digest of Decisions, Scotland.

**Sh. Jus.** Shaw's Justiciary Cases, Scotland.

**Sh. W. & C.** Shaw, Wilson & Courtenay's Scotch Appeals Reports (Wilson & Shaw's Reports).

**Sh. & Dunl.** Shaw & Dunlop's Scotch Court of Session Reports (1st Series).

**Sh. & Macl.** Shaw & Maclean's Scotch Appeal Cases.

**Shad.** Shadford's Victoria Reports.

**Shan.** Shannon's Tennessee Cases.

**Shand.** Shand's Reports, vols. 11-44 South Carolina.

**Shars. Bl. Comm.** Sharswood's Blackstone's Commentaries.

**Shars. Tab. Ca.** Sharswood's Table of Cases, Connecticut.

**Shaw.** 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.

**Shaw (G. B.).** G. B. Shaw's Reports, vols. 10, 11 Vermont.

**Shaw (W. G.).** W. G. Shaw's Reports, 30-35 Vermont.

**Shaw. Dec.** Shaw's, etc., Decisions in the Scotch Court of Session (1st Series).

**Shaw, Dunl. & B.** Shaw, Dunlop & Bell's (1st Series) Scotch Session Cases.

**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, W. & C.** Shaw, Wilson & Courtenay, Scotch (same as Wilson & Shaw).

**Shaw & Macl.** Shaw & Maclean, Scotch.

**Shel.** Sheldon (see Sheld.).

**Shel. Ca.** Shelley's Case in vol. 1 Coke's Reports.

**Sheld. (or Sheldon).** Sheldon's Reports, Superior Court of Buffalo, New York.

**Shelf. Lun.** Shelford on Lunacy.

**Shelf. Mar. & Div.** Shelford on Marriage and Divorce.

**Shep.** Shepley's Reports, vols. 13-18 and 21-39 Maine;—Shepherd's Reports, Alabama.

**Shep. Abr.** Sheppard's Abridgment.

**Shep. Sel. Cas.** Shepherd's Select Cases, Alabama.

**Shep. Touch.** Sheppard's Touchstone.

**Sher. Ct. Rep.** Sheriff Court Reports, Scotland;—Sheriff Court Reporter.

**Shiel.** Shiel's Reports, Cape Colony.

**Shipp.** Shipp's Reports, vols. 66, 67 North Carolina.

**Shirl.** Shirley's Reports, vols. 49-55 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, vols. 46-146 New York Court of Appeals.

**Sick. Min. Dec.** Sickels' Mining Laws and Decisions.

**Sick. Op.** Sickels' Opinions of the New York Attorneys-General.

**Sid.** Siderfin's English King's Bench Reports.

**Silv.** Silvernail's Unreported Cases, New York Court of Appeals;—Unreported Cases, New York Supreme Court;—Criminal Reports, New York.

**Silv. Cit.** Silvernail's New York Citations.

**Sim.** Simons' English Vice-Chancery Reports;—Simmons' Reports, vols. 95-97, 99 Wisconsin.

**Sim. N. S.** Simons' English Vice-Chancery Reports, New Series.

**Sim. & C.** Simmons & Conover's Reports, vols. 95-97, 99 Wisconsin.

**Sim. & Stu. (or Sim. & S.).** Simons & Stuart's English Vice-Chancery Reports.

**Sinclair.** Sinclair's Manuscript Decisions, Scotch Session Cases.

**Sir T. J.** Sir Thomas Jones' Reports.

**Six Circ.** Cases on the Six Circuits, Irish.

- Skene.** Skene's De Verborum Significatione.
- Skill. Pol. Rep.** Skillman's New York Police Reports.
- Skin.** Skinner's English King's Bench Reports.
- Skinker.** Skinker's Reports, vols. 65-79 Missouri.
- Slade.** Slade's Reports, vol. 15 Vermont.
- Sm. Ac.** Smith's Actions at Law.
- Sm. C. C. M.** Smith's Circuit Courts-Martial Reports, Maine.
- Sm. Cond. Ala.** Smith's Condensed Alabama Reports.
- Sm. E. D.** E. D. Smith's Reports, New York.
- Sm. Eq.** Smith's (J. W.) Manual of Equity;—Smith's Principles of Equity.
- Sm. L. C.** Smith's Leading Cases.
- Sm. L. Cas. Com. L.** Smith's Leading Cases on Commercial Law.
- Sm. & B. R. R. Cas.** Smith & Bates' American Railway Cases.
- Sm. & Bat.** Smith & Batty's Irish King's Bench Reports.
- Sm. & G.** Smale & Giffard's English Vice-Chancellors' Reports;—Smith & Guthrie's Reports, vols. 81-83 Missouri Appeals.
- Sm. & M.** Smedes & Marshall's Mississippi Reports.
- Sm. & M. Ch.** Smedes & Marshall's Mississippi Chancery Reports.
- Sma. & Giff.** Smale & Giffard's English Vice-Chancellors' Reports.
- Smed. & M.** Smedes & Marshall's Mississippi Reports.
- Smed. & M. Ch.** Smedes & Marshall's Mississippi Chancery Reports.
- Smedes & M. (Miss.).** Smedes & Marshall's Mississippi Reports.
- Smi. & Bat.** Smith & Batty's Irish King's Bench Reports.
- 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;—Smith, English Registration;—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. 81-83 Missouri Appeals.
- Smith, Act.** Smith's Actions at Law.
- Smith C. P. (or E. D.).** E. D. Smith's Common Pleas Reports, New York.
- Smith, Ch. Pr.** Smith's Chancery Practice.
- Smith, Cont.** Smith on Contracts.
- Smith de Rep. Angl.** Smith (Sir Thomas), De Republica Anglica [The Commonwealth of England and the Manner of Government Thereof. 1621.]
- Smith, Dict. Antiq.** Smith's Dictionary of Greek and Roman Antiquities.
- Smith E. H.** Smith's (E. H.) Reports, vols. 147-162 New York Court of Appeals.
- Smith E. P. (or 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 L. C.** Smith's Leading Cases.
- Smith, Laws Pa.** Smith's Laws of Pennsylvania.
- Smith, Lead. Cas.** Smith's Leading Cases.
- Smith Me.** Smith's Reports, vols. 61-64 Maine.
- Smith, Merc. Law.** Smith on Mercantile Law.
- 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 Pa.).** P. F. Smith's Pennsylvania State Reports.
- Smith, Wealth Nat.** Smith, Inquiry into the Nature and Causes of the Wealth of Nations.
- Smith Wis.** Smith's Reports, vols. 1-11 Wisconsin.
- Smith & B.** Smith & Batty's Irish King's Bench Reports;—Smith & Bates' American Railway Cases.
- Smith & B. R. R. C.** Smith & Bates' American Railway Cases.
- Smith & G.** Smith & Guthrie's Missouri Appeals Reports.
- Smoult.** Notes of Cases in Smoult's Collection of Orders, Calcutta.
- Smy. (or Smythe).** Smythe's Irish Common Pleas Reports.
- Sneed.** Sneed's Tennessee Reports;—Sneed's Kentucky Decisions.
- Sneed Dec.** Sneed's Kentucky Decisions.
- Snell, Eq.** Snell's Principles in Equity.
- Snow.** Snow's Reports, vol. 3 Utah.
- So.** Southern Reporter.
- So. Aus. L. R.** South Australian Law Reports.
- So. Car.** South Carolina;—South Carolina Reports.
- So. Car. Const.** South Carolina Constitutional Reports (by Treadway, by Mill, or by Harper).
- So. Car. L. J.** South Carolina Law Journal, Columbia.
- So. East. Rep.** Southeastern Reporter.
- So. Rep.** Southern Reporter (commonly cited South. or So.).
- So. West. Rep.** Southwestern Reporter (commonly cited S. W.).
- Soc. Econ.** Social Economist.
- Sol. J.** Solicitors' Journal, London.

**Sol. J. & R.** Solicitors' Law Journal and Reporter, London.

**Somn. Gavelkind (or Somner).** Somner on Gavelkind.

**Sou. Aus. L. R.** South Australian Law Reports.

**South.** Southern Reporter.

**South Car.** South Carolina.

**Southard.** Southard's New Jersey Reports.

**Southw. L. J.** Southwestern Law Journal and Reporter.

**Sp.** Spink's English Ecclesiastical and Admiralty Reports;—Spears' South Carolina Law Reports.

**Sp. Eq. (or Ch.).** Spears' South Carolina Equity Reports.

**Sp. Pr. Cas.** Spink's Prize Cases.

**Sp. & Sel. Cas.** Special and Selected Law Cases.

**Sparks.** Sparks' Reports, British Burmah.

**Spaulding.** Spaulding's Reports, vols. 71-80 Maine.

**Spears (or Speers).** Spears' (or Speers') South Carolina Law Reports.

**Spears (or Speers) Eq.** Spears' (or Speers') South Carolina Equity Reports.

**Spel. Feuds.** Spelman, Feuds.

**Spel. Rep.** Spelman's Reports, Manuscript, English King's Bench.

**Spelman.** Spelman, Glossarium Archaologicum.

**Spence, Ch.** Spence's Equitable Jurisdiction of the Court of Chancery.

**Spence, Eq. Jur.** Spence's Equitable Jurisdiction of the Court of Chancery.

**Spencer.** Spencer's New Jersey Reports;—Spencer's Reports, vols. 10-20 Minnesota.

**Spinks.** Spinks' English Ecclesiastical and Admiralty Reports.

**Spinks, P. C.** Spinks' English Prize Cases.

**Spooner.** Spooner's Reports, vols. 12-15 Wisconsin.

**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.** State;—Story's United States Circuit Court Reports (see Sto.);—Stair's Scotch Court of Session Reports;—Stuart's (Milne & Peddie) Scotch Session Cases;—Statutes.

**St. at Large.** South Carolina Session Laws.

**St. Cas.** Stillingfleet's Ecclesiastical Cases, English.

**St. Ch. Cas.** Star Chamber Cases.

**St. Clem.** St. Clement's Church Case, Philadelphia.

**St. Eccl. Cas.** Stillingfleet's Ecclesiastical Cases.

**St. M. & P.** Stuart, Milne & Peddie, Scotch.

**St. Mark.** St. Mark's Church Case, Philadelphia.

**St. Marlb.** Statute of Marlbridge.

**St. Mert.** Statute of Merton.

**St. Rep.** State Reports;—State Reporter.

**St. Tr.** The State Trials, English.

**St. Westm.** Statute of Westminster.

**Stafford.** Stafford's Reports, vols. 69-71 Vermont.

**Stair.** Stair's Reports, Scotch Court of Session.

**Stair, Inst.** Stair's Institutes of the Laws of Scotland.

**Stanton.** Stanton's Reports, vols. 11-13 Ohio.

**Star.** Starkie's English Nisi Prius Reports.

**Star Ch. Ca.** Star Chamber Cases.

**Stark. N. P.** Starkie's English Nisi Prius Reports.

**Starkie, Ev.** Starkie on Evidence.

**Stat. (or Stat. at L.).** United States Statutes at Large.

**State Tr.** State Trials, English.

**Staundef.** Staundeforde, Exposition of the King's Prerogative.

**Staundef. P. C.** Staundeforde, Les Plees del Coron.

**Stearns, Real Act.** Stearns' Real Actions.

**Steph. Comm.** Stephen's Commentaries on English Law.

**Steph. Crim. Dig.** Stephen's Digest of the Criminal Law.

**Steph. Dig.** Stephen's Quebec Law Digest.

**Steph. Ev.** Stephen's Digest of the Law of Evidence.

**Steph. Lect.** Stephen, Lectures on History of France.

**Steph. Pl.** Stephen on Pleading.

**Stev. Dig.** Stevens' New Brunswick Digest.

**Stevens & G.** Stevens & Graham's Reports, vols. 80-111 Georgia.

**Stew.** Stewart's Alabama Reports;—Stewart's New Jersey Equity Reports;—Stewart's (R. W.) Reports, vols. 1-10 South Dakota.

**Stew. (N. J.).** Stewart's New Jersey Equity Reports.

**Stew. Adm.** Stewart's Vice-Admiralty Reports, Nova Scotia.

**Stew. Eq.** Stewart's Reports, vols. 28-45 New Jersey Equity.

**Stew. N. Sc.** Stewart's Admiralty Reports, Nova Scotia.

**Stew. V. A.** Stewart's Vice-Admiralty Reports, Nova Scotia.

**Stew. & P.** Stewart & Porter's Alabama Reports.

**Stiles.** Stiles' Reports, vols. 22-29 Iowa.

**Still. Eccl. Cas.** Stillingfleet's Ecclesiastical Cases.

**Stim. Gloss. (or Stim. Law Gloss.).** Stimson's Law Glossary.

- Stimson.** Stimson's Law Glossary.
- Stiness.** Stiness' Reports, vols. 20-21 Rhode Island.
- Sto. (or Sto. C. C.).** Story's United States Circuit Court Reports.
- Stock.** Stockton's New Jersey Equity Reports;—Stockton, New Brunswick (same as Berton's Reports).
- Stockett.** Stockett's Reports, vols. 27-79 Maryland.
- Stockt. Ch.** Stockton's New Jersey Chancery Reports.
- Story.** Story's United States Circuit Court Reports. See, also, Sto.
- Story, Ag.** Story on Agency.
- Story, Bailm.** Story on Bailments.
- Story, Bills.** Story on Bills.
- Story, Conf. Laws.** Story on Conflict of Laws.
- Story, Const.** Story on the Constitution.
- Story, Cont.** Story on Contracts.
- Story, Eq. Jur.** Story's Equity Jurisprudence.
- Story, Eq. Pl.** Story's Equity Pleading.
- Story, Laws.** Story's Laws of the United States.
- Story, Partn.** Story on Partnership.
- Story, Prom. Notes.** Story on Promissory Notes.
- Story, U. S. Laws.** Story's Laws of the United States.
- Str.** Strange's English King's Bench Reports.
- Str. Cas. Ev. (or Str. Svo.).** Strange's Cases of Evidence ("Octavo Strange").
- Str. N. C.** Sir T. Strange's Notes of Cases, Madras.
- Stra.** Strange.
- Strahan.** Strahan's Reports, vol. 19 Oregon.
- Stran.** Strangé.
- Strange.** Strange's Reports, English Courts.
- Strange, Madras.** Strange's Notes of Cases, Madras.
- Stratton.** Stratton's Reports, vols. 12-14 Oregon.
- Stringfellow.** Stringfellow's Reports, vols. 9-11 Missouri.
- Strob.** Strobhart's South Carolina Law Reports.
- Strob. Eq. (or Ch.).** Strobhart's South Carolina Equity Reports.
- Struve.** Struve's Reports, vol. 3 Washington Territory.
- Stu. Adm. (or V. A.).** Stuart's Lower Canada Vice-Admiralty Reports.
- Stu. Ap.** Stuart's Appeal Cases (Lower Canada King's Bench Reports).
- Stu. K. B. (or L. C.).** Stuart's Lower Canada King's Bench Reports.
- Stu. Mil. & Ped.** Stuart, Milne & Peddie's Scotch Court of Session Reports.
- 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.
- Stud. Hist.** Studies in History, Economics and Public Law.
- Sty.** Style's English King's Bench Reports.
- Sty. Pr. Reg.** Style's Practical Register.
- Sud. Dew. Ad.** Sudder Dewanny Adawlut Reports, India.
- Sud. Dew. Rep.** Sudder Dewanny's Reports, Northwest Provinces, India.
- Sugd. Powers.** Sugden on Powers.
- Sugd. Vend.** Sugden on Vendors and Purchasers.
- Sull. Lect.** Sullivan's Lectures on Constitution and Laws of England.
- Sum.** Sumner's United States Circuit Court Reports.
- Summ. Dec.** Summary Decisions, Bengal.
- Summerfield, S.** Summerfield's (S.) Reports, vol. 21 Nevada.
- Sumn.** Sumner's United States Circuit Court Reports.
- Sumn. Ves. (or Sum. Ves.).** Sumner's Edition of Vesey's Reports.
- Sup.** Supreme.
- Sup. Ct.** Supreme Court Reporter.
- Sup. Ct. Rep.** Supreme Court Reporter of Decisions of United States Supreme Court.
- Super.** Superior Court;—Superior Court Reports.
- Supp.** New York Supplement Reports.
- Supp. Ves. Jun.** Supplement to Vesey, Jr.'s Reports.
- Supr.** Supreme;—Superior Court Reports.
- Surr.** Surrogate.
- Susq. L. C.** Susquehanna Leading Chronicle.
- Suth.** Sutherland's Reports.
- Suth. Bengal.** Sutherland's High Court Reports, Bengal.
- Suth. Dam.** Sutherland on the Law of Damages.
- Suth. F. B. R.** Sutherland's Full Bench Rulings, Bengal.
- Suth. P. C. J. (or A.).** Sutherland's Privy Council Judgments or Appeals.
- Suth. W. R.** Sutherland's Weekly Reporter, Calcutta.
- 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;—Swan;—Sweet;—Swift.
- Sw. (or Swab.) & Tr.** Swabey & Tristram's English Probate and Divorce Reports.
- Swab. (or Swab. Admr.).** Swabey's English Admiralty Reports.
- Swan.** Swan's Tennessee Reports;—Swanston's English Chancery Reports.
- Swan. Ch.** Swanston's English Chancery Reports.
- Swan Tr.** Swan's Treatise, Ohio.

**Swan '41.** Swan's Revised Statutes of Ohio, 1841.

**Swan '54.** Swan's Revised Statutes of Ohio, 1854.

**Swans. (or Swanst.).** Swanston's English Chancery Reports.

**Sween.** Sweeney's New York Superior Court Reports.

**Sweet.** Sweet's Law Dictionary;—Sweet on the Limited Liability Act;—Sweet's Marriage Settlement Cases;—Sweet's Precedents in Conveyancing;—Sweet on Wills.

**Sweet M. Sett. Cas.** Sweet's Marriage Settlement Cases.

**Swift, Dig.** Swift's Digest, Connecticut.  
**Swin.** Swinton's Scotch Justiciary Reports.

**Swin. Jus. Cas.** Swinton's Scotch Justiciary Cases.

**Swin. Reg. App.** Swinton's Scotch Registration Appeal Cases.

**Swinb. Wills.** Swinburne on Wills.

**Swint.** Swinton's Justiciary Cases, Scotland.

**Syme.** Syme's Scotch Justiciary Reports.

**Syn. Ser.** Synopsis Series of the United States Treasury Decisions.

## T

**T.** Territory;—Tappan's Ohio Reports.

**T. B. Mon.** T. B. Monroe's Kentucky Reports.

**T. B. & M.** Tracewell, Bowers & Mitchell, United States Comptroller's Decisions, 1898.

**T. Jones (or 2 Jones).** T. Jones' English King's Bench Reports.

**T. L. R.** Times Law Reports.

**T. R.** Term Reports, Durnford & East;—Teste Rege;—Dayton Term Reports.

**T. R. (N. Y.).** Caines' (Term) Reports, New York.

**T. R. E. (or T. E. R.).** Tempore Regis Edwardi.

**T. R. N. S.** Term Reports, New Series (East's Reports).

**T. Raym.** Sir T. Raymond's English King's Bench Reports.

**T. T. R.** Tarl Town Reports, New South Wales.

**T. U. P. Charit.** T. U. P. Charlton's Reports, Georgia.

**T. & C.** Thompson & Cook's New York Supreme Court Reports.

**T. & G.** Tyrwhitt & Granger's English Exchequer Reports.

**T. & M.** Temple & Mew's Crown Cases, English.

**T. & P.** Turner & Phillips' Reports, English Chancery.

**T. & R.** Turner & Russell's English Chancery Reports.

**Tait.** Tait's Manuscript Decisions, Scotch Session Cases.

**Tal. (or Talb.).** Cases *tempore* Talbot, English Chancery.

**Tam.** Tamlyn's English Rolls Court Reports.

**Tan. (or Taney).** Taney's United States Circuit Court Reports.

**Tanner.** Tanner's Reports, vols. 8-14 Indiana;—Tanner's Reports, vols. 13-17 Utah.

**Tap. (or Tapp.).** Tappan's Ohio Reports.

**Tarl. Term R.** Tarleton's Term Reports, New South Wales.

**Taun. (or Taunt.).** Taunton's English Common Pleas Reports.

**Tax Law Rep.** Tax Law Reporter.

**Tay.** Taylor (see Taylor);—Taylor's Reports, Ontario.

**Tay. J. L. (or Tay. N. C.).** J. L. Taylor's North Carolina Reports.

**Tay. U. C.** Taylor's Upper Canada Reports.

**Tay. & B.** Taylor & Bell's Bengal Reports.

**Tayl. Civil Law.** Taylor on Civil Law.

**Tayl. Ev.** Taylor on Evidence.

**Tayl. Gloss.** Taylor's Law Glossary.

**Tayl. Hist. Gav.** Taylor (Silas), History of Gavelkind.

**Tayl. Med. Jur.** Taylor's Medical Jurisprudence.

**Taylor.** Taylor's North Carolina Reports;—Taylor's Upper Canada Reports;—Taylor's Bengal Reports.

**Taylor U. C.** Taylor's King's Bench Reports, Upper Canada (now Ontario).

**Techn. Dict.** Crabb's Technological Dictionary.

**Temp.** *Tempore* (in the time of).

**Temp. Geo. II.** Cases in Chancery *tempore* George II.

**Temp. & M.** Temple & Mew's English Crown Cases.

**Ten. Cas.** Thompson's Unreported Cases, Tennessee;—Shannon's Cases, Tennessee.

**Tenn.** Tennessee;—Tennessee Reports (Overton's).

**Tenn. Ch.** Cooper's Tennessee Chancery Reports.

**Tenn. Leg. Rep.** Tennessee Legal Reporter, Nashville.

**Term.** Term Reports, English King's Bench (Durnford & East's Reports).

**Term N. C.** Term Reports, North Carolina, by Taylor.

**Term R.** Term Reports, English King's Bench (Durnford & East's Reports).

**Termes de la Ley.** Les Termes de la Ley.

**Terr.** Territory;—Terrell's Reports, vols. 38-71 Texas.

**Terr. & Walk.** Terrell & Walker's Reports, vols. 38-51 Texas.

**Tex.** Texas;—Texas Reports.

**Tex. App.** Texas Court of Appeals Reports (Criminal Cases);—Texas Civil Appeals Cases.

**Tex. Civ. App. (or Tex. Civ. Rep.).** Texas Civil Appeals Reports.

**Tex. Crim. Rep.** Texas Criminal Reports.

**Tex. Ct. Rep.** Texas Court Reporter.

**Tex. Supp.** Supplement to vol. 25, Texas Reports.

**Th.** Thomas (see Thom.);—Thomson (see Thom.);—Thompson (see Thomp.).

**Th. C. C.** Thatcher's Criminal Cases, Massachusetts.

**Th. C. Const. Law.** Thomas' Leading Cases in Constitutional Law.

**Th. & C.** Thompson & Cook's New York Supreme Court Reports.

**Thac. Cr. Cas.** Thacher's Massachusetts Criminal Reports.

**Thayer.** Thayer's Reports, vol. 18 Oregon.

**The Rep.** The Reporter;—The Reports (Coke's Reports).

**Them.** La Themis, Montreal, Quebec;—The American Themis, New York.

**Tho.** Thomas (see Thom.);—Thomson (see Thom.);—Thompson (see Thomp.).

**Thom.** Thomson's Reports, Nova Scotia;—Thomas' Reports, vol. 1 Wyoming.

**Thom. Co. Litt.** Thomas' Edition of Coke upon Littleton.

**Thom. Const. L. (or L. C.).** Thomas' Leading Cases on Constitutional Law.

**Thom. Dec. 1** Thomson, Nova Scotia Reports.

**Thom. Rep. 2** Thomson, Nova Scotia Reports.

**Thom. Sel. Dec.** Thomson's Select Decisions, Nova Scotia.

**Thom. & Fr.** Thomas & Franklin's Reports, vol. 1 Maryland Chancery.

**Thomas.** Thomas' Reports, Wyoming Territory.

**Thomas, Mortg.** Thomas on Mortgages.

**Thomp. Cal.** Thompson's Reports, vols. 39, 40 California.

**Thomp. Cit.** Thompson's Citations, Ohio;—Indiana.

**Thomp. N. B. Cas.** Thompson's National Bank Cases.

**Thomp. Neg.** Thompson's Cases on Negligence.

**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.

**Thorn.** Thornton's Notes of Cases, Ecclesiastical and Maritime.

**Thorpe.** Thorpe's Reports, vol. 52 Louisiana Annual.

**Thos.** Thomas (see Thom.).

**Tich. Tr.** Report of the Tichborne Trial, London.

**Tidd.** Tidd's Costs;—Tidd's Practice.

**Tidd Pr.** Tidd's Practice.

**Tiff. (or Tiffany).** Tiffany's Reports, vols. 28-39 New York Court of Appeals.

**Till. & Yates App.** Tillinghast & Yates on 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 Sessions.

**To. Jo.** Sir Thomas Jones' English King's Bench Reports.

**Tobey.** Tobey's Reports, vols. 9-10 Rhode Island.

**Tomkins & J. Mod. Rom. Law.** Tomkins & Jencken, Compendium of the Modern Roman Law.

**Toml. (or Toml. [Cas.]).** Tomlins' Election Evidence Cases.

**Toml. Supp. Br.** Tomlins' Supplement to Brown's Parliamentary Cases.

**Tot. (or Toth.).** Tothill's English Chancery Reports.

**Touch.** Sheppard's Touchstone.

**Toull.** Toullier's Droit Civil Français.

**Toull. Droit Civil Fr. (or Toullier, Dr. Civ. Fr.).** Toullier's Droit Civil Français.

**Town. St. Tr.** Townsend's Modern State Trials.

**Townsh. Pl.** Townshend's Pleading.

**Tr. App.** New York Transcript Appeals.

**Tr. Ch.** Transactions of the High Court of Chancery (Tothill's Reports).

**Trace. & M.** Tracewell and Mitchell, United States Comptroller's Decisions.

**Traité du Mar.** Pothier, Traité du Contrat de Mariage.

**Trans. App.** Transcript Appeals, New York.

**Tray. Lat. Max. (or Leg. Max.).** Trayner, Latin Maxims and Phrases, etc.

**Tread. (or Tread. Const. [S. C.]).** Treadway's South Carolina Constitutional Reports.

**Tred.** Tredgold's Reports, Cape Colony.

**Tri. Bish.** Trial of the Seven Bishops.

**Tri. E. of Gov.** Trial of the Earl of Coventry.

**Tripp.** Tripp's Reports, vols. 5-6 Dakota.

**Tristram.** Tristram's Supplement to vol. 4 Swabey & Tristram.

**Troub. Lim. Partn.** Troubat on Limited Partnership.

**Tru. Railw. Rep.** Truman's American Railway Reports.

**True.** Trueman's New Brunswick Reports and Equity Cases.

**Tuck.** Tucker's New York Surrogate Reports;—Tucker's Select Cases, Newfoundland;—Tucker's Reports, vols. 156-175 Massachusetts;—Tucker's District of Columbia Appeals Reports.

**Tuck. Sel. Cas.** Tucker's Select Cases, Newfoundland.



**Tuck. Surr.** Tucker's Surrogate Reports, City of New York.

**Tud. Cas. Merc. Law.** Tudor's Leading Cases on Mercantile Law.

**Tud. Cas. R. P.** Tudor's Leading Cases on Real Property.

**Tud. Char. Trusts.** Tudor on Charitable Trusts.

**Tudor, Lead. Cas. Real Prop.** Tudor's Leading Cases on Real Property.

**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. Anglo Sax.** Turner, History of the Anglo Saxons.

**Turn. & Ph.** Turner & Phillips' Reports, English Chancery.

**Turn. & R.** Turner & Russell's English Chancery Reports.

**Turn. & Rus. (or Russ.).** Turner & Russell's English Chancery Reports.

**Tuttle.** Tuttle's Reports, vols. 23-32 and 41-52 California.

**Tuttle & Carpenter.** Tuttle & Carpenter's Reports, vol. 52 California.

**Ty.** Tyler.

**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 English Exchequer Reports.

**Tytler, Mil. Law.** Tytler on Military Law and Courts-Martial.

## U

**U.** Utah;—Utah Reports.

**U. B.** Upper Bench.

**U. B. Pr.** Upper Bench Precedents *tempore* Car. I.

**U. C.** Upper Canada.

**U. C. App.** Upper Canada Appeals.

**U. C. C. P.** Upper Canada Common Pleas Reports.

**U. C. Ch.** Upper Canada Chancery Reports.

**U. C. Cham.** Upper Canada Chamber Reports.

**U. C. E. & A.** Upper Canada Error and Appeal Reports.

**U. C. Jur.** Upper Canada Jurist.

**U. C. K. B. (or U. C. O. S.).** Upper Canada King's Bench Reports, Old Series.

**U. C. Pr. (or P. R.).** Upper Canada Practice Reports.

**U. C. Q. B.** Upper Canada Queen's Bench Reports.

**U. C. Q. B. O. S. (or U. C. 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. K.** United Kingdom.

**U. S.** United States;—United States Reports.

**U. S. Ap. (or U. S. App.).** United States Appeals Reports.

**USCA** United States Code Annotatéd.

1938

**U. S. C. C.** United States Circuit Court;—United States Court of Claims.

**U. S. C. S.** United States Civil Service Commission.

**U. S. Comp. St.** United States Compiled Statutes.

**U. S. Comp. St. Supp.** United States Compiled Statutes Supplement.

**U. S. Ct. Cl.** Reports of the United States Court of Claims.

**U. S. D. C.** United States District Court;—United States District of Columbia.

**U. S. R.** United States Supreme Court Reports.

**U. S. R. S.** United States Revised Statutes.

**U. S. Reg.** United States Register, Philadelphia.

**U. S. Rev. St.** United States Revised Statutes.

**U. S. S. C. Rep.** United States Supreme Court Reports.

**U. S. St. at L.** United States Statutes at Large.

**U. S. St. Tr.** United States State Trials (Wharton's).

**Ulm. L. Rec.** Ulman's Law Record, New York.

**Underh. Torts.** Underhill on Torts.

**Up. Ben. Pre.** Upper Bench Precedents, *tempore* Car. I.

**Up. Can.** Upper Canada (see U. C.).

## V

- V.** Vermont;—Vermont Reports;—Victoria;—Virginia;—Virginia Reports.
- V. C. C.** Vice-Chancellor's Court.
- V. L. R.** Victorian Law Reports, Australia. (For Victorian see Vict.)
- V. N.** Van Ness' Prize Cases.
- V. R.** Vermont Reports.
- V. & B.** Vesey & Beames' English Chancery Reports.
- V. & S.** Vernon & Scriven's Irish King's Bench Reports.
- Va.** Virginia;—Virginia Reports;—Gilmer's Virginia Reports.
- Va. Bar. Assn.** Virginia State Bar Association.
- Va. Cas.** Virginia Cases (by Brockenbrough & Holmes).
- 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.
- Van. L.** Vander Linden's Practice, Cape Colony.
- Van N.** Van Ness' Prize Cases.
- Vanderstr.** Vanderstraaten's Ceylon Reports.
- Vatt.** Vattel's Law of Nations.
- Vatt. Law Nat. (or Vattel).** Vattel's Law of Nations.
- Vaug. (or Vaugh.).** Vaughan's English Common Pleas Reports.
- Vaughan.** Vaughan's English Common Pleas Reports.
- Vaux.** Vaux's Recorder's Decisions, Philadelphia.
- Ve. (or Ves.).** Vesey's English Chancery Reports.
- Ve. (or Ves.) & B.** Vesey & Beames' English Chancery Reports.
- Veazey.** Veazey's Reports, vols. 36-46 Vermont.
- Ventr.** Ventris' English Common Pleas Reports.
- Ventr.** Ventris' English King's Bench Reports.
- Ver. (or Verm.).** Vermont Reports.
- Vern.** Vernon's English Chancery Reports.
- Vern. & Scr. (or Scriv.).** Vernon & Scriven's Irish King's Bench Reports.
- Ves.** Vesey's English Chancery Reports.
- Ves. Jr.** Vesey, Jr.'s, English Chancery Reports.
- Ves. Jun. Supp.** Supplement to Vesey, Jr.'s, Reports, by Hovenden.
- Ves. Sen. (or Sr.).** Vesey, Sr.'s, English Chancery Reports.
- Ves. & B. (or Bea.).** Vesey & Beames' English Chancery Reports.
- Vet. Na. B.** Old Natura Brevium.
- Veze.** Vezey's (Vesey's) English Chancery Reports.
- Vicat. (or Vicat. Voc. Jur.).** Vocabularium jurisutriusque, ex variis editis.
- Viet.** Queen Victoria.
- Vict. L. R.** Victorian Law Reports, Australia.
- Vict. L. T.** Victorian Law Times, Melbourne.
- Viet. Rep.** Victorian Reports.
- Viet. Rev.** Victorian Review.
- Vict. St. Tr.** Victorian State Trials.
- Vil. & Br.** Vilas & Bryant's Edition of the Wisconsin Reports.
- Vilas.** Vilas' New York Criminal Reports.
- Vin. Abr.** Viner's Abridgment.
- Virg.** Virginia (see Va.);—Virgin.
- Virgin.** Virgin's Reports, vols. 52-60 Maine;—Virginia (see Va.).
- Viz.** *Videlicet* (that is to say).
- Vo.** *Verbo*.
- Voet, Com. ad Pand.** Voet, Commentarius ad Pandectas.
- Vr.** Vroom's New Jersey Reports.
- 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;—Vermont Reports.

## W

**W.** King William;—Wheaton's United States Supreme Court Reports;—Wendell's New York Reports;—Watt's Reports, Pennsylvania;—Weekly;—Wisconsin;—Wyoming;—Wright's Ohio Reports.

**W. A.** Western Australia.

**W. Bl.** Sir William Blackstone's English King's Bench Reports.

**W. C. C.** Washington's United States Circuit Court Reports.

**W. H. Chron.** Westminster Hall Chronicle, London.

**W. H. & G.** Welsby, Hurlstone & Gordon's English Exchequer Reports.

**W. Jo.** Sir William Jones' English King's Bench Reports.

**W. Kel.** William Kelynge's English Chancery Reports.

**W. N.** Weekly Notes, London.

**W. P. Cas.** Wollaston's English Bail Court (Practice) Cases.

**W. R.** Weekly Reporter, London;—Weekly Reporter, Bengal;—Wendell's New York Reports;—Wisconsin Reports;—West's Reports (English Chancery).

**W. Rep.** West's Reports *tempore* 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;—West Virginia Reports.

**W. W. & A. B. Vict.** Wyatt, Webb, & A'Beckett's Reports, Victoria.

**W. W. & D.** Willmore, Wollaston & Davison.

**W. W. & H.** Willmore, Wollaston, & Hodges' English Queen's Bench Reports.

**W. & B. Dig.** Walker & Bates' Digest, Ohio.

**W. & C.** Wilson & Courtenay's Scotch Appeal Cases (see Wilson & Shaw).

**W. & L. Dig.** Wood & Long's Digest, Illinois.

**W. & M.** Woodbury & Minot's United States Circuit Court Reports;—William & Mary.

**W. & S.** Watts & Sergeant's Pennsylvania Reports;—Wilson & Shaw's Scotch Appeal Cases.

**W. & S. App.** Wilson & Shaw's Scotch Appeals, English House of Lords.

**W. & T. Eq. Ca. (or L. C.).** White & Tudor's Leading Cases in Equity.

**W. & W.** White & Wilson's Texas Court of Appeals, Civil Cases.

**W. & W. Vict.** Wyatt & Webb's Victorian Reports.

**Wa.** Watts' Reports, Pennsylvania;—Wales.

**Wait, Act. & Def.** Wait's Actions and Defences.

**Wait Dig.** Wait's Digest, New York.

**Wait St. Pap.** Wait's State Papers of the United States.

**Wal.** Wallace (see Wall).

**Wal. by L.** Wallis' Irish Reports, by Lyne.

**Wal. Jr. (or Wall. Jr.).** Wallace's (J. W.) United States Circuit Court Reports.

**Walk. (or Walker).** 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. (Pa.).** Walker's Pennsylvania Reports.

**Walk. Ch. (or Mich.).** Walker's Michigan Chancery Reports.

**Walk. Miss.** Walker's Mississippi Reports.

**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. Rep.** Wallace on the Reporters;—Wallace's United States Supreme Court Reports.

**Wall. S. C.** Wallaco's United States Supreme Court Reports.

**Wall. Sen. (or Wal. Sr.).** Wallace's (J. B.) United States Circuit Court Reports.

**Wallis.** Wallis' Irish Chancery Reports.

**Wallis by L.** Wallis' Irish Chancery Reports, by Lyne.

**Walsh.** Walsh's Registry Cases, Ireland.

**Ward.** Warden's Reports, Ohio;—Warden & Smith's Reports, Ohio.

**Ward, Leg.** Ward on Legacies.

**Warden.** Warden's Reports, vols. 2, 4 Ohio State.

**Warden & Smith.** Warden & Smith's Reports, vol. 3 Ohio State.

**Ware.** Ware's United States District Court Reports.

**Warth Code.** West Virginia Code, 1899.

**Warv. Abst.** Warvelle on Abstracts of Title.

**Wash.** Washington;—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. St.** Washington State Reports.

**Wash. Ter.** Washington Territory Reports.

**Wash. Ter. N. S.** Allen's Washington Territory Reports, New Series.

- Wash. Va.** Washington's Virginia Reports.
- Wash. & Haz. P. E. I.** Washburton & Hazard's Reports, Prince Edward Island.
- Washb. Real Prop.** Washburn on Real Property.
- Washburn.** Washburn's Reports, vols. 16-23 Vermont.
- Wat.** Watkins;—Watson.
- Wat. C. G. H.** Watermeyer's Cape of Good Hope Reports.
- Wat. Cr. Dig.** Waterman's Criminal Digest, United States.
- Watermeyer.** Watermeyer's Cape of Good Hope Reports.
- Watk. Conv.** Watkins' Conveyancing.
- Watk. Copyh.** Watkins' Copyholds.
- Wats. Arb.** Watson on Arbitration.
- Wats. Cler. Law.** Watson's Clergyman's Law.
- Wats. Comp. Eq.** Watson's Compendium of Equity.
- Watts.** Watts' Pennsylvania Reports;—Watts' Reports, vols. 16-24 West Virginia.
- Watts & S. (or Serg.).** Watts & Sergeant's Pennsylvania Reports.
- Web. Pat. Cas.** Webster's Patent Cases.
- Web. Tr.** The Trial of Professor Webster for Murder.
- 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, & Williams' Equity Reports, Victoria.
- Webb, A'B. & W. I. P. & M.** Webb, A'Beckett, & Williams' Insolvency, Probate, and Matrimonial Reports, Victoria.
- Webb, A'B. & W. Min.** Webb, A'Beckett, & Williams' Mining Cases, Victoria.
- Webb & Duval.** Webb & Duval's Reports, vols. 1-3 Texas.
- Webb.** Webster.
- Webst. Dict. (or Webster).** Webster's Dictionary.
- Week. Repr.** Weekly Reporter, London;—Weekly Reporter, Bengal.
- Week. Trans. Repts.** Weekly Transcript Reports, New York.
- Weeks, Attys. at Law.** Weeks on Attorneys at Law.
- Weight. Med. Leg. Gaz.** Weightman's Medico-Legal Gazette, London.
- Wel.** Welsh's Irish Registry Cases.
- Wells, Repl.** Wells on Replevin.
- Welsb., H. & G.** Welsby, Hurlstone, & Gordon's English Exchequer Reports.
- Welsh.** Welsh's Registry Cases, Ireland;—Welsh's Irish Cases at Sligo;—Welsh's (Irish) Case of James Feighny, 1838.
- Welsh Reg. Cas.** Welsh's Irish Registry Cases.
- Wend.** Wendell's New York Reports.
- Wenz.** Wenzell's Reports, vols. 60—Minnesota.
- Wesk. Ins.** Weskett on Insurance.
- West.** West's Reports, English House of Lords;—West's Reports, English Chancery;—Western Tithe Cases;—Weston's Reports, vols. 11-14 Vermont.
- West. Aus.** Western Australia.
- West Ch.** West's English Chancery Cases.
- West Co. Rep.** West Coast Reporter.
- West H. L.** West's Reports, English House of Lords.
- Westl. Priv. Int. Law (or Westlake Int. Private Law).** Westlake's Private International Law.
- West Symb.** West's Symbologiegraphie.
- West t. H.** West's English Chancery Reports *tempore* Hardwicke.
- West Va.** West Virginia;—West Virginia Reports.
- Westm.** Statute of Westminster.
- Westm. Rev.** Westminster Review.
- Weston.** Weston's Reports, vols. 11-14 Vermont.
- Weth.** Wethey's Reports, Canada.
- Wh.** Wheaton's United States Supreme Court Reports;—Wharton's Pennsylvania Reports;—Wheeler's New York Criminal Reports.
- Wh. Cr. Cas.** Wheeler's New York Criminal Cases.
- Wh. & T. L. C.** White & Tudor's Leading Cases in Equity.
- Whar.** Wharton's Pennsylvania Reports.
- Whar. Dig.** Wharton's Digest, Pennsylvania.
- Whar. St. Tr.** Wharton's State Trials, United States.
- Whart.** Wharton.
- Whart. (Pa.).** Wharton's Pennsylvania Reports.
- Whart. Ag.** Wharton on Agency.
- Whart. Crim. Law.** Wharton's American Criminal Law.
- Whart. Ev.** Wharton on Evidence in Civil Issues.
- Whart. Hom.** Wharton on Homicide.
- Whart. Lex.** Wharton's Law Lexicon.
- Whart. Neg.** Wharton on Negligence.
- Whart. State Tr.** Wharton's State Trials, United States.
- Whart. & S. Med. Jur.** Wharton & Stillé's Medical Jurisprudence.
- Wheat.** Wheaton's United States Supreme Court Reports.
- Wheat. Hist. Law Nat.** Wheaton's History of the Law of Nations.
- Wheat. Int. Law.** Wheaton's International Law.
- Wheel.** Wheeler's New York Criminal Cases;—Wheelock's Reports, vols. 32-37 Texas.
- Wheel. Br. Cas.** Wheeling Bridge Case.
- Wheel. Cr. C.** Wheeler's New York Criminal Cases.
- Wheel. Cr. Rec.** Wheeler's Criminal Recorder, New York, vol. 1 Wheeler's Criminal Cases.
- Wheeler, Cr. Cas.** Wheeler's New York Criminal Cases.

- Whishaw.** Whishaw's Law Dictionary.
- Whit. Pat. Cas.** Whitman's Patent Cases, United States.
- Whitak. Liens.** Whitaker on Liens.
- White.** White's Reports, vols. 10-15 West Virginia;—White's Reports, vols. 30-40 Texas Court of Appeals;—White, Scotch Justiciary Reports.
- White, Coll.** White's New Collection of the Laws, etc., of Great Britain, France and Spain.
- White, New Recop. (or Nov. Recop.).** See White, Recop.
- White, Recop.** White, New Recopilacion. A New Collection of Laws and Local Ordinances of Great Britain, France, and Spain, Relating to the Concessions of Land in Their Respective Colonies, with the Laws of Mexico and Texas on the Same Subjects.
- White & T. L. Cas.** White & Tudor's Leading Cases in Equity.
- White & W.** White & Willson's Reports, vol. 142 Texas Civil Appeals.
- Whitm. Lib. Cas.** Whitman's Massachusetts Libel Cases.
- Whitm. Pat. Cas.** Whitman's Patent Cases.
- Whitm. Pat. Law Rev.** Whitman's Patent Law Review, Washington, D. C.
- Whitney.** Whitney's Land Laws, Tennessee.
- Whitt.** Whittelsey's Reports, vols. 31-41 Missouri.
- Whitt. Co.** Whittaker's Codes, Ohio.
- Wig. Wills.** Wigram on Wills.
- Wight. (or Wightw.).** Wightwick's English Exchequer Reports.
- Wight El. Cas.** Wight's Election Cases (Scotch).
- Wil.** Williams (see Will.);—Wilson (see Wils.).
- Wilcox.** Wilcox's Reports, vol. 10 Ohio;—Wilcox, Pennsylvania.
- Wilcox Cond.** Wilcox, Condensed Ohio Reports.
- Wildm. Int. Law.** Wildman's International Law..
- Wilk.** Wilkinson's Texas Court of Appeals and Civil Appeals;—Wilkinson's Reports, Australia.
- Wilk. & Ow. (or Wilk. & Pat. or Wilk. & Mur.).** Wilkinson, Owen, Paterson & Murray's New South Wales Reports.
- Will.** Willes' English Common Pleas Reports;—Willson's Reports, vols. 29-30 Texas Appeals, also vols. 1, 2 Texas Civil Appeals. See, also, Williams.
- Will. Ann. Reg.** Williams' Annual Register, New York.
- Will.-Bund St. Tr.** Willis-Bund's Cases from State Trials.
- Will. Mass.** Williams' Reports, vol. 1 Massachusetts.
- Will. P.** Peere-Williams' English Chancery Reports.
- Will. Saund.** Williams' Notes to Saunders' Reports.
- Will. Vt.** Williams' Reports, vols. 27-29 Vermont.
- Will., Woll. & Dav.** Willmore, Wollaston & Davison's English Queen's Bench Reports.
- Will., Woll. & Hodg.** Willmore, Wollaston & Hodges, English Queen's Bench Reports.
- Willc. Const.** Willcock, The Office of Constable.
- Willcock, Mun. Corp.** Willcock's Municipal Corporation.
- Willes.** Willes' English King's Bench and Common Pleas Reports.
- Williams.** Peere-Williams' English Chancery Reports;—Williams' Reports, vols. 27-29 Vermont;—Williams' Reports, vol. 1 Massachusetts;—Williams' Reports, vols. 10-12 Utah.
- Williams, Common.** Williams on Rights of Common.
- Williams, Ex'rs.** Williams on Executors.
- Williams P.** Peere-Williams' English Chancery Reports.
- Williams. Pers. Prop.** Williams on Personal Property.
- Williams, Saund.** Williams' Notes to Saunders' Reports.
- Williams, Seis.** Williams on Seisin.
- Williams & B. Adm. Jur.** Williams & Bruce on Admiralty Jurisdiction.
- Willis, Trustees.** Willis on Trustees.
- Willm., W. & D.** Willmore, Wollaston & Davison's English Queen's Bench Reports.
- Willm. W. & H.** Willmore, Wollaston & Hodges' English Queen's Bench Reports.
- Wills, Circ. Ev.** Wills on Circumstantial Evidence.
- Willson.** Willson's Reports, vols. 29-30 Texas Appeals, also vols. 1, 2 Texas Court of Appeals, Civil Cases.
- Wilm.** Wilmot's Notes of Opinions, English King's Bench.
- Wilm. Op. (or Judg.).** Wilmot's Notes of Opinions.
- Wils.** Wilson's English Common Pleas Reports.
- Wils. (Ind.).** Wilson's Indiana Superior Court Reports.
- Wils. Ch.** Wilson's English Chancery Reports.
- Wils. Ent.** Wilson's Entries and Pleadings (same as vol. 3 Lord Raymond).
- Wils. Exch.** Wilson's English Exchequer Reports.
- Wils. Ind. Gloss.** Wilson, Glossary of Indian Terms.
- Wils. K. B.** Sergeant Wilson's English King's Bench Reports.
- Wils. & Court.** Wilson & Courtenay's Scotch Appeals Cases (see Wilson & Shaw).
- Wils. & Sh.** Wilson & Shaw's Scotch Appeals Cases (Shaw, Wilson & Courtenay).

**Wilson.** Wilson's English Common Pleas Reports;—Wilson's 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 English Common Pleas Reports.

**Wing. (or Wing. Max.).** Wingate's Maxims.

**Wins. Eq.** Winston's Equity Reports, North Carolina.

**Winst. (or Winst. Eq.).** Winston's Law or Equity Reports, North Carolina.

**Wis.** Wisconsin;—Wisconsin Reports.

**Wis. Bar Assn.** Wisconsin State Bar Association.

**Wis. Leg. N.** Wisconsin Legal News, Milwaukee.

**With. Corp. Cas.** Withrow's American Corporation Cases.

**Withrow.** Withrow's Reports, vols. 9-21 Iowa.

**Wkly. Notes Cas. (Pa.).** Weekly Notes of Cases, Philadelphia, Pennsylvania.

**Wm. Bl.** William Blackstone's English King's Bench Reports.

**Wm. Rob.** William Robinson's English Admiralty Reports.

**Wms.** Williams (see Will).

**Wms. Ann. Reg.** Williams' Annual Register, New York.

**Wms. Mass.** Williams' Reports, vol. 1 Massachusetts.

**Wms. Notes.** Williams' Notes to Saunders' Reports.

**Wms. Peere.** Peere-Williams' English Chancery Reports.

**Wms. Saund.** Williams' Notes to Saunders' Reports.

**Wms. Vt.** Williams' Reports, vols. 27-29 Vermont.

**Wol.** Wollaston's English Bail Court Reports;—Wolcott's Reports, vol. 7 Delaware Chancery.

**Wolf. & B.** Wolferstan & Bristow's English Election Cases.

**Wolf. & D.** Wolferstan & Dew, English.

**Wolf, Dr. de la Nat.** Wolffius, Droit de la Nature.

**Wolf. Inst. (or Wolf. Inst. Nat.).** Wolffius, Institutiones Juris Naturæ et Gentium.

**Wolffius (or Wolffius, Inst.).** Wolffius, Institutiones Juris Naturæ et Gentium.

**Woll. (or Woll. P. C.).** Wollaston's English Bail Court Reports (Practice Cases).

**Wood.** Woods' United States Circuit Court Reports;—Wood's English Tithe Cases.

**Wood Conv.** Wood on Conveyancing.

**Wood Decr.** Wood's (Decrees in) Tithe Cases.

**Wood H.** Hutton's Wood's Decrees in Tithe Cases.

**Wood, Ins.** Wood on Fire Insurance;—Wood's Institutes of English Law.

**Wood, Inst.** Wood's Institutes of English Law.

**Wood, Inst. Com. Law.** Wood's Institutes of the Common Law.

**Wood. Lect.** Wooddeson's Lectures on Laws of England.

**Wood, Nuis.** Wood on Nuisances.

**Wood Ti. Cas.** Wood's Tithe Cases.

**Wood. & M. (or Woodb. & M.).** Woodbury & Minot's United States Circuit Court Reports.

**Woodd. Lect.** Wooddeson's Lectures on the Laws of England.

**Woodf. Cel. Tr.** Woodfall's Celebrated Trials.

**Woodf. Landl. & Ten.** Woodfall on Landlord and Tenant.

**Woodm. Cr. Cas.** Woodman's Reports of Thacher's Criminal Cases, Massachusetts.

**Woods (or Woods' C. C.).** Woods' United States Circuit Court Reports.

**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).

**Wools. Pol. Science (or Woolsey, Polit. Science).** Woolsey's Political Science.

**Woolw.** Woolworth's United States Circuit Court Reports;—Woolworth's Reports, vol. 1 Nebraska.

**Worcester.** Worcester, Dictionary of the English Language.

**Words. Elect. Cas.** Wordsworth's Election Cases.

**Wr.** Wright (see Wright);—Wright's Reports, vols. 37-50 Pennsylvania State.

**Wr. Ch. (or Wr. Ohio).** Wright's Reports, Ohio.

**Wr. Pa.** Wright's Reports, vols. 37-50 Pennsylvania State.

**Wright (or Wri.).** Wright's Reports, vols. 37-50 Pennsylvania State;—Wright's Ohio Reports.

**Wright N. P.** Wright's Nisi Prius Reports, Ohio.

**Wright, Ten.** Wright on Tenures.

**Wy.** Wyoming;—Wyoming Reports;—Wythe's Virginia Chancery Reports.

**Wy. Dic.** Wyatt's Dickens' Chancery Reports.

**Wyatt, W. & A'B.** Wyatt, Webb & A'Beckett's Reports, Victoria.

**Wyatt, W. & A'B. Eq.** Wyatt, Webb & A'Beckett's Equity Reports, Victoria.

**Wyatt, W. & A'B. I. P. & M.** Wyatt, Webb & A'Beckett's Insolvency, Probate and Matrimonial Reports, Victoria.

**Wyatt, W. & A' B. Min.** Wyatt, Webb & A'Beckett's Mining Cases, Victoria.

**Wyatt & W. Eq.** Wyatt & Webb's Equity Reports, Victoria.

**Wyatt & W. I. P. & M.** Wyatt & Webb's Insolvency, Probate, and Matrimonial Reports, Victoria.

**Wyatt & W. Min.** Wyatt & Webb's Mining Cases, Victoria.

**Wyatt & Webb.** Wyatt & Webb's Reports, Victoria.

**Wyman.** Wyman's Reports, India.

**Wynne Bov.** Wynne's Bovill's Patent Cases.

**Wyo.** Wyoming;—Wyoming Reports.

**Wyo. T.** Wyoming Territory.

**Wythe.** 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. B. S. C.** Year Books, Selected Cases, 1.

**Y. L. R.** York Legal Record.

**Y. & C.** Younge & Collyer's English Chancery Reports and Exchequer.

**Y. & J.** Younge & Jervis' English Exchequer Reports.

**Yates Sel. Cas.** Yates' New York Select Cases.

**Yea. (or Yeates).** Yeates' Pennsylvania Reports.

**Yearb.** Year Book, English King's Bench, etc.

**Yearb. P. 7, Hen. VI.** Year Books, Part 7, Henry VI.

**Yel.** Yelverton's English King's Bench Reports.

**Yelv.** Yelverton, English.

**Yerg.** Yerger's Tennessee Reports.

**Yo.** Young (see You.).

**York Ass.** Clayton's Reports (York Assizes).

**York Leg. Rec.** York Legal Record.

**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's Maritime Law Cases.

**Young, Naut. Dict.** Young, Nautical Dictionary.

**Younge.** Younge's English Exchequer Equity Reports.

**Younge & Coll. Ch.** Younge & Collyer's English Chancery Cases.

**Younge & Coll. Ex.** Younge & Collyer's English Exchequer Equity Reports.

**Younge & J.** Younge & Jervis, English.

**Yuk.** Yukon Territory.

## Z

**Zab.** Zabriskie's New Jersey Reports.

**Zane.** Zane's Reports, vols. 4-9 Utah.

1944

**Zinn Ca. Tr.** Zinn's Select Cases in the Law of Trusts.