

# COMMON LEGAL TERMS TRANSLATED

It is necessary these days to have a working knowledge of the vocabulary used in various occupations. A person owning a car should be familiar with 'Bateri Mortis', a designation for a stationary vehicle, and with 'Partsan Labor', a synonym for 'Consult Your Friendly Loan Officer' (this is the equivalent, in plumbing circles, of 'Rota Rutor'). Medicine has given us 'Ars Longa Vita Brevis', which persists even though it is now suspected that long-bodied persons live as long as anybody else.

But it is in the law that we find such archaic terminology in full flower. A lawyer or a learned judge (the only kind there is) thinks nothing of tossing off 'Privatum Commodum Publico Cedit'. It being considered bad form (*infra dig*) to translate it, you and I never do find out where the washroom is.

I have addressed this problem, and submit herewith a list of the most common legal expressions, together with their translations, and some brief comments about their origins.

**ALLANSINGULARTHATCERTAINPARCELORTRACTOFLANDANPRREMISESSITUATELYINGANBEING:** The land in question. The longest word in the English language, this is derived from the Welsh and has its origin during the period when lawyers were paid by the line for deed descriptions. It persists to this day.

**CORPUS DELICTI:** Gorgeous body. A judge's admonition to a jury

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disciplines of surveying, is necessary to expand the scope, numbers and representation of the ACSTTO to the survey industry.

This expansion is the ACSTTO's reaction to meet the future needs of the Ontario Land Surveyor for technical assistants. ●

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when in his opinion their judgement might be swayed by the physical appearance of a witness.

**CRIMINAL CONVERSATION:** Pillow talk unsanctified by marriage. According to the mediaeval doctrine of 'mutatis mutandis', such conversation was prohibited, on pain of the pillory. No longer an offense.

**FEE SIMPLE:** An all-inclusive legal account. This is contrasted with 'Fee Tail', which is a long list of chargeable items, such as 'Wear and Tear on Law Books, \$10.'

**HORS DE LA LOI:** Here come the judge. A warning shouted by the court sergeant to indicate the arrival of the judge. In most jurisdictions he no longer arrives on horseback, but the expression has endured.

**IN LOCO PARENTIS:** Your mother wore army boots. A pejorative reference by counsel to the antedents of an adversary.

**JOINT TENANCY:** Occupation of a low-class drinking establishment, a house

of ill-repute, or a political campaign headquarters.

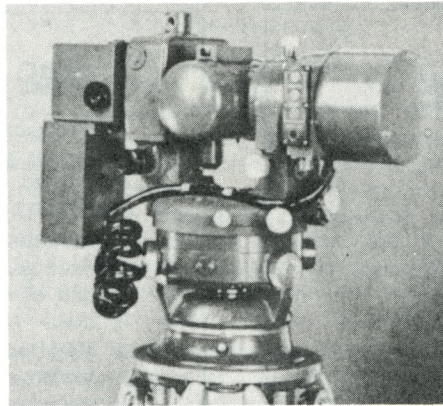
**LIS PENDENS:** Put the hangman on standby. During the treason trials of 17th century England, Judge Jeffreys was usually joined on the bench by his girlfriend, Elizabeth. Following the hearing of the evidence, he would seek her opinion of the appropriate penalty by saying 'Lis?' Her response was usually 'Pendens' (hang him, from the Latin 'pendere'). She was much feared by juries, and was responsible for the expression 'hung jury'.

**STARE DECISIS:** The stare of decision. Judges, especially the older ones, often appear to be asleep at the bench, when in fact they are deep in contemplation. When they make a decision, they open their eyes, and stare first at their surroundings, and then at the defendant. Hence the term.

**SOCAGE:** Assault. In feudal England, there were three kinds of socage, superior socage, when a lord socked a varlet, common socage, when socks were exchanged between equals, and villein socage, when a varlet socked a lord. The latter was a capital offence.

For a complete glossary of legal terms, consult my forthcoming book "The Law and the Innocent Bystander." ●

## NEW PRODUCTS



### LASER RANGE POLE

The above instrument was developed for the U.S. Forest Service by R.C.A. Government and Commercial Systems of Burlington, Mass., and is distributed in this country by Kern Instruments of Canada, Ltd. It is used for setting up a line between distant points which are not intervisible, because of hills, bush, or other obstacles.

The R.C.A. Laser Range Pole System provides a vertical range pole extension in the form of a tall, straight column of light. The principle of operation is the detection of the atmospheric scatter of optical radiation with long range electro-optic detection devices.

Although it was designed specifically for legal surveys, its ability to accurately determine headings between non-intervisible points is useful for setting up centre lines of highways, hydro lines, pipe lines, etc, and for many other applications.

The equipment is transportable by back-pack. Each pack, less the tripod, weighs 40 lbs.

The Laser Pole Transmitter Subsystem is mounted vertically on a tripod above one reference point such that the pulsed optical beam serves as a sighting rod. The theodolite, a modified Kern DKM2A with electro-optic detectors and displays, is placed above the other reference point. The telescope of the theodolite is then adjusted to an inclination angle which allows an unobstructed view above the terrain toward the general location of the laser light. It is claimed that through successive trials and aiming corrections, the direction of the theodolite can be adjusted to within 10 seconds of arc of the true heading to the laser. This typically takes about five minutes.

The scatter of the laser light as it traverses vertically through the atmosphere is detected by either one of the two photodetectors attached to the theodolite. When both photodetectors receive radiation simultaneously, a centre indicator informs the operator that the pointing is correct. ●