

Merriam-
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Dictionary of Law

韦氏
法律词典

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Preface / 前言

The law touches the lives of all Americans. Even such commonplace activities as driving a car, depositing money in a bank, and entering a retail store have legal ramifications, although we are not ordinarily conscious of them. At other times—as when a relative dies or when we marry or divorce, file our income taxes, are injured in an accident, or sell or purchase a home—we may be acutely aware of the law's presence. At such times we feel the need to know the law and to understand the often unfamiliar terms that make up its language.

MERRIAM-WEBSTER'S DICTIONARY OF LAW is designed to meet these needs by offering convenient and comprehensive access to the language of law. It provides concise coverage of more than 10,000 legal words and phrases, based on a thorough examination of the legally relevant citations drawn from the more than 15,000,000 citations in the Merriam-Webster offices and supplemented by a review of material available through various online legal databases. To make the dictionary easier to use, the information provided here is presented in a style that will be familiar to all users of standard desk dictionaries. Entries include definitions, pronunciations, variant spellings, grammatical information, etymologies for many words, and other conventional dictionary features. None of this information is intended to substitute for the expertise of a lawyer, but it will help to make encounters with law and lawyers less mysterious.

Because the language of law can often seem to be a foreign tongue, the definitions in this dictionary are written in a style that as far as possible expresses unfamiliar legal concepts in ordinary English, without introducing inaccuracies caused by oversimplification. If an unfamiliar legal term occurs in a definition, the user can find it entered and defined at its own place in the dictionary. Further, any word that occurs in Merriam-Webster's Dictionary of Law is entered either in this book or, if it is not a legal term, in a current edition of any of Merriam-Webster's hardback or paperback adult dictionaries.

As a further aid in clarifying obscure terminology, extensive use is made throughout the book of verbal illustrations—often direct quotations from legal sources—demonstrating how words are actually used. Many entries also include notes, sometimes quite extensive, providing supplementary information that is helpful in understanding a term or a point of law.

To make it easier for the user to compare closely related terms, such terms are grouped together when appropriate at the main entries through which they are related, so that, for example, various kinds of trusts are defined together under *trust*. For entries that are not grouped together, exten-

sive cross-references lead the user to related or comparable terms. Status labels provide an indication of where or when a term is used; for example, many entries include the label *in the civil law of Louisiana*, which indicates that the labeled word or sense is limited in use to the only state in the United States whose law system is based on civil law rather than common law.

In this dictionary, those entries known to be trademarks or service marks are so labeled and are treated in accordance with a formula approved by the United States Trademark Association. No entry in this dictionary, however, should be regarded as affecting the validity of any trademark or service mark.

Merriam-Webster's Dictionary of Law is the product of a collective effort by members of the Merriam-Webster editorial staff. Initial editorial guidance was provided by Frederick C. Mish, Editor in Chief, John M. Morse, Executive Editor, and E. Ward Gilman, Director of Defining. The editor was assisted in preparing definitions by Thomas F. Pitoniak and Amy West. Peter D. Haraty provided assistance in handling financial terminology. Joanne M. Despres and James L. Rader researched and wrote the etymologies. Brian M. Sietsema provided the pronunciations. Jennifer N. Cislo verified the accuracy of quotations. The many cross-references were handled by Maria A. Sansalone, with the assistance of Donna L. Rickerby. The manuscript was copyedited by Stephen J. Perrault. Back-matter sections were researched and written by Michael Shally-Jensen, with contributions from Amy West. Proofreading was handled by Cynthia S. Ashby, Jill J. Cooney, Thomas F. Pitoniak, James L. Rader, and Maria A. Sansalone. The manuscript was deciphered and typed by Mary M. Dunn, Florence A. Fowler, Joan E. Matteson, and Deborah A. Merkmann, all under the supervision of Veronica P. McLymont, and by Georgette B. Boucher. Indispensable clerical assistance was provided by Carol A. Fugiel, Ruth W. Gaines, and Patricia M. Jensen. Robert D. Copeland prepared the electronic text for release to the compositor, with the assistance of Jill J. Cooney; he also directed the book through its typesetting stages. Madeline L. Novak handled project coordination and scheduling.

Linda Picard Wood, J.D.
Editor

Explanatory Notes / 凡例

Entries / 词目

MAIN ENTRIES / 主词目

A boldface letter or a combination of such letters, including punctuation marks and diacritics where needed, that is set flush with the left-hand margin of each column of type is a main entry or entry word. The main entry may consist of letters and/or numbers set solid or separated by hyphens, periods, parentheses, diagonals, or spaces:

ex-clu-sive *adj*
attorney-at-law *n*
C.N. *abbr*
401(k) plan . . . *n*
d/b/a *abbr*
wash sale *n*

The material in lightface type that follows each main entry on the same line and on succeeding indented lines explains and justifies its inclusion in the dictionary.

Variation in the styling of compound words in English is frequent and widespread. It is often completely acceptable to choose freely among open, hyphenated, and closed alternatives (as *quasicontract*, *quasi-contract*, or *quasi contract*). However, to show all the stylings that are found for English compounds would require space that can be better used for other information. So this dictionary limits itself to a single styling for a compound:

fact-find-er
straight-line
quasi easement

When a compound is widely used and one styling predominates, that styling is shown. When a compound is uncommon or when the evidence indicates that two or three stylings are approximately equal in fre-

quency, the styling shown is based on the analogy of parallel compounds.

ORDER OF MAIN ENTRIES / 主词目的顺序

The main entries follow one another in alphabetical order letter by letter without regard to intervening spaces or hyphens: *equal opportunity* follows *equality* and *lease-up* follows *leasehold mortgage*. Those containing an Arabic numeral are alphabetized as if the numeral were spelled out, according to their pronunciation: *401(k) plan*, in which *0* is pronounced like the letter *o*, comes between *four month rule* and *fourth degree*.

Solid compounds come first and are followed by hyphenated compounds and then open compounds. Lowercase entries come before entries that begin with a capital letter or are composed of capital letters. Full words come before parts of words made up of the same letters:

break-in . . . *n*
break in *vi*
co *abbr*
CO *abbr*
co- *prefix*
re . . . *prep*
re- *prefix*

GROUP ENTRIES / 组词目

Some nouns that are part of legal terminology regularly appear in fixed open compounds with two or more different modifiers (for example, *contract* in compounds like *express contract*, *gratuitous contract*, and *implied contract*). A selected group of such nouns are entered with the open compounds in which they appear following immediately as subentries. Entries arranged in this way are called group entries. A list

of the nouns receiving group entry treatment appears on page 20a.

At a group entry, the main entry and any appropriate elements, such as functional labels, status labels, definitions, and cross-references, are followed by two or more subentries, entered in alphabetical order. A subentry is an open compound (e.g., *express contract*) whose major element is the noun (*contract*) at whose alphabetical place the subentry is entered. It is printed in boldface italics, with end-of-line division, pronunciation, and status label where appropriate. It is followed by a definition that may be divided into senses, and may include a called also note, usage note, directional cross-reference, or a supplemental information note. Subentries are always open compounds. A closed compound whose major element is the group entry noun will nevertheless be placed at its own alphabetical place in the vocabulary rather than as a subentry. Therefore, while *hostile witness* appears as a subentry at *witness*, *eyewitness* appears at its own alphabetical location in *E*.

A number of the group entries have subentries at more than one sense. Sense 2c of *declaration* is followed by the subentries *declaration against interest*, *dying declaration*, *self-serving declaration*, and *spontaneous declaration*. Sense 4 of *declaration* is followed by the subentries *declaration of condominium*, *declaration of homestead*, and *declaration of trust*.

If there is only one open compound that would fall under a sense at a group entry, it is entered at its own alphabetical location rather than following the group entry sense. For example, at the group entry *deposit*, where there are subentries at senses 2a and 3a, the open compound *security deposit* relates instead to sense 2b. Because it is the only compound that falls under that sense, *security deposit* is defined at its own alphabetical place in *S* rather than at *deposit*. A *see also* cross-reference appears at the group entry indicating where such an open compound can be found.

Additionally, each subentry can be found at its own alphabetical place with a

see cross-reference indicating the group entry at which the subentry can be found. See the Cross-Reference section of these Explanatory Notes for more information.

HOMOGRAPHS / 同形异义词

When one main entry has exactly the same written form as another, the two are distinguished by superscript numerals preceding each word:

¹**bail** . . . *n*

²**bail** *vt*

¹**in-vest** . . . *vt*

²**invest** *vb*

Usually, as in the example *bail* above, the two homographs are different parts of speech and one has been derived from the other by functional shift. Sometimes, however, the two homographs will be words that are historically unrelated beyond the accident of spelling, or only indirectly related to each other, as are the two verb entries for *invest*.

GUIDE WORDS / 引导词

To help in finding a particular word, the alphabetically first boldface entry on each left-hand page is printed at the top of that page. Likewise, the alphabetically last boldface entry is printed at the top of each right-hand page. These two guide words indicate the alphabetical range of entries on the two pages:

162 **engrossed bill**

EPA 163

The entry used for a guide word need not be a main entry. Another boldface word—a variant, an inflected form, or a defined or undefined run-on—may be selected as a guide word, although inflected forms that appear cut back and italic boldface subentries are disregarded.

When a page consists entirely of italic boldface subentries, as is the case on page 253, the group entry word (*interest* for this example) will be used as the guide word.

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All guide words must themselves be in alphabetical order from page to page throughout the dictionary; thus, the alphabetically last boldface word on a page is not used if it follows alphabetically the first guide word on the next page:

34 **assault**

assignment 35

On the pages where these guide words are found, *assignor*, a boldface inflected form at the entry *assign*, is the last entry alphabetically, but it is not used as the guide word for the right page because it follows alphabetically the entry *assign*, which is the first guide word on the next page. To use *assignor* would violate the alphabetical order of guide words from page to page, and so the boldface entry word *assignment* is used instead.

END-OF-LINE DIVISION / 每行结尾单词的移行

The centered dots within entry words indicate division points at which a hyphen may be put at the end of a line of print or writing. Thus the noun *ar-bi-trar-i-ness* may be ended on one line with:

ar-
arbi-
arbitrar-
arbitrari-

and continued on the next with:

bitrariness
trariness
iness
ness

Centered dots are not shown after a single initial letter or before a single terminal letter because printers seldom cut off a single letter:

erase vt
1guilty adj
idem ... pron

Nor are they shown at second and suc-

ceeding homographs unless these differ among themselves:

¹*es-crow* ... n ¹*record* ... vt
²*escrow* vt ²*rec-ord* ... n

There are acceptable alternative end-of-line divisions just as there are acceptable variant spellings and pronunciations. No more than one division, however, is shown for an entry in this dictionary.

A double hyphen at the end of a line in this dictionary (as in the entry *generation-skipping transfer*) stands for a hyphen that belongs at that point in a hyphenated word and that is retained when the word is written as a unit on one line.

VARIANTS / 同义异形词

When a main entry is followed by the word *or* and another spelling, the two spellings are equal variants. Both are standard, and either one may be used according to personal inclination:

bus-ing or bus-sing

If two variants joined by *or* are out of alphabetical order, they remain equal variants. The one printed first is, however, slightly more common than the second:

en-roll or en-rol

When another spelling is joined to the main entry by the word *also*, the spelling after *also* is a secondary variant and occurs less frequently than the first:

en banc also in banc

Secondary variants belong to standard usage and may be used according to personal inclination.

Variants whose spelling places them alphabetically more than one entry away from the main entry are entered at their own alphabetical places (and also appear at the main entry):

indorse, indorsee ... var of ENDORSE, ENDORSEE

Variants having a usage label appear only at their own alphabetical places:

gaol, gaoler chiefly Brit var of **JAIL**,
JAILER

SUPPLEMENTAL INFORMATION NOTES

/ 补充信息说明

At some entries or subentries, a note consisting of one or more sentences may follow the definition and cross-references. These notes give additional information about the entry word. They are indicated by the symbol ♦:

labor union *n* ... ♦ Labor unions and employers are subject to the provisions of the National Labor Relations Act [which] authorized the establishment of the National Labor Relations Board ...

idem ... *pron* ... ♦ *Idem* is usu. used in the form of its abbreviation *id*.

RUN-ON ENTRIES / 连续接排的词条

A main entry may be followed by one or more derivatives or by a homograph with a different functional label. These are run-on entries. Each is introduced by a light-face dash and each has a functional label. They are not defined, however, since their meanings are readily derivable from the meaning of the root word:

²**use** ... *vt* ... — **user** *n*

ju-di-cial ... *adj* ... — **ju-di-cial-ly** *adv*

il-le-git-i-mate ... *adj* ... — **illegitimate**
n

A main entry may be followed by one or more phrases containing the entry word or an inflected form of it. These are also run-on entries. Each is introduced by a light-face dash but there is no functional label. They are, however, defined since their meanings are more than the sum of the meanings of their elements:

tri-al *n* ... — **at trial** :

es-sence ... *n* ... — **of the essence**
:

en-dorse ... *vt* ... — **endorse in blank**
:

Defined phrases of this sort are run on at the entry constituting the first major element in the phrase, which is ordinarily a verb or a noun:

'is-sue ... *n* ... — **at issue** *also in issue* ...

A run-on entry is an independent entry with respect to function and status. Labels at the main entry do not apply unless they are repeated.

Pronunciation / 单词发音

The matter between a pair of reversed virgules // following the entry word indicates the pronunciation. The symbols used are explained in the chart on page 19a. An abbreviated list appears at the bottom of the second column of each right-hand page of the vocabulary. Pronunciation respellings are provided for every word that is not familiar in some meaning to most sixth-graders, according to *The Living Word Vocabulary: A National Vocabulary Inventory* by Edgar Dale and Joseph O'Rourke (Chicago: World Book-Childcraft International, Inc., 1981). The pronunciations for these familiar "core vocabulary" items may be found in *Merriam-Webster's Collegiate Dictionary, Eleventh Edition*.

A hyphen is used in the pronunciation to show syllabic division. These hyphens sometimes coincide with the centered dots in the entry word that indicate end-of-line division:

ju-di-cial \jü-'di-shəl\

Sometimes they do not:

fab-ri-cate \'fa-brə-kāt\

A high-set mark ^ˈ indicates major (primary) stress or accent; a low-set mark _ˌ indicates minor (secondary) stress or accent:

jail-house \jāl-ˌhaüs\

The stress mark stands at the beginning of the syllable that receives the stress.

A syllable with neither a high-set mark nor a low-set mark is unstressed:

gov-ern \gə-vərn\

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The presence of variant pronunciations indicates that not all educated speakers pronounce words the same way. A second-place variant is not to be regarded as less acceptable than the pronunciation that is given first. It may, in fact, be used by as many educated speakers as the first variant, but the requirements of the printed page are such that one must precede the other:

ca-su-al-ty \ˈka-zhəl-tē, ˈka-zhə-wəl-\

nu-ga-to-ry \ˈnü-gə-tōr-ē, ˈnyū-\

Entry words which are direct borrowings from French or Latin are often given two pronunciations, with the anglicized variants first and thereafter a rendering of the French or classical Latin pronunciation.

ha-be-as \ˈhā-bē-əs, ˈhā-bā-ās\

When a main entry or a subentry is a compound word and has less than a full pronunciation, the missing part is to be supplied from a pronunciation in another entry elsewhere in this dictionary which gives the pronunciation for one or more elements of the compound word. For example, at the entry *idem sonans* a pronunciation is shown only for *sonans*. The pronunciation of *idem* is shown at the separate entry for that word.

In general, no pronunciation is indicated for open compounds consisting of two or more English words that either have own-place entry or are considered “core vocabulary” according to the criteria listed in the first paragraph of this section:

inheritance tax *n*

Only the first entry in a sequence of numbered homographs is given a pronunciation if their pronunciations are the same:

¹**gross** \ˈgrōs\ *adj*

²**gross** *n*

Functional Labels / 功能标记

An italic label indicating a part of speech or some other functional classification follows the pronunciation or, if no pronunciation is given, the main entry.

sub-stan-tial ... *adj*

du-ty *n*

eq-ui-ta-bly *adv*

²**aliunde** *prep*

steal ... *vt*

If a verb is both transitive and intransitive, the labels *vt* and *vi* introduce the subdivisions:

take ... *vb* ... *vt* ... ~ *vi*

A boldface swung dash ~ is used to stand for the main entry and separate the subdivisions of the verb. If there is no subdivision, *vt* or *vi* takes the place of *vb*:

bring ... *vt*

ap-pear *vi*

Labeling a verb as transitive, however, does not preclude occasional intransitive use (as in absolute constructions).

Other italicized labels used to indicate functional classifications are:

id. *abbr*

Breath-a-ly-zer ... *trademark*

co- ... *prefix*

oyez ... *vb imper*

Re-al-tor ... *collective mark*

Two functional labels are sometimes combined:

en banc ... *adv or adj*

Inflected Forms / 屈折形式

Most inflected forms are covered explicitly or by implication at the main entry for the base form. These are the plurals of nouns, the principal parts of verbs (the past tense, the past participle when it differs from the past tense, and the present participle), and the comparative and superlative forms of adjectives and adverbs. In general, it may be said that when these inflected forms are created in a manner considered regular in English (as by adding *-s* or *-es* to nouns, *-ed* and *-ing* to verbs, and *-er* and *-est* to adjectives and adverbs) and when it seems that there is nothing about the formation

likely to give the dictionary user doubts, the inflected form is not shown:

²grant *n*
gar-nish . . . *vt*
ef-fec-tive *adj*
spe-cial *adj*

On the other hand, if the inflected form is created in an irregular way or if the dictionary user is likely to have doubts about it (even though it is formed regularly), the inflected form is shown in boldface, either in full or cut back to a convenient and easily recognizable point.

The inflected forms of nouns, verbs, adjectives, and adverbs are shown in this dictionary when suffixation brings about a change in final *y* to *i*, when the word ends in *-ey*, when there are variant inflected forms, when the plural of a noun is identical to its base form, and when the dictionary user might have doubts about the spelling of the inflected form:

¹guilty *adj* **guilt-i-er**; **-est**
at-tor-ney . . . *n*, *pl* **-neys**
bur-glary . . . *n*, *pl* **-glar-ies**
nex-us . . . *n*, *pl* **nex-us-es** or **nexus**

The inflected form is shown for any entry consisting of two or more words when the form is unusual or likely to raise doubts:

Judge Advocate General *n*, *pl* **Judge Advocates General**

attorney general *n*, *pl* **attorneys general** or **attorney generals**

Nouns that are plural in form and that regularly occur in plural construction are labeled *n pl*. Nouns that are plural in form but are not always construed as plural are appropriately labeled:

proceeds . . . *n pl*
ir-rec-on-cil-able dif-fer-enc-es . . . *n pl*
but sing or pl in constr

The inflected forms of verbs, adjectives, and adverbs are also shown whenever suffixation brings about a doubling of a final

consonant, elision of a final *e*, or a radical change in the base word itself:

en-trap . . . *vt* **en-trapped**; **en-trap-ping**
as-sume *vt* **as-sumed**; **as-sum-ing**
break . . . *vb* **broke** . . . **bro-ken** . . .
break-ing

¹good *adj* **bet-ter**; **best**

jus . . . *n*, *pl* **ju-ra**

Capitalization / 大写

Most entries in this dictionary begin with a lowercase letter. A few of these have an italicized label *often cap*, which indicates that the word is as likely to be capitalized as not, that it is as acceptable with an uppercase initial as it is with one in lowercase. Some entries begin with an uppercase letter or are composed entirely of uppercase letters, which indicates that the word is usually capitalized as shown. The absence of an initial capital or of an *often cap* label indicates that the word is not ordinarily capitalized:

habeas cor-pus . . . *n*
board *n*, *often cap*
Breath-a-ly-zer . . . *trademark*
FAA *abbr*

The capitalization of entries that are open or hyphenated compounds is similarly indicated by the form of the entry or by an italicized label:

HUD-1 settlement statement . . . *n*
free ex-er-cise clause *n*, *often cap*
F&E&C
United States marshal *n*
Jane Roe . . . *n*

A word that is capitalized in some senses and lowercase in others shows variations from the form of the main entry by the use of italicized labels at the appropriate senses:

bill of rights . . . *often cap* **B&R** . . . ; *esp*, *cap* **B&R** : . . .

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Appropriate capitalization is also given for subentered open compounds:

**bank . . . n . . . Federal Re-serve
bank . . .**

hear-ing n . . . Mapp hearing . . .

Attributive Nouns / 名词定语

The italicized label *often attrib* placed after the functional label *n* indicates that the noun is often used as an adjective equivalent in attributive position before another noun:

equal opportunity n, often attrib

land-mark n, often attrib

Examples of the attributive use of these nouns are *equal opportunity employment* and *landmark decision*.

Etymology / 词源

Etymologies in this dictionary are in bold-face square brackets following the part-of-speech label and preceding the definition. The purpose of the etymologies is to provide a concise historical framework for the language most characteristic of law and the courtroom. In addition to basic legal terminology, phrases borrowed from foreign languages—most often Latin and Anglo-French—and words now uncommon in everyday English, whether exclusively legal in sense or not, have also been given etymologies.

Usually only one word of a set of related words—either the most basic word or the historically oldest—is given an etymology. For example, of the three words *defeasance*, *defeasible*, and *indefeasible*, only *defeasance* has an etymology. If a word or phrase that would otherwise deserve an etymology occurs within an open compound and is not given an etymology at that entry, the reader should take it as an indication that the word or phrase has its own entry and etymology. Hence, *vicinage* in the entry *jury of the vicinage* does not have an etymology at *jury of the vicinage* but rather at its own entry *vicinage*. Similarly,

the phrase *inter vivos* at the subentry *gift inter vivos* under *gift* is not explained by an etymology in the subentry because *inter vivos* is an independent entry in the dictionary with its own etymology.

Words whose primary field of reference is not legal, as well as common words whose legal senses have developed from more general meanings, have not been given etymologies; the reader seeking the origin of such words can find them in *Merriam-Webster's Collegiate Dictionary, Eleventh Edition*. Subentries have also not usually been given etymologies unless they contain a foreign phrase not found elsewhere in the dictionary.

In general, the kind of philological detail appropriate to an unabridged dictionary or a dictionary of etymology has been excluded in order to give the user information most pertinent to the origin of legal words. The form of a word in Middle English is not generally shown unless it is in some respect crucial to the word's history. The Germanic and Indo-European prehistory of words such as *right* and *witness* descended directly from Old English has also not been shown. In cases where English may have borrowed a Latin word through the mediation of French, in which the word also occurs as a learned borrowing, French is not shown as an intermediary language unless the word has undergone significant modification in form or sense. The Latin sources of French words inherited from the spoken Latin of Roman Gaul are normally shown, though the passage from one language to another may be bridged by the phrase "ultimately from," to indicate that intermediate linguistic forms unattested in writing have been omitted from the etymology.

Earlier historical periods of languages cited in the etymologies include the following:

Old English: from the earliest documents to about 1100

Middle English: from about 1100 to about 1500

(English words not otherwise qualified are to be understood as Modern English, i.e., the English in use after 1500)

Latin: from the earliest extant literature to about A.D. 200

Late Latin: from about 200 to 600

Medieval Latin: from about 600 to 1500

New Latin: after about 1500

Old French: from the earliest documents to about 1300

Middle French: from about 1300 to 1600

French: after about 1600, i.e., Modern French

The term *Anglo-French* in this dictionary refers broadly to French as used in England after the Norman Conquest; it includes what is often called "law French," an ossified form of medieval French that those involved with the law in England used for reports and notes as late as the seventeenth century. (Prior to the seventeenth century most legal proceedings in the British Isles were recorded in either Anglo-French or Latin, not English.) Strictly speaking, Anglo-French—at least in its earlier stages, when it was still a living tongue—was simply one of several dialectal variants of medieval French; its sound system and grammar were strongly influenced by western and northern dialects, especially the speech of Normandy (sometimes called "Old North French"). By convention, however, the etymologies treat Anglo-French words as if they were descended or borrowed from forms characteristic of the medieval French of the Paris region—the dialect on which Modern French is based.

Usage / 惯用法

USAGE LABELS / 惯用法标签

Status labels are used in this dictionary to signal that a word or a sense of a word has particular application in the law. The law of all of the states of the United States is based chiefly on the common law that originated in England and was further developed in this country. The law of Louisiana, however, is based on the civil law as set out in the Code Civil (or the Napoleonic Code).

A word or sense limited in use to Louisiana civil law has a label indicating such use:

in-nom-i-nate . . . *adj.* in the civil law of Louisiana

Words current in all states have no label.

A word or sense limited in use to England has an appropriate label:

as-sur-ance *n* . . . 3 chiefly Brit

A subject label or guide phrase is sometimes used to indicate the specific application of a word or sense:

ef-fec-tive *adj* . . . 4 of a rate of interest

in-ven-to-ry . . . *n* . . . 2 . . . a under the Bankruptcy Code

In general, however, subject orientation is given in the definition:

dis-clo-sure . . . *n* . . . a : a lender's revelation of information to a consumer under the Truth in Lending Act that enables the consumer to make an intelligent decision about the loan

equitable distribution *n* : the distribution of marital assets by a court in a divorce action in accordance with statutory guidelines that are designed to produce a fair but not necessarily equal division of the property

ILLUSTRATIONS OF USAGE / 用法举例

Definitions are sometimes followed by verbal illustrations that show a typical use of the word in context. These illustrations are enclosed in angle brackets, and the word being illustrated is usually replaced by a lightface swung dash. The swung dash stands for the boldface entry word, and it may be followed by an italicized suffix:

board *n* . . . 2 a : . . . <a ~ of selectmen>

fed-er-al *adj* . . . 1 . . . <a ~ government>

ad-min-is-ter . . . *vt* . . . 3 a . . . <~ an oath>

de-tain *vt* . . . 2 . . . <~ed the driver and asked to see his license>

14a Explanatory Notes

The swung dash is not used when the form of the boldface entry word is changed in suffixation, and it is not used for open compounds:

de-cer-ti-fy . . . *vt* . . . <*decertified* the class action suit>

Illustrative quotations are also used to show words in typical contexts. Quotations used in this book are taken from statutes, cases, treatises and other legal publications, constitutions, and other reputable sources. Quotations from the Constitution of the United States indicate the article or amendment in which the quotation may be found:

es-tab-lish *vt* . . . **3** . . . <Congress shall have power . . . to ~ post offices and post roads — *U.S. Constitution* art. I>

Note that omissions in quotations are indicated by suspension points.

Quotations from cases are followed by a case citation:

grieve . . . *vi* . . . <as a union member, Jackson was obligated to ~ — not sue — *Jackson v. Liquid Carbonic Corp.*, 863 F.2d 111 (1988)>

A code, model code, or statutory compilation from which a quotation is taken is indicated by name:

eq-ui-ta-ble . . . *adj* **1** . . . <shall allocate . . . payments in an ~ manner — *U.S. Code*>

break . . . *vt* . . . **2** . . . **b** . . . <~s prison or escapes or flees from justice — *Colorado Revised Statutes*>

If a quotation is taken from a compilation of rules of procedure or evidence, the rule quoted is also indicated:

abate . . . *vi* **1** : . . . <when a public officer who is a party to an appeal . . . in an official capacity . . . the action does not ~ — *Federal Rules of Appellate Procedure* Rule 43>

The names of individuals quoted follow the quotation:

ap-plic-a-tion *n* . . . <most ~s request bail . . . or an extension of time to file — *W. J. Brennan, Jr.*>

USAGE NOTES / 用法说明

Definitions are sometimes followed by brief usage notes that give supplementary information. A usage note is introduced by a lightface dash:

ar-rear . . . *n* **1 a** . . . — usu. used in pl.

hon-or-able *adj* . . . — used as a title for various government officials

2 accord *n* . . . **3** . . . — usu. used in the phrase *accord and satisfaction*

Sometimes a usage note calls attention to one or more terms with the same denotation as a main entry or a subentered term:

check-kit-ing . . . *n* : the practice of drawing on uncollected funds . . . — called also *kiting*

The called also term is shown in italic type. If such a term is solid in form or is a closed compound word and falls alphabetically more than one entry away from a main entry, it is entered at its own place with the sole definition being a synonymous cross-reference to the entry where it appears in the usage note:

kit-ing . . . *n* : CHECK-KITING

Called also terms can also be found at subentries, with corresponding synonymous cross-references at their alphabetical locations, when appropriate:

forward contract . . . — called also *forward*

forward *n* : FORWARD CONTRACT at CONTRACT

See the section on Cross-Reference for information on the use of "at" and "in this entry" following synonymous cross-references.

Sometimes a usage note is used in place of a definition:

oyez . . . *vb imper* . . . — used by a court officer (as a bailiff) . . .

Sense Division / 义项划分

A boldface colon is used in this dictionary to introduce a definition:

²**interpleader** *n* : a person who is a party to an interpleader action

It is also used to separate two or more definitions of a single sense:

idem . . . *pron* . . . : something previously mentioned : the same authority

Boldface Arabic numerals separate the senses of a word that has more than one sense:

²**harbor** *vt* **1** : to receive secretly and conceal . . . **2** : to have (an animal) in one's keeping

Boldface lowercase letters separate the subsenses of a word:

give *vt* . . . **2 a** : to transfer from one's authority or custody . . . **b** : to execute and deliver . . . **c** : to communicate or impart to another

A lightface colon following a definition and immediately preceding two or more subsenses indicates that the subsenses are subsumed by the preceding definition:

li-a-bil-i-ty . . . *n* . . . **2** : something for which one is liable: as **a** : a financial obligation **b** : accountability and responsibility to another enforceable by civil remedies or criminal sanctions

. . . **work-ing capital** : the capital available for use in the course of business activity: **a** : current assets . . . **b** : all capital of a business . . .

The word *as* may or may not follow the lightface colon. Its presence (as at *liability*) indicates that the following subsenses are typical or significant examples. Its absence (as at *working capital*) indicates that the subsenses which follow are exhaustive.

The system of separating the various senses of a word by numerals and letters is a lexical convenience. It reflects something of their semantic relationship, but it does not evaluate senses or set up a hierarchy of importance among them.

Sometimes a particular semantic relationship between senses is suggested by the use of one of four italic sense dividers: *esp*, *specif*, *also*, or *broadly*.

The sense divider *esp* (for *especially*) is used to introduce the most common meaning subsumed in the more general preceding definition:

iden-ti-ty *n* . . . **2 . . . b** : distinguishing character of a person; *esp* : information that distinguishes a person

The sense divider *specif* (for *specifically*) is used to introduce a common but highly restricted meaning subsumed in the more general preceding definition:

jail . . . *n* : a place of confinement for persons held in lawful custody; *specif* : such a place under the jurisdiction of a local government . . . for . . . persons awaiting trial

The sense divider *also* is used to introduce a meaning that is closely related to but may be considered less important than the preceding sense:

join-der . . . *n* . . . **permissive joinder** : a joining in a suit as coplaintiffs . . . that share common issues . . . ; *also* : a joining in one suit of any legal . . . claims a party has against the opposing party

The sense divider *broadly* is used to introduce an extended or wider meaning of the preceding definition:

face *n* . . . **2** : the inscribed or printed side of something . . . ; *broadly* : the front side of something inscribed . . . on both sides

Information coming between the entry word and the first definition of a multi-sense word applies to all senses and subsenses. Information applicable only to some senses or subsenses is given between the appropriate boldface numeral, letter, or italic sense divider and the symbolic colon. A variety of kinds of information is offered in this way:

in-den-ture . . . *n* . . . **1** : a document . . . *specif*, in bankruptcy law : . . .

finance *n* 1 *pl*

float-er *n* 1 [from the notion that the policy "floats" with the goods it insures ...]

seize *vt* ... 1 *or* **seise**

gain *n* ... 2 *pl*, in the civil law of Louisiana

Cross-Reference / 前后参照

Various kinds of cross-references are used in this dictionary: directional, synonymous, cognate, and inflectional. In each instance the cross-reference is readily recognized by the lightface small capitals in which it is printed.

A cross-reference following a lightface dash and beginning with *see*, *see also*, or *compare* is a directional cross-reference. It directs the dictionary user to look elsewhere for further information. A *see also* or *compare* cross-reference is regularly appended to a definition:

dis-in-her-it ... *vt* ... — *see also* ELEC-TIVE SHARE

dis-crim-i-nate ... *vi* ... — *see also* ... Civil Rights Act of 1964 in the IMPOR-TANT LAWS section

good faith *n* ... — ... compare BAD FAITH

A subentry that shows a *compare* cross-reference to another subentry within the same group entry will have "in this entry" following the words in small capitals:

loan *n* ... **loan for con-sump-tion** ... — compare ... LOAN FOR USE in this entry

A subentry or main entry that shows a *compare* or *see also* cross-reference to a subentry of a group entry will provide subentry and group entry information as follows:

life insurance *n* ... **variable life insurance** ... — compare *variable annuity* at ANNUITY

gross *n* ... — *see also* *easement in gross* at EASEMENT

A *see* cross-reference stands alone, and indicates where a subentry may be found:

aleatory contract — *see* CONTRACT

A cross-reference immediately following a boldface colon is a synonymous cross-reference. It may stand alone as the only definitional matter for an entry or for a sense or subsense of an entry; it may follow an analytical definition; it may be one of two synonymous cross-references separated by a comma:

gender discrimination ... *n* : SEX DISCRIMINATION

lay *vt* ... 2 *a* : to put forward : ASSERT

leave *vt* ... : BEQUEATH, DEVISE

A synonymous cross-reference indicates that a definition at the entry cross-referred to can be substituted as a definition for the entry or the sense or subsense in which the cross-reference appears. When a subentry is defined by a synonymous cross-reference to a subentry or sense of the same group entry, the reader will find "in this entry" following the synonymous cross-reference, so that, for example, at sense 1 of the group entry for *interest* we find:

Article Nine security interest : SECURITY INTEREST 2 in this entry

which indicates that the definition for this subentry can be found at sense 2 of the subentry *security interest*.

At a subentry's alphabetical location, as noted above, a *see* cross-reference directs the reader to the appropriate group entry:

Article Nine security interest — *see* INTEREST 1

The word that appears in small capitals may or may not show a sense number following it to indicate the appropriate sense.

A cross-reference following an italic *var of* is a cognate cross-reference and may carry a limiting label:

disseize *var of* DISSEISE

gaol, gaoler *chiefly Brit var of* JAIL,
JAILER

A cross-reference following an italic label that identifies an entry as an inflected form of a noun, of an adjective or adverb, or of a verb is an inflectional cross-reference. Inflectional cross-references appear only when the inflected form falls at least one entry away from the entry cross-referred to:

dicta *pl of* DICTUM

borne *past part of* BEAR

When guidance seems needed as to which one of several homographs or which sense or subsense of a multisense word is being referred to, a superscript numeral may precede the cross-reference or a sense number may follow it or both:

legal opinion *n* : OPINION 2a

When a synonymous cross-reference is made to a subentry, the group entry at which the subentry can be found will be indicated following the word "at":

²**call** *n* . . . 2 : CALL OPTION at OPTION 3

compensatory damages *n* : ACTUAL
DAMAGES at DAMAGE 2