

APPENDIX TO THE FORGOTTEN ANTI-MONOPOLY LAW: THE SECOND HALF OF CLAYTON ACT § 7

SECTION 1: DICTIONARY DEFINITIONS

FOREWORD

Section 7 of the Clayton Act prohibits mergers the effect of which “may be substantially to lessen competition or to tend to create a monopoly.” See 15 USC Section 18 (1914). This gives rise to a series of questions for which textualist analysis is well-suited: what did the terms “may,” “tend,” “create,” and “monopoly” mean when the Clayton Act was enacted in 1914?

As noted in Section II(A) of this article, textualist analysis centers around the exact terms contained in the statute. This method of statutory interpretation ascertains what these terms meant in English language dictionaries and legal dictionaries roughly contemporaneous with the enactment of the statute. In this way textualist analysis gives these terms the plain, ordinary meaning they had at the time.

Scalia & Garner characterized four specific English language dictionaries and five legal dictionaries of the period as “useful and authoritative.” See SCALIA & GARNER, *supra* note 84, app. at 419–24. We accept their judgement and reprint in full the dictionaries’ definitions of each term analyzed in Section II(A) of the article. Our detailed textualist analysis of the principal definitions of each term can be found in Sections II(A)(2) and II(A)(3) of the article.

~ Robert H. Lande, John M. Newman & Rebecca Kelly Slaughter ~

English-Language Dictionaries

THE CENTURY DICTIONARY AND CYCLOPEDIA (William Dwight Whitney ed., 1904)

THE OXFORD ENGLISH DICTIONARY (1961 reprinted) (1933)

WEBSTER’S SECOND NEW INTERNATIONAL DICTIONARY (1934)

FUNK & WAGNALLS: NEW STANDARD DICTIONARY OF THE ENGLISH LANGUAGE (rev. ed. 1943)

Legal Dictionaries

THE CYCLOPEDIA OF LAW (Walter A. Shumaker & George Foster Longsdorf eds., 1901)

BLACK’S LAW DICTIONARY (2d ed. 1910)

LEGAL DEFINITIONS (Benjamin W. Pope ed., 1919–1920)

BOUVIER’S LAW DICTIONARY (William Edward Baldwin ed., 1934)

WHARTON’S LAW LEXICON (11 ed. 1911)

“MAY”

ENGLISH-LANGUAGE DICTIONARY DEFINITIONS

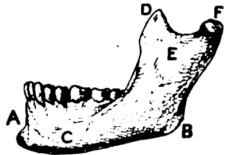
The Century Dictionary and Cyclopaedia (1904)

maxillary

3667

may

jaw: see marilla.] I. a. Of or pertaining in any way to a jaw or jaw-bone; specifically, of or pertaining to the maxilla alone, in any of the special senses of that word: as, the maxillary bones of a vertebrate; the maxillary palps of an insect.—Anterior internal maxillary vein. Same as facial vein (which see, under facial).—External maxillary artery, a disused name of the third branch of the external carotid, now called the facial artery (which see, under facial).—Inferior maxillary division or nerve. Same as inframaxillary nerve (which see, under inframaxillary).—Internal maxillary artery, one of two terminal branches of the external carotid (the other being the temporal), coursing inward past the neck of the condyle of the lower jaw-bone, and supplying deep parts of the face by means of its numerous branches, of which there are upward of twelve.—Maxillary lobe, in entom., a part of the maxilla attached externally to the stipes, and toothed or fringed internally with hair or bristles, used for holding and masticating food. When long and blade-like, forming the apex of the organ, it is called the lacinia. It may be divided into two parts—the inner and outer or the internal and external lobes. The outer lobe is sometimes transformed into a two-jointed palpus, in addition to the true maxillary palpus.—Maxillary palp, in entom., appendage, each composed of from one to six joints, attached to the outer sides of the maxilla. See palpus.—Maxillary segment, the elementary second post-oral segment of an insect's head, which bears the maxillae. It is perhaps represented by parts of the genae and the occiput. This is generally called the first maxillary, to distinguish it from the second maxillary, or labial segment. See post-oral.—Maxillary sinus, the great cavity or hollow of the supramaxillary bone of man and some other mammals, communicating with the middle meatus of the nose: commonly called the antrum Highmoreanum or antrum of Highmore. See antrum.—Maxillary teeth, teeth implanted in the supramaxillary bone. In mammals they are distinguished from the incisors, which are implanted in the premaxillary. Such maxillary teeth are the canines, premolars, and molars. In the lower vertebrates, as fishes, they are distinguished from the vomerine, palatal, pharyngeal, etc., teeth.—Superior maxillary nerve, the second main division of the fifth or trigeminal nerve, extending from the cerebral ganglion, and mainly distributed to the upper jaw.



Inferior Maxillary or Lower Jawbone of Man. A, symphysis menti; B, angle of jaw; C, body or horizontal ramus; D, coronoid process; E, ascending ramus; F, condyle, with the articular surface, showing the alveolar border. The concave line between D and F is the condyloid notch.

II. n.; pl. maxillaries (-riz). A jawbone; a maxilla. In vertebrates at least three maxillaries are commonly distinguished by qualifying terms. These are: (a) the superior maxillary, or supramaxillary; (b) the premaxillary, or premaxillary; and (c) the inferior maxillary, or inframaxillary. The last of these is the lower jaw-bone; the other two belong to the upper jaw. All these are paired; but each may fuse with its fellow, and the two maxillaries of each half of the upper jaw often coalesce. When used absolutely, the term means the supramaxillary. maxilliferous (mak-sil'i-f'e-rus), a. [*L. maxilla, jaw, + ferre = E. bear¹.*] Provided with maxilla: as, the maxilliferous mouth of a crustacean or beetle. maxilliform (mak-sil'i-f'orm), a. [*L. maxilla, jaw, + forma, form.*] Having the form or morphological character of a maxilla: as, a maxilliform limb. maxilliped, maxillipede (mak-sil'i-ped, -péd), n. [*L. maxilla, jaw, + pes (ped-) = E. foot.*] In Crustacea, a foot-jaw or gnathopodite; one of the several limbs which are so modified as to partake of the characters of both jaw and foot, serving for the purpose of both mastication and locomotion. They are the posterior three of the gnathites or appendages of the mouth, the remainder being two pairs of maxillae and one pair of mandibles. See cuts under Podophthalmia and Cryptophthalmia. maxillipedary (mak-sil'i-ped'a-ri), a. [*L. maxilliped + -ary.*] Of or pertaining to a maxilliped; having foot-jaws. Hence results a sudden widening of the second maxillary, as compared with the first maxillipedary somite. Huxley, Anat. Invert., p. 270. maxillojugal (mak-sil'ô-jô-'gal), a. [*L. maxilla + jugum + -al.*] Common to the superior maxillary and to the malar (or jugal) bone; malarimaxillary. maxillomandibular (mak-sil'ô-man-dib'ü-lär), a. [*L. maxilla + mandibula + -ar³.*] Pertaining to both jaws—that is, to the maxilla and to the mandible. maxillopalatine (mak-sil'ô-pal'a-tin), a. and n. [*L. maxilla + palata + -ine¹.*] I. a. In anat., of or pertaining to the supramaxillary and palatine bones. II. n. In ornith., a part of the superior maxillary bone which projects inward, forming a palatal process, which may or may not meet its fellow in the midline of the bony palate. Its character and connections are various, and much used in the classification of birds. See cuts under *Asynthonothus, demognathus, and dromagnathus*.

maxillopharyngeal (mak-sil'ô-fä-rin'jê-'al), a. [*L. maxilla + pharynx (pharyng-) + -eal.*] Pertaining to the lower jaw-bone or inframaxillary and to the pharynx.—Maxillopharyngeal space, in surgical anat., a triangular area between the side of the pharynx and the ramus of the lower jaw-bone, containing important vessels and nerves, as the internal carotid artery, the internal jugular vein, and the glossopharyngeal, pneumogastric, spinal accessory, and hypoglossal nerves. maxillopremaxillary (mak-sil'ô-prê-mak'sil-lä-ri), a. and n. [*L. maxilla + premaxilla + -ary.*] I. a. Common to the maxilla and to the premaxilla: as, "the maxillopremaxillary part of the skull." Huxley. II. n. The supramaxillary and premaxillary bones taken together, when, as in many of the higher vertebrates, they fuse into a single bone. maxilloturbinal (mak-sil'ô-tür-'bi-näl), a. and n. [*L. maxilla + turbine + -al.*] I. a. Whorled or scrolled, and articulated with the supramaxillary bone, as is the inferior turbinated bone. II. n. The inferior turbinate bone. In man it is a light spongy bone curved upon itself, articulating with the supramaxillary, palatal, lacrymal, and ethmoid bones, and projecting into the nasal fosse, serving to separate the middle from the lower of these fossae. The name is correlated with *ethnoturbinal* and *sphenoturbinal*. See cuts under *nasal* and *craniofacial*. maxim (mak'sim), n. [*F. maxime = Sp. máxima = Pg. maximo = It. massima, < ML. maxima, a maxim, abbr. of LL. maxima propositio, premise, the greatest or chief premise (applied by Boëthius to the rules of the commonplaces which are more than ordinary major premises); fem. of L. maximus, greatest, superl. of magnus, great; see maximum.*] 1. A proposition serving as a rule or guide; a summary statement of an established or accepted principle; a pithy expression of a general rule of conduct or action, whether true or false: as, the *maxims* of religion or of law; the *maxims* of worldly wisdom or of avarice; ethical *maxims*. All which points were observed by the Greeks and Latines, and allowed for *maximes* in versifying. Puttenham, Arte of Eng. Poesie, p. 101. In human laws there be many grounds and *maxims* which are . . . positive upon authority. Bacon, Advancement of Learning, II. 364. A *maxim* is the short and formal statement of an established principle of law. More than two thousand of these *maxims* now exist, many of which are of great antiquity, and most of which are of the highest authority and value. Robinson, Elem. of Law, 4. 2. In logic, the rule of a commonplace; an ultimate major premise.—3. An axiom. [Rare.] Maxims, . . . certain propositions which . . . [are] self evident, or to be received as true. Locke, Human Understanding, IV. vii. 11. 4. Same as *maximal*. = Syn. 1. Precept, Axiom, etc. See aphorism. maxima¹ (mak'si-mi), n. [*L., fem. of maximus, greatest; see maxim, maximum.*] In medieval musical notation, same as *large*, 2, when the latter was used in its precise sense as the next denomination above *long*. maxima², n. Plural of *maximum*. maximal (mak'si-mäl), a. [*L. maximum + -al.*] Of the highest or maximum value, etc.; being a maximum. The maximal and minimal values are reached with full loaded and empty girder. Jour. Franklin Inst., CXXVI. 240. A maximal muscular clench was recorded on a dynamometer. Amer. Jour. Psychol., I. 191. maximally (mak'si-mäl-i), adv. In the highest degree; to the utmost; extremely. Those portions of the brain that have just been maximally excited retain a kind of soreness which is a condition of our present consciousness. W. James, Mind, IX. 12. maximed (mak'sim-d), a. [*L. maxim + -ed².*] Reduced to a maxim; pithily formulated. [Rare.] There is another *maximed* truth in this connection: "Knowledge is a two-edged sword." J. C. Van Dyke, Books and How to Use them, p. 19. Maxim gun. See machine-gun. Maximilian (mak-si-mil'i-an), n. [So called from Maximilian, the name of various rulers of Bavaria.] A Bavarian gold coin worth about 13s. 6d. English. Simmonds.—Maximilian armor, an armor decorated and rendered more rigid by flutings, with which all the large surfaces are occupied. This armor, introduced toward the close of the fifteenth century, is generally thought to have originated among the skillful armorers of Milan, and is also called *Milan armor*. Maximiliana (mak-si-mil-i-'ä-nä), n. [NL. (Martius, 1831), named after Maximilian Alexander Philipp, Prince of Neuwied.] A genus of palms of the tribe *Cocoinæ* and subtribe *Eucoconæ*, distinguished by the minute petals and six slightly exerted stamens of the male

flowers, and the one-seeded fruit. There are 3 species, natives of Brazil, Guiana, and the island of Trinidad. *M. regia* is the Inaja- or jagua-palm of the Amazon; *M. Caribæa* is the crown-palm of some of the West Indies; and *M. insignis* is the cocorite of Brazil. See *crown-palm*, *cocorite*. maximist (mak'si-mist), n. [*L. maxim + -ist.*] One who has a fondness for quoting or using maxims. Imp. Dict. maximization (mak'si-mi-zä-'shon), n. [*L. maxime + -ation.*] The act or process of maximizing, or raising to the highest degree. Bentham. Also spelled *maximisation*. maximize (mak'si-miz), v. t.; pret. and pp. maximized, ppr. maximizing. [*L. maximus, greatest (see maximum), + -ize.*] To make as great as possible; raise or increase to the highest degree. Also spelled *maximise*. To maximize pleasure is the problem of Economics. Jevons, Pol. Econ., p. 40. maxim-monger (mak'sim-mung-'ger), n. One who deals much in maxims; a sententious person. Imp. Dict. maximum (mak'si-mum), n. and a. [= F. maxime = Sp. maximo = Pg. maximo = It. massimo, a.; < L. maximum, neut. of maximus, greatest, superl. of magnus, great; see *maxim², magnitude, etc.*] I. n.; pl. *maxima* (-mä). 1. The greatest amount, quantity, or degree; the utmost extent or limit: opposed to *minimum*, the smallest. He could produce the *maximum* of result with the *minimum* outlay of means. T. Parker, Historic Americans, Franklin. 2. In math., that value of a function at which it ceases to increase and begins to decrease.—Absolute maximum, that value which is greater than any other.—Maxima and minima, in math. and physics, the values which a function has at the moment when it ceases to increase and begins to decrease, and vice versa. The method of finding these greatest and least values is called the *method of maxima and minima*. II. a. Greatest: as, the *maximum* velocity.—Maximum thermometer, a thermometer so constructed as to indicate the highest temperature during a day or during any given space of time, or since its last adjustment. See thermometer. Maxwell color-disks. See disk. may¹ (mä), v.; pret. might; no pp., ppr., or inf. in use. [A defective auxiliary verb classed with *can, shall*, etc., as a preterit-present. (a) Ind. pres. 1st and 3d pers. sing. *may*, < ME. *may, mai, mey, mei, maiz*, < AS. *mag* = OS. *mag* = OFries. *mei, mi* = MD. D. MLG. I.G. *mag* = OHG. MHG. G. *mag* = Icel. *má* = Sw. *må* = Dan. *maa* = Goth. *mag*; (b) ind. pres. 2d pers. sing. now *mayest, mayst*, by conformation with reg. verbs in *-est, -st*, but historically *might*, < ME. *mihht, myht, migt, mahht*, < AS. *meaht, meht, miht* = OS. *makt* = OHG. MHG. *mahht, G. magst* = Icel. *mätt* = Goth. *magt*; (c) ind. pres. 1st, 2d, and 3d pers. pl. now *may* (by conformation), but historically *moec, or*, with retention of the orig. pl. suffix, *mouen, mouin*, dial. *maun, must*, < ME. *mour, mouce, moze, moucn, moun, mouen, mawen, mahen, mazen, mucen, muzen*, < AS. *maȝan, māȝan* (or with short vowel, as in Goth., *maȝan*, etc.) = OS. *muȝan* = OFries. *muȝan* = OHG. *muȝan, muȝat, muȝan*, MHG. *muȝan, muȝet, muȝen*, G. *müȝen* = Icel. *muȝan* = Dan. *maa* = Sw. *må* = Goth. *muȝan*; (d) pret. 1st pers. sing. *might, dial. mought*, < ME. *michte, michte, mihte, myhte, migte, miȝte, muȝte, mahte, muȝht, mought*, etc., < AS. *meahte, michte, mihte* = OS. *mahta, mohta* = OFries. *machte* = MD. *moght, D. moȝt, mocht* = MLG. *machte, mochte* = OHG. *mahtha, mohta*, MHG. *mahte, mohte*, G. *mochte* = Icel. *mätta* = Sw. *mätte* = Dan. *mautte* = Goth. *mahta*; pl. in similar forms; (e) inf. **may, or rather mou, not in mod. use*, < ME. *moce, moucn, muȝen, muȝen*, < AS. **muȝan* or **magan* (neither form in use, but the second indicated by the occasional ppr. *maȝende, meȝende*) = OS. *magan, muȝan* = OFries. **mega* = D. *mogen* = MLG. LG. *mogen* = OHG. *muȝan, muȝan*, MHG. *muȝen, muȝen*, G. *müȝen* = Icel. *meȝa* = Sw. *må* = Dan. *maa* = Goth. *muȝan*; an orig. independent verb meaning 'be strong, have power,' hence 'be able, can,' and used in AS., etc., where now (in E.) *can* would be used (*can* orig. meaning 'know'; see *can* 1); akin to O.Bulg. *moȝa, mošti*, be able, can, = Russ. *moche*, be able; also prob. to AS. *mucl*, etc., E. *much*, L. *magnus*, great, Gr. *μεγαλ*, great, L. *maclus*, honored, Skt. *√ mah*, be great.] A. As an independent verb or as a quasi-auxiliary: To have power; have ability; be able: can. In the absolute original use, 'can,' now rare (being superseded by *can*) except where a degree of contingency is involved when the use passes insensibly into the later uses. The uses of *may* are much involved, the notions of power, ability, opportunity, permission, contingency, etc.,

The Century Dictionary and Cyclopedia (1904)

may

3668

May-beetle

passing into each other, and *may* in many constructions being purposely or inevitably used with more or less indefiniteness. The principal uses are as follows: (a) To indicate subjective ability, or abstract possibility: rarely used absolutely (as in the first quotation), but usually with an infinitive (not, however, as a mere auxiliary). See also *may* 3.

For and thou our me *may*st, as y over thee *may*,
Weel bittirill thou woldist me bynde.
Political Poems, etc. (ed. Furnivall), p. 167.

If thou consider the number and the manner of thy blisses
and thy sorrows, thou *mayst* nat forsaken [canst not deny] that nart yet blissful.
Chaucer, *Boethius*.

Therefore whanne it *maite* not be aghensid to these things,
it behoueth ghou to be cessid, and to do nothing follill.
Wyclif, *Acts* xix. 36.

Thei turned a-noon to flight, who that *myght* sonest, so
that noon a-bode other.
Martin (E. E. T. S.), iii. 534.

Ask me not, for I *may* not speak of it.
Tennyson, *Holy Grail*.

(b) To indicate possibility with contingency.
What-so-er thou be seruyd, loke thou be feyn,
For els thou *may* want it when thou hast nede.
Book of Precedence (E. E. T. S., extra ser.), l. 59.

For she said within herself, if I *may* but touch his garment,
I shall be whole.
Mat. ix. 21.

Things must be as they *may*. *Shak.*, *Hen. V.*, ii. 1. 23.
I am confirm'd,
Fall what *may* fall.

Fletcher (and *another*), *Queen of Corinth*, l. 1.
Though what he learns he speaks, and *may* advance
Some general maxima, or be right by chance.
Pope, *Moral Essays*, i. 3.

Let us keep sweet,
If so we *may*, our hearts, even while we eat
The bitter harvest of our own device.
Whittier, *Amy Wentworth*.

It *might* be *May* or *Whit*, he forgot,
The last of April or the first of *May*.
Tennyson, *The Brook*.

The young *may* die, but the old must!
Longfellow, *Golden Legend*, iv.

In this sense, when a negative clause was followed by a contingent clause with *if*, *may* in the latter clause was formerly used elliptically, *if I may* meaning 'if I can control it' or 'prevent it.'

My body, at the leeste way,
Ther shal no wight defoulen, *if I may*.
Chaucer, *Franklin's Tale*, l. 690.

"Sei boldly thi wille," quod he,
"I nyi be wroth, *if that I may*,
For nougth that thou shalt to me say."
Rom. of the Rose, l. 3099.

Sometimes *may* is used merely to avoid a certain bluntness in putting a question, or to suggest doubt as to whether the person to whom the question is addressed will be able to answer it definitely.

How old *may* Phillis be, you ask,
Whose beauty thus all hearts engages?
Prior, *Phillis's Age*.

The preterit *might* is similarly used, with some slight addition of contempt.

Who *might* be your mother,
That you insult, exult, and all at once,
Over the wretched?
Shak., *As you Like It*, iii. 5. 35.

(c) To indicate opportunity, moral power, or the absolute power residing in another agent.

As I shalle devyse zou, suche as thei ben, and the names
how thei clepen hem; to suche entent, that see *mouse*
knowe the difference of hem and of other.
Mandeville, *Travels*, p. 58.

For who that doth not whenne he *may*,
Whenne he wolde hit wol be nay.
Cursor Mundi (*Hallivell*).

He loved hym entirly, and fain wolde he that he a-bood
stille yet it *myght* be.
Martin (E. E. T. S.), iii. 631.

Easily thou *mightest* haue perleu'd my wanne cheekes
... to forshew yat then, which I confesse now.
Lyly, *Euphues* and his England, p. 355.

I'll yield him thee asleap,
Where thou *mayest* knock a nail into his head.
Shak., *Tempest*, iii. 2. 69.

(d) To indicate permission: the most common use.
Thou *mayest* be no longer steward. *Luke* xvi. 2.
An I *may* hide my face, let me play Thisby too.
Shak., *M. N. D.*, l. 2. 53.

I *might* not be admitted. *Shak.*, *T. N.*, l. 1. 25.

In this sense *may* is scarcely used now in negative clauses, as permission refused amounts to an absolute prohibition, and accordingly removes all doubt or contingency.

(e) To indicate desire, as in prayer, aspiration, imprecation, benediction, and the like. In this sense *might* is often used for a wish contrary to what can or must be: as, O that I *might* recall him from the grave!

May you live happily and long for the service of your country.
Dryden, *Ded. of Æneid*.

Certain as this, O! *might* my days endure,
From age inglorious and black death secure.
Pope, *Iliad*, viii. 667.

That which I have done,
May He within himself make pure!
Tennyson, *Passing of Arthur*.

(f) In law, *may* in a statute is usually interpreted to mean *must*, when used not to confer a favor, but to impose a duty in the exercise of which the statute shows that the public or private persons are to be regarded as having an interest.

B. As an auxiliary: In this use notionally identical with *may* in the contingent uses above, in A (b), but serving to form the so-

called compound tenses of the subjunctive or potential mode, expressing contingency in connection with purpose, concession, etc. *May* is so used—(1) in substantive clauses, or clauses that take the place of or are in apposition with the subject or object or predicate of a sentence: introduced by *that*.

It was my secret wish *that* he *might* be prevailed on to accompany me.
Byron.

They apprehended *that* he *might* have been carried off by gipsies.
Southey.

I heard from an old officer that when in the West Indies he was told by a lady, at whose house he was dining, *that* he *might* not like the soup, as it was made from snakes.
N. and Q., 7th ser., II. 335.

(2) In conditional clauses. [Rare, except in clauses where permission is distinctly expressed.]
Lands, goods, horse, armour, anything I have
Is his to use, so Somerses *may* die.
Shak., *2 Hen. VI.*, v. 1. 53.

(3) In concessive clauses.
Whatever the stars *may* have befokened, this August,
1749, was a momentous month to Germany. *G. H. Lewes*.

A great soul *may* inspire a sick body with strength; but if the body were well, it would obey yet more promptly and effectually.
J. F. Clarke, *Self-Culture*, p. 55.

(4) In clauses expressing a purpose.
Was it not enough for these to bear the contradiction of sinners upon Earth, but thou must still suffer so much at the hands of those whom thou didest for, that thou *mightest* bring them to Heaven? *Stillingfleet*, *Sermons*, I. vi.

Constantius had separated his forces that he *might* divide the attention and resistance of the enemy. *Gibbon*.

may 2, *n.* [< ME. *may*, *mai*, *mei*, a kinsman, person, < AS. *mæg*, *m.*, a kinsman, = OS. *mäg* = OFries. *mäch* = MLG. *mäch*, *mäge* = OHG. *mäg*, MHG. *mác*, a kinsman, = Icel. *mágr*, a father-in-law, = Sw. *måg* = Dan. *maag*, son-in-law, = Goth. *mægs*, a son-in-law, orig. a 'kinsman'; akin to AS. *mága*, a kinsman, son, man, to *magu*, a child, young person, servant, a man, = OS. *magu*, child, = Icel. *mógr*, a son, a man (> ME. *mouse*), = Goth. *magus*, a boy, servant, to AS. *mæg*, *f.*, a kinswoman (see *may* 3), and to *mageth*, *magden*, a maid, maiden (see *maid*, *maiden*); ult. from the root of *may* 1, have strength.] 1. A kinsman.—2. A person.

may 3, *n.* [< ME. *may*, *mey*, a maid, < AS. *mæg*, *f.*, kinswoman, a woman, akin to *mæg*, *m.*, a kinsman; see *may* 2.] A maiden; a virgin. [Obsolete or Scotch.]

Thow glorie of womanhede, thow fayre *may*,
Thow haven of redif, brighte starrs of day,
Chaucer, *Man of Law's Tale*, l. 753.

To hevyns blys yhit *may* he ryse
Thurgh helpe of Marie that myde *may*.
Hymns to Virgin, etc. (E. E. T. S.), p. 128.

But I will down you river rowe, among the wood see green,
An' a' to pu' a pose to my ain dear *May*.
Burns, *Oh, Luve will Venture In*.

May 4, *n.* [< ME. *may*, *mey*, < OF. *mai*, *F.* *mai* = Pr. *mai* = Sp. *mayo* = Pg. *maio* = It. *maggio* = OFries. *maia* = D. *mei*, *Flem.* *mey* = MLG. *mei*, *meig* = MHG. *meie*, *meige*, *G.* *mai* = Sw. *maj* = Dan. *mai* = Turk. *mâyiis*, < L. *Maius*, *Majus*, sc. *mensis*, the third month of the Roman year, usually associated with *Maia*, *Maja* (Gr. *Maia*), a goddess, the mother of Mercury, orig. a goddess of growth or increase; from the root of *magnum*, OL. *majus*, great; see *may* 1.] 1. The fifth month of the year, consisting of thirty-one days, reckoned on the continent of Europe and in America as the last month of spring, but in Great Britain commonly as the first of summer.

In the month of *May* the citizens of London of all estates, generally in every parish, and in some instances two or three parishes joining together, had their several *mayings*, and did fetch their *maypoles* with divers warlike shows; with good archers, morrice-dancers, and other devices for pastime, all day long; and towards evening they had stage-plays and bonfires in the streets.

Stow, quoted in *Strutt's Sports and Pastimes*, p. 454.

The flowery *May*, who from her green lap throws
The yellow cowslip and the pale primrose.
Milton, *Odes*, *May Morning*.

2. Figuratively, the early part or springtime of life.
His *May* of youth and bloom of lusthood.
Shak., *Much Ado*, v. 1. 76.

3. [l. c.] (a) The hawthorn: so called because it blooms in *May*. Also *May-bush*.
But when at last I dared to speak,
The lanes, you know, were white with *may*.
Tennyson, *Miller's Daughter*.

(b) Some other plant, especially species of *Spiraea*: as, Italian *may*.—4. The festivities or games of *May-day*.

It seems to have been the constant custom, at the celebration of the *May-games*, to elect a Lord and Lady of the *May*, who probably presided over the sports.

Strutt, *Sports and Pastimes*, p. 455.
I'm to be Queen o' the *May*, mother.
Tennyson, *The May-Queen*.

5. In Cambridge University, England, the East-er-term examination.

The *May* is one of the features which distinguishes Cambridge from Oxford; at the latter there are no public College examinations.

C. A. Bristol, *English University*, p. 87.

Italian may, a frequently cultivated shrub, *Spiraea hypericifolia*, with small white flowers in sessile umbels. Also called *St. Peter's wreath*.—Lord of the *May*. See *lord*.—*May laws*. See *law*.

may 4 (mā), *v. i.* [< *May* 4, *n.*] To celebrate *May-day*; take part in the festivities of *May-day*: chiefly or only in the verbal noun *maying* and the derivative *mayer*: as, to go *maying*.

maya 2 (mā'yā), *n.* [Hind.] In *Hindu myth.*: (a) Illusion or deceptive appearance. (b) [cap.] Such appearance personified as a female who acts a part in the production of the universe, and is considered to have only an illusory existence.

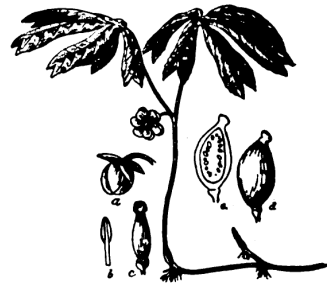
Maya 2 (mā'yā), *a.* [Native name.] Of or pertaining to the *Mayas*, an aboriginal tribe of Yucatan, distinguished for their civilization and as the possessors of an alphabet and a literature when America was discovered: as, the *Maya* alphabet; the *Maya* records.

Mayaca (mā-yak'ā), *n.* [NL. (Aublet, 1775), from the native name.] The type and only genus of plants of the natural order *Mayacaceae*. There are about 7 species, natives of North and South America from Virginia to Brazil. They are small moss-like marsh or semi-aquatic plants, with inconspicuous white, pink, or violet flowers.

Mayacaceae (mā-ya-kā'sē-ē), *n. pl.* [NL. (Kunth, 1843), < *Mayaca* + *-aceae*.] A natural order of monocotyledonous plants belonging to the series *Coronariceae*, and characterized by having regular flowers, three stamens, and a one-celled ovary with three parietal placentæ and many orthotropic ovules. The order contains but one genus, *Mayaca*.

Mayaceae (mā-yā'sē-ē), *n. pl.* [NL. (Lindley, 1847), < *Mayaca* + *-eae*.] Same as *Mayacaceae*.

May-apple (mā'ap'l), *n.* 1. A plant, *Podophyllum peltatum*, of the natural order *Berberidaceae*. It is a native of North America. A perennial herb, about two feet high, it has one large white flower rising from between two leaves of the size of the



May-apple (*Podophyllum peltatum*).
a, the flower-bud with the bractlets; b, a stamen; c, the pistil;
d, the fruit; e, the fruit cut longitudinally.

hand, composed of from five to seven wedge-shaped divisions. The yellowish, pulpy, slightly acid fruit, somewhat larger than a pigeon's egg, is sometimes eaten, and the creeping rootstock affords one of the safest and most active cathartics known. Also called *mandrake*, *hog-apple*.

2. The plant *P. emodi* of the Himalayas; also, a related plant of the western United States, *Achlys triphylla*.—3. Same as *honeysuckle-apple*. [U. S.]

maybe (mā'bē), *adv.* [Also dial. *mebbe*; an ellipsis of *it may be*. Cf. *mayhap*.] Perhaps; possibly; probably.

I'll know
His pleasure; *maybe* he will relent.
Shak., *M. for M.*, II. 2. 4.

Faith!—*may be* that was the reason we did not meet.
Sheridan, *The Rivals*, II. 2.

"O binna feared, mither, I'll *maybe* no dee."
Glenogle (*Child's Ballads*, IV. 82).

maybe (mā'bē), *a.* and *n.* [< *maybe*, *adv.*] I. a. Possible; uncertain. [Rare.]

'Tis nothing yet, yet all thou hast to give;
Then add those *maybe* years thou hast to live.
Dryden, *Hind and Panther*, III. 293.

II. *n.* Something that may be or happen; a possibility or probability. [Rare.]

However real to him, it is only a *maybe* to me.
J. Hadley, *Essays*, p. 218.

May-beetle (mā'bē'tl), *n.* 1. A cockchafer, *Melolontha vulgaris*. Also *May-bug*, *May-chafer*. [Eng.]—2. A June-bug, *Lachnosterna fusca*, or other species of the same genus. See cuts under *dor-bug* and *June-bug*. [Southern U. S.]

MAY.

256

MAY.

beetle, the cockchafer; also, the **CHOVY**; **May-bird**, the whimbrel, *Numenius phaeopus*; *U. S.* the bobolink (Bartlett *Dict. Amer.* 1859); **May-chaffer** [cf. *G. maikeifer*] = **May-beetle** (in quot. *fig.*); † **May-chick** = *May-bird*; † **May-chit** (see *CHIT sb.*); **May-curlew** = *May-bird*; **May-fish**, a name for the twait shad, because of its entering rivers in May; *U. S.* a killifish, *Fundulus majalis*; **May-fowl**, † **jack** = *May-bird*; **May-parr**, peal, local names for salmon at certain stages of growth; **May-skate**, the sharp-nosed ray, *Raja oxyrinchus*; **May-sucker** *U. S.*, the hare-lipped sucker, *Quasilabia lacera*; † **May-worm**, an oil-beetle (genus *Meloe*). Also **MAY-BUG**, **MAY-FLY**.

1720 **ALBIN Nat. Hist. Insects** 6. In the middle of May came forth a brown Beetle called the Chaffer, Oak Web, or ***May-Beetle**. 1842 T. W. HARRIS *Insects injur. Veget.* (1862) 31 The best time... for shaking the trees on which the May-beetles are lodged, is in the morning. 1860 J. CURTIS *Farm Insects*, Index, May-bug or bee—*Anisoplia north-ham*. 1864 E. CORNUM *Worms in Fruit*, *Roy. Inst. Connu*, Mar. 18 ***May-bird**, the whimbrel. 1870 H. STEVENSON *Birds* *Norw. II.* 199 The appearance of the main body (of whimbrels) in May... is so invariable that this species is always spoken of as the 'May bird' by the gunners in both localities. 1827 CARLYLE *German Romance* III. 132 Your idle ***May-chaffers** and Court-craze. 1877 *Exp. Entert. Gorhambury* in *Nichols Progr. Eliz.* (1843) II. 57 Quails... ***Maychicks**... Malards. 1885 SWAINSON *Proc. Nat. Hist.* 200 Whimbrel... ***May-curlew**... (Ireland). 1865 YARBELL *Fishes* II. 133 The Twaite Shad, in consequence of the time of its annual visit to some of the rivers of the European Continent is called the ***May-fish**. 1866 JORDAN & EVERMANN *Fishes N. & Mil. Amer.* I. 659 Killifish; **Mayfish**; Rockfish. 1852 MACGILLIVRAY *Hist. Brit. Birds* IV. 253 [Syn.] Whimbrel, Little Curlew... ***Mayfowl**. 1880 *Antrim & Down Gloss.*, ***May Jack**, the whimbrel. 1841 *Pease Cycl.* XX. 364 1/2 The smaller summer parr (called, in Dumfriesshire, 'May parrs'). 1861 *Act 24 & 25 Vict.*, c. 109 § 4 All migratory fish of the genus salmon, whether known by the names of... peal, hering peal, ***may peal**, pugg peal, harvest cock..., or by any other local name. 1828 FLEMING *Hist. Brit. Anim.* 171 *Raja oxyrinchus*. Sharp-nosed Ray... White Skate, Frier Skate, ***May Skate**. 1884 GOODE *Nat. Hist. Usef. Aquatic Anim.* 614 The 'Rabbit-mouth', 'Hare-lip',... or ***May Sucker**... found in abundance in many rivers of Tennessee and... Ohio. 1658 ROWLAND *Tr. Monflet's Theat. Ins.* 1017 They hang the ***May-worm** (for so he calls the Oyl-beetle) about the neck with a thred, especially in the month of May.

C. In names of plants and fruits: **May-bean** (see quot.); † **May-blossom**, lily of the valley (see also 5 above); **May-cherry**, (a) a small early kind of cherry; (b) *U. S.* the fruit of *Ameleuchier canadensis*, the June-berry; † **May-fern** (see quot.); **Maygowan** (see *GOWAN*); † **May grapes**, *Botrychium Lunaria*; **May grass**, *Panicum latifolium* (J. T. Maycock *Flora Barbados* 1830, 61); **May-haw** (see *HAW sb.* 3); **May lily**, lily of the valley (see *LILY* 2); **May-pop** *U. S.*, the fruit of the passion-flower, esp. of *Passiflora incarnata*; also, the plant itself; **May-rose**, a name for any rose flowering in May; also the guelder rose, *Viburnum Opulus*; **May-thorn**, the hawthorn; **May-wort**, *Galium cruciatum* (Treas. Bot. 1866). Also **MAY-APPLE**, **MAY-BUSH**, **MAY DUKE**, **MAYFLOWER**.

1802 *Eng. Encycl. IV.* 473 1/2 The ***May-beans** are a larger sort of ticks, and somewhat earlier ripe. 1578 LYTE *Doutoens* II. xxvi. 178 Lylie Conuall, is now called... in English... ***May blossoms**. 1654 EVELYN *Kal. Hort.*, May (679) 16 The ***May-Cherry**. 1713 ADDISON *Guardian* No. 97 ¶ A To Zelinda two sticks of May-Cherries. 1718 J. LAWRENCE *Fruitg. Kalendar* 78 The little early May-Cherry is indeed worth nothing. 1834 L. HUNT *Star K. Esher* (1850) 142 The finest apples and pears, strawberries, and May-cherries. 1884 SARGENT *Rep. Forests N. Amer.* (with Census IX.) 84 *Ameleuchier Canadensis*... May Cherry. 1658 tr. BERGEMER'S *Satyr. Char.* xii. 41 A girdele of ***May-ferne** [orig. *Jougere de May*] woven in tresses. 1548 TURNER *Names of Herbes* (E. D. S.) 85 Lunaria minor, which may be called in english lylie Lunary or ***May Grapes**, the duche cal this herbe...meydrauen. 1887 J. C. HARRIS *Free Zoo.* etc. (1883) 200 An 1/4 fotch you some ***May-pops** too. 1750 CHAMBERS *Cal. Snop.* s. v. Rose. The small red rose, commonly called the ***May rose**. 1802-16 Mrs. SHERWOOD *Swan Gray* xiii. (1866) 94 In her hand she had a bunch of May-roses. 1844 Mrs. BROWNING *Viz. Poets* Concl. 105, I receive The ***mayrthon**, and its scent out-give! 1882 KEARY *Outline Prim. Belief* 107 Even the mayrthon is to be net with.

May (*mā*; unstressed *me*, *mə*), *v.l.* Forms: see below. [A Com. Teut. vb., belonging (by conjugation if not by origin) to the class of preterite-presents, in which the present tense has the inflexion of a strong preterite, while the past tense is formed from the root by means of a suffix: cf. can, dare, dow, note (*nust*), owe, shall, wot. The OE. *mæg*, *magun*, *mahte* (later *maht*), correspond to OFris. *mei*, *magun*, *machte*, OS. *mag*, *magun*, *mahta* (Du. *mag*, *mogen*, *mocht*), OHG. *mag*, *magun* (*magun*), *mahta* (MHG. *mag*, *magen*, *moghe*, mod. G. *mag*, *mögen*, *mochte*), ON. *má*, *mogun*, *mítte* (Sw. *má*, *mätte*, Da. *maa*, *maatte*), Goth. *mag*, *magum*, *mahta*. The primary sense of the verb is to be strong or able, to have power; the root OTeut. **mag-*, OĀryan **magh-*, appears in

MIGHT sb., OS. *magg* I can, Gr. *μήχος* contrivance, *μήχανή* MACHINE, Skr. *mahan* great.

The conjugation is abnormal; according to Brugmann *Grundriss* II. § 887 the verb was originally a thematic present with weak root-voice, and was attracted into the preterite-present class by analogy.]

A. Inflexional Forms.

†1. **Infinitive**. Obs. Forms: a. I *magan*, 3 *muzen*, *Ormin muzhenn*, 4 *wowen*, *mow*, 5 *mown*, 4-5 *moun*, 4-6 *mowen*. c. 1050 *De Consuet. Monach.* in *Anglia XIII.* 389 *Posse carere*, *magan polian*. c. 1200 *ORMIN* 3944 *Patt mannkinn* sholde muzhenn wel Upp cunnenn intill heoffne. c. 1250 *Gen. & Ex.* 1818 *Hu sal ani man de muzen deren?* a. 1340 *HAMPOLE Psalter* xvii. 41 *Pai sal nocht mo stand.* c. 1374 *CHAUCER Boeth.* iv. met. 1. (1868) 110 *Pou*... shalt mowen retouner hool & sounde. 1290 *GOWER Conf.* II. 2 *Thou schalt mowe senden hire a lettre.* c. 1440 *PROSP. PARA* 346 1/2 *Mown*, or haue myzhte... *possunt*. 1495 *Act II Hen. VII.* c. 5 *No Ship of greate burdon shall mowe comie*... in the seid Haven. 1533 *MORE Apot.* xxii. Wks. 885 1/2 *Some waye that appered... to mow standt the realme in great stede.*

B. 5-6 *may*, (5 *maye*). 1435 *MISVN Fire of Love* 15, I have dyened hym to may be knawen. c. 1489 *CAXTON Somes of Aymen* i. 26 As longe that I shalll maye ber armes. 1503 *ATKYNSTON* tr. *De Imitatione* III. lxxxv. 258 *No stronge helpers shall nat may helpe.* 1532 *CHAMNER Let. in Misc. Writ.* (Parker Soc.) II. 233, I fear that the emperour will depart this cozle, before my letters shall may come unto your grace's hands. 1565 *COOPER Thesaurus*, *possunt*... To may, or can.

2. Indicative Present.

a. *1st and 3rd pers. sing. may*. Forms: 1 *mæþ*, *mæð*, (*mæis*, *mæz*), 2 *mayþ*, 2-3 *maiz*, *mei*, 2-4 *mai*, 2-5 *mei*, 3 *mei*, *Ormin maiz*, 3-6 *ma*, *maye*, 5-6 *maie*, 3-*may*.

The ONorthumbrian writers often use the subjunctive forms (*mæge*, *mæ-ø-*, *-i*) instead of those of the indicative. *Beowulf* 2801 (Gr.) *Ne mæg ic her leng wesan*. c. 825 *Vesp. Psalter* lxxvii. 19 *Ah meþ meþ gearwain biod in woestene!* a. 1100 *GERETA in Anglia IX.* 261 *Æfre he mæg findan on ðam he mæg nyt beon.* c. 1160 *HATTON Gosp. Matt.* vi. 24 *Ne mayþ nam man twam bliferden beswian.* c. 1175 *Lamb. Glos.* 9 *Ne be deofel meþ nefe cumen inne him.* c. 1200 *ORMIN* 6109 *þa birþ þin macche getænen* be All þatt þu ma 33 for sinne. c. 1220 *Bestiary* 516 *De smale he wile ðus biswiken*, ðe grete *maiþ* he not bigripen. c. 1250 *Gen. & Ex.* 205 *Dowtje ðis quead, 'hu ma it ben?'* c. 1275 *Passion our Lord* 68 in *O. E. Misc.* 39 *As ich ee se 32je may.* 1384 *WYCLIF Phil.* iv. 13, I may alle thingis in him that confortith me. c. 1430 *LYDG. Min. Poems* (Percy Soc.) 40 *And my paper it conteyne ne may.* 1503 in *Trans. Roy. Hist. Soc.* (1902) 152 *Alex. maye I trust!* 1553 *T. WILSON Logike* (1560) 31 b. *I this maie be true*, and this maie be false. 1597 *Grote & Gadlie* 23. (S. T. S.) 33 *Bot luke on that, quihik now ma not be sene.*

b. *2nd pers. sing. mayest*, *mayst* (*mæist*, *mæist*). Forms: a. 1 *meaht*, Northumb. *mæht*, Kent. *meht*, 1-4 *miht*, 2-3 *myht*, 3 *maht*, (*Ormin mahht*), *mayhte*, *maucht*, *meiht*, *micht*, (*mihth*), 4 *maizt*, *maht*, *mate*, (*mayth*), *myht*, *myzt*, 5 *mat*, *myzte*.

In 12th-14th c. *þ* and *s* are sometimes found for *h*, 3. 8. *Kent. Gl.* in *W. Wülcker 58/11 52 uates...* *ziþ ðu beht.* c. 950 *LINDISF. GOSP.* Luke vi. 42, & *hu maht* [c. 1000 *AGS. GOSP.* *miht*, c. 1160 *HATTON miht* ðu cuoæða broðre ðinum etc.]. c. 1200 *ORMIN* 7779 *Depe sinness þat tu mahtt Wel nemnenn dæde werkes.* c. 1200 *TRIN. COLL.* Hom. 258 *Ase þu eht froo & wilt & maucht.* c. 1205 *LAV.* 298 *þu miht* [c. 1275 *miht*] *me wel ðe me.* c. 1285 *ANCR.* R. 276 *And so þu meiht icnowen þine owne wike untreowde.* c. 1250 *Kent. Serm.* in *O. E. Misc.* 31 *Yef þu wilt þu ne miht makie hou.* c. 1275 *Lune Rom. 31* *þid. 94 þus is þes wicd as þu mayht seo.* c. 1300 *Cursor M.* 26575 *For sura þu mate nocht wasch þi weite.* c. 1330 *Spec. Gy Warw.* 881 *Perfore worch, while þu plait. For sodeynliche þu miht be caht.* 1362 *LANGL. P. Pl.* A. I. 146 *Her thow miht* [B. I. 170 *myztow*] *seon ensaumple in hyfse one.* c. 1426 *ADELAYD Poems* 8 *Ellis ysawyd thou mat noht be.* c. 1450 *MYRC* 15 *Here thou myste fynde & rede.*

B. 4-5 *maiste*, *mayste*, 4-7 *maist*, (5 *maxste*), 5-6 *maiest*, 4-*mayst*, 6-*mayest*, *mayst*. [A new formation on *may*.]

c. 1374 *CHAUCER Compl. Mars* 112 *Wel maist thou wepe and cryen.* c. 1385 - *L. G. W.* 504 *That mayst thou sen sche kytheth what sche is.* 1470-85 *MALORY Arth.* iv. 3. 131 *Thow arte ouercome and mieste not endure.* 1477 *EARL RIVERS* (Caxton) *Dictes* 21 b. *I take not from me that that thou maist not yeye me.* 1553 *EDEN Treat. Neve Lud.* (Arb.) 7 *In this Booke thou mayest reade many straunge things.* 1640 *BROME Sparagus Garden* ii. iii. *Thou maist make a Country gentleman in time.* 1717 *POPE Eloisa* 325 *In sacred vestments 'mayst thou stand.* 1819 *SHELLEY Cent* v. iv. 155 *So mayest thou do as I do.* 1821 - *Hellas* 844 *Thou mayst behold How cities [etc.].*

7. **Chiefly Sc. and north.** 4 *mai*, 4-5 *may*, 4-6 *ma*, 5 *maye*.

a. 1300 *Cursor M.* 290 *Behald þe sunne and þou mai se.* c. 1375 *Sc. Leg. Saints* i. (*Petrus*) 380, I am Resine, as þou ma se. a. 1400-50 *Alexander* 1030 *May þou opt, lede, þe zonde lawe* [yt on þi schuler. c. 1440 *HYLTON Scotta Poet.* (W. de W. 1494) l. lxxxii. *Thou maye* [1333 *mayst*] *not lye* without mete and drink. 1500-20 *DUNBAR Poems* xc. 34 *Thow ma rycht weil in thi mynde consider* That [etc.].

c. **plural may**. Forms: a. I *mazon*, (*-un*, *-an*), *mahan*, *mazē(n)*, Northumb. *maza*, *-o*, 2-3 *mæzē(n)*, 3 *mahan*, *mah*, *mawe*, 3-5 *wawen*.

O. E. Chron. an. 656 (MS. E.) *Ealle þa þa to Rome na mazen faren.* c. 900 *tr. Beata's Hist.* l. (Schipper) 11 *Oþer salong*... þæt we mazon of leothung dazeron. c. 950 *LINDISF. GOSP.* Matt. xii. 22 *Mazge* [c. 975 *kuzhu*, *mazon giht*, c. 1000 *AGS. GOSP.* *maze gyt*, c. 1250 *HATTON moun gyt*] *drinca calic ðone ic drinca wilt.* c. 1175 *Lamb. Hom.* 21 *Ne we*

mazen alre eoste halden crist biðode. a. 1225 *LEG. KATH.* 361 *Cleopet þeo pinges godes*, þæt nowþer sturien ne mazen ne steoren ham seouen. a. 1250 *PROSP. ÆLFRED* 14 in *O. E. Misc.* 102 *Heom he bi-gien lere so ye wawe* [other text *muzen*] *i-hure.* 1430 in *Willis & Clark Cambridge* (1886) I. *Intro.* 56 *Yer is so grete scarstee of maistres* of grammar, whereof as now ben almost none, nor none mawen be hade in your Uniuersities.

B. 1 *mæzon*, 4 *mai*, north. *mais*, 4-6 *ma*, etc. as in 1st and 3rd pers. sing.

c. 897 *K. ÆLFRED Gregory's Past.* C. xxxii. 176 *ða þe* *ce-domlice & wel mæzon* [*låtton MS. mæzon*] *leran.* c. 950 *LINDISF. GOSP.* John xiii. 36 *Ne mæzon* [c. 975 *kuzhu*, *mazon*] *gie mec nu fylge.* a. 1300 *Cursor M.* 5518 *We ma sua our landes tin.* c. 1375 *Sc. Leg. Saints* xxxvii. (*Baptista*) 761 *Sum cristine þare womyne mais.* 1390 *GOWER Conf.* II. 51 *Men mai recovere lost of good.* c. 1400 *Cursor M.* 2032 (*Cotton Galba*) *We mey se by saint austin lare* [etc.]. a. 1400-50 *Alexander* 684 *Maz þe opt me* in any maner to þat sterne schewe?

7. 2-3 *muzē(n)*, (2 *muzon*, *muzē*), 3 *muhē(n)*, *muwe(n)*, *mouwen*, (*Ormin muzhenn*), *muþhe*, Kent. *musee*, *mohe*, mo, 3-4 *mōzē(n)*, 3-5 *mowen*, 4 *mou*, *mu*, 4-5 *mowne*, *moun*, *mow*, 5 *mowin*, *mowghe*, 6 *mowe*.

c. 1160 *HATTON Gosp.* John xiv. 5 *Hu muge we þanne wei cunnan?* a. 1175 *Cott. Hom.* 221 *Ne hi muzen ne hi nelled nane synne zewercon.* *Ibid.* 233 *Imozun* [= *ye may*] *zewanen eiðer god and euyl.* c. 1200 *ORMIN* 13408 *We muhenn sen whatt itt bihallt.* a. 1225 *ANCR. R.* 44 *Toward tæ preostes tithen herked se wel se muwen.* c. 1230 *HELF. WEI.* 43 *Ne muhen ha nanes wes bedden in a breste.* c. 1250 *Kent. Serm.* in *O. E. Misc.* 27 *Ye wewuel under-stonde... þet* [etc.]. c. 1250 *DEATH* 255 *þid.* 184 *þenne mohe* [*Jesuis MS. muwe*] *we cweunen crist* at þe dom. c. 1290 *Beket* 979 in *S. Eng. Leg.* 134 *Wel þe mouwen i-seo þæt he is prouzt.* a. 1300 *Cursor M.* 22559 *Quine mak þai*, *sin þai sua mu* [Gött. *we*, *Trin.* *mow*] *Anoþer hweun and ertþ?* 1387 *TREVISSA Higden* (Rolls) l. 185 *Foules mouen not lye þere.* c. 1449 *PECOCK* *Repr.* II. xx. 273 *Hem whiche kunen not rede or moun not here the word of God.* c. 1475 *Partenay* 546 *And ye mowe nocht*, *Alway here byde moþe ye.* c. 1485 *Disby Mynt.* (1882) III. 392 *In alle þe hat þat euer they mowen.* a. 1553 *UDALL Royster D.* iv. vii. (Arb.) 72 *Sau þou may* head if thou may.

B. *sing.* 1 *mæzē*, (2-3 *mæze*, *mæzē*), *Mercian mæzē*, Northumb. *mæzē*, *mæzi*, Kent. *meize*, 3 *meiz*, 2-4 *mæ*, (as in Indicative), plural. 1 *mæzē(n)*, *mēzen*, Northumb. *mæzi*, *mæzon*, etc. *Beowulf* 680 *þeah ic eal mæze.* 8. *Kent. Glosses* in *W. Wülcker* 81/3 *Ne... non possis*, ðe les ðu ne meize. c. 825 *Vesp. Psalter* lxx. 8 *ðæt ic mæze sinne* *wuldur ðin alle deþ.* c. 950 *Rit. Dnneim.* (Surtees) 95 *De mæzi þin aedeawa* [*L. libi wæstun apparer*]. c. 950 *LINDISF. GOSP.* John xli. 25 *Niðderweard ic þætti middanzæard mæzi bifora ðalico ðære* [etc.]. c. 1205 *LAV.* 1206 & 230 *if þat lond mail* [c. 1275 *wæw* *bi-cæten*]. a. 1225 *ANCR. R.* 230 *if þu... meih.* 14. in *Horstmann* *Hampole's Wks.* (1895) l. 105 *If þou may.* a. 1553 *UDALL Royster D.* iv. vii. (Arb.) 72 *Sau thy head if thou may.*

B. *sing.* 1 *mæze*, 2-3 *mæze*, *mūze*, (3 *Ormin muzhe*), *muhe*, *muwe*, *moze*, *mawe*, 3-5 *mowe*, 4 *mow*, plural. 1 *mæzon*, *-ē(n)*, (*mahan*), 3 *Ormin muzhenn*, 4-5 *mowē(n)*, etc. (as in Indicative). c. 888 *K. ÆLFRED Boeth.* vii. § 3 (*Sedgefield*) 18 *þæt him þa stormas derigan ne mæzon* [*v.r.* *mahan*]. c. 1000 *ÆLFRED Gen.* xv. 5 *Telle þas steoran*, *ziþ þu mæze.* a. 1000 *Cædmon's Gen.* 400 *ziþ we hit mazen wið æþencan.* c. 1121 *O. E. Chron.* an. 1137 (MS. E.) *And he meht hit forþan.* c. 1200 *ORMIN* 2419 *Hu mæzi þiss forþed werunn*, *þæt I wiþþ childre muþe ben?* c. 1205 *LAV.* 1520 *Wether ich mæze* [c. 1275 *mawe*] *þe uferu hord haben.* c. 1225 *ANCR. R.* 68 *1ðen like huse, oder þe huwe* [*MS. T. miþe*] *seon toward ou.* c. 1275 *PROSP. ÆLFRED* 561 in *O. E. Misc.* 132 *ziþ...* *þu ne moze mid strenge þe selwen steren.* a. 1300 *Havelok* 675 *Yif me gold and oþer þe þat y mowe riche be.* 1414 *Rolls of Parlt. IV.* 591 *That these... meschiefs... mowen ben amended.* c. 1440 *Falldin* on *Husb.* i. 131 *Change hem yf thou mowe.* a. 1450 *MYRC* 95 *And sch moze se þe heð.*

4. Indicative and Subjunctive Past.

a. *1st and 3rd pers. sing.* *plaurt might* (*mōit*); *2nd pers. sing.* *mighest* (*mōist*).

B. *1st and 3rd pers. sing.* *Forms:* 1 *meahte*, *mehte*, Northumb. *mæhte*, 1-4 *mihte*, 2-3 *michte*, 2-4 *myhte*, 3 *michte*, *mihte*, *myht*, *mahte*, *Ormin mihte*, 3-5 *mihte*, *myzite*, 3-6 *mizt*, *myzt*, 4-5 *michte*, 4-6 *Sc. micht*, *mycht*, 4-7 *myght*, (4 *miht*, *myht*, *Sc. macht*, 4, 8-9 (chiefly *Sc.*) *mith*, 5 *meghte*, *myte*, *myth*, 6 *mythe*, 6-7 *myt*, 7 *myt*, 8-9 *Sc. meith*), 4-4 *might*.

c. 975 *RUSHW. GOSP.* Matt. viii. 28 *Swa fætte mænig mæhte faran þurh wæge þæm.* a. 1000 *GUTHLAG* 548 *Hit ne meachte swa.* a. 1000 *Boeth. Metr.* xi. 102 *ziþ hit meachte swa.* 1254 *O. E. Chron.* an. 1137 (MS. E.) *ðæt he ne myhte nowider-wardes.* c. 1205 *LAV.* 1205 *To ane wansume londe þer ich mihte wunien.* a. 1225 *St. Marher.* 13 *Ne mahte me na mon ouercomen.* 1297 *R. GLOUC. (Rolls)* 1483 *ziþ it mište ðe ido.* a. 1300 *K. Horn* 9 *Feyrore child ne myhte be born.* a. 1300-40 *Cursor M.* 466 (Gött.) *In heuen miht* [*Coll.* *moght*, *maht*, *mizt*, *Trin.* *myzite*] *he no langer abide.* *Ibid.* 686 *Saufti mih þai samede slepe.* c. 1330 *R. BRUNNE Chron.* (1810) 3 *He was of gater elde & myght not traualle.* c. 1375 *Sc. Leg. Saints* v. (*Thomas*) 247 *Þil he thoctt quhat yise he micht torment þam.* c. 1375 *Ibid.* xiii. (*Marcus*) 180 *þæt stand one fut na man machtt.* c. 1400 *ADAM DAWY'S Dreams* 14 *He ne miht þennes god ne ride.* 1415 *St. R. GREY* in *43 Dep. Kp's. Rep.* 583, *I said treutli I meghte not but I wolde cum.* c. 1440 *Gesta Rom.* liii. 233 *He lernid to be a phisician*, that myte be eny place. 1470-85 *MALORY Arth.* II. xi. 111 *Rydynges*, as fast as she myzt dryue. a. 1529 *SKELTON Wolffyll Araid* 33 in *Wks.* (Dyce) l. 142 *What myzt I suffir more Than I haue don?* 1536 *Anc. Cal. Rec. Dublin* (1889) l. 499 *In that he myhte... obayne the kyng*

The Oxford English Dictionary (1933)

MAY.

258

MAY.

away. 1794 *Lett. Honoria & Marianne* III. 115 If one... considers the motives which influence to it, we may indeed be amazed. 1818 *CRUISE Digest* (ed. 2) III. 114 The grantor says, you may go in this particular line, but I do not give you a right to go either on the right or left. 1852 THACKERAY *Esmond* III. xxii, May we take your coach to town? I saw it in the hangar.

¶ **b. Law.** In the interpretation of statutes, it has often been ruled that *may* is to be understood as equivalent to *shall* or *must*.

1728 SKINNER *K. B. Rep.* 370 For *may* in the Case of a publick Officer is tantamount to *shall*. 1782 ATKINYS *Chancery Rep.* III. 166 The words *shall* and *may* in general acts of parliament, or in private constitutions, are to be construed imperatively, they must remove them. 1873 BLACKBURN in *Law Rep.* 8 Q. B. 482 There is no doubt that 'may', in some instances, especially where the enactment relates to the exercise of judicial functions, has been construed to give a power to do the act, leaving no discretion as to the exercise of the power.

5. Expressing subjective possibility, i.e. the admissibility of a supposition.

a. (with pres. inf.) In relation to the future (*may* = 'perhaps will').

c. 1205 LAY. 31098 Purh hire þu miht biwinnen lufe of hire cunnen. c. 1300 *Cursor M.* 1193 Vn nebburs mai [Fairf. vil, Trin. wof] þam on vs wreke. c. 1369 CHAUCER *De the Blaunche* 556 And telleth me of your sorowes smerte Paraventure hit may easse youre herte. c. 1450 *Kut. de la Tour* (1859) 83 What harmes and inconueniencis now come therof to the foule body. a. 1533 LD. BERNERS *Huon* xci. 311 Yf ye go not to my brother for socoure ye may happe to repent it. 1594 SHAKS. *Rom. & Jul.* III. iv. 25 It may be thought if we held him carelessly, Being our kinsman, if we reuelli much. 1621 FLETCHER *Wild Goose Chase* IV. ii. Stuck to that truth, and it may chance to saue thee. 1677 FELTHAM *Resolves* I. lxxi. 109 Miseries, that but may come, they anticipate and send for. 1711 STEELB. *Spec. No.* 95 ¶ 5 The improvement of our Understandings may or may not, be of Service to vs according as it is managed. 1871 MORLEY *Voltaire* (1886) 10 The violent activity of a century of great change may end in a victory.

b. (with pres. inf.) In relation to the present (*may be* or *do* = 'perhaps is' or 'does').

1390 GOWER *Conf.* I. 48 There is manye of yow faitours, and so may be that thou art hit, such on. c. 1400 *Relig. Places fr. Thornton MS.* 2 Perawnter þe defaute may be in thaim þat hase þaire saules for to kepe. 1707 CHAMBERLAYNE *St. Gt. Brit.* III. xi. 428 The next thing remarkable in the City of London, may be the Bridge. 1751 *Affecting Narr.* *Wager* 8 What I have said may seem oddly introduced here. 1855 M. ARNOLD *Summer Night* 84 A tinge, it may be, of their silent pain. 1875 JOWETT *Plato* (ed. 3) I. 463, I dare say, my friend, that you may be right.

c. In the 18th c. it was common to use *might be* or *do* in the sense of 'perhaps was' or 'did'. This is now rare.

The new current form *may have been* or *done* (5 d) is more logical, as the subjective possibility is a matter of the speaker's present.

1753 RICHARDSON *Grandison* (1811) II. xxix. 297 Your father, my dear, (but you might not know that,) could have absolved you from this promise. 1762 HURD *Lett. Critic. & Ann.* 85 After all these two respectable writers might not intend the mischief they were doing. c. 1789 GIBSON *Autobiog.* (1896) 258 After the publication of my Essay, I revolved the plan of a second work; and a secret Genius might whisper in my ear that [etc.]. 1834 *Tracts for Times* No. 22. p. 3 All along the whole length of the garden (which might be perhaps nearly one hundred yards) he had fixed... stakes. 1862 *Borrow Wild Wales* xcv. It might be about half-past two in the afternoon when I left Lampeter.

d. (with perf. inf.) In relation to the past (*may have been* or *done* = 'perhaps was' or 'did', 'perhaps has been' or 'done').

1682 PRIDEAUX *Lett.* (1875) 131 It is not Alestre, y^e book-sellers son, whom you may have known. 1860 R. WILLIAMS in *Ess. & Rev.* 91 Reverence, or deference, may have prevented him from bringing his prayers into entire harmony with his criticisms. 1879 MISS BRADDON *Cloven Foot* xxxii. The husband, or lover, may have been out of the way.

6. Uses of the *pa. t. subj.* (in any of the senses 2-5) in the statement of a rejected hypothesis (or a future contingency deemed improbable) and its consequences.

a. In the protasis. (In poetry, sometimes with inversion; *might I* = *if I might*.)

c. 1175 *Cott. Hom.* 233 Miht i efre is! Na zewold ham selfe to biesten wriddic echte. c. 1200 ORMIN 5160 þif þatt tu mihtisest luffend God Swa þatt it were him eweme Wipputenn lufe of ihwille man. þa mihtisest tu ben borzhen Wipputenn lufe of ihwille man. a. 1300 *Cursor M.* 4123 To stint wald he, if he mozt, þe foly þat his breþer thought. 1470 *Gaw. & Gol.* 422 Gif pament or praiser might mak that purchese. 1579 SPENSER *Sheph. Cal.* March 53 Mought her necke bene joynted attones, She should haue neede no more speill. 1594 MARLOWE & NASHE *Dido* III. iii. And mought I due to see him sacke rich Thieves. Then would I wish me with Anchises Tombe. 1609 SHAKS. *Timon* I. ii. 90 Might we haue that happiness... we should think our selues for euer perfect. 1617 HARRISON *Wks.* II. 88 Daudid... mought he haue had his choise... no doubt he would rather haue had one little drop of mercy. 1807 BYRON *Hours of Idleness*. Oh! might I kiss those eyes of fire, A million scarce would quench desire.

b. In the apodosis, might would be able to, would be allowed to, would perhaps.

c. 838 K. ALFRED *Boeth.* VII. § 11. (Sedgfield) þu gif þæt þine aigne wela; waron þe wu mændest þæt þu forlure, ne meahtest þu hi na forlesan. c. 1200 *Lay.* c. 1374 CHAUCER *Compil. Wars* 205 Yf that Icelosie hit knewe that they myghten lightly lufe her hede to borowe. 1470-85 MARLOWE *Arthur His. Part. XI.* 162 W. M. Whyng that, if yt shall so happen, I mought be agaynst that tyme ready army, 1549 *Bk.*

J. WILSON *Projectors* I, You mought haue come up a pair of stairs higher if you had pleas'd. 1697 DRYDEN *Virg. Georg.* IV. 704 A Fault which easie pardon might receive, Were Lovers Judges, or could Hell forgive. 1764 FOOTER *Mayor of Garratt* I. (1783) 24 If the war had but continued awhile, I don't know what mought ha' been done. 1875 TENNYSON *Q. Mary* I. iii. So you would honour my poor house to-night, We might enliven you. 1895 R. L. DOUGLAS in *Bookman* Oct. 23/1 Had he but shown a little more firmness and astuteness, he might have secured infinitely better terms than he did.

c. with suppressed protasis.

971 *Blickl. Hom.* 69 To hwon sceolde þeos smyrenes þus been to lore zedon? eape he mehte been zesald to brim hunde penega. c. 1230 *Hali Meid.* 3 Fleschliche bohtes, þat.. maken þe to benchen.. Hu mucle god mihte of inker streon taxen. 1350 *Will. Palerne* 5354 No tong miht telle þe twentipe parte Of þe mede to menestrais þat mene time was zee. 1362 LANGL. *P. Pl.* A. v. 21 Of þis Materie I mihte Momele ful longe. 1477 EARL RIVERS (Caxton) *Dixes* i Werkes that myght be most acceptable to hym. 1576 FLEMING *Oct. Epist.* 257, I my selfe seeme to presume the time, which otherwise on my booke mought be employed. 1595 SHAKS. *John* I. i. 123 Your father might haue kept this calfe.. from all the world. 1621 Br. MOUNTAGU *Diatribe* 93 Diuers haue.. protested against the taking or holding Parsonages as Lay-tees, when they mought haue had them vpon good Purchase. 1796 HUNTER tr. *St. Pierre's Stud. Nat.* (1799) I. 477 The same doubts might be started, respecting the nature of Water. 1809 MALKIN *Gil Blas* VI. i. ¶ 14 Three figures such as ours might haue dumfounded a better man. 1845 M. PATTERSON *Ess.* (1889) I. 75 In the sixteenth century, a conscientious bishop might be truly said to place his life in jeopardy every hour. 1860 R. WILLIAMS in *Ess. & Rev.* 92 note, One might ask, whether the experience of our two latest wars encourages our looking to Germany. 1891 *Speaker* 2 May 53/1 The book is very much what might haue been expected from the author.

¶ **d. In the perfect tense have** was sometimes dropped.

1440 in *Wars Eng. in France* (Rolls) II. 450 And it had ben wel gouerned, [it] might many a yeere susteyned youer werres. 1545 LD. BERNERS *Fróis.* II. 402 He might wel escaped, if he had wolde.

7. In questions, *may* with *inf.* is sometimes substituted for the indicative of the principal vb. to render the question less abrupt or pointed.

15.. *Kyng & Hermyt* 143 in *Hazl. E. P. P.* I. 19 The way to the towne if I schuld wynd, How fer may it be? a. 1721 PRIOR *Phillis's Age* i How old may Phillis be, you ask. 1798 WORDSW. *We are seven* 14 Sisters and brothers, little maid, How many may you be? 1886 W. J. TUCKER E. *Europe* 401 'What may you want with our schoolmaster?'

b. Similarly might.

1590 MASSINGER, etc. *Old Law* v. i, And which might be your faire Bride sir? 1630 DEKKER and Pt. *Honest Wh.* v. ii, What mought I call your name, pray?

8. As an auxiliary of the subjunctive mood.

a. Since the desire for an end involves the desire for the possibility of the end, *may* in sense 3 in combination with an *inf.* is used, in clauses involving the idea of purpose or contemplated result, to express virtually the same meaning as the subjunctive of the principal verb. Hence this combination has come to serve as a periphrastic subjunctive, which has in ordinary prose use superseded the simple subjunctive in final clauses.

(a) in final clauses introduced by *that* or *lest*; also occas. with ellipsis of *that* (e.g. after *to the end*).

c. 900 tr. *Beda's Hist.* II. i. (Schipper) 107 Onfoh þu eorþe lichaman of þinum lichaman zenumen, þæt þu hine eft azýfan mæze, þonne hine God lifizæte. c. 950 *Liuidif. Gosp.* Mark III. 10 Hine raesson on þin þætte hine hine zehindon vefhrina maethes. a. 1275 *Cott. Hom.* 229 Pa wercte he fele wundra þat men mihten trefen þat he was godes hearn. c. 1275 *Sinners Beware* 30 in *O. E. Misc.* 71 Makie we us clesn and skere þat we enlaue iwe Mawe beon. a. 1300 *Cursor M.* 14578 þat agh þe draue þe folk emid, þat þai þe þaf þai se and here. 1424 tr. *Secreta Secret.*, *Priv.* 205 Youre lyght so lyght afore men that they mowen See youre goode workys. 1540-1 ELVOT *Image Gov.* 2, I wished that it had ben published in suche a tounge, that moe men mought understande it. 1559 [see LEST 1 c]. 1654 J. WRIGHT tr. *Camus's Nat. Paradox* VIII. 176 To the end by his return thou maist geue o'r complaining. 1751 JOHNSON *Rambler* No. 170 ¶ Lest my appearance might draw too many compliments. 1807 *Med. Trul.* XVII. 342, I took several children to see the woman.. that they might behold the nature of the disease.

(b) in relative clauses with final meaning.

c. 1220 *Bestiary* 627 in *O. E. Misc.* 20 For he ne haufen no lið that he musen risen. c. 1250 *Gen. & Ex.* 573 Al-mistign god him bad it so, And mete quorði dei mistien luen. c. 1375 *Sc. Leg. Saints* xxxv. *(Thadde)* 127 *Scot.*..leift a hole quahere men mochte reue hire mete, as bame thocht. 1638 LISTE A. S. *Monvun.*, *Lord's P.* I. 3 b, Whereby they mought the better serue their God. c. 1645 HOWELL *Lett.* (1796) 8 Then let me something bring May Handse the new year to Charles my king. 1751 JOHNSON *Rambler* No. 170 ¶ 3 My mother sold some of her ornaments to dress me in such a manner as might secure me from contempt. 1849 MACAULAY *Hist. Eng.* II. I. 201 It was not easy to devise any expedient which might avert the danger.

(c) in clauses depending on such vbs. as *wish*, *demand*, *desire*, *beseech*, and their allied sbs.

c. 1000 ALFRED *Hom.* (Th.) I. 152 Hwaet wylt þu þæt ic þe do? He cwæð, Dritten, þæt ic mæze zeseon. 1390 GOWER *Conf.* I. 10 Unto the god ferst they besoughten.. That they myhten fe the vice Which Simon hath in his office. 1432 *Paston Lett.* I. 32 The said Erie desirith.. that he may putte hem from.. occupation of the Kinges service. 1546 *St. Papers Hen. VIII.* XI. 162 W. Whyng that, if yt shall so happen, I mought be agaynst that tyme ready army, 1549 *Bk.*

Com. Prayer, *Coll. 1st Sund. after Epiph.*, Grant that they maie both perceiue and knowe what thinges they ought to do. 1610 SHAKS. *Temp.* I. ii. 168 Would I might But euer see that man. 1670 J. SMITH *Eng. Improv. Reviv'd* 13 It is my great request to God that there might not be one Family in England wand bread. 1771 [see 9 a]. 1781 COWPER *Conversations*, 124 He humbly hopes—presumes—it may be so. 1834 *Tracts for Times* No. 22. p. 11, I desired he might come to me into my Study. 1849 MACAULAY *Hist. Eng.* V. I. 572 He..demanded that a large vessel.. might be deined.

(d) in clauses (introduced by *that*, *lest*) depending on *feare* vb. or sb., *afraid*, and the like.

1563 *Homilies* I. (1859) 375 Continually to feare, not only that we may fall as they did [etc.]. 1666 G. WOODCOCKE *Heli. Justice* III. 19 Feareng, lest if the Lacedemonians should be the first that violated the league, they might haue seized thereupon. 1651 C. CARTWRIGHT *Cert. Relig.* I. 67 Be not highminded, but feare..lest thou also maist be cutt off. 1691 [see FEAR 4 b]. 1816 [see AFRAID 2 c].

b. In exclamatory expressions of wish, may with the *inf.* is synonymous with the simple pres. subj., which (exc. *poet.* and *rhet.*) it has superseded.

The subject normally follows *may*, but examples are found in the older lang. in which this is not so. 1586 MARLOWE *1st Pt. Tamburl.* I. 1 Long lufe Cosroe, mighty Emperour! *Cosr.* And loue may neuer let me longer lufe Then I may seeke to gratifye your loue! 1593 SHAKS. *Ven. & Ad.* 505 Long may they kisse ech other for this cure! 1611 BIBLE *Transl. Pref.* ¶ 3 Long may he reigne. 1634 MILTON *Comus* 924 May thy brimmed waves for this Their full tribute neuer miss. 1647 *Fletcher's Woman's Prize* Prol., Which this may prove! 1711 TICKELL *Spec. No.* 410 ¶ 6 But let my Sons attend, Attend may they Whom Yound Vigour may to Sin betray. 1717 *Estimates* No. 2. 7 Much good may it do the Dissenters with such Champions. 1786 C. SIMON in W. *Carus Life* (1847) 71 May this be your blissed experience and mine. 1840 DICKENS *Old C. Shop* vii, 'May the present moment', said Dick., 'be the worst of our lives!'

c. Might is also used to express a wish, esp. when its realization is thought hardly possible.

This use appears to be developed from the hypothetical use (6 a).

a. 1400-50 *Alexander* 1605 (Ashm.) 'Ay mozt [Dubl. mot] he lefe, ay mozt he lefe' quod ilka man twyse. 1596 SHAKS. *Merch.* V. II. ii. 98 Lord worship! might he be, what a beard hast thou got. 1852 M. ARNOLD *To Marguerite*, *Cott'd* 18 Oh might our marges meet again!

d. May with the *inf.* of a vb. is used (instead of the simple indicative or subjunctive) to emphasize the uncertainty of what is referred to:

(a) in indirect questions depending on such verbs as *ask*, *think*, *wonder*, *doubt*, and their allied sbs.

a. 1100 *Genefa* in *Anglia* IX. 261 Pat: he asceþ hu he yrde mæge lyme zeforðran ðonne þæs time sy. c. 1205 LAY. 1753 þu zot hit weore a wene war þu heo mihtes zæc. c. 1220 *Bestiary* 683 in *O. E. Misc.* 22 He..weren in ðeot, hu he mihten him helpen ovt. a. 1350 *Owl & Night*, 1581 Pat gode wif..fondeth hu heo muhe [Jesus MS. mowe] Do þing þat him beo iduæe. c. 1386 CHAUCER *Clerk's T.* 53 Ne koude nat vs self deuyen how We myghte luyen in moore felicitie. c. 1330 LD. BERNERS *Arth. Lyt. Bryt.* (1814) 508 And than he demaunded of his seruantes what it might be [Fr. orig. *que c'estoit an' il avoit*]. 1795 COLEBRIDGE *Conciones* 62 On her enquiring what might be the price of the jewels, she is told, 'they were [etc.]'. 1851 *Dames's Story Burnt Nat* II. 1 The Earl asked of what stock he might be.

(b) in clauses introduced by an *inf.* relative.

1530 PALSON. 444/2 Be as maye, *vaille que vaille*. 1605 SHAKS. *Macb.* I. iii. 146 Come what come may. a. 1616 BEAUM. & FL. *Queen of Corinth* I. i, I am confur'd Fall what may fall. 1650 [see HOWEVER 1 c]. 1711 ADDISON *Spect.* 46 ¶ 6 However weary I may go to Bed, the Noise in my Head will not let me slepe. 1784 COWPER *Hope* 536 He laughs, whatever weapon Truth may draw. 1861 M. PATTERSON *Ess.* (1889) I. 37 The preceptor..whatever his other qualifications may have been, had not earned his promotion by his Latin style. 1890 RUSSELL *Lect. Art.* (1893) 102 Those of you who may intend passing their vacation in Switzerland. 1899 W. JAMES *Talks to Teachers* (1904) 57 A tactful teacher may get them to take pleasure...in preserving every drawing or map which they may make.

9. With ellipsis of the infinitive.

a. In independent sentences, where the inf. is to be supplied from a prec. sentence; or (more freq.) in subord. clauses, where the inf. is to be supplied from the principal clause.

a. 1000 *Guthlac* 1082 Aras ða corla wynn heard hyze-snottor, swa he hræpost meathe. c. 1000 AGe. *Gosp.* Luke xvi. 26 þa ðe willað heonan to eow faran ne maxon. c. 1275 *Lamb. Hom.* 37 And helpen heom mid þon þe þu mazes. c. 1205 LAY. 3524 And helþ him þu for þu miht. c. 1250 *Hymn* I. 38 in *Trun. Coll. Hom.* App., þu me schilð þe from þe feonde ase þu eut efre & wilt & maucht. c. 1300 *Harroun Hill* 141 Kepe þe zates wyzote man. 1318 *Wyclif Sec. Wks.* III. 510 Oþere Crist myhtes seve sich a reule. and wolde not..or ellis Crist wolde ordeyne sich a reule and myzte not. c. 1440 *Love Bonavent.* *Mirr.* xii. 29 Here frendes comforteden hem as þei myghten. 1470-85 MARLOWE *Arthur* x. xxxvi. 472 Kepe the as wel as euer thou mayst. 1513 DOUGLAS *Eneis* VI. v. 180 And fra his sorowful hart, as that he mocht, Sum deil expellit hes the dolorous cart. 1547 *Homilies* I. Of Charity II. (1859) 72 To all such we ought, as we may, to do good. 1590 SHAKS. *Hen.* V. II. 12 Things must be as they may. 1615 W. BEDWELL *Alskom. Inpos.* I. § 9 *Ah*. I know not whether I may ask that question, or not. *Sh.* Yes, you may. 1689 A. ASHLEY in *King Life Locke* 183 So far was I from learning the discretion I mought by this that I grew worse than before. 1771 SMOLLETT *Humph. Cl.* 31 May, Perhaps I mistake his complaisance; and I wish I may, for his sake. 1796 HUNTER tr. *St. Pierre's Stud. Nat.* (1799) III. 456 Be it as it may. 1805 SCOTT *Last Minstr.* II. xxiv. He joyed to see the cheerful light, And he said Ave Mary, as well as he might.

"May" 4/4 The Oxford English Dictionary (1933)

MAY.

259

MAY-FLY.

1851 E. FITZGERALD *Euphrator* (1904) 47 We think the world is growing wiser; it may in the end. **1857** M. ARNOLD *Rugby Chapel* 34 We, have endured Sunshine and rain as we might. **1896** A. E. HOUSMAN *Shropshire Lad* v, 'Twill do harm to take my arm. 'You may, young man, you may.'

b. With ellipsis of a vb. of motion. Chiefly poet. *Beowulf* 754 He on mode weard ð sathan on ferðe; no þy ær fram meabite. **1000** *Christ & Satan* 42 (Gr.) Þæt ic up heoton mæxe. **1154** O. E. *Chron.* an. 1131 (MS. E), þæt man him held þæt he ne mihte swa, þæt [etc.]. **1330** *Arth. & Meri.* 1209 (Kilburg) For we no mow no what oway. **1386** CHAUCER *Reeve's T.* 197 For it was nyght and forther myghte they noght. **1590** SHAKS. *Mids. N.* iii. ii. 433 That I may backe to Athens by day-light. **1596** — *1 Hen. IV.* iii. i. 142 The Moone shines fayre, You may away by Nyght.

c. With ellipsis of *do* or *he*. Also in the phr. *I may not but* = There is nothing for me to do but. (Cf. sense 1.)

Beowulf 680 (Gr.) Ic hine sweorde swebban nelle. . . beah ic eal mæxe. **1000** *Christ & Satan* 22 (Gr.) Duhte him on mode, þæt hit mihte swa, þæt [etc.]. **1154** O. E. *Chron.* an. 1132 (MS. E), þa he nanmor ne mihte. **1330** R. BRUNNE *Medit.* 52 Þæt þe bete hym. . . Tyl þæt þe were and mow no more. **1386** WYCLIF *Wisd. xi.* 24 Thou hast merci of alle, for alle thingus thou maid. **1400** *Gower Conf.* l. 89 He was a man that moche myhte. **1422** *tr. Secreta Secret.*, *Priv.* 161 Who so will not when he may, he shal not when he wille. **1450** *Gay Warw.* (C.) 697 He felle done and myght no more. **1556** *Arctich & Isab.* (1608) l. 11, So muche mighte her malice, that not onely she sinne, but made hir husbande sinne. **1587** FLEMING *Contn. Holmsted* III. 137/2 Muche maie that was not yet. **1597** MORLEY *Introd. Mus.* 2 If it had been the pleasure of him who may all things. **1604** SHAKS. *Oth. iii.* l. 50 The Moore replies. . . that in wholsome Wisdome He might not but refuse you. **1721** KELLY *Scot. Prov.* 169 He that may not as he will, must do as he may.

10. For *may well*, *may as well*, see WELL *adv.*
11. as *sb.* An instance of what is expressed by the vb. *may*; a possibility.

1849 H. MILLER *Footst.* *Creat.* 248 Even were we to permit the sceptic himself to fix the numbers representative of those several *may*s in the case.

† **12.** In adv. phrases of the same type as and equivalent in meaning to *MAYHAP*; *may chance*, *may-fall*, *may-fortune*, *may-tide*. *Obs.*

1300 *Cursor M.* 2750 If þou þar findest. . . fifty or fourte o pi lele men, tuenti mai fall, or þis fuge, ne sal þai alle haue þar-for liure? *Ibid.* 4777, etc. **c. 1375** BARBOUR *Bruce* ix. 376 Thai that war within, ma fall. . . slepit all. **c. 1460** *Towneley Myst.* vi. 81 May tyde he will oure gifis take. **1548** UDALL *Erasm. Par. Tolu* v. Mafortune as then y^r tynde did not suffer so inexplicable a merite to be put in wryting to all mens knowledge. **1556** HONY *Creation's Courtier* Epist. (1561) B. *May* among gentlemen, which haue may chance an opinion that to be in me, that is not in deed. **1581** MULCASTER *Positions* xvi. (1887) 72 That [dancing] onely is reserued, which beareth oftymes blame, mancehnce being corrupted by the kinde of musick.

May (mā), v. **2** *Obs.* *exc. arch.* in pr. pple.: cf. *MAYING* *vb.* *s.* [f. *MAY sb.*] *intr.* To take part in the festivities of *May-day* or in the pleasures of the month of *May*; to gather flowers in *May*.

1470-85 MALORY *Arthur* xix. l. 773 Soo as the queene had mayed and alle her knyghtes alle were bedashed with herby mosses and floures. **1508** DUNBAR *Colo. Targe* 13 Ladies to dance full sobirly assaivy. Endlang the lussy ryvir so that mayit. **1848** KINGSLY *Saint's Frag.* ii. x. [ix.], Oh! that we two were *Maying* Over the fragrant leas.

† **May**, v. **3** *Obs.* [Aphetic f. *AMAY*.] *trans.* To dismay. Also *intr.* To be dismayed.

c. 1380 *Sir Ferumb.* 978 Ac wan Charlis hit wess & se3 for hymen hym gay to maye. **c. 1400** BERRY *Mayes* [Dubl. MS. maye] next 300 herthis. *Ibid.* 5399 Ourte mode kyng was so maied myndles him semed. **1560** LLOYND *Crt. Venus* ii. 314 In all my days was I not half sa maynt.

May, dial. f. *MAKE v.*, var. *MO* *Obs.*, more.

May: see *MAL*.

|| **Maya** (māyā). [Skr. *māyā*.] Illusion: a prominent term of Hindu philosophy.

1823 COLEBROOKE in *Trans. Roy. Asiatic Soc.* (1827) I. 30. **1827** *Ibid.* (1830) II. 39 The notion that the versatile world is an illusion (*māyā*). **1878-9** J. CARD *Philos. Relig.* (1880) 339 Religion . . . teaches us that only by looking on the world and the lust thereof as 'Maya', as illusion, vanity, deceptive appearance, can we get near to God.

May-apple. U.S. [MAY sb.]

1. An American herbaceous plant, *Podophyllum peltatum*, bearing a yellowish, egg-shaped fruit, which appears in *May*.
Called also *duck's foot*, *hog apple*, *wild lemon*, *mandrake*. **1733** MILLER *Gard. Dict.* (ed. 2), *Anapodophyllum*, *Duck's foot*, or *Pomum Maiale*, i. e. *May-apple*. . . This Plant was brought from America. **1789** J. MAY *Trav. & Lett.* (1873) 97, I ate frequently of the *May-apple*, which is of a very agreeable flavor, and resembling pine-apple. **1876** HARLEY *Nat. Med.* (ed. 6) 777 The *May Apple* is common . . . along the eastern side of North America.

2. = *honeysuckle-apple*: see HONEYSUCKLE **8**.
1872 SCHELE DE VÈRE *Americanisms* 300 The same term of *May-apple* is not infrequently applied to a large, globular excretion produced by the sting of a wasp on the miniature flowers of the Swamp Honeysuckle, and . . . occasionally to the shrub itself.

May-be, maybe (mā'bi), *adv.*, *sb.*, and *a. arch.* and *dial.* Also *dial.* mebbe, mebbies, etc. (see E. D. D.). [Shortened from *it may be*: cf. *MAY-FALL*, *MAYHAP*, and *F. peut-être*.]

A. adv. Possibly, perhaps. Sometimes used like a conj. with a dependent *that* (cf. *F. peut-être que*).

a 1425 *Cursor M.* 17553 (Trin.) *mai* may [Cott. mai fall] sum goost awey him ledde. **1599** MASSINGER, *exc. Old Law* iii. ii, *May-be*, some fairy's child. . . Has pished upon that side. **1661** GLANVILL *Van. Dogm.* 175 This, *may-be*, was the reason some imagin'd Hell there. **1733** SWIFT *Appt.* Wks. 1755 IV. l. 209 Impossible I, it can't be me. Or *may-be* I mistook the word. **1848** THACKERAY *Lett.* 28 July, Our Lord speaking quite simply to simple Syrian people, a child or two *may-be* at his knees. **1866** DASENT *Gist* 22 *Maybe* that others than Arnor utter this. **1871** R. ELLIS *tr. Catullus* lxii. 46 *Maybe* for all they chide, their hearts do inly desire thee.

B. sb. What *may be*; a possibility, possible contingency.

a 1586 SIDNEY *Sonn.* in *Arcadia* etc. (1629) 525 And thus might I for feare of may be, leave The sweet pursuit of my desired prey. **1603** N. BRETTON *Post with a Mad Packet* l. xlii, *May-be* is a doubt, but what is must be regarded. **1615** *Day Festivals* xii. 335 Without all *Maybes*, the Lord is never more gracious to his Servants. **1756** *Monitor* No. 9. II. 9, I will not . . . be scared out of my senses by improbabilities and *maybes*. **1822** A. BIRRELL *Res Judic.* vi. 168 [He] objected to our carrying on a flirtation with mystic *maybes* and calling it Religion. *Proverbs* (punningly). **1721** KELLY *Scot. Prov.*, *Maybes* are no aye hony-bees. **1738** SWIFT *Pol. Conversat.* l. 19 *May-bees* don't fly now, Miss.

C. adv. Which are possibly to come.

1687 DRYDEN *Hind & P.* iii. 294 Those *may-be* years thou hast to live.

May-bug. [MAY sb.] The cockchafer; also the CHOVY.

1698 FROGER *Voy.* 48 The Colibri is a small bird, no bigger than a *may-bug*. **1712** (see COCKCHAFER). **1774** GOLDSM. *Nat. Hist.* (1862) II. iv. vi. 542 The *May-bug*, or dorr-beetle. **1884** *Christian World* 18 Sept. 697/2 The sparrow . . . eats 'chovies', or *May-bugs*.

May-bush. [MAY sb.] a. A branch of hawthorn. b. The hawthorn or may-tree.

1579 SPENSER *Sheph. Cal.* May 34 O that I were there, To helpen the Ladyes their *Maybush* baire. **1597** GERARDE *Herbal* iii. xxii. 1146 *May* do call the tree it selfe the *May bush*, as a chiefe token of the coming in of *May*. **1598** Florio, *Bagat.* the white-thorne, hawthorne tree, or landowners maie bush. **1727** W. MATHER *Yng. Man's Comp.* 126 Scandalous Sports and Pastimes, such as *May-Bushes*, *Morris-Dancing*. **1781** C. JOHNSTON *Hist. J. Juniper* II. 136 His tawney face looked just like that of a chimney-sweepers boy peeping through his *may-bush*. **1861** NEALE *Notes Ecol. & Pict. Dalmatia*, etc. 164 Red *May-bushes* sending out their fragrance.

May-butter. [MAY sb.] cf. *F. beurre de mai*.] Unsalted butter preserved in the month of *May* for medicinal use (see *quote* 1615).

1684 COGAN *Haven Health* cxvii. (1612) 157 Yet would I wish that such as haue children to bring vp, would not be without *May butter* in their houses. **1614** MARKHAM *Cheap Husb.* l. ix. 37 Take the leaves of wilde Nepe. . . and beating them in a mortar with *May-Butter* apply it. **1615** — *Eng. Housew.* ii. iv. 113 If lumped in the month of *May* before you salt your butter you saue a dumpe thereof and put it into a vessel, and so set it into the sunne the space of the moneth, you shal finde it exceeding . . . medicinale for wounds. **1660** M. R. *Exact Acc. Receipts* 10 A pound of *May-butter*.

b. In fig. and proverbial use.

1601 DEACON & WALKER *Ansu. Daxel* 224 Not any other but *May-butter* it selfe could possible melt in their mouths. **a 1625** FLETCHER *Noble Cent.* i. i, *Mad* as *May-butter*. **1653** WALTON *Angler* iv. 115 You see it rains *May-butter*.

Maychance: see *MAV* **v**

Maycock (mā'kɔk). U.S. Forms: 6 *maccocquer*, 7 *maccoks*, *maccocquer*, 8 *maccouer*, 9-*maccok*, 8-9 *maycock*. [Algonquin (Powhatan dialect) *mahcawq* (vocabulary in Strachey *Virginia* 1612).] A kind of melon.

1588 T. HARIOT *Virginia* II. C 2 b, They set. . . Beanes and Peaze. . . among the seedes of *Maccocquer* Melden, and Planta solis. **1612** CAPT. SMITH *Map Virginia* 17 A fruit like unto a muske melon. . . which they call *Maccoks*. **1612** STRACHEY *Virginia* (Halk. Soc.) 119 The *maccoks* is of the forme of our pumpions. **1626** GERARD *Herbal* ii. ccxxv, 910 *Maccoks* *Virginiani*, siue *Pepo Virginianus*, the *Virginian Maccok*, or *Pompon*. **1681** CREW *Catal. Rarities* ii. 195 The *Maccocquer*. A *Virginian Fruit*. **1705** BEVERLY *Virginia* 27 Their *maccoks* are a sort of melo-pepones, or lesser sort of pompon. **1872** SCHELE DE VÈRE *Americanisms* 60 The . . . name survives in its Anglicized form of *Maycock*. **1896** P. A. BRUCE *Econ. Hist. Virginia* I. 98 There were musk-melons, . . . *maccoks* or squashes, gourds, . . . beans and pumpkins.

Maycock, variant of *MEACOCK*.

May-day. [MAY sb.] The first day of *May*.
III (or *Evid*) *May-day*: 'the ist of *May*, 1517, when the apprentices of London rose against the privileged foreigners, whose advantages in trade had occasioned great jealousy' (Nares).

1428 in *Gross Glid Merch.* (1890) II. 65 On *Mayday* the yerre of our lording Kyng Henry be Seixt xvi, anno Dom. **1438**. **1541** Nottingham *Rec.* III. 382 *Peyd* for wyne on *May Day* when we rode *May*. **1609** B. JONSON *Sil. Wom.* iv. ii, Out of my dooers, you sons of noise and tumult, begot on an ill *May-day*. **1645** EVERLYN *Diary* i *May*, On *May-day* the greate procession of the Universitie and the Miliatiers at St. Antonie's. **1660**. *Songs Lond. Prentises* (Percy Soc.) 17 How ill *May-day* first got the name. **1865** *Chambers's Bk. Days* I. 571 *The* observations of *May Day*.

b. attrib., as *May-day games*, *garland*, *morning*;

May-day sweep, a chimney-sweeper decorated with ribbons and flowers at the London sweeps' *May-day* festival.

1613 SHAKS. *Hen. VIII.* v. iv. 15 'Tis as much impossible . . . To scatter 'em, as 'tis to make 'em sleepe On *May-day* Morning. **1615** HERWOOD *Four Prentices* I. B 2 b, Hee will not let mee see a mustering, Nor in a *May-day* morning

fetch in *may*. **1823** MARRIAT *N. Forster* x1, The frolic gambols of the *may-day* sweep. **1843** *JAMES Forest Days* iv, The *May-day* games of old England. **1850** GOSSSE *Rivers Bible* (1873) 160 note, As sometimes two hoops are fastened, to carry *May-day* garlands.

Maydese, variant of *MAIDEUX* *Obs.*
May-dew. [MAY sb.] Dew gathered in the month of *May*, supposed to have medicinal and cosmetic properties.

c 1430 LYDG. *Min. Poems* (Percy Soc.) 217 When buddys first appeere, And the *May-dew* round lik perlys fyne, **1602** *PLAT Delights for Ladies* (1611) H 8 b, Some commend *May-dew* gathered from Fenell and Celandine, to be most excellent for sore eyes. **1625** *BACON Sylva* 8 781, I suppose, that he that would gather the best *May-Deaw*, for Medicine, should gather it from the Hills. **1667** *PEYSY Diary* 28 *May*, To Woolwich, to lie there tonight, and so to gather *May-dew* tomorrow morning. **1751** *JOHNSON Rambler* No. 130 ¶ 5 A regular lustration performed with bean-flower water and *May-dews*. **1849** *JAMES Woodman* xviii, I have ordered my knave to bring you a furred dressing gown and a bottle of essence of *maydew*.

May duke, mayduke (mā'di:k). [Cf. *May-cherry* (MAY sb.) 5 c] and *Duke cherry* (DUKE sb. 6), both in Evelyn 1664.

The statement that this cherry was introduced from Médoc in France, and thence named, seems to be unfounded.
A variety of sour cherry.

1718 BRADLEY *Improv. Plant. & Gard.* iii. 43 All sorts of Cherries, excepting the small *May*, and the *May-Duke-Cherries*, prosper best when they have Liberty. **1820** H. MATTHEWS *Diary* (ed. 2) 46 *Medoc*—whence by the way comes our cherry whose name we have corrupted into *May Duke*. **1828** Miss MITFORD *Hillage* Ser. iii. 38 He would persevere you that brill was turbot, and that black cherries were *Maydukes*.

Mayed, *obs.* form of *MAID sb.*
Mayer (mā'i:ɪ). [f. *MAY v.* + -EB 1.] One who 'goes a-maying'.

1756 TOLDBERVY *Hist. & Orphans* II. 150 They set out on foot to join the merry *mayers*. **1825** *Home Every-day Bk.* I. 566 Parties of these *mayers* are seen dancing. **1831** 'Q' *Diect. Duck* 23 All but a few of the *mayers* had risen from the table.

Mayer, -ery: see *MAYOR*, *MAYOR*.

† **Mayey, a**. *Obs.* rare. Also *je*. [f. *MAY sb.* + -ey, -y.] Flowering in the month of *May*.

1604 T. WRIGHT *Pastors* i. iii. 14 To . . . enjoy the roses till they flourish, not to let wither the *Mayie* flowers of their flesh. **a 1618** SYLVESTER *Maiden's Blush* 470 And up hee comes as fresh as *Mayey-Rose*.

Mayflower (mā'flaʊə). [f. *MAY sb.* + FLOWER sb. Cf. G. *maiblume*, Du. *meibloem* lily of the valley; so *may-blossom* (MAY sb.) 5 c.]

1. A flower that blooms in *May*; used locally as a specific name for various plants, as the Cowslip (*Primula veris*), the Lady's Smock (*Cardamine pratensis*); see Britten & Holland *Plant-n.*

1626 *BACON Sylva* 8 507 They are commonly of rancke and fulsome Smell; As *May-Flowers*, and white Lillies. **1659** HOWELL *Prod.* 12/1 April showers bring forth *May flowers*. **1688** R. HOLME *Armoury* ii. 70 The Cowslip. . . we call it a *May-flower*. **1776** MICKLE *tr. Cannaens Lusiad* i. 24 *May-flowers* crowding o'er the daisy-lawn. **1817** KEATS 'I stood tipstoe' 30 A bush of *May-flowers* with the bees about them. **1823** G. JOHNSTON *Bot. E. Bard.* 23 *Cardamine pratensis*. . . In Roxburghshire. it is called the *May-flower*. *fig.* **1876** GASCOIGNE *Steele Glass* (Arb.) 119, I hope very shortly to see the *May flowers* of your favour.

2. A variety of apple.

1664 EVERLYN *Kal. Hort.* Aug. 72 Apples. . . Cushion Apple, Spicing, *May-flower*.

3. *N. America*, a. *Azalea nudiflora*. b. The trailing arbutus, *Epigaea repens*.

1828 LONDON *Arboretum* II. 1140 *Rhododendron nudiflorum* Torr. (*Azalea nudiflora* L.). the *American Honeysuckle*; *May Flowers*. **1853** W. H. BARTLET *Pilgr. Fathers* iii. 182 The beautiful *May-flower*—with its delicate roseate blossom and delicious scent. **1882** *Garden* 13 *May 32/1* The *May-flower*. . . is the emblem of Nova Scotia, with the motto, 'We bloom amid the snow'.

4. The West Indian *Dalbergia Brownei* and *Ecastaphyllum Brownei*.

1864 GRISEBACH *Flora V. Ind.* 785.

5. The South American *Lelia majalis*.

1894 WRIGHT & DEWAR *Johanson's Gard. Dict.*

May-fly. [f. *MAY sb.* + FLY sb.]
1. An insect of the family *Ephemeroidea*; esp. as an angler's name for *Ephemerella vulgata* and *E. danica* or an artificial fly made in imitation of either of these.

1651-3 T. BARKER *Art of Angling* 6 As for the *May-Fly* you shall have them always playing at the River side. **1653** WALTON *Angler* iv. 115 First for a *May-fly*, you may make his body with greenish coloured crewel. **1769** G. WHITE *Selborne* (1789) 60 What time the *may-fly* haunts the pool or stream. **1856** 'STONEHENGE' *Brit. Rural Sports* 650 Caddies are the larva of the ephemera, or *May-fly*, as well as the stone-fly and the caddis-fly. **1867** F. FRANCIS *Angling* vi. (1880) 223 The *May Fly* or *Green Drake*, called in Wales the *Cadow*.

2. An insect of the family *Phryganeidae* or *Sialinidae* (e.g. *Sialis lutaria*); the caddis-fly.

1816 KIRBY & SP. *Entomol.* ix. (1818) I. 282 *Phryganeæ* [in their imago state are called] *may-flies* (though this last denomination properly belongs only to the *Sialis lutaria*. . . and *Ephemera*. *Ibid.* II. 295 [The larva of] the true *may-fly* (*Sembis lutaria*, E.). . . use their legs in swimming.

† **3.** A dragon-fly. *Obs.*

1744 COLLINSON in *Phil. Trans.* XLIV. 229 The *May Flies*, a Species of *Libella*. **1750** *Ibid.* XLVI. 400 A further

Funk & Wagnalls: New Standard Dictionary of the English Language (1943)

1531 KEY 1: alsle; ou = out; oll; iq = feud; chin; go; jet; o = sing; so; ship; chin, this; agure; F. boñ, ðüne; n = loch, †, obsolete; †, variant; maul KEY 2: bök, bööt; full, ryle, cüre, bü, bürn; öll, böy; e = k; ç = s; g, gem; iŋk; ŷ = z; thin, this; F. boñ, ðüne; n = loch. May-apple

3. A well-established principle in law; as, it is a maxim that an outlaw can not hold property. 4. [Archaic.] A self-evident truth; axiom. 5. Same as MAXIM. [Cf. F. maxim, < L. maxima (sc. propositio, premissa), < L. maximus, superl. of magnus, great.] SYN: see ABAGE, MAXIMON'ger, n. Same as MAXIMON.

Max'im-a, n. 1. Sir Irlam Stevens (1849-1916), an inventor of automatic firearms. 2. Hudson (1853-1927), an American mechanical engineer and inventor, especially in explosives, an smokeless powder and inventor, max'im-a, 1 maks'im-a; 2 maks'im-a, n. Max' in max'im-ol, the longest note in use; equivalent to twos, great. [L., f. n. of maximus, superl. of magnus, great.]

max'im-al, n. Plural of MAXIMUM. max'im-al, 1 maks'im-al; 2 maks'im-al, a. Of the maximum value; being the greatest or the highest possible. max'im-al-ly, adv. To the greatest extent.

max'im-ed, a. [Rare.] Given in maximum form; formulated as a maxim; illustrated by means of maxima. max'im-ist, 1 maks'im-ist; 2 maks'im-ist, n. A Russian radical less violent than a Bolshevik. MAX'IM GOR'KI, Prop-noun of Aleksandr Maksimovich Pyeshinert a fresh one, cock and fire the gun again, when the automatic. The gun has a sliding water-jacket, surrounded by a cover 600 shots a minute. [Cf. Sir Irlam Stevens Maxim, the inventor.]

Max'im-l-an, 1 maks'im-l-an; 2 maks'im-l-an, n. A Roman poet, who lived in the 6th century; author of six elegies. Max'im-l-an-ist, 1 maks'im-l-an-ist; 2 maks'im-l-an-ist, n. CH. Hist. One of a branch of extreme Donatists. Compare PRIMARIAN. [Cf. Maximilianus, their leader.]

Max'im-l-an-ius, 1 maks'im-l-an-ius; 2 maks'im-l-an-ius, n. 1. Galerius Valerius (c. 311), a Roman emperor; colleague of Constantine the Great. 2. Marcus Aurelius Valerius (c. 293-311), a Roman emperor; father-in-law of Constantine. He was deposed and committed suicide. 3. Maximilian, 1 maks'im-li-an; 2 maks'im-li-an, a. Of pertaining to a make of steel armor of superior quality, in vogue in European countries during the closing days of the Plantagenets. [Cf. Maximilian, ruler of Bavaria.]

Max'im-li-enn'e, [F.] max'im-li-enn'e, n. A Bavarian gold coin, having the value of about \$3.25, or 13s., sterling. [Cf. Maximilian, name of various Bavarian rulers.]

Max'im-li-an, n. 1. A masculine personal name. D. Max'li-an-ius, 1 maks'im-li-an-ius; 2 maks'im-li-an-ius; F. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; G. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; I. Mas'li-an, 1 maks'im-li-an; 2 maks'im-li-an; J. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; K. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; L. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; M. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; N. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; O. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; P. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; Q. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; R. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; S. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; T. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; U. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; V. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; W. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; X. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; Y. Max'li-an, 1 maks'im-li-an; 2 maks'im-li-an; Z. M. I. (1459-1519), an emperor of Germany; warred with France. 3. M. II. (c. 1527-1550), an emperor of Germany; made peace with Selim II, 1568. 4. M. Ferdinand Joseph (1829-1887), an archduke of Austria, who became emperor of Mexico; was executed by republican enemies of the empire. [L., greatest, Emilianus.]

Max'im-li-an-ia, n. 1. A small genus of Brazilian palms often attaining the height of 100 feet, with a crown of leaves from 30 to 50 feet long. M. regia is the inaja or jagua-palm of the Amazon. [Cf. Maximilian, prince of Newwied.]

Max'im-li-an-ia, n. 1. A genus of coelocarpaceous herbs, shrubs, and trees, natives of the tropics and characterized by palmately lobed leaves and yellow clustered flowers. M. gossypium, of the East Indies, yields katechu-gum, and the West-African species, M. tinctoria, furnishes a yellow dye. [Cf. Maximilian J., king of Bavaria.]

Max'im-li-an-ia-tower, n. An Austrian martello tower. Max'im-li-an-ia, 1 maks'im-li-an; 2 maks'im-li-an, n. Julius Verus (173-238). A Roman emperor. He was a giant in size and strength and ruled oppressively. He was murdered by his soldiers.

max'im-ist, 1 maks'im-ist; 2 maks'im-ist, n. One who indulges in sententious utterances; a lover or maker of maxims. -max'im-ist-ic, a.

max'im-ize, 1 maks'im-ize; 2 maks'im-ize, v. I. T. [Maxim-ize, -maxim-ize.] To raise to a maximum; increase to the full capacity of; specif., to hold rigorous opinions in theological matters. Codify, maximize, and minimize may be specially mentioned from among the numerous useful expressions with which Benham has enriched our language.

FREDWARD HALL Modern English p. 317, note. [s. 1873.] II. i. To maintain the most rigid interpretation of a doctrine or obligation. [Cf. L. maximus; see MAXIM.] max'im-ize, 1 maks'im-ize; 2 maks'im-ize, v. I. T. [Rare.] The act or process of raising to a maximum. max'im-iz-er, 1 maks'im-iz-er; 2 maks'im-iz-er, n. One who maximizes; specif., a person who allows the widest scope to, and interpretation of, the accepted doctrine of the infallibility of the Pope.

max'im-mum, 1 maks'im-mum; 2 maks'im-mum, a. The greatest possible; as, a maximum speed. max'im-mum, n. [-MA, pl.] 1. The greatest quantity, amount, or degree that can be assigned in a given case or under fixed conditions. His Schwabe's observations showed unmistakably that there is a pretty regular increase and decrease in the number of sunspots, the interval from one maximum to the next being not far from ten years. 2. Math. A value of a varying quantity that is greater than any neighboring value, so that any change must involve a diminution. Compare MINIMUM. 3. Math. The highest possible of all the values which a variable or a function can express; the point at which a varying quantity ceases to increase and begins to decrease. 4. Astron. The moment of greatest brightness in a variable star, or its magnitude at such time. [L., neut. a. of maximus; see MAXIM.]

max'im-mus, 1 maks'im-mus; 2 maks'im-mus, n. A chime rung on twelve bells. [Cf. L. maximus, greatest.]

Max'im-on, n. 1. A masculine personal name. F. Max'im-on, 1 maks'im-on; 2 maks'im-on; I. Mass'im-on, 1 maks'im-on; 2 maks'im-on; M. Max'im-on, 1 maks'im-on; 2 maks'im-on; N. Max'im-on, 1 maks'im-on; 2 maks'im-on; O. Max'im-on, 1 maks'im-on; 2 maks'im-on; P. Max'im-on, 1 maks'im-on; 2 maks'im-on; Q. Max'im-on, 1 maks'im-on; 2 maks'im-on; R. Max'im-on, 1 maks'im-on; 2 maks'im-on; S. Max'im-on, 1 maks'im-on; 2 maks'im-on; T. Max'im-on, 1 maks'im-on; 2 maks'im-on; U. Max'im-on, 1 maks'im-on; 2 maks'im-on; V. Max'im-on, 1 maks'im-on; 2 maks'im-on; W. Max'im-on, 1 maks'im-on; 2 maks'im-on; X. Max'im-on, 1 maks'im-on; 2 maks'im-on; Y. Max'im-on, 1 maks'im-on; 2 maks'im-on; Z. Magnus Clemens (—388), a native of Spain, who usurped the Roman throne; was executed. [L., greatest.]

max'it'e, 1 ma-'dhi:'e; 2 ma-'dhi:'e, n. A lively round dance in two-four or four-four time. [Pg.]

Max' Miller, Frederick. See MILLER.

Max'well, n. 1. James Clerk (1813-1883), a Scottish physicist; professor of physics in Cambridge, proposed the electromagnetic theory of light, 1865. 2. William Henry (1812-1920), an American educator; superintendent of schools, New York City; president of the National Educational Association. 3. Sir William Strirling (1818-1878), a Scottish litterateur and member of Parliament. -Maxwell's demon, an imaginary being, invented by J. C. Maxwell, as supposed to witness the actual working of the law of thermodynamics, and to be able to control it. -Maxwell's law (Physics), the principle, resulting from the electromagnetic theory of light, that the specific inductive capacity of a medium is equal to the square of its index of refraction. -Maxwell's needle (Mech), an oscillator, consisting of a tube, in which four number tubes can be inserted, in order to vary the moment of inertia.

Max'well-ton, 1 maks'wel-ton; 2 maks'wel-ton, n. A manufacturing town and parish in Kirkeudbrightshire, Scotland. It has twined-mills, dyeworks, and sawmills.

May, 1 ma; 2 ma, n. To participate in the festivities or keep up the customs of May-day; begin the month of May by gathering flowers; only as a verbal noun in phrases such as to be or go armaying.

On the morn they took their horses with the queen, and rode upon in woods and meadows, as it pleased them. BULLFINCH AND THE WIFE OF URSULA p. 118. [L. m. r. 1871.]

-may'er, n. A participator in the May-day festivities; one who goes armaying - may'ing, n. The celebrating of May-day by gathering of flowers, or otherwise.

may, v. [MIGHT, weak.] [This verb, which is irregular and defective, having no participles or infinitive, is usually classed as a purely auxiliary verb, but in many senses it has a quasi-auxiliary and in some an independent force.] 1. To have permission; be allowed; have the physical or moral opportunity; as, you may go; you might have seen his love in the did. When a poor wretch was under the ban of the Church, no tradesman might sell him clothes or food - no friend might relieve him as a human being. FRODO BAGGINS Short Stories, Bretnas and Laker in first series, p. 55. [s. 1872.]

2. To be contingent possible; as, it may be; you may get off, altho you do not deserve it. In this contingent sense of the word may, it is frequently used to form the compound tenses of the subjunctive or potential modes of other verbs. (1) In substantive clauses, preceded by that; as, I feared that he might have met with an accident. (2) [Rare.] In conditional clauses; as, I care not what the coat, so you may live. (3) In concessive clauses; as, you may possess the skill, for all I know. (4) In clauses expressing a purpose; as, he died that he might live. (5) In exclamatory use, expressing a benediction, wish, etc.; as, may you live long!

Might is often used colloquially to express a complaint or indignation, neglect, or avoidance of some act of duty or courtesy; as, they might, at least, have come to meet us. 3. To chance, or be by chance; used elliptically; as, be the pain what it may (or may happen to be), the operation must still proceed. In this use the word is often employed to soften the bluntness of a direct remark or question; as, what may be your name? 4. To have power or ability; be competent; used in this sense with the meaning can, a word frequently substituted; as, fight as best you may, the victory will be his; might I but tell you as a friend!

Lander might have constituted a grand historical romance, or a respectable novel, but he never attempted either. E. C. STEDMAN Victorian Poets p. 47. [s. co. 1876.]

5. To desire earnestly; used in apostrophes and exclamations, as, may success be yours. Oh, may I join the cheer-ful throng Of those immortal souls who live again. In minds made better by their presence.

George Keble Ode on May 1 John 1.1.

6. Law. To have liberty or power to; often (in the construction of statutes) held to mean must, as imposing obligation, tho in every other use may has only a permissive or discretionary connotation.

New States may be admitted by their assent into this Union. It is objected that the word, may, imparts power, not obligation; a right to decide; a discretion to grant or refuse. PINKNEY in Am. Orator, Missouri Question p. 329. [s. n. a. n. 1868.]

[Cf. AS, may, be strong.] - may be, or it may be, same as MAYBE, adv.

May, n. 1. The fifth month of the year as at present constituted (during which the sun enters Gemini), consisting of 31 days; considered in America the last month of spring, in Europe the first month of summer. 2. Figuratively, the springtime of life; youth. 3. [In-] Bot. (1) English hawthorn, May-bush"l. (2) Certain species of spiraea; as, Italian may. 4. The May-day festivities. 5. [Eng.] An Easter examination held at Cambridge University. [Cf. F. mai, < L. Mavis, < Maia, goddess of growth, < V. may in magnus, great.]

Meyt'-Halian may (Bot), the spiraea hypericifolia, or St. Peter's-wreath, and pride-of-the-meadow (S. filipendula) - May-apple, n. Bot. 1. The ovoid oblong yellowish subacid edible fruit of a North-American berberidaceous plant, the mandarin (Pentaploca fruticosa). 2. The plant itself. The rootstock is cathartic. 3. The May-pop. 4. [U. S.] Same as HONEYSUCKLE-APPLE. - May-beetle, n. 1. A coleopter. May-bug; may-chaffer. [S. U. S.] A June-bug (Leucostictus).

May-bird, n. 1. [Local, U. S.] (1) The bobolink. (2) The knot. 2. [Local, Eng.] The whimbrel. 3. [Jamaica.] The wood-thrush. 4. [Prov.] The marsh-marigold (Caltha palustris). May-bloss, - Maybloom, n. The blossoms of the hawthorn. - Mayblossom, n. [Prov.] The holly-hock (Lycopersicon).

May-bush, n. Same as MAY, 3 (1). - California May-bush [Eng.], the California holly (Heteromeles arbutifolia). See royan - May-butter, n. Fresh butter preserved for medicinal purposes, in the month of May; survives in the proverb "May is the best butter" common in provincial England. - Maycherry, n. 1. The shadberry. 2. An English early cherry. 3. [U. S.] A variety of black-bellied plover. 2. [U. S.] A variety of blackberry. [Cf. F. may, Eng.] The May-fowl, whimbrel. - Mayday, n. The first day of May; formerly

a day of rustic rejoicing when the May-queen was crowned, the May-pole erected, etc. It is now generally devoted to demonstrations by the Socialist and Social-Democratic party, the holding of parades, etc. - May-day, a. May-day seldom long. 1. In the country as it does in books. Lowell, Boston Papers second series, vi, p. 3.

- May-dew, n. The morning dew of May, or strictly of the first of May; formerly supposed to possess remarkable properties, such as whitening linen and preserving beauty.

- May-dip [U. S.], a cold period supposed to recur annually in May. - May-drink, n. May-wine - May-duke, n. A variety of the common cherry; corrupted from M. de May. - Mayfish, n. A killifish (Fundulus majalis), common in shallow bays. - Mayflower, n. 1. [U. S.] The trailing arbutus. See illus under ERIGONIA. 2. [Eng.] The hawthorn or may; the cuckoo-bird; the marsh-marigold. 3. The greater stickwort. 4. The callisily. 5. The tropical American tree Americanus bonnet, of the family Fabaceae.

- May-fly, n. 1. An ephemeral insect, which in the larval state inhabits water and is long-lived, and in the adult state merely propagates its kind and soon dies. See illus under EPHEMERIDAE. 2. [Cf. Brit.] A callisily (Stelis lateralis). 3. An artificial fly in imitation of the May-fly - May-fowl, n. [Local, Eng.] The whimbrel. - May-gad, n. A willow rod from which the bark has been removed, and crowded tied around it; used in May-day festivities. - May-game, n. 1. Sport or play such as one might be expected to indulge in on May-days; hence, sport generally; boisterous fun; frolic; jest. 2. Like early lovers, whose unpracticed hearts Were long the May-poles of malicious hearts.

DRYDEN Astram Redux l. 212. 2. A make-game; a trifter. - May-garden, n. [Scot.] A Mayflower (Crataegus arvensis), growing on the edges of ponds and rivers from South Carolina to Louisiana, whose globular, red, juicy fruit ripens in May and is used for jelly. - May-gate, n. A called by the impression that May is a bad month for invalids. - May-king, n. Same as LORD OF THE MAY. - May-lady, n. The queen or lady of May in May-games. - May-law, 1. See KULTURKAMPF. 2. Certain anti-Jewish laws in Russia, so called because they received the assent of the Czar in May, 1882. - May-lily, n. The lily-of-the-valley (Convallaria majalis). - May-morn, n. [Prov. Eng.] Same as LORD OF THE MAY. - May-meetings [Eng.], meetings held in London during May by numerous philanthropic and religious organizations, usually under the auspices of the Evangelical party in the Anglican Church. - May-morn, n. Life and vigor. - May-pole, n. 1. A pole decorated with flowers and ribbons, etc., around which dancing took place on May-day. 2. [Prov.] An ale-stake. 3. A stove tripod (see illustration) of the family Sisserubaceae, from Jamaica, with large spreading panicles of red flowers. - May-polling, n. The frolic about a May-pole; hence, May-day games. - May-pop, n. [So, U. S.] The fruit of the passion-fruit (Passiflora incarnata). - May-apple, 1. May-pole, from a Dutch picture (1625) showing a May-pole. 2. A May-queen, n. A May-lady, n. - May-stake, n. The May-pole. - May-term, n. [Local, U. S.] The harvest mackerel. - May term, the term beginning at Easter at Cambridge University, England. - May-thorn, n. 1. The hawthorn. 2. [Local, Prov.] A bird, or a child to blow out the May-day. - May-thrush, n. The nighthawk. - May-tide, n. A May-time. - May-week, n. The race-week at Cambridge University, England; invariably held in June. - May-whaup, n. [Local, Eng.] Same as MAYVENUS. 2. May-wine.

May-meetings [Eng.], meetings held in London during May by numerous philanthropic and religious organizations, usually under the auspices of the Evangelical party in the Anglican Church. - May-morn, n. Life and vigor. - May-pole, n. 1. A pole decorated with flowers and ribbons, etc., around which dancing took place on May-day. 2. [Prov.] An ale-stake. 3. A stove tripod (see illustration) of the family Sisserubaceae, from Jamaica, with large spreading panicles of red flowers. - May-polling, n. The frolic about a May-pole; hence, May-day games. - May-pop, n. [So, U. S.] The fruit of the passion-fruit (Passiflora incarnata). - May-apple, 1. May-pole, from a Dutch picture (1625) showing a May-pole. 2. A May-queen, n. A May-lady, n. - May-stake, n. The May-pole. - May-term, n. [Local, U. S.] The harvest mackerel. - May term, the term beginning at Easter at Cambridge University, England. - May-thorn, n. 1. The hawthorn. 2. [Local, Prov.] A bird, or a child to blow out the May-day. - May-thrush, n. The nighthawk. - May-tide, n. A May-time. - May-week, n. The race-week at Cambridge University, England; invariably held in June. - May-whaup, n. [Local, Eng.] Same as MAYVENUS. 2. May-wine.



may't, n. 1. A maid; a virgin. 2. A kinsman. 3. An in may't, n. Power by which to do; might. May, n. A feminine personal name; contraction of MARY.

May, 1 ma; 2 ma, n. Phil (1864-1903). An English illustrator, cartoonist, and caricaturist.

Ma'ya, 1 ma'ya; 2 ma'ya, a. Of or pertaining to a stock of Central-American Indians, especially to the Quiche tribe of that stock, which formerly possessed a certain degree of civilization and a system of writing, or to their language (still current). Ma'yan.

ma'ya, 1 ma'ya; 2 ma'ya, n. [P. I.] A species of the common sparrow found in Panay, and called garzon by the Spaniards; a Visayan term. [Sp. L., < garrieta, < garrito, to chirp.]

Ma'ya, n. The Maya stock or language. See AMERICAN. Ma'ya, n. [Hind.] 1. The mother of the world; the personified active will of the Creator. 2. Illusion personified as a celestial maiden, taking the place of the older Avidya ornescence.

Ma'ya, n. A river in Siberia, flowing 700 m. into the Aldan river.

Ma'ya-a, 1 ma-yak'a; 2 ma-ya'a, n. Bot. A small genus of moss-like, aquatic, slender, branching plants of the family Mayagaceae, with entire, sessile leaves, and solitary white three-parted flowers. It contains about 7 species, confined to the tropical parts of America. One species, M. mitchellii, is found in the southern United States.

Ma'ya-a-ce-ae, 1 me'ya-ke'ae; 2 ma-ya-a-ce-ae, n. Bot. An order of moss-like aquatic monocotyledonous herbs - the mayaca family - densely leafy, with narrow sessile petiole leaves and an axillary naked peduncle terminated by a solitary perfect triandrous white flower. There is one genus, Mayaca, with 7 species, all American. [Prob. from Guiana name] Ma-ya-ce-ae; - ma-ya-ceoos, a.

Ma'ya-gwa, 1 ma-yo-gwa; 2 m'y-a-gwa, n. Same as MARIOTANA.

May'a-guez, 1 ma'o-gwe'th; 2 m'y'o-gwe'th, n. 1. A department in W. Porto Rico. 2. A district of the preceding. 3. A seaport, capital of the district.

Ma'ya-ha, 1 ma-yo-ha; 2 ma'yan, a. Pertaining or relating to the Mayas. The Mayan tribes emigrated at a very early age from the far north and probably settled in Yucatan about the 6th century. They are short, dark, muscular, and broad-shouldered, and in very early times were remarkable for their culture. They were distinctly an agricultural race and also displayed great ingenuity in textile manufactures, weaving cotton into fabrics almost equalling silk in fineness. The principal examples of their architecture are the ruins of Uxmal, Palenque, and Mayapaa.

ma-ya'pis, 1 mo-yo'pis; 2 ma-ya'pis, n. [P. I.] A large tree (Dipierocarpus maypiti) furnishing a reddish wood, streaked with white, soft and easily worked, employed in box-making. The sap yields a resin used in the arts.

May-apple, n. See under MAY, n.



Great May-beetle.

“MAY”

LEGAL DICTIONARY DEFINITIONS

The Cyclopedic Dictionary of Law (1901)

MAXIME ITA DICTA, ETC.

(587)

MEDIATOR

MAXIME ITA DICTA QUIA MAXIMA EST ejus dignitas et certissima auctoritas, atque quod maxime omnibus probetur. A maxim is so called because its dignity is chiefest, and its authority the most certain, and because universally approved by all. Co. Litt. 11.

MAXIME PACI SUNT CONTRARIA, VIS et injuria. The greatest enemies to peace are force and wrong. Co. Litt. 161.

MAXIMUS ERRORIS POPULUS MAGISTER. The people is the greatest master of error.

MAY. Is permitted to; has liberty to. The term is ordinarily permissive (52 N. Y. 96; 107 Mass. 196), but in order to carry out the intention of a statute (2 Pet. [U. S.] 64), or of a contract (84 Ill. 471; 44 Conn. 534), it will be held to be mandatory.

MAYHEM. In criminal law. The act of unlawfully and violently depriving another of the use of such of his members as may render him less able, in fighting, either to defend himself or annoy his adversary. 8 Car. & P. 167; 4 Bl. Comm. 205. The cutting or disabling, or weakening, a man's hand or finger, or striking out his eye or fore tooth, or depriving him of those parts the loss of which abates his courage, are held to be mayhems. But cutting off the ear or nose, or the like, are not held to be mayhems at common law. 4 Bl. Comm. 205. The offense has been extended by statute to these and other injuries. See 87 N. C. 509; 70 Iowa, 505.

MAYHEMAVIT. Maimed. This is a term of art which cannot be supplied in pleadings by any other word, as *mutilavit*, *truncavit*, etc. 3 Thomas, Co. Litt. 548; 7 Mass. 247.

MAYNOVER (from Fr. *mayn*, hand). Anything produced by manual labor.

MAYOR (Lat. *major*; *meyr*, *miret*, or *maer*, one that keeps guard). The chief governor or executive magistrate of a city. The old word was "portgreve." The word "mayor" first occurs in 1189, when Richard I. substituted a mayor for the two balliffs of London. The word is common in Bracton. Bracton, 57. In London, York, and Dublin, he is called "lord mayor." Wharton.

MAYOR'S COURT. The name of a court usually established in cities, composed of a mayor, recorder, and aldermen, generally having jurisdiction of offenses committed within the city, and of other matters specially given them by the statute.

MAYORALTY. The office or dignity of a mayor.

MAYORAZGO. In Spanish law. A species of entail known to Spanish law. 1 White, New Recop. 119.

MEAL RENT. A rent formerly paid in meal.

MEAN. See "Mesne."

MEANDER. To wind, as a river or stream. Webster.

The winding or bend of a stream.

To survey a stream according to its meanders or windings. Rev. St. Wis. c. 34, § 1; 2 Wis. 317.

MEASE, or MESE (Norman French). A house. Litt. §§ 74, 251.

MEASON DUE. A corruption fo *Maison de Dieu*.

MEASURE. A means or standard for computing amount; a certain quantity of something, taken for a unit, and which expresses a relation with other quantities of the same thing.

MEASURE OF DAMAGES. In practice. The rules by which the damage sustained is to be estimated or measured; the quantum of damage allowed by law.

MECHANIC'S LIEN. A statutory lien in favor of persons who have performed labor or furnished material for the erection or repair of any building, upon the building and the land on which it is situated.

MEDFEE. In old English law. A bribe or reward; a compensation given in exchange, where the things exchanged were not of equal value. Cowell.

MEDIA ANNATA. In Spanish law. Half-yearly profits of land. 5 Tex. 34, 79.

MEDIA NOX. Midnight.

MEDIAE ET INFIRMAE MANUS HOMINES. Men of a middle and base condition. Blount.

MEDIATE POWERS. Those incident to primary powers, given by a principal to his agent. For example, the general authority given to collect, receive, and pay debts due by or to the principal is a primary power. In order to accomplish this, it is frequently required to settle accounts, adjust disputed claims, resist those which are unjust, and answer and defend suits. These subordinate powers are sometimes called "mediate powers." Story, Ag. § 58. See 1 Campb. 43, note; 4 Campb. 163; 6 Serg. & R. (Pa.) 149.

MEDIATE TESTIMONY. Secondary evidence (*q. v.*)

MEDIATION. The act of some mutual friend of two contending parties, who brings them to agree, compromise, or settle their disputes. Vattel, Dr. des Gens, liv. 2, c. 18, § 328.

MEDIATOR. One who interposes between two contending parties, with their consent, for the purpose of assisting them in settling their differences. Sometimes this term is applied to an officer who is appointed by a sovereign nation to promote the settlement of disputes between two other nations. See "Minister."

Black's Law Dictionary (1910)

MAUNDY THURSDAY

767

MEANDER

MAUNDY THURSDAY. The day preceding Good Friday, on which princes gave alms.

MAXIM. An established principle or proposition. A principle of law universally admitted, as being a correct statement of the law, or as agreeable to natural reason.

Coke defines a maxim to be "conclusion of reason," and says that it is so called "*quia maxima ejus dignitas et certissima auctoritas, et quod maxime omnibus probetur.*" Co. Litt. 11a. He says in another place: "A maxime is a proposition to be of all men confessed and granted without prooffe, argument, or discourse." Id. 67a.

The maxims of the law, in Latin, French, and English, will be found distributed through this book in their proper alphabetical order.

Maxime paci sunt contraria vis et injuria. The greatest enemies to peace are force and wrong. Co. Litt. 161b.

Maximus erroris populus magister. Bacon. The people is the greatest master of error.

"**MAY,**" in the construction of public statutes, is to be construed "must" in all cases where the legislature mean to impose a positive and absolute duty, and not merely to give a discretionary power. *Minor v. Mechanics' Bank*, 1 Pet. 46, 64, 7 L. Ed. 47; *New York v. Furze*, 3 Hill (N. Y.) 612, 615.

MAYHEM. In criminal law. The act of unlawfully and violently depriving another of the use of such of his members as may render him less able, in fighting, either to defend himself or annoy his adversary. 4 Bl. Comm. 205. *Foster v. People*, 50 N. Y. 604; *Terrill v. State*, 86 Tenn. 523, 8 S. W. 212; *Adams v. Barrett*, 5 Ga. 412; *Foster v. People*, 1 Colo. 294.

Every person who unlawfully and maliciously deprives a human being of a member of his body, or disables, disfigures, or renders it useless, or cuts or disables the tongue, or puts out an eye, or slits the nose, ear, or lip, is guilty of mayhem. Pen. Code Cal. § 203.

MAYHEMAVIT. Maimed. This is a term of art which cannot be supplied in pleading by any other word, as *mutilavit*, *truncavit*, etc. 3 Thom. Co. Litt. 548; *Com. v. Newell*, 7 Mass. 247.

MAYN. L. Fr. A hand; handwriting. *Britt. c. 28.*

MAYNOVER. L. Fr. A work of the hand; a thing produced by manual labor. *Yearb. M. 4 Edw. III. 38.*

MAYOR. The executive head of a municipal corporation; the governor or chief

magistrate of a city. *Waldo v. Wallace*, 12 Ind. 577; *People v. New York*, 25 Wend. (N. Y.) 36; *Crovatt v. Mason*, 101 Ga. 246, 23 S. E. 891.

—**Mayor's court.** A court established in some cities, in which the mayor sits with the powers of a police judge or committing magistrate in respect to offenses committed within the city, and sometimes with civil jurisdiction in small causes, or other special statutory powers.—**Mayor's court of London.** An inferior court having jurisdiction in civil cases where the whole cause of action arises within the city of London.—**Mayoralty.** The office or dignity of a mayor.—**Mayoress.** The wife of a mayor.

MAYORAZGO. In Spanish law. The right to the enjoyment of certain aggregate property, left with the condition thereon imposed that they are to pass in their integrity, perpetually, successively to the eldest son. *Schm. Civil Law*, 62

MEAD. Ground somewhat watery, not plowed, but covered with grass and flowers. *Enc. Lond.*

MEADOW. A tract of low or level land producing grass which is mown for hay. *Webster.*

A tract which lies above the shore, and is overflowed by spring and extraordinary tides only, and yields grasses which are good for hay. *Church v. Meeker*, 34 Conn. 429. See *State v. Crook*, 132 N. C. 1053, 44 S. E. 32; *Scott v. Willson*, 3 N. H. 322; *Barrows v. McDermott*, 73 Me. 441.

MEAL-RENT. A rent formerly paid in meal.

MEAN, or MESNE. A middle between two extremes, whether applied to persons, things, or time.

MEANDER. To meander means to follow a winding or flexuous course; and when it is said, in a description of land, "thence with the meander of the river," it must mean a meandered line,—a line which follows the sinuosities of the river,—or, in other words, that the river is the boundary between the points indicated. *Turner v. Parker*, 14 Or. 341, 12 Pac. 495; *Schurmeler v. St. Paul & P. R. Co.*, 10 Minn. 100 (Gil. 75), 88 Am. Dec. 59.

This term is used in some jurisdictions with the meaning of surveying and mapping a stream according to its meanderings, or windings and turnings. See *Jones v. Pettibone*, 2 Wis. 317.

—**Meander lines.** Lines run in surveying particular portions of the public lands which border on navigable rivers, not as boundaries of the tract, but for the purpose of defining the sinuosities of the banks of the stream, and as the means of ascertaining the quantity of land in the fraction subject to sale, and which is to be paid for by the purchaser. In preparing the official plat from the field notes, the meander line is represented as the border line of the stream, and shows that the water-course, and

“May” 1/6

Pope’s Legal Definitions (1920)

MATTER OF AVOIDANCE

MAY

declares in trespass for breaking and entering his dwelling-house, and alleges, in addition, that the defendant also destroyed his goods in the house, assaulted and beat his domestics, or debauched his daughter, or servant. *Hathaway v. Rice*, 19 Vt. 107.

MATTER OF AVOIDANCE.

Matter of avoidance in pleading is new matter which admits the declaration to be true, but shows nevertheless, either that the defendant was never liable to the recovery claimed against him or that he has been discharged from his original liability, by something supervenient. *Mahaiwe Bk. v. Douglass*, 31 Conn. 177.

MATTER OF FACT.

Insertion of Words.

The insertion of words in a contract is a matter of fact within the effect of the rule in equity that a contract may be reformed for a mistake of fact. *Sibert v. McAvoy*, 15 Ill. 106, quoted as authority in *Purvines v. Harrison*, 151 Ill. 219.

Omission of Words.

The omission of words from a deed is a matter of fact within the equity rule referred to in preceding paragraph. *Purvines v. Harrison*, 151 Ill. 219.

MATURITY.

Where the statute relating to mortgages provides for the extension of chattel mortgages, if “within thirty days next preceding the maturity” of the debt secured such an affidavit as the statute prescribes shall be filed for record, the word “maturity” means the time when a bill or note becomes due and demandable. *Gilbert v. Sprague*, 88 Ill. App. 509.

MAXIM.

“I need hardly repeat that I detest the attempt to filter the law by maxims. They are almost invariably misleading. They are for the most part so large and general in their language that they al-

ways include something which really is not intended to be included in them.” *Lord Esher, M. R., in Yarmouth v. France*, 19 Q. B. D. 653.

MAY.

Construction Generally.

In general, enabling words, such as “may” are construed as compulsory whenever the object of the power given is to effectuate a legal right: and if the object of the power is to enable the donee to effectuate a legal right, then it is the duty of the donee of the power to exercise it when those who have the right call upon him to do so. To this effect see *Julius v. Bishop of Oxford*, 49 L. J. Q. B. 577, which is regarded as the leading English case on the construction of the word “may” and words and phrases of similar import—in their ordinary meaning merely enabling—, when such words or phrases are employed in statutes. *Lord Cairns* in that case states the controlling principles as follows:

“Where a power is deposited with a public officer for the purpose of being used for the benefit of persons (1) who are specifically pointed out, and (2) with regard to whom a definition is supplied by the legislature of the conditions upon which they are entitled to call for its exercise, that power ought to be exercised, and the court will require it to be exercised.” And of the class of expressions under consideration he further says: “They confer a faculty or power, and they do not of themselves do more,” so that, when the point in controversy is not covered by authority, “it lies upon those who contend that an obligation exists to exercise this power, to show in the circumstances of the case something which * * * creates this obligation.”

The word “may” and like expressions give, in their ordinary meaning, an enabling and discretionary power. “They are potential and never (in themselves) significant of any obligation.” Per *Lord Selborne, Julius v. Bishop of Oxford*, 49 L. J. Q. B. 585.

“May,” in the construction of public statutes, is to be construed “must” in all

Pope's Legal Definitions (1920)

MAY

MAY

cases where the legislature mean to impose a positive and absolute duty, and not merely to give a discretionary power. 1 Peters' R. 46, 64. 3 Hill's (N. Y.) R. 612, 615. See 9 Grattan's R. 391. The word "may," in a statute, means must or shall, when the public interest or rights are concerned, or the public, or third persons, have a claim, de jure, that the power shall be exercised. 1 Vern. 153. 1 Kent's Com. 467, note.

When a statute declares that something "may" be done, the language is, as a general rule, permissive. No doubt in many cases the phrase "shall and may be lawful" has been construed as imperative by the Courts, having regard to the object of the provision and to the context and the rule above mentioned, and it seems that they have so construed the word "may" standing alone, as in Reg. v. Barclay (1881), 8 Q. B. D. 306; 51 L. J. M. C. 27. Davies v. Evans (1882), 9 Q. B. D. 238; 51 L. J. M. C. 132.

In the construction of a statute, the word "may" is sometimes equivalent to the word "must" in its ordinary acceptation. But such construction should not be given when inconsistent with the manifest intention of the legislature, or repugnant to the text of the statute. State v. Hortman, 122 Ia. 104.

The primary or ordinary meaning of the word "may" is undoubtedly permissive and discretionary and in the statute or ordinance it can be construed in a mandatory sense only "when such construction is necessary to give effect to the clear policy and intention" of the enacting body. Kelley v. Cedar Falls, 123 Ia. 660.

The word "may" in a statute is sometimes mandatory, but not necessarily so. Downing v. Oskaloosa, 86 Ia. 352.

The word "may" implies a discretion. Commonwealth v. Chance, 174 Mass. 245.

The word "may" is to be construed as must where the evident purpose of the statute so requires. State v. Goodsell, 136 Ia. 445.

"I think that great misconception is caused by saying that in some cases 'may' means 'must.' It never can mean 'must,' so long as the English language retains its meaning; but it gives a power.

* * * There is given by the word 'may' a power as to the exercise of which there is a discretion." Cotton, L. J. in In re Baker, 44 Ch. D. 270.

"May" means "must" where a power is given in the interest of public justice. Arguendo. Per Lord Esher, M. R., in Kirkheaton v. Ainley (1892), 2 Q. B. 274.

May means must in a statute only when the rights or interests of the public are concerned, or where the public or third persons have a claim de jure that the power given should be exercised. Market Nat. Bank v. Hogan, 21 Wis. 317.

In the absence of controlling consideration the word "may" is not to be construed as mandatory. Stewart v. Goaham, 122 Ia. 669.

Where the public interest or private right requires that the thing should be done, then the word "may" is generally construed to mean the same as "shall." People v. Supervisors, 68 N. Y. 119.

Where persons or the public have an interest in having the act done by a public body, "may," in such a statute, means "must." Phelps v. Hawley, 52 N. Y. 27.

The words "may" or "shall," when used in a statute, may be read interchangeably, as will best express the legislative intention. Fowler v. Pirkins, 77 Ill. 273; O'Donoghue v. St. Louis S. W. Ry. Co., 181 Ill. App. 290; Manufacturers' Bldg. Co. v. Landay, 219 Ill. 174.

The ordinary meaning of the term may, in a statute, when it concerns the public interest, or the rights of individuals, is must, or shall; and is obligatory, or mandatory, on the judge, or officer, to whom it is addressed. Hill v. Barge, 12 Ala. 693.

Where a statute directs the doing of a thing for the sake of justice or the public good, the word may is the same as the word shall. Rex. v. Barlow, 2 Salk. 609; Pierson v. People, 204 Ill. 462; Chicago & A. R. Co. v. People, 163 Ill. 620; Silvey v. United States, 7 Court of Claims R. 334.

The word "may," in a statute, will be construed to mean "shall" whenever the rights of the public or of third persons depend on the exercise of the power or the performance of the duty to which it

"May" 3/6 Pope's Legal Definitions (1920)

MAY

MAY

refers, and such is its meaning in all cases where the public rights and interests are concerned, or a public duty is imposed on public officers, and the public or third persons have a claim de jure that the power shall be exercised. *Brokaw v. Commissioners of Highways*, 130 Ill. 490; *Chicago & A. R. Co. v. Howard*, 38 Ill. 417. *Kane v. Footh*, 70 Ill. 590; *People v. Commissioners of Highways*, 270 Ill. 145.

The word may means must or shall only in cases where public interests and rights are concerned, and the public or third persons have a claim de jure that the power shall be exercised. *Fowler v. Perkins*, 77 Ill. 273; *Central Land Co. v. Bayonne*, 56 N. J. L. 300, citing *Newburgh Turnpike Co. v. Miller*, 5 Johns. Ch. 112, *Seiple v. Elizabeth*, 3 Dutcher 407; *Lovell v. Wheaton*, 11 Minn. 101; *Schuyler Co. v. Mercer Co.*, 9 Ill. 20.

Effect as Denoting Futurity.

"May," like "shall," may denote futurity, e. g. a gift to the children of the members of a class "who may die in my lifetime," would not include children of a member of such class who was already dead at the date of the Will. *Re Hotchkiss*, 38 L. J. Ch. 631; *L. R. 8 Eq. 643*.

Effect as Imperative—Act Concerning Corporations.

At common law the power to adopt by-laws is in the stockholders. But section 6 of the Illinois act concerning corporations provides that the directors "may" adopt them. This provision would appear to be merely permissive, and to recognize the continued common law right of the stockholders to act if it should be so agreed. But the word "may" has been interpreted as "shall," for the reason that "under our statute a corporation can act only through its board of directors and officers," and "its property is not subject to the control of its members or its stockholders." *Manufacturers Bldg. Co. v. Landay*, 219 Ill. 168.

—Cities and Villages Act.

The word "may," used in section 206 of the Illinois Cities and Villages Act,

providing that in certain cases the city council "may, by ordinance, disconnect" certain territory within the city limits, is to be construed as "shall." *Young v. Carey*, 184 Ill. 617.

The word "may," used in section 2 of article 7 of the Illinois Cities and Villages Act, providing that city councils shall pass an annual appropriation bill, in which it "may appropriate" money to defray expenses and liabilities, is to be construed as "shall" or "must." *Cairo v. Campbell*, 116 Ill. 309.

—Counties Act.

The word "may," used in section 18 of the Counties Act, providing that all actions against a county "may be commenced" in the Circuit Court of the defendant county, is to be construed "must," the word being there used in an imperative sense. *Board of Supervisors v. Young*, 31 Ill. 197.

The word "may," in an act to incorporate counties (Ill. R. L. 1833, 139), providing that all actions against any county "may be * * * prosecuted in the circuit court," held to mean "shall." *Schuyler Co. v. Mercer Co.*, 9 Ill. 20; followed in *Randolph County v. Ralls*, 18 Ill. 29.

—Local Improvements Act.

The word "may" as used in section 47 of the Illinois Local Improvements Act of 1897, providing that on petition for correction of a special assessment "the court * * * may, in a summary way, inquire," etc., is to be construed "must," the power given the court being not discretionary. *Mercy Hospital v. Chicago*, 187 Ill. 404.

—Mortgages Act.

Section 2 of the Illinois mortgages act, providing that "such instrument may be acknowledged before a justice of the peace," uses the word "may" imperatively. *Ticknor v. McClelland*, 84 Ill. 476.

—Schools Act.

The word "may," used in section 2 of article 8 of the Illinois Schools Act, providing that the certificate of the directors

Pope's Legal Definitions (1920)

MAY

MAY

"may" be in a certain form, is to be construed "shall." Chicago & A. R. Co. v. People, 163 Ill. 620.

—Practice Act.

The word "may," as used in section 46 of the Illinois practice act of 1872, providing that "on the filing of such affidavit, the court may continue such suit," is to be construed as "shall." Chicago, etc. Exchange v. McClaughry, 148 Ill. 379; St. Louis & S. E. Ry. Co. v. Teters, 68 Ill. 147.

—Quo Warranto Act.

Section 1 of the Quo Warranto Act of Illinois, providing that in certain cases the attorney general or state's attorney "may present a petition" for leave to file an information in the nature of quo warranto, imposes on such officer an absolute duty which may be enforced by mandamus where the evidence of facts presented to him by a proposed relator shows prima facie that the relator is legally entitled to the relief, and where the petition and affidavits presented to such officer are in proper legal form. People v. Healy, 230 Ill. 290.

—Roads and Bridges Act.

Section 71 of the Illinois Act concerning roads and bridges, providing that the commissioners of highways "may" remove obstructions in highways, imposes on the commissioners an absolute duty to remove such obstructions, which may be enforced by mandamus, the word "may" being construed as "shall." Brokaw v. Commissioners of Highways, 130 Ill. 490.

—Statute Empowering Public Officer.

Where the legislature has by statute declared that a public officer "may" do an act, * * * the authority thus conferred is mandatory and its exercise can be compelled, though the language is in form permissive and not imperative. Smith v. Floyd, 140 N. Y. 342.

In the following English cases also the word "may" has been held to impose a duty:

Where, by 8 & 9 W. 3, c. 11, s. 8, a

plaintiff in an action on a bond or for a penal sum "may" assign as many breaches as he shall think fit, the statute being for the benefit of defendants. Roles v. Rosewell, 5 T. R. 538; Plomer v. Ross, 5 Taunt. 386.

Where a power was granted by royal charter to the steward and suitors of a manor enabling them to hear and determine civil suits. R. v. Steward of Havering-atte-Bower, 5 B. & Ald. 691.

Where by s. 211, P. H. Act, 1875, power is given of rating the owner of property instead of the occupier, but at a reduced estimate, and when that estimate is in respect of tenements whether occupied or not, then the assessment "may" be on one half an occupier's rating. R. v. Barclay, 51 L. J. M. C. 47; 8 Q. B. D. 486.

Effect as Permissive—Administration of Estate.

Section 80 of the Illinois Administration Act providing that in certain cases the court "may * * * make such order," etc., does not compel the court, as a matter of arbitrary law, to make any specific order, but grants sufficient discretion to best preserve the estate, and promote its honest, complete and prompt administration. People v. Abbott, 105 Ill. 592.

—Anti-Trust Act.

Section 7 of the Anti-Trust Act of 1891, providing that the fine imposed for violation thereof "may be recovered in an action of debt" uses the word "may" in a permissive sense, the state having the right either to prosecute by indictment or to bring an action of debt to recover the fine imposed. Chicago, etc., Co. v. People, 214 Ill. 447.

—County Courts Act.

The word "may," used in section 123 of the County Courts Act, providing that appeals and writs of error from such court "may be taken" to the Supreme Court, is not to be construed as "shall," but is directory merely, not repealing section 192 of the Revenue Act, providing that appeals in certain cases from the

Pope's Legal Definitions (1920)

MAY

MAY

county court to the circuit court, but leaving the party at liberty to appeal or prosecute a writ of error to either court. *Fowler v. Pirkins*, 77 Ill. 273.

—Instruction.

A requested instruction that the jury “should” take into consideration the interest of a witness, may properly be modified by substituting “may” for “should,” the effect of the former being to remove the danger, which the latter word would create, that the jury might understand such interest would necessarily detract from the weight of the testimony. *Chicago & E. R. Co. v. Meech*, 163 Ill. 315.

—Lien Act.

The word “may,” used in section 4 of the Lien Act, providing that any person filing a claim in pursuance of the section “may bring a suit” to enforce the same, is not to be construed “shall,” and permits the lienor to bring suit at once if his claim is due, or if not then due, then to bring such suit when the claim is due. *Dawson v. Black*, 148 Ill. 488.

—Private Contract.

“May” does not mean “shall,” and is not so construed in private contracts. It is only in the case of statutes by which public rights are involved that this construction is adopted *ex debito justitiae*. *Northwestern Mens' Ass'n v. Crawford*, 126 Ill. App. 480.

—Provision as to Who May Sue for Penalty.

The word “may,” used in section 42 of the act of 1849, in Illinois, providing that the penalties imposed by the act upon a railroad for failing to sound the whistle or ring the bell as therein required “may be sued for by the state's attorney,” is not to be construed “shall,” section 38 of the same act providing that the informer may maintain an action for the penalty in his own name and the rights of each being fixed by being the first to institute proceedings. *Chicago & A. R. Co. v. Howard*, 38 Ill. 417.

—Schools Act.

Section 52 of the Schools Act, providing that the “said certificate may be in the following form,” does not use the word “may” in the sense of “must.” *School District v. Stericker*, 86 Ill. 597.

—Statute Relating to Sewers.

“May” is used in § 925—223, Wis. Stats. 1898, relating to construction of sewers, in its ordinary sense and calls for no mandatory construction. *Barber Asphalt Paving Co. v. Oshkosh*, 140 Wis. 58.

In the following English cases also the word “may” has been held to have a permissive, enabling or discretionary effect:

Where, by 43 G. 3, c. 59, s. 2, “it shall and may be lawful” for justices in Quarter Sessions to widen county bridges (*Re Newport Bridge*, 29 L. J. M. C. 52; 2 E. E. 377); where, by 7 & 8 V. c. 110, s. 66, judgments against certain joint-stock companies “shall and may” take effect and be enforced against the shareholders (*Hill v. London and County Assurance*, 1 H. & N. 398; 26 L. J. Ex. 89, overruling *Thompson v. Universal Salvage Co.*, 3 Ex. 310; 18 L. J. Ex. 242); where, by 7 & 8 V. c. 113, s. 13, execution “may be issued by leave of the Court” (against a shareholder in a joint-stock bank) on motion by a judgment creditor, and that “it shall be lawful” for such Court to make absolute or discharge such rule (*Morisse v. Royal British Bank*, 1 C. B. N. S. 67; 26 L. J. C. P. 62); where, by *Jervis' Act* (11 & 12 V. c. 42), s. 9, justices “may if they think fit” issue summons or warrant (*R. v. Adamson*, 1 Q. B. D. 201; 45 L. J. M. C. 46); where by Public Health Acts, 1848 (11 & 12 V. c. 63) s. 89, a local board of health “may” make rates to pay charges within that section (*R. v. Rotherham*, 8 E. & B. 906; 27 L. J. Q. B. 156; *Worthington v. Hulton*, L. R. 1 Q. B. 63; 35 L. J. Q. B. 61); where, by 13 & 14 V. c. 61, s. 13, a Judge “may” order costs of an action in a Superior Court (under certain defined conditions) though for an amount which might have been sued for in the County Court (*Macdougall v. Paterson*, 21 L. J. C. P. 27; 11 C. B. 755:

Pope's Legal Definitions (1920)

MAY

MAY AT HER DEATH REMAIN

Crake v. Powell, 21 L. J. Q. B. 183; 2 E. & B. 210; Asplin v. Blackman, 21 L. J. Ex. 78; 7 Ex. 386: over-ruling the previous decisions in the Exchequer of Jones v. Harrison, 20 L. J. Ex. 166; 6 Ex. 328: Palmer v. Richards, 20 L. J. Ex. 323; 6 Ex. 335; where by the Companies Act, 1862 (25 & 26 V. c. 89), s. 79, a Company “may” be wound up by the Court (Bowes v. Hope Socy., 11 H. L. Ca. 389; 35 L. J. Ch. 574); where, by s. 125 (4) Bankry. Act, 1883, the Court “may” transfer an Administration Action to a Bankry. Court (Re Baker, Nichols v. Baker, 34 S. J. 317); where, by Order 65, R. 48, R. S. C., the taxing master “may allow” Refreshers to Counsel (Smith v. Willis, 29 S. J. 684); where, by Companies Clauses Act, 1845 (8 & 9 V. c. 16), s. 97, directors “may” contract on behalf of a Company by writing and under their common seal (per Turner, L. J. Wilson v. West Hartlepool Ry., 34 L. J. Ch. 250); where, by Com. L. Pro. Act, 1854, s. 64, a Judge, if a garnishee disputes his liability, “may” (instead of ordering execution) order that judgment creditor shall be at liberty to proceed against the garnishee by writ (Wise v. Birkenshaw, 29 L. J. Ex. 240); where, by 18 & 19 V. c. 128, s. 4, a vacancy in a burial board “may” be filled up by the board, in case vestry shall, for one month, neglect to supply the vacancy (R. v. South Weald, 5 B. & S. 391; 33 L. J. M. C. 193); where, by the Sunday and Ragged Schools (Exemption from Rating) Act, 1869 (32 & 33 V. c. 40), s. 1, the rating authority “may” exempt from rating a Sunday or Ragged School (Bell v. Crane, 42 L. J. M. C. 122; L. R. 8 Q. B. 481); where a statute provided that the official receiver may be appointed by the Court provisional liquidator of a company at any time between the presentation of the petition and the making of a winding-up order. In re Johannesburg Land, etc., Co. (1892) 1 Ch. 583.

Effect as Undetermined.

It is doubtful whether “may” as used in s. 4, Removal of Wrecks Act, 1877 (40 & 41 V. c. 16), makes it obligatory on a Harbour Authority to remove wrecks that

have sunk within the area of its jurisdiction. During the argument of The Douglas, Brett, L. J., indicated that “may” should here be read as “must,” and apparently to a like effect was the judgment of Cotton, L. J. (7 P. D. 151; 51 L. J. P. D. & A. 89). But in Dormont v. Furness Ry. (52 L. J. Q. B. 331; 11 Q. B. D. 496), Kay, J., hesitated to follow the lead as indicated, rather than positively ruled, in The Douglas, and based his decision for the plaintiff on another ground.

In Davies v. Evans (51 L. J. M. C. 132; 9 Q. B. D. 238), the magistrates decided that the power under 35 & 36 V. c. 65, s. 4, whereby justices “may if they see fit” commit a putative father for disobedience to a bastardy order, gave a discretion which they refused to exercise; and on appeal the Court was equally divided, Huddleston, B., holding that the power was obligatory, Grove, J., holding that it was discretionary.

MAY APPROPRIATE.

Used In Appropriation Ordinance.

The statute directing the city council, within the first quarter of each fiscal year, to pass an appropriation ordinance, “in which such corporate authorities may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities,” etc., is mandatory. The words “may appropriate,” are to be read as “shall” or “must” appropriate. City of Cairo v. Campbell, 116 Ill. 309.

MAY AT HER DEATH REMAIN.

A will devising a life estate with a power of sale to a wife and providing for a distribution of “the property that may at her death remain,” conclusively shows that the testator intended that the wife might spend all or part of the money derived from a sale of the property under the power, and implies that distribution was to be made of only what she had not disposed of and used. Coulson v. Alpaugh, 163 Ill. 303.

"May" Bouvier's Law Dictionary (1934)

MAXIM

790

fect not a brave man. 7 Co. 27.
Vani timoris iusta excusatio non est. A frivolous fear is not a legal excuse. Dig. 50. 17. 184; 2 Inst. 488; Broom, Max. 256, n.
Velle non creditur qui obsequatur imperio patris vel domini. He is not presumed to consent who obeys the orders of his father or his master. Dig. 50. 17. 184.
Vendens eandem rem duobus falsarius est. He is fraudulent who sells the same thing twice. Jenk. Cent. 107.
Veniencia facillitas inuentum est delinquendi. Facility of pardon is an incentive to crime. 8 Inst. 228.
Verba accipienda sunt secundum subjectam materiam. Words are to be interpreted according to the subject-matter. 6 Co. 6, n.
Verba accipienda ut sortiantur effectum. Words are to be taken so that they may have some effect. 4 Bacon, Words 258.
Verba aequivoce ac in dubio sensu posita, intelliguntur digniori et potentiiori sensu. Equivocal words and those in a doubtful sense are to be taken in their best and most effective sense. 6 Co. 20.
Verba aliquid operari debent—debent intelligi ut aliquid operentur. Words ought to have some effect; words ought to be interpreted so as to give them some effect. 8 Co. 94.
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 et arte. Terms of art should be explained from the art. 2 Kent 556, n.
Verba chartarum fortius accipiuntur contra proferentem. The words of deeds are to be taken most strongly against the person offering it. Co. Litt. 28 a; Bacon, Max. Reg. 3; Noy, Max. 9th ed. p. 42; 3 B. & P. 390, 403; 1 C. & M. 377; 3 Term. 615; 15 East 546; 1 Ball. & B. 385; 2 Pars. Com. 22; Broom, Max. 554. See CONSTRUCTION; POLICY.
Verba cum effectu accipienda sunt. Words are to be interpreted so as to give them effect. Bacon, Max. Reg. 3.
Verba currentis monetis tempus solutionis designant. The words "current money" refer to the time of payment. Dav. 20.
Verba debent intelligi cum effectu. Words should be understood effectively. 3 Johns. Cas. 97, 101.
Verba debent intelligi ut aliquid operentur. Words ought to be so understood that they may have some effect. 8 Co. 94 c.
Verba dicta de persona, intelligi debent de conditione personae. Words spoken of the person are to be understood of the condition of the person. 2 Rolle 72.
Verba generalia generaliter sunt intelligenda. General words are to be generally understood. 3 Inst. 76.
Verba generalia restringuntur ad habilitatem rei vel aptitudinem personae. General words must be restricted to the nature of the subject-matter or the aptitude of the person. Bacon, Max. Reg. 10; 11 C. B. 254, 256.
Verba generalia restringuntur ad habilitatem rei vel personae. General words must be confined or restrained to the nature of the subject or the aptitude of the person. Bacon, Max. Reg. 10; Broom, Max. 549.
Verba illata (relata) inesse videntur. Words referred to are to be considered as if incorporated. Broom, Max. 674, 677; 11 M. & W. 188, 189; 10 C. B. 261, 263, 265.
Verba in differenti materia per prius, non per posterius, intelligenda sunt. Words referring to a different subject are to be interpreted by what goes before, not by what follows. Calvinius, Lex.
Verba intelligenda sunt in casu possibili. Words are to be understood in reference to a possible case. Calvinius, Lex.
Verba intentioni, et non e contra, debent inserui. Words ought to be interpreted in sense, not the reverse. 3 Co. 94; 6 Allen 324; 1 Spence, Eq. Jur. 527; 2 Sharw. Bla. Com. 379.
Verba ita sunt intelligenda, ut res magis valeat quam pereat. Words are to be so understood that the subject-matter may be preserved rather than destroyed. Bacon, Max. Reg. 3; Plovd. 156; 2 Bla. Com. 339; 2 Kent 585.
Verba mere aequivoce, ac per communem usum loquendi in intellectu certo sumuntur, talis intellectus proferendus est. When words are merely equivocal, if by common usage of speech they acquire a certain meaning, such meaning is to be preferred. Calvinius, Lex.
Verba nihil operari melius est quam absurde. It is better that words should have no operation, than to operate absurdly. Calvinius, Lex.
Verba non tam inuenta, quam causa et natura rei, ut mens contrahentium ex eis potius quam ex verbis accipiuntur. Words are not to be looked at so much as the cause and nature of the thing, since the intention of the contracting parties may appear from those rather than from the words. Calvinius, Lex.
Verba offendi possunt, imo ob eis recedere licet, ut verba ad sanum intellectum reducantur. You may disagree with words, may, you may recede from them, in order that they may be reduced to a sensible meaning. Calvinius, Lex.
Verba ordinationis quando verificari possunt in sua vera significatione, tunc ad extraneum intellectum non debent. When the words of an ordinance can be made true in their true signification, they ought not to be warped to a foreign meaning. Calvinius, Lex.
Verba posteriora propter certitudinem adita, ad priora quae certitudine indigent, sunt referenda. Subsequent words added for the purpose of certainty are to be referred to preceding words in which certainty is wanting. Wing, Max. 167; 6 Co. 236; Broom, Max. 536.
Verba pro re et subjecta materia accipi debent. Words should be received most favorably to the thing and the subject-matter. Calvinius, Lex.
Verba quae aliquid operari possunt non debent esse superflua. Words which can have any effect ought not to be treated as surplusage. Calvinius, Lex.

Verba, quantumvis generalia, ad aptitudinem restringuntur, etiam si nullam aliam paterentur restrictionem. Words, however general, are restrained to fitness (i. e. to harmonize with the subject-matter) though they would bear no other restriction. Spangolius.
Verba reata hoc maxime operantur per referentiam ut in eis inesse videntur. Words to which reference is made in an instrument have the same effect and operation as if they were inserted in the clause referring to them. Co. Litt. 280; Broom, Max. 678; 14 East 566; 56 Pa. 58.
Verba reata inesse videntur. Words to which reference is made seem to be incorporated. 11 Oush. 137; 121 Mass. 50.
Verba secundum materiam subjectam intelligi nemo est qui nescit. There is no one who is ignorant that words should be understood according to the subject-matter. Calvinius, Lex.
Verba semper accipienda sunt in mittiori sensu. Words are always to be taken in their milder sense. 4 Co. 17.
Verba strictae significationis ad latam extendi possunt, si subest ratio. Words of a strict signification can be given a wide signification if reason require. Calvinius, Lex.; Spangolius.
Verba sunt indices animi. Words are indications of the intention. Latoh 106.
Verbis standum ubi nulla ambiguitas. One must abide by the words where there is no ambiguity. Trayner, Max. 612.
Verbis imperit temporis rem adiac imperfectionem significat. The imperfect tense of the verb indicates an incomplete matter. 6 Wend. 103, 120.
Verdictum, quasi dictum veritatis; ut iudicium, quasi juris dictum. A verdict is as it were the saying of the truth, in the same manner that a judgment is the saying of the law. Co. Litt. 286.
Veritas demonstrationis tollit errorem nominis. The truth of the description removes the error of the name. 1 Ld. Raym. 303. See LEOATZ.
Veritas habenda est in iuratore; iustitia et iudicium in iudice. Truth is the desideratum in a juror; justice and judgment, in a judge. Bract. 152.
Veritas nihil creteret nisi abscondit. Truth fears nothing but concealment. 9 Co. 20.
Veritas nimium allegando amittitur. By too much alteration truth is lost. Hob. 344.
Veritas nominis tollit errorem demonstrationis. The truth of the name takes away the error of description. Bacon, Max. Reg. 23; Broom, Max. 637, 641; 8 Taunt. 213; 2 Jones, Eq. M. N. C. 72.
Veritatem qui non libere pronunciat, proditor est veritatis. He who does not speak the truth freely is a traitor to the truth. 4 Inst. Epil.
Via antiqua est via vetus. The old way is the safe way. 1 Johns. Ch. 527, 530.
Via trita est tutissima. The beaten road is the safest. 10 Co. 142; 4 Manly & S. 163.
Via trita, via facta. The beaten way is the safe way. 5 Pet. 223; Broom, Max. 184.
Vicarius non habet vicarium. A deputy cannot appoint a deputy. Branch, Max. 83; Broom, Max. 539; 2 Bouv. Inst. n. 1300.
Vicini viciniore praesumuntur scire. Neighbors are presumed to know things of the neighborhood. 4 Inst. 173; 78 Ga. 129.
Videtur qui videtur et minus se potest faire attention. It seems that a deaf and dumb man cannot alienate. 4 Johns. Ch. 441, 444; Bisp. Eq. § 38.
Vigilantibus et non dormientibus jura subveniunt. The laws serve the vigilant, not those who sleep. 7 Allen 493; 12 id. 25; 10 Watts 24. See LACUNA; Broom, Max. 65, 77, 429; 78 Ga. 513; 73 id. 58; 151 Pa. 467; 27 Ch. D. 353. See High. Receivers.
Vim vi repellere licet, modo fiat moderamine inculpata tuteles, non ad memendam vindictam, sed ad propulsandam injuriam. It is lawful to repel force by force; but let it be done with the self-control of blameless wisdom—not to take revenge, but to repel injury. Co. Litt. 162.
Viperina est expositio quae corrodit vitæra testis. That is a viperous exposition which gnaws out the bowels of the text. 11 Co. 24.
Vir et uxor consentiunt in lege una persona. Husband and wife are considered one person in law. Co. Litt. 112; Jenk. Cent. 87.
Via legitima est iusmatica. Force is inimical to the law. 2 Inst. 176.
Vitium clerici nocere non debet. Clerical errors ought not to prejudice. Jenk. Cent. 25; Dig. 34. 5. 2.
Vitium est quod iuri debet, ut si rationem non inveniat, magis legem sine ratione esse clamat. 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. Eilem. Postn. 80.
Viva vox fieri potest quia omnibus commoda est, sed ad majori parti proficiat, utilis est. Scarcely any law can be made which is beneficial to all; but if it benefit the majority it is useful. Plovd. 369.
Vocabula artium explicanda sunt secundum definitiones prudentium. Terms of art should be explained according to the definitions of those who are experienced in that art. Puffendorf, de Off. Hom. l. 1, c. 17, § 3; Grotius, de Jur. Bell. l. 2, c. 16, § 2.
Void things are as no things. 15 N. Y. 9, 86.
Void things are as no things. 9 Cow. 778, 784.
Volenti non fit injuria. He who consents cannot receive an injury. Webb, Pol. Torts 185; 109 Ala. 287; 172 Pa. 339; 99 Fed. Rep. 459.
Voluit sed non dixit. He willed but did not say. 4 Kent 538.
Voluntas donatoris in charta doni sui manifeste expressa observetur. The will of the donor, clearly expressed in the deed, should be observed. Co. Litt. 21 a.
Voluntas et propositum distinguunt maleficia. The will and the proposed end distinguished crimes. Bract. 2 b, 156 b.
Voluntas facit quod in testamento scriptum volent. The will of the testator gives validity to what is written in the will. Dig. 1. 12, 2.
Voluntas in delictis non exitus spectatur. In offences, the will and not the consequences are to be looked to. 2 Inst. 57.
Voluntas reputatur pro facto. The will is to be taken for the deed. 3 Inst. 60; Broom, Max. 341; 4

Mass. 428.
Voluntas testatoris ambulatoria est usque ad mortem. The will of a testator is ambulatory until his death (that is, he may change it at any time). See 1 Bouv. Inst. n. 89; 4 Co. 61.
Voluntas testatoris habet interpretationem latam et benignam. The will of the testator has a broad and liberal interpretation. Jenk. Cent. 200; Dig. 50. 17. 12.
Voluntas ultima testatoris est perimplenda secundum veram intentionem suam. The last will of a testator is to be fulfilled according to his true intention. Co. Litt. 282.
Vox omnia volens, scripta scripta manet. Words spoken vanish, words written remain. Broom, Max. 686; 1 Johns. 371.

We must not suffer the rule to be frittered away by exceptions. 4 Johns. Ch. 46.
What a man cannot transfer, he cannot bind by articles.
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. Noy, 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; 3 Bouv. Inst. n. 3028, 3030.
When two titles concur, the best is preferred. Finch, Law. b. 1, c. 4, p. 68.
Where there is equal equity, the law must prevail. Bisp. Eq. § 40; 4 Bouv. Inst. n. 3797.
Where the rights concur, the more ancient shall be preferred.

MAY. Is permitted to; has liberty to. In interpreting statutes the word *may* should be construed as equivalent to *shall* or *must* in cases where the good sense of the entire enactment requires it; 22 Barb. 404; 50 Kan. 739; or where it is necessary in order to carry out the intention of the legislature; 1 Pet. 46; 4 Wall. 425; 3 Neb. 234; or where it is necessary for the preservation or enforcement of the rights and interests of the public or third persons; 18 Ind. 27; 61 Me. 566; 48 Mo. 167; 107 Mass. 194, 197; 12 How. Pr. 224; but not for the purpose of creating or determining the character of rights; 28 Ala. 28; 39 Mo. 531. Where there is nothing in the connection of the language or in the sense and policy of the provision to require an unusual interpretation, its use is merely permissive and discretionary; 24 N. Y. 405; 77 Ill. 271; 27 N. J. L. 407; 8 Misc. Rep. 256; 74d. 15; 107 Mass. 196; 30 Fed. Rep. 53. See 53 Me. 498; 48 Mo. 167; 125 Mass. 193; 52 Kan. 18; 40 La. Ann. 756; 125 Mass. 199; 46 Ia. 163.

In subdivision 5 of § 7 of the Food and Drugs Act of 1906 the word *may* is used in its ordinary and usual signification; and if an article of food may not by the addition of a small amount of poisonous substance by any possibility, injure the health of any consumer, it may not be condemned under this subdivision of the Act. 232 U. S. 399.

MAYHEM. In Criminal Law. The act of unlawfully and violently depriving another of the use of such of his members as may render him less able, in fighting, either to defend himself or annoy his adversary. 8 C. & P. 167. See 7 Mass. 247.

"Maiming is when one member of the commonweale shall take from another member of the same, a natural member of his bodie, or the use and benefit thereof, and thereby disable him to serve the commonweale by his weapons in the time of warre, or by his labour in the time of peace, and also diminisheth the strength of his bodie, and weakeneth thereby to get his owne living, and by that means the commonweale is in a sort deprived of the use of one of her members." Pulton, De Paucis Regis, 1606, fol. 15, § 28.

One may not innocently maim himself, and where he procures another to maim him, both are guilty; Co. Litt. 127 a; 17 Wend. 351, 352. The cutting or disabling or weakening a man's hand or finger, or striking out his eye or foretooth, or depriving him of those parts the loss of which abates his courage, are held to be mayhem; 7 Humphr. 161; Cl. Cr. L. 188. But cutting off the ear or nose, or the like, are not held to be mayhem as common law; 4 Bla. Com. 205; but see 9 Ala. 928. The injury must be permanent; 8 Port. 472; 30 La. Ann. II, 1329; and if inflicted on an assailant in self-defence, it is not mayhem; 4 Blackf. 546.

These and other severe personal injuries are punished by the Coventry Act, which

“TEND”

ENGLISH-LANGUAGE DICTIONARY DEFINITIONS

The Century Dictionary and Cyclopedia (1904)

tend

It is ordered at Common Council that the new Mayor *tende* the old Mayor at his own house, and goe home with the sword before him afterward.

English Gilda (E. E. T. S.), p. 418.

And flaming ministers to watch and *tend* Their earthly charge.
Milton, P. L., ix. 156.

2. To look after; take care of; have the charge, care, or supervision of; as, to *tend* a machine; to *tend* a flock; to *tend* a sick person.

The Boy of whom I speak
In summer *tended* cattle on the hills.
Wordsworth, Excursion, l.

I would faint stay and help thee *tend* him!
M. Arnold, Empedocles on Etna.

The mother . . . sat at the foot of the bed and *tended* Annie's baby.
The Atlantic, XLIX. 54.

3†. To be attentive to; attend to; be mindful of; mind.

Unsuck'd of lamb or kid that *tend* their play.
Milton, P. L., ix. 583.

4. To wait upon so as to execute; be prepared to perform. [Rare.]

By all the stars that *tend* thy bidding.
Keats.

5. *Naut.*, to watch, as a vessel at anchor, at the turn of tides, and cast her by the helm, and by some sail if necessary, so as to keep turns out of her cable. = *Syn.* 1 and 2. To keep, protect, nurse.

II. *Intrans.* 1. To attend; wait as an attendant or servant; with *on* or *upon*.

Was he not companion with the riotous knights
That *tend* upon my father?
Shak., Lear, ii. 1. 96.

O I that wasted time to *tend* upon her,
To compass her with sweet observances.
Tennyson, Geraint.

2†. To be in waiting; be ready for service; attend.

The associates *tend*, and everything is bent
For England.
Shak., Hamlet, iv. 3. 47.

3†. To be attentive; listen.

Tend to the master's whistle.
Shak., Tempest, i. 1. 8.

tend³, v. t. See *tind*.

tend⁴, v. Obsolete past participle of *teen*¹.

tendable† (ten'da-bl), a. [*tend*² + *-able*.] Attentive.

A *tendable* (var. *plyaunt*) seruaunt standeth in fauour.
Hugh Rhodes, quoted in *Babees Book* (E. E. T. S.), p. lxxxii.

tendance (ten'dans), n. [Also sometimes *tendence*; by apheresis from *attendance*; cf. *tend*² for *attend*.] 1†. Expectant waiting; expectancy.

Unhappy wight, borne to disastrous end,
That doth his life in so long *tendance* spend!
Spenser, Mother Hub. Tale, l. 908.

2. Persons waiting or in attendance.

All those which were his fellows but of late . . .
Follow his strides, his lobbies fill with *tendance*,
Rain sacrificial whisperings in his ear.
Shak., T. of A., i. 1. 80.

3. Attendance; the work or art of tending or caring for some person or thing; attention; care; watchful supervision or care.

Good Host, such *tendance* as you would expect
From your own children if yourself were sick,
Let this old Man find at your hands.
Wordsworth, The Borderers, l.

tendant† (ten'dant), n. [By apheresis from *attendant*.] An attendant.

His *tendants* round about
Him, fainting, falling, carried in with care.
Vicars, tr. of Virgil, 1632. (*Nares*.)

tendence¹ (ten'dens), n. [*F. tendance* = Sp. Pg. *tendencia* = It. *tendenza*, < ML. as if **tendentia*, < L. *tenden(-t)s*, pp. of *tendere*, stretch, extend: see *tend*¹.] Tendency. [Rare.]

He freely moves and acts according to his most natural *tendence* and inclination.
J. Scott, Christian Life, l. 1.

tendence² (ten'dens), n. Same as *tendencia*.

tendency (ten'den-si), n. [As *tendence*¹ (see -cy).] Movement, or inclination to move, in some particular direction or toward some end or purpose; bent, leaning, or inclination toward some object, effect, or result; inclining or contributing influence.

The tenderest mother could not have been more anxious and careful as to the religious *tendency* of any books we read.
Lady Holland, Sydney Smith, vi.

Tendency is the ideal summation of the statical conditions which tend to a dynamical result; or, to express it less technically, it is one gathering up into a picture of all the events which we foresee will succeed each other when the organism is set going, and of the final result.
G. H. Leves, Probe. of Life and Mind, l. ii. § 38.

Everywhere the history of religion betrays a *tendency* to enthusiasm.
Emerson, Essays, 1st ser., p. 246.

= *Syn.* *Propensity*, *Inclination*, etc. (see *bent*), drift, direction, bearing.

tender¹ (ten'dér), a. and n. [*ME. tender*, *tendre*, < OF. (and F.) *tendre* = Pr. *tenre*, *tendre* = Sp. *tierno* = Pg. *tenro* = It. *tenero*, < L. *tener*, soft, delicate, tender, of tender age, young;

6229

akin to *tenuis*, thin, fine: see *thin*.] I. a. 1†. Thin; slender; attenuated; fine: literally or figuratively.

The happes over mannes hede
Ben bouge with a *tender* threde.
Gower, Conf. Amant., vl.

'Midst this was heard the shrill and *tender* cry
Of well-pleased ghosts, which in the storm did fly.
Dryden, Tyrannic Love, l. 1.

2. Of fine or delicate quality; delicate; fine; soft: as, a *tender* glow of color.

This set so many artists on worke, that they soone ariv'd
to y^e perfection it is since come, emulating the *tenderest*
miniatures.
Evelyn, Diary, March 13, 1661.

Late, in a flood of *tender* light,
She floated through the ethereal blue.
Bryant, The Waning Moon.

I treasure in secret some long fine hair
Of *tenderest* brown.
Lowell, Wind-Harp.

3†. Soft; thin; watery.

My rider . . .
Vault o'er his mare into a *tender* slough.
Shirley, Hyde Park, iv. 3.

4. Delicate to the touch, or yielding readily to the action of a cutting instrument or to a blow; not tough or hard; especially, soft and easily masticated: as, *tender* meat.

Floriz ne let for ne feo
To finden al that need beo,
Of fress of fles, of *tendre* bread,
Of whit winn and eke red.
King Horn (E. E. T. S.), p. 62.

We had some beef steak, not so *tender* as it might have been, some of the potatoes, some cheese.
R. L. Stevenson, Inland Voyage, p. 73.

5. Soft; impressible; susceptible; sensitive; compassionate; easily touched, affected, or influenced: as, a *tender* heart.

As you have pity, stop those *tender* ears
From his enchanting voice.
Beau. and Fl., King and No King, ii. 1.

He was, above many, *tender* of sin.
Bunyan, Pilgrim's Progress, ii.

In the way to our lodging we met a messenger from the countess of Falchensteyn, a pretty young *tender* man, near to the kingdom, who saluted us in her name with much love.
Penn, Travels in Holland, etc.

To each his sufferings: all are men
Condemned alike to groan;
The *tender* for another's pain,
The unfeeling for his own.
Gray, On a Distant Prospect of Eton College.

6. Expressing sensitive feeling; expressing the gentle emotions, as love or pity, especially the former; kindly; loving; affectionate; fond.

You have show'd a *tender* fatherly regard.
Shak., T. of the S., ii. l. 288.

Her wide gray eyes
Made *tenderer* with those thronging memories.
William Morris, Earthly Paradise, II. 295.

I desired him to repeat to me the translation he had made of some *tender* verses in Theocritus.
Steele, Tatler, No. 207.

That Number Five foresaw from the first that any *tender* feeling than that of friendship would intrude itself between them I do not believe.
O. W. Holmes, The Atlantic, LXVI. 665.

7. Delicate in constitution, consistency, texture, etc.; fragile; easily injured, broken, or bruised.

I know how *tender* reputation is,
And with what guards it ought to be preserv'd, lady.
Fletcher, Rule a Wife, l. 1.

And certainly, if the air was the cause of the elasticity of springs, as some have imagined, it would have been perceived in *so tender* a movement as a pocket watch, lying under the perpetual influence of two springs.
W. Derham, in *Ellis's Lit. Letters*, p. 317.

Where'er the *tender* grass was leading
Its earliest green along the lane.
Wordsworth, Peter Bell.

8. Delicate as regards health; weakly. [Scotch.]

I am sure I had been answered for her as my ain daughter: but, wae's my heart, I had been *tender* a' the simmer, and scarce ower the door o' my room for twa weeks.
Scott, Heart of Mid-Lothian, v.

9. Very sensitive to impression; very susceptible of any sensation or emotion; easily pained.

What art thou call'et me from my holy rites,
And with the feared name of death at rights
My *tender* ears?
Fletcher, Faithful Shepherdess, iv. 2.

10. Not strong; not hardy; not able to endure hardship or rough treatment; delicate; weak.

But longe ne myght endure the cristin, for yet the children were *tendre* and growne, so that thei moste nede remeye a-brode in to the fildes, and in short tyme thei shoide haue hadde grete losse.
Merlin (E. E. T. S.), ii. 287.

My lord knoweth that the children are *tender*.
Gen. xxxiii. 13.

The *tender* and delicate woman among you.
Deut. xxviii. 56.

tender

So far beneath your soft and *tender* breeding.
Shak., T. N., v. 1. 331

A *tender*, puling, nice, chitty-fac'd squall 'tis.
Middleton, More Dissemblers besides Women, iii. 1.

11. Fresh; immature; feeble; young and inexperienced.

For *tendere* wittes wenen al be wyle
Ther as they kan nat playnly understande.
Chaucer, Troilus, ii. 271.

There came two Springals, of full *tender* yeares.
Spenser, F. Q., v. x. 6.

He left, in his *tender* youth, the bosom of home, of happiness, of wealth, and of rank, to plunge in the dust and blood of our unobtrusive struggle.
E. Everett, Orations, I. 465.

12†. Precious; dear.

I love Valentine,
Whose life's as *tender* to me as my soul.
Shak., T. G. of V., v. 4. 37.

13. Careful; solicitous; considerate; watchful; concerned; unwilling to pain or injure; scrupulous: with *of* or *over*.

So *tender* over his occasions, true,
So feat, so nurse-like.
Shak., Cymbeline, v. 5. 87.

As this is soft and pliant to your arms
In a circumferent flexure, so will I
Be *tender* of your welfare and your will.
Chapman, Gentleman Usher, iv.

Get once a good Name, and be very *tender* of it afterwards.
Huxell, Letters, ii. 14.

Don't be so *tender* at making an enemy now and then.
Emerson, Conduct of Life.

14. Delicate; ticklish; apt to give pain if inconsiderately or roughly dealt with or referred to; requiring careful handling so as not to annoy or give pain: as, a *tender* subject.

In things that are *tender* and unpleasing, it is good to break the ice by some whose words are of less weight, and to reserve the more weighty voice to come in as by chance.
Bacon, Canning (ed. 1887).

15†. Quick; keen; sharp.

The full-fed hound or gorged hawk,
Unapt for *tender* smell or speedy flight.
Shak., Lucrece, i. 685.

16. Of ships, apt to lean over under sail; tender-sided: same as *cranek*⁴, l.—17†. Yielding to a small force; sensitive.

These, being weighed in a pair of *tender* scales, amounted to one grain and a quarter.
Boyle, Subtilty of Emiviums, ii.

Tender porcelain. See *porcelain*¹.

II. † n. A tender regard; fondness; affection; regard.

Thou hast redeem'd thy lost opinion,
And show'd thou makest some *tender* of my life.
Shak., 1 Hen. IV., v. 4. 49.

I had a kind of a *Tender* for Dolly.
Mrs. Centlivre, The Man's Bewitched, v. 2.

I swear, Lady Harriot, were I not already yours, I could have a *Tender* for this Lady.
Steele, Grief A-la-Mode, v. 1.

tender¹ (ten'dér), v. t. [*ME. tendren*; < *tender*¹, a.] 1†. To regard or treat with compassion, solicitude, fondness, or care; cherish; hence, to hold dear; value; esteem.

Wherfor I besech yow of yowr faderly pyte to *tendre* the more thys synple wryghting, as I schal ow't of dowght her after doo that schal please yow to the uttermost of my power and labor.
Paston Letters, l. 436.

Your minion, whom . . . I *tender* dearly.
Shak., T. N., v. 1. 129.

As you *tender* your Ears, be secret.
Congreve, Way of the World, l. 2.

I saw anothers fate approaching fast,
And left mine owne his safetie to *tender*.
Spenser, Virgil's Gnat, l. 362.

What of the ravenous Tygre then,
To lose her yong she *tender*'d with such care?
Heywood, Dialogues (Works, ed. Pearson, 1874, VI. 136).

2. To make tender, in any sense.

I pray God forgive you, open your eyes, *tender* your hearts.
Penn, To J. H., etc.

If too strongly acid or alkaline it [the mordant] will have a corrosive action, and the goods, as it is technically called, will be *tendered*.
W. Crookes, Dyeing and Calico-Printing, p. 517.

tender² (ten'dér), v. [*F. tendre* = Pr. *tendre* = Sp. Pg. *tender* = It. *tendere*, stretch, display, also tender, offer, < L. *tendere*, stretch, extend: see *tend*¹.] *Tender*, like *render*, *surrender*, retains, exceptionally, the termination of the F. inf.; *tend*¹ is the same word without this termination.] I. *trans.* 1. To offer; make offer of; present for acceptance: as, to *tender* one's resignation.

Most mighty Lord (quoth Adam), heer I *tender* All thanks I can, not all I should thesse render.
Sylvestre, tr. of Du Bartas's Weeks, II., Eden.

Upon *tendering* my Present, he seemed to smile, and gave me a gentle Nod.
Bailey, tr. of Colloquia of Erasmus, II. 2.

"Tend" 1/2

The Oxford English Dictionary (1933)

TENANTSHIP.

property of several people) belonging to the parish of Denton. 1853 W. D. COOPER *Sussex Gloss.* 65 note, The proportion between the tenantry and the statute acre is very uncertain. The *tenantry land was divided first into laines, of several acres in extent, with good roads, between them; at right angles with these were formed *. *tenantry roads, dividing the laines into furlongs.

Tenantship (te'nəntʃɪp). [*f.* TENANT *sb.* + -SHIP.] The condition or position of a tenant; tenancy; occupancy.

1883 A. WILDER in Max Müller *India* ii. 67 The tenure and law of inheritance varies with the different native races, but tenantry for a specific period seems to be the most common. 1889 T. GIFT *Not for Night-time* 127 He handed me the key in token of my new tenantry. 1892 *Daily News* 25 Mar. 4/8 To aim at the extension of tenancies as well as that of peasant proprietorships.

† **Tenanty.** *Obs.* [*?* erroneous form, or mispr.] = TENANCY *s.*

1612 DAVIES *Why Irel.*, etc. 168 By the Irish Custome of Gauehkinde, the inferior Tenants were partible amongst all the Males of the Sept. 1875 So quoted in MAINE *Hist. Inst.* vii. 185.

Tenar, *obs.* variant of **TENAR**.

Tenasm(e, -asmsus, obs. forms of TENESMUS.

† **Tenasmon.** *Obs. rare.* [*a.* obs. *F.* *tenasmon* (15th c. in Godef.), *f.* med.L. *tenasmus*, TENESMUS, *q. v.*] = TENESMUS.

1425 *tr. Arderne's Treat. Fistula*, etc. 39 He shal fele . . . akynge, styring, and prykking, and tenasmon; pat is, appetite of egestion. *Ibid.* 71 Tenasmon is a sekenez within þe lure þat makeþ þe pacient for to desyre purging of his womb byneþ-forþ.

Tenaunt(e, obs. form of TENANT, TENON.

Tenax (te'næks, t'næks), *a.* and *sb.* [*a. L.* *tenax* tought: see TENACIOUS.]

† **A.** *adj.* Tough, tenacious. *Obs. rare*—1.

1605 TIMME *Quersit.* iii. 144 The substance of sulphur. is tenax & retentive.

B. *sb.* A trade name of fine carded oakum used as a surgical dressing (Billings).

1889 *Athenæum* 31 Aug. 283 1/2 She. . . made a pillow for the back out of a piece of pink cambrie stuffed with tenax [at Ladiesmith]. 1891 *Scots Life News* 20 Some tenax (a kind of oakum) was lying with some other dressings on the side table.

Tence, *obs. form of TENSE.*

Tench¹ (tenʃ). Also 4-6 *tenche*, 5 *tenych*, 6 *teyns* (h). Pl. *tenches*, collect. *tench*. [*a.* OF. *tenche* (in Cotgr.); cf. Picard *tenke* in Godef. *Compl.*, mod.F. *tanche* (13th c. in Littré) = late *L. tinca*.]

1. A thick-bodied freshwater fish, *Tinca vulgaris*, allied to the carp, inhabiting still and deep waters; also, the flesh of this fish as food.

1390 *Earl Derby's Exp.* (Camden) 73 Pro tenches et roches. . . iij. scot. xij d. 1392 *Ibid.* 155 Pro xij tench et xij anguillis grossis . . . ijd. c. 1425 *Voc.* in Wv. Wilcker 614/24 *Suctus* a tenche. *Ibid.* 615/43 *Teugagis*, a tenche. c. 1440 *Prompt. Parv.* 488/2 Tenche, fische, tencha. 1485 *Nottingham Rec.* iii. 240, ij grete eles and a grete tenche. a. 1552 *Leland Itin. V.* 73 A preati Poole wherein be good Lucas and Tenchis. 1653 *WALTON Angler* ix. 175-6. 1787 *Best Angling* (ed. 2) 49 The tench the fishes physician (so called because his slime is said to be very healing to wounded fishes). 1802 *BINGLEY Anim. Biog.* (1813) iii. 80 Tench are partial to foul and weedy waters. 1867 F. FRANCIS *Angling* iii. (1880) 86 The tench is a very curious fish in his habits.

2. *attrib. and Comb.*, as *tench-boat*, *fishing*; *tench-weed*, a local name of pondweed.

1598 *Ephalario I*, Halfe a pint of Pike or *Tench broth. 1688 *GOODR. Amer. Fishes* 419 The season for *Tench fishing in Germany is from July to October. a. 1825 *FORB. Voc. E. Anglia.* *Tenchweed, a sort of pond-weed, having a slime or mucilage about it. . . It is *Potamogeton natans*.

† **Tench**². *Sc. Obs. rare.* [*a.* Picard *tenche*, OF. *tence* dispute (12th c. in Godef.), *f.* *tencher*, *tencer* to contend—pop. *L.* type **tentiare*, *f.* *tenius*, *p.* pple. of *tendēre* to stretch, strive, etc.] (?) A taunt, reproach.

1513 *DOUGLAS Æneis* ix. ProL 23 The ryall style, clepht heroyal, . . . Suld be compilit but tencis or voyd word.

Tench³ (tenʃ). *slang.* Abbreviation of *detention*, *penitentiary*.

1850 *Broad Arrow* ii. 32 (Farmer) Prisoners' barracks, sir—us calls it Tench (Hobart Town Penitentiary). 1887 *HORSLEY Jottings fr. Jail* i. 12, 'I . . . got remanded to the Tench' (House of Detention). 1897 P. WARUNG *Tales Old Regime* 143 We were all sent to a place called a tench and there we were signed off to Defferent masters.

† **Tencion** (tenʃən). *Obs.* Also -chon, -cyon. [*ad.* OF. *tençon*, *tenchon*, *tenson* (12th c.) a contest, a quarrel = *Fr.* *tenso*, *It.* *tenzone*, *ad. L.* *tenstō-em*, *f.* *tend-ere* to stretch, strive, contend.] A contention, dispute, quarrel.

1471 *CAXTON Recuyell* (Sommer) 521 A grete strif or tenchon [F. *sue tençon et debat*] that is fallen betwene them. 1474 — *Chesse* iii. vi. (1885) 129 Hit happeth ofte tymes that ther cometh of glotonye tencionys stryfs ryotyes [etc.]. c. 1477 — *Fazon* 8 That the wynd had surmounted hem in wordes and tencionys.

† **Ten-city.** *Obs. rare*—1. Literal translation of Gr. *Δεκάπολις Decapolis*, a district of Roman Palestine comprising ten cities.

c. 1550 *CHEKE Math.* iv. 25 A greet nombre from galilee, y^e tenctice, . . . and places beyond Jordan.

† **Tend.** *sb.* *Obs. rare.* [*f.* TEND *v.* 1.] The action or fact of tending; aim, tendency.

176

1655 *MRO. WORCESTER Cent. Inv.* Ded. ii. (1663) A vij, The taking off such Taxes or Burthens. . . which, I dare say, is the continual Tend of all your indefatigable pains.

Tend (tenʃ). *v.* 1 Also 4-7 *tende*, (5 *tenne*). *Pa. t.* and *pple.* tended (5 *tende*). [*aphetic form of ATTEND v., ENTEND v., INTEND v., F.* *attendre*, *entendre*, which largely ran together in sense in OF. and ME.]

† **1.** To turn one's ear, give auditory attention, listen, hearken; = ATTEND *v.* 1. **a.** *intr.* *Obs.*

13. *Cursor M.* 2542 (Gott. Abram. . . all bad till him tendand [Cott. tendand] be. 1340-70 *Alisander* 7 Tend yee tytel to mee & take goode heede. c. 1430 *Hymns Virg.* 99 To þe ten heestis y haue not tende Porus sloupe, wrapþe, & glotenie. a. 1550 *Friar & Boy* 6 in Hazl. *E. P. P.* III. 6o God . . . gyue them good lyfe and longe That lystenth to my songe. Or tendeth to my tale. 1610 *Sussex Temp.* i. 8 Take in the toppe-sale. Tend to th' Masters whistle. 1816 G. MUIR *Clydesdale Minstr.* 61 'Tend to my plaint, ye bonny lasses.

† **b.** *trans.* To turn one's ear to, listen to. *Obs.* 1340-70 *Alisander* 997 When his tale was tolde & tended of all. 1340-70 *Alex. & Dind.* 365 Tale tende we noþ þat turnep to harme.

2. To turn the mind, attention, or energies; to apply oneself. **a.** *intr.* with *to*, *unto*: to attend to, look after (a thing, business, etc.); = ATTEND *v.* 2, 4. *Obs. exc. dial.*

13. *Cursor M.* 255 (Gött.) Sum quat to þat thing to tende [C. tent] þat þai þair mede may wid amende. c. 1330 R. BRUNNE *Chron. Wace* (Rolls) 655 þat scheo tende to no þynge elles. c. 1350 *St. Erasm.* 5122 þe Amyralt . . . ne miht noþ tenþy þe. c. 1460 *Play Sacram.* 105 Ye owe tendertil to tende me tyll. 1523-4 *Rec. St. Mary at Hill* 323 For blowing the Orgons and tending to the church every sonday, to haue ij d. 1901 *Cornh. Mag.* Nov. 678 Some folks . . . cass'n't be satisfise wi' 'tendin' to their own [business]. 1901 J. PRIOR *Forest Folk* ii. 14 To let me tend to the commoners first.

† **b.** with *inf.* To turn one's attention, apply oneself to do something; = ATTEND *v.* 4 d, INTEND *v.* 9. c. 1330 R. BRUNNE *Chron. Wace* (Rolls) 14100 þey tenden nought hem self to tende. 1340-70 *Alex. & Dind.* 846 3e tende nauht to tulye þe erpe. 1623 *WHITBOURNE Newfoundland* 82 Three men may fetch a-land salt, and tend to wash fish, and dry the same. 1682 *BUNYAN Greatness Soul* Wks. 1853 I. 136 He could tend to do nothing but to find out how to be clothed in purple and fine-lin. a. 1688 — *Accept. Suffr.* *ibid.* 691 There is none else that either understand or that can tend to hearken to Him. . . . But now the broken in heart can tend it.

c. *trans.* To attend to, mind (a thing); = ATTEND *v.* 4, INTEND *v.* 12. *Now rare.*

1549 *CHALONER Erasmus on Folly* O ij. How many princes . . . doode . . . onely tende to thyr owne pleasure. 1566 *BARNFIELD Affect. Sheph.* ii. lvi, Speake ill of no man, tend thine owne affaires. 1560 *JER. TAYLOR Holy Living* iv. § 6 (1727) 224 We rest also that we may tend holy duties. 1741-2 *GRAY Agrippina* 7 To tend Her household cares, a woman's best employment. 1847 *HELPS Friends* in C. I. i. 11 Your business . . . will be best tended in this way. 1866 *JUL. KAVANAGH Sybil's Second Love* i, Tending the fire.

3. *trans.* To apply oneself to the care and service of (a person); now esp. to watch over and wait upon, to minister to (the sick or helpless); = ATTEND *v.* 6, INTEND *v.* ii. b.

c. 1489 *CAXTON Soinnes of Aynon* xxv. 539, I . . . praye you that ye tende well my children. 1609 *DAMPER Voy.* i. xviii. 520 Jeoly. . . had been sick for 3 months; in all which time I tended him as carefully, as if he had been my Brother. 1712-14 *POPE Rape Lock* ii. 91 Our humbler province is to tend the Fair. 1722 *De Foe Plague* (1840) 84 Nurses to tend those that were sick. 1805 *SCOTT Last Minstr.* i. Intro. ii, That they should tend the old man well.

b. To have the care and oversight of; to take charge of, look after (a flock, herd, etc.); = ATTEND *v.* 5. Said also (now *dial.* and *U. S.*) of a shop, toll-gate, bridge, etc. 1515 *BARCLAY Ecloges* iv. (1570) C iv, Nedes must a Shepheard bestowe his whole labour in tending his flockes. 1593 *SHAKS.* 3 *Hen. VI.* ii. v. 31 So many Horses, must I tend my Flocke. 1602 *ROWLANDS Tis Merrie* 16 My Husband's forth, our Shoppe must needs be tended. 1702 *POPE Sappho* 100 Bid Endymion nightly tend his sheep. 1843 *CARLYLE Past & Pr.* iv. i, Gurth could only tend pigs. 1855 *MACAULAY Hist. Eng.* xii. III. 350 The horses had been ill fed and ill tended among the Grampians. 1889 *FARMER Dict. Amer. s. v.*, Shops, stores, and businesses of every description are in America tended and not kept.

c. To bestow attention upon, attend to; esp. to foster, cultivate (a plant, etc.); to work or mind (a pump, a machine, etc.).

1631 *GOUGE God's Arvovus* iii. § 95. 367 By peace . . . gardens, vineyards, and other like fruitful places [are] tended. 1667 *MILTON P. L.* ix. 206 Well may we labour still to dress This Garden, still to tend Plant, Herb, and Flour. 1703 *Lond. Gaz.* No. 3957/3 The Men . . . not being able to tend the Pumps, she sunk. 1838 *ARMOLD Hist. Rome* i. xi. 203 This Lucius Quinctius let his hair grow, and tended it carefully. 1865 *KINGSLEY Herew.* x. He . . . tended the graves hewn in the living stone. 1885 *S. Cox Expositions* xxix. 386 Always seeking to multiply the seed they sow and tend.

4. To wait upon as attendant or servant; to attend on; to escort, follow, or accompany for the purpose of rendering service or giving assistance; = ATTEND *v.* 7. *Now dial.*

a. 1400-50 *Alexander* 4534 Appollo with a quite swan is paid him to tende. 14500 in *Eng. Gilds* (1870) 418 It is ordered that the new Mayor . . . the old Mayor at his owne owne and goe home with the sword before him. 1594 *SHAKS. Rich. III.* iv. i. 93 Go thou to Richard, and good Angels tend. 1615 *FLETCHER, etc. Fair Maid Inn* ii. ii, By your leave, Sir, I'll tend my master, and instantly be with

TEND.

you. 1710 *De Foe Crusoe* (1840) II. xii. 248 The man that tended the carpenter had a great iron ladle in his hand. 1888 *ELWORTHY W. Somerset Word-bk.* s. v., A mason's labourer always describes his work 'I do tend masons'.

b. *intr.* To attend on or upon; *spec.* to wait at table; = ATTEND *v.* 7 b, c. Also *fig.*

1593 *SHAKS.* 2 *Hen. VI.* iii. iii. 304 Three-fold Vengeance tend vpon your steps. 1641 *BEST Farm. Bks.* (Surtees) 177 The bridegroome and the brides brothers or freinds tende att dinner. 1642 *ROGERS Naaman* 41 Not [to] expect till Elisha tend upon him. 1722 *De Foe Plague* (1840) 106, I tend on them, to fetch things for them. 1818 *Mrs. SHELLEYS Frankenstein* i. (1865) 25, I loved to tend on her. 1859 *TENNIVSON Enid* 172 And Enid tended on him there.

5. *trans.* To give one's presence at (a meeting, ceremony, etc.); = ATTEND *v.* 12. *Now dial.* and *U. S.* Also *intr.* with *† of* (*obs.*), *on* (*dial.*).

1460 *Rolls of Parlt.* v. 179 1 So that the seid Waulter may tende daily of this yourse Parlement, as his dute is to doo. 1579-80 *NORTH Plutarch* (1676) 290 Cato said that Scipio . . . tended Plays, Comedies, and Wrestling. 1801 H. MACMILLAN *Poet. Wks.* (1856) 220 (E. D. D.) Our lady are doing little but tending the drill. 18. *Mag. Jones's Trav.* (Bartlett), Most of the passengers. . . had been up to Augusta to tend the convention. 1890 *Dialect Notes* i. 1. 22 U. S. One 'tends out on' church, 'tends out on' the public library. 1901 *EL. G. HAYDEN Trav.* *Round our Vill.* x. 168, I tends church reg'lar!

6. *trans.* † To wait for, await; to look out for expectantly; = ATTEND *v.* 13; also, to watch, observe (*obs.*); in *dial.* use, to watch for and scare away (birds); = TEND *v.* 1 b.

1604 T. WRIGHT *Passions* v. § 3. 88 Then tend thy turne, when neighbours houses burne. 1669 *STURMY Mariner's Mag.* ii. xiv. 85 Tending the Sun until he be upon the Meridian. 1675 *BUNYAN Light in Darkn.* 178 Now the Soul can tend to look about it, and thus consider with it self. 1818 *KEATS Endymion* ii. 185 By all the stars That tend thy bidding. 1875 *Sussex Gloss.* s. v., He goes to work rook-tending, and he comes home of nights that hoarse that you can't hardly hear him speak.

† **b.** *absol.* or *intr.* To wait in expectation or readiness; = ATTEND *v.* 16. *Obs.*

1602 *SHAKS. Ham.* i. iii. 83 The time inites you, goe, your seruants tend. *Ibid.* iv. iii. 47 The Barke is readie, and the windes at helpe, Th' Associates tend.

7. To have it in the mind as a purpose to do something; = INTEND *v.* 18. (Cf. ATTEND *v.* IV.) *Obs. exc. dial.* (After 1500 chiefly *Sc.*)

1340-70 *Alex. & Dind.* 1128 Now tende we to touche more of þis tale. c. 1500 *Melusine* 128 We tende & purpos to gyue batayle to the Seldwin. 1525 *Sc. Acts Jus. V* (1814) II. 293/2, I neur as 3it did hir grace only harme. . . nor neur tendis to do. 1580 *Reg. Privy Council Scot.* III. 291 Tending . . . to be fugitive fra the law. a. 1615 *Cron. Erlis of Ross* (1850) 6 The sepulture of his fathers, quhair he tendit to be buried. 1897 R. M. GILCHRIST *Peakland Raggot* 95 I'm tendin' to do well for them. 1900 N. LLOYD *Chronicle Loafers* i. 13 [U. S.], I didn't tend to open it.

† **8.** *trans.* To understand or apprehend (a matter, a word, etc.); = INTEND *v.* IV, ME. *entende*, *F.* *entendre*, *Obs.*

c. 1375 *Cursor M.* 21803 (Fairf.) Qua-sim his tale can beter tende [Cott. a-tend] For cristis loue he hit amende. c. 1450 *HOLLAND Houal* 434 The siluer in the samyn half, trefwly to tend, is clear corage in armes.

Hence **Tending** *vbl. sb.* and *ppl. a.*; **tending-string**, a leading-string; **tending boy**, a boy employed to 'tend' or scare birds.

1605 *SHAKS. Macb.* i. v. 38 One of my fellows . . . almost dead for breath . . . Giue him tending, He brings great news. 1816 T. CHALMERS in *Hanna Mem.* (1849) II. iv. 81 The shrubbery, in absence of the tending hand, had become a tangled wilderness. 1821 *CLARE Vill. Minstr.* II. 73 The cowboy. . . Leading tam'd cattle in their tending-strings. 1865 *DICKENS Mut. Fr.* iii. viii, In its tending of the sick. 1898 *Agric. Gaz.* 7 Mar. 276/3, I am dressing the seed with tar, otherwise tending boys would be at a premium. 1900 *Lady's Realm* Feb. 406/1 The large log-house. . . and the tending slaves.

Tend (tenʃ), *v.* 2 Forms: 6-7 *tende*, 6 *Sc. teind*, 4-*tend*. See also TEND *v.* 5 [*In* branch I, *a.* *F.* *tend-re* (11th c.) = *L.* *tendēre* to stretch, stretch out, extend, also *intr.* for *tendere cursum*, *gressum*, *passus*, to direct one's course, one's steps, to proceed in any direction. The main sense-development took place in *L.* and *F.*, and the Eng. sense-groups II and III have been taken in at different times, and not in logical order.]

1. To have a motion or disposition to move towards, and derived senses. [= OF. *tendēre* (11th c.), *L.* *tendēre intr.*]

1. *intr.* To direct one's course, make one's way, move or proceed towards something. **a.** *lit.* of persons or things in motion. *Obs.* or *arch.*

c. 1350 *Will. Palerne* 1781 To me tended þei nouþ, but tok forþ here wey willfull to sunn wilderness. 1426 *Lyng. De Guill. Pilgr.* 10797 Wheder that euery goode Pylgryme Tendyth in his pylgrymage. 1500-20 *DUNBAR Poenis* lix. 20 Tendyng to ane other place, A journey going euerie day. 1667 *MILTON P. L.* l. 183 Thither let us tend from the toiling of these fiery waves. 1745 *Taraphr. Sc. Ch.* xxviii. xi, As the Rains from Heaven distill Nor thither tend again.

b. Of a road, course, journey, series of things. 1574 *Cabr. Scott. Papers* v. 9 Leith was his port quhair-unto his course tendit. 1793 *Moxon Mech. Exerpt.* 256 Arches, whose Joyns tend to the Center. 1865 *HAWTHORNE Our Old Home* (1879) 64 A green lane. . . tended towards a square, gray tower. 1873 *BLACK Pr. Thule* xxv, Under-standing that their voyage should tend in that direction.

"Tend" 2/2 The Oxford English Dictionary (1933)

TEND.

TENDENCY.

c. *intr.* To have a natural inclination to move (in some direction). (Cf. 2, 3.)

1641 WILKINS *Math. Magic* i. ii. (1648) 12 Whereby condensed bodies do of themselves tend downwards. 1711 POPE *Temp. Fame* 429 As weighty bodies to the centre tend. 1776 ADAM SMITH *W. N.* IV. vii. (1869) II. 217 That part of the capital . . . which . . . tended and inclined, if I may say so, towards the East India trade. 1828 HUTTON *Course Math.* II. 140 The power or force in moving bodies, by which they continually tend from their present places. 1834 MRS. SOMERVILLE *Connex. Phys.* Sc. XXXVII. (1849) 437 Though the stars in every region of the sky tend towards a point in Hercules.

2. *intr. fig.* To have a disposition to advance, go on, come finally, or attain to (unto, towards) some point in time, degree, quality, state, or other non-material category; to be drawn to or towards in affection.

c. 1374 CHAUCER *Boeth.* I. pr. vi. 17 (Camb. MS.) Remembres thow . . . whider pat the entensy[on] of alle kynde tendeth? c. 1440 *Gesta Rom.* IV. 238 (Harl. MS.) Whenne I saide pat ober was the childe, þou tendest al to him, and dispisidst pat obere. 1538 ELIOT, *Specto.* . . . to behold. . . to tendre to some conclusion. 1581 PETTIE *Guaazzo's Civ. Conv.* III. (1586) 127 b. Nature always tendeth to the best. 1659 PEARSON *Cread* (1839) 110 Towards the setting of the sun, when the light of the world was tending unto a night of darkness. 1776 BURKE *Corr.* (1844) II. 96 It is to this point all their speeches, writings, and intrigues of all sorts, tend. 1818 *Cruise Digest* (ed. 2) VI. 517 The trust being expressly limited for life, the same did not tend to a perpetuity. 1893 J. A. HODGES *Elem. Photogr.* (1907) 157 Their use . . . certainly tends in the direction of uniformity.

b. *Tending to*, approaching (in quality, colour, etc.); having a tendency to.

1600 HAKLUYT *Voy.* III. 51 A temperate aire rather tending to cold. 1615 W. LAWSON *Country Housew. Gard.* (1626) 18 A faire and broad leafe, in colour tending to a greenish yellow.

3. *intr.* To have a specified result, if allowed to act; to lead or conduce to some state or condition. Const. *to*, rarely *against*.

1560 BIBLE (Genev.) *Prov.* x. 16 The labour of the righteous tendeth to life. 1613 G. SANDYS *Trav.* 289 The place doth not greatly tend unto tranquillity. 1729 LAW *Serious C.* xxiii. (1732) 441 [Not to] do anything to us, but what certainly tended to our benefit. 1818 *Cruise Digest* (ed. 2) IV. 558 The register acts would tend much more to the security of purchasers and mortgagees . . . if it were established [etc.]. 1847 HELPS *Friends in C.* I. iii. 34 To indulge in despair as a habit . . . manifestly tends against nature. 1868 FARRAR *Silence & V.* II. (1875) 35 We know that righteousness tendeth to life.

b. To lead or conduce to some action. (a) Const. *to* with noun of action.

1565 *Reg. Priory Council Scot.* I. 36 Tending to the furthering of their Majesty's autoritie. 1651 HOBBS *Leviath.* II. xxiii. 126 Other acts tending to the conservation of the Peace. 1765 BLACKSTONE *Comm.* I. xv. 422 Such declaration cannot now tend to the reformation of the parties. 1849 MACAULAY *Hist. Eng.* IV. I. 481 None of them said anything tending to his vindication. 1874 GREEN *Short Hist.* II. § 82 The King's reforms tended directly to the increase of the royal power.

(b) Const. *to* with *inf.*

1604 BACON *Apol. Wks.* 1879 I. 435 A somet dried directly tending and alluding to draw on her Majesty's reconciliation to my lord. 1662 STILLINGFL. *Orig. Sacr.* II. iv. § 10 It may further tend to clear the truth of the Scriptures. 1710 *Lond. Gaz.* No. 4688/2 All the . . . Warlike Preparations . . . tended only to amuse the King of Sweden. 1800 *Med. Jral.* IV. 337 If they tend in the least to diminish the sufferings of the child. 1851 CARPENTER *Man. Phys.* (ed. 2) 378 It tends to undergo a rapid and complete degeneration. 1879 M. ARNOLD *Mixed Ess., Democr.* 10 To live in a society of equals tends . . . to make a man's spirits expand.

4. *Naut.* Of a ship at anchor: To swing round with the turn of the tide or wind.

1770 COOK *Voy. round World* III. ix. (1773) III. 651 In the mean time, as the ship tended, I weighed anchor. 1776, 1867 [see *tending* below]. 1794 *Rigging & Seamanship* II. 209 The ship begins to tend to leeward. 1828 WEBSTER, *Tend.* . . . to swing round an anchor, as a ship.

b. *trans.* (app. a causal use of prec.; in quot. 1867, erroneously associated with TEND v. 1 6).

1794 *Rigging & Seamanship* II. 300 To tend a ship for a weather tide. The simplest way of tending a ship, is to keep each tide to leeward of her anchor. 1815 BURNBY *Falconer's Dict. Marine* 553/1 *To Tend.* is to turn or swing a ship round when at single anchor, or moored by the head in a tide-way, at the beginning of the flood or ebb. *Ibid.* To Tend a Ship with the Wind a few points across the Tide. 1867 SMYTH *Sailor's Word-bk.*, *Tend*, to watch a vessel at anchor on the turn of a tide, and cast her by the helm, and some sail if necessary, so as to keep the cable clear of the anchor or turns out of her cables when moored.

II. [= F. *tendre*.]

† 5. *trans.* To offer, proffer; *spec.* in Law = TENDRE v. 1. *Obs.*

1475 *Rolls of Paris*, VI. 148/1 Upon the same Travers tendeth, or tide shewed. 1483-4 *Act 1 Rich. III.* c. 6 § 1 The said defendantun . . . may . . . tende an issue [F. *de tendere issue*], that the same contract . . . was not . . . made in the feire time. 1529 *Act 21 Hen. VIII.* c. 5 § 1 Suche testament being lawfully tended or offered to them to be proved.

b. To furnish, provide, supply; to reach or hand (a thing) to some one. *Obs. exc. dial.*

1579 LVLV *Euphonia* (Arb.) 130 Diligent in tending and providing all things necessary. 1884 JAGO *Cornwall Gloss.* s. v. One boy tended the stones as the other threw them at the apples.

† 6. *intr.* To extend, stretch, or reach (to a point, or in a particular direction). *Also fig. Obs.*

1604 E. G[RIMSTONE] *D'Acosta's Hist. Indies* VI. vi. 444 All the knowledge of the Chinoise, tendes only to reade and write, and no farther. 1630 R. JOHNSON *Kingd. & Commw.* 223 That huge tract of Land, which tendeth from Cape Aguer, to Cape Guardafui. 1725 DE FOE *Voy. round World* (1840) 145 The land tending to the west.

III. [Later senses from F. *tendre* and L. *tendere*.]

† 7. *trans.* To stretch, make tense or taut; to set (a trap, snare, etc.). *Obs.*

1646 H. LAWRENCE *Comm. Angells* 45 Their nets are always spread; they tendre their snares alwayes. 1677 PLOT *Oxfordsh.* 289 The longer, or less tended, any string is, the farther it moves. 1799, 1834 [see TENDED v. 1 a.].

† 8. To bend or direct (one's steps): cf. L. *tendere gressum, passus*. *Obs.*

1611 RICH *Honest. Age* (Percy Soc.) 17 Whether will you tend your steppes. a. 1644 QUARLES *Sol. Recant.* ch. III. xx. Both tend their paces to the self-same Journies end.

† 9. To relate or refer to; to concern. (*trans.*, or *intr.* with *to*). *Obs.*

1571 SIR R. LANE *in Buccleuch MSS.* (Hist. MSS. Comm.) I. 224, I have received your letter with a packet . . . The matter which they do tend indeed requireth speed. 1576 FLEMING *Panopl. Epist.* 156 My tauke tendeth to matters of such moment and weight. 1647 N. BACON *Disc. Govt. Eng.* I. lxxi. (1739) 196 The rule foregoing tended only to Freeman and their Lands. 1654 MARVELL *Corr.* Wks. (Grosart) II. 11 Which I attributed to our dispatch, and some other businesse tendings thereto.

Hence *Tending vbl. sb.* 2

1587 GOLDING *De Morray* II. (1592) 18 The whole worlde and all things contained therein, do by their tending vnto vs, teach vs to tend vnto one alone. 1846 D. KING *Lord's Supper* vi. 175 It is all outward in its tendings.

b. *Naut.* 1776 FALCONER *Dict. Marine*, *Tending*, the movement by which a ship turns or swings round her anchor in a tide-way, at the beginning of the flood or ebb. 1867 SMYTH *Sailor's Word-bk.*, *Tending*, the movement by which a ship turns or swings round when at single anchor, or moored by the head, at every change of tide or wind.

Tend, obs. f. TEND sb. and v., tithe; earlier form of TIND v. *Obs.*, to kindle.

† Tenable, a. *Obs.* [f. TEND v. 1 + -ABLE: cf. *suitable*.] Ready to give attention; attentive.

c. 1450 [simplified in TENDABLE]. 1509 HAWES *Joyf. Medit.* xxvii. Vnto our souerayne be meke and tendable. 1530 PALSGR. 327/1 Tenable, as one that dothe wayte well . . . ententif. 1533 MORE *Debell. Salem* Wks. 943/2 Good sad honeste veruouus wydowes, that wolde be tendable & tender to sicke folk. 1547 BOORDE *Brev. of Health* Pref. 5 Let every person be tendable aboute theym [physicians] and do as they shall commaunde them. 1654 GAYTON *Pleas. Notes* IV. i. 180 Wherein shee is very tendable, and handy. So † Tenablely *adv.*, attentively, with care.

c. 1450 in Augier *Syon* (1840) 312 Eche of them schal enforme suche as be assigned to them . . . charitably and tendably.

Tendance (te-ndāns). Also 8-9 (*improperly*) tendence. [Aphetic form of ATTENDANCE, or sometimes f. TEND v. 1 + -ANCE.]

1. The attending to, or looking after, anything; tending, attention, care.

1573 TUSSER *Hush.* (1878) 128 Hops dried in loft, aske tendance oft. 1667 MILTON *P. L.* VIII. 47 They at her coming sprung And toucht by her fair tendance gladlier grew. 1790 H. BOVD *Ruins of Athens*, What cautious care The propagation, tendence, nutriment of this ethereal seminary claim. 1835 TRENCH *Justin Martyr*, etc. (1862) 17 That by careful watering And earnest tendance we might bring the bud, the blossom and the fruit. 1897 *Scotsman* 10 Nov. 1/4 The working and tendence of every machine . . . should be reserved for its members.

b. The object of care or attention. *rare* -1.

[1645] MILTON *Tetrach.* I. Wks. 1851 IV. 133 Whether it [loneliness] be a thing, or the want of something, I labour not; let it be their tendance, who have the art to be industriously idle.

2. The bestowal of personal attention and care; ministrin to the sick or weak.

1578 *Chr. Prayers in Priory*, Prayers (Parker Soc.) 544 That I may not have need of so great strength, tendance, and cunning. 1633 KENNETT *F. Examin.* on *Volly 42* How troublesome our tendance in the cradle. 1760-72 H. BROOKE *Book of Qual.* (1809) IV. 39 My . . . affectionate tendance shall . . . compensate for my want of address. 1876 GEO. ELIOT *Dan. Der.* lxvi. His daughter's dutifull tendance.

b. Attendants collectively; train or retinue.

1607 SHAKS. *Timon* I. i. 80 All the e. . . Follow his strides, his Lobbies fill with tendance. 1814 SCOTT *Ld. of Isles* III. vii. Now torch and menial tendance led Chieftain and knight to tower and bed. 1868 GEO. ELIOT *Sp. Gipsy* I. 113 I shall send tendance as I pass, to bear This casket to your chamber.

† 3. Waiting in expectation. *Obs.*

1501 SPENSER *Ill. Hubbard* 908 Unhappie wight . . . That doth his life in so long tendance spend

Tendances, obs. form of TENDENCE.

† Tendancy. *Obs. rare* -1. In 8 (*improp.*) -ency. [f. TEND v. 1 + -ANCY.] Attention, care.

a. 1774 TUCKER *Lt. Nat.* (1834) II. 86 Man . . . may, indeed, contrive machines that shall go a little way in performing his works . . . but then they require correcting, repairing, and continual tendancy.

Tendant, a. and sb. *arch.* Also 4 -aunt, 7 (*improp.*) -ent. [Aphetic f. ATTENDANT.]

A. *adj.* Attending, giving attention or service, waiting (upon).

13. *Cursor M.* 19034 (Gött.) There hundred men and wuis, pat dessell bath late and are par tendant to be

apostlisware. 1387 TREVISA *Higden* (Rolls) III. 279 Socrates, þat was alway tendent to a spirit þat was i-cleped demon. 1598 WARNER *Ab. Eng.* VIII. xliii. (1612) 205 Henry, the second vnto whom the Scotch-King tendant was. 1824 WIFFEN *Tasso* I. lvii. Tendant on each knight Rode many a page and armour-bearer bold.

B. *sb.* An attendant.

1586 DAY *Eng. Secretary* II. (1625) 111 A farre other end and purpose, then of every ordinary tendent is commonly required. 1614 T. ADAMS *Devil's Banquet* 24 Great men are vnmmercifull to their Tenants, that they may be ouermmercifull to their Tendents; that stretch them as fast as they retch the others. 1632 VICARS *Aeneid* IV. 114 Her tendants saw her fall n upon her sword.

Tendant, obs. f. TENDENT a., tending.

Tende, obs. f. TEND; var. TIND v. *Obs.*, to kindle, TINE v. 1, to enclose.

Tended, *pp. a.* 1 [f. TEND v. 1 + -ED 1.] At-tended, to looked after, cared for.

1667 MILTON *P. L.* v. 22 Mark how spring our tended Plants. 1866 NEALE *Sequences & Hymns* 82 Year by year, the steeple-music O'er the tended grasses shall pour.

† Tended, *pp. a.* 2 *Obs.* [f. TEND v. 2 + -ED 1.] Stretched; taut, tense.

1799 YOUNG in *Phil. Trans.* XC. 134 It may be proved, that every impulse is communicated along a tended chord with an uniform velocity. 1834 MRS. SOMERVILLE *Connex. Phys.* Sc. xvii. (1849) 164 A body vibrating near insulated tended strings.

Tendence (te-ndēns). Now *rare* and *literary*. Also 7-8 -ance. [ad. med. L. *tendentia* (Bonaventura a 1274, Duns Scotus a 1308), f. L. *tendentem*, pr. pp. of *tendere*: see TEND v. 2 and -ENCE: cf. F. *tendance* (12th c. in Godf. *Compl.*)] = next. I. = TENDENCY I.

1627 SANDERSON *Serm.* I. 259 There shall appear . . . a direct tendance to the advancement of Gods glory. 1669 GALE *Crt. Gentiles* I. i. 7 The scope and tendence of this Discourse is to Demonstrate, that [etc.]. 1714 R. FIDDES *Pract. Disc.* II. 219 Afflictions have . . . a tendence to promote our spiritual good. 1833 SARAH AUSTIN *Charac. Goethe* II. 331 A melancholy proof of the modern realistic tendence.

† 2. = TENDENCY I. b. Also *fig. Obs.*

1644 DIGBY *Nat. Bodies* xi. (1658) 126 These atoms . . . are forced from the complete effect of their tendance, by the violence of the current. 1645 OWEN *Two Catech.* xii. Wks. 185 I. 482 note, The death that Christ underwent was eternal in its own nature and tendence. 1668 TYSON in *Phil. Trans.* XX. 118 The Tendence or Direction of the Muscular Fibres of this Pair.

b. *attrib.*: tendence-writing, a writing with a purpose (Ger. *tendenz-schrift*). Cf. TENDENCY 3.

1875 M. ARNOLD in *Contemp. Rev.* XXV. 968 Our Gospels are, more or less *Tendenz-Schriften*, tendence-writings, -writings to serve an aim or bent of their several authors.

Tendence, -ency, obs. ff. TENDANCE, -ANCY.

Tendencious, variant of TENDENTIOUS.

Tendency (te-ndēns). [f. as TENDENCE: see -ENCY.]

1. The fact or quality of tending to something; a constant disposition to move or act in some direction or toward some point, end, or purpose; leaning, inclination, bias, or bent toward some object, effect, or result.

1628 T. SPENCER *Logick* 53 If any inquire how tendency . . . can have an actual exercise vnto doing. 1671 FLAVEL *Found. Life* vii. He did not . . . do the Act . . . but it had some Tendency to promote the great Design of our Salvation. 1679 C. NESSÉ *Antid. agst. Popery* Ded. 6 Gods prevalent actings, in tendency to our deliverance. a. 1680 BUTLER *Rem.* (1759) II. 185 He seldom converses but with Men of his own Tendency. 1710 J. CLARKE *Rohault's Nat. Phil.* (1729) I. 80 A Body in Motion has always a Tendency to describe that Line, which it would describe if it were at liberty. 1778 [W. MARSHALL] *Minutes Agric.* 13 Sept. an. 1774. Placed . . . with their points tending forward, the line of their tendency making an angle with the horizon of about 45°. 1806 A. HUNTER *Caliva* (ed. 2) 104 Where there is a gony tendency, this dish must seldom be indulged in. 1870 JEVONS *Elem. Logic* xxxi. 267 A tendency . . . is a cause which may or may not be counteracted. 1870 J. H. NEWMAN *Gram. Assent* II. viii. 313 A regular polygon, inscribed [in a circle], its sides being continually diminished, tends to become that circle, as its limit; but . . . its tendency to be the circle, though ever nearer fulfillment, never in fact gets beyond a tendency.

† b. Movement or advance in the direction of something; a making toward something. *Obs.*

1654 Z. COKE *Logick* A ij, As if the Donations of Heaven were opposed, subordinated in mans tendency to Bliss and Glory. 1661 BLOUNT *Glossogr.* (ed. 2), *Tendency*, a going forward, a making toward. 1721 BRADLEY *Philos. Acc. Wks.* Nat. 1 Which time of their Tendency to Perfection I shall . . . call the Time of their Growth.

c. Drift, trend, or aim of a discourse; in recent use, conscious or designed purpose of a story, novel, or the like. (= GER. *tendenz*.)

1732 BERKELEY *Alciph.* II. § 21 Upon hearing this, and other lectures of the same tendency. 1751 JOHNSON *Rambler* No. 153 § 2 My narrative has no other tendency than to illustrate and corroborate your own observations. 1791 BURKE *App. Whigs* Wks. VI. 132 Neither can they shew any thing in the general tendency and spirit of the whole work unfavourable to a rational and generous spirit of liberty. 1832 HT. MARTINEAU *Demerara* I. 12 The tendency of all he said was to prove his own merits.

† 2. A relation to, or bearing upon something.

1651 BAXTER *Inf. Bapt.* 105 They will say that all their obedience hath no other tendency to their salvation and final Absolution, but as meer signs.

3. *attrib.* *Tendency drama, novel, story*, one com-

Webster's Second New International Dictionary (1934)

Tend

2600

Tenebrion

N
O
P
Q
R
S
T

2. To be directed or have a tendency, conscious or unconscious, to any end, object, or purpose; to exert activity or influence in a particular direction; to serve as a means; to conduce; as, such an act must tend to weaken confidence. The thoughts of the diligent tend only to plenteousness; but of every one that is hasty only to want. Prov. xxi. 5.

3. To extend; reach. Obs.
4. Naut. a To swing, while anchored, with the tide or wind. b To lead in a certain direction; — said of the anchor chain; as, the chain tends broad off the port bow.

Transitive: [F. tendre.] 1. Obs. a To proffer; tender. b To relate to. c To stretch.

2. To provide or supply. Obs. exc. Dial.
3. Naut. To stand by (a rope or the like), often with hands upon it, in readiness to prevent its fouling or suffering any mishance; — in distinction from man.

tend a vessel. To manueve an anchored vessel so that in swinging with the tide she shall not foul the cable.

Tending ship is the art of keeping an anchor clear.

tend (tend), n. 1. Tending; tendency. Rare.
2. The angle made by the line of a vessel's keel and the direction of the anchor cable when she is swinging at anchor.
3. A State of awaiting or expecting. b Persons in attendance; attendants. c An object of care.

tend/ant (tend'ant), adj. & n. Attendant. Archaic.
ten-day fern. A widely distributed tropical fern (Polystichum adiantiforme), the ultimate pinnae of its large fronds resembling those of the maidenhair.

ten/de-jon' (tend'já-hón'; 162), n.; pl. TENDEJONES (-hó'nás). [Sp.] A shop or small store.

tend/en-ey (tend'en-sí), n.; pl. -IES (-síz). [ML. tendentia, fr. L. tendens, -entis, pres. part. of tendere. See TEND to move.] 1. Direction or course toward any place, object, effect, or result; drift; hence, inclination; bias. Writings of this kind, if conducted with candor, have a more particular tendency to the good of their country. Addison.
2. A proneness to or readiness for a certain type of thought or action; set; drive; propensity.
3. The influential trend of a discourse, writing, etc., esp. when designed. Cf. TENDENZ.
4. A presumptive course of future change in continuation of observed phenomena.
5. Obs. Movement in advance. b Relation.

Syn. — Inclination, bias, proclivity, propensity, leaning; course, trend, set. — TENDENCY, TENOR, DRIFT. TENDENCY denotes a movement, course, or bias in a particular direction; TENOR suggests rather the prevailing course or (esp.) principle of continuity of the thing itself; DRIFT heightens the implication of intention, and is often (like tenor) equivalent to meaning or purport; as, "All tended to mankind, . . . but in completed man begins anew a tendency to God" (R. Browning); "the mighty stream of tendency" (Wordsworth); "Along the cool sequestered vale of life they kept the noiseless tenor of their way" (Gray); "She thus did keep the tenor of her tale" (Shelley); "the tenor of a bond; [a] treatise . . . which by its drift, it is thought could be the work of none but Swift" (Swift); "I see the whole drift of your argument" (Goldsmith). Cf. BENT, TURN.

tendency chord. Music. A dissonant chord of which the inclination to progress to a certain consonant chord is heightened by the dissonance of a particular tone or tones.
tendency play. A play illustrating in favor or disfavor some current tendency (sense 4).

tendency theory. Theol. The theory of F. C. Baur and the Tübingen school, that the books of the New Testament exhibit an underlying practical aim with reference to an alleged Petrine-Pauline controversy.

ten/dent (tend'ent), adj. [OF. tendent, pres. part. of Tending.] 1. Tending. Cf. TENDENTIAL.
ten/den-tial (tend'en-shál), adj. Tendentious.
ten/den-tious (-shús), adj. Having or conforming to a tendency, esp. by design. — ten/den'tiously, adv. — ten/den'tious-ness, n.

ten/denz' (tend'énst), n.; pl. -DENZES (-dén'tsén). [C.] Tendency (sense 3); — in literary criticism used esp. in the phrase Tendenz roman, novel of purpose. — ten/denz', adj.

tend'er (tend'ér), n. [From TEND to attend, cf. ATTEND-ER.] 1. One who tends one who takes care of any person or thing; specif., locally, a waiter.
2. Naut. a A vessel employed to attend other vessels, to supply them with provisions and other stores, to transport catches of fish, etc., to the market, to convey intelligence. b A boat or small steamer for communication between shore and a larger vessel. c U. S. Navy. A depot ship.
3. Railroad. A vehicle attached to a locomotive, for carrying a supply of fuel and water. See LOCOMOTIVE, ILLUSTRATION.
tend'er. A combining form of the noun tender, as in bartender.

tend'er, v. t. To ship on a tender.
ten/dér (tend'ér), v.; TEN'DERED (-déréd); TEN'DER-ING. [F. tendre to stretch, stretch out, extend, offer, fr. L. tendere. See TEND to move.] Transitive: 1. Law. To offer in payment or satisfaction of a demand or obligation and in order to save a penalty or forfeiture; to make a tender of; as, to tender the amount of rent or debt.
2. To offer; to present for acceptance; as, to tender one a reception, a gift; to tender one's resignation.
—, Intransitive: To make a tender for a contract.

ten/dér (tend'ér), n. [From TENDER, v.] 1. Law. An offer, either of money to pay a debt, or of service to be performed in satisfaction of a debt or an obligation, made in order to save a penalty or forfeiture which would be incurred by nonpayment or nonperformance; as, the tender of rent due, or of the amount of a note, with interest. To constitute a valid lawful tender the offer must comply with all the conditions of actual performance as regards time, place, and manner, and must be unconditional. In case of tender of payment there must be an actual production and offer of not less than the amount due in such money as the law requires (see LEGAL TENDER), without condition or demand of change or receipt (unless authorized by statute). In the case of mutual obligations readiness and ability to

perform is the essential element. In any case the requirements of a tender may be dispensed with by the positive act or declaration of the person to whom it is made, as by his declaring that some act is unnecessary, or that he will not accept the thing offered, or such show of violence as makes a lawful tender unsafe, etc.
2. Any offer or proposal made for acceptance; as, a tender of a loan or of friendship; specif., an offer of a bid for a contract, usually for public supplies or work.
3. The thing offered; esp., money offered in payment.
ten/dér (tend'ér), adj.; TEN'DER-ER (-ér); TEN'DER-EST. [ME. tendre, fr. OF. tendre, fr. L. tener; perh. akin to L. tenuis thin. See THIN; cf. TENDRILL.] 1. Easily impressed, broken, cut, masticated, or the like; not firm, hard, or tough; soft; fragile; succulent; as tender meat; tender fruit; tender ground.
2. Physically weak; not hardy or able to endure hardship; delicate. Syn. Cf. Dial. Eng., in feeble health.
3. A Expressive, or expressive of, the softer feelings; loving; affectionate; as, a tender lover, memory, care.
b Susceptible to the softer passions, as love, compassion, kindness; easily excited to pity, forgiveness, or favor. The Lord is very pitiful, and of tender mercy. James v. 11.
c Belonging or appropriate to the softer passions and feelings; delicate; affectionate; loving; kind.
d Unwilling to injure, pain, or the like; considerate; careful; — usually with of or over.
Tender of property. Burke.
5. Feeble from immaturity; immature; weak; as, tender crops; tender knowledge. "Tender of age." Gower.
6. Adapted to, or conducive to, a delicate, sensitive, or feeble constitution or character; gentle; not rough, harsh, or severe; as, tender soil, breeding, culture, handling.
7. Very susceptible to any impression, emotion, or the like, esp. to pain; impressionable; sympathetic; as, a tender nerve; a tender conscience.
8. Delicate or soft in quality or tone; — said esp. of color, etc.; as, a tender light; flowers of tender blue. A tender interfusion of violet and gold. Shelley.
9. Fragile or delicate, so as to be easily injured or affected; as, a woman's tender honor.
10. Apt to give pain unless gently handled; delicate; ticklish; as, a tender subject; also, Dial., pathetic; touching; as, a tender sight.
11. Susceptible to injury; easily offended; touchy.
12. Careful in avoidance; wary; scrupulous; — usually with of or over.
Be tender of offending the Indians. B. Franklin.

13. Obs. a Slender; thin; tenuous. b Sensitive, keen, or the like, in registering impressions; as, a hound's tender scent; a tender balance. c Dear; precious. d Scot. Akin. 14. Hort. Incapable of resisting cold; not hardy.
15. Naut. Heeling over too easily when under sail; somewhat crank; — said of a vessel.

Syn. — Effeminate, soft, sensitive; softhearted, kind, humane, merciful, pitiful.
Ant. — Hardy, rugged; strong; hardened, indurated, callous; unfeeling; harsh, stern, rough.

COMBINATIONS ARE:
tender-banded tender-footed tender-nosed
tender-biased tender-footness tender-personed
tender-bodied tender-handed tender-rooted
tender-boweled tender-hoofed tender-shelled
tender-browed tender-horned tender-skinned
tender-conscioned tender-looking tender-souled
tender-eared tender-minded tender-taken
tender-eyed tender-mouthed tender-tempered
tender-faced tender-natured tender-witted

ten/dér, v. t. & i. To make or become tender; also, Archaic & Dial., to regard or treat with tenderness.
ten/dér, n. [From TENDER, adj., cf. F. tendre.] 1. Tenderness. Obs.
2. One that is tender.

tender annual. Hort. An annual not able to withstand cold, as the tomato, squash, etc., which are killed by the first real frost; — opposed to hardy annual.
ten/dér-dy'ing, adj. Dying young. Shak.
ten/dér-ee' (tend'ér-é), n. One to whom something is tendered.
tender emotion. The emotion felt by a parent or by a protector toward the child or the one protected. It is not identical with love, though it is often combined with love.
ten/dér-er (tend'ér-ér), n. One who tenders.
ten/dér-foot' (-fóot'), n.; pl. FEET (-fít'). 1. A newcomer in a comparatively rough or newly settled region, esp. when not injured to the hardship or rudeness of the life. Orig. Western U. S.
2. ten/dér-foot', adj. — ten/dér-foot'ish (-ish), adj.

ten/dér-fore/head'ed (-fóur'éd-éd; -íd-íd; 119), adj. Modest.
ten/dér-ful (tend'ér-fúl; fíl), adj. Full of tenderness. — ten/dér-ful-ly, adv. Both Rare.
ten/dér-heart' (-hárt'), n. A tenderhearted person.
ten/dér-heart'ed (66), adj. Easily moved to love, pity, or sorrow; susceptible to the softer passions or emotions; compassionate; impressionable. — ten/dér-heart'ed-ly, adv. — ten/dér-heart'ed-ness, n.
ten/dér-ize (tend'ér-íz), v. t. To make tender.
ten/dér-ling (tend'ér-lín), n. 1. One made tender by coddling; a weakling; also, a little child.
2. One of the budding antlers of a deer.
ten/dér-loin' (-lóin'), n. 1. A strip of tender flesh on either side of the vertebral column, sold as a separate cut of beef and pork. It consists of the psos muscles.
2. [cap.] In New York City, orig. the old twenty-ninth police precinct, west of Broadway between 23d and 42d streets, which afforded the police great opportunities for profit through connivance at vice and lawbreaking, one captain being reported to have said on being transferred there that whereas he had been eating chuck steak he would now eat tenderloin. Hence [sometimes not cap.], the region of a city which is the center of night life; a district largely devoted to vice and other forms of lawbreaking which encourage political or police corruption.

ten/dér-loin', v. t. To make into a tenderloin.
ten/dér-ly (-lí), adv. In a tender manner; specif.: a Softly; gently. b With love, kindness, care, or other tender feeling. c Delicately; effeminately. d Cautiously.

ten/dér-ness, n. Quality, state, or instance of being tender; softness; weakness; kindness; compassion; effeminacy; sensitiveness.

tend'ment, n. Attendance; care. Obs.
ten/dérac (tend'érák), n. Var. of TEN-DER-ING.
ten/dér-dre' + TENDER, TINDER.
ten/dér-é, n. [Obs. var. of TEN-DRILL.] A young girl; a lass. Obs.

tender of amends. Law. An offer of satisfaction for a wrong done under such contract, the effect of a sufficient tender being in general to stop the further accruing of interest and to impose on the plaintiff liability for subsequent costs in the action.

tender of issue. Law. A form of words in a pleading, by which a party offers to refer the question raised upon it to the appropriate mode of decision.

tender-said' (-sáid'), n. [F. tendre.] 1. Law. A tender. Rare.
ten/dér-sím' (tend'ér-síd'éd; -íd; 66; 119), adj. Naut. Tender. Rare.
ten/dér-sóm' (tend'ér-sím), adj. & adv. Tender; tenderly. Dial. Eng.

tender wool. Wool which wastes too heavily in combing or is too weak to stand the strain of combing.

tender years. Youth.
ten/di-nál (tend'dí-nál), adj. Also ten/din'e-al (tend'ín'-é-ál). Tenuous. Rare.
tend'ing, adj. That tends. — tend'ing-ly, adv.

ten/di-nous (tend'dí-nús), adj. [F. tendineux.] 1. Pertaining to a tendon; of the nature of a tendon.
2. Consisting of tendons; sinewy.

tendinous arch. Anat. A thickened fascial arch through which pass vessels or nerves or both, esp. that in the pelvic fascia giving origin to fibers of the levator ani.

tendinous ring of Zinn. Anat. A fibrous membrane surrounding the optic foramen and serving as a common origin for the rectus muscles of the eye.

ten/do (tend'ó), n.; pl. TENDES (-dí-néz). [NL.] Anat. A tendon.
tendo-. A combining form for tendo, equivalent to teno-, as in ten/do-mu/coid, ten/do-plas'ty, ten/do-syn'o-vi'tis, ten/do-tome, ten/do'yo-my, ten/do-vag'u-li'tis.

ten/do A-chil'is (á-kíl'is). [NL.] Achilles' tendon.
ten/do cal-ca-ne-us (kál-ká'né-ús). [NL.] Anat. Achilles' tendon.

tend'on (tend'ón), n. [F. or ML.; F. tendon, fr. ML. tendō, fr. L. tendere to stretch, extend, after Gr. tēnō sinew, tendon, tēnō to stretch. See THIN.] 1. Anat. A tough cord or band of dense, specialized, regularly arranged, white fibrous connective tissue uniting a muscle with some other part and transmitting the force which the muscle exerts; a sinew. Tendons are continuous with the connective tissue sheaths (epimysium and perimysium) of the muscle and, when inserted into a bone, with the periosteum of the bone. A very broad flat tendon is called an aponeurosis.
2. Zool. The frenulum of a moth.

ten/don-ous (tend'ón-ús), adj. Tendinous. Rare.
tendon reflex. Physiol. A kind of reflex act in which a muscle is made to contract by a blow upon its tendon. Its absence is generally a sign of disease. See KNEE JERK.

tendon sense. Psychol. & Physiol. A sense adjunct to the muscle sense, served by receptors on or near the tendons. Cf. KINESTHESIA.

ten/do o-c'u-li (ók'ú-lí), ten/do pal'pe-bra'rúm (pál'pé-brá'rúm; 79). [NL.] The medial tarsal ligament.

ten/dour, ten/door (tend'dóor), n. Also tandour, fr. F. tandour, fr. Ar. tannūr, fr. Aram. tannūra, fr. Assyrbab. tannūr; a denarius. A kind of iron or steel with a brazer of coals under it, used to sit on in cold weather in the East.

ten/do-vag'i-nal (tend'óv-ág'í-nál; -vá-í-nál; -n'l), adj. [NL. tendovaginalis. See TENDON; VAGINAL.] Anat. Of or pertaining to a tendon and its synovial sheath.
ten/dre' (tend'ér), n. [F.] A tender regard; love.

ten/dresse' (as F. tándrés), n. [F.] Obs. as Eng. A tender feeling; fondness; also, expression of affection; love. b Soberly; care. c Softness; delicacy.
ten/dril' (tend'éril), n. [Shortened fr. F. tendrillon, fr. tendron, fr. tendre tender; hence, prop., the tender branch or sprig of a plant. See TENDER, adj.; cf. TENDRON.] 1. Bot. A slender, leafless, spirally coiling and sensitive organ of climbing plants serving as a means of attachment to a supporting body or surface. Morphologically, a tendril may be a modified stem axis, as in the grapevine; an axillary branch, as in the passionflower; a stipule, as in Smilax; or a modified leaf, as in the pea. Tendrils commonly attach themselves by coiling around the support, afterward contracting by coiling in the reverse direction. In the Virginia creeper they also have adhesive discs, which are very sensitive, a slight touch inducing a curvature.
2. Something tendril-like; as, a a ringlet. b A fastening device that clicks. c An influence that seems to clink.
ten/dril, v. t. & i. To curl like a tendril.

ten/dril, adj. Of, pert. to, or like a tendril; tendriled.
tendrill climber. Bot. A plant which climbs by tendrils.

ten/dril-clim'ing, adj.
ten/dril-clim'ing-ly, adv.
ten/dril-ífer-ous (tend'éril-í-fér-ús), adj. Bearing tendrils.
ten/dril-lous (tend'éril-lús), adj. Tendriled; also, like a tendril.
ten/dron (tend'rón), n. [F. See TENDRILL.] 1. A sprout, shoot, or bud. Now Rare.
2. A piece of tender cartilage from the bones situated at the extremity of a breast or veal.

ten/dry (dérí), n. A tender or tendering; an offer; pl., tenets. Obs.
tene (-tén). Biol. A combining form from Greek tainia, a ribbon, denoting a filament in a synaptic sac, as in amphitene, diploptene, pachytena, zygotene.

ten'e-bra (tén'é-brá), n. [L.] Darkness.
ten'e-brae (-bré), n. [L., pl. darkness. See TENEBROUS.] R. C. Ch. The matins and lauds for the last three days of Holy Week, commemorating the sufferings and death of Christ, usually sung on the afternoon or evening of Wednesday, Thursday, and Friday, instead of on the following days.
ten'e-brif'ic (tén'é-brí-fík), adj. [L. tenebrae darkness + facere to make.] Rendering dark or gloomy; loosely, tenebrous.

ten'e-brif'i-cate (-í-kát), v. t. To make tenebrous.
ten'e-bri-on (tén'é-brí-ón), n. [L. tenebrio a shunner of light, trickster; cf. F. ténébrion goblin.] A nocturnal spirit or prowler. Obs.

ten/dril-lar (-ér), adj. = TENDRILLOUS.
ten/dril-ly (tend'éril-lí), adj. = TENDRILLOUS.
tene. Var. of TEEN. Obs. exc.

ten'e-brif'i-cous, adj. Tenebrific. [L. tenebrificus.] Obs.
tene. Obs. past part. of TAKE.

ten'e-bres, n. [OF. (F. tenebres).] Obs. a Darkness; obscurity. b Ten'e-brif'icose (tén'é-brí-fí-kós), adj. [L. tenebricosus.] = TENEBROUS.
ten'e-brif'i-cous, adj. Tenebrific. [L. tenebrificus.] Obs.



ten/den-z' (tend'énst), n.; pl. -DENZES (-dén'tsén). [C.] Tendency (sense 3); — in literary criticism used esp. in the phrase Tendenz roman, novel of purpose. — ten/denz', adj.

tend'er (tend'ér), n. [From TEND to attend, cf. ATTEND-ER.] 1. One who tends one who takes care of any person or thing; specif., locally, a waiter.
2. Naut. a A vessel employed to attend other vessels, to supply them with provisions and other stores, to transport catches of fish, etc., to the market, to convey intelligence. b A boat or small steamer for communication between shore and a larger vessel. c U. S. Navy. A depot ship.
3. Railroad. A vehicle attached to a locomotive, for carrying a supply of fuel and water. See LOCOMOTIVE, ILLUSTRATION.
tend'er. A combining form of the noun tender, as in bartender.

tend'er, v. t. To ship on a tender.
ten/dér (tend'ér), v.; TEN'DERED (-déréd); TEN'DER-ING. [F. tendre to stretch, stretch out, extend, offer, fr. L. tendere. See TEND to move.] Transitive: 1. Law. To offer in payment or satisfaction of a demand or obligation and in order to save a penalty or forfeiture; to make a tender of; as, to tender the amount of rent or debt.
2. To offer; to present for acceptance; as, to tender one a reception, a gift; to tender one's resignation.
—, Intransitive: To make a tender for a contract.

ten/dér (tend'ér), n. [From TENDER, v.] 1. Law. An offer, either of money to pay a debt, or of service to be performed in satisfaction of a debt or an obligation, made in order to save a penalty or forfeiture which would be incurred by nonpayment or nonperformance; as, the tender of rent due, or of the amount of a note, with interest. To constitute a valid lawful tender the offer must comply with all the conditions of actual performance as regards time, place, and manner, and must be unconditional. In case of tender of payment there must be an actual production and offer of not less than the amount due in such money as the law requires (see LEGAL TENDER), without condition or demand of change or receipt (unless authorized by statute). In the case of mutual obligations readiness and ability to

perform is the essential element. In any case the requirements of a tender may be dispensed with by the positive act or declaration of the person to whom it is made, as by his declaring that some act is unnecessary, or that he will not accept the thing offered, or such show of violence as makes a lawful tender unsafe, etc.
2. Any offer or proposal made for acceptance; as, a tender of a loan or of friendship; specif., an offer of a bid for a contract, usually for public supplies or work.
3. The thing offered; esp., money offered in payment.
ten/dér (tend'ér), adj.; TEN'DER-ER (-ér); TEN'DER-EST. [ME. tendre, fr. OF. tendre, fr. L. tener; perh. akin to L. tenuis thin. See THIN; cf. TENDRILL.] 1. Easily impressed, broken, cut, masticated, or the like; not firm, hard, or tough; soft; fragile; succulent; as tender meat; tender fruit; tender ground.
2. Physically weak; not hardy or able to endure hardship; delicate. Syn. Cf. Dial. Eng., in feeble health.
3. A Expressive, or expressive of, the softer feelings; loving; affectionate; as, a tender lover, memory, care.
b Susceptible to the softer passions, as love, compassion, kindness; easily excited to pity, forgiveness, or favor. The Lord is very pitiful, and of tender mercy. James v. 11.
c Belonging or appropriate to the softer passions and feelings; delicate; affectionate; loving; kind.
d Unwilling to injure, pain, or the like; considerate; careful; — usually with of or over.
Tender of property. Burke.
5. Feeble from immaturity; immature; weak; as, tender crops; tender knowledge. "Tender of age." Gower.
6. Adapted to, or conducive to, a delicate, sensitive, or feeble constitution or character; gentle; not rough, harsh, or severe; as, tender soil, breeding, culture, handling.
7. Very susceptible to any impression, emotion, or the like, esp. to pain; impressionable; sympathetic; as, a tender nerve; a tender conscience.
8. Delicate or soft in quality or tone; — said esp. of color, etc.; as, a tender light; flowers of tender blue. A tender interfusion of violet and gold. Shelley.
9. Fragile or delicate, so as to be easily injured or affected; as, a woman's tender honor.
10. Apt to give pain unless gently handled; delicate; ticklish; as, a tender subject; also, Dial., pathetic; touching; as, a tender sight.
11. Susceptible to injury; easily offended; touchy.
12. Careful in avoidance; wary; scrupulous; — usually with of or over.
Be tender of offending the Indians. B. Franklin.

13. Obs. a Slender; thin; tenuous. b Sensitive, keen, or the like, in registering impressions; as, a hound's tender scent; a tender balance. c Dear; precious. d Scot. Akin. 14. Hort. Incapable of resisting cold; not hardy.
15. Naut. Heeling over too easily when under sail; somewhat crank; — said of a vessel.

Syn. — Effeminate, soft, sensitive; softhearted, kind, humane, merciful, pitiful.
Ant. — Hardy, rugged; strong; hardened, indurated, callous; unfeeling; harsh, stern, rough.

COMBINATIONS ARE:
tender-banded tender-footed tender-nosed
tender-biased tender-footness tender-personed
tender-bodied tender-handed tender-rooted
tender-boweled tender-hoofed tender-shelled
tender-browed tender-horned tender-skinned
tender-conscioned tender-looking tender-souled
tender-eared tender-minded tender-taken
tender-eyed tender-mouthed tender-tempered
tender-faced tender-natured tender-witted

ten/dér, v. t. & i. To make or become tender; also, Archaic & Dial., to regard or treat with tenderness.
ten/dér, n. [From TENDER, adj., cf. F. tendre.] 1. Tenderness. Obs.
2. One that is tender.

tender annual. Hort. An annual not able to withstand cold, as the tomato, squash, etc., which are killed by the first real frost; — opposed to hardy annual.
ten/dér-dy'ing, adj. Dying young. Shak.
ten/dér-ee' (tend'ér-é), n. One to whom something is tendered.
tender emotion. The emotion felt by a parent or by a protector toward the child or the one protected. It is not identical with love, though it is often combined with love.
ten/dér-er (tend'ér-ér), n. One who tenders.
ten/dér-foot' (-fóot'), n.; pl. FEET (-fít'). 1. A newcomer in a comparatively rough or newly settled region, esp. when not injured to the hardship or rudeness of the life. Orig. Western U. S.
2. ten/dér-foot', adj. — ten/dér-foot'ish (-ish), adj.

ten/dér-fore/head'ed (-fóur'éd-éd; -íd-íd; 119), adj. Modest.
ten/dér-ful (tend'ér-fúl; fíl), adj. Full of tenderness. — ten/dér-ful-ly, adv. Both Rare.
ten/dér-heart' (-hárt'), n. A tenderhearted person.
ten/dér-heart'ed (66), adj. Easily moved to love, pity, or sorrow; susceptible to the softer passions or emotions; compassionate; impressionable. — ten/dér-heart'ed-ly, adv. — ten/dér-heart'ed-ness, n.
ten/dér-ize (tend'ér-íz), v. t. To make tender.
ten/dér-ling (tend'ér-lín), n. 1. One made tender by coddling; a weakling; also, a little child.
2. One of the budding antlers of a deer.
ten/dér-loin' (-lóin'), n. 1. A strip of tender flesh on either side of the vertebral column, sold as a separate cut of beef and pork. It consists of the psos muscles.
2. [cap.] In New York City, orig. the old twenty-ninth police precinct, west of Broadway between 23d and 42d streets, which afforded the police great opportunities for profit through connivance at vice and lawbreaking, one captain being reported to have said on being transferred there that whereas he had been eating chuck steak he would now eat tenderloin. Hence [sometimes not cap.], the region of a city which is the center of night life; a district largely devoted to vice and other forms of lawbreaking which encourage political or police corruption.

ten/dér-loin', v. t. To make into a tenderloin.
ten/dér-ly (-lí), adv. In a tender manner; specif.: a Softly; gently. b With love, kindness, care, or other tender feeling. c Delicately; effeminately. d Cautiously.

ten/dér-ness, n. Quality, state, or instance of being tender; softness; weakness; kindness; compassion; effeminacy; sensitiveness.

tend'ment, n. Attendance; care. Obs.
ten/dérac (tend'érák), n. Var. of TEN-DER-ING.
ten/dér-dre' + TENDER, TINDER.
ten/dér-é, n. [Obs. var. of TEN-DRILL.] A young girl; a lass. Obs.

tender of amends. Law. An offer of satisfaction for a wrong done under such contract, the effect of a sufficient tender being in general to stop the further accruing of interest and to impose on the plaintiff liability for subsequent costs in the action.

tender of issue. Law. A form of words in a pleading, by which a party offers to refer the question raised upon it to the appropriate mode of decision.

tender-said' (-sáid'), n. [F. tendre.] 1. Law. A tender. Rare.
ten/dér-sím' (tend'ér-síd'éd; -íd; 66; 119), adj. Naut. Tender. Rare.
ten/dér-sóm' (tend'ér-sím), adj. & adv. Tender; tenderly. Dial. Eng.

tender wool. Wool which wastes too heavily in combing or is too weak to stand the strain of combing.

tender years. Youth.
ten/di-nál (tend'dí-nál), adj. Also ten/din'e-al (tend'ín'-é-ál). Tenuous. Rare.
tend'ing, adj. That tends. — tend'ing-ly, adv.

ten/di-nous (tend'dí-nús), adj. [F. tendineux.] 1. Pertaining to a tendon; of the nature of a tendon.
2. Consisting of tendons; sinewy.
tendinous arch. Anat. A thickened fascial arch through which pass vessels or nerves or both, esp. that in the pelvic fascia giving origin to fibers of the levator ani.
tendinous ring of Zinn. Anat. A fibrous membrane surrounding the optic foramen and serving as a common origin for the rectus muscles of the eye.

ten/do (tend'ó), n.; pl. TENDES (-dí-néz). [NL.] Anat. A tendon.
tendo-. A combining form for tendo, equivalent to teno-, as in ten/do-mu/coid, ten/do-plas'ty, ten/do-syn'o-vi'tis, ten/do-tome, ten/do'yo-my, ten/do-vag'u-li'tis.

ten/do A-chil'is (á-kíl'is). [NL.] Achilles' tendon.
ten/do cal-ca-ne-us (kál-ká'né-ús). [NL.] Anat. Achilles' tendon.

tend'on (tend'ón), n. [F. or ML.; F. tendon, fr. ML. tendō, fr. L. tendere to stretch, extend, after Gr. tēnō sinew, tendon, tēnō to stretch. See THIN.] 1. Anat. A tough cord or band of dense, specialized, regularly arranged, white fibrous connective tissue uniting a muscle with some other part and transmitting the force which the muscle exerts; a sinew. Tendons are continuous with the connective tissue sheaths (epimysium and perimysium) of the muscle and, when inserted into a bone, with the periosteum of the bone. A very broad flat tendon is called an aponeurosis.
2. Zool. The frenulum of a moth.

ten/don-ous (tend'ón-ús), adj. Tendinous. Rare.
tendon reflex. Physiol. A kind of reflex act in which a muscle is made to contract by a blow upon its tendon. Its absence is generally a sign of disease. See KNEE JERK.

tendon sense. Psychol. & Physiol. A sense adjunct to the muscle sense, served by receptors on or near the tendons. Cf. KINESTHESIA.
ten/do o-c'u-li (ók'ú-lí), ten/do pal'pe-bra'rúm (pál'pé-brá'rúm; 79). [NL.] The medial tarsal ligament.

ten/dour, ten/door (tend'dóor), n. Also tandour, fr. F. tandour, fr. Ar. tannūr, fr. Aram. tannūra, fr. Assyrbab. tannūr; a denarius. A kind of iron or steel with a brazer of coals under it, used to sit on in cold weather in the East.

ten/do-vag'i-nal (tend'óv-ág'í-nál; -vá-í-nál; -n'l), adj. [NL. tendovaginalis. See TENDON; VAGINAL.] Anat. Of or pertaining to a tendon and its synovial sheath.
ten/dre' (tend'ér), n. [F.] A tender regard; love.
ten/dresse' (as F. tándrés), n. [F.] Obs. as Eng. A tender feeling; fondness; also, expression of affection; love. b Soberly; care. c Softness; delicacy.
ten/dril' (tend'éril), n. [Shortened fr. F. tendrillon, fr. tendron, fr. tendre tender; hence, prop., the tender branch or sprig of a plant. See TENDER, adj.; cf. TENDRON.] 1. Bot. A slender, leafless, spirally coiling and sensitive organ of climbing plants serving as a means of attachment to a supporting body or surface. Morphologically, a tendril may be a modified stem axis, as in the grapevine; an axillary branch, as in the passionflower; a stipule, as in Smilax; or a modified leaf, as in the pea. Tendrils commonly attach themselves by coiling around the support, afterward contracting by coiling in the reverse direction. In the Virginia creeper they also have adhesive discs, which are very sensitive, a slight touch inducing a curvature.
2. Something tendril-like; as, a a ringlet. b A fastening device that clicks. c An influence that seems to clink.
ten/dril, v. t. & i. To curl like a tendril.

ten/dril, adj. Of, pert. to, or like a tendril; tendriled.
tendrill climber. Bot. A plant which climbs by tendrils.
ten/dril-clim'ing, adj.
ten/dril-clim'ing-ly, adv.
ten/dril-ífer-ous (tend'éril-í-fér-ús), adj. Bearing tendrils.
ten/dril-lous (tend'éril-lús), adj. Tendriled; also, like a tendril.
ten/dron (tend'rón), n. [F. See TENDRILL.] 1. A sprout, shoot, or bud. Now Rare.
2. A piece of

“TEND”

LEGAL DICTIONARY DEFINITIONS

"Tend" Black's Law Dictionary (1910)

TENANT-RIGHT

1143

TENENDUM

distinguished from copyhold by many of its incidents.

2. The so-called tenant-right of renewal is the expectation of a lessee that his lease will be renewed, in cases where it is an established practice to renew leases from time to time, as in the case of leases from the crown, from ecclesiastical corporations, or other collegiate bodies. Strictly speaking, there can be no right of renewal against the lessor without an express compact by him to that effect, though the existence of the custom often influences the price in sales.

3. The Ulster tenant-right may be described as a right on the tenant's part to sell his holding to the highest bidder, subject to the existing or a reasonable increase of rent from time to time, as circumstances may require, with a reasonable veto reserved to the landlord in respect of the incoming tenant's character and solvency. *Mozley & Whitley*.

TENANT'S FIXTURES. This phrase signifies things which are fixed to the freehold of the demised premises, but which the tenant may detach and take away, provided he does so in season. *Wall v. Hinds*, 4 Gray (Mass.) 256, 270, 64 Am. Dec. 64.

TENANTABLE REPAIR. Such a repair as will render a house fit for present habitation.

TENCON. L. Fr. A dispute; a quarrel. *Kelham*.

TEND. In old English law. To tender or offer. *Cowell*.

TENDER. An offer of money; the act by which one produces and offers to a person holding a claim or demand against him the amount of money which he considers and admits to be due, in satisfaction of such claim or demand, without any stipulation or condition. *Salinas v. Ellis*, 26 S. C. 337, 2 S. E. 121; *Tompkins v. Battle*, 11 Neb. 147, 7 N. W. 747, 38 Am. Rep. 361; *Holmes v. Holmes*, 12 Barb. (N. Y.) 144; *Smith v. Lewis*, 26 Conn. 119; *Noyes v. Wyckoff*, 114 N. Y. 204, 21 N. E. 158.

Tender, in pleading, is a plea by defendant that he has been always ready to pay the debt demanded, and before the commencement of the action tendered it to the plaintiff, and now brings it into court ready to be paid to him, etc. *Brown*.

—**Legal tender.** That kind of coin, money, or circulating medium which the law compels a creditor to accept in payment of his debt, when tendered by the debtor in the right amount.—**Tender of amends.** An offer by a person who has been guilty of any wrong or breach of contract to pay a sum of money by way of amends. If a defendant in an action make tender of amends, and the plaintiff decline to accept it, the defendant may pay the money into court, and plead the payment into court as a satis-

faction of the plaintiff's claim. *Mozley & Whitley*.—**Tender of issue.** A form of words in a pleading, by which a party offers to refer the question raised upon it to the appropriate mode of decision. The common tender of an issue of fact by a defendant is expressed by the words, "and of this he puts himself upon the country." *Steph. Pl.* 54, 230.

TENEMENT. This term, in its vulgar acceptation, is only applied to houses and other buildings, but in its original, proper, and legal sense it signifies everything that may be *holden*, provided it be of a permanent nature, whether it be of a substantial and sensible, or of an unsubstantial, ideal, kind. Thus, *Uberum tenementum*, frank tenement, or freehold, is applicable not only to lands and other solid objects, but also to offices, rents, commons, advowsons, franchises, peerages, etc. 2 Bl. Comm. 16; *Mitchell v. Warner*, 5 Conn. 517; *Oskaloosa Water Co. v. Board of Equalization*, 84 Iowa, 407, 51 N. W. 18, 15 L. R. A. 296; *Field v. Higgins*, 35 Me. 341; *Sacket v. Wheaton*, 17 Pick. (Mass.) 105; *Lenfers v. Henke*, 73 Ill. 408, 24 Am. Rep. 263.

"Tenement" is a word of greater extent than "land," including not only land, but rents, commons, and several other rights and interests issuing out of or concerning land. 1 *Steph. Comm.* 158, 159.

Its original meaning, according to some, was "house" or "homestead." *Jacob*. In modern use it also signifies rooms let in houses. *Webster*.

—**Dominant tenement.** One for the benefit or advantage of which an easement exists or is enjoyed.—**Servient tenement.** One which is subject to the burden of an easement existing for or enjoyed by another tenement. See **EASEMENT**.

TENEMENTAL LAND. Land distributed by a lord among his tenants, as opposed to the demesnes which were occupied by himself and his servants. 2 Bl. Comm. 90.

TENEMENTIS LEGATIS. An ancient writ, lying to the city of London, or any other corporation, (where the old custom was that men might devise by will lands and tenements, as well as goods and chattels,) for the hearing and determining any controversy touching the same. *Reg. Orig.* 244.

TENENDAS. In Scotch law. The name of a clause in charters of heritable rights, which derives its name from its first words, "*tenendas predictas terras*;" it points out the superior of whom the lands are to be holden, and expresses the particular tenure. *Ersk. Inst.* 2, 3, 24.

TENENDUM. Lat. To hold; to be holden. The name of that formal part of a deed which is characterized by the words "to hold." It was formerly used to express the tenure by which the estate granted was to be held; but, since all freehold tenures have been converted into socage, the *tenendum* is

“CREATE”

ENGLISH-LANGUAGE DICTIONARY DEFINITIONS

"Create"

The Century Dictionary and Cyclopedia (1903)

creat

see create, v. Cf. creole. In the manège, an usher to a riding-master. creatable (krê-â'tā-bl), a. [*create* + *-able*.] That may be created.

create (krê-â't), v.; pret. and pp. created, ppr. creating. [*L. creatus*, pp. of *creare* (> *It. creare*, *criare* = Sp. Pg. *crear*, *criar* = F. *créer*), make, create, akin to Gr. *κρᾶνναι*, complete, Skt. \sqrt{kar} , make.] I. trans. 1. To bring into being; cause to exist; specifically, to produce without the prior existence of the material used, or of other things like the thing produced; produce out of nothing.

In the beginning, God created the heaven and the earth. Gen. i. 1. I was all ear, And took in strains that might create a soul Under the ribs of death. Milton, Comus, l. 561. It is impossible for man to create force. H. Spencer, Social Statics, p. 295. 2. To make or produce from crude or scattered materials; bring into form; embody; as, Peter the Great created the city of St. Petersburg; Palladio created a new style of architecture.

Untaught, unpractis'd, in a barbarous age, I found not, but created first the stage. Dryden, Prol. to Troilus and Cressida, l. 8. As nature creates her works.

3. To make or form by investing with a new character or functions; ordain; constitute; appoint; as, to create one a peer. I create you Companions to our person. Shak., Cymbeline, v. 5. On the first of September this year, the King, being at Windsor, created Anne Bullen Marchioness of Pembroke, giving her one thousand Pounds Land a Year. Baker, Chronicles, p. 281. 4. To be the occasion of; bring about; cause; produce.

Was it tolerable to be supposed a liar for so vulgar an object as that of creating a stare by wonder-making? De Quincey, Herodotus.

It was rumored that the Company's servants had created the famine (in India) by engrossing all the rice of the country. Macaulay, Lord Clive.

5. To beget; generate; bring forth. This shall be written for the generation to come: and the people which shall be created shall praise the Lord. Ps. cii. 18.

II. intrans. To originate; engage in origina-tive action. The glory of the farmer is that, in the division of labor, it is his part to create. Emerson, Farming.

creat (krê-â't), a. [*ME. creat*, create; < *L. creatus*, pp.: see the verb.] Begotten; com-posed; created. [Poetical.] With hearts create of duty and of zeal. Shak., Hen. V., ii. 2. creatic (krê-â't'ik), a. [*G. κρεῖς* (*κρεῖς*), flesh, + *-ic*.] Relating to flesh or animal food.—Creati-creatin, abhorrence of flesh food: a symptom in some diseases.

creatine, kreatine (krê-â'tin), n. [= F. *créatine*, < Gr. *κρεῖς* (*κρεῖς*), flesh, + *-ine*².] A neu-tral crystallizable organic substance (C₄H₉N₃O₂) obtained from muscular tissue. See extract under creatinine. Also spelled *creatm*, *kreatin*. creatinine, creatinin (krê-â'tin-in or nin-, nin-), n. [= F. *créatinine*; *Creatine* + *-ine*², -in².] An alkaline crystallizable substance (C₄H₇N₃O) obtained by the action of acids on creatine, and found in urine and muscle extract. Also spelled *kreatinine*, *kreatinin*.

This substance [*creatinine*], which also forms prismatic crystals, moderately soluble in water, differs considerably from creatine in its chemical relations. . . . The relations of these two substances, both chemical and physiological, pretty clearly indicate that *creatinine* is to be regarded as a derivative from creatine; for whilst the latter predominates in the juice of flesh almost to the exclusion of the former, the former predominates in the urine almost to the exclusion of the latter.

W. B. Carpenter, Prin. of Human Physiol., § 60. creation (krê-â'shon), n. [*ME. creation*, *-cion*, < *OF. creation*, F. *création* = Pr. *creatio*, *creazo* = Sp. *creacion* = Pg. *criação* = It. *creazione*, < *L. creatio* (-n-), < *creare*, pp. *creatus*, create: see *create*, v.] 1. The act of creating or causing to exist; especially, the act of producing both the material and the form of that which is made; production from nothing; specifically, the original formation of the universe by the Deity.

Chaos heard his voice: him all his train Follow'd in bright procession to behold Creation, and the wonders of his might. Milton, P. L., vii. 223.

2. The act of forming or constituting; a bring-ing into existence as a unit by combination of means or materials; coordination of parts or

1339

elements into a new entity; as, the creation of a character in a play. The creation of a compact and solid kingdom out of a number of rival and hostile feudal provinces. Stubbs, Medieval and Modern Hist., p. 226. 3. That which is created; that which has been produced or caused to exist; a creature, or crea-tures collectively; specifically, the world; the universe. For we know that the whole creation groaneth and travaileth in pain together until now. Rom. viii. 22. As subjects then the whole creation came. Sir J. Denham, Progress of Learning.

4. An act or a product of artistic or mechani-cal invention; the product of thought or fancy; as, a creation of the brain; a dramatic creation. A false creation, Proceeding from the heat-oppressed brain. Shak., Macbeth, ii. 1. Choice pictures and creations of curious art. Disraeli. 5. The act of investing a person with a new character or function; appointment; as, the creation of peers in England.

So formal a creation of honorarie Doctors had seldom been seen, that a convocation should be call'd on purpose and speeches made by the Orator. Evelyn, Diary, July 15, 1669.

Whenever a peerage became extinct, he [the king] might make a creation to replace it. Lecky, Eng. in 18th Cent., ii. Creation money, a customary annual allowance or pen-sion from the crown in England, in the fourteenth and fifteenth centuries, to each newly created peer, the sum varying with the dignity of the rank, commonly at least £40 to a duke, £35 to a marquis, £20 to an earl, and 20 marks to a viscount. The duke generally received a pension of forty pounds per annum on his promotion, which was known as *creation money*. Stubbs, Const. Hist., § 428.

The days of creation. See *day* 1.—Theory of special creations, in *biol.*, the view that the different species, or higher groups, of animals and plants were brought into existence at different times substantially as they now exist: opposed to the theory of evolution. = *Syn. 3. World*, etc. See *universe*.

creational (krê-â'shon-āl), a. [*creation* + *-al*.] Pertaining to creation.

creationism (krê-â'shon-izm), n. [*creation* + *-ism*.] 1. The doctrine that matter and all things were created, substantially as they now exist, by the fiat of an omnipotent Creator, and not gradually evolved or developed: opposed to *evolutionism*.—2. The doctrine that God imme-diate-ly creates out of nothing a new soul for each individual of the human family, while for the human body there was but one creative fiat. See *traducianism*.

creationist (krê-â'shon-ist), n. [*creation* + *-ist*.] One who holds or favors the doctrine of creationism, in either sense of that word. creative (krê-â'tiv), a. [= Sp. It. *creativo*; as *create* + *-ive*.] Having the power or function of creating or producing; employed in creating; relating to creation in any sense: as, the creative word of God; creative power; a creative imagination. Or from the power of a peculiar eye, Or by creative feeling overborne, Even in their fix'd and steady lineaments He traced an ebbing and a flowing mind. Wordsworth.

The rich black loam, precipitated by the creative river. De Quincey, Herodotus. Without imagination we might have critical power, but not creative power in science. Tyndall, Forms of Water, p. 34. Creative imagination, plastic imagination; the power of imagining objects different from any that have been known by experience.

creativity (krê-â'tiv-nes), n. The character or faculty of being creative or productive; originality. All these nations (French, Spanish, and English) had the same ancient examples before them, had the same reverence for antiquity, yet they involuntarily deviated, more or less happily, into originality, success, and the freedom of a living creativeness. Lowell, Study Windows, p. 219.

creator (krê-â'tor), n. [*ME. creator*, *creator*, *creator*, < *OF. creator*, *creator*, F. *créateur* = Pr. *creator* = Sp. Pg. *criador* = It. *creatore*, < *L. creator*, a creator, maker, < *creare*, pp. *creatus*, make, create: see *create*, v.] 1. One who cre-ates, in any sense of that word, or brings some-thing into existence; especially, one who pro-duces something out of nothing; specifically (with a capital letter), God considered as hav-ing brought the universe into existence out of nothing. Remember now thy Creator in the days of thy youth. Eccl. xii. 1. It is the poets and artists of Greece who are at the same time its prophets, the creators of its divinities, and the revealers of its theological beliefs. J. Caird.

creaturely

Such a man, if not actually a creator, yet so pre-emi-nently one who moulded the creations of others into new shapes, might well take to himself a name from the su-preme deity of his creed. E. A. Freeman, Venice, p. 140.

2. Figuratively, that by means of which any-thing is brought into existence; a creative me-dium or agency: as, steam is the creator of modern industrial progress.

creatorship (krê-â'tor-ship), n. [*creator* + *-ship*.] The state or condition of being a cre-ator.

creatress (krê-â'tres), n. [*creator* + *-ess*; after F. *créatrice* = It. *creatrice*, < *L. creatrix* (*crea-tric-*), fem. of *creator*: see *creator*.] A woman who creates, produces, or constitutes. Him long she so with shadowes entertain'd, As her Creatresse had in charge to her ordain'd. Spenser, F. Q., III. viii. 10.

creatrix (krê-â'trix), n. [L.: see *creatress*.] Same as *creatress*.

creatural (krê'tür-äl), a. [*creation* + *-al*.] 1. Pertaining or relating to creatures or cre-ated things.—2t. Creative. Self-moving substance, that be th' definition Of souls, that 'longs to them in general! This well expresseth that common condition Of every vitall center *creatural*. Dr. H. More, Psychathanasia, I. ii. 25.

Creatural dualism, the doctrine of a distinction be-tween the spirit and the natural soul. creature (krê'tür), n. and a. [*ME. creature*, < *OF. creature*, F. *créature* = Pr. *creatura* = Sp. Pg. *criatura* = It. *creatura*, < *LL. creatura*, a creature, the creation, < *L. creare*, pp. *creatus*, create: see *create*, v.] I. n. 1. A created thing; hence, a thing in general, animate or inanimate.

O ze creature vnkynde! thou iren, thou steel, thou sharp thorn! How durst ze slee oure best friend? Political Poems, etc. (ed. Furnivall), p. 209. God's first creature was light. Bacon, New Atlantis. As the Lord was pleased to convert Paul as he was in persecuting, etc., so he might manifest himself to him as he was taking the moderate use of the creature called to-bacco. Winthrop, Hist. New England, I. 325.

The rest of us were greatly revived and comforted by that good creature — fire. R. L. Stevenson, Silverado Squatters, p. 140.

2. Specifically, and most commonly, a living created being; an animal or animate being. For so work the honey-bees; Creatures that by a rule in nature teach The act of order to a peopled kingdom. Shak., Hen. V., i. 2. There is not a creature bears life shall more faithfully study to do you service in all offices of duty and vows of due respect. Ford, Love's Sacrifice, I. 1. Millions of spiritual creatures walk the earth Unseen, both when we wake and when we sleep. Milton, P. L., iv. 677.

3. In a limited sense, a human being: used ab-solutely or with an epithet (*poor*, *idle*, *low*, etc., or *good*, *pretty*, *sweet*, etc.), in contempt, com-miseration, or endearment: as, an *idle creature*; what a creature! a pretty creature; a sweet creature.

The world hath not a sweeter creature. Shak., Othello, iv. 1.

4. Something regarded as created by, spring-ing from, or entirely dependent upon some-thing else. That this English common law is the creature of Chris-tianity has never been questioned. A. A. Hodge, New Princeton Rev., III. 40. 5. Specifically, a person who owes his rise and fortune to another; one who is subject to the will or influence of another; an instrument; a tool.

Am not I here, whom you have made your creature? That owe my being to you? B. Jonson, Volpone, i. 1. By his subtlety, dexterity, and insinuation, he got now to be principal Secretary; absolutely Lord Arlington's creature, and ungrateful enough. Evelyn, Diary, July 22, 1674.

6. Intoxicating drink, especially whisky. [Humorous, from the passage 1 Tim. iv. 4, "Every creature of God is good," used in de-fense of the use of wine.] I find my master took too much of the creature last night, and now is angling for a Quarrel. Dryden, Amphitryon, iii. That you will turn over this measure of the comfortable creature, which the carnal denominate brandy. Scott, Old Mortality, iii.

II. a. Of or belonging to the body: as, crea-ture comforts. creatureless (krê'tür-less), a. [*creature* + *-less*.] Without creatures. God was alone And creatureless at first. Donne, To the Countess of Bedford.

creaturely (krê'tür-li), a. [*creature* + *-ly*.] Of or pertaining to a created or dependent

id on 2024-09-28 15:36 GMT / https://hdl.handle.net/2027/uiug.30112073373877 / domain, Google-digitized / http://www.hathitrust.org/access_use#pd - google

CREANCE.

4. **Falconry.** A long fine line or cord attached to a hawk's leash, by which she is restrained from flying away when being trained; also used similarly to confine the game at which the hawk is flown.

[So *F. créance*, a string to retain a bird of prey of *créance*, i. e. whose indications cannot yet be well trusted.]

14. *Sloane MS. 2727. Plut.* xv. C. How to use her when she will come ready in the creance. 1486 *Bk. St. Albans* B. ij. b. Take the partrich owe of yowre bagge and ty it by the legge with a creance. *Ibid.* B. v. j. Ye shall call the long lynx that ye do call yowre hawke to Reclam with: yowre Creance, what so euer it be. 1615 *LATHAM Falconry* 1633 16 Draw her gently to you with your lure or cryance. 1891 *Field* 7 Mar. 337/1 Her wing became entangled in the creance, and she came to the earth with a thud.

Fig. 1635 CHAPMAN & SHIRLEY *Chabot* i. ii. No power flies Out of his favour but his policy ties a Creance to it, to contain it still.

† b. Sometimes spelt *cranes*, as if plural.

1598 FLORIO, *Filagine*, the cranes to lure a hauke with. 1603 — *Montaigne* l. xlii. (1632 139 We commend. a hauke for her wing, not for her cranes or bells. 1616 BEAUM. & FL. *Scornf. Lady* v. iv. Take off her Cranes. 1685 COTTON tr. *Montaigne* III. 452 As a hawk takes his flight but still under the restraint of his cranes.

† **Creance, v.** *Obs.* [a. OF. *creancier* to promise, engage, etc., *f. creance*: see above.]

1. *intr.* To pledge oneself to pay; to take credit. c 1386 CHAUCEUR *Shipm.* T. 289 We may creance whils we have a name, But godelles for to be it is no game. *Ibid.* 303 Now gooth this Marchant. and byeth and creanceth.

2. To pledge oneself, vow, plight one's troth. c 1477 CAXTON *Jason* vi. b. Jason and Medea swore and creanced that they should take eche other by marriage.

Creanced (krī'ānt), *a. rare.* [*f. Creance sb.* 4 + -ED².] Confinned with a creance.

1855 BAILEY *Mystic* 33 Like mated falcons round their creanced young.

† **Creancier.** *Obs.* Forms: 4 creansour, -sure, creansure, 4 creancier, creansour, 5 creancier, -syr, 6 -ser, -sier, 7 -sour, -sor. [ME. *creansour*, in Anglo-F. *creancier*, *a. OF. creancier*, *f. creancier*: see prec. and -OR. The form in -er may repr. *F. creancier* (12th c. in Littré) from *creance*, corresp. to late L. *credentiarius*.]

1. A creditor.

1382 WYCLIF 2 *Kings* iv. i. A creansour cume, that he take my two sonsy to seruen to hym. — *Prov.* xxix. 13. c 1460 FORTESCUE *Ab's & Lim.* Mon. v. 118 His creanciers shul allowe gruche for lake of their paymente. 1607 COWLEY *Interpr.*, *Creansour*. signifeth him that trusteth another with any debt. 1708 *Termes de la Ley* 196 *Creancier* or Creditor.

2. One entrusted with the charge of another; a guardian, tutor: *esp.* at school or college. (In med.L. *creditor*: cf. Du Cange.)

[*Statuta Aularia* (Bodley MS.), Unusquisque scholaris manens sub magistro, tutore, aut creditore.]

1478 *Paston Lett.* No. 824 III. 237 My creansyr Mayster Thomas [at Eton]. — praythe you to sende hym summony for my commons. c 1500 G. VERNON in *Hist. MSS. Comm.* I. 16 Mr. Grove, Pryncypall of Mawden Hall, the which is creanser unto me and my brothir. 1525 *St. Papers Hen. VIII.* IV. 329 The Bishopp of Rosse. is creanser and counsellour to the saide Erie. 1549 COVERDALE *Erasm. Par. Gal.* 13 The heyre. v. vnder creansers & gouernours.

[1853 BLOXAM *Register Magd. Coll.* I. 59 'It appears about this time' viz. 1666 'there was a College order that the choristers etc. should have Cransiers']

† **Creant, a.** *Obs.* Also creanta. [In form, a. OF. *creant* believing, trusting, giving oneself up, pr. pple. of *creire* = L. *credere* to believe. But as OF. had only *recreant* in this sense, it is possible that *creant* is an abbreviated form of that word. Cf. CRAVEN.]

1. In phrases *To yield oneself creant, to cry* (or *say*) *creant*: To acknowledge oneself vanquished; to surrender oneself to an antagonist.

a 1225 *Ancre. R.* 288 And leid hire sul aduneward, and bulid him ase he bit, and zedei creant, ase sowinginde. c 1314 *Guy Warw.* (A.) 478 (1883) Ar ich wald creant zeld me Ich hadde leuer an-hanged be. c 1325 *Coer de L.* 5319 On knees he fel down, and foyke Creant, For Mahoun and Termagant. But the Foyke wolde nought so. The hedde he smot the body for. 1377 LANGR. *P. Pl.* B. xii. 103 he thef. zelte hym creant to cryst on be crosse and kneched hym gulty. c 1386 CHAUCEUR *Pars.* T. 7 624 He that despireth hym is lyke the coward Champion re-creant that seith creant with oute nedde. 1480 CAXTON *Chron. Eng.* cxliiii. The knight overcome the clerk and made hym yelde hym creant of his false impeachment.

2. Believing, orthodox. *nonce-use.*

1833 CARLYLE *Caagliostro* Misc. Ess. (1888) V. 124 The lives of all Eminent Persons, miscreant or creant.

Creant (krī'ānt), *a. rare.* [ad. *F. créant*, or *L. creant-em* creating, *f. créare*.] Creating, creative.

1844 MRS BROWNING *Drama of Exile* 24 We Sprang very beauteous from the creant Word.

Crear, *obs.* form of CRAYER.

† **Crease, sb.** *Obs.* Al. o 5 crese, cres. [*f. CREASE v.*] = INCREASE *sb.*

c 1440 *Promp. Parv.* 101 Crese, or increse. *excrecencia.* 1530 PALSGR. 210/2 Crease, increse, *reuenues*, *augmentacion.* 1568 T. HOWELL *Arb. Amittie* (1879) 19 The more it comes vnto the crease of yeres. The more it fayth.

1575 *Art of Planting* 13 In the crease of the Moone.

Crease (krī's), *sb.* ² Also 6 creaste, 7 croast. [Origin and early history unknown.]

1151

CREATE.

Goes with *CREASE v.*; it does not appear whether the sb. or the vb. had priority. In the sb. the spelling *crease/cre* appears in the 16th and 17th c., but per. merely by confusion with *crest*, of which *crease* was a variant. The verb had from the beginning very frequently the form *crest*, which is the current form both of vb. and sb. in Sc. The spelling *ea* suggests French origin, as in *crease, grease, lease, peace, please*, etc. But no cognate *F. word* has been found. The suggestions of connection with Breton *criz*, *crease*, *wrinkle*, or Ger. *krans*, MHG. *krans*, with but on obvious phonetic grounds be discarded.

1. The line or mark produced on the surface of anything by folding; a furrow in a surface, such as is caused by folding; a fold, wrinkle, ridge.

1578 LYTE *Doctoens* vi. xl. 709 [Peach] a fleshy pulpe. . . in the middeth whereof is a rough harde stone full of creastes and gutters. 1665 HOOKE *Microgr.* 83 In the little furrows or creases of my skin. 1665 *Phil. Trans.* I. 84 Having . . . a hollow Creas cut into it round about. 1665 J. F. *Melchani's Ware-ho.* 20 Wove so extream thick, that it frets in the creats under Men or Womens cloaths. 1705 *Lond. Gaz.* No. 4144 A. . . Saddle Wag. . . with . . . a Crease on his near Shoulder. a 1745 SWIFT (J.), An ivory knife, with a blunt edge. . . which cut it even. . . whereas a sharp penknife would go out of the crease, and disfigure the paper. 1865 MISS BRADDON *Sir Gaspar* III. i. 3 Never mind the creases in that blue frock of yours.

2. **Cricket.** The name of certain lines scratched or marked on the ground to define the positions of the bowler and batsman.

These are the *bowling-crease*, drawn in the line of each wicket, from behind which the bowler delivers the ball; the *return-crease*, a short line at each end of the bowling crease, and at right angles to it, beyond which the bowler must not go; and the *pitching-crease*, a line in front of each wicket parallel to the bowling-crease, behind which the batsman stands to defend his wicket.

1755 *Game at Cricket* 6 The Bowling-Creases must be cut in a direct line from each Stump. *Ibid.* 7 The Bowler must deliver the Ball, with one foot behind the Crease. 1849 *Laws of Cricket in Crick. Man.* (1850) 53 The Popping-Crease must be four feet from the wicket and parallel to it, unlimited in length, but not shorter than the bowling-crease. 1875 'STONEHENGE' *Brit. Sports* III. i. § 3. 667 If the striker at his wicket go outside the popping crease. . . the bowler may put him out. 1880 *Boy's Own Bk.* 105 Within the return-crease. . . and behind the bowling-crease, the bowler must stand when he delivers the ball.

¶ In the following, app. error for CREST.

3. **Arch.** A curved or ridge tile; = CREST 6.

1703 T. N. *City & C. Purchaser* 270 Crease . . . These are such Tiles as are us'd to cover the Ridge of a House; they being made like a half Cylinder. 1847-78 HALLIWELL, *Crease*, a curved tile. *West.* 1880 *W. Cornwall Gloss.*, *Crease*, a ridge tile.

4. *dialect.* 'The top of a horse's neck' (Halliiv.); = CREST 8.

Crease, sb. 3, Malay dagger: see CREESE.

† **Crease, v.** *Obs.* Forms: 4 crese, creesse, cresco, 4-5 crese, 5 crese, crece, 5-7 crease. [app. aphetic form of *crease*, ACCREASE, also found in sense of earlier *creuse*, INCREASE. A direct formation from *crease*-stem of OF. *creistre* to grow, is possible in some cases.] = INCREASE *v.* a. *intr.*

c 1380 WYCLIF *Serm. St. Wks.* II. 148 Be fame of Crist must crese. 1393 GOWER *Conf.* III. 276 He. . . had hem crece and multiply. 1398 *Trevisa Barth.* De P. R. ii. xix. (1495) 45 Always as the trevisa. creasyth, soo the payne creasyth also. c 1420 *Pallad.* on *Husb.* i. 227 As fatter lande wol crece and thrive. c 1440 *Promp. Parv.* 102 Cresyn or encresyn, *acresco.* 1547 BOORDE *Introd. Knowl.* 130 My anger. creaseth more and more.

b. *trans.*

c 1475 *Partenay* 4262 Which ofie creessith hurt.

Crease (krī's), *v.* ² Also 6-9 creess. [*See CREASE sb.*]

1. *trans.* To make a crease or creases in or on the surface of; to wrinkle; to fold in a crease.

1588 J. MELLIS *Briefe Instr.* F. viij. b. A leafe of paper. . . creessed in the middes. 1594 *Nashe Terrors of Nl.* C. iv. b. The clearest spring a little tucht is creased with a thousand circles. 1665 HOOKE *Microgr.* 9 They double all the Stuff. . . that is, they crease it just through the middle of it, the whole length of the piece. 1824 GALT *Robtson* I. ii. viii. 212 Seeing Sir Gabriel de Glowr kessing and cross-folding. . . the brudered vestments. 1853 *Kane Grinnell Exp.* iv. (1856) 34 The clean abrupt edge of the fractures. . . creased their otherwise symmetrical outline.

b. To cut deep furrows in the flesh (of mackerel, cod, etc.); to crimp. Cf. *CREASING vbl. sb.* - 3, quot. I 83.

2. *intr.* To become creased. fall into creases.

1876 GEO. ELIOT *Dam. Der.* III. 106 'The legs are good realistically', said Hans, his face creasing drolly. *Mod.* A material that is apt to crease.

3. *trans.* To stun (a horse, etc.) by a shot in the 'crest' or ridge of the neck. (U.S.)

1807 PIKE *Sources Mississ.* II. 159 We fired at a black horse, with an idea of creasing him. 1841 CATLIN *N. Amer. Ind.* (1844) II. xli. 58 We would try the experiment of creasing one [buffalo], which is done by shooting them through the gristle on the top of the neck, which stuns them so that they fall.

Crease (*Mining*): see CREESE *sb.* 3.

Creased (krī'st), *pple.* a. [*f. CREASE sb.* 2 and *v.* 2 + -ED.] Having a crease or creases.

1545 ASCHAM *Toxoph.* (Arb.) 138 A certayne kynde of [arrow] heads which men call hie rigged, creased or shouldered heads. 1655 HOOKE *Microgr.* 153 They [seeds] seem'd. . . a little crees'd or wrinkled. 1750 GRAY *Poems.* *Long Story* 68 Creased, like dog's ears, in a folio. 1865

Morn. Star 24 Apr. In a creased coat and trousers (evidently their first appearance since last summer).

Creased: see *CRAZED*.

Creaseless (krī'sl's), *a.* [*f. CREASE sb.* 2 + -LESS.] Without creases.

1852 *Fraser's Mag.* XLVI. 164 A creaseless cap. 1883 L. WINGFIELD *A. Kove* I. iv. 63 How transcendent a neck-cloth! Spotless, creaseless, awful.

† **Creasement.** *Obs. rare.* In 6 creasment. [*f. CREASE v.* + -MENT.] Increase, augmentation.

1592 WYRLEY *Armorie* 95 Lurcking sparke in hept strow inclosed, Feeling winde quicke life of cresment blowing.

Creaser (krī'sə), [*f. CREASE v.* 2 + -ER¹.] One who or that which creases; *spéc.* applied to various mechanical contrivances for making creases, grooves, or furrows in iron or leather, for creasing the cloth in a sewing-machine, etc.

† **Creasing, vbl. sb.** ¹ *Obs.* [*f. CREASE v.* 1 + -ING¹.] Increasing, increase, growth.

1398 *Trevisa Barth.* De P. R. vii. lxiv. (1495) 279 Lepra meslyry. hath the bynnyngne of the veynes, and full cryesynge without the veynes. 1587 *Golding De Morray* xiv (1617) 211. 1629 MABBE tr. *Fonseca's Dev. Contempl.* 233 Her [the moon's] ordinarie creasings and wanings.

Creasing (krī'sing), (*vbl. sb.* ² Also (in sense 2) *creesing*. [*f. CREASE v.* - and *sb.* 2])

1. The action of the verb *CREASE*; production of creases or wrinkles; also qua-i-*concr.* *CREASE sb.* ²

1665 HOOKE *Microgr.* 9 The reason of which creasing we shall next examine. . . the creasings or angular bendings. . . become the more perspicuous.

2. **Arch.** (See quot.) Cf. *CREASE sb.* 2 3.

1823 P. NICHOLSON *Pract. Builder. The creasing*, two rows of tiles fixed horizontally under the coping of a wall, for discharging rain-water. 1874 *KNIGHT Dict. Mech.* *Creasing*, a layer of tiles forming a corona for a wall. 1876 *GWILT Archit.* II. iii. § 13. 700 Parapets. . . finished with double plaitine creasing.

3. *attrib.*

1874 *KNIGHT Dict. Mech.* s.v. *Creaser*, *Creasing* tools. . . may be set in the jaws of a creasing-swage. *Ibid.*, *Creasing Hammer*, a narrow, rounded-edge hammer, used for making grooves in sheet-metal. 1883 *Fisheries Exhib. Catal.* 197 Mackerel splitting and reaming or creasing knives.

† **Creasing, ppl. a.** *Obs.* [*f. CREASE v.* 1 + -ING².] Increasing; yielding increase.

1592 WYRLEY *Armorie* 116 With thritife hand the creasing yearth none store.

Creasote, variant form of CREOSOTE.

Creast, *obs.* f. CREST, CREASE.

Creasy (krī'si), *a.* [*f. CREASE sb.* 2 + -Y.] Full of creases.

1858 MRS. OLIPHANT *Laird of Norlaw* I. 168 Chairs. . . covered with cr. ntz. . . which did not fit well, and looked creasy and disorderly. 1864 TENNYSON *En. Ard.* 147 The babe. . . rear'd his creasy arms.

¶ **Creat.** *Obs.* [*f. creat.*, ad. It. *creato* foster-child, alumnus (cf. Sp. *criado* servant) = L. *creātus* offspring, child, subst. use of *creātus* pa. pple. : see *CREATE pa. pple.*] (See quot.)

1730-6 BAILEY folio. *Creat* (with horsemen) an Usher to a Riding Master, or a Gentleman educated in an Academy of Horsemanship, with Intent to qualify himself for Teaching the Art of Riding the great Horse.

Creat, create sb. : see C. EIGHT.

Creatable (krī'ē'tā'bl), *a.* [*f. CREATE v.* + -ABLE.] That can be created.

1678 CUDWORTH *Intell. Syst.* I. v. 862 The life of the Soul . . . is only creatable and annihilable by the Deity. 1848 *Tail's Mag.* XV. 643 Capital is not creatable by statute.

Creatal (krī'ē'tāl), *a. nonce-wd.* [see -AL.] Of or belonging to creation.

1857 GOSSE *Creation* 182 It is their natal, or rather (to make a word) their *creatal* day.

Create, ppl. a. Also 4 6 creat. [ad. L. *creāt-us*, pa. pple. of *creare* to produce, make, create.] *Created*. † I. as *pa. pple. Obs.*

c 1393 CHAUCEUR *Scogan* 2 Statutez. . . That crete were eternally to dure. c 1460 FORTESCUE *Ab's & Lim.* Mon. xiv. What such a counsell is fully crete and established. 1549-62 STERNHOLD & H. *Cyriacque vult.* Of none the Father is, ne made, ne creat, nor begot. 1590 SHAKS. *Mids. N. v.* i. 412 And the issue there create, Euer shall be fortunate.

2. as *adj. arch.*

1477 *Norton Ord. Alch.* v. in Ashm. (1652) 62 A create perfection. 1549 CHALONER *Erasmus* on *Folly* M. ij. b. Whether it be. . . a create or an uncreate thyng. 1647 *WARD Simp. Cobler* (1843) 21 Any creat' Bns or Bonum. 1805 *CARY Dante, Inferno* II. 7 Before me things create were none.

Create (krī'ē't), *v.* Also 6-7 creat; *pa. t.* 5-6 creat(e), 6 Sc. creatt; *pa. pple.* 4-6 creat(e). [*f. creat*-ppl. stem of L. *creare*: see prec.]

The early instances are all of the pa. pple (= L. *creātus*, It. *creato*), or the pa. t.; *create* continued a true pple. to c 1600, but already in 15th c. it varied with *created*, and in 16th c. we find the present *create*, with pple. *creating*, etc.]

1. *trans.* Said of the divine agent : To bring into being, cause to exist; *esp.* to produce where nothing was before, 'to form out of nothing' (J.).

c 1386 CHAUCEUR *Pars.* T. 7 144 Al be it that God hath creat [3 *MSS.* created] all thing in right ordre. 1398 *Trevisa Barth.* De P. R. i. (1495) 6 The creatour. . . fro the bynnyngne of tyme creat. . . the creature. . . of no thyng, or of no matere precedent. 1432-50 tr. *Higden* (Rolls) I. 189 Wherefore poetes feyne hym. . . to haue creat men of stones.

1483 CAXTON *Gold. Leg.* 133/2 [He] that had created alle the world. 1546 *Pilgr. Perf.* (W. de W. 1531) 201 b. He create

CREATED.

1152

CREATRIX.

& infused that noble soule. 1535 COVERDALE Gen. i. 1 In y^e begynnyng God created heauen and earth. 1597 JAS. I. *Poet. Exerc.*, l. 113. Praise him for that he created hath The heauen, the earth, and all. 1611 BIBLE Ps. li. 10 Create in mee a cleane heart, O God. 1644 MILTON *Arcep.* (Arb.) 52 Wherefore did hee create passions within us? 1651 HOBBS *Leviath.* II. xxxi. 190 To say the World was not Created. . . is to deny there is a God. 1862 MAX MÜLLER *Sol. Ess.* 1881 II. xx. 395 And the gods constituted a second time how to create beings that should adore them.

b. with complemental extension.
1590 SHAKS. *Com. Err.* III. ii. 39 Are you a god? would you create me new? 1611 BIBLE *Isa.* lxxv. 18, I create Jerusalem a rejoicing, and her people a joy. 1730 POPE *Ess. Man* i. 148 And what created a poet? 1832 F. HALL *Hindu Philos. Syst.* 143 God created man a moral creature.
c. absol.

1592 DAVIES *Immort. Soul* vii. (1714) 46 To create, to God alone pertains. 1667 MILTON *P. L.* vii. 6-6 To create is greater then created to destroy. 1851 RUSKIN *Stones Ven.* (1874) I. App. 331 It is only for God to create without toll.

2. gen. To make, form, constitute, or bring into legal existence (an institution, condition, action, mental product, or form, not existing before). Sometimes of material works as fig. of I.

1592 WEST 1st Pt. *Symbol.* § 46 D. A constituent Instrument creating. . . whereby an estate, proprietary, power or obligation, not having any essence or being before, is newly rayzed and created. 1612 DAVIES *Why Ireland, etc.* (J.) With power to create a manor, and hold a court-baron. 1599 DRYDEN *Trailbus & Cr. Prol.* 8, I found not, but created first the stage. 1597 - *Virg. Georg.* v. 295 Thus make they Kings to fill the Royal Seat; And thus their little Citizens create. 1813 CROUSE *Digest.* ed. 2 IV. 336 The word heirs is not necessary to create a fee simple. 1848 MACAULAY *Hist. Eng.* I. 345 Those towns where wealth is created and accumulated. 1854 RONALDS *Chem. Technol.* (ed. 2) I. 225 It is always necessary, before lighting the fire in the stove, to create a draught by heating the chimney.

b. absol.
1775 SHERIDAN *Rivals* Pref. The imagination. . . becomes suspicious of its offspring, and doubts whether it has created or adopted. 1831 BREWSTER *Newton* (1855) II. xxvii. 400 The inspired genius which creates. 1852 ROBERTSON *Sermon*. 3rd Ser. xii. 147 The mason makes, the architect creates.

c. Of an actor: To be the first to represent (a part or rôle), and so to give it its character. [F. *créer un rôle*; see Littré, Hatzfeld.]

1832 SHREVENSON *Arab. Nts.* (1884) 314, I have created . . . more than one important rôle. 1882 *Standard* 24 May, Madame Chri-tine Nilsson, at the Royal Italian Opera . . . when she will create Boito's Opera *Mefistofele*.

3. To constitute (a personage of rank or dignity); to invest with rank, title, etc. *Constr.* to create a peer, to create a man a peer.

c. 1460 FORTESCUE *Abs. & Lim. Mon.* ix, Hugh Capite. . . which tho was the myghtieste subgett off France, and therefore created and called *Dux Britannie*. 1495 *Act in Hen. VII.* c. 32 Preamble. . . the Kyng's Grace, created hym Duke. 1568 GRAFTON *Chron.* II. 347 During the which [Parliament] he created two Dukes, Marquises and five Eerles. 1611 SHAKS. *Cymb.* v. 2. 20 Arise my Knights o' th' Battell, I create you Companions to our person. 1655-60 STANLEY *Hist. Philos.* (1701) 341 The Ephori were first created about the sixth Olympiad. c. 1670 WOOD *Life* (1848) 51 He was . . . created bach. of arts. 1771 GOLDSM. *Hist. Eng.* III. 374 Edward Hyde . . . was now created a peer by the title of lord Clarendon. 1874 GREEN *Short Hist.* II. 103 Opposition came from the very prelate whom Henry had created to enforce his will.

4. To cause, occasion, produce, give rise to (a condition or set of circumstances).
1599 SHAKS. *Hen. V.* iv. i. 264 O Ceremonie. Art thou ought else but Place, Degree, and Forme, Creating awe and feare in other men? 1657 DECAY *Chr. Priety* (J.), Difficulties of their own creating. 1709 HEARNE *Collect.* (Oxf. Hist. Soc.) II. 185 'Tis only fit to create Mirth. 1873 BLACK *Pr. Thule* xii. 190 She failed to create any profound impression. 1876 J. H. NEWMAN *Hist. Sk.* I. i. 1. 11 Position and climate create habits.

Created (krī'ē'ted), *phl. a.* [f. prec. + -ED.] Brought into being by an agent or cause. *esp. a.* Made or formed by the divine power. b. Constituted of a certain dignity or rank.
1667 MILTON *P. L.* III. 705 But what created mind can comprehend Thir number? 1784 COWPER *Task* v. 586 He is held in silly dotage on created things, Careless of their Creator. 1855 MACAULAY *Hist. Eng.* IV. 428 A newly created Marshal of France, the Duke of Noailles.

Hence Crea-tedness.
1665 J. SERGEANT *Stur-footing* 35 Their very Createdness and Finiteness entitle them to defectibility. 1856 FABER *Creator & Creature* I. i. (1886) 13 The double sense of His creation and of their createdness (to coin a word) is not in all their thoughts.

Creator, *obs. f. CREATURE.*
Creatic (krī'ē'tik), *a.* Also *kr-*. [f. Gr. *κρέας*, **κρεαρ-* flesh + -IC.] Of or pertaining to flesh.
1831 *Syd. Soc. Lex.* s.v. *Naussea*, *Creatic naussea*, [that] produced by the sight of, or the attempt to eat, animal food.

Creatine (krī'ē'tin). Also *kre-*. [f. Gr. *κρέας*, **κρεαρ-* + -INE.] An organic base, C₄H₉N₃O₂, discovered in 1835 by Chevreul in the juice of flesh. 1840 *Penny Cycl.* XVII. 49/2 Osmazome contains a peculiar substance, to which he [Chevreul] has given the name of *creatin*. Creatine is solid, inodorous, insipid. 1851 [see CREATININE]. 1858 THUDICHUM *Urin* 116 Creatine is present in the blood and urine of man and animals. 1872 HUXLEY *Phys.* vii. 160 Kreatin, a crystalline body . . . supposed to be the chief form in which nitrogenous waste matter leaves the muscle on its way to become urea.

Creating (krī'ē'ting), *vbl. sb.* [f. CREATE v. + -ING I.] The action of the verb CREATE.

1665 SHAKS. *Lear* i. ii. 14 More composition . . . Then doth . . . Goe to th' creating a whole tribe of Fops, a 1715 BURNET *Own Time* Concl. (K). The creating of so many malcontents. 1858 HAWTHORNE *Fr. & H. Jerns.* II. 93 The god-like attribute of creating.

Creating, *phl. a.* [-ING 2.] That creates.
1611 SHAKS. *Wind. T.* iv. iv. 88 Great creating Nature. 1810 SOUTHEY *Kehania* x. iiii. The will of the Creating Mind.

Creatinine (krī'ē'tinīn). Also *kre-*. [f. CREATINE + -INE.] An alkaline crystallizable substance C₄H₉N₃O₂, a normal constituent of urine and of the juice of muscular flesh.
1851 CARPENTER *Man. Phys.* 443 By the action of strong acids, kreatine may be readily converted into kreatinine. 1859 ROSCOE *Elem. Chem.* 383 Creatinine crystallizes in colourless prisms.

Creation (krī'ē'tōn). [a. F. *création* (14th c. in Littré) or ad. L. *creātiō-em*, n. of action f. *creāre* to CREATE.]

1. The action or process of creating; the action of bringing into existence by divine power or its equivalent; the fact of being so created.
1293 GOWER *Conf.* III. 91 To fore the creation Of any wordes station. 1413 LYDG. *Pilgr. Soule* iv. xvi. (1483) 63, I was present at his first creation. 1526 *Pilgr. Perf.* (W. de W. 1531) 15 b, From the creacyon of the worlde unto this tyme. 1690 LOCKE *Hum. Und.* II. xxvi. § 2 As when a new Particle of Matter doth begin to exist . . . which had before no Being; and this we call Creation. 1736 BUTLER *Anal.* I. v. Wks. 1874 I. 92 That mature state of life, which was the end of his (man's) creation. 1830 LYLLE *Princ. Geol.* I. 399 The creation of a new lake, the engulfing of a city, or the raising of a new island. 1858 MANSAL *Baink'ou Lett.* II. (ed. 4) 135 We can think of creation only as a change in the condition of that which already exists.

b. absol. The calling into existence of the world; the beginning, as a date.
1593 SHAKS. *Lucr.* 924 From the creation to the general doom. 1662 STILLINGF. *Orig. Sacr.* II. ii. § 9 Could Noah then be ignorant of the Creation, and the fall of man? 1665 SIR T. HERBERT *Trav.* (1677) 270 As if all India was theirs by title from the Creation. 1831 BREWSTER *Avicult.* (1855) II. xvi. 100 The account of the creation in Genesis.

2. gen. The action of making, forming, producing, or bringing into existence.
1602 SHAKS. *Ham.* III. iv. 138 This is the very coynage of your Braine: This bodiless Creation extasie Is very cunning in. 1769 BLACKSTONE *Comm.* IV. 420 The creation of estates tail. 1841-4 EMERSON *Ess.* *Art Wks.* (Bohn) I. 145 In our fine arts, not imitation, but creation, is the aim. 1860 TYNDALE *Glac.* I. xxvii. 216 Down these we swept . . . usually accompanied by an avalanche of our own creation. 1867 BRIGHT *Sf. Amer.* 29 June, The creation of that opinion which has made slavery hateful.

3. The investing with a title, dignity or function.
1460 CAPGRAVE *Chron.* 207 This Ailsaunter granted . . . plener remission in the first day of his creation. 1491 *Act 7 Hen. VII.* c. 16 § 7 The creation of your seid subeiet into the Erie of Surre. 1621 ELSING *Debates Ho. Lords* (Camden) 93 That the LLE of the newe creation may be brought into the House, each by 2 other LL. 1700 OZELL *Vertol's Rom.* 869. l. vii. 325 This restless People . . . required Decemvirs, and we consented to their Creation. 1848 MACAULAY *Hist. Eng.* I. 520 The Tory party had always been strong among the peers. It . . . had been reinforced . . . by several fresh creations.

4. *concr.* That which God has created; the created world; creatures collectively.
Lord of Creation = man; see LOND.
1611 BIBLE *Rom.* viii. 22 For we know that the whole creature groaneth. 1658 SIR T. BROWNE *Hydriot.* i. Which in forty dayes swallowed almost mankind and the living creation. 1667 DRYDEN *Virg. Georg.* III. 722 A Plague did on the dumb Creation rise. 1725 DE FOE *Voy. round World* (1840) 280 This vast tract of land. . . is a fruitful . . . part of the creation. 1751 JOHNSON *Rambler* No. 175 ¶ 13 A race with whom . . . the whole creation seems to be at war. 1783-94 BLAKE *Songs Innoc.*, *Cradle Song* 18 All creation slept and smiled.

5. An original production of human intelligence or power; *esp.* of imagination or imaginative art.
1605 SHAKS. *Macb.* II. i. 38 Or art thou but A Dagger of the Minde, a false Creation, Proceeding from the heat-oppressed Braine? 1709 POPE *Ess. Crit.* 493 The treach'rous colours the fair art betray, And all the bright creation fades away! 1813 SHELLEY *P. Mab* vii. 62 FANCY'S thin creations. 1862 MERIVALE *Rom. Emp.* (1865) IV. xxxiv. 139 Augustum was a new creation of the Roman power. 1888 CHILD *Eng. & Soc. Pop. Biol.* III. v. cxxviii. 42/2 Robin Hood is absolutely a creation of the ballad-music.

6. *Comb.*, as *creation-day*; *creation money*, an annual payment by the Crown to a newly created peer.
1667 MILTON *P. L.* IX. 556 Beasts, whom God on their Creation-Day Created mute to all articulate sound. 1671 F. PHILLIPS *Reg. Necess.* 454 The Dukes and Marquesses a greater yearly annuity or Creation money. 1878 STUBBS *Const. Hist.* III. 436 The earl's creation money, twenty pounds, was a substitute for the third penny of the county . . . and the retention of this payment probably suggested the bestowal of creation money on those who were raised to the newer ranks of peerage. *Ibid.* III. 526.

Creational (krī'ē'tōnāl), *a. rare.* [f. prec. + -AL.] Of or pertaining to creation.
1658 R. FRANCK *North. Mem.* (1821) p. xv, You'l admire the Creator, in his rare and admirable Creational work. 1865 MOZLEY *Ittrac.* III. 253 note, Nor . . . can any 'creational law' which does not fill up these voids . . . make any difference in the character of those phenomena.

Creationism (krī'ē'tōniz'm). [f. as prec. + -ISM.] A system or theory of creation: *spec. a.* The theory that God immediately creates a soul for every

human being born (opposed to *traducianism*); b. The theory which attributes the origin of matter, the different species of animals and plants, etc., to 'special creation' (opposed to *evolutionism*).

1847 BUCH tr. *Hagenbach's Hist. Doctr.* II. 1 The theory designated Creationism . . . was now more precisely defined. 1872 LIDDON *Elem. Relig.* III. 102 The other and more generally received doctrine is known as Creationism. Each soul is an immediate work of the Creator. 1880 GRAY *Nat. Sc. & Relig.* 89 The true issue as regards design is not between Darwinism and direct Creationism.

Creationist (krī'ē'tōniz't). [f. as prec. + -IST.] One who believes in or advocates creationism.
1859 DARWIN *Life & Lett.* II. 233 What a joke it would be if I put you on the back when you attack some immovable creationists. 1882 FARRAR *Early Chr.* I. 463 The verbal controversy between Creationists. . . and Traducianists.

Creatory (krī'ē'tōv), *a.* [f. CREATE v. + -IVE.] 1. Having the quality of creating, given to creating; of or pertaining to creation; originitive.
1678 CUDWORTH *Intellect. Syst.* (1808) II. 317 This Divine, miraculous, creative power. 1745 W. THOMPSON *Sickness* I. (R.) Creative bard [Spenser] expand thy fairy scenes. c. 1750 SHENSTONE *Kein'd Abbey* 332 Heav'n's creative hand. 1874 GREEN *Short Hist.* IV. 164 There is no trace of creative genius or originality in his character.

2. Affording the cause or occasion of, productive of.
1803 *Med. Yrnl.* IX. 292 Injuries . . . unattended by any symptoms creative of alarm. 1837 HT. MARTINEAU *Soc. Armer.* III. 130 Laws and customs cannot be creative of virtue: they may encourage and help to preserve it; but they cannot originate it.

Creatively (krī'ē'tōvli), *adv.* [f. prec. + -LY 2.] In a creative manner.
1840 CARLYLE *Heroes* i. (1858) 186 That is in all cases the primary thing for him, and creatively determines all the rest. 1871 B. TAYLOR *Faust* 1875 II. III. 171 All in vain doth Speech Fatigue itself, creatively to build up prec.

Creativeness (krī'ē'tōvnes), [f. as prec. + -NESS.] Creative quality or faculty.
1820 L. HUNT *Indicator* No. 26 (1822) I. 204 Such must be the . . . creativeness of their fancy. 1874 SAYCE *Compar. Philol.* IV. 161 The rich creativeness . . . which distinguishes the older Aryan dialects.

Creotaphagous (krī'ē'tōfāgōs), *a.* [f. Gr. *κρέας* flesh + *φαγος* eating + -OUS. Cf. F. *créatophage* (also *créophage*).] = CREOPHAGOUS.
1832 in *Syd. Soc. Lex.*

Creator (krī'ē'tōr). Forms: 3-4 -ur, 3-6 -ure, 3-7 -our, 4-5 -oure, 4 -or. [ME. and AF. *creator*, -ur = OF. *creator*, -ur, -our, later -eur, of learned or liturgical formation, ad. L. *creātor-em*. The pop. OF. word was *creere*, *crie*.] 1. The Supreme Being who creates all things. (In OE. *scieppend*.)

c. 1290 *S. Eng. Leg.* I. 111/174 For-to serui is creature. a. 1300 *Cursor M.* 1119 (Cott.) Spar-wit com our creature (i. v. creator) For to spar-wit hat traiture. c. 1386 CHAUCER *and Nun's T.* 49, The creator of every creature. c. 1489 CAXTON *Blanchardyn* xxxv. 133 God, my swete creator. a. 1533 LD. BERNERS *Huon* cxxii. 436 Prayse be to our lord god my creature. 1611 BIBLE *Isa.* xl. 28 The Creator of the ends of the earth. 1667 MILTON *P. L.* x. 486 Him by fraud I have seduc'd From his Creator. 1852 RUSKIN *Minera P.* (1820) 4 Human nature, as its Creator made it.

2. gen. One who, or that which, creates or gives origin to.
1579 FULKE *Heshin's Parl.* 154 We haue learned of their owne writers . . . that a Priest is . . . the creator of his creator. 1598 B. JOHNSON *Ev. Man* in *Hum.* II. ii, Translated thus from a poor creature to a creator; for now must I create an intolerable sort of lies. 1641 MILTON *Ch. Gov.* I. v, Since it thus appears that custom was the creator of prelaty. 1641 R. BROOKE *Eng. Episc.* I. vii. 35 Winchester was not the first that . . . professed such universal Obedience to his Creator the Pope. 1838 CROUSE *Digest* (ed. 2) III. 456 If the creator of the use had a fee simple in the land. 1871 TYNDALE *Fragm. Sc.* (1879) II. xiv. 350 Just as little as the Voltaic battery is the animal body a creator of force.

Hence Creator-ess = CREATESSEN.
1827 *Westm. Rev.* VII. 331 note, Luonto-Luontio, Nature, the Creatoress, Kawe's wife.

Creatorship (krī'ē'tōr'ship). [See -SHIP.] The condition or function of a creator.
1862 F. HALL *Hindu Philos. Syst.* 211 In truth, agreeably to their views, Brahma has neither creatorship, nor omniscience, nor omnipotence. 1878 *Scrivener's Mag.* XV. 817/1 The idea of creatorship is universal.

Creatrix (krī'ē'trēs). Also 7 -isse. [fem. of CREATOR; see -ESS.] A female creator.
1590 SPENSER *F. Q.* III. viii. 10 As her creatress had in charge to her ordain'd. 1616 T. Tuke *Treat. agst. Painting* 57 Yet is she her owne creatress. 1778 MAD. D'ARLEY *Diary & Lett.* Sept., The all-devouring flames. . . in consuming her [Evelina, the novel] would have preserved her creatress! 1855 SINGLETON *Virgil* I. 72 Minerva too, Creatress of the olive. 1892 *Pall Mall G.* 13 Sept. 6/11 And yet, as happens so often in the case of dramatic successes, the palm remains with Mme. Doche, the creatress of the part.

Creatrix (krī'ē'trēks). [L. *creatrix*, fem. of *creator*.] 1. = prec.
1595 BARNFIELD *Sonn.* x. 8 His limbs (as their Creatrix) her embrace. 1611 SPEED *Hist. Gt. Brit.* IX. xx. 39 Perkin . . . returned to his Lady Patronesse and Creatrix. 1793 *Coleridge's Trans. Grk. Ode.* Wisdom, the Creatrix. 1882 L. OLLIPHANT *Land of Khotum* v. 259 The worship of the divine creatrix Isis.

Funk & Wagnalls: New Standard Dictionary (1943)

609

KEY 1: aisle; au = out; oil; lū = feud; chin; go; Jet; u = sing; so; ship; chin, this; a; gure; F. boñ, dūne; n = loch, t, obsolete; †, variant. KEY 2: bōok, bōot; fūll, ryle, cūre, bāt, būrn; ōll, bōy; e = k; † = s; gēm, ink; † = z; thin, this; F. boñ, dūne; n = loch.

crannuibh
creatin

tralian spiny crayfish (*Astacopsis serratus*); the blind crayfish (*Cambarus pellucidus*) of the Mammoth Cave. 3. [Local, Eng.] The spiny lobster or sea-crayfish. 3. [Slang, U. S.] One who withdraws from a declared position; a turncoat. [**< OF. crevice, < OHG. chrevis, crab. cra'fish?; krev'ist-; craw'fish?; et. [Colloq., U. S.] To move backward like a crayfish; hence, to withdraw or back down from a declared position.**

Crawford, 1 krō'fōrd; 2 crā'fōrd, n. 1. F. Marion (b. 1854-4/1909), an American novelist; born in Italy; Saracinesca, etc. 2. John (1783-1868), a Scottish surgeon; diplomat; *History of Indian Archipelago*, etc. 3. Samuel Wylie (b. 1829-11/1892), a United States general; one of the garrison of Fort Sumter, April, 1861. 4. Thomas (b. 1857), an American sculptor; father of F. Marion Crawford; *Genius of America* on Capitol, Washington. 5. William Harris (b. 1872-9/1834), an American lawyer and statesman; Secretary of War and of Treasury. 6. A county in W. Virginia; 304 sq. m.; county-seat, Van Buren. 7. A county in W. central Georgia; 334 sq. m.; county-seat, Knoxville. 8. A county in E. S. E. Illinois; 450 sq. m.; county-seat, Robinson. 9. A county in S. E. central Indiana; 304 sq. m.; county-seat, English. 10. A county in W. central Iowa; 720 sq. m.; county-seat, Denison. 11. A county in S. E. Kansas; 592 sq. m.; county-seat, Girard. 12. A county in N. central Michigan; 575 sq. m.; county-seat, Grayling. 13. A county in S. E. central Missouri; 747 sq. m.; county-seat, Sikeston. 14. A county in N. central Ohio; 397 sq. m.; county-seat, Bucyrus. 15. A county in N. W. Pennsylvania; 1,020 sq. m.; county-seat, Meadville. 16. A county in S. W. Wisconsin; 557 sq. m.; county-seat, Prairie du Chien.



Crayfish, 1/2

Crawford's-ville, 1 krō'fōrdz-vil; 2 crā'fōrdz-vil, n. A city, county-seat of Montgomery county, Ind.; seat of Washburn College (non-sectarian), founded in 1832.

crawl, 1 krōl; 2 eral, vi. 1. To move by thrusting one part of the body forward upon a surface and drawing the other part after, as a worm; loosely, to progress in any way with the body close to the ground, as an insect; creep. 2. To move slowly, feebly, or cautiously; as, a sick person *crawls* about. 3. To move or make progress meanly and insinuately; seek influence by servility. 4. To have a sensation as of crawling things upon the body. The flesh 'neath his armor 'gan shrink and crawl. Lowell *Vision of Sir Launfal* pt. i, st. 5. 5. To progress or grow by extending branches or the like, as a shrub. 6. To be filled with things that crawl, as a dead body. 7. [Slang.] To back down from a declared position. [**< Ice. krafla, pass. crawl; crawl'-'a-hot'tom, n. [Local, U. S.] The hog-sucker. 2. The log-perch.—to c. off (Naut.), to work off a lee shore in heavy weather; to crawl a vessel.—crawl'ing-ly, adv. crawl', n. The act of crawling; a creeping motion. He had the crawl of a reptile; he had, also, its poison and its fangs. Bulwer-Lytton *Leda* ch. 5, p. 27. [L. E. P. & Co.] —crawl stroke (Swimming), a racing stroke in which the swimmer, with arms and legs extended, lies flat on his stomach with head usually submerged, uses alternate overhand and underhand crawling strokes with the arms, while his legs are moved up and down at the same time alternately. 2. A stroke in which the swimmer is inferior for speed to the trudgen stroke.**

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

crawl, n. 1. A pen or enclosure for the water, as the water, as for containing fish, the turtles, otterlike, hip, and return of the arm to the first position in which the stroke and left arm on the return.

render insane or demented; derange the mind of. 2. To make minute or small cracks or flaws in; used literally and figuratively.

The ships were strained and crazed by the various injuries they had received. Irving *Columbus* vol. i, p. 444. [L. E. P. & Co.] 3†. To break down; weaken; impair. 4†. To break; crush. II. i. 1. To become crazy. 2. To crack; peel off; said specif. of the glaze of pottery. 3. To become filled with minute intersecting cracks, as the glaze of crackle porcelain. 4†. To burst in pieces. [**< Sw. kraas, crash. crazet-; crazed, a. Insane. 2. Cracked, as glaze.—crazed-ness, n.**

crazy, n. 1. Mental disorder; craziness; insanity. 2. An extravagant liking or pretense of liking; an insane freak of fashion; caprice; rage; as, the pottery *crazy*; a *crazy* whim, or crochets; vehement desire; passion. Shelley's feud with Christianity was a *crazy* desire from some early whims of his understanding. De Quincey *Essays on the Poets, Shelley* p. 46. [L. E. P. & Co.] 4. A flaw, as a crack or blister, in the glaze of pottery; any defect or imperfection; crazing. 5. One of the minute cracks which form a close network in the glaze of crackle porcelain; also, such cracks collectively; crackle. —craz'ing, n. 1. Pottery. A rising of the glaze into blisters, which are liable to break. 2†. The act of cracking; a crack.

crazy, 1 krē'zi; 2 erē'zy, n. Same as CRAZY, 2. **cra'zy**, 1 krē'zi; 2 erē'zy, n. [**< CRA'ZI-EST; CRA'ZI-EST. 1. Disordered in intellect; demented; insane; as, he became crazy. 2. Caused by or originating in mental disorder; characterized by insanity. 3. Dilapidated; rickety; weak; as, a crazy old coach; a crazy bicycle. 4. [Colloq.] Inordinately eager; foolishly desirous. 5. Inferior; shabby. [**< CRAZY. CRAZET. SYN. see INSANE.—cra'zy-bone', n. The funny-bone.—c-e-chain, n. Forestry. The chain of a sprinkler-valve that fastens back the tongue, which is not in use.—c-e-grass, n. Reed canary-grass (see under REED); so called because of its effect on horses.—c-e-quill, n. A set of cray-walks.—c-e-weed, n. See Loco-weed.—c-e-work, n. Patchwork of irregularly shaped and differently colored pieces arranged in odd patterns or without pattern.—cra'z'ly, adv. cra'z'ly-ness, n.] I. [Prov.] A lunatic. II. i. 1. [Rare.] The buttercup; also, one of numerous other plants of the same family.****

Crazy Peak, a mountain in Montana; 11,178 ft. high. **Cre'a**, 1 krē'ā; 2 erē'ā, n. [**< Sp.] 1. A linen cloth used in Spain and Spanish America. 2. A cotton cloth of like texture. creach, 1 krē'č; 2 erā'č, n. [Gael.] A Highland raid. creagh, 1 krē'gh; 2 erā'gh, n. Same as CRAIGH. creagh, 1 krē'gh; 2 erā'gh, n. [**< Ir.] 1. A herd of cattle moved about the country for pasture or accompanying an army on the march. 2. Loosely, a cattle-lifter; plunderer. [**< Ir. Gael. graish, flock. creaght, et. To graze. creak, 1 krē'k; 2 erē'k, n. I. 1. To cause to make a creak. If you're not sharp enough I'll creak the door. Dickens *Old Curiosity Shop* ch. 6, p. 25. [L. E. P. & Co.] II. i. 1. [Rare.] To make a creak. 2†. To make a harsh guttural sound; croak. creek, 1 krē'k; 2 erē'k, n. A sharp, harsh, squeaking sound, usually prolonged as from friction; as, the creak of a hinge in need of oiling. [**< OF. creak, n.] Cre'a'kle**, 1 krē'k'l; 2 erē'k'l, n. In Dickens's *David Copperfield*, David's tyrannic schoolmaster; "spoke in a whisper." creek, pp. Creaked. S. S. creek'y, 1 krē'k'i; 2 erē'k'i, a. Apt to creak; creaking; as, creek'y shoes.******

cream, 1 krēm; 2 erēm, n. I. 1. To skim cream from; hence, to take the best part from; as, to *cream* milk; to *cream* nature. 2. To supply with or as with cream; prepare with cream or similar material; as, to *cream* one's tea. 3. To cause or permit cream to rise on. II. i. 1. To be covered with cream, or the surface of to be covered with cream; rise to the surface as cream; mantle; as, *cream*ing ales.—to *cream* butter, to work butter into a cream-like consistency.

cream, n. 1. A thick, oily, light-yellow substance composed chiefly of fatty globules that rise and gather on the surface of milk and combine into bubbles when churned; hence, any substance formed in a similar manner. 2. A delicacy for the table resembling cream, or made in part of it; as, ice-cream; whipped cream; also, a bonbon containing a cream-like substance. From sweet kernels press'd She tempts dulcet creams. Milton *P. L.* bk. v, l. 347.

3. The part of something regarded as the choicest or most highly to be appreciated; as, the *cream* of fashion. 4. A soft, oily cosmetic resembling cream. 5. A rich cordial of fine quality; as, cream of mint. 6. A spongy curd of lead oxide that forms in making shot. 7. The lighter part of liquor which rises and gathers on the top. 8. The color of cream; a light yellow. [**< F. crème, < LL. crema, cream; cp. L. cremor, thick juice. crema, < BAVARIAN crema, a desert of sweetened cream enriched and thickened with eggs and gelatin.—clotted or clouted c., cream made by heating milk gradually in shallow pans 40 to 50 minutes until it bubbles, which it does at a temperature of 180° F., when it is removed from the fire and allowed to stand 12 to 36 hours before it is skimmed.—cream'cake', n. A cake containing a cream-like custard.—cream'cups', n. An ornamental annual (*Platystemon californicus*) of the poppy family with cream-colored flowers.—c. fastid, a. Pale, as from age.—c. agitation.—cream'fruit, n. The fruit of a creeping plant of the dogbane family, of western Africa, which yields a cream-like juice.—c. gage, n. Same as CREAM-OMETER.—c. laid, a. Having a creamy-white color and a close, fine, parallel-line water-mark; applied to paper.—c. nut, n. The Brazil-nut (*Bertholletia excelsa*).—c. of lime, n. A thick mixture of lime and water. 2. A flimy covering of calcium carbonate produced on milk of lime in solution by the action of carbon dioxide in the air.—c. of tartar, potassium bitartrate (KHC₄H₄O₆). a white crystalline compound made by purifying argol. It is used as a medicine, in dyeing, and in making baking-powder.—c. of tartar tree, the baobab (*Adansonia digitata*). See ADANSONIA.—c. puff, a hollow shell of pasty filled with cream kept for about twenty-four hours, with occasional stirring, thus imparting to butter its best flavor.—c. sacs, n. A herbaceous family (*Orthocarpus lithospermoides*) of the figwort family, common in western California,**

and bearing small yellow flowers.—c-separator, n. A whirling-machine of various patterns for separating cream from new milk by centrifugal force.—gravity c-separator, a contrivance for separating cream by gravity, fitted with indicators which show the proportions of milk and cream at all stages of the process.—c-slice, n. 1. A wooden blade for skimming cream from milk. 2. A wooden knife for cutting and serving ice-cream. 3. [Eng.] A variety of light iced pastry resembling a cream-cake.—c. tube, n. Same as CREAM-METER.—c-ware, n. See QUEEN'S-WARE. —Devonshire c., same as CLOTTED CREAM.—evaporated c. (*Dairyng*), cream treated in a similar manner to condensed milk.—Neapolitan c., 1. A preparation of ice-cream made by molding into one block two or more flavors of ice-cream and water-ice. 2. Ice-cream made with eggs as well as cream.

cream, n. Same as CRAME. **cream'd**, pp. Creamed. S. S. **cream'er**, 1 krēm'er; 2 erēm'er, n. 1. A refrigerator in which milk is placed to accelerate the rising of cream. 2. Any dish or machine in which cream is separated. 3. [Colloq.] A cream-pitcher.—helmet creamer, a cream-er made of Chinese porcelain in the shape of an inverted helmet. **cream'er-y**, 1 krēm'er-i; 2 erēm'er-y, n. [**< IES. 1-12; 2-ig, pl.] 1. A room or building in which milk is kept at the proper temperature for cream-raising. 2. A butter- or cheese-making establishment. 3. A place where cream and milk are sold or prepared for market. 4. [Rare.] The wick of such a place.**

cream'ing, 1 krēm'ing; 2 erēm'ing, n. 1. The rising to the surface of the lighter components of any liquid; specif., the production of cream. 2. The mechanical method of extracting cream from milk. **cream-om'e-ter**, 1 krēm-om'e-ter, n. A graduated glass tube used to measure the amount of cream in a given quantity of milk. [**< CREAM', n. + -METER.]**

cream'y, 1 krēm'i; 2 erēm'i, a. Resembling or containing cream; luscious.—cream'y-ness, n. **crean'et**, 1 krēm'et; 2 erēm'et, n. 1. A small line fastened to the leash of a newly taken hawk. 2. Credit; also, faith. **crean'net**, 1 krēm'net; 2 erēm'net, n. One who has the legal care of another; a guardian. [**< F. créancier, creditor.]**

crean't, 1 krēm't; 2 erēm't, n. [Rare.] Creative, formative. **crear'ant**, 1 krēm'ant; 2 erēm'ant, n. Conqueror; overcomer. **crear'**, 1 krēm'r; 2 erēm'r, n. A Scotch lighter. **crease**, 1 krēz; 2 erēs, v. [**< CREASE; CREAS'ING; I. 1. To make a crease, line, or mark in, as by folding or doubling. 2. To cut a crease or furrow in; in hunting or ranching, to start without killing; specif., to hit with a bullet on one of the upper vertebrae, or so as to cut the muscles of the neck. The ball fired at him by the Canadian had creased his head. MAYNE REID *Wood-Rangers* p. 242. [L. E. P. & Co. 1875.] 3. In cartridge-making, to score or indent (a cartridge) to change the charge in kind; crimp. II. i. 1. To become wrinkled or fall into creases. —crease'ing-ham'ner, n. An implement with rounded edge used in creasing tin and sheet iron. crease', et. & vt. [Prov. Eng.] To increase. crease', n. 1. The mark of a wrinkle, fold, or the like. 2. In the name of cricket, a line indicating the boundaries of a particular space, as the position of a batter or bowler; as, the bowling-crease; popping-crease; return-crease. 3. In lacrosse, a line forming the rectangle enclosing either goal, or the space thus enclosed. 4. [Prov. Eng.] (1) A split. (2) The top of a horse's neck. 5. A rounded file. [Perhaps Cel.; cp. Br. *kriaz, crease.]*** Same as CREAS.

crease'r, 1 krēz'er; 2 erēs'er, n. Any tool for creasing. **Specif.:** (1) In bookbinding, a tool that indents ornamental lines on the backs and sides of book-covers. (2) An implement for turning the rim of a paper cartridge, so as to conform to the charge securely. (3) A sewing-machine attachment by which a crease is made on the work to serve as a guide in stitching. (4) A harness-makers' implement for creasing leather. (5) One of several tools used by sheet-iron workers in bending metal. (6) A blacksmith's fuller. **crease'ing-tool'**.

crease'ing, 1 krēz'ing; 2 erēs'ing, n. 1. The production of a crease. 2. A crease. 3. (1) One or more slightly projecting tiers of brick or the like, capping a wall, chimney, etc., to shed water. (2) An overlapping flange of metal or slate by which a roof or window is rendered water-tight. **crea-sol**, **crea-sot-e**. Same as CREOSOL, CREOSOTE. **creast**, n. 1. A crest.—**creast'ed**, a. Crested. **creas'y**, 1 krēz'i; 2 erēs'i, a. **< F. créasé; containing creases.** **Creas't**, 1 krēz't; 2 erēs't, n. [**< Sp.] 1. A lawyer. An English lawyer and historian; Chief Justice of Ceylon; *Pittica Decisive Battles of the World*, etc.**

creat', 1 krēat'; 2 erēt', n. A riding-master's attendant. [**< F. créat, < It. creatio, pupil, < L. creatus, pp. of, crea, create.]** **creat'**, n. A cultivated annual herb (*Erianthura paniculata*) of the family *Acanthaceae*, of India and Ceylon, but growing wild in the West Indies and Mauritius. **creat-e'**, 1 krēat'e; 2 erēt'e, v. [**< AT-ED; CHE-AT-ING.]** I. 1. To cause to be or to come into existence, especially as distinguished from, or in opposition to, evolution or the modifying of anything already existent. In the beginning God created the heaven and the earth. Gen. i, l. 1. This was her [France's] revenge for the loss of Canada, namely, to create the United States. J. R. SHELLEY *Expansion of England* course i, lect. ii, p. 28. [MACM. 1883.] 2. To produce as a new construction out of existing materials; make a new form out of preexisting substances; produce as a wholly new organization; as, a new science has been created. It is the office of high art to create music out of sound, poetry out of words, beauty out of colors, and form out of matter. J. PULSFORD *Supremacy of Man* bk. ii, ch. 3, p. 84. [H. A.] 3. To be the cause of; produce; occasion; as, the affair created a sensation in the city. 4. To originate the accepted and established treatment of; as, that actor created the rôle of Virginia. 5. To invest with a new rank, dignity, character, or estate; appoint. 6. To beget; bring forth. II. i. 1. To bring something into existence. [**L. crea (pp. creatus), make.] creat'-at'**, **SYD.** See MAKE; PRODUCE. —**creat'a-bil'e**, a.—**creat'e**, a. [Poet.] Created. **creat-i-****creat'ite**, 1 krēat'it; 2 erēt'it, n. Pertaining to or caused by flesh or animal food; as, creatine nausia. [**< Gr. krita (to, flesh.)**

creat-in, 1 krēat'in; 2 erēt'in, n. [**< Sp.] 1. A white crystalline compound (C₄H₇N₃O₂ + H₂O) found in the muscular flesh of mammals, birds,**

“CREATE”

LEGAL DICTIONARY DEFINITIONS

Black's Law Dictionary (1910)

CRAFT

296

CREDIT

vessels. The *Wenonah*, 21 Grat. (Va.) 697; *Reed v. Ingham*, 3 El. & B. 898.

2. A trade or occupation of the sort requiring skill and training, particularly manual skill combined with a knowledge of the principles of the art; also the body of persons pursuing such a calling; a guild. *Ganahl v. Shore*, 24 Ga. 23.

3. Guile, artful cunning, trickiness. Not a legal term in this sense, though often used in connection with such terms as "fraud" and "artifice."

CRANAGE. A liberty to use a crane for drawing up goods and wares of burden from ships and vessels, at any creek of the sea, or wharf, unto the land, and to make a profit of doing so. It also signifies the money paid and taken for the service. *Tomlins*.

CRANK. A term vulgarly applied to a person of eccentric, ill-regulated, and unpractical mental habits; a person half-crazed; a monomaniac; not necessarily equivalent to "insane person," "lunatic," or any other term descriptive of complete mental derangement, and not carrying any implication of homicidal mania. *Walker v. Tribune Co.* (C. C.) 29 Fed. 827.

CRASSUS. Large; gross; excessive; extreme. *Crassa ignorantia*, gross ignorance. *Fleta*, lib. 5, c. 22, § 18.

—*Crassa negligentia*. Gross neglect; absence of ordinary care and diligence. *Hun v. Cary*, 82 N. Y. 72, 37 Am. Rep. 546.

CRASTINO. Lat. On the morrow, the day after. The return-day of writs; because the first day of the term was always some saint's day, and writs were returnable on the day after. 2 *Reeve*, Eng. Law, 56.

CRATES. An iron gate before a prison. 1 *Vent.* 304.

GRAVE. To ask or demand; as to *crave* over. See *OYER*.

GRAVEN. In old English law. A word of disgrace and obloquy, pronounced on either champion, in the ancient trial by battle, proving recreant, *i. e.*, yielding. *Glanville* calls it "*infestum et inverecundum verbum*." His condemnation was *amittere liberam legem, i. e.*, to become infamous, and not to be accounted *liber et legalis homo*, being supposed by the event to have been proved forsworn, and not fit to be put upon a jury or admitted as a witness. *Wharton*.

CREAMER. A foreign merchant, but generally taken for one who has a stall in a fair or market. *Blount*.

CREAMUS. Lat. We create. One of the words by which a corporation in England

was formerly created by the king. 1 *Bl. Comm.* 473.

CREANCE. In French law. A claim; a debt; also belief, credit, faith.

CREANCER. One who trusts or gives credit; a creditor. *Britt. cc.* 28, 78.

CREANSOR. A creditor. *Cowell*.

CREATE. To bring into being; to cause to exist; to produce; as, to create a trust in lands, to create a corporation. *Edwards v. Bibb*, 54 Ala. 481; *McClellan v. McClellan*, 65 Me. 500.

To *create* a charter or a corporation is to make one which never existed before, while to *renew* one is to give vitality to one which has been forfeited or has expired; and to *extend* one is to give an existing charter more time than originally limited. *Moers v. Reading*, 21 Pa. 189; *Railroad Co. v. Orton* (C. C.) 32 Fed. 473; *Indianapolis v. Navin*, 151 Ind. 139, 51 N. E. 80, 41 L. R. A. 344.

CREDENTIALS. In international law. The instruments which authorize and establish a public minister in his character with the state or prince to whom they are addressed. If the state or prince receive the minister, he can be received only in the quality attributed to him in his credentials. They are, as it were, his letter of attorney, his mandate patent, *mandatum manifestum*. *Vattel*, liv. 4, c. 6, § 76.

CREDIBLE. Worthy of belief; entitled to credit. See *COMPETENCY*.

—**Credible person.** One who is trustworthy and entitled to be believed; in law and legal proceedings, one who is entitled to have his oath or affidavit accepted as reliable, not only on account of his good reputation for veracity, but also on account of his intelligence, knowledge of the circumstances, and disinterested relation to the matter in question. *Dunn v. State*, 7 Tex. App. 605; *Territory v. Leary*, 8 N. M. 180, 43 Pac. 688; *Peck v. Chambers*, 44 W. Va. 270, 28 S. E. 706.—**Credible witness.** One who, being competent to give evidence, is worthy of belief. *Peck v. Chambers*, 44 W. Va. 270, 28 S. E. 706; *Savage v. Bulger* (Ky.) 77 S. W. 717; *Amory v. Fellowes*, 5 Mass. 223; *Bacon v. Bacon*, 17 Pick. (Mass.) 134; *Robinson v. Savage*, 124 Ill. 266, 15 N. E. 850.—**Credibility.** Worthiness of belief; that quality in a witness which renders his evidence worthy of belief. After the competence of a witness is allowed, the consideration of his *credibility* arises, and not before. 3 *Bl. Comm.* 369; 1 *Burrows*, 414, 417; *Smith v. Jones*, 63 Vt. 132, 34 Atl. 424. As to the distinction between *competency* and *credibility*, see *COMPETENCY*.—**Credibly informed.** The statement in a pleading or affidavit that one is "credibly informed and verily believes" such and such facts, means that, having no direct personal knowledge of the matter in question, he has derived his information in regard to it from authentic sources or from the statements of persons who are not only "credible," in the sense of being trustworthy, but also informed as to the particular matter or conversant with it.

CREDIT. 1. The ability of a business man to borrow money, or obtain goods on

"Create" Bouvier's Law Dictionary (1934)

COVENANTOR.

254

COVENANTOR. One who becomes bound to perform a covenant.

COVENTRY ACT. The common name for the statute 22 & 23 Car. II. c. 1,—it having been enacted in consequence of an assault on Sir John Coventry in the street, and slitting his nose, in revenge, as was supposed, for some obnoxious words uttered by him in parliament.

By this statute it is enacted that if any person shall, of malice aforethought, and by lying in wait, unlawfully cut or disable the tongue, put out an eye, slit the nose, cut off the nose or lip, or cut off or disable any limb or member, of any other person, with intent to maim or disfigure him, such person, his counsellors, aiders, and abettors, shall be guilty of felony without benefit of clergy. The act was repealed in England by the 9 Geo. IV. c. 31. The provision now in force on this subject is the 24 & 25 Vict. c. 100, § 18; 4 Steph. Com. 80, n.

COVERFEU. See *HORA AURORAE*.

COVERING DEED. See *DEBENTURE*; *DEBENTURE BOND*; *DEBENTURE STOCK*.

COVERT BARON. A wife. So called from being under the protection of her husband, baron, or lord. 1 Bla. Com. 442.

COVERTURE. The condition or state of a married woman.

During coverture the civil existence of the wife is, for many purposes, merged in that of her husband; 2 Steph. Com. 268-272. See *ABATEMENT*; *PARTIES*; *MARRIED WOMEN*.

COVIN. A secret contrivance between two or more persons to defraud and prejudice another in his rights. Co. Litt. 357 b; Comyns, Dig. *Covin*, A: 1 Viner, Abr. 473; 28 Conn. 166. See *COLLUSION*; *DECEIT*; *FRAUD*.

COW. In a penal statute which mentions both cows and heifers, it was held that by the term cow must be understood one that had had a calf. 2 East, P. Cr. 616; 1 Leach 105. See 6 Humph. 285.

COWARDICE. Pusillanimity; fear; misbehavior through fear in relation to some duty to be performed before an enemy. O'Brien, Court M. 142.

By both the army and navy regulations of the United States this is an offence punishable in officers or privates with death, or such other punishment as may be inflicted by a court-martial; Rev. Stat. §§ 1342, 1624.

CRAFT. Art or skill; dexterity in particular manual employment, hence the occupation or employment itself; manual art; a trade. Webster.

This word is also now applied to all kinds of sailing vessels. 21 Gratt. 693. See 23 L. J. Rep. 156; 3 El. & Bl. 888.

CRANAGE. A toll paid for drawing merchandise out of vessels to the wharf: so called because the instrument used for the purpose is called a crane. 8 Co. 46.

CRANK. Some strange action; a caprice; a whim; a crotchet; a vagary.

Violent of temper; subject to sudden cranks. Carlyle. The word has no necessarily defamatory sense; 29 Fed. Rep. 827.

CRASTINUM, CRASTINO (Lat. tomorrow). On the day after. The return day of writs is made the second day of the term, the first day being some saint's day, which gives its name to the term. In the law Latin, *crastino* (the morning, the day after) would then denote the return day. 2 Reeve, Hist. Eng. Law 56. In the United States the return day is the first day of the term.

CRAVE. To ask; to demand. The word is frequently used in pleading: as, to crave oyer of a bond on which the suit is brought; and in the settlement of accounts the accountant-general craves a credit or an allowance. 1 Chit. Pr. 520. See *OYER*.

CRAVEN. A word denoting defeat,

and begging the mercy of the conqueror.

It was used (when used) by the vanquished party in trial by battle. Victory was obtained by the death of one of the combatants, or if either champion proved recreant,—that is, yielded, and pronounced the horrible word "*craven*." Such a person became infamous, and was thenceforth unfit to be believed on oath. 3 Bla. Com. 340. See *WAGER OF BATTLE*.

CREANCE. In French Law. A claim; a debt; also belief, credit, faith. 1 Bouvier, Inst. n. 1040.

CREANSOR. A creditor. Cowel.

CREATE. To create a charter is to make an entirely new one, and differs from renewing, extending, or continuing an old one. 21 Fa. 188; 1 Gilm. 672; 16 Barb. 188. See 65 Me. 500; 45 Vt. 154.

CREDENTIALS. In International Law. The instruments which authorize and establish a public minister in his character with the state or prince to whom they are addressed. If the state or prince receive the minister, he can be received only in the quality attributed to him in his credentials. They are as it were his letter of attorney, his mandate patent, *mandatum manifestum*. Vattel, liv. 4, c. 6, § 76.

CREDIBILITY. Worthiness of belief. The credibility of witnesses is a question for the jury to determine, as their competency is for the court; Best, Ev. § 79; 1 Greenl. Ev. §§ 49, 425; Tayl. Ev. 1257.

CREDIBLE WITNESS. One who, being competent to give evidence, is worthy of belief. 5 Mass. 229; 17 Pick. 154; 2 Curt. Eccl. 336.

In deciding upon the credibility of a witness, it is always pertinent to consider whether he is capable of knowing thoroughly the thing about which he testifies; whether he was actually present at the transaction; whether he paid sufficient attention to qualify himself to be a reporter of it; and whether he honestly relates the affair fully as he knows it, without any purpose or desire to deceive, or to suppress or aid to the truth.

In some of the states, wills must be attested by credible witnesses. In several of the states, *credible witness* is used, in certain connections, as synonymous with *competent witness*, and in Connecticut, in a statute providing for the certification of copies of records, it refers to a witness giving testimony under the sanction of the witness's oath; 20 Conn. 416; 18 Ga. 40; 2 Ball. 24; 9 Pick. 360; 12 Mass. 368; 88 Ky. 350; 58 N. H. 8; Jarm. Wills 124.

CREDIT. The ability to borrow, on the opinion conceived by the lender that he will be repaid.

A debt due in consequence of a contract of hire or borrowing of money.

The time allowed by the creditor for the payment of goods sold by him to the debtor.

That which is due to a merchant, as distinguished from debit, that which is due by him.

That influence connected with certain social positions. 20 Toullier, n. 19.

In a statute making credits the subject of taxation, the term is held to mean the excess of the sum of all legal claims and demands, whether for money or other valuable thing, or for labor or services, due or to become due to the person liable to pay taxes thereon, when added together (estimating every such claim or demand at its true value in money) over and above the sum of all legal *bona fide* debts owing by such person; 37 Ohio St. 123.

See, generally, 5 Taunt. 938; 8 N. Y. 344; 24 id. 64, 71; 51 Cal. 243.

As to the "full faith and credit" to be given in one state to the records, etc., of another state, see *FOREIGN JUDGMENTS*; *CONFLICT OF LAWS*.

CREDIT, BILL OF. See *BILL OF CREDIT*.

CREDITABLE. The word "credible" in the statute, requiring a will to be attested by two creditable witnesses, is used in the sense of "competent." 101 Ky. 64, 39 S. W. 520.

CREDITOR. He who has a right to require the fulfillment of an obligation or contract.

A person to whom any obligation is due. 37 N. J. L. 300. See 2 Root 261.

Preferred creditors are those who, in consequence of some provision of law, are en-

titled to some special privilege in the order in which their claims are to be paid.

See *FOREIGN CREDITOR*; *JOINT AND SEVERAL CREDITOR*.

CREDITOR, JUDGMENT. One who has obtained a judgment against his debtor, under which he can enforce execution.

CREDITORS' BILL. A bill in equity, filed by one or more creditors, for the purpose of collecting their debts out of assets, or under circumstances as to which an execution at law would not be available. They are usually filed by and on behalf of him or themselves and all other creditors who shall come in under the decree. They may be either against the debtor in his lifetime or for an account of the assets and a due settlement of the estate of a decedent.

They are divided by Bispham into two classes, numbered in the order here stated. In bills of what he terms the second class, or those which in effect seek for the administration of a decedent's estate, the usual decree against the executor or administrator is *quod computet*; that is to say, it directs the master to take the accounts between the deceased and all his creditors, and to cause the creditors, upon due public notice, to come before him to prove their debts at a certain place and within a limited time; and it also directs the master to take an account of all the personal estate of the deceased in the hands of the executor or administrator, and the same to be applied in payment of the debts and other charges in a due course of administration; 1 Story, Eq. Jur. 546-549.

Generally speaking, this jurisdiction has been transferred to probate courts in most of the states, but in some states the original jurisdiction of equity over the administration of estates remains unbridged by the statutes and concurrent with that of probate courts. These states are Alabama, Illinois, Iowa, Kentucky, Maryland, Mississippi, New Jersey, North Carolina, Rhode Island, Virginia, and the District of Columbia, and this rule also applies in the federal courts. In certain other states the jurisdiction of the probate courts is virtually exclusive. These states are Connecticut, Indiana, Maine, Massachusetts, Michigan, Nebraska, Nevada, New Hampshire, Oregon, and Pennsylvania. In some other states the equitable jurisdiction is ancillary and corrective. These states are Arkansas, California, Georgia, Kansas, Missouri, New York, Ohio, South Carolina, Tennessee, Texas, Vermont, and Wisconsin. This classification, which is given in 3 Pom. Eq. Jur. § 1154, is said to be a rough grouping with still considerable diversity among the individuals composing each class.

Creditors' suits of the other class are brought while the debtor is living and for the collection of a debt against him. This jurisdiction had its origin in the inadequacy of common-law remedies by writs of execution. These writs at common law often did not extend to estates and interests which were equitable in their nature, and creditors' suits were therefore permitted to be brought where the relief at common law by execution was ineffectual, as for the discovery of assets, to reach equitable and other interests not subject to levy and sale at law, and to set aside fraudulent conveyances.

Statutes in England and America have extended the common-law remedies and provided adequate legal relief in many cases where formerly a resort to equity was necessary; Pom. Eq. Jur. § 1415.

The jurisdiction of a court of chancery in suits brought by judgment creditors to enforce the collection of their judgments, after having exhausted their remedy at law, although it may have previously existed, is in some states expressly declared and particularly defined by statutes.

Before a creditor can resort to the equitable estate of his debtor, he must first obtain judgment and seek to collect the debt by execution; exhausting his remedy at law; 140 U. S. 106; 99 id. 398; 111 id. 110; 52 Ill. 98; 80 id. 79; 44 Ga. 466; and it must appear that a judgment has been re-

“MONOPOLY”

ENGLISH-LANGUAGE DICTIONARY DEFINITIONS

"Monopoly" The Century Dictionary and Cyclopaedia (1904)

monopolical

I wish, according to the decree of Ubius, that whoeuer is an enemy to our peace, and seeketh, either by getting monopolical patents or by forging unjust tales, to hinder our welfare, that his house was pulled downe.

Quoted in Capt. John Smith's Works, II. 58.

monopolisation, monopolise, etc. See *monopolization*, etc.

monopolist (mō-nop'ō-list), *n.* [= Sp. Pg. *It. monopolista*; as *monopol-y* + *-ist*.] 1. One who monopolizes or possesses a monopoly; one who has exclusive command or control of any branch of trade or article of commerce; specifically, a buyer up of the whole of a commodity in market for the purpose of selling at an advanced price; one having a license or privilege granted by authority for the sole buying or selling of any commodity. See *monopoly*.—2. One who obtains, assumes, or occupies anything to the exclusion of others: as, a *monopolist* of advantages.

monopolistic (mō-nop-ō-lis'tik), *a.* [*< monopolist* + *-ic*.] Relating to a monopoly or to a system of monopolies; of a kind promoted by monopoly; existing for the maintenance of a monopoly: as, *monopolistic* abuses; a *monopolistic* corporation.

monopolitane (mon-ō-pol'i-tān), *n.* [As *monopolite* + *-an*, after the erroneously assumed analogy of *cosmopolitan*, etc.] A monopolist.

Hee was no diving politician, Or project-seeking monopolitian.

John Taylor, Works (1630). (Nares.)

Monopolitans of starch, tin, fish, cloth, oil, vinegar, salt, and what not. Quoted in *Oliver's* Sir Walter Raleigh.

monopolite (mō-nop'ō-lit), *n.* [*< monopoly* + *-ite*, after the erroneously assumed analogy of *cosmopolite*.] Same as *monopolist*.

You marchant Mercers, and Monopolites, Gain-greedy Chap-men, perur'd Hypocrites.

Sylvester, tr. of Du Bartas's Weeks, l. 3.

monopolization (mō-nop'ō-lī-zā'shŋn), *n.* [*< monopolize* + *-ation*.] The act or process of monopolizing. Also spelled *monopolisation*.

monopolize (mō-nop'ō-līz), *v.* *t;* pret. and pp. *monopolized*, ppr. *monopolizing*. [= *F. monopoliser* = Sp. *monopolizar* = Pg. *monopolizar*; as *monopol-y* + *-ize*.] 1. To obtain a monopoly of; have an exclusive right of trading in: as, to *monopolize* all the corn in a district.

The Arabs have a law that, if three camels depart at the same time, the convent shall be obliged to pay thirty piasters: which I suppose is designed to prevent any one Arab with several camels *monopolizing* the whole business of conveying the monks.

Poore, Description of the East, I. 159.

2. To obtain or engross the whole of; obtain exclusive possession of.

As if this age had monopolized all goodness to itself.

Gold alone does Passion move, Gold monopolizes Love!

Cowley, Anacreontics, vii.

Also spelled *monopolise*.

monopolizer (mō-nop'ō-lī-zēr), *n.* Same as *monopolist*, especially in sense 2: as, a *monopolizer* of conversation. Also spelled *monopoliser*.

Those senseless monopolizers of time that form the court of a duke. Shelley, in Dowden, I. 304.

monopoly (mō-nop'ō-lī), *n.*; pl. *monopolies* (-līz). [= *F. monopole* = Sp. Pg. *It. monopolio*, *< L. monopolium*, *< Gr. μονοπώλιον*, a right of exclusive sale, *μονοπωλία*, exclusive sale, monopoly, *< μόνος*, sole, + *πωλειν*, barter, sale.] 1. An exclusive privilege to carry on a traffic.

Monopolies are much the same offence in other branches of trade that engrossing is in provisions, being a license or privilege allowed by the king for the sole buying and selling, making, working, or using of any thing whatsoever; whereby the subject in general is restrained from that liberty of manufacturing or trading which he had before.

Blackstone, Com. (ed. Waine), IV. 159.

2. Specifically, in *Eng. constitutional hist.*, and hence sometimes in *Amer. law*, such an exclusive privilege when granted by the crown or state to an individual, association, or corporation, for the sake of the pecuniary advantage of its exclusiveness. A privilege not granted by the state, but secured by buying up the article, is termed by the English law *engrossing*. The legal objection to a monopoly, in this sense of the word, is that it can be secured only by forbidding all other citizens except the favored grantee to exercise a common-law right. Exclusive privileges granted by the state to a limited number of persons for the sake of enabling the state the better to regulate the traffic for the protection of the rest of the community, as in case of banking franchises, liquor traffic, etc., are not deemed monopolies, although the same privileges would be, if conferred on a single or a very few grantees, for the sake of the pecuniary benefit to them. So the exclusive privileges conferred on inventors and authors, by the patent and copyright laws, for the sake of the encouragement of the arts and literature, and extending only to articles originally devised under that encouragement, are not deemed mono-

monorhine



Monopteron.— Temple of Vesta at Tivoli, near Rome.

Monopterus (mō-nop'te-rus), *n.* [NL. (of *Gr. μονόπτερος*, lit. having one wing (see *monopteron*), *< Gr. μόνος*, single, + *πτερόν*, a wing.) The typical genus of *Monopteridae*, containing anguilliform or eel-like fishes whose fin-system is reduced to a continuous marginal membrane around the tail. *M. javanicus* is a common fish of the Indian archipelago, about 3 feet long.

monopterygian (mō-nop-te-rij'i-an), *a.* and *n.* *I. a.* Pertaining to the *Monopterygi*, or having their characters.

II. n. A monopterygian fish.

Monopterygi (mō-nop-te-rij'i-i), *n. pl.* [NL. *< Gr. μόνος*, single, + *πτερυξ* (*πτερυγ*-), fin.] Fishes whose fins are reduced to one. Block and Schneider.

monoptote (mon'op-tōt), *n.* [= *F. monopote*, *< LL. monopotus* (in neut. pl. *monoptota*), *< LGr. μονόπτερος*, with but one case, *< Gr. μόνος*, single, + *πτερος* (*πρωτ*-), case, *< πίπτειν*, fall.] In *gram.*, a noun or an adjective having but one case-form. A monoptote may be (a) a word with only one case in use, or (b) a word with but one case-form which may be used for several or for all cases.

monopus (mon'ō-pus), *n.* [NL. *< Gr. μόνπους*, one-footed, *< μόνος*, single, + *πούς* (*πόδ*-) = *E. foot*.] In *teratol.*, a monster having but a single foot or hind limb.

Monopylae (mon-ō-pil'ē-ē), *n. pl.* [NL. *< Gr. μόνος*, single, + *πύλη*, a gate.] A division of *Phaeodaria*, containing those phaeodarians which have only one pseudopodial opening: opposed to *Amphipyloae*.

monopylean (mon-ō-pil'ē-an), *a.* and *n.* [As *Monopylae* + *-an*.] *I. a.* Having one pore or pseudopodial opening; pertaining to the *Monopyloae*, or having their characters.

II. n. A monopylean radiolarian.

monopyrenous (mon'ō-pī-rē-nūs), *a.* [= *F. monopyrene*, *< Gr. μόνος*, single, + *πυρήν*, the stone of a fruit.] In *bot.*, having but one outlet or stone.

monorchid (mo-nōr'kid), *a.* [*< monorchis*, after *orchid*.] Having only one testicle; exhibiting or characterized by monorchism.

monorchis (mo-nōr'kis), *n.*; pl. *monorchides* (-ki-dēs). [*< Gr. μόνος*, single, + *ὄρχις*, testicle.] An animal or a person having only one testicle.

Monorchides, as they are called, have been known to be prolific. A. S. Taylor, Medical Jurisprudence, p. 726.

monorchism (mo-nōr'kizm), *n.* [As *monorchis* + *-ism*.] The presence of only one testicle.

monorganic (mon-ōr-gan'ik), *a.* [*< Gr. μόνος*, single, + *ὄργανον*, organ: see *organic*.] Pertaining to or affecting one organ or set of organs.

Monorhina (mon-ō-rī'nā), *n. pl.* [NL. *< see monorhine*.] A primary division of the *Vertebrata*, or other major group of vertebrates, represented by the *Marsipobranchii* (*Cyclostomi* or roundmouths), the lampreys and hags (*Hyperotreta* and *Hyperoartia*), in which the nasal passage is single: distinguished from all other cranial vertebrates, or *Amphirhina*. Also, more correctly, *Monorrhina*.

monorhinal (mon'ō-rī-nal), *a.* [*< monorhine* + *-al*.] Having the nostril single; monorhine.

monorhine (mon'ō-rīn), *a.* and *n.* [*< Gr. μόνος*, single, + *ῥίς* (*ῥιν*-), the nose.] *I. a.* Having but one nasal passage; single-nostriled: specifically applied to the *Monorhina*.

līa. Both these classes of grants have, however, been condemned by some as partaking of the character of monopolies.

If any man, out of his own wit, industry, or endeavour, find out anything beneficial to the Commonwealth, or bring out any new invention which every subject of this kingdom may use, yet, in regard of his pains and travel therein, her Majesty perhaps is pleased to grant him a privilege to use the same only, by himself or his deputies, for a certain time. This is one kind of *Monopoly*. Sometimes there is a glut of things, when they be in excessive quantity, as perhaps of corn; and perhaps her Majesty gives licence of transportation to one man. This is another kind of *Monopoly*. Sometimes there is a scarcity or a small quantity, and the like is granted also.

Bacon, in E. A. Abbott's Account of his Life and Works.

I will have no private monopolies, to enrich one man, and beggar a multitude.

Burton, Anat. of Mel., To the Reader, p. 68.

He thinks he can never trade to his advantage unless he can have the monopoly of everything he values. South.

3. In *polit. econ.*, and as used in a general sense in law, such an exclusive privilege to carry on a traffic, or deal in or control a given class of articles, as will enable the holder to raise prices materially above what they would be if the traffic or dealing were free to citizens generally. In this sense, that exclusive control of a particular kind of product which results from the legitimate ownership of the only land from which it can be obtained, as in the case of some mineral waters, or earths, or ores, is sometimes spoken of as a *natural monopoly*, in contrast to the artificial monopolies created by state grant. See *virtual monopoly*, below.

4. That which is the subject of a monopoly: as, in Bengal opium is a *monopoly*.—5. The possession or assumption of anything to the exclusion of other possessors: thus, a man is popularly said to have a *monopoly* of any business of which he has acquired complete control.

Jonson, who, by studying Horace, had been acquainted with the rules, yet seemed to envy to posterity that knowledge, and to make a *monopoly* of his learning.

Dryden, tr. of Juvenal, Ded.

Caleb hain't no monopoly to court the sceneroetas.

Lovell, Biglow Papers, 1st ser., ii.

6. Loosely, a company or corporation which enjoys a monopoly.—**Monopoly Act**, an English statute of 1825 (21 Jac. I. c. 2), declaring all monopolies for the manufacture, sale, or use of anything to be void, excepting to inventors their patent rights. Also known as the *Statute of Monopolies*.—**Virtual monopoly**, a term in constitutional law and the history of legislation (the appropriate applications of which have been much contested) used to characterize a business which, though not declared by law to be a monopoly or exclusive franchise protected as such, as by a patent or an exclusive charter, is yet so related to the great channels and currents of commerce that the allowing of it to enjoy the same protection as other private property and business secures to it indirectly exclusive advantages substantially equivalent to a legal monopoly. Thus the great grain-elevators of modern commerce, although erected as private property on private lands, if by their situation they have exclusive advantages for the transfer of grain from vessels at the wharf to the railroad terminus of a trunk-line, are said to constitute a *virtual monopoly*, because, if not subjected to a legislative power to restrict their charges such as other private property and business are not subjected to, they might be conducted in a manner oppressive to commerce.

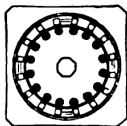
monopolyloguet (mon-ō-pol'i-log), *n.* [*< Gr. μόνος*, single, + *πολύλογος*, much talking, *< πολύς*, many, much, + *λέγειν*, speak.] An entertainment in which a single actor sustains many characters. *Brande*.

monoprioidian (mon-ō-pri-ō-nid'i-an), *a.* [*< Gr. μόνος*, single, + *πρίω*, a saw (*< πρίειν*, saw), + *-ίδιον*, dim. suffix, + *-an*.] Having small uniserial serrations; uniserrulate: specifically applied to those graptolites or rhabdoporous coelenterates which have the cells or hydrothecae in a single row: opposed to *diprioidian*.

monopteral (mō-nop'te-ral), *a.* [*< monopteron* + *-al*.] 1. In *arch.*, formed as a monopteron.—2. In *zool.*, having a single fin, wing, or alate part.

Monopteridae (mon-op-ter'i-dē), *n. pl.* [NL. *< Monopterus* + *-idae*.] A family of splanchniate teleostean fishes, typified by the genus *Monopterus*, having the shoulder-girdle directly connected with the skull, and the abdominal and caudal regions of the body excessively elongated.

monopteron, monopteros (mō-nop'te-rōn, -rōs), *n.* [= *F. monopière* = Sp. *monopterio*, *< L. monopteros*, *< Gr. μονόπτερος*, with only one row of pillars, *< μόνος*, single, + *πτερόν*, a wing, a row of columns along the sides of a Greek temple.] In *arch.*, a type of temple or portico, usually with an inclosed circular cells, composed of columns arranged in a circle and supporting a cupola or a conical roof.



Plan of Monopteron.

"Monopoly" The Oxford English Dictionary (1933)

† **Monopolítan.** *Obs.* [Formed as **MONOPOLITE** + **-AN**.] A monopolist.

1601 MARTIN in D'Ewes *Yrnl.*, *Parli. Eliz.* (1682) 646 The Monopolitians of Starch, Tinn, Fish, Salt, and I know not what. 1607 COKE *Chargt at Norwich Assizes* 41 Unto whom is rightly joynd a Promoter, a Monopolitian, and an Alcumist. 1630 J. TAYLOR (Water P.) *Wks.* II. 342/1 Hee was no duing Politician, Or project-seeking Monopolitian. Hence † **Monopolítan**, in the same sense.

1630 J. TAYLOR (Water P.) *Navy of Landships* *Wks.* I. 78/1 It serves for the Dyet of Project-mongers, Monopolítanians and diligent Sute-joggers.

† **Monopolíte.** *Obs.* [f. **MONOPOLE**¹ or **MONOPOLY** + **-ITE**¹.] A monopolist.

1591 SYLVESTER *Du Bartas* I. lii. 522 You Marchant Mercers, and Monopolites. 1599 T. M[OURET] *Silkwormes* 58 To keepe out fell and black Monopolites, The Myrmedonian crue [referring to ants]. 1616 R. CARPENTER *Christ's Larnum bell* 58 Monopolites, ingrossers, regraters.

So **Monopolítical a. (nonce-wd.)**, interested in monopolies.

1860 W. H. RUSSELL *Diary in India* I. 9 'The confounded public', as that large and respectable body is frequently styled in the privacies of official and monarchical life.

Monopolization (*mɒnəˈpɒlɪzəɪʒən*). [f. next + **-ATION**.] The action of the verb **MONOPOLIZE**; the process of monopolizing or the condition of being monopolized.

1777 A. HAMILTON *New Acc. E. Ind.* II. xlvii. 155, I advised him to take Protection from the Dutch, and allow them the Monopolization of the Trade of this Country. 1791 NEWT *Tour Eng. & Scot.* 391 The immoderate extension of sheep walks, and that spirit of territorial monopolization which prevails... in Scotland. 1878 N. ANSER *Rev.* CXXVI. 524 The swarm of Chinese... and their monopolization of many branches of industry. 1879 H. GOSWAMI *Progr. & Pov.* v. ii. (1881) 261 The monopolization of land that went on in England during the reign of Henry VIII.

Monopolize (*mɒnəˈpɒlɪz*), *v.* [f. **MONOPOLE**¹ or **MONOPOLY** + **-IZE**. Cf. **F. monopoliser**.]

1. *trans.* With reference to commerce: To get into one's hands the whole stock of (a particular commodity); to gain or hold exclusive possession of (a trade); to engross.

Now tending to be felt as merely a contextual application of sense 2; the use with a saleable commodity as obj. is consequently almost obsolete. In early use often, † to *monopolize into* (one's hands); also † *const. from*.

1611 COTGR., *Monopole*, Monopoled, or monopolized; . ingrossed, as a commodity, into one, or a few mens hands. 1615 in *Buccleuch MSS.* (Hist. MSS. Comm.) I. 169 The Hollanders would engross this merchandise, and monopolize it from all mankind. 1625 BERNARD *Isle of Man* (1627) 173 Covetousnesse... hath monopolized commodities into his hands, enhanced the prices of things [etc.]. 1653 in RYMER *Fadera* (1735) XX. 644 To endeavour thereby to Monopolize all Trade into your Hands, and to exclude all other Nations. a 1704 T. BROWN *Walk round Lond., Upon Computers* *Wks.* 1703 III. li. 54 Another [man]... marches from one side of the Ward to another, as if he was just going to the Exchange, to monopolize the Commodities of both the Indies. 1783 JUSTAMOND *Tr. Raynal's Hist. Indies* I. 144 The Arabians... repaired in crowds to these celebrated islands, the productions of which they had already monopolized. 1817 JAS. MILL *Brit. India* II. vii. 254 If the trade was... monopolized and engrossed by a combination. 1854 BARDHAM *Haldieu*, 470 The Emperor of all the Russias used to monopolize the dispenser helops... to supply himself... with... civiare. 1878 BOSW. SMITH *Carthage* 27 Those who monopolised the commerce of the countries where alone the citron tree grows. 1879 H. GEORGE *Progr. & Pov.* vi. ii. (1881) 205 Land... the source of all wealth and the field of all labor, is monopolized.

† **b. absol. or intr.** To have a monopoly. *Obs.* 1622 BACON *Hen. VII* 163 There passed a Law... for Monopolizing and exacting upon the Trade. 1714 C. JOHNSON *Country Lass* I. i. Lond. on... Sate his chief residence; he picks up a vagabond soul or two now and then with us, but he monopolizes there.

2. *transf. and fig.* To obtain exclusive possession or control of; to get or keep entirely to oneself. † **Const.** to (oneself), *from* (another).

1628 PRYNNE *Brief Surv.* Epist. The envious... caulls of some peevish Duines, who would monopolize Duinity to themselves alone. 1655 COWLEY *Acad.* vii. Gold alone does Passion move, Gold monopolizes Love. 1659 T. PECKE *Pernassus Puer*, 38 Nor shall mute Fish, the Sea Monopolize. 1668 R. STEELE *Husbandman's Calling* x. (1672) 250 When you suffer the world to monopolize your hearts from God, then the right use of the world is perverted. a 1714 M. HENRY *Layman's Reasons* *Wks.* 1835 II. 549/1, I cannot monopolize the Church; it is narrow enough, I dare not make it narrower. 1762 H. WALPOLE *Verbe's Anecd. Faint.* (1765) III. 44 note, Descamps says, that Lely growing jealous of Roestran, proposed to him a partition of the art; portraits were to be monopolized by Lely. 1778 MISS BURNEY *Evelina* vi. She is a little angel! I cannot wonder that you sought to monopolize her. 1838 DICKENS *Nich. Nick*, xix. This fellow, Hawk, is monopolizing your nice. 1861 F. METCALFE *Oxonian in Iceland* vii. (1867) 114 A title now monopolized in England by Knights and Barons. 1886 *Sk. Jr. Acad. Life* 62 Dr. Johnson was allowed to monopolize conversation as he did, because his sagacity was admitted to be enormous. 1889 A. R. WALLACE *Derivation* 27 The progeny of any one species would, if allowed to increase unchecked, alone monopolize the land.

Hence **Monopolized ppl. a.**

1783 JEFFERSON *Writ.* (1839) II. 540 We participate now of a monopolized, instead of an open market. 1845 *Encycl. Metrof.* VI. 175/1 Any... monopolized commodity. 1894 C. N. ROBINSON *Brit. Fleet* 18 The advantages of monopolized commerce.

Monopolizer (*mɒnəˈpɒlɪz*), *v.* [f. **MONOPOLE**¹ + **-ER**¹.] One who monopolizes.

1629 GAULLE *Holy Matn.* 389 Now an Ingrosser... now an Haberdasher of small wares... nay worse than these... a Monopolizer. 1651 G. W. tr. *Comed's Inst.*, 283 Monopolizers, who were called Ingressors, Fore-sallers, and Regrators, . . . and many others who are punishable by Imprisonment and the Pillory. 1668 CHARLETON, etc. *Ephes. & Civinu. Matrons* II. Pref. I am no Monopolizer of such Commodities. 1734 FIELDING *Univ. Gallant* iv. *Wks.* 182a X. 95, I wonder he escapes being destroyed by the men as a monopolizer [of the women]. 1760 CHRYM. in *Ann. Reg.* 96 Some Armenians... bought up great quantities of grain. . . Several monopolizers have been put to death. 1769 MRS. F. BROOKE *Hist. Emily Montague* 173/1 IV. 47, I am a most intolerable monopolizer of the sex; in short, I have very little relish for any conversation but theirs. 1812 *Examiner* 25 May 327/1 The... avarice of an hard-hearted monopolizer. a 1864 BUCKLE *Civiliz.* (1869) III. ii. 88 The nobles... were, at that period, the monopolizers of political power. 1877 F. A. S. HEWITT in *Raymond Statist. Mines & Mining* 372 It is the fashion to denounce these corporations as monopolizers. 1879 H. GEORGE *Progr. & Pov.* v. ii. (1881) 259 The extent to which the monopolizers of land, can, in rent, levy tribute upon the earnings of labor.

Monopolizing, *vbl. sb.* [f. **MONOPOLIZE** *v.* + **-ING**¹.] The action of the *vb.* **MONOPOLIZE**; monopolization.

a 1617 HIERON *Wks.* (1619) II. 487 An opinion will be had that that man seeks the raising of his own esteeme out of others blemishes, and the engrossing and monopolizing of all respect and reverence to himselfe. 1622 MISSELDEN *Tree Trade* (ed. 2) 54 Some think that the reducing of trade into Order and Government, is a kind of Monopolizing and restraint of trade. 1712 M. HENRY *Life P. Henry* *Wks.* 853 II. 714/1 This monopolizing of the great ordinance of baptism. 1747 MRS. DELANY in *Life & Corr.* (1861) II. 473 She has many friends that wish to have a share of her company, and as I am no friend to monopolizing, I can't and must not murmur at their enjoying a pleasure I am so sensible of. 1902 S. SMITH *Life Work* xvi. 149 All poverty and suffering arose from the monopolizing of land by private owners.

attrib. 1792 A. YOUNG *Trav. France* 73 These people have the true monopolizing idea. 1818 H. HAM *Mid. Ages* ix. ii. (1819) III. 536 The discontents... resulted from the monopolizing spirit of their corporations, who oppressed all artisans without the pale of their community. 1837 — *Hist. Lit.* I. i. iii. § 56 With that true love of letters which scorns the monopolizing spirit of possession, Lorenzo permitted his manuscripts to be freely copied for the use of other parts of Europe.

Monopolizing, *ppl. a.* [**-ING**².] That monopolizes; having a monopoly.

1797 BURKE *Lett. Affairs Irel.* *Wks.* IX. 460 A small monopolizing junto. 1825 COBBETT *Rur. Rides* 407 This canting son of the monopolizing sect. 1854 H. MILLER *Sch. & Scienc.* (1858) 75 A wall erected by some monopolizing proprietor of the neighbouring lands. 1869 LANDRETH *Life A. Thomson* i. 17 The stir has been diverted to the monopolizing railway. 1891 *Athenum* 24 Oct. 542/2 [Prof. Marshall pleads] for the collective good against the too pertinacious individualism of monopolizing capitalists.

† **Monopolous, a. Obs. rare**—1. [f. **MONOPOLE** + **-OUS**.] Monopolistic.

a 1628 F. GREVILLE *Sidney xv.* (1652) 203 She never was... overladen with any such excesses in her Person, or defence in her Government, as might constitute her to support, or be supported by a monopolous use of favourites.

Monopoly (*mɒnəˈpɒli*). [*ad. late L. monopolium*, a. Gr. *μονοπώλιον* (also *-πωλία*), f. *μόνος* MONO- + *πῶλη* -*ION* to sell. Cf. **MONOPOLE** *sb.*]

1. Exclusive possession of the trade in some article of merchandise; the condition of having no competitor in the sale of some commodity, or in the exercise of some trade or business.

1534 MORE *Treat. Passion* *Wks.* 1393/4 He knoweth... that of all the disciples, there would none be so false a traitour... but him selfe alone. And therefore is thus ware Judas all in thynne owne hand. Thou haste a monopoly thereof. 1551 ROBINSON *tr. More's Utop.* I. (1895) 58 Suffer not this ryche men to buy vp all, to ingrosse and forstalle, and with their monopolye to kepe the market alone as please them. 1625 BACON *Ess.*, *Riches* (Arb.) 239 Monopolies, and Coemption of Wares for Resale, . . . are great Means to enrich; especially, if the Parties haue Intelligence, what Things are like to come into Request, and so store Himselfe before hand. 1648-58 HEXHAM, *Fockeria*, a Monopole, or an Engrossement of all sorts of Wares and Commodities. 1774 BURKE *Sp. Amer. Tax.* Sel. *Wks.* I. 102 You have, in this kingdom, an advantage in Lead, that amounts to a monopoly. a 1850 CALHOUN *Wks.* (1874) III. 112 This hostility terminated in breaking down the exclusive monopoly of the Bank of England, and narrowing greatly the specie basis of its circulation. 1861 M. PATTON *Ess.* (1889) I. 41 In the reign of Edward III [German traders] had a practical monopoly of the carrying trade.

b. In generalized sense. (In 17th c. often, † the crime of 'engrossing'.)

1601 J. WHEELER *Treat. Comm.* 65 Setting also price before hand of that which they sell, and of that which they buy, and so committing open Monopoly. 1666 HOLLAND *Svelton*, Annot. 24/2 Who knoweth not that Monopoly is, when one engrosseth some commodity into his owne hands, that none may sell the same but himselfe or from him? 1622 MISSELDEN *Free Trade* 57 Monopoly is a kind of Commerce, in buying, selling, changing or bartering, vsurped by a few, and sometimes but by one person, and forestalled from all others, to the gaine of the Monopolist, and to the Detriment of other men. 1727-41 CHAMBERS *Cycl.*, *Monopoly*, . . . an unlawful kind of traffic, when one or more persons make themselves sole masters of any commodity, trade, manufacture, or the like, with design to enhance its price; those who have occasion for it being obliged to purchase it at their hands, and on their own terms. 1793 BENTHAM *Emancipate your Colonies* *Wks.* 1843 IV. 412 Monopoly, that is, exclusion of customers, has certainly no tendency to produce increase of the number of traders.

2. An exclusive privilege (conferred by the sovereign or the state) of selling some commodity or trading with a particular place or country.

1596 DRAYTON *Legends* iii. 517 Then daily beg'd I great Monopolies. 1601 B. JONSON *Poetaster* v. iii. Thou [sc. an actor] shalt have a monopoly of playing, confirm'd to thee and thy couey, vnder the Emperours broad scale, for this seruice. 1604 R. CADDREY *Table Alph.*, *Monopolie*, a licence that none shall buy or sell a thing, but one alone. c 1605 ROWLEY *Birth Myster.* v. ii. Take hence. To be shown up and down at fairs and markets, Two pence apiece. To see so foul a monster Will be a fair monopoly and worth the begging. 1620 MIDDLETON *Chaste Maid* v. iii. I would not have my cruelty so talk'd on To any child of mine for a monopoly. 1640 HABBINGTON *Queen of Arragon* v. F 2 b. 'Cause one of Oberons Groomes had got from her The Monopoly of transporting gnats. 1641 Remonstr. *State Kingd.* 9 The Monopolies of Sope, Salt, Wine, Leather, Sea-Cole, and, in a manner, of all things of most common and necessary use. 1753 HANWAY *Trav.* (1760) I. v. li. 320 Monopolies, or exclusive privileges, are generally ungrateful to the people of a free state. 1831 SIR J. SINCLAIR *Corr.* II. 249 The Public Revenue [of Russia], is likely to increase, particularly the customs, and the farm, or monopoly of brandy. 1831 MACAULAY *Ess.*, Bacon (1897) 361 Raleigh held a monopoly of cards, Essex a monopoly of sweet wines. 1845 STOCQUELER *Handb. Brit. India* (1854) 260 The finest salt in India is manufactured on the coast of Cuttack, yielding the Government a revenue little short of eighteen lacs of rupees, when the East-India Company possessed a monopoly of the manufacture of that necessary of Hindoo life. 1872 VEATS *Growth Comm.* 214 They [the Dutch] secured a monopoly of trade with Japan which lasted throughout the modern period. 1875 *Encycl. Brit.* III. 650/2 The monopoly of the right to print the Bible in England is still possessed by the Universities of Oxford and Cambridge, and her Majesty's printer for England. 1878 LEICKY *Eng. in 18th C.* I. i. 122 The Assiento treaty, by which England obtained the monopoly of the slave-trade to the Spanish Colonies.

3. *transf. and fig.* (often with conscious metaphor). Exclusive possession, control, or exercise of something.

1643 SIR T. BROWNE *Relig. Med.* ii. § 3, I make not my head a grave, but a treasure of knowledge. I intend no Monopoly, but a Community in learning. 1653 MILTON *Hirelings* Pref. Till which grievances be remov'd and religion set free from the monopoly of hirelings. 1712 HENLEY *Spect.* No. 396 p. 2 The monopoly of Pains... has been an immemorial privilege of the Johnians. 1787 BENTHAM *Def. Usury* xii. 123 Wealth has indeed the monopoly of justice against poverty. 1823 SCOTT *Peveril* vii. Do you think you have a monopoly of rebellion, and that we have not a right to show a tract of disobedience in our turn? 1861 FREEMAN *Hist. Ess.* Ser. I. ix. (1871) 268 Neither side has a monopoly of right or wrong. 1878 H. S. WILSON *Alph. Ascents* ii. 45 Peter has almost a monopoly now of the Matterhorn.

b. in generalized sense.

1804 J. GRAHAME *Sabbath* (1839) 8/1 Thy children, Scotia, in the desert land, Driven from their homes by fell Monopoly, Keep holy to the Lord the seventh day. 1813 J. THOMSON *Lect. Infam.* Introd. 29 That spirit of domination, exclusion, and monopoly, by which most of her [sc. the church of Rome's] institutions at that period were actuated.

4. To make a monopoly of: **a.** *lit.* to obtain the exclusive sale of (a commodity); **b.** *fig.* to 'monopolize', keep to oneself (a possession).

1576 GASCOIGNE *Steele* Gl. 753 Master Merchant... Can finde the meane, to make Monopolies Of every ware, that is accompted strange. 1595 DAVIES *Chr. Ware* (1609) v. xcviij. He... makes a Monopoly of offices. 1629 H. BURTON *Trueth's Triumph* 231 The iniquity of the Pontificians in making a monopoly of Gods grace. 1693 DRYDEN *Jivental Ded.* (1726) p. v. Johnson [= Ben Jonson]... had been acquainted with the Rules, yet seemed to envy to Posterity that Knowledge, and like an Inventor of some useful Art, to make a Monopoly of his Learning. 1710 ADDISON *Whig Exam* No. 1 p. 1 The Kiteat have pretended to make a Monopoly of our sense. 1745 P. THOMAS *Frml. Anson's Voy.* 10 A certain Honourable Gentleman... is Endeavouring to make a Monopoly of this Voyage, and to that end designs to publish by Authority. 1769 BURKE *Late St. Nat.* *Wks.* II. 87 Government in France has made a monopoly of that great article of salt.

5. A thing which is the subject of a monopoly (in senses 1-3).

1838-9 HALLAM *Hist. Lit.* IV. vii. § 7 It is one of those happy ideas which have been privileged. 1845 McCULLOCH *Taxation* II. v. (1852) 206 The culture of opium... is a government monopoly, being confined to the provinces of Bahar and Benares. . . Every one who chooses may raise opium within the prescribed limits. 1868 G. DUFF *Pol. Surv.* 186 The culture... of tobacco was made a Crown monopoly. 1878 *Print. Trades* *Frml.* xxiii. 22 Printing the Holy Scriptures is a monopoly. 1902 W. M. ALEXANDER *Demonic Possession in N. T.* II. 25 Such traits are not the monopoly of the Babylonian priests.

6. A trading company that has a monopoly.

[a 1692 POLLEXFEN *Disc. Trade* (1697) 125 If Corporations in Trade with Joint-Stocks, should appear to be... to all intents and purposes Monopolies, mischievous to Trade.] 1871 *O. Rev.* Oct. 461 Other enterprises with enormous capitals, e.g. banks, are not monopolies. 1889 E. BELLAMY *Looking Backward* v. (1890) 41 Without being... checked by the clamour against it, the absorption of business by ever larger monopolies continued.

7. *attrib.*, as monopoly licence, price.

1625 BACON *Apophth.* xxix. RESSUS. (1671) i. 227 The Lord Keeper, Sir Nicholas Bacon, was asked his Opinion by Queen Elizabeth, of one of these Monopoly licences. 1776 ADAM SMITH *W. N.* I. xi. (1869) I. 153 The rent of land... considered as the price paid for the use of the land, is naturally a monopoly price. 1807 *Edin. Rev.* X. 347 They still fight for the impossibility of driving a distant traffic, without encouragement of monopoly-prices.

“MONOPOLY”

LEGAL DICTIONARY DEFINITIONS

"Monopoly" 1/2
The Cyclopedic Dictionary of Law (1901)

MONITION

(603)

MONOPOLY

money. There were several of these *moniers* or workmen; "some to shear the money, some to forge it, others to beat it broad, some to round it, and some to stamp or coin it." Cowell, voc. "Moniers;" "Mint."

A banker; one who dealt in money. Cowell.

MONITION. In practice. A process in the nature of a summons, which is used in the civil law, and in those courts which derive their practice from the civil law.

A general monition is a citation or summons to all persons interested, or, as is commonly said, to the whole world, to appear and show cause why the libel filed in the case should not be sustained, and the prayer of relief granted. This is adopted in prize cases, admiralty suits for forfeitures, and other suits *in rem*, when no particular individuals are summoned to answer. In such cases, the taking possession of the property libelled, and this general citation or monition, served according to law, are considered constructive notice to the world of the pendency of the suit; and the judgment rendered thereupon is conclusive upon the title of the property which may be affected. In form, the monition is substantially a warrant of the court, in an admiralty cause, directed to the marshal or his deputy, commanding him, in the name of the president of the United States, to give public notice, by advertisements in such newspapers as the court may select, and by notifications to be posted in public places, that a libel has been filed in a certain admiralty cause pending, and of the time and place appointed for the trial. A brief statement of the allegations in the libel is usually contained in the monition. The monition is served in the manner directed in the warrant.

A mixed monition is one which contains directions for a general monition to all persons interested, and a special summons to particular persons named in the warrant. This is served by newspaper advertisements, by notifications posted in public places, and by delivery of a copy attested by the officer to each person specially named, or by leaving it at his usual place of residence.

A special monition is a similar warrant, directed to the marshal or his deputy, requiring him to give special notice to certain persons, named in the warrant, of the pendency of the suit, the grounds of it, and the time and place of trial. It is served by delivery of a copy of the warrant, attested by the officer, to each one of the adverse parties, or by leaving the same at his usual place of residence; but the service should be personal, if possible. Clerke, *Prax. tit.* 21; *Dunl. Adm. Prac.* 135. See *Conkl. Adm.*; *Pars. Mar. Law.*

MONITORY LETTER. In ecclesiastical law. The process of an official, a bishop, or other prelate having jurisdiction, issued to compel, by ecclesiastical censures, those who know of a crime, or other matter which requires to be explained, to come and reveal it. Merlin, *Repert.*

MONOCRACY. A government by one person only.

MONOCRAT. A monarch who governs alone; an absolute governor.

MONOGAMY. The state of having only one husband or one wife at a time.

A marriage contracted between one man and one woman, in exclusion of all the rest of mankind. The term is used in opposition to "bigamy" and "polygamy." Wolff, *Dr. Nat.* § 857.

MONOGRAM. A character or cipher composed of one or more letters interwoven, being an abbreviation of a name.

A signature made by a monogram would perhaps be binding provided it could be proved to have been made and intended as a signature. 1 *Denio* (N. Y.) 471.

There seems to be no reason why such a signature should not be as binding as one which is altogether illegible.

MONOMACHY. Single combat.

MONOMANIA. In medical jurisprudence. Insanity only upon a particular subject, and with a single delusion of the mind.

The most simple form of this disorder is that in which the patient has imbibed some single notion, contrary to common sense, and to his own experience, and which seems, and no doubt really is, dependent on errors of sensation. It is supposed the mind in other respects retains its intellectual powers. In order to avoid any civil act done or criminal responsibility incurred, it must manifestly appear that the act in question was the effect of monomania. *Cyc. Prac. Med.* "Soundness and Unsoundness of Mind;" Ray, *Ins.* § 203; 13 *Ves.* 89; 3 *Brown*, Ch. 444; 1 *Add. Ecc.* 283; 2 *Add. Ecc.* 402; *Hagg.* 18; 2 *Add.* 79, 94, 209; 5 *Car. & P.* 168; *Burrows, Ins.* 484, 485. See "Delusion;" "Mania."

MONOMANIACS. Persons who are insane upon some one or more subjects, and apparently sane upon all others. 2 *Redf. Sur.* (N. Y.) 34, 37.

MONOPOLIA DICITUR, CUM UNUS SOLUS aliquod genus mercaturae universum emit, pretium ad suum libitum statuens. It is said to be a monopoly when one person alone buys up the whole of one kind of commodity, fixing a price at his own pleasure. 11 *Coke*, 86.

MONOPOLIUM (Graeco-Lat.) The sole power, right, or privilege of sale; monopoly; a monopoly. *Calv. Lex.*; *Code*, 4, 59; *Grotius de Jure Belli*, lib. 2, c. 12, § 16.

MONOPOLY (from Lat. *monopolium*, *q. v.*) The exclusive privilege of selling any commodity. Defined in English law to be "a license or privilege allowed by the king for the sole buying and selling, making, working, or using of anything whatsoever, where by the subject in general is restrained from

The Cyclopedic Dictionary of Law (1901)

MONSTER

(604)

MOOT

that liberty of manufacturing or trading which he had before." 4 Bl. Comm. 159; 4 Steph. Comm. 291.

Any exclusive right or privilege.

MONSTER. An animal which has a conformation contrary to the order of nature. 2 Dungal. Hum. Phys. 422.

A monster, although born of a woman in lawful wedlock, cannot inherit. Those who have, however, the essential parts of the human form, and have merely some defect of conformation, are capable of inheriting, if otherwise qualified. 2 Bl. Comm. 246; 1 Beck, Med. Jur. 366; Co. Litt. 7, 8; Dig. 1. 5. 14; 1 Swift, System, 331; Fred. Code, pt. 1, bk. 1, tit. 4, § 4.

No living human birth, however much it may differ from human shape, can be lawfully destroyed. Traill, Med. Jur. 47. See Briand, Med. Leg. pt. 1, c. 6, art. 2, § 3; 1 Fodere, Med. Leg. §§ 402-405.

MONSTRANS DE DROIT (Fr. showing of right). A common-law process by which restitution of personal or real property is obtained from the crown by a subject. Chit. Prerog. Cr. 345; 3 Bl. Comm. 256. By this process, when the facts of the title of the crown are already on record, the facts on which the plaintiff relies, not inconsistent with such record, are shown, and judgment of the court prayed thereon. The judgment, if against the crown, is that of *ouster le main*, which vests possession in the subject without execution. Bac. Abr. "Prerogative" (E); 1 And. 181; 5 Leigh (Va.) 512; 12 Grat. (Va.) 564.

MONSTRANS DE FAIT (Fr. showing of a deed). A profert. Bac. Abr. "Pleas" (I 12, note 1).

MONSTRAVERUNT, WRIT OF. In English law. A writ which lies for the tenants of ancient demesne who hold by free charter, and not for those tenants who hold by copy of court roll, or by the rod, according to the custom of the manor. Fitzh. Nat. Brev. 31.

MONTES PIETATIS, or MONTS DE PI. etc. Institutions established by public authority for lending money upon pledge of goods.

In these establishments a fund is provided, with suitable warehouses, and all necessary accommodations. They are managed by directors. When the money for which the goods pledged is not returned in proper time, the goods are sold to reimburse the institutions. They are found principally on the continent of Europe. With us, private persons, called "pawnbrokers," perform this office,—sometimes with doubtful fidelity. See Bell, Inst. 5. 2. 2.

MONTH. A space of time variously computed, as it is applied to astronomical, civil or solar, or lunar months.

The astronomical month contains one-twelfth part of the time employed by the sun in going through the zodiac. In law, when

a month simply is mentioned, it is never understood to mean an astronomical month.

The civil, solar or calendar month is that which agrees with the Gregorian calendar; and these months are known by the names of January, February, March, etc. They are composed of unequal portions of time. There are seven of thirty-one days each, four of thirty, and one which is sometimes composed of twenty-eight days, and in leap years of twenty-nine.

The lunar month consists of twenty-eight days.

By the law of England, a month means ordinarily, in common contracts, as in leases, a lunar month. A contract, therefore, made for a lease of land for twelve months would mean a lease for forty-eight weeks only. 2 Bl. Comm. 141; 6 Coke, 62; 6 Term R. 224; 1 Maule & S. 111; 1 Bing. 307. A distinction has been made between "twelve months" and "a twelve-months." The latter has been held to mean a year. 6 Coke, 61.

But in mercantile contracts in England, and for any purpose in the United States, a month simply signifies a calendar month. Chit. Bills, 406; 3 Brod. & B. 187; 1 Maule & S. 111; Story, Bills, § 143; Story, Partn. § 213; 2 Mass. 170; 4 Mass. 460; 6 Watts & S. (Pa.) 179; 1 Johns. Cas. (N. Y.) 99; 4 Wend. (N. Y.) 512; 15 Johns. (N. Y.) 358; 2 Cow. (N. Y.) 518, 605; 2 Dall. (Pa.) 302; 4 Dall. (Pa.) 143; 4 Mass. 461; 4 Bibb (Ky.) 105.

In England, in the ecclesiastical law, months are computed by the calendar. 3 Burrows, 1455; 1 Maule & S. 111.

MONUMENT. A thing intended to transmit to posterity the memory of some one. A tomb where a dead body has been deposited.

In this sense it differs from a "cenotaph," which is an empty tomb. Dig. 11. 7. 2. 6; Id. 11. 7. 2. 42.

A permanent landmark, whether natural or artificial, established for the purpose of indicating a boundary.

MONUMENTA QUAE NOS RECORDA vocamus sunt veritatis et vetustatis vestigia. Monuments, which we call "records," are the vestiges of truth and antiquity. Co. Litt. 118.

MOORING. In maritime law. The securing of a vessel by a hawser or chain, or otherwise, to the shore, or to the bottom by a cable and anchor. The being "moored in safety," under a policy of insurance, is being moored in port, or at the usual place for landing and taking in cargo, free from any immediate impending peril insured against. 1 Phil. Ins. 968; 3 Johns. (N. Y.) 88; 11 Johns. (N. Y.) 358; 2 Strange, 1243; 5 Mart. (La.) 637; 6 Mass. 313; Code de Comm. 152.

MOOT (from Saxon *gemot*, meeting together). In English law. A term used in the inns of court, signifying the exercise of arguing imaginary cases, which young barristers and students used to perform at certain times, the better to be enabled by this prac-

"Monopoly"

Black's Law Dictionary (1910)

MONITION

790

MONSTRANS DE FAITS

which is either a simple monition *in personam* or an attachment and monition *in rem*. Ben. Adm. 228, 239. It is sometimes termed "monition *vis et modis*," and has been supposed to be derived from the old Roman practice of summoning a defendant. *Manro v. Almeida*, 10 Wheat. 490, 6 L. Ed. 369.

The monition, in American admiralty practice, is, in effect, a summons, citation, or notice, though in form a command to the marshal to cite and admonish the defendant to appear and answer, and not a summons addressed to the party. 2 Conk. Adm. (2d Ed.) 147.

—**General monition.** In civil law and admiralty practice. A monition or summons to all parties in interest to appear and show cause against the decree prayed for.

MONITORY LETTERS. Communications of warning and admonition sent from an ecclesiastical judge, upon information of scandal and abuses within the cognizance of his court.

MONOCRACY. A government by one person.

MONOCRAT. A monarch who governs alone; an absolute governor.

MONOGAMY. The marriage of one wife only, or the state of such as are restrained to a single wife. Webster.

A marriage contracted between one man and one woman, in exclusion of all the rest of mankind. The term is used in opposition to "bigamy" and "polygamy." Wolff, Dr. de la Nat. § 857.

MONOGRAM. A character or cipher composed of one or more letters interwoven, being an abbreviation of a name.

MONOGRAPH. A special treatise upon a particular subject of limited range; a treatise or commentary upon a particular branch or division of a general subject.

MONOMACHY. A duel; a single combat.

It was anciently allowed by law for the trial or proof of crimes. It was even permitted in pecuniary causes, but it is now forbidden both by the civil law and canon laws.

MONOMANIA. In medical jurisprudence. Derangement of a single faculty of the mind, or with regard to a particular subject, the other faculties being in regular exercise. See *INSANITY*.

Monopolia dicitur, cum unus solus aliquod genus mercaturæ universum emit, pretium ad suum libitum statuens. 11 Coke, 86. It is said to be a monopoly when one person alone buys up the whole of one kind of commodity, fixing a price at his own pleasure.

MONOPOLIUM. The sole power, right, or privilege of sale; monopoly; a monopoly. Calvin.

MONOPOLY. In commercial law. A privilege or peculiar advantage vested in one or more persons or companies, consisting in the exclusive right (or power) to carry on a particular business or trade, manufacture a particular article, or control the sale of the whole supply of a particular commodity.

Defined in English law to be "a license or privilege allowed by the king for the sole buying and selling, making, working, or using, of anything whatsoever; whereby the subject in general is restrained from that liberty of manufacturing or trading which he had before." 4 Bl. Comm. 159; 4 Steph. Comm. 291. And see *State v. Duluth Board of Trade*, 107 Minn. 506, 121 N. W. 395, 23 L. R. A. (N. S.) 1260.

A monopoly consists in the ownership or control of so large a part of the market-supply or output of a given commodity as to stife competition, restrict the freedom of commerce, and give the monopolist control over prices. See *State v. Eastern Coal Co.*, 29 R. I. 254, 70 Atl. 1, 132 Am. St. Rep. 817; *Over v. Byram Foundry Co.*, 37 Ind. App. 452, 77 N. E. 302, 117 Am. St. Rep. 327; *State v. Haworth*, 122 Ind. 462, 23 N. E. 946, 7 L. R. A. 240; *Davenport v. Kleinschmidt*, 6 Mont. 502, 13 Pac. 249; *Ex parte Levy*, 43 Ark. 42, 51 Am. Rep. 550; *Case of Monopolies*, 11 Coke, 84; *Laredo v. International Bridge, etc., Co.*, 66 Fed. 246, 14 C. C. A. 1; *International Tooth Crown Co. v. Hanks Dental Ass'n (C. C.)* 111 Fed. 916; *Queen Ins. Co. v. State*, 86 Tex. 250, 24 S. W. 397, 22 L. R. A. 483; *Herriman v. Menzies*, 115 Cal. 16, 46 Pac. 730, 35 L. R. A. 318, 56 Am. St. Rep. 81.

MONSTER. A prodigious birth; a human birth or offspring not having the shape of mankind, which cannot be heir to any land, albeit it be brought forth in marriage. Bract. fol. 5; Co. Litt. 7, 8; 2 Bl. Comm. 246.

MONSTRANS DE DROIT. L. Fr. In English law. A showing or manifestation of right; one of the common law methods of obtaining possession or restitution from the crown, of either real or personal property. It is the proper proceeding when the right of the party, as well as the right of the crown, appears upon record, and consists in putting in a claim of right grounded on facts already acknowledged and established, and praying the judgment of the court whether upon these facts the king or the subject has the right. 3 Bl. Comm. 256; 4 Coke, 54b.

MONSTRANS DE FAITS. L. Fr. In old English practice. A showing of deeds; a species of profert. Cowell.

"Monopoly"

Pope's Legal Definitions (1920)

MONEYED CORPORATIONS

MONTH

MONEYED CORPORATIONS.

The term "moneyed" is applied to certain corporations in some states. In New York, "moneyed" corporations are defined by statute to be corporations formed under or subject to the banking or insurance law, and they include every corporation having banking powers, or having the power to make loans upon pledges or deposits, or authorized by law to make contracts of insurance. Fletcher Cyclopedia Corporations 133.

MONEYS.

See Money.

MONOMANIA.

Partial intellectual mania; a mania on one subject. *Hopps v. People*, 31 Ill. 390.
 "Monomania is insanity upon a single subject. It is an insane delusion which renders the person afflicted incapable of reasoning on that particular subject; he assumes to believe that to be true which has no foundation or reason in fact on which to found his belief." *Haines v. Hayden*, 95 Mich. 354, quoting charge of trial judge and affirming it.

MONOPOLY.

An exclusive right granted to a few, of something which was before of common right. *Bridge v. Bridge*, 11 Peters (U. S.) 607.

An institution or allowance from the sovereign power of the state by grant, commission or otherwise, to any person or corporation, for the sole buying, selling, making, working, or using of anything, whereby any person or persons, bodies politic or corporate, are sought to be restrained of any freedom or liberty they had before, or hindered in their lawful trade. *Slaughter-House Cases*, 16 Wall. (U. S.) 102.

"A monopoly, in the modern sense, is created when, as a result of efforts to that end, previously competing businesses are so concentrated in the hands of a single person or corporation, or a few persons

or corporations acting together, that they have power to practically control the prices of commodities and thus to practically suppress competition." *United States v. Tobacco Co.*, (C. C.), 164. Fed. 700.

A monopoly exists where all, or nearly all, of an article of trade or commerce within a community or district is brought within the hands of one man or set of men, as to practically bring the handling or production of the commodity or thing within such single control to the exclusion of competition or free traffic therein. *Herriman v. Menzies*, 115 Cal. 20.

A combination of persons or corporations for the purpose of raising or controlling the prices of merchandise or any of the necessaries of life. *Chicago, W. & V. Coal Co. v. People*, 114 Ill. App. 107.

"Monopoly," as used with reference to the franchise of a public utility corporation operating under an indeterminate permit granted pursuant to the public utility law (ch. 499, Wis. L. 1907), is equivalent to exclusive privilege, and has none of the essentials of monopoly so offensive to the common law and prohibited by some constitutions. *Calumet Service Co. v. Chilton*, 148 Wis. 334.

MONTH.

A calendar month ends on the corresponding day in the month succeeding its beginning, less one day. *People v. Coffin*, 279 Ill. 401.

1 Mich. Comp. Laws, § 50, subd. 10, provides: "The word 'month,' shall be construed to mean a calendar month."

Guardian's Sale—Clerical Error.

A decree in a petition for license to sell the property of a ward for his maintenance which recites that the parties appeared on the "3rd day of March" will be construed to mean the "3rd day of April," where it is plain from the decree that the use of the first expression was a clerical error, and where the error does not affect the jurisdiction of the court. *Nichols v. Mitchell*, 70 Ill. 262.

"Monopoly" 1/2

Bouvier's Law Dictionary (1934)

815

MONOPOLY

back; L. R. 24 Q. B. Div. 742.

No privity of contract between the parties is required in order to support this action, except that which results from the fact of one man's having the money of another which he cannot conscientiously retain; 17 Mass. 563, 579. See 2 Dall. 54; 5 Conn. 71; 127 Mass. 22. See **QUASI CONTRACTS**.

MONEY IN HAND. There is no real difference between "money in hand" and "ready money." 12 L. J. Ch. 387.

Money which is subject to one's control. English.

MONEY JUDGMENT. One which adjudges the payment of a sum of money, as distinguished from one directing an act to be done or property to be restored or transferred.

MONEY LAND. A phrase sometimes applied to money held upon trust to be laid out in the purchase of land. See **CONVERSION**.

MONEY LENDERS ACTS. English Acts of 1900 and 1911, the former providing that every money lender must be registered and carry on business in one name only and only at his registered address or addresses; that he cannot send circulars to infants (*q. v.*); and that the courts may reopen transactions between him and his clients. The act of 1911 protects *bona fide* holders without notice of securities taken by money lenders. Byrne.

MONEY LENT. In Pleading. The technical name of a declaration in an action of assumpsit for that the defendant promised to pay the plaintiff for money lent.

To recover, the plaintiff must prove that the defendant received his money, but it is not indispensable that it should be originally lent. If, for example, money has been advanced upon a special contract, which has been abandoned and rescinded, and which cannot be enforced, the law raises an implied promise from the person who holds the money to pay it back as money lent; 7 Bingh. 266; 8 M. & W. 434; 9 *id.* 20. See 1 N. Chipm. 214; 3 J. J. Marsh. 377.

MONEY-ORDER. The act of June 8, 1872, c. 335, provided for the establishment of a uniform money-order system, at all suitable post-offices, which shall be called "money-order" offices. The applicant, upon depositing a sum, at one post-office, receives a certificate for that amount, which he mails to the payee, who can then obtain the money at the office designated in the order, upon presenting the latter and mentioning the name of his correspondent. The system is now established with several foreign countries, as well as at home, and is found very convenient for the transmission of small sums; R. S. §§ 4027-4048. Suppl. to R. S. p. 156. Under the law of March 3, 1883, it was provided that money-orders should not be issued for a larger sum than a hundred dollars; 1 Supp. R. S. p. 406; 2 *id.* 166.

MONEY PAID. In Pleading. The technical name of a declaration in assumpsit, in which the plaintiff declares for money paid for the use of the defendant.

When one advances money for the benefit of another with his consent, or at his express request, although he be not benefited by the transaction, the creditor may recover the money in an action of assumpsit declaring for money paid for the defendant; 5 S. & R. 9. But one cannot by a voluntary payment of another's debt make himself creditor of that other; 1 Const. S. C. 472; 1 Gill & J. 497; 3 Johns. 434; 14 *id.* 87; 2 Root 84; 2 Stew. Ala. 500; 4 N. H. 138; 1 South. 150; 131 Pa. 641. In order to enable one who has paid money to the use of another, to maintain an action for money paid, two things are essential: a legal liability on the part of the defendant to pay the original demand, and his antecedent request, or subsequent promise to pay; 86 Ala. 202.

Assumpsit for money paid will not lie where property, not money, has been given or received; 7 S. & R. 246; 14 *id.* 179; 7

J. J. Marsh. 18. But see 7 Cow. 662. Nor will an action lie to recover back money paid voluntarily with a full knowledge of the facts and circumstances; 12 Colo. 208; 69 Tex. 267.

But where money has been paid to the defendant either for a just, legal, or equitable claim, although it could not have been enforced at law, it cannot be recovered as money paid. See **MONEY HAD AND RECEIVED**.

The form of declaring is for "money paid by the plaintiff for the use of the defendant and at his request"; 1 M. & W. 511.

MONEYED CAPITAL. In a statute with reference to taxation of national bank stock, it is held to mean money employed in a business whose object is to make profit by investing in securities by way of loan, discount or otherwise, which from time to time are reduced again to money and reinvested. 59 Fed. Rep. 952.

Words include shares of stock or other interests owned by individuals in all enterprises in which the capital employed in carrying on its business is money, where the object of the business is the making of profit by its use as money. The moneyed capital thus employed is invested for that purpose in securities by way of loan, discount, or otherwise, which are again reduced to money and reinvested. It includes money in the hands of individuals employed in a similar way, invested in loans, or in securities for the payment of money, either as an investment of a permanent character or temporarily with a view to sale or repayment and reinvestment. In this way the moneyed capital in the hands of individuals is distinguished from what is known generally as personal property. *Id.*, citing 121 U. S. 138.

The term has a more limited meaning than the term personal property, and applies to such capital as is readily solvable in money; 28 Fed. Rep. 777. In the provision of Rev. Stats., § 5219 respecting state taxation of shares of national banks, that it "shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such State," the words "moneyed capital in the hands of individual citizens" include bonds, notes and other evidences of indebtedness in the hands of individuals, which are shown to come materially into competition with the national banks in the loan market. 256 U. S. 336.

Distinguished from Personal Property. Credits, money loaned at interest, and demands against persons or corporations are more purely representative of moneyed capital than personal property, so far as they can be said to differ. There may be much personal property exempt from taxation without giving bank shares a right to similar exemption, because personal property is not necessarily moneyed capital. *Id.*, citing 105 U. S. 324.

MONEYED CORPORATION. A corporation having the power to make loans upon pledges or deposits, or authorized by law to make insurance. 2 N. Y. Rev. Stat., 7th ed. 1371; 3 N. Y. 479; 48 Barb. 464; 6 Paige 497.

MONIERS. Ministers of the mint; also bankers. Cowel.

MONITION. In Practice. A process in the nature of a summons, which is used in the civil law, and in those courts which derive their practice from the civil law. In the English ecclesiastical courts it is used as a *warning* to a defendant not to repeat an offence of which he had been convicted. See Bened. Adm.; 76 Mo. 470.

A general *monition* is a citation or summons to all persons interested, or, as is commonly said, to the whole world, to appear and show cause why the libel filed in the case should not be sustained, and the prayer of relief granted. This is adopted in prize cases, admiralty suits for forfeitures, and other suits *in rem*, when no particular individuals are summoned to an-

swer. In such cases the taking possession of the property libelled, and this general citation or *monition* served according to law, are considered constructive notice to the world of the pendency of the suit; and the judgment rendered thereupon is conclusive upon the title of the property which may be affected. In form, the *monition* is substantially a warrant of the court, in an admiralty cause, directed to the marshal or his deputy, commanding him, in the name of the president of the United States, to give public notice, by advertisements in such newspapers as the court may select, and by notifications to be posted in public places, that a libel has been filed in a certain admiralty cause pending, and of the time and place appointed for the trial. A brief statement of the allegations in the libel is usually contained in the *monition*. The *monition* is served in the manner directed in the warrant.

A *mixed monition* is one which contains directions for a general *monition* to all persons interested, and a special summons to particular persons named in the warrant. This is served by newspaper advertisements, by notifications posted in public places, and by delivery of a copy attested by the officer to each person specially named, or by leaving it at his usual place of residence.

A *special monition* is a similar warrant, directed to the marshal or his deputy, requiring him to give special notice to certain persons, named in the warrant, of the pendency of the suit, the grounds of it, and the time and place of trial. It is served by delivery of a copy of the warrant, attested by the officer, to each one of the adverse parties, or by leaving the same at his usual place of residence; but the service should be personal, if possible. Clerke, Prax. tit. 21; Dunlap, Adm. Pr. 135. See Conkl. Adm.; Pars. Marit. Law.

MONITORY LETTER. In Ecclesiastical Law. The process of an official, a bishop, or other prelate having jurisdiction, issued to compel, by ecclesiastical censures, those who know of a crime, or other matter which requires to be explained, to come and reveal it. Merlin, *Répét.*

MONOCRACY. A government by one person only.

MONOCRAT. A monarch who governs alone; an absolute governor.

MONOGAMY. The state of having only one husband or one wife at a time.

A marriage contracted between one man and one woman, in exclusion of all the rest of mankind. The term is used in opposition to bigamy and polygamy. Wolff, *Dr. de la Nat.* § 857.

MONOGRAM. A character or cipher composed of one or more letters interwoven, being an abbreviation of a name.

A signature made by a monogram would perhaps be binding provided it could be proved to have been made and intended as a signature; 1 Denio 471.

There seems to be no reason why such a signature should not be as binding as one which is altogether illegible.

MONOMANIA. In Medical Jurisprudence. Insanity only upon a particular subject, and with a single delusion of the mind.

A perversion of the understanding in regard to a single object, or a small number of objects, with the predominance of mental excitement. 2 Misc. Rep. 333.

See **DELUSION**; **INSANITY**; **MANIA**; and other titles there referred to.

MONOPLEGIA. See **PARALYSIS**.

MONOPOLIUM. The sole power, right, or privilege of sale; monopoly; a monopoly. Calvin.

MONOPOLY. In Commercial Law. The abuse of free commerce by which one or more individuals have procured the advantage of selling alone all of a particular kind of merchandise, to the detriment of

Bouvier's Law Dictionary (1934)

MONROE DOCTRINE

816

the public.

Any combination among merchants to raise the price of merchandise to the injury of the public.

An institution or allowance by a grant from the sovereign power of a state, by commission, letters-patent, or otherwise, to any person or corporation, by which the exclusive right of buying, selling, making, working, or using anything is given. Bacon, Abr.; Co. 3d Inst. 181. Whereby any person or persons, bodies politic or corporate, are sought to be restrained of any freedom or liberty they had before, or hindered in their lawful trade; 111 U. S. 754; 11 So. Rep. (La.) 239; 53 Fed. Rep. 452. Monopolies were, by stat. 21 Jac. 1. c. 8, declared illegal and void, subject to certain specified exceptions, such as patents in favor of the authors of new inventions; 4 Bla. Com. 159; 2 Steph. Com. 25. See *passim* For. Cas. and Op. 421; Curtis, Robinson, Merwin, Walker; Patents.

A patent for a useful invention, under the United States laws, is not, in the old sense of the common law, a monopoly.

The constitutions of Maryland, North Carolina, and Tennessee declare that "monopolies are contrary to the genius of a free government, and ought not to be allowed."

The act of congress (26 St. L. 209) declaring illegal "every contract or combination in the form of trust, or otherwise in restraint of trade or commerce among the several states or with foreign nations," applies to combinations of laborers as well as of capitalists; 54 Fed. Rep. 994. To constitute the offence of monopolizing or attempting to monopolize under the above act of July 2, 1890, it is necessary to acquire, or attempt to acquire, an exclusive right in such commerce by means which will prevent others from engaging therein; 52 Fed. Rep. 104.

See COPYRIGHT: PATENT; TRUST; RESTRAINT OF TRADE. HOLDING CORPORATION

MONROE DOCTRINE. A rule or principle of conduct by which any attempt on the part of any European power to extend its system of government to any part of the Western Hemisphere will be regarded as an act of unfriendliness to the United States.

The doctrine originated in 1823 when the European powers seemed inclined to assist Spain to regain the colonies she had lost in America, and was first stated by President Monroe in his message of December 2d of that year as follows:

"We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States."

Monroe, it seems, had no thought of the important effect his words would have. He was expressing, however, not his own personal opinion, but a principle which the logic of events and the thought of others had been long evolving. See President Gilman's Life of Monroe. The doctrine is now regarded as the settled policy of the United States. It has been evoked on several occasions, notably by President Lincoln in the civil war when the Emperor of France attempted to establish Maximilian in Mexico, and by President Cleveland in the boundary dispute between Venezuela and Great Britain. See The Nicaragua Question, by Prof. L. M. Keasbey; Redd-

away, The Monroe Doctrine. See Whart. Dig. Int. L.

MONSTER. An animal which has a conformation contrary to the order of nature. 2 Dugl. Hum. Phys. 422.

It is said that a monster, although born of a woman in lawful wedlock, cannot inherit. Those who have, however, the essential parts of the human form, and have merely some defect of conformation, are capable of inheriting, if otherwise qualified; 2 Bla. Com. 246; 1 Beck, Med. Jur. 366; Co. Litt. 7, 8; Dig. 1. 5. 14; 1 Swift, Syst. 331; Fred. Code, pt. 1, b. 1, t. 4, § 4.

No living human birth, however much it may differ from human shape, can be lawfully destroyed. Traill, Med. Jur. 47. See Briand, *Méd. Lég.* pt. 1, c. 6, art. 2, § 3; 1 Fodéré, *Méd. Lég.* § 402.

MONSTRANS DE DROIT (Fr. showing of right). A common-law process by which restitution of personal or real property is obtained from the crown by a subject. Chitty, Prerog. of Cr. 345; 3 Bla. Com. 256. By this process, when the facts of the title of the crown are already on record, the facts on which the plaintiff relies, not inconsistent with such record, are shown, and judgment of the court prayed thereon. The judgment, if against the crown, is that of *ouster le main*, which vests possession in the subject without execution. Bac. Abr. Prerogative (E); 1 And. 181; 5 Leigh 512; 12 Gratt. 564.

Monstrans de droit was preferred either on the common-law side of the court of chancery, or in the exchequer, and will not come before the corresponding divisions in the high court of justice. (Jud. Act, 1873, s. 34.)

MONSTRANS DE FAIT (Fr. showing of a deed). A profert. Bac. Abr. Pleas.

MONSTRAVERUNT, WRIT OF. In English Law. A writ which lies for the tenants of an ancient demesne who hold by free charter, and not for those tenants who hold by copy of court-roll, or by the rod, according to the custom of the manor. Fitzh. N. B. 81.

MONTANA. One of the states of the United States.

Congress, by an act approved May 26, 1864 (R. S. § 1903), created the territory and defined its boundaries, providing also that the United States might divide the territory or change its boundaries in such manner as may be deemed expedient; and further, that the rights of person and property pertaining to the Indians in the territory shall not without their consent be included within the territorial limits of jurisdiction.

By act of congress approved March 1, 1872, a tract of land in the territories of Montana and Wyoming, lying near the headwaters of the Yellowstone River, is reserved and withdrawn from settlement under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people; R. S. § 2474; and by act of April 15, 1874, a tract of land at the northern boundary is set apart as a reservation for the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and such other Indians as the President may, from time to time, see fit to locate therein. 18 Stat. at L. 23.

The act providing for the admission of Montana into the Union as one of the states was passed February 22, 1889, and the proclamation announcing its admission was on November 8, 1889.

The constitution was adopted August 17, 1889, and ratified by the people October 1, 1889.

MONTES PIEFATIS, MONTS DE PIETE. Institutions established by public authority for lending money upon pledge of goods.

In these establishments a fund is provided, with suitable warehouses and all necessary accommodations. They are managed by directors. When the money for which goods are pledged is not returned in proper time, the goods are sold to reimburse the institutions. They are found principally on the continent of Europe. With us, private persons, called pawnbrokers, perform this office. See Bell, Inst. 5. 2. 2. A late statute in New York authorizes public pawnshops like those on the continent of Europe.

MONTENEGRO. A principality of Europe. The government is absolute and

is vested in a prince. It has a state council of eight members, half of them nominated by the prince and half elected. There are district courts in the chief towns. The supreme court has jurisdiction, appellate and concurrent, over the principality. There is a final appeal to the prince.

MONTH. A space of time variously computed, as the term is applied to astronomical, civil or solar, or lunar months.

The *astronomical month* contains one-twelfth part of the time employed by the sun in going through the zodiac. In law, when a month simply is mentioned, it is never understood to mean an astronomical month.

The *civil or solar month* is that which agrees with the Gregorian calendar; and these months are known by the names of January, February, March, etc. They are composed of unequal portions of time. There are seven of thirty-one days each, four of thirty, and one which is sometimes composed of twenty-eight days, and in leap-years, of twenty-nine.

The *lunar month* consists of twenty-eight days.

The Roman names of the months, as settled by Augustus, have been used in all Christian countries except Holland, where a set of characteristic names prevail, the remains of the ancient Gaulish title, which were also used by our Anglo-Saxon ancestors. The French convention, in October, 1793, adopted a set of names similar to that of Holland.

By the law of England, a month means ordinarily, in common contracts, as in leases, a lunar month. A contract, therefore, made for a lease of land for twelve months would mean a lease for forty-eight weeks only; 2 Bla. Com. 141; 6 Co. 62; 1 Maule & S. 111. A distinction has been made between "twelve months" and a "twelve-month;" the latter has been held to mean a year; 6 Co. 61. In a contract for the hire of furniture at a weekly rental for so many months, "months" was held to mean lunar month; 45 L. T. Rep. N. s. 343.

But in mercantile contracts a month simply signifies a calendar month; 2 Wall. 190; 2 Dall. 402; 3 Cra. C. C. 218; 19 Pick. 532; 28 N. Y. 444; a promissory note to pay money in twelve months would, therefore, mean a promise to pay in one year or twelve calendar months; 3 B. & B. 187; 1 M. & S. 111; 2 C. & K. 9; Story, Bills, §§ 143, 330; 19 Pick. 332; 6 W. & S. 179; 1 Johns. Cas. 99; 1 Q. B. 250; Benj. Sales § 684.

In general, when a statute speaks of a month, without adding "calendar," or other words showing a clear intention, it shall be intended a lunar month; Com. Dig. Anno (B); 15 Johns. 358; Dud. Ga. 107. See 2 Cow. 518, 605. But it is now otherwise in England by 13 Vic. c. 21, § 4. And by the Judicature Act of 1875, Ord. lvii. r. 1, it is provided that month shall mean calendar month when not otherwise expressed. In all legal proceedings, as in commitments, pleadings, etc., a month means four weeks; 3 Burr. 1455; 1 W. Bla. 540; Dougl. 446, 463; 12 Pa. Co. Ct. R. 543; 3 Johns. Ch. 74.

In Pennsylvania, Massachusetts, Nebraska, Florida, and Maryland, and perhaps some other states, a month mentioned generally in a statute has been construed to mean a calendar month; 2 Dall. 302; 4 *id.* 143; 4 Mass. 461; 4 Bibb 105; 84 Neb. 376; 27 Fla. 215; 74 Md. 86; 139 U. S. 187. In England in the ecclesiastical law, months are computed by the calendar; 3 Burr. 1455; 1 M. & S. 111; thirty days is not a month; 72 N. C. 146.

In New York, it is enacted that whenever the term "month" or "months" is or shall be used in any statute, act, deed, verbal or written contract, or any public or private instrument whatever, it shall be construed to mean a calendar, and not a lunar, month, unless otherwise expressed. Rev. Stat. pt. 2, c. 19, tit. 1, § 4; 28 N. Y. 444. But this has been modified as to computation of inter-

"Monopoly"

Wharton's Law-Lexicon (1911)

MON

(574)

Monition, a summons or citation; a direction by an ecclesiastical judge to a clergyman to abstain from practices contrary to ecclesiastical law. See *Dale's case*, (1881) 6 Q. B. D. 376.

Monitory Letters, communications of warning and admonition sent from an ecclesiastical judge, upon information of scandal and abuses within the cognizance of his court.

Monmouth, county of, made one of the counties of England by 27 Hen. 8, c. 26.

In the appointment, in Wales and *Monmouthshire*, of inspectors of coal mines, by the Coal Mines Regulation Act, 1887, s. 39; of factories, by s. 23 of the Factory and Workshop Act, 1891; and of quarries, by s. 2 (3) of the Quarries Act, 1894, persons having a knowledge of the Welsh language are to be preferred.

Monocracy, a government by one person.

Monogamy [fr. *μόνος*, Gk., single, and *γάμος*, marriage], marriage of one husband to one wife.

Monomachy [fr. *μόνος*, Gk., and *μάχη*, fight], a duel; a single combat.

It was anciently allowed by law, for the trial or proof of crimes. It was even permitted in pecuniary causes, but it is now forbidden both by the civil law and canon laws.

Monomania, insanity upon a particular subject.

Monopoly [fr. *μόνος*, Gk., single and *πωλέω*, to sell], the exclusive privilege of selling any commodity. A license or privilege allowed by the Crown, for the sole buying, selling, making, working, and using of anything whatsoever, whereby the subject is restrained from that liberty of manufacturing or trading which he had before.

Such grants were common before the Stuarts, and were very oppressive and injurious during the reign of Elizabeth. The grievance became so insupportable that, notwithstanding the power of granting monopolies was a valuable part of the prerogative, they were abolished in 1623 by the Statute of Monopolies, 21 Jac. 1, c. 3 (see *Chitty's Statutes*, tit. 'Patents'), which declares all monopolies void, with an exception for 'letters patent' for fourteen years for the sole working or making of any new manufactures within the realm, to the true and first inventors thereof, provided they be not contrary to law nor mischievous to the State. See LETTERS-PATENT.

Monster. An animal which has not the shape of mankind, but, in any part, evidently bears the resemblance of the brute creation,

has no inheritable blood, and cannot be heir to any land, although it be brought forth in marriage; but, though it have deformity in any part of its body, yet, if it have human shape, it may be an heir.—*Co. Litt.* 7 b; 2 *Bl. Com.* 246.

Monstrans de droit (*Manifestation or plea of right*), one of the Common Law methods of obtaining possession or restitution from the Crown of either real or personal property. It was preferred either on the Common Law side of the Court of Chancery, or in the Exchequer, and will now come before any division of the High Court.

Where the Crown is in possession under a title, the facts of which are already set forth upon record, a party aggrieved may proceed in *monstrans de droit*, i.e., may make, in opposition to such recorded title, a claim of right, grounded upon certain facts relied upon by him, without denying those relied upon by the Crown, and the praying judgment of the Crown whether, upon those facts, the Crown or the subject has the right. If the right be determined against the Crown, the judgment is that of *ouster le main* or *amoveas manus*, by which judgment the Crown is instantly out of possession, and it therefore needs no actual execution. *Chit. Prerog. of the Crown*, 345.

Monstrans de faits ou records (*showing of deeds or records*).

Upon an action brought upon an obligation, after the plaintiff had declared he ought to have shown his obligation, and so also of records. *Monstrans de faits* differed from *oyer de faits* in that he who pleaded the deed or record, or declared upon it, ought to have shown it, and the defendant might demand *oyer* of the same.

Monstraverunt, a writ which lay for tenants in ancient demesne who held lands by free charter, when they were distrained to do unto their lords other services and customs than they or their ancestors used to do. It is, however, abolished.

Monstrum, a box in which relics are kept; also, a muster of soldiers.

Month [fr. *monath*, Sax., moon, which was formerly written *mone*, as month was written *moneth*]. The period in which that planet *moneth*, i.e., completeth its orbit.

It is either—(1) *Lunar*, the time between the change and change, or the time in which the moon returns to the same point, being twenty-eight days.

(2) *Solar*, that period in which the sun passes through one of the twelve signs of the zodiac.

SECTION 2: Federal Merger Opinions Discussing Efficiencies

Cases that discussed efficiencies and were searched to determine whether they contained not just a perfunctory recitation of the full statute, but a “may . . . tend to create a monopoly” analysis:

- RSR Corp. v. FTC, 602 F.2d 1317, 1324–25 (9th Cir. 1979).
- Lektro-Vend Corp. v. Vendo Co., 660 F.2d 255, 274–75 (7th Cir. 1981).
- United States v. Baker Hughes Inc., 908 F.2d 981, 982-84 (D.C. Cir. 1990).
- FTC v. Univ. Health, Inc., 938 F.2d 1206, 1209 (11th Cir. 1991).
- FTC v. Tenet Health Care Corp., 186 F.3d 1045, 1048, 1054 (8th Cir. 1999).
- FTC v. H.J. Heinz Co., 246 F.3d 708, 713–18 (D.C. Cir. 2001).
- ProMedica Health Sys., Inc. v. F.T.C., 749 F.3d 559, 571 (6th Cir. 2014).
- Saint Alphonsus Med. Ctr.-Nampa Inc. v. St. Luke’s Health Sys., Ltd., 778 F.3d 775, 783, 791 (9th Cir. 2015).
- FTC v. Penn State Hershey Med. Ctr., 838 F.3d 327, 347–51 (3d Cir. 2016).
- United States v. Anthem, Inc. 855 F.3d 345, 349 (D.C. Cir. 2017).
- FTC v. Hackensack Meridian Health, Inc., 30 F.4th 160, 175 (3d Cir. 2022).
- United States v. Country Lakes Foods, Inc. 754 F. Supp. 669, 675, 680 (D. Minn. 1990).
- FTC v. Butterworth Health, 946 F. Supp. 1285, 1300–02 (W.D. Mich. 1996), *aff’d per curiam without published opinion*, 121 F.3d 708 (6th Cir. 1997).
- FTC v. Staples, Inc., 970 F. Supp. 1066, 1070, 1088–90 (D.D.C. 1997).
- FTC v. Cardinal Health, Inc., 12 F. Supp. 2d 34, 61 (D.D.C. 1998).
- FTC v. Swedish Match, 131 F. Supp. 2d 151, 171–72 (D.D.C. 2000).
- New York v Deutsche Telekom AG, 439 F. Supp. 3d 179, 207–17 (S.D.N.Y. 2020).