

Y.**Y2K WARRANTY**

Y2K warranty.abbr.Year 2000 warranty; a warranty that software, hardware, or a product having computer hardware or software components will function properly on and after January 1, 2000. • These warranties were common in the late 1990s. [Cases: Sales 284(1). C.J.S. Sales §§ 251, 253, 257.]

YANK-CHEATING

yank-cheating,n. The illegal practice of inserting paper money into a vending machine, then pulling the money out again after the machine has recognized it, thereby retaining the cash and unlawfully obtaining merchandise.

YARDLAND

yardland,n. Hist. A variable quantity of land, often 20 acres. — Also termed *virga terrae* (v<<schwa>>r-g<<schwa>> ter-ee).

YARDSTICK THEORY

yardstick theory.Antitrust. A method of determining damages for lost profits (and sometimes overcharges) whereby a corporate plaintiff identifies a company similar to the plaintiff but without the impact of the antitrust violation. Cf. BEFORE-AND-AFTER THEORY; MARKET-SHARE THEORY.

“To the extent that either the markets or firms being compared are dissimilar, the yardstick theory will not produce a trustworthy estimate of what the plaintiff would have earned but for the defendant's conduct. The method therefore works best in markets that are both local and relatively homogeneous.” Herbert Hovenkamp, *Economics and Federal Antitrust Law* § 16.7, at 454 (1985).

YEA

yea,n. Parliamentary law. An affirmative vote.

YEA AND NAY

yea and nay (yay / nay). Yes and no. • In old records, this was a mere assertion and denial without the necessity of an oath.

YEAR

year. 1. Twelve calendar months beginning January 1 and ending December 31. — Also termed calendar year. 2. A consecutive 365-day period beginning at any point; a span of twelve months. [Cases: Time 4. C.J.S. Time § 5.]

fiscal year.An accounting period of 12 consecutive months <the company's fiscal year is

October 1 to September 30>. • A fiscal year is often different from the calendar year, esp. for tax purposes. — Also termed fiscal period.

half-year. In legal computation, a period of 182 days.

natural year.Hist. The period of 365 days and about 6 hours, or the time it takes the earth to orbit the sun.

tax year.The period used for computing federal or state income-tax liability, usu. either the calendar year or a fiscal year of 12 months ending on the last day of a month other than December. — Also termed taxable year. [Cases: Internal Revenue 3075–3093; Taxation 1038, 1078. C.J.S. Internal Revenue §§ 21, 41–43, 45, 51–55, 78, 334, 670; Taxation §§ 1738–1755, 1759.]

YEAR 2000 WARRANTY

Year 2000 warranty.See Y2K WARRANTY.

YEAR AND A DAY

year and a day.The common-law time limit fixed for various purposes, such as claiming rights, exemptions, or property (such as rights to wreckage or estrays) or for prosecuting certain acts — so called because a year was formerly counted to include the first and last day, meaning that a year from January 1 was December 31, so a year and a day would then mean a full year from January 1 through January 1. — Also termed year and day; (formerly in Scots law) *zeir and day*. See YEAR-AND-A-DAY RULE; YEAR, DAY, AND WASTE.

YEAR-AND-A-DAY RULE

year-and-a-day rule.Criminal law. The common-law principle that an act causing death is not homicide if the death occurs more than a year and a day after the act was committed. • In Latin, the phrase year and a day was commonly rendered *annus et dies*. [Cases: Homicide 510.]

“It has long been the rule that no one can be convicted of the murder or manslaughter of another person who does not die within a year and a day of the blow received or other cause of death. ‘Day’ was here added merely to indicate that the 365th day after that of the injury must be included. Such an indication was rendered necessary by an old rule (now obsolete) that, in criminal law, in reckoning a period ‘from’ the doing of any act, the period was (in favour of prisoners) to be taken as beginning on the very day when this act was done.” J.W. Cecil Turner, *Kenny's Outlines of Criminal Law* 105 (16th ed. 1952).

“The phrase ‘year and a day,’ in this test [for proving causation of a person's death], means no more than a year. The accepted method of computing time today is by excluding the first day and including the last. Thus a year from January first is the first day of the following January. In ancient times, however, there was a tendency to include both the first day and the last day so that a year from January first was thought of as the thirty-first of the following December, and ‘the day was added that there might be a whole year.’ The use of this peculiar phrase to mean just a year in the homicide cases has found expression in some of the statutes. Other enactments have wisely dropped this ancient jingle.” Rollin M. Perkins & Ronald N. Boyce, *Criminal Law* 778 (3d ed.

1982).

“Several centuries ago, when doctors knew very little about medicine, the judges created an absolute rule of law: one cannot be guilty of murder if the victim lives for a year and a day after the blow. The difficulty in proving that the blow caused the death after so long an interval was obviously the basis of the rule. Now that doctors know infinitely more, it seems strange that the year-and-a-day rule should survive to the present, but it has done so in most of the American states, either by judicial decision or by statute.” Wayne R. LaFave & Austin W. Scott Jr., *Criminal Law* § 3.12, at 299 (2d ed. 1986).

“The year and a day rule is widely viewed as an outdated relic of the common law.” *Rogers v. Tennessee*, 532 U.S. 451, 462, 121 S.Ct. 1693, 1701 (2001)(O'Connor, J.).

YEAR AND DAY

year and day. See YEAR AND A DAY.

YEAR BOOKS

Year Books. Hist. Books of cases anonymously and fairly regularly reported covering primarily the period from the reign of Edward I to the time of Henry VIII. • The title “Year Books” derives from their being grouped under the regnal years of the sovereigns in whose reigns the reported cases were cited. The reports were probably originally prepared by law teachers and students and later by professional reporters or scribes. — Also written Year-Books; year-books; yearbooks. — Also termed terms. Cf. ABBREVIATIO PLACITORUM.

“[F]rom 1300 there is a continuous stream of reports of arguments in the common Pleas. The reports were written in Anglo-French, the language of courtly speech. Their authorship is unknown, and they are referred to by the generic name ‘year-books’ If we have to account for their beginning, the most likely explanation is that they arose from a case-method of instruction in the law school which served the apprentices of the Bench before the emergence of the inns of court For the same reason, the contemporary value of the earliest reports lay not in their historical authenticity as precedents but in the ideas and suggestions which they contained Once the age of experiment was over, the reports settled into a more uniform and at times apparently single series The year-books did not end at any fixed date. What has usually been taken as their end is the result of two concurrent factors: the advent of printing, and the practice of identifying reports by the name of the author.” J.H. Baker, *An Introduction to English Legal History* 205–07 (3d ed. 1990).

YEAR, DAY, AND WASTE

year, day, and waste. Hist. A right of the Crown to the profits and waste for a year and a day of the land of persons convicted of petty treason or felony (unless the lord made redemption), after which the Crown had to restore the property to the lord of the fee. The right was abrogated by the Corruption of Blood Act of 1814. — Also termed (in Law French) ann, jour, et wast; (in Law Latin) annus, dies, et vastum.

YEAR-END DIVIDEND

year-end dividend. See DIVIDEND.

YEAR IN MOURNING

year in mourning. See ANNUS LUCTUS.

YEAR OF OUR LORD

Year of Our Lord. See ANNO DOMINI.

YEAR-TO-YEAR TENANCY

year-to-year tenancy. See periodic tenancy under TENANCY.

YEAS AND NAYS

yeas and nays. The affirmative and negative votes on a bill or resolution before a deliberative assembly. See roll-call vote under VOTE(4). [Cases: Statutes 19. C.J.S. Statutes §§ 37–38, 40, 42.]

YELLOW-DOG CONTRACT

yellow-dog contract. An employment contract forbidding membership in a labor union. • Such a contract is generally illegal under federal and state law.

YEOMAN

yeoman (yoh-m<<schwa>>n). 1. Hist. An attendant in a royal or noble household. 2. Hist. A commoner; a free-holder (under the rank of gentleman) who holds land yielding 40 shillings per year.

“A yeoman is he that hath free land of forty shillings by the year; who was thereby qualified to serve on juries, vote for knights of the shire, and do any other act, where the law requires one that is probus et legalis homo [an upright and law-abiding man].” 1 William Blackstone, Commentaries on the Laws of England 394 (1765).

3. English law. One who owns and cultivates property. 4. A petty officer performing clerical work in the U.S. Navy. — Also sometimes spelled yoman.

YEOMAN OF THE GUARD

yeoman of the guard. A member of a corps of officers whose primary duties are to ceremonially guard the English royal household. • A yeoman is usu. at least six feet tall, is of the best rank under the gentry, and is generally exempt from arrest on civil process. — Also termed yeoman of the guard of the royal household.

YEOMANRY

yeomanry (yoh-m<<schwa>>n-ree). 1. The collective body of yeomen. 2. Volunteer cavalry units in Great Britain, later transferred to the Territorial Army.

YEVEN

yeven (yev-⟨schwa⟩n oryiv-⟨schwa⟩n).Hist. Given; dated. — Also spelled yeoven (yoh-v⟨schwa⟩n).

YICK WO<TT> DOCTRINE

Yick Wo doctrine (yik woh). The principle that a law or ordinance giving a person or entity absolute discretion to grant or deny permission to carry on a lawful business violates the 14th Amendment to the U.S. Constitution. *Yick Wo v. Hopkins*, 118 U.S. 356, 6 S.Ct. 1064 (1886).

YIELD

yield,n. Profit expressed as a percentage of the investment. — Also termed yield on investment; return. See RATE OF RETURN.

coupon yield.The annual interest paid on a security (esp. a bond) divided by the security's par value. — Also termed nominal yield.

current yield.The annual interest paid on a security (esp. a bond) divided by the security's current market price.

discount yield.The yield on a security sold at a discount.

earnings yield.The earnings per share of a security divided by its market price. • The higher the ratio, the better the investment yield. — Also termed earnings-price ratio. Cf. PRICE-EARNINGS RATIO.

net yield.The profit or loss on an investment after deducting all appropriate costs and loss reserves.

nominal yield.See coupon yield.

yield,vb.1. To give up, relinquish, or surrender (a right, etc.) <yield the floor>.2.Parliamentary law. (Of a motion) to give way to a higher-ranking motion. Cf. PRECEDENCE(3).

“If two motions ‘A’ and ‘B’ are related under rules of parliamentary procedure in such a way that motion ‘B’ can be made while motion ‘A’ is pending and, when stated by the chair, can thus temporarily replace ‘A’ as the immediately pending question, motion ‘B’ takes precedence over (or takes precedence of) motion ‘A,’ and motion ‘A’ yields to motion ‘B.’ A secondary motion thus takes precedence over the main motion; and a main motion takes precedence over nothing and yields to all applicable secondary motions.” Henry M. Robert, *Robert's Rules of Order Newly Revised* § 5, at 57–58 (10th ed. 2000).

3.Hist. To perform a service owed by a tenant to a lord <yield and pay>.

YIELD ON INVESTMENT

yield on investment.See YIELD.

YIELD SPREAD

yield spread.The differences in yield between various securities issues.

YIELD TO MATURITY

yield to maturity.The rate of return from an investment if the investment is held until it matures. — Abbr. YTM. Cf. TIME VALUE.

YOKELET

yokelet (yohk-lit), n. Hist. A small farm requiring only one yoke of oxen to till it.

YOMAN

yoman. See YEOMAN.

YORK, CUSTOM OF

York, custom of.Hist. A custom prevalent in York whereby a male intestate's effects were divided according to the doctrine of *pars rationabilis* (“a reasonable part”) — that is, one-third each to the widow, children, and administrator, one-half to the administrator if the man was married but had no children or was single but had children, or all to the administrator if the man was single with no children.

YORK, STATUTE OF

York, Statute of.Hist. An English statute passed in York in the twelfth year of Edward II's reign, and including provisions on the subject of attorneys, witnesses, and the taking of inquests by *nisi prius*.

YORK–ANTWERP RULES

York–Antwerp rules.Maritime law. A set of rules relating to the settlement of maritime losses and disputes arising from bills of lading. • Although these rules have no statutory authority, they are incorporated into almost all bills of lading. The Rules are maintained and updated by the Comité Maritime International (CMI). [Cases: Shipping 186, 187, 197. C.J.S. Shipping §§ 458–459, 465–466, 468.]

YOUNGER ABSTENTION

Younger abstention.See ABSTENTION.

YOUNGER-GENERATION DEVISE

younger-generation devise.See DEVISE.

YOUNG OFFENDER

young offender.See youthful offender under OFFENDER.

YOUR HONOR

your Honor.A title customarily used when directly addressing a judge or other high official. Cf. HIS HONOR.

YOUR WITNESS

your witness. See TAKE THE WITNESS.

YOUTH CORRECTION AUTHORITY ACT

Youth Correction Authority Act. A model act, promulgated by the American Law Institute in 1940, that proposed the creation of central state commissions responsible for setting up appropriate agencies that would determine the proper treatment for each youthful offender committed to the agency by the courts. • The Act is noteworthy for its emphasis on rehabilitating juvenile offenders, as opposed to punishing them.

YOUTH COURT

youth court. See teen court under COURT.

YOUTHFUL OFFENDER

youthful offender. 1. OFFENDER. 2. JUVENILE DELINQUENT.

YOUTH SHELTER

youth shelter. See SHELTER.

YO-YO STOCK

yo-yo stock. See volatile stock under STOCK.

YTM

YTM. abbr. YIELD TO MATURITY.