

U

U3C. *abbr.* UNIFORM CONSUMER CREDIT CODE.

U.B. *abbr.* Upper Bench. See *bancus superior* under BANCUS.

uberrimae fidei (yoo-ber-ə-mee fi-dee-I). [Latin] Of the utmost good faith. See *contract uberrimae fidei* under CONTRACT.

uberrima fides (yoo-ber-ə-mə fi-deez), *n.* [Latin] Utmost good faith <a contract requiring *uberrima fides*>.

ubi (yoo-bi or oo-bee). [Latin] Where.

ubi re vera (yoo-bi ree veer-ə). [Latin] Where in reality; when in truth or in point of fact.

ubi supra (yoo-bi s[y]oo-prə). [Latin] Where stated above.

UCC. *abbr.* 1. UNIFORM COMMERCIAL CODE. 2. UNIVERSAL COPYRIGHT CONVENTION.

UCC battle of the forms. See BATTLE OF THE FORMS.

UCCC. *abbr.* UNIFORM CONSUMER CREDIT CODE.

UCCJA. *abbr.* UNIFORM CHILD CUSTODY JURISDICTION ACT.

UCMJ. *abbr.* UNIFORM CODE OF MILITARY JUSTICE.

UCP. *abbr.* UNIFORM CUSTOMS AND PRACTICE FOR COMMERCIAL DOCUMENTARY CREDITS.

UCR. *abbr.* UNIFORM CRIME REPORTS.

UDITPA. *abbr.* UNIFORM DIVISION OF INCOME FOR TAX PURPOSES ACT.

UFCA. *abbr.* UNIFORM FRAUDULENT CONVEYANCES ACT.

UFTA. *abbr.* UNIFORM FRAUDULENT TRANSFER ACT.

UGMA. See UNIFORM TRANSFERS TO MINORS ACT.

U.K. *abbr.* UNITED KINGDOM.

ukase (yoo-kays or yoo-kays). A proclamation or decree, esp. of a final or arbitrary nature. ● This term originally referred to a decree issued by a Russian czar.

ullage (əl-ij). The amount that a cask of liquid lacks from being full.

ulna ferrea (əl-nə fer-ee-ə). [Law Latin “iron ell”] *Hist.* An iron measuring device, approximately a yard in length, kept in the Exchequer as a standard measure.

ulnage (əl-nij). Alnage. See ALNAGER.

ulterior intent. See INTENT (1).

ultima ratio (əl-ti-mə ray-shee-oh). [Latin] The final argument; the last resort; the means last to be resorted to.

ultimate fact. See FACT.

ultimate issue. See ISSUE (1).

ultimatum (əl-tə-may-təm), *n.* The final and categorical proposal made in negotiating a treaty, contract, or the like. ● An ultimatum implies that a rejection might lead to a break-off in negotiations or, in international law, to a cessation of diplomatic relations or even to war. Pl. **ultimatums**.

ultimus heres (əl-ti-məs heer-eez). See HERES.

ultrahazardous activity. See ABNORMALLY DANGEROUS ACTIVITY.

ultra mare (əl-trə mair-ee or mahr-ee). [Latin] See BEYOND SEAS.

ultra reprises (əl-trə ri-priz-iz). After deduction of expenses; net.

ultra vires (əl-trə vī-reez also veer-eez), *adj.* Unauthorized; beyond the scope of power allowed or granted by a corporate charter or by law <the officer was liable for the firm's ultra vires actions>. — Also termed *extra vires*. — **ultra vires**, *adv.* Cf. INTRA VIRES.

umbrella limited partnership. See PARTNERSHIP.

umbrella-partnership real-estate investment trust. See REAL-ESTATE INVESTMENT TRUST.

umbrella policy. See INSURANCE POLICY.

umpirage (əm-pīr-ij). **1.** The office or authority of an umpire. **2.** The decision (such as an arbitral award) of an umpire.

umpire. An impartial person appointed to make an award or a final decision, usu. when a matter has been submitted to arbitrators who have failed to agree. ● An arbitral submission may provide for the appointment of an umpire.

un-, prefix. **1.** Not <unassignable>. **2.** Contrary to; against <unconstitutional>.

U.N. abbr. UNITED NATIONS.

unaccrued, adj. Not due, as rent on a lease.

unalienable, adj. See INALIENABLE.

unanimous (yoo-nan-ə-məs), *adj.* **1.** Agreeing in opinion; being in complete accord <the judges were unanimous in their approval of the recommendation>. **2.** Arrived at by the consent of all <a unanimous verdict>.

unanimous-consent calendar. See CONSENT CALENDAR (2).

unascertained duty. See DUTY (4).

unauthorized, adj. Done without authority; specif. (of a signature or indorsement), made without actual, implied, or apparent authority. UCC § 1-201(43).

unauthorized completion. *Commercial law.* The act of filling in missing information in a negotiable instrument either without any authority to do so or beyond the authority granted. ● Unauthorized completion is a personal defense, so it can be raised against any later holder of the instrument who does not have the

rights of a holder in due course. See *personal defense* under DEFENSE (3).

unauthorized indorsement. See INDORSEMENT.

unauthorized practice of law. See PRACTICE OF LAW.

unauthorized signature. See SIGNATURE.

unauthorized use of a vehicle. See JOYRIDING.

unavailability, n. The status or condition of not being available, as when a witness is exempted by court order from testifying. ● Unavailability is recognized under the Federal Rules of Evidence as an exclusion to the hearsay rule. Fed. R. Evid. 804.

una voce (yoo-nə voh-see). [Latin] With one voice; unanimously; without dissent.

unavoidable accident. See ACCIDENT.

unavoidable-accident doctrine. *Torts.* The rule holding no party liable for an accident that was not foreseeable and that could not have been prevented by the exercise of reasonable care. ● The modern trend is for courts to ignore this doctrine, relying instead on the basic concepts of duty, negligence, and proximate cause. — Also termed *inevitable-accident doctrine*.

unavoidable casualty. See *unavoidable accident* under ACCIDENT.

unavoidable cause. See CAUSE (1).

unavoidable danger. See DANGER.

unborn beneficiary. See BENEFICIARY.

unborn child. See CHILD.

unborn-widow rule. The legal fiction, assumed under the rule against perpetuities, that a beneficiary's widow is not alive at the testator's death, and thus a succeeding life estate to her voids any remainders because the interest would not vest within the perpetuities period. See RULE AGAINST PERPETUITIES.

unbroken, adj. Not interrupted; continuous <unbroken possession by the adverse possessor>.

unbundling rules. *Telecommunications.* Regulations passed by the Federal Communications Commission to effectuate the local-competition requirements of the Telecommunications Act of 1996, which requires local-exchange carriers to provide access to elements of local-exchange networks on an unbundled (i.e., separated) basis. 47 USCA § 251; 47 CFR pt. 51. See NETWORK ELEMENT.

uncertain damages. See DAMAGES.

uncertified security. See SECURITY.

uncia (ən-shee-ə). [Latin] **1.** *Roman law.* One-twelfth of the *as* (a pound or, by analogy, an estate or inheritance). • The English word *ounce* is derived from this term. Cf. AS; BES. **2.** *Hist.* A measure of land used in a royal charter. • The size of an *uncia* is unclear, but it may have measured 1,200 square feet (i.e., 12 *modii*). **3.** Generally, the proportion of one-twelfth.

unciarius heres (ən-shee-air-ee-əs heer-eez). [Latin] *Roman law.* An heir to one-twelfth of an estate or inheritance.

unclean-hands doctrine. See CLEAN-HANDS DOCTRINE.

uncollected funds. A credit, such as an increase in the balance of a checking or other deposit account in a bank, given on the basis of a check or other right to payment that has not yet been received from the drawee or other payor.

unconditional, adj. Not limited by a condition; not depending on an uncertain event or contingency.

unconditional delivery. See DELIVERY.

unconditional discharge. See DISCHARGE (7).

unconditional heir. See HEIR.

unconditional pardon. See *absolute pardon* under PARDON.

unconditional promise. See PROMISE.

unconscionability (ən-kon-shə-nə-bil-ə-tee). **1.** Extreme unfairness. **2.** The principle that a court may refuse to enforce a contract that is unfair or oppressive because of procedural abuses during contract formation or because of

overreaching contractual terms, esp. terms that are unreasonably favorable to one party while precluding meaningful choice for the other party. • Because unconscionability depends on circumstances at the time the contract is formed, a later rise in market price is irrelevant.

“Traditionally, a bargain was said to be unconscionable in an action at law if it was ‘such as no man in his senses and not under delusion would make on the one hand, and as no honest and fair man would accept on the other;’ damages were then limited to those to which the aggrieved party was ‘equitably’ entitled. *Hume v. United States*, 132 U.S. 406, [10 S.Ct. 134] (1889), quoting *Earl of Chesterfield v. Janssen*, 2 Ves. Sen. 125, 155, 28 Eng. Rep. 82, 100 (Ch. 1750). Even though a contract was fully enforceable in an action for damages, equitable remedies such as specific performance were refused where ‘the sum total of its provisions drives too hard a bargain for a court of conscience to assist.’ *Campbell Soup Co. v. Wentz*, 172 F.2d 80, 84 (3d Cir. 1948). Modern procedural reforms have blurred the distinction between remedies at law and in equity. For contracts for the sale of goods, Uniform Commercial Code § 2-302 states the rule of this Section without distinction between law and equity. Comment 1 to that section adds, ‘The principle is one of the prevention of oppression and unfair surprise . . . and not of disturbance of allocation of risks because of superior bargaining power.’” Restatement (Second) of Contracts § 208 cmt. b (1981).

“Nowhere among the [Uniform Commercial] Code’s many definitions is there one of *unconscionability*. That the term is incapable of precise definition is a source of both strength and weakness.” E. Allan Farnsworth, *Contracts* § 4.28, at 310 (1982).

procedural unconscionability. Unconscionability resulting from improprieties in contract formation (such as oral misrepresentations or disparities in bargaining position) rather than from the terms of the contract itself. • This type of unconscionability suggests that there was no meeting of the minds.

substantive unconscionability. Unconscionability resulting from actual contract terms that are unduly harsh, commercially unreasonable, and grossly unfair given the existing circumstances.

unconscionable (ən-kon-shə-nə-bəl), *adj.* **1.** (Of a person) having no conscience; unscrupulous <an unconscionable used-car salesman>. **2.** (Of an act or transaction) showing no regard for conscience; affronting the sense of justice, decency, or reasonableness <the contract is void as unconscionable>. Cf. CONSCIONABLE.

unconscionable agreement. See AGREEMENT.

unconscionable contract. See *unconscionable agreement* under AGREEMENT.

unconscious, *adj.* Without awareness; not conscious. • A person who commits a criminal act while unconscious may be relieved from liability for the act.

unconstitutional, *adj.* Contrary to or in conflict with a constitution, esp. the U.S. Constitution <the law is unconstitutional because it violates the First Amendment's free-speech guarantee>. Cf. NONCONSTITUTIONAL.

unconstitutional-conditions doctrine. The principle that a government may not condition the receipt of government benefits on the recipient's surrender of constitutional rights (esp. First Amendment rights). • For example, a television station that receives public funds cannot be forced to refrain from endorsing political candidates.

uncontrollable, *adj.* Incapable of being controlled.

uncontrollable impulse. See IMPULSE.

uncontrolled-securities-offering distribution. See *securities-offering distribution* under DISTRIBUTION.

uncore prist (ən[g]-kor prist). [Law French "still ready"] *Hist.* A plea by which a party alleges readiness to pay or perform what is justly demanded.

"Yet sometimes, after tender and refusal of a debt, if the creditor harasses his debtor with an action, it then becomes necessary for the defendant to acknowledge the debt, and plead the tender; adding, that . . . he is still ready, *uncore prist*, to discharge it. . . ." 3 William Blackstone, *Commentaries on the Laws of England* 303 (1768).

uncounseled, *adj.* Without the benefit or participation of legal counsel <an uncounseled conviction> <an uncounseled defendant>.

uncovered option. See *naked option* under OPTION (4).

unde nihil habet (ən-dee nī-hil hay-bət). [Law Latin "whereof she has nothing"] *Hist.* A writ of dower for a widow where no dower had been assigned to her within the time allowed by law.

undercapitalization. See CAPITALIZATION.

undercover agent. See AGENT.

undercurrent of surface stream. Water that moves slowly through the bed of a stream or

lands under or immediately adjacent to the stream. • This water is considered part of the surface stream. — Also termed *underflow of surface stream*.

underdeveloped country. See DEVELOPING COUNTRY.

underflow of surface stream. See UNDERCURRENT OF SURFACE STREAM.

underinsurance. An agreement to indemnify against property damage up to a certain amount but for less than the property's full value.

underinsured-motorist coverage. Insurance that pays for losses caused by a driver who negligently damages the insured but does not have enough liability insurance to cover the damages. Cf. UNINSURED-MOTORIST COVERAGE.

underlease. See SUBLEASE.

underlessor. See SUBLESSOR.

under protest. See PROTEST.

undersheriff. See *deputy sheriff* under SHERIFF.

undersigned, *n.* A person whose name is signed at the end of a document <the undersigned agrees to the aforementioned terms and conditions>.

understand, *vb.* To apprehend the meaning of; to know <the testator did not understand what he was signing>.

understanding, *n.* **1.** The process of comprehending; the act of a person who understands something. **2.** One's personal interpretation of an event or occurrence. **3.** An agreement, esp. of an implied or tacit nature.

under submission. Being considered by the court; under advisement <the case was under submission in the court of appeals for more than two years>.

undertake, *vb.* **1.** To take on an obligation or task <he has undertaken to chair the committee on legal aid for the homeless>. **2.** To give a formal promise; guarantee <the merchant undertook that the goods were waterproof>. **3.** To act as surety for (another); to make oneself responsible for (a person, fact, or the like) <her

husband undertook for her appearance in court>.

undertaking, *n.* **1.** A promise, pledge, or engagement. **2.** A bail bond.

undertenant. See SUBLESSEE.

under the influence. (Of a driver, pilot, etc.) deprived of clearness of mind and self-control because of drugs or alcohol. See DRIVING UNDER THE INFLUENCE.

Undertreasurer of England. *Hist.* An officer immediately subordinate to the Lord High Treasurer.

under-tutor. *Civil law.* A person appointed by a court to represent a minor under the care of a tutor whenever the interests of the minor conflict with that of the tutor. See TUTORSHIP.

underwriter. **1.** INSURER. **2.** One who buys stock from the issuer with an intent to resell it to the public; a person or entity, esp. an investment banker, who guarantees the sale of newly issued securities by purchasing all or part of the shares for resale to the public.

“The term ‘underwriter’ derives its meaning from former British insurance practices. When insuring their cargo shippers would seek out investors to insure their property. The insurers would add their signatures and would write their names under those of the shipper; hence the term ‘underwriters.’ Both in terms of the insurance industry and the securities markets, the concept of underwriting has expanded significantly since its inception.” Thomas Lee Hazen, *The Law of Securities Regulation* § 2.1, at 57 (2d ed. 1994).

chartered life underwriter. An underwriter who has satisfied the requirements set forth by The American College (formerly The American College of Life Underwriters) to be designated a life insurance underwriter. — Abbr. CLU.

underwriting, *n.* **1.** The act of assuming a risk by insuring it; the insurance of life or property. See INSURANCE. **2.** The act of agreeing to buy all or part of a new issue of securities to be offered for public sale. — **underwrite**, *vb.*

best-efforts underwriting. Underwriting in which an investment banker agrees to direct, but not guarantee, the public sale of the issuer’s securities. ● The underwriter, or selling group, sells the securities as agent for the issuer, and any unsold securities are never issued.

firm-commitment underwriting. Underwriting in which the underwriter agrees to buy all the shares to be issued and remain financially responsible for any securities not purchased. ● The underwriter, or underwriting group, buys the securities from the issuer and resells them as principal. In this type of underwriting, securities that cannot be sold to the public are owned by the underwriter, and the issuer is paid for those securities as well as the others.

standby underwriting. Underwriting in which the underwriter agrees, for a fee, to buy from the issuer any unsold shares remaining after the public offering. — Also termed *strict underwriting*.

underwriting agreement. See AGREEMENT.

underwriting spread. See SPREAD.

undesirable discharge. See DISCHARGE (8).

undigested offering. See OFFERING.

undisclosed agency. See AGENCY (1).

undisclosed principal. See PRINCIPAL (1).

undisputed, *adj.* Not questioned or challenged; uncontested.

undisputed fact. See FACT.

undistributed-earnings tax. See *accumulated-earnings tax* under TAX.

undistributed profit. See *retained earnings* under EARNINGS.

undivided interest. An interest held under the same title by two or more persons, whether their rights are equal or unequal in value or quantity. — Also termed *undivided right*; *undivided title*. See *joint tenancy* and *tenancy in common* under TENANCY.

undivided profit. See *accumulated profit* under PROFIT.

undivided right. See UNDIVIDED INTEREST.

undivided title. See UNDIVIDED INTEREST.

undocumented alien. See *illegal alien* under ALIEN.

undue, *adj.* **1.** *Archaic.* Not yet owed; not currently payable <an undue debt>. **2.** Excessive or unwarranted <undue burden> <undue influence>.

undue-burden test. *Constitutional law.* The Supreme Court test stating that a law regulating abortion will be struck down if it places a substantial obstacle in the path of a woman's right to obtain an abortion. • This test replaced the "trimester analysis," set forth in *Roe v. Wade*, in which the state's ability to restrict abortion increased after each trimester of pregnancy. *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833, 112 S.Ct. 2791 (1992).

undue influence. **1.** The improper use of power or trust in a way that deprives a person of free will and substitutes another's objective. • Consent to a contract, transaction, relationship, or conduct is voidable if the consent is obtained through undue influence.

"Undue influence is unfair persuasion of a party who is under the domination of the person exercising the persuasion or who by virtue of the relation between them is justified in assuming that the person will not act in a manner inconsistent with his welfare." Restatement (Second) of Contracts § 177(1) (1981).

"When at the turn of the twentieth century, the common law doctrine of duress was expanded to provide relief for coercion irrespective of the means of coercion, much of the work of undue influence became unnecessary. The doctrine has a much more specialized role today, although often enough the precedents decided when the more general doctrine prevailed are cited and quoted to the general confusion of the profession. Today the gist of the doctrine is unfair persuasion rather than coercion. Euphoria rather than fear is often, but certainly not always, the state of mind of the party unduly influenced." John D. Calamari & Joseph M. Perillo, *The Law of Contracts* § 9-9, at 351-52 (3d ed. 1987).

2. Wills & estates. Coercion that destroys a testator's free will and substitutes another's objectives in its place. • When a beneficiary actively procures the execution of a will, a presumption of undue influence may be raised, based on the confidential relationship between the influencer and the testator. — Also termed *improper influence*. See COERCION; DURESS.

undue prejudice. See PREJUDICE.

unearned income. See INCOME.

unearned increment. See INCREMENT.

unearned interest. See INTEREST (3).

unearned premium. See PREMIUM (1).

unearned-premium reserve. See RESERVE.

unearned surplus. See SURPLUS.

unemployment. The state or condition of being unemployed.

structural unemployment. Unemployment resulting from a shift in the demand for a particular product or service.

unemployment compensation. See COMPENSATION.

unemployment insurance. See INSURANCE.

unemployment tax. See TAX.

unenacted law. See LAW.

unencumbered (ən-in-kəm-bərd), *adj.* Without any burdens or impediments <unencumbered title to property>.

unenforceable, *adj.* (Of a contract) valid but incapable of being enforced. Cf. VOID; VOIDABLE.

unenforceable contract. See CONTRACT.

unequal, *adj.* Not equal in some respect; uneven <unequal treatment under the law>.

unequivocal (ən-i-kwiv-ə-kəl), *adj.* Unambiguous; clear; free from uncertainty.

unerring (ən-ər-ing also ən-er-ing), *adj.* Incapable of error; infallible.

unessential mistake. See MISTAKE.

unethical, *adj.* Not in conformity with moral norms or standards of professional conduct. See LEGAL ETHICS.

unexpected, *adj.* Happening without warning; not expected.

unexpired term. See TERM (4).

unfair competition. **1.** Dishonest or fraudulent rivalry in trade and commerce; esp., the practice of endeavoring to substitute one's own goods or products in the market for those of another by means of imitating or counterfeiting the name, brand, size, shape, or other distinctive characteristic of the article or its packaging. **2.** The body of law protecting the first user of such a name, brand, size, shape, or other

distinctive characteristic against an imitating or counterfeiting competitor.

unfair hearing. See HEARING.

unfair labor practice. Any conduct prohibited by state or federal law governing the relations among employers, employees, and labor organizations. • Examples of unfair labor practices by an employer include (1) interfering with protected employee rights, such as the right to self-organization, (2) discriminating against employees for union-related activities, (3) retaliating against employees who have invoked their rights, and (4) refusing to engage in collective bargaining. Examples of unfair labor practices by a labor organization include causing an employer to discriminate against an employee, engaging in an illegal strike or boycott, causing an employer to pay for work not to be performed (i.e., featherbedding), and refusing to engage in collective bargaining. 29 USCA §§ 151–169.

unfair persuasion. *Contracts.* A type of undue influence in which a stronger party achieves a result by means that seriously impair the weaker party's free and competent exercise of judgment. • Unfair persuasion is a lesser form of undue influence than duress and misrepresentation. The two primary factors to be considered are the unavailability of independent advice and the susceptibility of the person persuaded. See UNDUE INFLUENCE (1).

unfair surprise. A situation in which a party, having had no notice of some action or proffered evidence, is unprepared to answer or refute it.

unfair trade. An inequitable business practice; esp. the act or an instance of a competitor's repeating of words in a way that conveys a misrepresentation that materially injures the person who first used the words, by appropriating credit of some kind earned by the first user.

unfit, *adj.* 1. Unsuitable; not adapted or qualified for a particular use or service <the buyer returned the unfit goods to the seller and asked for a refund>. 2. *Family law.* Morally unqualified; incompetent <the judge found her to be an unfit mother and awarded custody to the father>.

unforeseen, *adj.* Not foreseen; not expected <unforeseen circumstances>.

unfriendly suitor. See CORPORATE RAIDER.

unhandsome dealing. *Archaic.* See SHARP PRACTICE.

unharmful, *adj.* Not injured or damaged.

unica taxatio (yoo-nə-kə tak-say-shee-oh). [Law Latin “a single taxation”] *Hist.* The practice of having the jury assess damages against a defaulting defendant as well as a defendant who contests the case.

unifactorial obligation. See OBLIGATION.

unified bar. See *integrated bar* under BAR.

unified credit. See TAX CREDIT.

unified estate-and-gift tax. See *transfer tax* under TAX.

unified estate-and-gift tax credit. See *unified credit* under TAX CREDIT.

unified transfer tax. See *transfer tax* under TAX.

uniform, *adj.* Characterized by a lack of variation; identical or consistent.

uniform act. A law drafted with the intention that it will be adopted by all or most of the states; esp., UNIFORM LAW. Cf. MODEL ACT.

Uniform Child Custody Jurisdiction Act. An act, in force in all states, that sets out a standard (based on the child's residence in and connections with the state) by which a state court determines whether it has jurisdiction over a particular child-custody matter or whether it must recognize a custody decree issued by another state's court. — Abbr. UC-CJA. Cf. PARENTAL KIDNAPPING PREVENTION ACT.

Uniform Code of Military Justice. 1. CODE OF MILITARY JUSTICE. **2.** A model code promulgated by the National Conference of Commissioners on Uniform State Laws to govern state military forces when not in federal service. 11 U.L.A. 335 et seq. (1974). — Abbr. UCMJ.

Uniform Commercial Code. A uniform law that governs commercial transactions, including sales of goods, secured transactions, and negotiable instruments. • The Code has been adopted in some form by every state. — Abbr. UCC.

Uniform Consumer Credit Code. A uniform law designed to simplify and modernize the consumer credit and usury laws, to improve consumer understanding of the terms of credit transactions, to protect consumers against unfair practices, and the like. • This Code has been adopted by only a few states. — Abbr. UCCC; U3C. — Also termed *Consumer Credit Code*. See CONSUMER CREDIT PROTECTION ACT.

Uniform Controlled Substances Act. A uniform act, adopted by many states and the federal government, governing the sale, use, and distribution of drugs. 21 USCA §§ 801 et seq.

Uniform Crime Reports. A series of annual criminological studies (each entitled *Crime in the United States*) prepared by the FBI. • The reports include data on eight index offenses, statistics on arrests, and information on offenders, crime rates, and the like. — Abbr. UCR.

Uniform Customs and Practice for Commercial Documentary Credits. A publication of the International Chamber of Commerce that codifies widespread customs of bankers and merchants relating to the mechanics and operation of letters of credit. • Courts look to this publication to supplement and help interpret primary sources of credit law, such as UCC Article 5. — Abbr. UCP.

Uniform Deceptive Trade Practices Act. A type of Baby FTC Act that provides monetary and injunctive relief for a variety of unfair and deceptive acts, such as false advertising and disparagement. See BABY FTC ACT.

Uniform Division of Income for Tax Purposes Act. A uniform law, adopted by some states, that provides criteria to assist in assigning the total taxable income of a multistate corporation among the various states. — Abbr. UDITPA.

Uniform Divorce Recognition Act. A uniform code adopted by some states regarding full-faith-and-credit issues that arise in divorces.

Uniform Enforcement of Foreign Judgments Act. A uniform state law giving the holder of a foreign judgment the right to levy and execute as if it were a domestic judgment.

Uniform Fraudulent Conveyances Act. A model act adopted in 1918 to deal with issues arising from fraudulent conveyances by insolvent persons. • This act differentiated between conduct that was presumed fraudulent and con-

duct that required an actual intent to commit fraud. — Abbr. UFCA.

Uniform Fraudulent Transfer Act. A model act designed to bring uniformity among the states regarding the definition of, and penalties for, fraudulent transfers. • This act was adopted in 1984 to replace the Uniform Fraudulent Conveyances Act. — Abbr. UFTA.

Uniform Gifts to Minors Act. See UNIFORM TRANSFERS TO MINORS ACT.

Uniformity Clause. The clause of the U.S. Constitution requiring the uniform collection of federal taxes. U.S. Const. art. I, § 8, cl. 1.

Uniform Law. An unofficial law proposed as legislation for all the states to adopt exactly as written, the purpose being to promote greater consistency among the states. • All the uniform laws are promulgated by the National Conference of Commissioners on Uniform State Laws. For a complete collection, see *Uniform Laws Annotated*.

Uniform Law Commissioners. See NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS.

Uniform Partnership Act. A model code promulgated in 1914 to bring uniformity to state laws governing general and limited partnerships. • The act was adopted by almost all the states, but has been superseded in several of them by the Revised Uniform Partnership Act (1994). — Abbr. UPA.

Uniform Principal and Income Act. A uniform code adopted by some states governing allocation of principal and income in trusts and estates.

Uniform Reciprocal Enforcement of Support Act. A uniform law providing a procedure by which an alimony or child-support decree issued by one state can be enforced against a former spouse who resides in another state. — Abbr. URESA.

Uniform Transfers to Minors Act. A uniform law — adopted by most states — providing for the transfer of property to a minor, permitting a custodian acting in a fiduciary capacity to manage investments and apply the income from the property for the minor's support. — Abbr. UTMA. — Also termed *Transfers to Minors Act*. — Formerly also termed *Uniform*

Gifts to Minors Act (UGMA); *Gifts to Minors Act*.

unify, *vb.* To cause to become one; to form into a single unit.

unigeniture (yoo-nə-jen-ə-chər). *Archaic.* The fact of being an only child.

unilateral (yoo-nə-lat-ər-əl), *adj.* One-sided; relating to only one of two or more persons or things <unilateral mistake>.

unilateral act. See ACT (2).

unilateral contract. See CONTRACT.

unilateral mistake. See MISTAKE.

unimproved land. **1.** Land that has never been improved. **2.** Land that was once improved but has now been cleared of all buildings and structures.

unincorporated association. See ASSOCIATION (3).

unindicted coconspirator. See *unindicted conspirator* under CONSPIRATOR.

unindicted conspirator. See CONSPIRATOR.

uninsured-motorist coverage. Insurance that pays for the insured's injuries and losses negligently caused by a driver who has no liability insurance. Cf. UNDERINSURED-MOTORIST COVERAGE.

unintentional act. See ACT (2).

uninterrupted-adverse-use principle. See CONTINUOUS-ADVERSE-USE PRINCIPLE.

unio (yoo-nee-oh). *Eccles. law.* A consolidation of two churches into one.

union, *n.* An organization formed to negotiate with employers, on behalf of workers collectively, about job-related issues such as salary, benefits, hours, and working conditions. ● Unions generally represent skilled workers in trades and crafts. — Also termed *labor union*; *labor organization*; *organization*. — **unionize**, *vb.* — **unionist**, *n.*

closed union. A union with restrictive membership requirements, such as high dues and

long apprenticeship periods. Cf. *closed shop* under SHOP.

company union. **1.** A union whose membership is limited to the employees of a single company. **2.** A union under company domination.

craft union. A union composed of workers in the same trade or craft, such as carpentry or plumbing, regardless of the industry in which they work. — Also termed *horizontal union*.

federal labor union. A local union directly chartered by the AFL-CIO.

horizontal union. See *craft union*.

independent union. A union that is not affiliated with a national or international union.

industrial union. A union composed of workers in the same industry, such as shipbuilding or automobile manufacturing, regardless of their particular trade or craft. — Also termed *vertical union*.

international union. A parent union with affiliates in other countries.

local union. A union that serves as the local bargaining unit for a national or international union.

multicraft union. A union composed of workers in different industries.

national union. A parent union with locals in various parts of the United States.

open union. A union with minimal membership requirements. Cf. *open shop* under SHOP.

trade union. A union composed of workers of the same or of several allied trades; a craft union.

vertical union. See *industrial union*.

union certification. A determination by the National Labor Relations Board or a state agency that a particular union qualifies as the bargaining representative for a segment of a company's workers — a bargaining unit — because it has the support of a majority of the workers in the unit. — Also termed *certification of bargaining agent*; *certification of labor union*.

union contract. See LABOR AGREEMENT.

union givebacks. See CONCESSION BARGAINING.

Union Jack. The common name of the national flag of the United Kingdom, combining the national flags of England, Scotland, and Ire-

land. • The Union Jack was originally a small union flag flown from the jack-staff at the bow of a vessel. It is different from the Royal Standard, which bears the royal arms and is the Queen's personal flag.

union mortgage clause. See *standard mortgage clause* under MORTGAGE CLAUSE.

union rate. See RATE.

union-security clause. A provision in a union contract intended to protect the union against employers, nonunion employees, and competing unions.

union shop. See SHOP.

union steward. See STEWARD.

unissued stock. See STOCK.

unit. The number of shares, often 100, that a given stock is normally traded in.

unital (yoo-nə-təl), adj. Of or relating to legal relations that exist between only two persons. Cf. MULTITAL.

"The relations of the *cestui que trust* with the trustee are *in personam* or 'unital,' and the same is true of a contract beneficiary and the promisor . . ." William R. Anson, *Principles of the Law of Contract* 326 n.1 (Arthur L. Corbin ed., 3d Am. ed. 1919).

unitary business (yoo-nə-ter-ee). *Tax.* A business that has subsidiaries in other states or countries and that calculates its state income tax by determining what portion of a subsidiary's income is attributable to activities within the state, and paying taxes on that percentage.

unitary state. See STATE (1).

unitary tax. See TAX.

unitas actus (yoo-ni-tas ak-təs). [Latin] *Roman law.* Unity of action, esp. in the execution of a will, which must not be interrupted by any intervening act.

unitas juris (yoo-ni-tas joor-is). [Latin] Unity of right.

unit cost. See COST (1).

unit depreciation method. See DEPRECIATION METHOD.

unite, vb. 1. To combine or join to form a whole.
2. To act in concert or in a common cause.

United Kingdom. A country in Europe comprising England, Scotland, Wales, and Northern Ireland, but not the Isle of Man or the Channel Islands. — Abbr. U.K.

United Nations. An international organization formed in 1945 to establish a global community with the goals of preventing war, providing justice, and promoting human rights and welfare. — Abbr. U.N.

United States Attorney. A lawyer appointed by the President to represent, under the direction of the Attorney General, the federal government in civil and criminal cases in a federal judicial district. — Also termed *United States District Attorney*. Cf. DISTRICT ATTORNEY.

United States Claims Court. See UNITED STATES COURT OF FEDERAL CLAIMS.

United States Code. A multivolume published codification of federal statutory law. • In a citation, it is abbreviated as USC, as in 42 USC § 1983.

United States Code Annotated. A multivolume publication of the complete text of the United States Code with historical notes, cross-references, and casenotes of federal and state decisions construing specific Code sections. — Abbr. USCA.

United States Commissioner. See COMMISSIONER.

United States court. See *federal court* under COURT.

United States Court of Appeals. A federal appellate court having jurisdiction to hear cases in one of the 13 judicial circuits of the United States (the First Circuit through the Eleventh Circuit, plus the District of Columbia Circuit and the Federal Circuit). — Also termed *circuit court*.

United States Court of Appeals for the Armed Forces. The primary civilian appellate tribunal responsible for reviewing court-martial convictions from all the military services. 10 USCA §§ 941–950. — Formerly also termed *Court of Military Appeals*.

United States Court of Appeals for the Federal Circuit. An intermediate-level appellate court with jurisdiction to hear appeals in patent cases, various actions against the United States to recover damages, cases from the U.S. Court of Federal Claims, the U.S. Court of International Trade, the U.S. Court of Veterans Appeals, the Merit Systems Protection Board, and some administrative agencies. • The Court originated in the 1982 merger of the Court of Customs and Patent Appeals and the U.S. Court of Claims (although the trial jurisdiction of the Court of Claims was given to a new U.S. Claims Court). — Abbr. Fed. Cir.

United States Court of Federal Claims. A specialized federal court created under Article I of the Constitution in 1982 (with the name *United States Claims Court*) as the successor to the Court of Claims, and renamed in 1992 as the United States Court of Federal Claims. • It has original, nationwide jurisdiction to render a money judgment on any claim against the United States founded on the Constitution, a federal statute, a federal regulation, an express or implied-in-fact contract with the United States, or any other claim for damages not sounding in tort. — Also termed *Court of Claims* (abbr. Cl. Ct.).

United States Court of International Trade. A court with jurisdiction over any civil action against the United States arising from federal laws governing import transactions or the eligibility of workers, firms, and communities for adjustment assistance under the Trade Act of 1974 (19 USCA §§ 2101–2495). • Its exclusive jurisdiction also includes actions to recover customs duties, to recover on a customs bond, and to impose certain civil penalties for fraud or negligence. See 28 USCA §§ 1581–1584. — Also termed *International Trade Court*; (formerly) *U.S. Customs Court*.

United States Court of Veterans Appeals. A federal appellate court that has exclusive jurisdiction to review decisions of the Board of Veterans Appeals. • The Court was created in 1988, and appeals from its decisions are to the U.S. Court of Appeals for the Federal Circuit. — Abbr. CVA.

United States currency. See CURRENCY.

United States Customs Court. A court that formerly heard cases involving customs and duties. • Abolished in 1980, its responsibilities have been taken over by the United States

Court of International Trade. See UNITED STATES COURT OF INTERNATIONAL TRADE.

United States District Attorney. See UNITED STATES ATTORNEY.

United States District Court. A federal trial court having jurisdiction within its judicial district. — Abbr. U.S.D.C.

United States Magistrate Judge. A federal judicial officer who hears civil and criminal pretrial matters and who may conduct civil trials or criminal misdemeanor trials. 28 USCA §§ 631–639. — Also termed *federal magistrate* and (before 1990) *United States Magistrate*.

United States Marshal. See MARSHAL.

United States of America. A federal republic formed after the War of Independence and made up of 48 conterminous states, plus the state of Alaska and the District of Columbia in North America, plus the state of Hawaii in the Pacific.

United States officer. See OFFICER (1).

United States person. A U.S. resident or national (with the exception of one living outside the United States who is employed by someone who is not a United States person), a domestic American concern, and any foreign subsidiary or affiliate of a domestic concern with operations controlled by the domestic concern. • Under antiboycott regulatory controls, no United States person may participate in a secondary boycott or discrimination against Jews and others by members of the League of Arab States. 50 USCA app. § 2415(2).

United States Reports. The official printed record of U.S. Supreme Court cases. • In a citation, it is abbreviated as U.S., as in 388 U.S. 14 (1967).

United States Supreme Court. See SUPREME COURT OF THE UNITED STATES.

United States Tax Court. See TAX COURT, U.S.

United States trustee. A federal official who is appointed by the Attorney General to perform administrative tasks in the bankruptcy process, such as appointing bankruptcy trustees in Chapter 7 and Chapter 11 cases. See BANKRUPTCY TRUSTEE.

unit-investment trust. See TRUST.

unitization (yoo-nə-tə-zay-shən), *n.* *Oil & gas.* The aggregation of two or more separately owned oil-producing properties to form a single property that can be operated as a single entity under an arrangement for sharing costs and revenues. — **unitize** (yoo-nə-tiz), *vb.* Cf. COMMUNITIZATION.

unit-ownership act. A state law governing condominium ownership.

unit price. See PRICE.

unit pricing. A system in which contract items are priced per unit rather than on the basis of a flat contract price.

unit rule. A method of valuing securities by multiplying the total number of shares held by the sale price of one share sold on a licensed stock exchange, ignoring all other facts about value.

unitrust. A trust from which a fixed percentage of the fair market value of the trust's assets, valued annually, is paid each year to the beneficiary.

units-of-output depreciation method. See DEPRECIATION METHOD.

units-of-production method. *Tax.* An accounting method in which the depreciation provision is computed at a fixed rate per product unit, based on an estimate of the total number of units that the property will produce during its service life. • This method is used in the oil-and-gas industry when the total number of units of production (i.e., barrels in a reserve) can be accurately estimated.

unity, *n.* **1.** The fact or condition of being one in number; oneness. **2.** At common law, a requirement for the creation of a joint tenancy. • The four unities are interest, possession, time, and title. — **unitary**, *adj.* See *joint tenancy* under TENANCY.

unity of interest. The requirement that all joint tenants' interests must be identical in nature, extent, and duration. — Also termed *interest unity*.

unity of possession. The requirement that each joint tenant must be entitled to possession of the whole property. — Also termed *possession unity*.

unity of time. The requirement that all joint tenants' interests must vest at the same time. — Also termed *time unity*.

unity of title. The requirement that all joint tenants must acquire their interests under the same instrument. — Also termed *title unity*.

unity of seisin (see-zin). The merging of seisin in one person, brought about when the person becomes seised of a tract of land on which he or she already has an easement.

universal agency. See *general agency* under AGENCY (1).

universal agent. See AGENT.

Universal Copyright Convention. An international convention, first adopted in the United States in 1955, by which signatory countries agree to give the published works of a member country the same protection as that given to works of its own citizens. — Abbr. UCC.

Universal Declaration of Human Rights. An international bill of rights approved by the United Nations in December 1948, being that body's first enumeration of human rights and fundamental freedoms. • The preamble states that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world." The Declaration contains a lengthy list of rights and fundamental freedoms. For the full text of the Declaration, see Appendix C.

"The Universal Declaration is the first comprehensive human rights instrument to be proclaimed by a universal international organization. Because of its moral status and the legal and political importance it has acquired over the years, the Declaration ranks with the Magna Carta, the French Declaration of the Rights of Man and the American Declaration of Independence as a milestone in mankind's struggle for freedom and human dignity. Its debt to all these great historical documents is unmistakable." Thomas Buergenthal, *International Human Rights in a Nutshell* 29-30 (2d ed. 1995).

universal defense. See *real defense* under DEFENSE (4).

universal life insurance. See INSURANCE.

universal malice. See MALICE.

universal partnership. See PARTNERSHIP.

universal succession. See SUCCESSION.

universal successor. See SUCCESSOR.

universal synod. See *general synod* under SYNOD.

universal title. See TITLE (2).

universitas (yoo-ni-vər-sə-tas). [Latin] *Roman law*. A union of persons considered as a whole; a corporation.

universitas facti (yoo-ni-vər-sə-tas fak-tī). [Law Latin] A plurality of corporeal things of the same kind regarded as a whole, such as a herd of cattle.

universitas juris (yoo-ni-vər-sə-tas joor-is). [Latin] *Roman & civil law*. The whole of a person's rights and liabilities; the totality of a person's legal relations.

"A *universitas juris* is a collection of rights and duties united by the single circumstance of their having belonged at one time to some one person." Henry S. Maine, *Ancient Law* 148 (17th ed. 1901).

universitas personarum (yoo-ni-vər-sə-tas pər-sə-nay-rəm). [Latin] *Roman & civil law*. A group of people that are legally considered an entity, such as a college or corporation.

universitas rerum (yoo-ni-vər-sə-tas reer-əm). [Latin] *Roman & civil law*. A whole collection of things; a variety of individual things that are together regarded by the law as a whole. See *JUS RERUM*.

"In the time of Justinian the *universitas rerum*, or *universitas iuris* (both expressions are used) is a somewhat abstract conception: it means the sum or whole of a man's legal position so far as it concerns the *ius rerum*. The conception is important in law only on the occasions, of which death is by far the most important, on which the *universitas* passes from one to another. . . . The expression *universitas rerum* is also used in another sense, to denote any collection of objects considered as a whole." W.W. Buckland, *A Manual of Roman Private Law* 172 (2d ed. 1953).

universus (yoo-ni-vər-səs). [Latin] The whole; all together.

unjudicial, adj. Not becoming of or appropriate to a judge.

unjust, adj. Contrary to justice; not just.

unjust enrichment. 1. The retention of a benefit conferred by another, without offering compensation, in circumstances where compensation is reasonably expected. **2.** A benefit ob-

tained from another, not intended as a gift and not legally justifiable, for which the beneficiary must make restitution or recompense. **3.** The area of law dealing with unjustifiable benefits of this kind.

unlaw, n. 1. A violation of law; an illegality. **2.** Lawlessness.

"But lawlessness is often a superficial phenomenon and whenever the duke was strong enough to keep the peace then law revived. We hear the same of England: times of 'unlaw' alternate with times of law." 1 Frederick Pollock & Frederic W. Maitland, *The History of English Law Before the Time of Edward I* 68-69 (2d ed. 1898).

3. Scots law. A fine; a penalty.

unlawful, adj. 1. Not authorized by law; illegal <in some cities, jaywalking is unlawful>. **2.** Criminally punishable <unlawful entry>. **3.** Involving moral turpitude <the preacher spoke to the congregation about the unlawful activities of gambling and drinking>. — **unlawfully, adv.**

unlawful act. Conduct that is not authorized by law; a violation of a civil or criminal law.

unlawful assembly. See ASSEMBLY.

unlawful condition. See CONDITION (2).

unlawful detainer. See DETAINER.

unlawful-detainer proceeding. An action to return a wrongfully held tenancy (as one held by a tenant after the lease has expired) to its owner. See *unlawful detainer* under DETAINER.

unlawful entry. 1. The crime of entering another's property, by fraud or other illegal means, without the owner's consent. **2.** An alien's crossing of a border into a country without proper documents.

unlawful force. See FORCE.

unlawful interference with contractual relations. See TORTIOUS INTERFERENCE WITH CONTRACTUAL RELATIONS.

unlawful picketing. See PICKETING.

unlawful sexual intercourse. See RAPE.

unless lease. See LEASE.

unlimited, *adj.* Without restriction or limitation.

unliquidated, *adj.* Not previously specified or determined <unliquidated damages>.

unliquidated claim. See CLAIM (3).

unliquidated damages. See DAMAGES.

unliquidated debt. See DEBT.

unlisted security. See SECURITY.

unlisted stock. See *unlisted security* under SECURITY.

unlivery. *Maritime law*. The unloading of cargo at its intended destination.

unmarketable title. See TITLE (2).

unmarried, *adj.* Not married; single.

unmerchantable title. See *unmarketable title* under TITLE (2).

unnatural offense. See SODOMY.

unnatural will. See WILL.

unnavigable, *adj.* See INNAVIGABLE.

unnecessary, *adj.* Not required under the circumstances; not necessary.

unnecessary hardship. *Zoning*. A ground for granting a variance, based on the impossibility or prohibitive expense of conforming the property or its use to the zoning regulation. See VARIANCE (2).

uno actu (yoo-noh ak-t[y]oo). [Latin] In a single act; by one and the same act.

unoccupied, *adj.* **1.** (Of a building) not occupied; vacant. **2.** (Of a person) not busy; esp., unemployed.

unofficial will. See *inofficial testament* under TESTAMENT.

uno flatu (yoo-noh flay-t[y]oo). [Latin] In one breath.

unpaid dividend. See DIVIDEND.

unreasonable restraint on alienation

unperfected security interest. See SECURITY INTEREST.

unprecedented (ən-pres-ə-dent-id), *adj.* Never before known; without any earlier example.

unpremeditation. The lack of premeditation.

unprofessional conduct. See CONDUCT.

unqualified indorsement. See INDORSEMENT.

unqualified opinion. See OPINION (2).

unques (ən[g]-kweez), *adv.* [Law French] Ever; always.

unques prist (ən[g]-kweez prist). [Law French] Always ready. • This is another form of *tout temps prist*.

unrealized loss. See *paper loss* under LOSS.

unrealized profit. See *paper profit* under PROFIT.

unrealized receivable. An amount earned but not yet received. • Unrealized receivables have no income-tax basis for cash-basis taxpayers.

unreasonable, *adj.* **1.** Not guided by reason; irrational or capricious. **2.** Not supported by a valid exception to the warrant requirement <unreasonable search and seizure>.

unreasonable compensation. See COMPENSATION.

unreasonable decision. An administrative agency's decision that is so obviously wrong that there can be no difference of opinion among reasonable minds about its erroneous nature.

unreasonable refusal to submit to operation. *Workers' compensation*. An injured employee's refusal to submit to a necessary surgical procedure. • This refusal is grounds for terminating the employee's workers'-compensation benefits.

unreasonable restraint of trade. See RESTRAINT OF TRADE.

unreasonable restraint on alienation. See RESTRAINT ON ALIENATION (1).

unreasonable search. See SEARCH.

unrebuttable, *adj.* Not rebuttable <an unrebuttable presumption>.

unrecorded, *adj.* Not recorded; esp., not filed in the public record <unrecorded deed>.

unregistered security. See *restricted security* under SECURITY.

unrelated business income. See INCOME.

unrelated-business-income tax. See TAX.

unrelated offense. See OFFENSE (1).

unresponsive answer. *Evidence.* A response from a witness (usu. at a deposition or hearing) that is irrelevant to the question asked.

unrestricted indorsement. See *unrestrictive indorsement* under INDORSEMENT.

unrestrictive indorsement. See INDORSEMENT.

unrestrictive interpretation. See INTERPRETATION.

unreviewable, *adj.* Incapable of being legally or judicially reviewed <the claim is unreviewable on appeal>.

unsatisfied-judgment fund. See FUND (1).

unseaworthy, *adj.* (Of a vessel) unable to withstand the perils of an ordinary voyage. Cf. SEAWORTHY.

unsecured bail bond. See BOND (2).

unsecured bond. See DEBENTURE (3).

unsecured claim. See CLAIM (5).

unsecured creditor. See CREDITOR.

unsecured debt. See DEBT.

unsecured note. See NOTE (1).

unskilled work. See WORK.

unsolemn will. See WILL.

unsound, *adj.* **1.** Not healthy; esp., not mentally well <unsound mind>. **2.** Not firmly made; impaired <unsound foundation>. **3.** Not valid or well founded <unsound argument>.

unspeakable crime. See SODOMY.

unsworn, *adj.* Not sworn <an unsworn statement>.

unsworn declaration under penalty of perjury. See DECLARATION (8).

untenantable (ən-ten-ən-tə-bəl), *adj.* Not capable of being occupied or lived in; not fit for occupancy <the city closed the untenantable housing project>.

unthrif. *Archaic.* A prodigal; a spendthrift.

untimely, *adj.* Not timely <an untimely answer>.

untrue, *adj.* **1.** (Of something said) not correct; inaccurate. **2.** (Of a person) not faithful or true (to a standard or belief).

unus nullus rule (yoo-nəs nəl-əs). *Civil law.* The evidentiary principle that the testimony of only one witness is given no weight. Cf. HALF-PROOF (1).

unvalued policy. See INSURANCE POLICY.

unworthy, *adj.* *Civil law.* (Of an heir) not entitled to inherit from a person because of a failure in a duty to that person.

unwritten constitution. See CONSTITUTION.

unwritten evidence. See EVIDENCE.

unwritten law. Law that, although never enacted in the form of a statute or ordinance, has the sanction of custom. • The term traditionally includes caselaw. — Also termed *jus non scriptum*; *jus ex non scripto*; *lex non scripta*; *jus moribus constitutum*.

“[T]he very words of the court promulgating the opinion and making the decision do not determine absolutely the rule of law but . . . the rule of law is ascertained by discovering what general proposition was essential to the result reached, and by using the words of the opinion as a mere aid in the ascertaining of that rule, so that, although opinions are written, the authoritative rules derived from them are sometimes not written, but are ascertained by the use of reason, causing case law to be classed as unwritten law — *lex non scripta*, to use the

Latin phrase." William M. Lile et al., *Brief Making and the Use of Law Books* 335 (3d ed. 1914).

"In the common law it is not too much to say that the judges are always ready to look behind the words of a precedent to what the previous court was trying to say, or to what it would have said if it could have foreseen the nature of the cases that were later to arise, or if its perception of the relevant factors in the case before it had been more acute. There is, then, a real sense in which the written words of the reported decisions are merely the gateway to something lying behind them that may be called, without any excess of poetic license, 'unwritten law.'" Lon L. Fuller, *Anatomy of the Law* 145 (1968).

unwritten will. See *nuncupative will* under WILL.

UPA. *abbr.* UNIFORM PARTNERSHIP ACT.

up-front performance bond. See PERFORMANCE BOND.

UPL. *abbr.* Unauthorized practice of law <the state bar's UPL committee>. See *unauthorized practice of law* under PRACTICE OF LAW.

Upper Bench. See *bancus superior* under BANCUS.

upper chamber. See CHAMBER.

upper court. See *court above* under COURT.

upper estate. See *dominant estate* under ESTATE.

upper management. See *top management* under MANAGEMENT.

UPREIT (əp-rīt). See *umbrella-partnership real-estate investment trust* under REAL-ESTATE INVESTMENT TRUST.

upset bid. See BID (1).

upset price. See PRICE.

upstreaming. A parent corporation's use of a subsidiary's cash flow or assets for purposes unrelated to the subsidiary.

upstream merger. See MERGER.

upward departure. See DEPARTURE.

u.r. *abbr.* UTI ROGAS.

urban, *adj.* Of or relating to a city or town; not rural.

urban planning. See LAND-USE PLANNING.

urban renewal. The process of redeveloping urban areas by demolishing or repairing existing structures or by building new facilities on areas that have been cleared in accordance with an overall plan.

urban servitude. See SERVITUDE (1).

urbs (ərzb). [Latin] *Roman law*. **1.** A city or town. **2.** The city of Rome.

ure (yoor). [fr. Old French *oeuvre*] Custom; practice; exercise.

URESA (yə-ree-sə). *abbr.* UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

U.S. *abbr.* **1.** United States. **2.** UNITED STATES REPORTS.

usage. **1.** A well-known, customary, and uniform practice, usu. in a specific profession or business. See CUSTOM (1). Cf. CONVENTION (3).

"A 'usage' is merely a customary or habitual practice; a 'convention' is a practice that is established by general tacit consent. 'Usage' denotes something that people are accustomed to do; 'convention' indicates that they are accustomed to do it because of a general agreement that it is the proper thing to do." Herbert W. Horwill, *The Usages of the American Constitution* 22 (1925).

"Although rules of law are often founded on usage, usage is not in itself a legal rule but merely habit or practice in fact. A particular usage may be more or less widespread. It may prevail throughout an area, and the area may be small or large — a city, a state or a larger region. A usage may prevail among all people in the area, or only in a special trade or other group. Usages change over time, and persons in close association often develop temporary usages peculiar to themselves." Restatement (Second) of Contracts § 219 cmt. a (1981).

general usage. A usage that prevails throughout a country or particular trade or profession; a usage that is not restricted to a local area.

immemorial usage. A usage that has existed for a very long time; longstanding custom. See TIME IMMEMORIAL.

trade usage. A practice or method of dealing having such regularity of observance in a region, vocation, or trade that it justifies an expectation that it will be observed in a given transaction; a customary practice or set of practices relied on by persons conversant in, or connected with, a trade or business. ●

While a course of performance or a course of dealing can be established by the parties' testimony, a trade usage is usu. established by expert testimony. — Also termed *usage of trade*. Cf. COURSE OF DEALING; COURSE OF PERFORMANCE.

"The existence and scope of a usage of trade are to be determined as questions of fact. If a usage is embodied in a written trade code or similar writing the interpretation of the writing is to be determined by the court as a question of law. Unless otherwise agreed, a usage of trade in the vocation or trade in which the parties are engaged or a usage of trade of which they know or have reason to know gives meaning to or supplements or qualifies their agreement." Restatement (Second) of Contracts § 222 (1981).

2. See *conventional custom* under CUSTOM.

usage (yoo-zənts). The time allowed for the payment of a foreign bill of exchange, sometimes set by custom but now usu. by law.

usage credit. See *time letter of credit* under LETTER OF CREDIT.

USC. *abbr.* UNITED STATES CODE.

USCA. *abbr.* UNITED STATES CODE ANNOTATED.

U.S. citizen. See *national of the United States* under NATIONAL.

U.S. Customs Court. See COURT OF INTERNATIONAL TRADE.

U.S.D.C. *abbr.* UNITED STATES DISTRICT COURT.

use (yoos), *n.* **1.** The application or employment of something; esp., a long-continued possession and employment of a thing for the purpose for which it is adapted, as distinguished from a possession and employment that is merely temporary or occasional <the neighbors complained to the city about the owner's use of the building as a dance club>.

accessory use. *Zoning.* A use that is dependent on or pertains to a main use.

adverse use. A use without license or permission. Cf. ADVERSE POSSESSION.

beneficial use. *Property.* The right to use property and all that makes that property desirable or habitable, such as light, air, and access, even if someone else owns the legal title to the property.

collateral use. *Intellectual property.* The legal use of a trademark by someone other than the trademark owner, whereby the other par-

ty must clearly identify itself, the use of the trademark, and the absence of affiliation with the trademark owner.

conditional use. *Zoning.* A use of property subject to special controls and conditions. ● A conditional use is one that is suitable to a zoning district, but not necessarily to every location within that district. — Also termed *special exception*.

conforming use. *Zoning.* The use of a structure or of the land in conformity with the uses permitted under the zoning classifications of a particular area, such as the building of a single-family dwelling in a residential zone.

double use. *Patents.* An application of a known principle or process to a new use without leading to a new result or product.

exclusive use. **1.** *Trademarks.* The right to use a specific mark without exception, and to prevent another from using a confusingly similar mark. **2.** *Property.* The right of an adverse user to a property, exercised independently of any similar rights held by others; one of the elements of a prescriptive easement. See USER.

experimental use. *Patents.* **1.** The use or sale of an invention by the inventor for experimental purposes. **2.** A defense to liability for patent infringement when the infringement took place only to satisfy curiosity or to complete an experiment, rather than for profit.

highest and best use. *Real estate.* In valuing property, the use that will generate the most profit; esp. used to determine the fair market value of property subject to eminent domain. — Often shortened to *best use*. — Also termed *most suitable use*.

incidental use. *Zoning.* Land use that is dependent on or affiliated with the land's primary use.

most suitable use. See *highest and best use*.

nonconforming use. *Zoning.* Land use that is impermissible under current zoning restrictions but that is allowed because the use existed lawfully before the restrictions took effect.

public use. **1.** *Property.* The public's beneficial right to use property or facilities subject to condemnation. See CONDEMNATION (2). **2.** *Patents.* Any use of or offer to use a completed or operative invention in a nonsecret, natural, and intended manner. ● A patent is invalid if the invention was in public use more than one year before the patent's application date.

reasonable use. Use of one's property for an appropriate purpose that does not unreasonably interfere with another's use of property. See REASONABLE-USE THEORY.

regular use. *Insurance.* A use that is usual, normal, or customary; as opposed to an occasional, special, or incidental use. • This term often appears in automobile-insurance policies in the definition of a *nonowned automobile* — that is, an automobile not owned by or furnished for the regular use of the insured. Nonowned automobiles are excluded from coverage under most liability policies.

superstitious use. A designation or use of property for religious purposes not legally recognized or tolerated (such as gifts either favoring an unrecognized religion or supporting the saying of prayers for the dead).

2. A habitual or common practice <drug use>.
 3. A purpose or end served <the tool had several uses>. 4. A benefit or profit; esp., the right to take profits from land owned and possessed by another; the equitable ownership of land to which another person holds the legal title <cestui que use>. See CESTUI QUE USE. — **use** (yooz), *vb*.

contingent use. A use that would be a contingent remainder if it had not been limited by way of use. • An example is a transfer "to A, to the use of B for life, with the remainder to the use of C's heirs." — Also termed *future use*.

entire use. A use of property that is solely for the benefit of a married woman. • When used in the habendum of a trust deed for the benefit of a married woman, this phrase operates to keep her husband from taking anything under the deed. — Also termed *entire benefit*; *sole use*; *sole and separate use*.

executed use. *Hist.* A use that results from the combining of the equitable title and legal title of an estate, done to comply with the Statute of Uses' mandate that the holder of an estate be vested with legal title to ensure the holder's liability for feudal dues. See STATUTE OF USES.

executory use. See *springing use*.

future use. See *contingent use*.

official use. *Hist.* A use imposing a duty on a person holding legal title to an estate on behalf of another, such as a requirement that a feoffee to uses sell the estate and apportion the proceeds among several beneficiaries. • The Statute of Uses eliminated this type of use.

permissive use. *Hist.* A passive use resorted to before passage of the Statute of Uses in 1535 to avoid an oppressive feudal law (such as mortmain) by naming one person as the legal owner of property while allowing another to possess the property and enjoy the benefits arising from it.

present use. *Hist.* A use that has an immediate existence and that is subject to the Statute of Uses.

resulting use. A use created by implication and remaining with the grantor when the conveyance lacks consideration.

secondary use. See *shifting use*.

separate use. See *entire use*.

shifting use. A use arising from the occurrence of a certain event that terminates the preceding use. • In the following example, C has a shifting use that arises when D makes the specified payment: "to A for the use of B, but then to C when D pays \$1,000 to E." This is a type of conditional limitation. — Also termed *secondary use*. See *conditional limitation* under LIMITATION.

sole use. See *entire use*.

springing use. A use that arises on the occurrence of a future event. • In the following example, B has a springing use that vests when B marries: "to A for the use of B when B marries." — Also termed *executory use*.

use/derivative-use immunity. See *use immunity* under IMMUNITY (3).

usee. See USE PLAINTIFF.

useful, adj. *Patents.* (Of an invention) having a practical application.

"When applied to a machine, 'useful' means that the machine will accomplish its purpose practically when applied in industry. The word is given a practical and not a speculative meaning." 60 Am. Jur. 2d *Patents* § 131 (1987).

useful life. The estimated length of time that depreciable property will generate income. • Useful life is used to calculate depreciation and amortization deductions. — Also termed *depreciable life*. See DEPRECIATION METHOD.

use immunity. See IMMUNITY (3).

use in commerce. *Trademarks.* Actual use of a trademark in the sale of goods or services. • Use of a trademark in commerce is a prerequisite to trademark registration.

useless-gesture exception. *Criminal procedure.* An exception to the knock-and-announce rule by which police are excused from having to announce their purpose before entering the premises to execute a warrant when it is evident from the circumstances that the authority and purpose of the police are known to those inside. See KNOCK-AND-ANNOUNCE RULE.

use plaintiff. *Common-law pleading.* A plaintiff for whom an action is brought in another's name. • For example, when the use plaintiff was an assignee ("A") of a chose in action and had to sue in someone else's name, the assignor ("B") would appear first on the petition's title: "B for the Use of A against C." — Also termed *usee*.

user (yoʊz-ər). **1.** The exercise or employment of a right or property <the neighbor argued that an easement arose by his continuous user over the last 15 years>. Cf. NONUSER.

user de action (yoo-zər dak-shən). [Law French] The pursuing or bringing of an action.

2. Someone who uses a thing <the stapler's last user did not put it away>.

end user. The ultimate consumer for whom a product is designed.

user fee. A charge assessed for the use of a particular item or facility.

Uses, Statute of. See STATUTE OF USES.

use tax. See TAX.

use value. See VALUE.

use variance. See VARIANCE (2).

usher, n. A doorkeeper responsible for maintaining silence and order in some English courts.

U.S. Magistrate. See UNITED STATES MAGISTRATE JUDGE.

U.S. national. See *national of the United States* under NATIONAL.

U.S.-owned foreign corporation. See CORPORATION.

usque ad (əs-kwee ad). [Law Latin] As far as; up to; until.

usque ad coelum (əs-kwee ad see-ləm). [Latin] Up to the sky <the owner of land also owns the space above the surface *usque ad coelum*>.

usual, adj. 1. Ordinary; customary. **2.** Expected based on previous experience.

usuary (yoo-zhoo-er-ee). *Civil law.* A person who has the use (*usus*) of a thing to satisfy personal and family needs; a beneficiary. — Also termed (in Roman law) *usuarius*.

usucaption (yoo-zə-kap-shən), n. *Civil law.* The acquisition of ownership by prescription. — Also termed *usucapio* (yoo-zə-kay-pee-oh); *usucapion* (yoo-zə-kay-pee-on or -ən). — **usucapt, vb.** See PRESCRIPTION (1).

"There is no principle in all law which the moderns, in spite of its beneficial character, have been so loath to adopt and to carry to its legitimate consequences as that which was known to the Romans as Usucapion, and which has descended to modern jurisprudence under the name of Prescription." Henry S. Maine, *Ancient Law* 236 (17th ed. 1901).

usufruct (yoo-zə-frəkt), n. *Roman & civil law.* A right to use another's property for a time without damaging or diminishing it, although the property might naturally deteriorate over time. • In Roman law, the usufruct was considered an encumbrance. In modern civil law, the owner of the usufruct is similar to a life tenant, and the owner of the thing burdened is the *naked owner*. — Also termed *usufructus*; *perfect usufruct*; (in Scots law) *life-rent*. Cf. HABITATION (3).

"*Usufructus* is . . . the right of using and enjoying property belonging to another provided the substance of the property remained unimpaired. More exactly, a usufruct was the right granted to a man personally to use and enjoy, usually for his life . . . , the property of another which, when the usufruct ended, was to revert intact to the *dominus* or his heir. It might be for a term of years, but even here it was ended by death, and in the case of a corporation (which never dies) Justinian fixed the period at 100 years. A usufruct might be in land or buildings, a slave or beast of burden, and in fact in anything except things which were destroyed by use . . . , the reason, of course, being that it was impossible to restore such things at the end of the usufruct intact . . ." R.W. Leage, *Roman Private Law* 181–82 (C.H. Ziegler ed., 2d ed. 1930).

legal usufruct. A usufruct established by operation of law, such as the right of a surviving spouse to property owned by the deceased spouse.

quasi-usufruct. A right to consume things that would otherwise be useless, such as money or food. • Unlike a perfect usufruct, a quasi-usufruct actually involves alteration

and diminution of the property used. — Also termed *imperfect usufruct*.

"The Roman jurists, therefore, would not acknowledge a usufruct of money; though, in their desire to carry out the wishes of testators, they came at length to recognize a quasi-usufruct. For testators, being seldom learned in the law, would often set forth as legacies in their wills the usufruct of a designated sum In such a case the person named as legatee was allowed to receive the amount . . . on giving security that when he died the same amount should be paid out of his own estate to the *heres*, the heir of the testator. The relation here, though bearing some resemblance to the usufruct, was really quite different; the person who received the money became absolute owner of it; the heir had no ownership, nothing but the assurance of receiving an equal amount at some future time." James Hadley, *Introduction to Roman Law* 193 (1881).

usufructuary (yoo-zə-frək-choo-er-ee), *adj.* Of or relating to a usufruct; of the nature of a usufruct.

usufructuary, *n.* A person who has the right to the benefits of another's property; one having the right to a usufruct.

usura (yoo-s[y]oor-ə). [Latin] *Civil law*. **1.** Money paid for the use of money; interest. **2.** USURY. Pl. **usurae** (yoo-s[y]oor-ee).

usurae centesimae (yoo-s[y]oor-ee sen-tes-ə-mee). [Latin] Interest at the rate of 12% per year (1% per month), normally the highest rate allowed by law. • The Romans calculated interest rates by dividing the principal sum into one hundred parts, with one part being payable monthly as interest.

usura manifesta (yoo-s[y]oor-ə man-ə-fes-tə). [Latin] Manifest or open usury.

usura maritima (yoo-s[y]oor-ə mə-rit-ə-mə). [Latin] Interest taken on a bottomry or respondentia bond, proportioned to the risk and so not restricted by a usury law.

usurarius (yoo-s[y]ə-rair-ee-əs). [Law Latin] *Hist.* A usurer.

usura velata (yoo-s[y]oor-ə və-lay-tə). [Latin] Veiled or concealed usury.

usurious (yoo-zhuur-ee-əs), *adj.* **1.** Practicing usury <a usurious lender>. **2.** Characterized by usury <a usurious contract>.

usurpatio (yoo-sər-pay-shee-oh). [Latin] *Roman law*. The interruption of usucaption by loss of possession or a lawsuit by the real owner.

usurpation (yoo-sər-pay-shən or yoo-zər-pay-shən), *n.* The unlawful seizure and assumption of another's position, office, or authority. — **usurp** (yoo-sərp or yoo-zərp), *vb.*

usurpation of advowson (ad-vow-zən). *Hist.* An injury consisting in the absolute ouster or dispossession of the patron from the advowson. • This happens when a stranger, without the right to do so, presents a clerk who is installed in office. See ADVOWSON.

usury (yoo-zhə-ree) *n.* **1.** Historically, the lending of money with interest. **2.** Today, the charging of an illegal rate of interest. **3.** An illegally high rate of interest. — **usurious** (yoo-zhuur-ee-əs), *adj.* — **usurer** (yoo-zhər-ər), *n.*

usury law. A law that prohibits moneylenders from charging illegally high interest rates.

usus (yoo-səs or yoo-zəs). [Latin "use"] *Roman law*. **1.** The right to use another's property, without the right to the produce (*fructus*) of the thing. • *Usus* was a personal servitude; it gave the holder a right in rem. Cf. USUFRUCT.

"It is essentially a fraction of a usufruct, *usus* without the *fructus*. In strictness, there was no right to any fruits but this was somewhat relaxed in practice. The usuary of a house might consume the fruits of the gardens in his household, but he might not sell them, as a usufructuary might." W.W. Buckland, *A Manual of Roman Private Law* 165 (2d ed. 1953).

2. A marriage brought about by the acquisition of marital power (*manus*) over the wife through an uninterrupted cohabitation of one year with the intention of living as husband and wife. • *Usus* was the first method of creating a marriage with *manus* (*confarreatio* and *coemptio* being the other two) to pass out of use. Cf. CONFARREATIO; COEMPTIO.

"*Usus* is the acquisition of [power over] a wife by *possession* and bears the same relation to *coemptio* as *usucapion* to a *mancipation*. A Roman citizen who bought some object of property and got possession of it, but not ownership, because he neglected to go through the *mancipation* prescribed by *jus civile*, might nevertheless become owner by *usucapion*, *i.e.* lapse of time; thus if the object was a movable, continuous possession for one year made him *dominus*. In like manner, if a man lived with a woman whom he treated as his wife, but whom he had not married by *coemptio* (or *confarreatio*), and the cohabitation lasted without interruption for a year, then at the end of that period the man acquired [power over] the woman as his wife, she passed to him *in manum* . . ." R.W. Leage, *Roman Private Law* 100 (C.H. Ziegler ed., 2d ed. 1930).

usus bellici (yoo-səs [or -zəs] bel-ə-sī). [Latin] *Int'l law*. Warlike objects or uses. • This phrase refers to items that, though not inherently of a

military nature, are considered contraband because they are used by a belligerent to support its war effort.

Usus Feudorum (yoo-səs [or -zəs] fyoo-dor-əm). See FEUDORUM LIBRI.

ut currere solebat (ət kər-ər-ee sə-lee-bat). [Latin] As it was wont to run. ● This referred to the course of a stream.

ut de feodo (ət dee fee-ə-doh or fyoo-doh). [Law Latin] As of fee.

uterine (yoo-tər-in), *adj.* Born of the same mother but different fathers.

uterine brother. See BROTHER.

uterque (yoo-tər-kwee). [Latin] Each of two; both (considered separately).

uterque nostrum. See UTRUMQUE NOSTRUM.

utfangthief (ət-fang-theef). See OUTFANGTHIEF.

ut hospites (ət hos-pə-teez). [Latin] As guests.

uti (yoo-ti), *vb.* [Latin] *Civil law.* To use.

uti frui (yoo-ti froo-i). [Latin] *Civil law.* To have the full use and enjoyment of a thing, without damage to its substance.

utilis (yoo-tə-lis), *adj.* [Latin] *Civil law.* Useful; beneficial; equitable. ● This word appeared in phrases such as *actio utilis* (ak-shee-oh yoo-tə-lis), meaning "equitable action."

utilitarian-deterrence theory. The legal theory that a person should be punished only if it is for the good of society — that is, only if the punishment would further the prevention of future harmful conduct. See *hedonistic utilitarianism* under UTILITARIANISM. Cf. RETRIBUTIVISM.

utilitarianism. A philosophy that the goal of public action should be the greatest happiness to the greatest number of people.

hedonistic utilitarianism. The theory that the validity of a law should be measured by determining the extent to which it would promote the greatest happiness to the greatest number of citizens. ● This theory is found most prominently in the work of Jeremy Bentham, whose "Benthamite utilitarianism"

greatly influenced legal reform in nineteenth-century Britain. Hedonistic utilitarianism generally maintains that pleasure is intrinsically good and pain intrinsically bad. Therefore, inflicting pain, as by punishing a criminal, is justified only if it results in a net increase of pleasure by deterring future harmful behavior. — Also termed *Benthamism*. See *utilitarian-deterrence theory*; BENTHAMITE. Cf. RETRIBUTIVISM.

utility. 1. The quality of serving some function that benefits society. **2. Patents.** Capacity to perform a function or attain a result claimed for protection as intellectual property. ● In patent law, utility is one of the three basic requirements of patentability, the others being nonobviousness and novelty. **3.** A business enterprise that performs essential public service and that is subject to governmental regulation.

public utility. A company that provides necessary services to the public, such as telephones, electricity, and water. ● Most utilities operate as monopolies but are subject to governmental regulation.

utility fund. See MUTUAL FUND.

utility patent. See PATENT (3).

ut infra (ət in-frə also uut). [Latin] As below.

uti possidetis (yoo-ti pah-si-dee-tis). [Latin] **1. Int'l law.** The doctrine that old administrative boundaries will become international boundaries when a political subdivision achieves independence. **2. Roman law.** An interdict ordering the parties to a lawsuit to maintain the possession of real property as it stands pending a decision on who owns it. Cf. UTRUBI.

uti rogas (yoo-ti roh-gas or -gəs). [Latin] *Roman law.* As you ask. ● This was inscribed on a ballot to indicate a vote in favor of a bill or candidate. — Abbr. *u.r.*

utlagare (ət-lag-ə-ree or ət-lə-gair-ee), *vb.* [Law Latin] *Hist.* To put (an offender) outside the protection of the law. Cf. INLAGARE; OUTLAWRY (2).

utlagation (ət-lə-gay-shən), *n.* [Law Latin] *Hist.* The act of placing an offender outside the protection of the law; outlawry. — Also termed *utlagatio*. Cf. INLAGATION; OUTLAWRY (2).

utlagatus (ət-lə-gay-təs). [Latin] *Hist.* An outlawed person; an outlaw. — Also spelled *utlagatum*.

utlage (ət-lahzh or -lij). [Law French] An outlaw.

utlagh (ət-law). [Old English] *Hist.* A person outside the protection of the law; an outlaw.

utland (ət-lənd) [Old English] *Hist.* The outer portion of a lord's demesne, used to support the lord's tenants. — Also termed *delantal* (di-lan-təl). Cf. INLAND (2).

utlesse (ət-lis). *Hist.* An escape of a felon out of prison.

UTMA. *abbr.* UNIFORM TRANSFERS TO MINORS ACT.

utmost care. See *highest degree of care* under DEGREE OF CARE.

utrubi (ət-rə-bi). [Latin] *Civil law.* An interdict for maintaining the status quo of possession of movable property pending a ruling to determine its rightful owner. Cf. UTI POSSIDETIS.

utrumque nostrum (yoo-trəm-kwee nos-trəm). [Latin] Each of us. • This phrase usu. appeared in bonds. The accusative form is *uterque nostrum*.

ut supra (ət s[y]oo-prə also uut). [Latin] As above.

utter, *vb.* **1.** To say, express, or publish <don't utter another word until your attorney is present>. **2.** To put or send (a document) into circulation; esp., to circulate (a forged note) as if genuine <she uttered a counterfeit \$50 bill at the grocery store>. — **utterance** (for sense 1), **uttering** (for sense 2), *n.*

utter, *adj.* Complete; absolute; total <an utter denial>.

utter bar. See OUTER BAR.

utter barrister. See *outer barrister* under BARRISTER.

uttering. The crime of presenting a false or worthless instrument with the intent to harm or defraud. — Also termed *uttering a forged instrument*. See FORGERY.

uxor (ək-sor). [Latin] Wife. — *Abbr.* *ux.* See ET UX.

uxore rapta et abducta (ək-sor-ee [also əg-zor-ee] rap-tə et ab-dək-tə). See DE UXORE RAPTA ET ABDUCTA.

uxorial (ək-sor-ee-əl or əg-zor-), *adj.* Of, relating to, or characteristic of a wife <uxorial property>.

uxoricide (ək-sor-ə-sid or əg-zor-). **1.** The murder of one's wife. **2.** A man who murders his wife.