

American Legal Language and the Influence of the French

A. Read the article *Oyez, Oyez, "O Yes": American Legal Language and the Influence of the French* and answer the questions.

1. The French that evolved in the law courts was drawn from _____ French. (one word)
2. Norman French was a dynamic iteration of the language that has come to be known as _____. (two words)
3. Law French persisted for centuries, despite its surreal _____ and its arcane _____. (one word each blank)
4. Law French was officially barred as a language of the court in the beginning of the _____ century. (ordinal number)
5. **Google time.** The Statute of Pleading was passed in 1362 prohibiting the use of Law French. What is the other name of this law? (four words)
6. Of the 2351 words that appear under the letter A in the 4th Edition of *Black's Law Dictionary*, approximately how many of those could be considered Law French? (one number)
7. "Oyez" is the opening cry of the Marshal of what court? (four words)
8. "Oyez" comes from the Latin verb _____ which means _____. (one word/two words)
9. In what year did "oyez" first appear in written English?
10. The word "bailiff" comes from the _____ language. (one word)
11. The word "bailiff" literally means _____. (four words)
12. How curious that in modern day we rely on _____ and _____ French to frame our legal arguments in English. (one word each blank)

B. Reorder the letters to make words that are found in the article and are currently part of the English legal lexicography.

rudemer

echouve

eleapple

trimeter

afintaf

eyepa

rdeern

seasegin

tinapeope

beteed

etarmemcen

raindeerm

imeraldisc

tarediant

souret

terrever

happenerd

racecochr

greerm

tarser

noiderj

deernt

esesel

greatgom

usatals

C. Match the words in the box to their definitions. Some of them will be easy for you because they are still used in modern French, but some of them may not be as easy.

attorney	autrefois acquit	bailiff	cestui que trust	cy-pres doctrine
defendant	en banc	escheat	estate	estoppel
mortgage	oyez	peine forte et dure	plaintiff	prochain ami
profit a prendre	replevin	tort	venireman	venue
				voir dire

	in American law, the marshal of the court, mainly charged with keeping order
	the entire bench of sitting appellate judges
	the geographical division in which an action is brought to trial
	formerly a “dead pledge” that allowed the owner to stay in a property held in security by another session, especially the U.S. Supreme Court in this country
	the power of the court to transfer the property of one charitable trust to another then the first one may be defunct or inoperable
	reversion of unclaimed property to the state
	the fruits of the real property, such as mineral rights
	court’s questioning of a potential juror
	one appointed to act for another
	part against whom civil proceeding or criminal action is brought
	a suit to recover unlawfully taken personal property
	often calqued as “hear ye!” and the traditional cry for the opening of a court
	strong and hard pain, originally the use of stones to torture the prisoner into confession or death
	originator of a civil cause of action
	the interest that one has in real or personal property
	previously acquitted of a crime
	a crime of a more serious nature
	a member of a panel of jurors
	the “next friend” or one who takes legal action on behalf of another who is incapacitated
	a wrong
	civil loss of rights through a failure to act in a timely fashion
	prevention of a party from contradicting a previous position to the detriment of another
	occasionally shortened to cestui, the beneficiary of a trust

D. Now that you have the words sorted out, try using some of them in the following sentences.

1. Please understand your honor, I am not here to dispute the _____ against my husband or his estate.
2. The affidavit must only be truthful in the sense that the information put forth is believed or appropriately accepted by the _____ as true.
3. Value of the _____ retained or the highest bid and lowest bid taken into consideration for the contract award.
4. There were ecclesiastical petitions, and those from the shires dealt mainly in annulling debts and _____ of both individuals and towns.
5. The will gives precise instructions as to how the _____ should be divided between the deceased's surviving relatives.
6. The generic term for parties participating in the appeal as appellant or _____ is "participants".
7. In those circumstances, the adjudicator found that the doctrine of _____ did not apply.
8. The facts presented by _____ indicate that the alleged intrusion happens daily and with precision [as to time].
9. When a _____ was pleaded the question of law that was thereby raised was immediately set down for argument and decision: see Halsbury's Laws of England (4th ed.)
10. The problem is the Prime Minister would rather bypass their wishes in favor of a patronage _____.
11. Because of all of the controversy surrounding the case, the judge set a different _____ for the trial.
12. This reflected mostly one important _____ and acquisition transaction.
13. It was difficult for James to find meaningful employment because he had done time for a _____ conviction.
14. The homeowners' rights under the second _____ were untouched in these foreclosure proceedings.
15. A military mutiny and resulting civil war in 1998 eventually led to Vieira's _____ in May 1999.

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