

## CANON LAW

(Some Canonical Terms Dealing With Temporalities—Bona Temporalia)

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- acquisitio*—acquisition, act of acquiring  
*actiones*—stocks (see obligations)  
*administratio*—management of estate or possessions  
*administrationis ratio*—account of management  
*aes alienum*—debt; *a.a. solvere*—to pay a debt  
*aestimatio*—appraisal  
*alienatio*—alienation, transfer of property  
*amortizatio*—amortization, extinction or reduction of debt through sinking fund  
*anoticismus*—agreement of compound interest on debt  
*annata (media)*—annual (semi-annual) payment of tribute on part of person holding a benefice  
*annuae ratae*—yearly instalment, annual payment, annuity  
*antichresis*—an agreement by which the debtor gives the creditor the income from the property which he has pledged, in lieu of interest on his debt  
*annona*—annual payment of agricultural products (see census)  
*assecuratio*—insurance  
*bursa*—bourse, stock exchange, money market  
*cambium*—exchange of money, esp. foreign exchange (dollars for pounds, etc.)  
*canon*—annual payment or tribute on emphyteusis (q.v.)  
*cautio*—pledge, guarantee, security  
*cathedraticum*—annual tribute to Bishop in token of subjection  
*census*—annuity, real or personal  
*cessio*—transfer, assignment, conveyance  
*collatio*—investment (of money)  
*commodatum*—loan of article to be returned itself, not in kind (see mutuum)  
*commutatio*—commutation, exchange, transfer  
*conductio*—hiring of goods or persons  
*debita*—ordinary debts; *d. extinguere*—to liquidate or pay off debts  
*decimae*—dimes, tithe or tax on crops (not necessarily tenth part)  
*depositum*—deposit; a thing given to another for safe keeping without reward, and to be returned when required  
*donatio*—gift  
*donatio inter vivos*—immediate and irrevocable gift  
*donatio mortis causa*—a gift made by a person in sickness, or other immediate

peril, who, apprehending his dissolution near, delivers, or causes to be delivered, to another, the possession of any personal goods, to keep as his own in case of donor's decease; hence revocable at will

*dos*—dowry

*dotatio*—endowment

*eleemosynae*—alms

*emphyteusis*—a perpetual or long-term lease (e.g. 99 years) with right of transfer

*emphyteuta*—person who holds an emphyteusis

*emptio*—buying, purchase

*erogatio*—ordinary expenditure (of money)

*exactio*—tax, tribute, assessment

*expensae*—expenses, costs

*expensum*—expenditure, outlay

*fabrica ecclesiae*—fund intended for the upkeep of church buildings and divine worship

*fideiussio*—bond, security

*fideiussor*—bondsman

*foenus*—interest

*fructus*—proceeds, profits, income, produce, gain

*frugifer*—productive of income

*fundatio*—foundation, endowment, bourse

*fundus*—real estate, real property

*fungibilis (res)*—fungible, thing capable of being replaced in kind, that may be counted, measured, weighed, but which is consumed by use (see *mutuum*, *commodatum*)

*gestio bonorum*—administration, management of temporalities

*habitatio*—dwelling, habitation, place of abode

*heres (beredes)*—heir (heirs)

*hereditas*—inheritance

*hypotheca*—mortgage

*industria*—manufacturing industry

*ioci bursae*—stock sold in the open market (stock exchange)

*largitiones*—free gifts, gratuities

*legatum*—legacy, devise (of real estate), bequest (of personal goods)

*legata pia*—legacies for pious or charitable purposes

*licitatio publica*—public sale previously announced (opposed to private or closed transaction)

*locatio*—lease

*locator*—lessor

*locatarius*—lessee

*loteria*—lottery, sweepstakes

- lucrum*—gain, profit  
*ludus*—any game of chance  
*mercatura*—mercantile transactions, commerce, buying and selling  
*mulcta pecuniaria*—penalty, fine  
*mutatio collocationis*—change of investment  
*mutuum*—loan of fungibles (see *commodatum*)  
*nomen (nomine)*—promissory note, bill of exchange, security  
*negotiatio*—business, buying and selling for profit  
*nundinae*—markets, fairs  
*oblationes*—free-will offerings  
*onera*—obligations of any kind, debts  
*obligationes*—bonds (see *actiones*)  
*oppignoratio*—the pledging of personal property as security for a loan,  
     pawning  
*pactum*—agreement, contract  
*pecunia numerata*—ready cash, money  
*pensio*—revenue, income  
*permutatio*—exchange of goods (*do ut des*)  
*pie fundationes*—endowments for pious or charitable purposes  
*pignus*—pawn, pledge, collateral, anything pledged as security for loan  
*praescriptio*—prescription, title to property or mode of acquiring same,  
     founded on uninterrupted possession  
*praestatio*—payment of thing due (fees, charges, dues, duty, taxes, etc.)  
*primitiae*—first fruits (of crops)  
*procuratio*—maintenance, board and lodging  
*quaestum*—profit, gain  
*redemptio canonis*—discharge of obligation of annual payment on long-time  
     lease (*emphyteusis*) by payment of lump sum  
*reditus*—returns, income, revenue; *r. stabilis*—fixed income  
*reductio onerum*—curtailment or abatement of an obligation  
*renuntiatio bonorum*—renunciation, giving up of possessions in favor of  
     another  
*solutio*—paying, payment  
*stips*—distribution of gifts, alms or food  
*sponsio*—wager, bet  
*summa capitalis*—principal, as opposed to interest  
*taxa*—tax, tribute, impost  
*testamentum*—testament, will  
*tituli*—securities, scrip, deeds  
*titulus al latorem*—any paper payable to bearer, negotiable paper  
*transactio*—agreement, compromise, settlement  
*tributum*—tribute, tax

*usura*—usury, unlawful interest

*usus*—right to use something belonging to another

*ususfructus*—right to use property of another and to draw the profits (fruits) it produces without wasting the substance

*valor*—worth, value

*venditio sub hasta*—sale at auction

*venditio*—exchange or transfer of property for money or its equivalent, sale

*voluntas ultima*—last will, disposition of property to take effect after death

**BOND**—A bond is an instrument under seal promising to pay a given sum at some future time. It is an interest-bearing debt certificate issued by a corporation or a government. A bond differs from a note in that it is more formal in character, more specific in its terms, because it runs for a longer period, and must be safeguarded more carefully than a note which matures in a shorter time before the company issuing it has had much opportunity to change materially. Bonds of *private corporations* are usually secured by a trust deed mortgage on real estate.

**STOCK**—A share of capital stock (authorized by state charter) is the right to partake, according to the amount put into the fund representing capital stock, of the surplus profits of the corporation, and ultimately on the dissolution of it, of so much of the fund thus created as remains unimpaired, and is not liable for the debts of the corporation.

**MORTGAGE**—A conditional conveyance or lien upon land or other property as security for the performance of some condition, as the payment of money, becoming void upon performance of the condition.

**AMORTIZATION**—The term "sinking-fund" applied almost indiscriminately to any method of providing for repayment of a long term loan during its life, by setting aside a predetermined amount at regular periods for that purpose. This process is known in more technical language as "amortization." In its proper sense amortization includes four principal methods and is usually the result of an agreement made between a company issuing bonds and the holders thereof.

These methods are: (1) Borrower turns over fixed cash payments at regular intervals to a trustee who deposits or invests same at his discretion according to agreement.

(2) Borrower may set aside fixed sums at regular intervals and deposit or reinvest at his own discretion, according to agreement.

(3) Borrower may set aside fixed sums at regular intervals and use them solely for purchase of bonds which are to be amortized.

(4) Bonds may be arranged to mature in series so that a predetermined portion will fall due each year thus forcing borrower to repay bonds gradually during life of whole issue.