

FACIAS, FIERE FACIAS, SCIRE FACIAS. Facias was used for an order of the court to an officer of it to “cause” something. Fiere facias meant cause it to be done. Scire facias meant cause him to know.

FEASANCE. Doing an act as a condition or duty. Meanings of malfeasance, misfeasance, and nonfeasance are obvious.

FEE SIMPLE, FEE TAIL. Land held in fee simple can be sold or devised absolutely and without any limitation to any particular class of heirs. Land in fee tail has been entailed and could only be inherited by a special class of heirs, those denominated somewhere along the path of succession by an owner in fee simple who elected to do so for a particular heir usually by the clause in his will “and the heirs of his (or her) body.” Fee tail was eliminated and converted into fee simple in Virginia as of October 7, 1776.

FEOFF. To give possession of land.

FREEHOLD. An estate in land held in fee simple, fee tail, or for life.

GRANT, PATENT. A patent is a special kind of a grant, namely the granting to someone of public land by a government body. In the Proprietary of the Northern Neck the terms were used interchangeably for land granted by Thomas, Lord Fairfax and his predecessors as Proprietors.

GUARDIAN AD LITEM. A court-appointed temporary guardian to act for a minor involved in a lawsuit, only for that specific case.

IMPARLANCE. An extension of time granted to a party to a lawsuit to plead the case.

IN-LAW. Not necessarily a person related by marriage. Father-in-law could have its present meaning or could mean step-father. Son-in-law and daughter-in-law also had two uses.

INFANT. A minor, anyone under the age of 21.

INDENTURE. Any deed, written contract, or sealed agreement. The term comes from a deed or agreement executed in two or more copies with their edges correspondingly indented for identification.

MOIETY. One-half.

NEXT FRIEND. A person authorized to represent someone, such as a minor, married woman, or mental incompetent, disqualified to act on his own behalf in a court of law.