

puerility (pyoo-ə-ril-ə-tee or pyuu-ril-ə-tee). *Civil law*. A child's status between infancy and puberty.

pueritia (pyoo-ə-rish-ee-ə). [Latin] *Roman law*. Childhood, esp. up to the age of 17, the minimum age for pleading before a magistrate. Cf. AETAS INFANTIAE PROXIMA; AETAS PUBERTATI PROXIMA.

puffer. See BY-BIDDER.

puffing. **1.** The expression of an exaggerated opinion — as opposed to a factual representation — with the intent to sell a good or service. ● Puffing involves expressing opinions, not asserting something as a fact. Although there is some leeway in puffing goods, a seller may not misrepresent them or say that they have attributes that they do not possess. — Also termed *puffery*; *sales puffery*; *dealer's talk*.

“‘Dealer's puffing,’ so long as it remains in the realm of opinion or belief, will not support a conviction of false pretenses however extravagant the statements.” Rollin M. Perkins & Ronald N. Boyce, *Criminal Law* 369 (3d ed. 1982).

2. Secret bidding at an auction by or on behalf of a seller; BY-BIDDING.

PUHCA. *abbr.* PUBLIC UTILITY HOLDING COMPANY ACT.

puis (pwis or pwee). [French] Afterwards; since.

puis darrein continuance (pwis dar-ayn kən-tin-yoo-ənts). [Law French “since the last continuance”] See *plea puis darrein continuance* under PLEA (3).

puisne (pyoo-nee), *adj.* [Law French] Junior in rank; subordinate.

puisne judge. See JUDGE.

puisne mortgage. See *junior mortgage* under MORTGAGE.

Pullman abstention. See ABSTENTION.

pulsare (pəl-sair-ee), *vb.* [Latin] *Civil law*. To accuse or charge; to proceed against at law.

pulsator (pəl-say-tər). *Civil law*. A plaintiff or actor.

punctum temporis (pəngk-təm tem-pə-ris). [Latin] A point of time; an instant.

punies (pyoo-nee). *Slang*. Punitive damages. See DAMAGES.

punishable, *adj.* **1.** (Of a person) subject to a punishment <there is no dispute that Jackson remains punishable for these offenses>. **2.** (Of a crime or tort) giving rise to a specified punishment <a felony punishable by imprisonment for up to 20 years>. — **punishability**, *n.*

punishment, *n.* A sanction — such as a fine, penalty, confinement, or loss of property, right, or privilege — assessed against a person who has violated the law. — **punish**, *vb.* See SENTENCE.

“Punishment in all its forms is a loss of rights or advantages consequent on a breach of law. When it loses this quality it degenerates into an arbitrary act of violence that can produce nothing but bad social effects.” Glanville Williams, *Criminal Law* 575 (2d ed. 1961).

“In the treatment of offenders there is a clear and unmistakable line of division between the function of the judge and that of the penologist. I should modify that: the law is clear only if it is first made clear in what sense the word ‘treatment’ is being used. For in this context the word can be used in two senses, one wide and the other narrow. Let me take the wide meaning first. The object of a sentence is to impose punishment. For ‘punishment’, a word which to many connotes nothing but retribution, the softer word ‘treatment’ is now frequently substituted; this is the wider meaning. The substitution is made, I suppose, partly as a concession to the school which holds that crime is caused by mental sickness, but more justifiably as a reminder that there are other methods of dealing with criminal tendencies besides making the consequences of crime unpleasant.” Patrick Devlin, *The Judge* 32–33 (1979).

capital punishment. See DEATH PENALTY (1).

corporal punishment. Physical punishment; punishment that is inflicted upon the body (including imprisonment).

cruel and unusual punishment. Punishment that is torturous, degrading, inhuman, grossly disproportionate to the crime in question, or otherwise shocking to the moral sense of the community. ● Cruel and unusual punishment is prohibited by the Eighth Amendment.

cumulative punishment. Punishment that increases in severity when a person is convicted of the same offense more than once.

deterrent punishment. Punishment the purpose of which is to deter others from committing crimes by making an example of the offender so that like-minded people are warned of the consequences of crime.

excessive punishment. Punishment that is not justified by the gravity of the offense or

the defendant's criminal record. See *excessive fine* (1) under FINE (5).

infamous punishment. Punishment by imprisonment, usu. in a penitentiary. See *infamous crime* under CRIME.

nonjudicial punishment. *Military law.* A procedure in which a person subject to the Uniform Code of Military Justice receives official punishment for a minor offense. • In the Navy and Coast Guard, nonjudicial punishment is termed *captain's mast*; in the Marine Corps, it is termed *office hours*; and in the Army and Air Force, it is referred to as *Article 15*. Nonjudicial punishment is not a court-martial.

preventive punishment. Punishment the purpose of which is to prevent a repetition of wrongdoing by disabling the offender.

reformatory punishment. Punishment the purpose of which is to change the character of the offender.

retributive punishment. Punishment the purpose of which is to satisfy the community's retaliatory sense of indignation that is provoked by injustice.

"The fact that it is natural to hate a criminal does not prove that retributive punishment is justified." Glanville Williams, *The Sanctity of Life and the Criminal Law* 60 (1957).

punitive, adj. Involving or inflicting punishment. — Also termed *punitory*.

punitive articles. *Military law.* Articles 77–134 in the Uniform Code of Military Justice. • These articles list the crimes in the military-justice system.

punitive damages. See DAMAGES.

punitive segregation. See SEGREGATION.

punitive statute. See *penal statute* under STATUTE.

punitory. See PUNITIVE.

punitory damages. See *punitive damages* under DAMAGES.

pupillary substitution (pyoo-pə-ler-ee). See SUBSTITUTION (4).

pupillus (pyoo-pil-əs). [Latin] *Roman law.* A child under the age of puberty and under the authority of a *tutor*.

pur (pər or poor). [Law French] By; for.

pur autre vie (pər oh-trə [or oh-tər] vee). [Law French "for another's life"] For or during a period measured by another's life <a life estate *pur autre vie*>. — Also spelled *per autre vie*.

purchase, n. 1. The act or an instance of buying. 2. The acquisition of real property by one's own or another's act (as by will or gift) rather than by descent or inheritance. — **purchase, vb.** Cf. DESCENT (1).

purchase, words of. See WORDS OF PURCHASE.

purchase accounting method. See ACCOUNTING METHOD.

purchase agreement. A sales contract. Cf. PURCHASE AGREEMENT.

purchase money. The initial payment made on property secured by a mortgage.

purchase-money interest. See *purchase-money security interest* under SECURITY INTEREST.

purchase-money mortgage. See MORTGAGE.

purchase-money resulting trust. See TRUST.

purchase-money security interest. See SECURITY INTEREST.

purchase order. A document authorizing a seller to deliver goods with payment to be made later.

purchaser. 1. One who obtains property for money or other valuable consideration; a buyer.

affiliated purchaser. *Securities.* Any of the following: (1) a person directly or indirectly acting in concert with a distribution participant in connection with the acquisition or distribution of the securities involved; (2) an affiliate who directly or indirectly controls the purchases of those securities by a distribution participant, or whose purchases are controlled by such a participant, or whose purchases are under common control with those of such a participant; (3) an affiliate, who is a broker or a dealer (except a broker-dealer whose business consists solely of effecting transactions in "exempted securities," as defined in the Exchange Act); (4) an affiliate (other than a broker-dealer) who regularly purchases securities through a broker-dealer, or otherwise, for its own account or for the