

PERPETUAL SUCCESSION. That continuous existence which enables a corporation to manage its affairs, and hold property without the necessity of perpetual conveyances, for the purpose of transmitting it. By reason of this quality, this ideal and artificial person remains, in its legal entity and personality, the same, though frequent changes may be made of its members. Field, Corp. § 58; Scanlan v. Crawshaw, 5 Mo.App. 340.

PERPETUATING TESTIMONY. A proceeding for taking and preserving the testimony of witnesses, which otherwise might be lost before the trial in which it is intended to be used. It is usually allowed where the witnesses are aged and infirm or are about to remove from the state. 3 Bl.Comm. 450.

PERPETUITY. Any limitation or condition which may take away or suspend the power of alienation for a period beyond life or lives in being and 21 years thereafter. Loud v. St. Louis Union Trust Co., 298 Mo. 148, 249 S.W. 629, 634; Barton v. Thaw, 246 Pa. 348, 92 A. 312, 313, Ann. Cas.1916D, 570; True Real Estate Co. v. True, 115 Me. 533; 99 A. 627, 630; Melvin v. Hoffman, 290 Mo. 464, 235 S.W. 107, 115. Any limitation tending to take the subject of it out of commerce for a longer period than a life or lives in being, and twenty-one years beyond, and, in case of a posthumous child, a few months more, allowing for the term of gestation. Rand.Perp. 48. Such a limitation of property as renders it unalienable beyond the period allowed by law. Gilb. Uses, (Sugd. Ed.) 260. Ould v. Washington Hospital, 95 U.S. 303, 24 L.Ed. 450; Duggan v. Slocum, 34 C.C.A. 676, 92 F. 806; Stevens v. Annex Realty Co., 173 Mo. 511, 73 S.W. 505; Griffin v. Graham, 8 N.C. 130, 9 Am.Dec. 619; In re John's Will, 30 Or. 494, 47 P. 341, 36 L.R.A. 242. See, also, Rule Against Perpetuities.

PERPETUITY OF THE KING. That fiction of the English law which for certain political purposes ascribes to the king in his political capacity the attribute of immortality; for, though the reigning monarch may die, yet by this fiction the king never dies, *i. e.*, the office is supposed to be reoccupied for all political purposes immediately on his death. Brown.

PERQUISITES. Anything obtained by industry or purchased with money, different from that which descends from a father or ancestor. Bract. l. 2, c. 30, n. 3.

Profits accruing to a lord of a manor by virtue of his court-baron, over and above the yearly profits of his land; also other things that come casually and not yearly. Mozley & Whiteley.

In Modern Use. Emoluments or incidental profits attaching to an office or official position, beyond the salary or regular fees. Harris County v. Hammond, Tex.Civ.App., 203 S.W. 445, 448; Christopherson v. Reeves, 44 S.D. 634, 184 N.W. 1015; State v. Reeves, 44 S.D. 568, 184 N.W. 993, 998.

PERQUISITIO. Purchase. Acquisition by one's own act or agreement, and not by descent.

PERQUISITOR. In old English law. A purchaser; one who first acquired an estate to his family; one who acquired an estate by sale, by gift, or by any other method, except only that of descent. 2 Bl.Comm. 220.

PERSECUTIO. Lat. In the civil law. A following after; a pursuing at law; a suit or prosecution. Properly that kind of judicial proceeding before the prætor which was called "extraordinary." In a general sense, any judicial proceeding, including not only "actions," (*actiones*), properly so called, but other proceedings also. Calvin.

PERSEQUI. Lat. In the civil law. To follow after; to pursue or claim in form of law. An action is called a "*jus persequendi*."

PERSON. A man considered according to the rank he holds in society, with all the right to which the place he holds entitles him, and the duties which it imposes. People v. R. Co., 134 N.Y. 506, 31 N.E. 873.

The word in its natural and usual signification includes women as well as men. Commonwealth v. Welosky, 276 Mass. 398, 177 N.E. 656.

Term may include artificial beings, as corporations, 1 Bla.Com. 123; 4 Bingh. 669; People v. Com'rs of Taxes, 23 N.Y. 242; quasi-corporations, Sedgw. Stat. & Const. L. 372; L. R. 5 App. Cas. 857; territorial corporations, Seymour v. School District, 53 Conn. 507, 3 A. 552; and foreign corporations, People v. McLean, 80 N.Y. 259; under statutes, forbidding the taking of property without due process of law and giving to all persons the equal protection of the laws, Smyth v. Ames, 18 S.Ct. 418, 169 U.S. 466, 42 L.Ed. 819; Gulf, C. & S. F. R. Co. v. Ellis, 17 S.Ct. 255, 165 U.S. 150, 41 L.Ed. 666; concerning claims arising from Indian depredations, U. S. v. Transp. Co., 17 S.Ct. 206, 164 U.S. 686, 41 L.Ed. 599; relating to taxation and the revenue laws, People v. McLean, 80 N.Y. 254; to attachments, Bray v. Wallingford, 20 Conn. 416; usurious contracts, Philadelphia Loan Co. v. Towner, 13 Conn. 249; applying to limitation of actions, Olcott v. R. Co., 20 N.Y. 210, 75 Am.Dec. 393; North Mo. R. Co. v. Akers, 4 Kan. 453, 96 Am.Dec. 183; and concerning the admissibility as a witness of a party in his own behalf when the opposite party is a living person, La Farge v. Ins. Co., 22 N.Y. 352. A corporation is also a person under a penal statute; U. S. v. Amedy, 11 Wheat. 392, 6 L.Ed. 502. Corporations are "persons" as that word is used in the first clause of the XIVth Amendment; Covington & L. Turnp. Co. v. Sandford, 17 S.Ct. 198, 164 U.S. 578, 41 L.Ed. 560; Smyth v. Ames, 18 S.Ct. 418, 169 U.S. 466, 42 L.Ed. 819; People v. Fire Ass'n, 92 N.Y. 311, 44 Am.Rep. 380; U. S. v. Supply Co., 30 S.Ct. 15, 215 U.S. 50, 54 L.Ed. 87; *contra*, Central P. R. Co. v. Board, 60 Cal. 35. But a corporation of another state is not a "person" within the jurisdiction of the state until it has complied with the conditions of admission to do business in the state, Fire Ass'n of Phila. v.